

# THE LOCOMOTIVE ENGINEER NEWSLETTER • AUGUST 2001

## On to the Senate!

By 384-33 majority, House passes H.R. 1140; next stop is the Senate

By a 384-33 majority, the U.S. House of Representatives approved the Railroad Retirement and Survivors' Act of 2001 on July 31.

It is now imperative that H.R. 1140's companion in the Senate, S. 697, be the first order of business when Senators return from their recess on September 4.

All BLE and GIA members are encouraged to contact their Senators while they are home during the recess.

Members can find the address and phone number of their Senators in the blue pages of their local phone book or via the Internet at: <[www.senate.gov](http://www.senate.gov)>.

As this issue of the *Newsletter* went to press, S. 697 had a veto-proof majority of 72 Senate co-sponsors. A list of the 28 Senators not supporting S. 697 is published on page 7 of this issue.

In the House, H.R. 1140 survived a last-minute at-

tack from right-wing conservatives who sought to derail the measure.

On July 25, House Budget Committee Chairman Jim Nussle (R-IA) removed H.R. 1140 from the House calendar, stating he was opposed to the bill for budgetary reasons. A quick grassroots effort by BLE and GIA members, along with the rest of rail labor, forced Nussle to put the bill back on the calendar.

"The hard work and dedication of BLE and GIA legislative officers and members made this vote possible," said BLE International President Edward Dubroski. "Without the action of these brothers and sisters, this bill would never have seen the light of day."

"But now we call on them once again to make sure this bill gets through the Senate. We urge everyone to contact their Senators during the August recess."

## Ballots due Sept. 14 in proposed UTU merger

New union would end century of squabble

BLE members should now have in hand ballots to vote on the union's proposed merger with the United Transportation Union, a merger that would create the second-largest transportation union in the AFL-CIO.

Ballots were mailed on August 6, along with the Unification Agreement and Constitution of the new union, which will be called United Transportation Union-Brotherhood of Locomotive Engineers, pending ratification by a majority of BLE and UTU members. September 14 is the cut off date for ballots to be received, and they will be mailed to and tabulated by the American Arbitration Association in Cleveland, Ohio.

After a comprehensive review of the proposed Unification Agreement and Constitution, the BLE's Advisory Board voted on the weekend of July 28 to support President Edward Dubroski's decision to refer the merger proposal to the BLE's rank and file membership, pursuant to Section 1(e) of the BLE Constitution.

In adopting a resolution of support, the Board voiced its

agreement that, "the future of the craft of locomotive engineer and the collective bargaining rights and working conditions, including seniority, of locomotive engineers shall be decided by the vote of the BLE rank and file."

If a majority of members approve the merger, the Unification Agreement and Constitution of the newly established union will become effective January 1, 2002.

"It was incumbent upon me as President of the BLE to follow the traditions of our democratic organization and allow the members to voice their beliefs on this issue," President Dubroski said.

A joint website designed to provide members and officers of both unions with information regarding the merger was launched on August 4. It will be updated regularly with answers to pertinent membership questions and other information regarding the proposed joining of the two organizations. The address is: <[www.ble.org/utumerger](http://www.ble.org/utumerger)>.

The merger web page has proven to be an important in-

formational tool. In the first week that it was launched, more than 1,600 members registered to receive copies of responses to questions. The volume of questions has been so great that they are being categorized, so that numerous questions concerning a particular topic may be addressed at one time.

An informational meeting was held in Cleveland on August 3-4 for all BLE General Chairmen and State Legislative Board Chairmen. At the meeting, these officers discussed the unification agreement, side letters, and constitution of the new union.

If approved, the merger would create the AFL-CIO's second-largest transportation union and largest railroad union, with nearly 200,000 active and retired members. Side Letter #1 of the Unification Agreement confirms, "the officers of (the) New Organization shall promptly apply for membership in the AFL-CIO and the CLC." The new union would be based in Cleveland.

See Ballots, Page 8

## BLE scores Indiana & Ohio organizing victory

The Brotherhood of Locomotive Engineers took a huge leap forward in organizing the vast shortline industry on August 3 as workers on the Indiana & Ohio Railroad, a subsidiary of shortline giant RailAmerica, selected the BLE as their collective bargaining representative.

The votes were tabulated on August 3 in Washington D.C., and an overwhelming majority of the 49 Indiana & Ohio workers selected the BLE in the National Mediation Board-sanctioned representation election.

BLE representatives were invited on the property by I&O workers, who

sought relief from management harassment and intimidation. The workers also sought a formal channel to redress their grievances with management.

BLE International President Edward Dubroski congratulated all BLE Special Representatives for their fine work in the field.

The Indiana & Ohio is a 492-mile shortline, which runs from Flat Rock, Mich., to Cincinnati, Ohio, hauling mostly soda ash, limestone, automobiles, trucks, lumber, chemicals and various industrial products. It is one of 39 shortline railroads owned by RailAmerica, the world's largest

shortline railroad operator. RailAmerica owns nearly 11,000 miles of track in four countries on three continents.

"The potential for thousands of new union members exists in the shortline industry," said BLE International President Edward Dubroski.

"We have tapped a source of tremendous growth. I extend congratulations to the brave I&O workers who were able to see through management's misinformation and make the right choice. These workers, many with families to support, put their livelihoods on the line for the sake of union represen-

tation. I am pleased to announce they made the brave choice, and the right choice."

The BLE's support of the shortline industry is apparent. In May, the BLE (along with the Brotherhood of Maintenance of Way Employees and the United Transportation Union) agreed to support legislation in the U.S. House of Representatives, known as the Railroad Track Modernization Act of 2001. The bill, H.R. 1020, would provide \$350 million annually in federal subsidies for each of the next three years to help rehabilitate Class II and Class III railroad infrastructures. •

# LEGISLATIVE UPDATE

## DC Feedback: Handrail chain requirements

Do you have a question about federal laws, Federal Railroad Administration rules that impact your job, or about pending legislation governing our industry? Send it to:

**D.C. Feedback, Brotherhood of Locomotive Engineers**  
10 G. Street N.E., Suite 480  
Washington, DC 20002

Or you can fax your questions to (202) 347-5237; or via e-mail to: [bledc@aol.com](mailto:bledc@aol.com).

If the BLE's National Legislative Office does not have the answer on hand (such as a federal interpretation),

they'll get back to you as soon as possible. Select questions and answers will be published regularly in the pages of the *Locomotive Engineer Newsletter*.

This month's installment deals with the question of chains on handrails.

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**What are the requirements for chains to be attached to handrails between locomotives?**

According to the Federal Railroad Administration a recent incident resulted in an injury to a railroad employee when he fell over safety chains

linked between locomotives. FRA provided the following information taken from §49 CFR part 229.119 (e). That provision states:

"(e) Similar locomotives with open end platforms coupled in multiple control and used in road service **shall have a means of safe passage** between them; no passageway is required through the nose of car body locomotives. There shall be a **continuous barrier** across the full width of the end of a locomotive or a continuous barrier between locomotives."

Key to the application of this pro-

vision is the meaning of the words "continuous barrier" and the term "safe passage" and how that might be accomplished.

Most locomotives are equipped with safety chains that are attached from one locomotive to another. While the chains, when attached loosely, may meet requirements for providing a continuous barrier, they may not provide for *safe passage*. If you are required to pick up locomotives en route please take the time to ensure the chains are properly fixed and not set so low as to make them unsafe. •

## Members attend legislative training session in Cleveland

Twenty-three BLE members attended a two-day legislative training session in Cleveland on July 22-23, 2001.

The two-day course is designed to educate Division Legislative Representatives regarding their duties and to hone their communication skills.

The course highlighted the legislative and political process, describing how federal safety regulations are established.

BLE International Vice-President & U.S. National Legislative Representative Leroy Jones conducted the training session, along with professional consultant David Mallino.

Additional training sessions are scheduled for August 8-9 in Chicago, Ill., and August 11-12 in Kansas City, Mo.

For details on future training sessions, please contact the BLE's National Legislative Office in Washington D.C. at (202) 347-7936, or via the Internet at: [<bledc@aol.com>](mailto:bledc@aol.com). •



BLE members attending the Legislative Training Session in Cleveland on July 23, 2001. Front row, from left: Don Spenlau, Div. 489; Jim Louis, Div. 421; Michael Harting, Div. 263; Greg Powell, Div. 920; John R. Hill, Div. 565; Leroy Jones, BLE Vice-President & U.S. National Legislative Representative; Jim Ong, Div. 292; Larry Galati, Div. 325; Dave Caniff, Div. 370 and Secretary-Treasurer of the Pennsylvania State Legislative Board; and Jim Worles, Div. 101.

Second row, from left: Jim O'Neill, Div. 483; David Mallino; Row Spencer, Div. 185; Don Thacker, Div. 234; Willie Brown, Div. 255; Dan Harris, Div. 812; Bob Sorg, Div. 370; Frank Battaglia, Div. 1; Tim Price, Div. 607; Rick Finamore, Div. 757; Tony Reed, Div. 124; Rodney Cameron, Div. 511; Larry Robinson, Div. 526; Bill Ellert, Div. 3; and Ken Kertesz, Pennsylvania State Legislative Board Chairman.

## NEWS BRIEFS

### Your BLE PAC pins have arrived

BLE members who contribute to the BLE-PAC fund should have received their lapel pins as this issue of the *Newsletter* goes to press.

The pins are given to members who contribute to at a minimum of \$60 per year.

Those who have not yet received their pins should contact the BLE's National Legislative Office by phone at (202) 347 7936 or via the Internet at: [<bledc@aol.com>](mailto:bledc@aol.com).

The BLE thanks all PAC contributors! •

### Nevada gets State Legislative Board

BLE members in the state of Nevada officially established a State Legislative Board on July 12.

Congratulations to Brother T.J. "Joe" Carter, who was

elected Chairman by acclamation.

In attendance at the meeting were Brothers Mike Muscha, Regional Chairman, and Doug Horstman, Oregon State Legislative Board Chairman.

Brother Carter expressed appreciation and thanks to those Boards who made financial contributions to assist in establishing the Nevada Board.

BLE International President Edward Dubroski offered congratulations to Brother Carter and to all BLE members in Nevada.

"All railroaders in the state of Nevada will benefit by having a strong BLE voice in the state capital," Dubroski said.

BLE members in Nevada wishing to get in touch with their new State Legislative Board Chairman can contact:

**T.J. Carter**  
P.O. Box 52072  
Sparks, NV 89434-2073  
(775) 626-6662 (phone)  
(775) 626-8821 (fax) •

### Rutter confirmed FRA Administrator

U.S. Transportation Secretary Norman Y. Mineta on August 3 welcomed Allan Rutter to the U.S. Department of Transportation (DOT) as the Senate confirmed him as Federal Railroad Administrator.

"I'm excited about Allan joining our team here at DOT. His comprehensive knowledge of transportation and his extensive background in rail policy will be invaluable in achieving the Department's strategic goals and in meeting the challenge of improving the nation's railroad system," said Secretary Mineta.

Rutter has been involved in transportation policy for the past 18 years and served President Bush in Texas as Director of Transportation Policy. Before joining then-Governor Bush in 1995, Rutter was Deputy Executive Director of the Texas High-Speed Rail Au-

thority. From 1982 to 1990, Rutter served Texas Governors Bill Clements and Mark White, and worked for the Texas House Transportation Committee. Most recently, Rutter developed transportation policy for Texas governor Rick Perry.

As FRA administrator, Rutter will lead the regulatory and enforcement agency responsible for promoting safe and successful railroad transportation within the United States, and work to advance the policies of the Bush Administration regarding freight and passenger rail.

Rutter earned a master of public affairs from the Lyndon B. Johnson School of Public Affairs at the University of Texas at Austin and his bachelor's degree from the University of Texas at Austin. He and his wife, Melanie, and their two daughters, Sarah and Elizabeth will reside in Manassas, Va. •

### Rail accidents at 10-year low

On August 2, the U.S. Department of Transportation's Bureau of Transportation Statistics (BTS) released its monthly Transportation Indicators report showing that rail accidents and incidents reached a 10-year low in April 2001, more than 6 percent below the number for April 2000.

The BTS report is a monthly update of critical transportation information that details the impact of transportation on the nation's economy and society.

The monthly report, which is available at [www.bts.gov](http://www.bts.gov), provides information to address specific transportation issues and to assist in the effort led by BTS to make transportation information more accurate, reliable, and timely. Updated reports will be available on the BTS website the fourth week of every month. •

# Two BLE officers receive labor degrees

At commencement exercises held on June 30, 2001 in Silver Spring, Md., the National Labor College conferred degrees on two BLE local chairmen.

Steven L. Christian, local chairman of BLE Division 524 (Van Buren, Ark.), and Rodney K. Cutlip, local chairman of BLE Division 385 (Toledo), both received Bachelor of Arts degrees in labor studies from the college.

Brother Christian became a BLE member on July 1, 1977. He actually completed his degree from the National Labor College late in 2000, but officially graduated in June. Christian, also the Vice-

Chairman of the Arkansas State Legislative Board, has been a union officer for more than 20 years, but always wanted to finish his education. He saw that opportunity in the form of the National Labor College.

"Running trains is a great job, but it gets old after a while," said Christian. "I had always wanted to finish my education and become a better representative for my union. More education increases my effectiveness as a union representative."

Brother Christian is furthering his education by pursuing a Masters in Labor Relations from the University of Massachusetts at Amherst.

Brother Cutlip also is considering

pursuing a Masters degree. He joined the BLE on October 1, 1988. After beginning his coursework at the University of Toledo in the 1970s, he saw attending the National Labor College as a way to level the playing field between himself and the carrier's representatives that he often squares off against.

"I decided to arm myself with education. More education means that you

have more weapons," said Cutlip. "I think it makes the people I represent more comfortable — knowing that I am equally as educated as the carrier's representatives."

**"I decided to arm myself with education. More education means you have more weapons."**

— Rodney Cutlip

Both of these members have made the Brotherhood proud, according to BLE International President Edward Dubroski.

"These Brothers have set an example for all members of the Brotherhood of Locomotive Engineers," said President Dubroski. "They have followed in the footsteps of other BLE members who have blazed a trail by graduating from the National Labor College at the George Meany Center."

Five BLE members have graduated from the National Labor College in the past two years.

Last year, Brothers R.J. Darcy, M.J. Thiellen and R.G. Shaw also graduated from the National Labor College. •



From left: In the lobby of the George Meany Center following commencement ceremonies at the National Labor College are International Vice-President William C. Walpert, Division 385 (Toledo, Ohio) Local Chairman Rodney K. Cutlip, Division 524 (Van Buren, Ark.) Local Chairman Steven L. Christian, and BLE International Vice-President & U.S. National Legislative Representative Leroy D. Jones. Over the past two years, five BLE members have earned degrees from the National Labor College.

## Divisions must be 'square on the books' to seat delegates

With the upcoming Seventh Quinquennial BLE International Convention, all BLE divisions are reminded of the importance of their secretary-treasurers filing their monthly dues reports in a timely fashion.

Section 22, page 25, of the BLE Constitution & Bylaws states: "Any delegate whose division is not square on the books and any division that has not paid its pro rata assessments, as provided in the Constitution and Bylaws, also its indebtedness to other divisions, shall not be allowed a seat in the I.D."

The convention begins September 24. It is essential that each division ensure that its July 2001 International Dues Remittance report is received by the International Division prior to September 24.

All BLE division presidents and secretary-treasurers were formally reminded of this constitutional requirement in a letter dated July 3 from General Secretary-Treasurer R.W. Bennett.

The International Convention, held once every five years, will take place at the Fontainebleau Hotel in Miami, Fla., from September 24-28, 2001. •



Logo for the Seventh Quinquennial International Convention

## NEWS BRIEFS

### UP cuts fatigue rules, extra boards

OMAHA — The Union Pacific Railroad has ended 18-month-old safety measures designed to ease fatigue for extra board locomotive engineers along its 33,000-mile system.

The rail company ended work-rest agreements that had given some extra board engineers guaranteed days off. The company also eliminated 300 jobs for additional back-up engineers — back-up substitutes — whose work had made the guaranteed days off possible. UP says those engineers have been transferred to other jobs.

To curb costs, UP eliminated some work-rest agreements between itself and the Brotherhood of Locomotive Engineers. Those agreements were implemented two years ago after a series of fatal train wrecks. The railroad said its decision would have no impact on safety and was an option it had always preserved.

The BLE, however, says that the changes will result in engineers working while tired and will compromise safety. It also says engineers' quality of life will suffer.

General Chairman Mike Young of Cheyenne, UP-Eastern District, said engineers fear the loss of guaranteed

days off will increase worker fatigue. That could lead to more train accidents and possibly injuries or deaths, he said.

"We're not very happy," he said. "We thought they were good agreements." •

### BNSF may have violated law

OMAHA — The U.S. Equal Employment Opportunity Commission has found that the Burlington Northern Santa Fe Railroad may have violated federal law in performing genetic tests on employees without their knowledge.

The EEOC said in a July 10 letter to a BNSF employee that an investigation had found four violations of federal law by the railroad in conducting the genetic tests.

In its letter, the EEOC alleges that BNSF acted "with malice or reckless disregard for employees' rights."

In a major victory for organized labor and workers' rights, the BNSF settled a lawsuit filed by the Brotherhood of Maintenance of Way Employees to stop the coercive genetic testing of its employees.

The BMW filed suit on February 9 against BNSF and Athena Diagnostics, and was soon joined by the BLE, seek-

ing "to remedy the illegal, compulsory regime of genetic testing of injured employees" by the BNSF.

In the April 6 settlement, BNSF agreed to terminate all genetic testing of employees represented by BMW and BLE. BNSF also agreed to destroy all blood samples and records of testing previously done (when authorized by the affected individuals), confirming the status of the destruction to the BMW and BLE, and agreed not to discipline any employee for failure to comply with requests for medical information in connection with previously conducted tests. •

## CANADIAN SPOTLIGHT

# Les ingénieurs demandent d'agir sur le sujet de la fatigue

## Il est difficile pour les ingénieurs de rester réveillé sur les chemins de fer canadiens

En parlant de déraillements de train, celle-ci en est une bonne.

Il n'y a eu aucune blessure et aucun échappement de chimiques ou déchets dangereux lorsqu'un train du Canadien National en direction de l'est est entré en collision avec le côté d'un train du CN en direction de l'ouest à 4h42 près de Basque, CB.

Les enquêteurs ont cherché la cause physique de l'accident en octobre 1998 et n'en ont trouvé aucune. Au lieu de ça, ils ont conclu que l'accident était probablement survenu lorsque l'ingénieur de locomotive du train en direction de l'Est a fait un bref « micro-sommeil » après avoir été réveillé pendant 20 des 21 heures précédentes.

Ça aurait pu être pire. Un accident semblable près de Topeka, KN en 1997 a causé la mort de l'ingénieur du train et plus de 5 millions \$ (US) de dommages et forcé l'évacuation de plus de 1400 résidents de leur maison.

Les enquêteurs ont conclu que l'ingénieur mort s'était probablement endormi brièvement avant la collision, après avoir été réveillé pour 18 heures.

La fatigue est un grand danger sur la sécurité affectant l'industrie du transport, que ce soit les pilotes qui font la sieste dans la cabine de pilotage, les camionnages cognant des clous au volant ou les ingénieurs qui s'endorment aux contrôles.

Sous pression de voyager de longues distances sous des conditions monotones, les travailleurs disent qu'ils jouent avec la mort.

« Je me bats. Tout le monde se bat. J'ai tombé endormi pendant quelques secondes », a dit David Boyko, un ingénieur de Winnipeg qui a demandé à Ottawa de porter plus d'attention sur le sujet de la fatigue sur les voies de chemin de fer. « Vous ne pouvez ignorer ce sujet. C'est une bombe à retardement. »

Il existe des règlements au Canada et aux États-Unis limitant le nombre d'heures que les travailleurs des chemins de fer peuvent travailler et prévoyant des périodes de repos. La plupart des quarts de travail ne peuvent excéder 12 heures au Canada.

Mais dans les cas de Basque et Topeka, les ingénieurs travaillaient dans les limites de ces règlements, lorsqu'ils semblent qu'ils se soient endormis.

George Hucker a travaillé sur les chemins de fer pendant environ 20

ans avant de travailler pour la Fraternité des ingénieurs de locomotives. Tout comme la plupart des ingénieurs, a-t-il dit, il a quelques fois perdu la bataille pour rester réveillé. Monsieur Hucker est maintenant l'homme de pointe du Syndicat sur le sujet de la fatigue.

« C'est le sujet principal des gens qui opèrent la machinerie lourde comme les ingénieurs de locomotives », de dire Monsieur Hucker.

L'image d'un ingénieur de train marchandises qui s'endort aux contrôles semble quelque peu moins menaçant que de penser aux pilotes qui somnolent dans la cabine de pilotage ou de camionneurs qui s'endorment au volant.

Mais considérez ceci. Un train qui heurte une voiture à un passage à niveau a le même impact qu'une voiture qui heurte une canette de boisson gazeuse. Dans de telles situations, les voitures sont habituellement détruites bien que le train puisse s'en réchapper avec aucune égratignure.

En 1999, il y a eu 109 morts impliquant des trains au Canada. De ceux-ci, la grande majorité impliquant des collisions avec des véhicules (28 morts) et des piétons (63 morts). Il y a eu aussi sept passagers et trois employés qui sont décédés.

Bien que la plupart des morts ferroviaires ne sont pas causées par la fatigue, elle a joué un rôle dans un des pires accidents de train de l'histoire canadienne. Vingt-trois personnes sont décédées après qu'un train marchandises du Canadien National est entré en collision avec un train VIA près de Hinton, AB, en 1986.

Bien que l'équipe se soit reposée avant de prendre les commandes du train, ils n'ont pas eu suffisamment de repos, de conclure les enquêteurs. L'ingénieur a dormi, au plus, 3 heures; l'agent de train, cinq heures; le chef de train, quatre heures.

L'accident a amplifié la sensibilisation de la fatigue et a eu pour conséquence de limiter la journée de nouvelle tâche qui a été adopté à travers l'industrie.

Les quarts de travail sont généralement limités à 12 heures et les ingénieurs ne travaillent pas plus de 18 heures dans une période de 24 heures.

Dans de rares exceptions, un quart de travail peut s'étendre jusqu'à 16 heures. Après avoir

travaillé un quart de travail d'au moins 10 heures, les ingénieurs ferroviaires ne peuvent pas retourner en devoir jusqu'à ce qu'ils aient eu au moins huit heures hors service.

Le désastre de Hinton a aussi mené à l'installation d'un bouton d'urgence qui doit être pressé à toutes les minutes ou deux. Si non, les freins automatiques sont engagés et une alarme sonne.

Le bouton aide à traiter d'une des grandes ironies du domaine du transport. Laquelle est, le plus facile que devient le travail, le plus difficile qu'il est de rester réveillé.

Lorsque les chemins de fer étaient construits à travers le Canada à la fin des années 1800, le travail ferroviaire incluait de pelletier le charbon à la main et opérer la locomotive pour ramasser et restituer les wagons à divers endroits. Ces tâches, lesquelles demandaient de l'attention et de maintenir une vigilance, ne font plus partie de l'emploi.

Les ingénieurs disaient que les changements au contrat syndical au Canadien Pacifique en 1995 ont fait qu'il est même plus difficile de rester réveillé. Ces changements permettent à la Compagnie de déplacer les travailleurs haut-le-pied à une autre location par taxi, sans leur donner une chance de s'inscrire en repos à leur arrivée.

Le porte-parole du CP, Ian La Couvée dit que bien qu'il y ait toujours place pour de l'amélioration, le chemin de fer croit que ses politiques sont sécuritaires.

Mais il dit que la question de fatigue n'est pas quelque chose que la Compagnie peut adresser par elle-même. Il dit que les travailleurs ont aussi une responsabilité de s'assurer qu'ils sont bien reposés.

Certains chemins de fer des É.U. ont des politiques en place pour des siestes contrôlées, lesquelles permettent aux ingénieurs fatigués de retirer le train de la ligne principale pour faire la sieste.

Bien que les chemins de fer des É.U. ne permettent pas de siestes contrôlées dans les trains, ils ont établi des installations à différents endroits où les ingénieurs peuvent se reposer avant un quart de travail si un train est retardé.

Mais Monsieur Boyko dit qu'il est encore possible pour un ingénieur ferroviaire d'opérer un train de 7200 tonnes après avoir été debout pour plus de 24 heures.

C'est parce que les trains marchandises ne fonctionnent pas d'ordinaire à l'heure prévue. Quand les ingénieurs vont sur appel, ils ne savent pas vraiment quand leurs trains vont quitter. Les chemins de fer fournissent la liste des employés sur des messages enregistrés, mais ceux-ci sont toujours sujets à changer.

« Vous ne pouvez anticiper chaque dérangement potentiel. C'est à ce moment-là que la pré-sieste survient. Lorsqu'il y a un délai, cet employé peut prendre avantage de cette option pour s'assurer que sa vigilance est à point », de dire le porte-parole du CN, Mark Hollman.

Docteur Berry Prentice, directeur de l'Institut du transport de l'Université du Manitoba, a dit que les heures aléatoires et non-cédulées que les chemins de fer demandent à leurs employés sont un défi à l'horloge biologique. « Si vous avez une structure de sommeil perturbée alors vous courrez après les problèmes en terme de fatigue et les gens qui s'endorment aux commandes », a-t-il dit.

Lors de l'accident à Basque, l'ingénieur de train en direction de l'est a appelé pour vérifier la liste des employés à 9h et a appris qu'il ne serait pas disponible à travailler avant tard ce soir-là ou tôt le matin suivant. À cause de cela, il a planifié dormir tôt dans la soirée.

Mais à 12h30, il apprenait que son train partirait à environ 18h30 et était seulement capable de dormir une heure avant de se rapporter en service.

Mike Brown, qui est décédé lors de la collision de Topeka, a vérifié la liste des employés enregistrée lorsqu'il s'est réveillé le matin et a découvert que son train n'était pas cédulé partir avant 17h. Comme d'habitude, la liste des employés a changé durant la journée et le train de Monsieur Brown n'a pas quitté avant 12 heures après qu'il fut sorti du lit.

« C'était une situation courante. Il ne savait jamais lorsqu'il quittait, combien de temps il serait parti ou même combien de temps il serait à la maison » a dit la veuve de Monsieur Brown aux enquêteurs du Conseil national de la sécurité des transports.

« La dernière fois que j'ai appelé cet enregistrement, il était encore inexact. On y disait que Mike était encore en service. C'était à 8h30 le 2 juillet 1997, approximativement deux heures après que Mike soit décédé. »

# Engineers plead for action on fatigue

## Canadian railways make it hard for engineers to stay awake

*BLE Editor's Note: The following article is reprinted with permission from The Globe and Mail. The article was originally published on June 12, 2001.*

As train derailments go, this was a good one.

There were no injuries and no release of hazardous chemicals or waste when an eastbound Canadian National train collided with the side of a westbound CN train at 4:42 a.m. near Basque, B.C.

Investigators searched for a physical cause for the October 1998, accident, but found none. Instead, they concluded that the accident likely occurred when the locomotive engineer on the eastbound train fell into a brief "microsleep" after being awake for 20 of the previous 21 hours.

It could have been a lot worse. A similar accident near Topeka, Kan., in 1997, killed the train's engineer, caused more than \$5-million (U.S.) in damage and forced more than 1,400 residents from their homes.

Investigators concluded that the dead engineer probably fell asleep shortly before the collision, after being awake for more than 18 hours.

Fatigue is a huge safety hazard plaguing the transportation industry, whether it is pilots napping in the cockpit, truckers nodding off at the wheel, or engineers asleep at the switch.

Under pressure to travel long distances under monotonous conditions, workers say they are flirting with disaster.

"I struggle. Everybody struggles. I have fallen asleep for a few seconds," said David Boyko, a Winnipeg engineer who has been asking Ottawa to pay more attention to issues of fatigue on the rails. "You can't ignore this. It's a time bomb."

There are regulations in Canada and the United States capping the number of hours railway workers can be on duty and prescribing rest periods. Most shifts can't be longer than 12 hours in Canada.

But in both Basque and Topeka, the engineers were working within the limits of these rules when they appear to have fallen asleep.

George Huckler worked on the rails for about 20 years before leaving to work at the Brotherhood of Locomotive Engineers. Like most engineers, he said, he sometimes

lost the battle to stay awake. Mr. Huckler is now the union's point man on the issue of fatigue.

"It is the number one issue for people who are operating heavy machinery like locomotive engineers," he said.

The image of a freight train engineer falling asleep at the switch seems somehow less threatening than thoughts of pilots dozing in the cockpit or truckers falling asleep at the wheel.

But consider this. A train hitting a car at a railway crossing packs the same punch as a car hitting a soft-drink can. In such encounters, the cars are usually destroyed while the trains can escape unscratched.

In 1999, there were 109 fatalities involving trains in Canada. Of these, the vast majority involved collisions with vehicles (28 deaths) and trespassers (63 deaths). There were also seven passenger deaths and three dead employees.

While most railway deaths are unrelated to fatigue, it did play a role in one of the worst train accidents in Canadian history. Twenty-three people



One of the lead locomotives in the July 2, 1997 crash that took the life of BLE member Mike Brown. The NTSB concluded that fatigue played a role in the fatality. (BLE Safety Task Force file photo)

Une des locomotives de tête de la collision du 2 juillet 1997 qui a tué Mike Brown, membre de la FIL. Le NTSB a conclu que la fatigue a joué un rôle dans l'accident mortel. (Photo du dossier du Groupe de travail sur la sécurité de la FIL)

led to the installation of an emergency button that must be pushed every minute or two. If not, automatic brakes are engaged and an alarm sounds.

The button helps deal with

But he said the issue of fatigue isn't something the company can address on its own. He said workers also have a responsibility to make sure they're well-rested.

Some U.S. railways have policies in place for controlled napping, which allow tired engineers to pull the train off the mainline to nap.

While Canadian railways don't allow controlled napping in the trains, they have set up napping facilities at some locations where engineers can rest before a shift if a train is delayed.

But Mr. Boyko said it's still possible for a railway engineer to drive a 7,200-tonne train after being awake for up to 24 hours.

That's because freight trains don't typically run on schedules. When engineers go on call, they never really know when their trains will leave. The railways put the lineups on recorded messages, but these are always subject to change.

"You can't anticipate every potential disruption. That's where the prenapping comes in. When there's a delay, that employee can take advantage of that option to make sure that their alertness is there," CN spokesman Mark Hallman said.

Dr. Barry Prentice, director of the University of Manitoba's Transport Institute, said the random, unscheduled hours that railways demand of their employees are

a challenge to the body's circadian clock. "If you have a very disruptive sleep pattern, then you're asking for trouble in terms of fatigue and people falling asleep at the switch," he said.

In the accident at Basque, the engineer of the eastbound train called in to check the lineup at 9 a.m. and learned that he probably wouldn't be up for duty until late that night or early the next morning. As a result, he planned to sleep in the early evening.

But at 12:30, he learned that his train would leave at about 6:30 p.m. and was only able to catch an hour of sleep before reporting for duty.

Mike Brown, who died in the Topeka collision, checked the recorded lineup when he woke in the morning and found that his train wasn't scheduled to leave until 5 p.m. As usual, the lineup changed during the day and Mr. Brown's train didn't leave until 12 hours after he got out of bed.

"This was a common occurrence. He never knew when he would leave, how long he would be gone, or how long he would be home either," Mr. Brown's widow told investigators with the National Transportation Safety Board.

"The last time I called that recording, it was again inaccurate. It said Mike was still on duty. That was 8:30 a.m. July 2, 1997, approximately two hours after Mike was pronounced dead." •

**"I struggle. Everybody struggles. I have fallen asleep for a few seconds. You can't ignore this. It's a time bomb."**

— David Boyko, BLE Division 76 (Winnipeg)

died after a Canadian National Railway Co. freight train collided with a Via Rail train near Hinton, Alta., in 1986.

Although the crew had rested before taking control of the train, they did not get enough sleep, investigators concluded. The engineer had slept, at most, for 3 hours; the trainman, five hours; the conductor, four hours.

The accident heightened awareness of fatigue and resulted in new duty day limits that have been adopted across the industry.

Shifts are generally limited to 12 hours and engineers can't work more than 18 hours in a 24-hour period. Under rare exceptions, a shift can be up to 16 hours long. After working a shift of at least 10 hours, railway engineers can't be called back for duty until they have had at least eight hours off.

The Hinton disaster also

one of the great ironies in transportation work. That is, the easier the job gets, the harder it is to stay awake.

When the railways were first built across Canada in the late 1800s, railway work included hand-shovelling coal and operating the locomotive to pick up and drop off cars at various locations. Those tasks, which demanded attention and maintained alertness, are no longer part of the job.

Engineers said 1995 changes to the union contract at Canadian Pacific Railway Co. have made it even harder to stay awake. These changes allow the firm to deadhead workers to another location by cab, without giving them a chance to book rest when they arrive.

CPR spokesman Ian La Couvée said that while there is always room for improvement, the railway believes its policies are safe.

# Importance of a 'current connection'

Under the Railroad Retirement Act, a "current connection with the railroad industry" is one of the eligibility requirements for occupational disability annuities and supplemental annuities, and is one of the criteria for determining whether the Railroad Retirement Board or the Social Security Administration has jurisdiction over the payment of monthly benefits to survivors of a railroad employee.

The following questions and answers describe the current connection requirement and the ways the requirement can be met.

## 1. How is a current connection determined under the Railroad Retirement Act?

To meet the current connection requirement, an employee must generally have been credited with railroad service in at least 12 months of the 30 months immediately preceding the month his or her railroad retirement annuity begins. If the employee died before retirement, railroad service in at least 12 months in the 30 months before death will meet the current connection requirement for the purpose of paying survivor benefits.

However, if an employee does not qualify on this basis, but has 12 months' service in an earlier 30-month period, he or she may still meet the current connection requirement. This alternative generally applies if the employee did not have any regular employment outside the railroad industry in the period between the end of the last 30-month period including 12 months of railroad service and the month the annuity begins, or the month of death if earlier.

A current connection established at the time the railroad retirement annuity begins is permanent. The employee never loses it no matter what kind of work is performed thereafter.

## 2. Can nonrailroad work before retirement break a former railroad employee's current connection?

Full or part-time work for a nonrailroad employer in an interim between the end of the last 30-month period including 12 months of railroad service and the beginning date of an employee's annuity, or the date of death if earlier, can break a current connection.

Self-employment in an unincorporated business will not break a current connection. However, if the business is incorporated, compensated service will break a current connection.

Federal employment with the Department of Transportation, the National Transportation Safety Board, the National Mediation Board, the Surface Transportation Board or the Railroad Retirement Board will not break a current connection. Also, neither State employment with the Alaska Railroad, so long as that railroad remains an entity of the State of Alaska, nor non-creditable Canadian railroad service will break a current connection.

## 3. Are there any exceptions to these normal procedures for determining a current connection?

Since 1981, a current connection can be maintained for purposes of supplemental and survivor annuities if the employee completed 25 years of railroad service, was involuntarily terminated without fault from the railroad industry, and did not thereafter decline an offer to return to work in the same class or craft as his or her most recent railroad service, regardless of the location of the work offered.

If all of these requirements are met, an employee's current connection may not be broken, even if the employee works in regular nonrailroad employment after the 30-month period and before retirement or death. This exception to the normal current connection requirement became effective October 1, 1981, but only for employees still living on that date who left the rail industry on or after October 1, 1975, or who were on leave of absence, on furlough, or absent due to injury on October 1, 1975.

## 4. Would the acceptance of a separation allowance have any effect on determining whether an employee could maintain a current connection under this exception provision?

In cases where an employee has no option to remain in the service of his or her employer, the termination of the employment is considered involuntary, regardless of whether the employee receives a separation allowance.

However, an employee who chooses a separation allowance instead of keeping his or her seniority rights to railroad employment in his last class or craft would, for railroad retirement purposes, generally be considered to have voluntarily terminated railroad service, and consequently would not maintain a current connection under the exception provision.

## 5. An employee with 25 years of service is offered a separation allowance with the option of either taking payment in a single lump sum or of receiving monthly payments until retirement age. Could the method of payment affect the employee's current connection under the exception provision?

If the employee had the choice to remain in employer service and voluntarily relinquished job rights to accept the payments, his or her current connection would not be maintained under the exception provision, regardless of which payment option is chosen. Therefore, nonrailroad work after the 30-month period and before retirement or death could break the employee's current connection. Such an employee

could only meet the current connection requirement under the normal procedures.

An employee considering accepting a separation allowance should also be aware that if he or she relinquishes job rights to accept a separation allowance, the compensation cannot be used to credit additional service months beyond the month in which the employee severed his or her employment relation, regardless of whether payment is made in a lump sum or on a periodic basis.

## 6. What if an employee is given the option of retaining job rights and receiving monthly dismissal allowances until retirement age?

If an employee retains job rights and receives monthly dismissal allowances, the compensation is credited to the months for which payments are allocated. This is true even if the employee later relinquishes job rights after the end of the period for which a monthly dismissal allowance was paid.

If the payments continued until retirement age, this could extend the employee's rail service until that time and thereby also maintain his or her current connection, regardless of years of service.

## 7. Could the 1981 exception provision apply in cases where an employee has 25 years of railroad retirement coverage and a company reorganization results in the employee's job being placed under social security coverage?

The exception provision has been considered applicable by the Board in cases where a 25-year employee's job changed from railroad retirement coverage to social security coverage and the employee had, in effect, no choice available to remain in railroad retirement covered service.

Such 25-year employees have been deemed to have a current connection for purposes of supplemental and survivor annuities.

## 8. Where can a person get more specific information on the current connection requirement?

Railroaders and former employees can contact the nearest field office of the Railroad Retirement Board for information on how their eligibility for benefits is affected by this requirement. Most Board field offices are open to the public from 9:00 a.m. to 3:30 p.m., Monday through Friday.

In addition, information can be accessed through the Railroad Retirement Board's Internet website at <[www.rrb.gov](http://www.rrb.gov)>. •



## 2001 RRB Informational Conferences

The U.S. Railroad Retirement Board will offer free informational conferences for elected BLE officials throughout the 2001 calendar year.

Registration for all informational conferences begins at 8 a.m., with the program beginning promptly at 8:30 a.m. and ending at 12:30 p.m.

What follows are the informational conferences that the Railroad Retirement Board has scheduled for 2001.

### \* Sept. 14 • Albany, N.Y.

Quality Inn of Albany, AV Room, 3 Watervliet Ave. Extension

### Sept. 14 • Sacramento, Calif.

Radisson Hotel, Highway 160 at Canterbury Rd., 500 Leisure Lane

### \* Sept. 20 • Renton, Wash.

Holiday Inn at Renton, 1 South Grady Way

### Sept. 21 • Portland, Ore.

Hilton Garden Inn Portland Airport, 12048 N.E. Airport Way

### \* Oct. 5 • Philadelphia, Pa.

Holiday Inn Express Midtown, 1305 Walnut St.

### Oct. 12 • Houston, Texas

University Hilton Hotel, 4800 Calhoun Rd.

### Oct. 19 • Ft. Worth, Texas

Holiday Inn South, 100 Alta Mesa East Blvd.

### \* Oct. 26 • Huntington, W.Va.

UpTowner Inn, Governors Room, 100 Alta Mesa East Blvd.

### Nov. 2, Louisville, Ky.

Executive Inn, 978 Phillips Lane

### Nov. 9 • Metairie, La.

Holiday Inn Metairie, 3400 I-10 & Causeway Blvd.

### Nov. 9 • Wichita, Kan.

Holiday Inn Select, Pecan Room, 549 S. Rock Rd. (Kellogg & Rock Rd.)

### Nov. 16 • Charlotte, N.C.

Sheraton Hotel Airport, 3315 S. I-85 & Billy Graham Parkway

### Dec. 7 • Jacksonville, Fla.

Baymeadows Holiday Inn, 9150 Baymeadows Rd.

\* — Asterik indicates that the conference was not listed on a previous schedule, or there has been a change in the informational conference.

# House voting results for H.R. 1140

Party Affiliation	Yeas	Nays	Non-voters
Republican	184	31	6
Democrat	198	2	10
Independent	2	0	0
<b>Totals</b>	<b>384</b>	<b>33</b>	<b>16</b>

**Representatives who voted "yea" on H.R. 1140**

Abercrombie (D-HI)  
 Ackerman (D-NY)  
 Aderholt (R-AL)  
 Akin (R-MO)  
 Allen (D-ME)  
 Andrews (D-NJ)  
 Armey (R-TX)  
 Baca (D-CA)  
 Bachus (R-AL)  
 Baird (D-WA)  
 Baker (R-LA)  
 Baldacci (D-ME)  
 Baldwin (D-WI)  
 Barcia (D-MI)  
 Barr (R-GA)  
 Barrett (D-WI)  
 Bartlett (R-MD)  
 Barton (R-TX)  
 Bass (R-NH)  
 Becerra (D-CA)  
 Bentsen (D-TX)  
 Bereuter (R-NE)  
 Berkley (D-NV)  
 Berman (D-CA)  
 Berry (D-AR)  
 Biggert (R-IL)  
 Billirakis (R-FL)  
 Bishop (D-GA)  
 Blagojevich (D-IL)  
 Blumenauer (D-OR)  
 Blunt (R-MO)  
 Boehlert (R-NY)  
 Boehner (R-OH)  
 Bonilla (R-TX)  
 Bonior (D-MI)  
 Bono (R-CA)  
 Borski (D-PA)  
 Boswell (D-IA)  
 Boucher (D-VA)  
 Boyd (D-FL)  
 Brady (D-PA)  
 Brady (R-TX)  
 Brown (D-FL)  
 Brown (D-OH)  
 Brown (R-SC)  
 Bryant (R-TN)  
 Burr (R-NC)  
 Burton (R-IN)  
 Buyer (R-IN)  
 Callahan (R-AL)  
 Calvert (R-CA)  
 Camp (R-MI)  
 Cannon (R-UT)  
 Cantor (R-VA)  
 Capito (R-WV)  
 Capps (D-CA)  
 Capuano (D-MA)  
 Cardin (D-MD)  
 Carson (D-IN)  
 Carson (D-OK)  
 Castle (R-DE)  
 Chambliss (R-GA)  
 Clay (D-MO)  
 Clayton (D-NC)  
 Clement (D-TN)  
 Clyburn (D-SC)  
 Coble (R-NC)  
 Collins (R-GA)  
 Combust (R-TX)  
 Condit (D-CA)  
 Conyers (D-MI)  
 Cooksey (R-LA)  
 Costello (D-IL)  
 Coyne (D-PA)  
 Crane (R-AL)  
 Crenshaw (R-FL)  
 Crowley (D-NY)  
 Cubin (R-WY)  
 Culberson (R-TX)  
 Cummings (D-MD)  
 Cunningham (R-CA)  
 Davis (D-CA)  
 Davis (D-FL)  
 Davis (D-IL)  
 Davis, Jo Ann (R-VA)  
 Davis, Tom (R-VA)  
 Deal (R-GA)  
 DeFazio (D-OR)  
 DeGette (D-CO)  
 Delahunt (D-MA)  
 DeLauro (D-CT)  
 Deutsch (D-FL)  
 Diaz-Balart (R-FL)  
 Dicks (D-WA)

Dingell (D-MI)  
 Doggett (D-TX)  
 Dooley (D-CA)  
 Doolittle (R-CA)  
 Doyle (D-PA)  
 Dreier (R-CA)  
 Duncan (R-TN)  
 Dunn (R-WA)  
 Edwards (D-TX)  
 Ehlers (R-MI)  
 Ehrlich (R-MD)  
 Emerson (R-MO)  
 Engel (D-NY)  
 English (R-PA)  
 Eshoo (D-CA)  
 Etheridge (D-NC)  
 Evans (D-IL)  
 Everett (R-AL)  
 Farr (D-CA)  
 Fattah (D-PA)  
 Ferguson (R-NJ)  
 Filner (D-CA)  
 Fletcher (R-KY)  
 Foley (R-FL)  
 Forbes (R-VA)  
 Ford (D-TN)  
 Fossella (R-NY)  
 Frank (D-MA)  
 Frost (D-TX)  
 Gallegly (R-CA)  
 Ganske (R-IA)  
 Gekas (R-PA)  
 Gephardt (D-MO)  
 Gibbons (R-NV)  
 Gilchrest (R-MD)  
 Gillmor (R-OH)  
 Gilman (R-NY)  
 Gonzalez (D-TX)  
 Goode (I-VA)  
 Goodlatte (R-VA)  
 Gordon (D-TN)  
 Goss (R-FL)  
 Graham (R-SC)  
 Granger (R-SX)  
 Graves (R-MO)  
 Green (D-TX)  
 Green (R-WI)  
 Greenwood (R-PA)  
 Grucci (R-NY)  
 Gutierrez (D-IL)  
 Gutknecht (R-MN)  
 Hall (D-OH)  
 Hall (D-TX)  
 Hansen (R-UT)  
 Harman (D-CA)  
 Hart (R-PA)  
 Hastings (R-WA)  
 Hayes (R-NC)  
 Hayworth (R-AZ)  
 Hill (D-IN)  
 Hilleary (R-TN)  
 Hilliard (D-AL)  
 Hinchey (D-NY)  
 Hinojosa (D-TX)  
 Hobson (R-OH)  
 Hoeffel (D-PA)  
 Holden (D-PA)  
 Holt (D-NJ)  
 Honda (D-CA)  
 Hooley (D-OR)  
 Horn (R-CA)  
 Hostettler (R-IN)  
 Houghton (R-NY)  
 Hoyer (D-MD)  
 Hulshof (R-MO)  
 Hunter (R-CA)  
 Inslee (D-WA)  
 Isakson (R-GA)  
 Israel (D-NY)  
 Issa (R-CA)  
 Istook (R-OK)  
 Jackson (D-IL)  
 Jackson-Lee (D-TX)  
 Jefferson (D-LA)  
 Jenkins (R-TN)  
 John (D-LA)  
 Johnson (R-CT)  
 Johnson (R-IL)  
 Johnson, E. B. (D-TX)  
 Kanjorski (D-PA)  
 Kaptur (D-OH)  
 Keller (R-FL)  
 Kelly (R-NY)  
 Kennedy (R-MN)  
 Kennedy (D-RI)  
 Kerns (R-IN)  
 Kildee (D-MI)

Kilpatrick (D-MI)  
 Kind (D-WI)  
 King (R-NY)  
 Kingston (R-GA)  
 Kirk (R-IL)  
 Kleczka (D-WI)  
 Knollenberg (R-MI)  
 Kucinich (D-OH)  
 LaFalce (D-NY)  
 LaHood (R-IL)  
 Lampson (D-TX)  
 Langevin (D-RI)  
 Lantos (D-CA)  
 Larsen (D-WA)  
 Larson (D-CT)  
 Latham (R-IA)  
 LaTourette (R-OH)  
 Lee (D-CA)  
 Levin (D-MI)  
 Lewis (R-CA)  
 Lewis (D-GA)  
 Lewis (R-KY)  
 Linder (R-GA)  
 LoBiondo (R-NJ)  
 Lofgren (D-CA)  
 Lowey (D-NY)  
 Lucas (D-KY)  
 Lucas (R-OK)  
 Luther (D-MN)  
 Maloney (D-CT)  
 Maloney (D-NY)  
 Manzullo (R-IL)  
 Mascara (D-PA)  
 Matheson (D-UT)  
 Matsui (D-CA)  
 McCarthy (D-MO)  
 McCarthy (D-NY)  
 McCollum (D-MN)  
 McCreery (R-LA)  
 McDermott (D-WA)  
 McGovern (D-MA)  
 McHugh (R-NY)  
 McInnis (R-CO)  
 McIntyre (D-NC)  
 McKeon (R-CA)  
 McKinney (D-GA)  
 McNulty (D-NY)  
 Meehan (D-MA)  
 Meek (D-FL)  
 Meeks (D-NY)  
 Menendez (D-NJ)  
 Mica (R-FL)  
 Millender-McDonald (D-CA)  
 Miller, George (D-CA)  
 Mink (D-HI)  
 Mollohan (D-WV)  
 Moore (D-KS)  
 Moran (R-KS)  
 Morella (R-MD)  
 Murtha (D-PA)  
 Napolitano (D-CA)  
 Neal (D-MA)  
 Nethercutt (R-WA)  
 Ney (R-OH)  
 Northup (R-KY)  
 Norwood (R-GA)  
 Nussle (R-IA)  
 Oberstar (D-MN)  
 Obey (D-WI)  
 Olver (D-MA)  
 Ortiz (D-TX)  
 Osborne (R-NE)  
 Ose (R-CA)  
 Otter (R-ID)  
 Owens (D-NY)  
 Pallone (D-NJ)  
 Pascrell (D-NJ)  
 Pastor (D-AZ)  
 Payne (D-NJ)  
 Pelosi (D-CA)  
 Peterson (R-PA)  
 Petri (R-WI)  
 Phelps (D-IL)  
 Pickering (R-MS)  
 Platts (R-PA)  
 Pombo (R-CA)  
 Pomeroy (D-ND)  
 Portman (R-OH)  
 Price (D-NC)  
 Pryce (R-OH)  
 Putnam (R-FL)  
 Quinn (R-NY)  
 Radanovich (R-CA)  
 Rahall (D-WV)  
 Ramstad (R-MN)  
 Rangel (D-NY)  
 Regula (R-OH)

Rehberg (R-MT)  
 Reyes (D-TX)  
 Reynolds (R-NY)  
 Riley (R-AL)  
 Rivers (D-MI)  
 Rodriguez (D-TX)  
 Roemer (D-IN)  
 Rogers (R-KY)  
 Rogers (R-MI)  
 Ros-Lehtinen (R-FL)  
 Ross (D-AR)  
 Rothman (D-NJ)  
 Roukema (R-NJ)  
 Roybal-Allard (D-CA)  
 Rush (D-IL)  
 Ryan (R-WI)  
 Ryun (R-KS)  
 Sabo (D-MN)  
 Sanchez (D-CA)  
 Sanders (I-VT)  
 Sandlin (D-TX)  
 Sawyer (D-OH)  
 Saxton (R-NJ)  
 Scarborough (R-FL)  
 Schakowsky (D-IL)  
 Schiff (D-CA)  
 Schrock (R-VA)  
 Scott (D-VA)  
 Serrano (D-NY)  
 Sessions (R-TX)  
 Shaw (R-FL)  
 Sherman (D-CA)  
 Sherwood (R-PA)  
 Shimkus (R-IL)  
 Shows (D-MS)  
 Shuster (R-PA)  
 Simmons (R-CT)  
 Simpson (R-ID)  
 Skeen (R-NM)  
 Skelton (D-MO)  
 Slaughter (D-NY)  
 Smith (R-NJ)  
 Smith (R-TX)  
 Smith (D-WA)  
 Snyder (D-AR)  
 Solis (D-CA)  
 Souder (R-IN)  
 Spratt (D-SC)  
 Stearns (R-FL)  
 Strickland (D-OH)  
 Stump (R-AZ)  
 Stupak (D-MI)  
 Sweeney (R-NY)  
 Tanner (D-TN)  
 Tauscher (D-CA)  
 Tauzin (R-LA)  
 Taylor (R-NC)  
 Terry (R-NE)  
 Thompson (D-CA)  
 Thompson (D-MS)  
 Thornberry (R-TX)  
 Thune (R-SD)  
 Thurman (D-FL)  
 Tiahrt (R-KS)  
 Tiberi (R-OH)  
 Tierney (D-MA)  
 Towns (D-NY)  
 Traficant (D-OH)  
 Turner (D-TX)  
 Udall (D-CO)  
 Udall (D-NM)  
 Upton (R-MI)  
 Velazquez (D-NY)  
 Visclosky (D-IN)  
 Vitter (R-LA)  
 Walden (R-OR)  
 Walsh (R-NY)  
 Wamp (R-TN)  
 Waters (D-CA)  
 Watkins (R-OK)  
 Watt (D-NC)  
 Watts (R-OK)  
 Waxman (D-CA)  
 Weiner (D-NY)  
 Weldon (R-PA)  
 Weller (R-IL)  
 Wexler (D-FL)  
 Whitfield (R-KY)  
 Wicker (R-MS)  
 Wilson (R-NM)  
 Wolf (R-VA)  
 Woolsey (D-CA)  
 Wu (D-OR)  
 Wynn (D-MD)  
 Young (R-AK)  
 Young (R-FL)

**Representatives who voted "nay" on H.R. 1140**

Ballenger (R-NC)  
 Jones (R-NC)  
 Schaffer (R-CO)  
 Chabot (R-OH)  
 Kolbe (R-AZ)  
 Sensenbrenner, Jr. (R-WI)  
 Cox (R-CA)  
 Largent (R-OK)  
 Shadegg (R-AZ)  
 DeLay (R-TX)  
 Miller (R-FL)  
 Shays (R-CT)  
 DeMint (R-SC)  
 Miller (R-CA)  
 Smith (R-MI)  
 Flake (R-AZ)  
 Myrick (R-NC)  
 Stenholm (D-TX)  
 Frelinghuysen (R-NJ)  
 Paul (R-TX)  
 Sununu (R-NH)  
 Hefley (R-CO)  
 Pence (R-IN)  
 Tancredo (R-CO)  
 Herger (R-CA)  
 Pitts (R-PA)  
 Taylor (D-MS)  
 Hoekstra (R-MI)  
 Rohrabacher (R-CA)  
 Thomas (R-CA)  
 Johnson (R-TX)  
 Royce (R-CA)  
 Weldon (R-FL)

**Representatives who did not cast a vote on H.R. 1140**

Cramer (D-AL)  
 Hastings (D-FL)  
 Hutchinson (R-AR)  
 Hyde (R-IL)  
 Jones (D-OH)  
 Leach (R-IA)  
 Lipinski (D-IL)  
 Markey (D-MA)  
 Moran (D-VA)  
 Nadler (D-NY)  
 Oxley (R-OH)  
 Peterson (D-MN)  
 Spence (R-SC)  
 Stark (D-CA)  
 Toomey (R-PA)  
 Watson (D-CA)

## 'Target List' of S. 697 non-cosponsors

As this issue of the *Locomotive Engineer Newsletter* goes to press, there were 72 Senators cosponsoring S. 697 and 28 who were not.

BLE and GIA members are asked to contact the following Senators, encouraging them to support S. 697. The Capitol Switchboard number is: (202) 224-3121.

**U.S. Senate Non Co-sponsors of S. 697 As of August 15, 2001**

1. Murkowski, Frank (R-AK)
2. Stevens, Ted (R-AK)
3. Sessions, Jeff (R-AL)
4. Kyl, Jon (R-AZ)
5. McCain, John (R-AZ)
6. Allard, Wayne (R-CO)
7. Campbell, B.N. (R-CO)
8. Grassley, Chuck (R-IA)
9. Fitzgerald, Peter (R-IL)
10. Lugar, Richard (R-IN)
11. Bunning, Jim (R-KY)
12. Bond, Christopher (R-MO)
13. Lott, Trent (R-MS)
14. Gregg, Judd (R-NH)
15. Domenici, Pete (R-NM)
16. Voinovich, George (R-OH)
17. Inhofe, James (R-OK)
18. Nickles, Don (R-OK)
19. Wyden, Ron (D-OR)
20. Santorum, Rick (R-PA)
21. Thompson, Fred (R-TN)
22. Gramm, Phil (R-TX)
23. Hutchinson, Kay Bailey (R-TX)
24. Bennett, Robert (R-UT)
25. Jeffords, James (I-VT)
26. Feingold, Russell (D-WI)
27. Kohl, Herb (D-WI)
28. Thomas, Craig (R-WY)

# BLE NEWS

## BLE, UTU merger vote goes to membership

### Ballots

Continued from Page 1

The ballot represents a major choice for the BLE's Canadian members, as well as members of the affiliated American Train Dispatchers Department (ATDD) and the Rail Canada Traffic Controllers (RCTC). Ballots for each of these groups shall be tabulated separately from each other as well as separately from ballots cast by BLE members living in the United States.

Should a majority of the ballots cast by BLE members living in Canada approve the unification, then BLE members living in Canada shall be included in the newly established union effective Jan. 1, 2002; otherwise, BLE members living in Canada shall not be a part of the UTU-BLE effective Jan. 1, 2002. The same also applies to members of the ATDD and RCTC.

"Following a century of struggling with each other, both unions now are poised to seize the opportunity to unify and concentrate on the real struggle: effective representation," wrote BLE President Edward Dubroski and UTU President Byron Boyd in a joint letter to all BLE and UTU members. "Solidarity is what is required in response to the mega-mergers creating global transportation companies. It is time to stop the squabbling between our two unions and concentrate 100 percent on protecting our members."

The union will continue to publish a monthly newsletter and the quarterly *Locomotive Engineers Journal*, which has been published since 1867.

As North America's oldest labor union, the BLE traces its roots to 1863, when it was founded as the Brotherhood of the Footboard. The organization adopted its current name one year later. The United Transportation Union was formed from the merger of four rail brotherhoods in 1969, the oldest of which was the Order of Railway Conductors and Brakemen, which traces its roots to 1868.

In addition to the Unification Agreement, Constitution and joint website, a number of other sources of factual information have been provided to BLE members.

The BLE Education & Training Department has prepared a Power Point presentation that recaps the events of the past three and a half years, explains key portions of both documents and summarizes the structure and operation of the proposed merged union. Special Representatives and members of the BLE National Mobilization Team will be available to present this information at meetings throughout the U.S. and Canada, and are coordinating meeting sites with General Chairmen who want to participate in this informational campaign.

To further assist the membership in reviewing the proposal, a 10-minute

video has been provided, which summarizes the same subjects covered by the Power Point presentation. In addition, the BLE will facilitate the distribution of partisan internal comments to the membership, at the expense of any member or group of members wish to distribute such comments.

Commenting on this informational campaign, BLE President Dubroski said, "It is vitally important that all BLE members have the most accurate, factual information available so that their valid concerns about the proposal may be fully addressed. With the steps we are taking, the members should have information in hand, which will provide everyone with sufficient time to give their most careful consideration to the proposal. Members should wait to submit their ballots until they have had the opportunity to review these materials."

On August 13, a dedicated telephone extension was activated at the International Division headquarters, for BLE members who have not received their ballots and their copies of the Unification Agreement and Constitution. Any BLE members who have not received the ballot package may call (216) 241-2630, extension 333, and leave their name, division number, home address and home telephone number.

Finally, the BLE is conducting a series of Town Hall Meetings to answer membership questions regarding the proposed merger.

The meetings are being held throughout the month of August at various points across the country in an effort to allow as many BLE members as possible to participate in the interactive seminars, which will be conducted by members of the BLE National Mobilization Team, Special Representatives and/or International Officers.

Dates and locations of the remaining Town Hall Meetings are available on the BLE website. Meetings are scheduled for August 28 in Longview, Texas (10 a.m. and 6 p.m. at the IBEW Hall 2914 East Marshall Ave.), and August 29 in Seattle, Wash. (location and time to be announced). •

## AUGUST 2001 CALENDAR & EVENTS

### SEPTEMBER 9-14, 2001... 66th Annual BLE-GIA Southwestern Convention Meeting

See page 7 of July 2001 issue for pre-registration form and other details. Randy Schneider hosts this year's SWCM, which will be held at the Double Tree Hotel at Corporate Woods in Overland Park, Kan. Members can participate in the annual golf tournament and banquet, shopping at The Plaza and a trip to the Argosy Casino, in addition to other activities. Members interested in attending can contact Brother Schneider at (913) 681-1789. Hotel room rates are \$89 per day. For reservations, contact the Doubletree Hotel at: (913) 451-6100 or (800) 222-TREE.

### SEPTEMBER 14... Railroad Retirement Board Informational Conference in Albany, NY

The U.S. Railroad Retirement Board will conduct a free informational conference in Albany, N.Y. On-site registration begins at 8 a.m. with sessions starting promptly at 8:30 a.m. All sessions end at 12:30 p.m. To be held at the Quality Inn of Albany, AV Room, 3 Watervliet Ave. Ext. For details, visit the RRB website at <www.rrb.gov>, or call the toll-free RRB Help Line at (800) 808-0772.

### SEPTEMBER 24-29, 2001... BLE Seventh Quinquennial International Convention

At the Fontainebleau Hotel in Miami, Fla. See April 2001 Newsletter for official list of delegates. See July 2001 Newsletter for non-delegate registration form. See related article on page 3 of this issue.

### Plan ahead for 2002....

### JUNE 16-20, 2002... 75th Southeastern Meeting Association in Virginia Beach, Va.

Chairman T.C. Emory is hosting the 2002 SMA at the Virginia Beach Resort Hotel & Conference Center from June 16-20, 2002. Discount room rates of \$99 per night have been secured and reservation deadline is May 24, 2002. Reservations can be made by calling (800) 468-2722 (in Virginia please call (800) 422-4747). For pre-registration form, please contact SMA 2002 Chairman T.C. Emory at 4912 Euclid Rd., Virginia Beach, VA 23462.

## Advisory Board July Activity

*By action of the delegates at the Fifth Quinquennial Convention, summaries of BLE Advisory Board members' activities are published monthly:*

**International President Edward Dubroski**—International Office: General supervision of BLE activities; Publications committee; Provincial legislative board meeting, Canada; Attorney meetings, Washington D.C.; Advisory Board meeting, Advisory Board conference call.

**First Vice-President & Alternate President James L. McCoy**—FVP duties, contacted GCofAs, SLBCs, telephone calls, correspondence, etc.; Publications committee; Mtg. w/ Merrill Lynch, organization expenses; CRLO mtgs., Washington D.C.; CSX General Committee mtgs.; Advisory Board mtg.; Div. 69 mtg., Grand Forks, N.D.

**General Secretary-Treasurer Russ Bennett**—International Office: Supervision of BLE Financial depts.; Records Dept.; BLE Job Bank; Publications Cmte.; BLE Advisory Board mtg., conference call.

**Vice-President Paul T. Sorrow**—Mtg. w/ NS and all BLE committees to discuss H&W issues; Div. 217 mtg.; Advisory Board mtg.; CSX Western Lines GCofA mtg.; Mtg. w/ CSX Northern Lines GCofA, re: Walker/Wilsonberg Abandonment and other issues of concern; Reviewed and finalized awards for PLB 6199 (CSX) and SBA 1063; Assisted NS, GTW & CSX GCofAs with various issues.

**Vice-President Joseph A. Cassidy Jr.**—Write submission to Public Law Board; Prepare for upcoming arbitration on EJE; PLB 6420; Mtg. w/ GC Hall & members of Div. 520; Mtg. w/ EJE management, re: pilot dispute; Mtg. w/ President's representative, T. Brennan; Mtg. on equity issue before Board of Appeals; Grievances involving Springfield Terminal Rwy. & Amtrak; Present Amtrak case to Board of Appeals; Mtg. w/ Amtrak GC; SBA 928 (4 cases); UTU mtgs., unification proposal, proposed constitution & bylaws; Drafting & Review Cmte. mtg.; Advisory Board mtg.; Study & paperwork; Office duties; Review of unification agreement & constitution & bylaws; Mtg. w/ representatives of UTU; Q's & A's re: UTU.

**Vice-President & U.S. Nat'l Legislative Representative Leroy D. Jones**—Washington office; Div. 56 mtg.; Nevada State Legislative Board mtg.; Division LR training session, Reno, Nevada; BLE Drafting Cmte., Cleveland; Division LR training session, Cleveland; Advisory Board mtg.; Mtgs. w/ Sean O'Hallaran, Asst. Sec'y. for Transportation Policy, DOT; Alan Rutter, FRA-Designee; Betty Monro, Deputy Adm., FRA; staff, House T&I cmte.; RR coalition mtg.; AFL-CIO leg. dept., re: H.R. 1140; Senate Commerce Cmte. Staff; Senator Baucus (D-MT); Cong. Oberstar's staff; Boehlert (R-NY).

**Vice-President William C. Walpert**—ID Office; BLE Education & Training Dept.; Internal Organizing, Mobilizing & Strategic Planning Dept.; BLE Safety Task Force; National Labor College graduation ceremonies, George Meany Center, Silver Spring, Md.; UP subcommittee on engineer training, Salt Lake City, Utah; Kansas City Southern PLB 6355 executive session; Advisory Board mtg., Cleveland; Advisory Board conference calls; National Mobilization Team training session, Cleveland.

**Vice-President Edward W. Rodziewicz**—NS-Eastern region, Imperial; Allegheny Ludlum RR, contract negotiations, Brackenridge; NS-E, SBA 894, mtg. w/ VGC W. Thompson; CSXT SBA 1116 mtgs., Philadelphia; BLE Finance Cmte., Cleveland; BLE-UTU Finance Cmte., Cleveland; South Buffalo RR contract negotiations, Buffalo.

**Vice-President Don M. Hahs**—BNSF system including MRL, UP South & West, SP East & South, SSW, DLGW, Tacoma Belt, Pac Harbor Belt; General office duties; BNSF (SLSF) GCofA mtg.; Advisory Board mtg., conference call.

**Vice-President Richard K. Radek**—International Office; BLE Decertification Helpline services; Director of Arbitration Dept; National Railroad Adjustment Board (NRAB); Illinois Central; Wisconsin Central; Indiana Harbor Belt; METRA; Belt Rwy. of Chicago; Paduca & Louisville; Chicago Central & Pacific; NRAB arbitration, various, Chicago; METRA general assistance; WC GCofA mtg.; BLE/UTU merger drafting cmte., Cleveland; CSX-W general assistance, Jacksonville; Advisory Board mtg., Cleveland; IHB negotiations, Chicago; FRA Part 240.409 dockets this month: FRA 2001 9747; 2001 9626; 2001 9837; 2001 8956; 1999 5794; 1999 6510; 1999 5513; 1999 5108; 1998 4900; EQAL 98-29.

**Vice-President Dale McPherson**—I&M Rail Link; CP Rail/SOO, UP East Lines; Indiana Railroad Co.; M&NA; LP&N, Longview Sw. Co. TRRA-St. Louis; Pacific Harbor Line; General office duties; BNSF safety summit mtg. & recommendations; CP Rail mtg. w/ GC Priestler, Minneapolis; Prepare PLB/IMRL-BLE cases, Terre Haute, Ind.; Advisory Board mtg. & conf. call; CSX Western Lines GCofA mtg.

**Vice-President & Canadian Director Gilles Hallé**—Ottawa Office; NQSL negotiations, Montreal; Via Rail/BLE/Cairns negotiations, Toronto; BLE/UTU drafting cmte. mtg., Cleveland; Mtgs. w/ CN and VIA Rail, Toronto; CIRB hearing, Montreal; Mtg. w/ R.J. Toole, Montreal; Advisory Board mtg., Cleveland.

**Vice-President & National Legislative Representative-Canada T. George Hucker**—Ottawa Office; Canadian National Legislative Board; RAC mtgs., Vancouver, Kamloops, Jasper; Algoma Central negotiations, Sault Ste. Marie; Advisory Board mtg., Cleveland.



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