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## Romney enlists Ryan to wage war on railroad workers

**O**n August 29, Wisconsin Representative and House Budget Committee Chairman Paul Ryan accepted the Republican Party's nomination as its Vice Presidential candidate. The man chosen to serve as Mitt Romney's running mate is the architect of a plan to gut the pension rights of railroad workers.

"This pairing represents a nightmare scenario for BLET members and all railroad workers in America," BLET National President Dennis R. Pierce said. "With Romney's campaign trail promises to slash Amtrak funding and Ryan's infamous budget plan that would destroy Railroad Retirement Tier 1 benefits, there could be many dark days ahead from railroaders if this pair is elected in November."

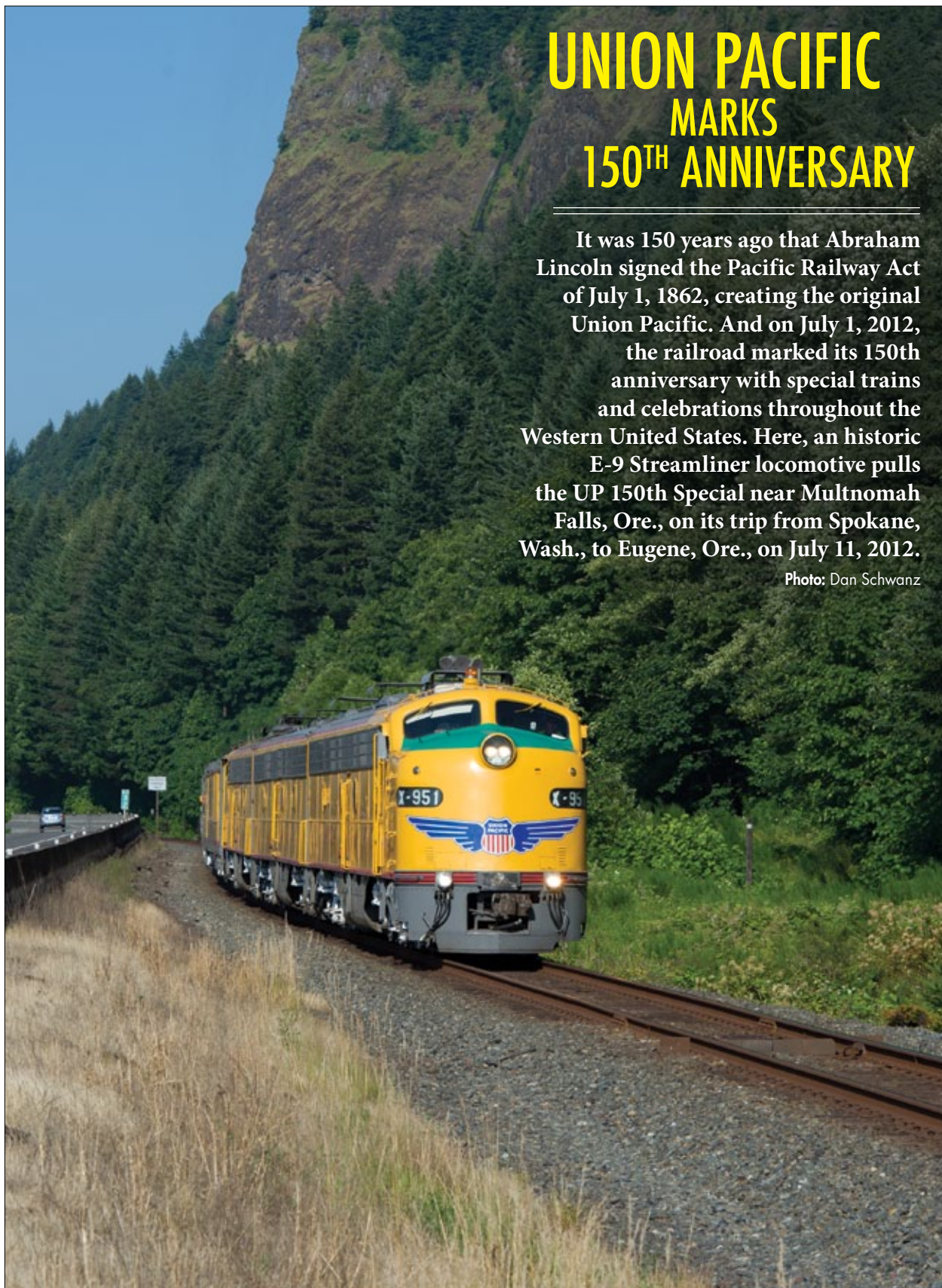
Ryan is the author and primary sponsor of the so-called Ryan Budget plan, which was passed by the House of Representatives earlier this year. The peril to the pension rights of railroad workers is laid out on page 101 of House Report No. 112-421 that accompanied the measure, under the heading of Conform Railroad Retirement Tier 1 Benefits to Social Security Benefits, which states as follows:

"Tier 1 benefits for railroad retirees are supposed to mimic Social Security benefits, but they are more generous than Social Security in many ways. This option would conform Tier 1 so that its benefits would equal those of Social Security, with an estimated savings to taxpayers of \$2 billion over 10 years."

That proposal would have the following disastrous effects for railroad workers, their spouses and dependents:

- it would eliminate the "60/30" provision that allows railroad employees to retire with full benefits at 60 years of age with 30 years of service;
- it would eliminate the Railroad Retirement Occupational disability program for rail workers who can no longer perform their railroad duties due to disability;

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## UNION PACIFIC MARKS 150<sup>TH</sup> ANNIVERSARY

It was 150 years ago that Abraham Lincoln signed the Pacific Railway Act of July 1, 1862, creating the original Union Pacific. And on July 1, 2012, the railroad marked its 150th anniversary with special trains and celebrations throughout the Western United States. Here, an historic E-9 Streamliner locomotive pulls the UP 150th Special near Multnomah Falls, Ore., on its trip from Spokane, Wash., to Eugene, Ore., on July 11, 2012.

Photo: Dan Schwanz

## BLET applauds OSHA, Federal Railroad Administration agreement to protect workers from retaliation

**O**n July 17, the Federal Railroad Administration and the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) announced that they had reached a memorandum of agreement to begin working together to address the seriousness and overwhelming number of whistleblower complaints that OSHA has received from railroad workers.

BLET National President Dennis R. Pierce applauded the announcement.

"OSHA has received nearly 1,000 whistleblower complaints in less than five years," President Pierce said. "That's more than 200 per year, or more than one every other day. Retaliation against railroad workers is an epidemic that has plagued our industry for years and I am pleased that problem is finally being addressed in a manner that I hope will

bring an end to the decades old harassment and intimidation of rail workers. One incident is objectionable, but 200 per year is despicable. This is the reason the BLET was front and center working to get this legislation passed."

The BLET was instrumental in passage federal legislation in 2007 and 2008, which contain whistleblower provisions that protect railroad workers from retaliation when they report violations

or work-related personal injuries and protect their right to prompt medical treatment.

"The BLET helped in many ways to pass this law with a labor-friendly Congress," President Pierce said. "The wheels of justice sometimes move slowly, and five years later our hard work is finally paying dividends."

According to OSHA, whistleblower

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## BLET PRESIDENT'S MESSAGE BY DENNIS R. PIERCE

# DEMOCRATIC NATIONAL CONVENTION REPORT

I am writing this month's message on the airplane as I travel home from attending the Democratic National Convention in Charlotte, North Carolina. Vice President and National Legislative Representative John Tolman and I were honored to attend the convention as part of a delegation of Teamsters led by General President Jim Hoffa and General Secretary-Treasurer Ken Hall.

Our group included members and officers from many Teamster Conferences and Divisions, some serving as delegates for their states and others attending as guests. Brother Tolman and I were in the latter group, but we did much more than just attend as spectators. I have often said that true unionism is not a spectator sport and we walked that talk this week by speaking directly with each and every member of Congress who was in Charlotte and who would listen to the BLET's message.

That message was the clear message that you — our members — have sent to us: Fight to protect our Railroad Retirement, our Medicare, and the middle class of this country. The heartening part of the trip was that we talked to legislators who not only understood our issues, —they agreed to support them. Time and time again, I have said that we must support politicians who support us and our issues. The group we met with this week passed that test with flying colors.

Equally comforting to me was the fact that, even though I was meeting with many of these Representatives for the first time, they all knew Brother Tolman and they all knew the message that we were there to share. You can be proud of the BLET's

Washington D.C. office and its efforts on behalf of the membership; I know that I am. From Senator Sherrod Brown and Congressman Tim Ryan from Ohio, to former Governor Strickland, to former (and maybe future) Speaker Pelosi, they all committed to support the causes that are important to us.

I was also proud to meet with several BLET members who were attending the convention as delegates. That group included one of the BLET's most politically active members, Brother Bob Hagan, a proud member of Division 757, and an elected representative in the Ohio House of Representatives. As a union that has called Cleveland, Ohio home since at least 1870, we spent a lot of time with the Ohio delegation. Brother Hagan, along with his wife Michelle, led by example at the convention, tirelessly advancing our message to any and all that would hear it.

I was also proud to see Brother Ron Huff, now a retired member of Division 746 in Mandan, North Dakota. Brother Huff was active in his Division prior to retirement, and he still has the fire in his belly that motivated him to travel from North Dakota to represent the interests of his state. While I did not get to meet with all of the BLET's delegates in attendance, I did get to visit with Brother Ken A. Esquibel from Division 115 in Cheyenne, Wyoming. He, too, was present in Charlotte as an active delegate and participant and is a House member representing Wyoming's 41st District. I commend him and all of the BLET and members who took the time to participate in this important process. Active participation in our union is vital to our survival, and members



BLET National President Dennis Pierce addresses the crowd at the 2012 International Western Convention in Billings, Mont.

who are willing to also answer the call to citizenship and serve as part of our national democracy deserve our thanks as well.

That brings me to the message that I took away from the convention in Charlotte. If you followed the convention closely as I did, you know that the platform and agenda that was advanced was starkly different from the message that was advanced the week before in Tampa, where the Republican party held its national convention. The message in Charlotte is that America needs a strong middle class to work its way out of the economic troubles that we face. Growing from the middle out and the bottom up was the heart of that message, with secure, good-paying jobs with benefits being the lynchpin of

the message. The other key ingredient in the Charlotte message was tax cuts for small businesses and the middle class rather than the wealthy.

While the message in Tampa also promised to create jobs and cut taxes, there is a stark contrast in how they would get there. The message in Tampa was more tax cuts for the wealthy, reincarnating failed trickle down economic policies. Those proposed tax cuts to the wealthy are not without impact; they come at the expense of programs near and dear to you and me, Medicare being the first casualty. Cutting seniors' health care to give tax breaks to the wealthiest Americans is not only an attack on seniors, it is immoral and un-American. And it is an attack on the middle class

that has never been shown to produce jobs.

In fact, during his remarks, President Bill Clinton shared the true numbers, and reminded the nation that "Arithmetic" is not negotiable. President Clinton shared that during the past 52 years, Republicans have controlled the White House for 28 years, and Democrats 24 years. When it comes to job creation, 42 million jobs were created under Democratic leadership while only 24 million were created under Republican leadership; on an annual basis the Democratic Presidents created more than twice as many jobs. Even though some will encourage you not to let the facts get in the way of your decision-making process in this election, they are facts just the same.

I share this information with you for one simple reason. As your National President, I take my job very seriously. It is my duty to take our message to those officials elected to govern this great nation, and it is my obligation to report to you on who is with us, and who is against us. I left Charlotte with a clear sense of who is with us on our important economic issues and it is not Governor Romney his running mate, Congressman Ryan, or those of their ticket-mates who subscribe to the Republican Party Platform. If given the opportunity, they will destroy our Railroad Retirement system as we know it, they will destroy Medicare as we know it, and they will destroy labor unions and your voice in the workplace. As I have said before, **REMEMBER IN NOVEMBER.**

Fraternally,

**DENNIS R. PIERCE**  
BLET NATIONAL PRESIDENT

66 The message in Charlotte is that America needs a strong middle class to work its way out of the economic troubles that we face. Growing from the middle out and the bottom up was the heart of that message, with secure, good-paying jobs with benefits being the lynchpin of the message. 99

## BLET NATIONAL DIVISION ELECTRONIC COMMUNICATIONS POLICY

Official communications between BLET members and the National Division require a hard copy of the correspondence, bearing a signature, being received by the National President to be considered an "official communication." This is to provide that the actual question(s) are addressed, and ensures that when official

interpretations are made they have reference to a specific request and can be used in future correspondence.

The volume of e-mails received makes it impossible for the National President to answer all unofficial communications. Therefore, it is the policy of the BLET that e-mails addressed to the National President will be reviewed and forwarded to

the appropriate officer or staff for a timely response; however, an e-mail message is not considered an official communication.

Moreover, anonymous e-mails and e-mails that do not provide sufficient information concerning the sender to enable National Division staff to confirm the sender's membership status will not receive any reply or acknowledgement. This poli-

cy is intended to allow the National President to be aware of the opinions and suggestions of the membership, while at the same time providing a timely response to the member's unofficial communication, if a response is necessary, without needlessly expending limited BLET resources.

**ADOPTED AT CLEVELAND, OHIO ON JULY 22, 2010. ©©**



**GENERAL PRESIDENT'S MESSAGE** BY JAMES P. HOFFA

# MITT ROMNEY'S PLAN TO UNDERMINE WORKERS

**M**itt Romney's "plan for a stronger middle class" reads like a manifesto in the war on workers – for the other side.

It isn't even a plan and it certainly won't strengthen the middle class. It's simply an outline of results that he wishes will happen: lower taxes for the wealthy, smaller government and weaker rights for workers. In other words, he wants to redistribute more income to the 1 percent.

He would never say it out loud, of course. But in Mitt Romney's world view, low wages are the solution. For America's working families, low wages are the problem.

Most Americans' standard of living will fall if Romney is elected president. I have no doubt that he would

take us to a race to the bottom on wages and competition with slave labor overseas.

He was a serial outsourcer during his business career, and now he supports job-killing trade deals. He also wants to eliminate taxes on American companies' overseas profits. According to a new study by the Center for American Progress, Romney's plan would "further accelerate the outsourcing of American jobs to foreign countries."

Worse, Romney would attack workers' ability to bargain collectively. He pretends that his proposals would help workers, but his real intention is to undermine them.

Romney would rub salt into a wounded middle class by raising taxes on working families and cutting

them for the wealthy.

Romney claims he will create 12 million new jobs as president. That sounds an awful lot like Scott Walker, who said he'd create 250,000 jobs during his first term as Wisconsin's governor. Walker cut corporate taxes, shrunk government and undermined government unions. So far, it hasn't worked so well. Wisconsin has been leading the country in job loss since Walker's budget took effect over a year ago.

Faternally,

*James P. Hoffa*

**JAMES P. HOFFA**  
TEAMSTERS GENERAL  
PRESIDENT



66 He would never say it out loud, of course. But in Mitt Romney's world view, low wages are the solution. For America's working families, low wages are the problem. 99

## BLET members ratify contracts at three short lines

**M**embers of the BLET recently ratified new collective bargaining agreements with three different short line railroads.

Members who work for the Connecticut Southern, the Ohio Central / Columbus & Ohio River Railroad, and the New York, Susquehanna & Western Railroad all have ratified contracts that provide wage increases, health and welfare benefits, and improved union protections.

The three separate properties fall under the jurisdiction of the BLET's New York, Susquehanna & Western General Committee of Adjustment, headed by General Chairman Ben Martin.

BLET National President Dennis R. Pierce said: "The BLET has led the way in organizing and negotiating contracts in the short line industry in recent years. Our Brothers and Sisters who work for short line railroads are an integral part of our Brotherhood, and they take great pride in the dignity and respect that comes from their strong union contracts. I offer my sincere congratulations and thanks to General Chairman Ben Martin, assigned Vice President Willard Knight, and the numerous members of the three negotiating teams for bringing these negotiations to a successful conclusion."

### CONNECTICUT SOUTHERN

BLET members who work at the Connecticut Southern Railroad, a RailAmerica subsidiary, ratified their second-ever BLET contract in June. The members first joined the Brotherhood in February of 2008, and obtained their first union contract eight months later.

The negotiating team consisted of Brother Martin and Spencer Hogan of BLET Division 521 (Hawthorne, N.J.). The new five-year deal provides increased wages (15 percent over the life of the agreement), safety incentives, increased work boot allowance, and a ninth paid holiday. It also establishes a prescription safety glasses program. The BLET also obtained an important crew consist provision, which will be instrumental in protecting BLET members.

The agreement also adds an Extra Board protocol for future protection of BLET members. "The Connecticut Southern is a small property that rosters 12-14 employees at any given time, and it has operated as a scheduled railroad, but it was important to the membership to insist they had better protection above and beyond their 40-hour guarantee," Martin said. "We were very pleased that we maintained all previous contractual benefits from the first agreement without givebacks."

### OHIO CENTRAL / COLUMBUS & OHIO RIVER RAILROAD

The new BLET contract with the Ohio Central / Columbus & Ohio River Railroad, a Genesee & Wyoming subsidiary, is the first-ever union contract for the members there. The formerly non-union workers voted overwhelmingly to join the BLET in December of 2009. "Finishing this first agreement is a cornerstone to progressing with future agreements on Genesee & Wyoming properties," Martin said.

The negotiating team consisted of Brother Martin and National Vice President Knight. The new three-year deal establish-

es many important basic provisions of a union contract, including a seniority-based system for bidding on job assignments, discipline rules, a union shop agreement, job craft protection, a crew consist provision, and standards for cleanliness of locomotives.

"These employees were pushed around for 12 hours a day for a flat rate, while the Carrier was making record profits," Martin said. "The engineers and conductors called upon the BLET and the BLET answered." The new agreement provides wage increases of over \$5 per hour by 2014, based on a 10-hour day as opposed to a 12-hour day.

### NEW YORK, SUSQUEHANNA & WESTERN

BLET members ratified a new four-year contract at the New York, Susquehanna & Western Railroad, which provides general wage increases of 10 percent over the life of the contract, based on an hourly rate of pay system. Members will also receive full retroactive pay.

The negotiating team consisted of Brother Martin and Division 521 Local Committee of Adjustment members Sid Baldwin and Stephen Weiss. The new deal provides an increased certification allowance, along with improved meal allowances and better sick leave provisions. "As small as it may be in the overall scheme of the strong existing agreement, one flaw we had for decades was there was no paid sick time," Brother Martin said. "We finally broke through and negotiated two paid sick days per year starting in 2014."

Also, members who assume the role of Trainer for trainees will receive higher pay allowances. In terms of health and welfare,

each member in the family plan receives \$1,500 (single \$500) annually in flexible spending accounts, without contribution.

While regular assigned engineers and conductor jobs were guaranteed under the existing agreement, the BLET was finally able to add a guaranteed Extra Board, as well. It is 40-hours per week and includes an advertised rest day. "This was a big move for our employer," Martin said. "Extra Boards used to operate on an hourly window as a goal for determining the size of the boards. Now they are all guaranteed and have a rest day included — without penalty."

He characterized the negotiations with NYS&W as respectful by both parties. "With the NYS&W there are no corporate schemes," Martin said. "The railroad made the process run smoother because they made their intentions clear and were willing to show their workforce respect through compromise and improvements, not givebacks."

### MORE WORK AHEAD

In spite of the three new contracts, the General Committee's work is not yet done.

"While finishing three agreements with three separate carriers in just seven weeks seems like a reflection of pride, our goal is targeted in finishing an agreement at the National Mediation Board with the Western New York & Pennsylvania Railroad," Martin said. "Our mediation has been three years running and we cannot be satisfied until our Brothers and Sisters working on the WNY&P hold their first contract."

The WNY&P workers voted to join the Brotherhood in late 2008. ©©



## SMA 2012 PHOTO ALBUM • ORLANDO, FLA.

**BLET MEMBERS AND THEIR FAMILIES** were gathered in Orlando, Fla., for the Southeastern Meeting Association's (SMA) 85th annual convention from June 24-29, one of four regional meetings hosted by the BLET this summer.

BLET National President Dennis R. Pierce led members in a moment of silence for two BLET members who were killed in the line of duty the day before the opening ceremony. BLET members Dan J. Hall and John S. Hall (no relation) of BLET Division 592 (Dalhart, Texas) were killed in the head-on collision of two Union Pacific trains near Goodwell, Okla., on June 24.

SMA Chairman Earl Karper (BLET Division 35) kicked off the meeting by welcoming everyone to Orlando and providing a history of railroading in Florida. SMA Secretary-Treasurer Chuck Warder gave the invocation and led a ceremony to recognize BLET members killed in the line of duty. An empty chair was left at the front of the meeting hall to symbolize the Organization's departed Brothers and Sisters.

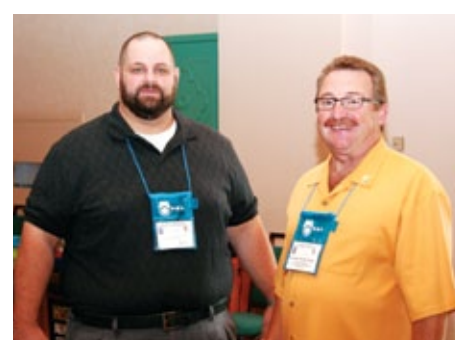
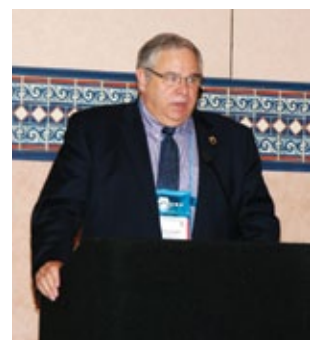
The opening ceremonies continued with the historic presentation of state flags by

members of the BLET Auxiliary, a tradition that dates back nearly 100 years. States flags presented in the ceremony include Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia and West Virginia.

Walt Barrows, Labor Member of the Railroad Retirement Board, addressed the membership and advised that the Railroad Retirement fund is solvent and well-funded into the future. However, it remains a target for conservative politicians. He praised BLET leaders and members for being at the forefront to protect Railroad Retirement.

Educational opportunities were provided throughout the week, including workshops regarding the BLET mobilization network and the BLET Safety Task Force. There were also training workshops for Local Chairmen, Legislative Representatives and Secretary-Treasurers.

Next year's SMA will be held June 23-28, 2013, in Richmond/Short Pump, Va., and will be hosted by Local Chairman Troy Bryant and the members of BLET Division 532. ☺☺





## IWC 2012 PHOTO ALBUM • BILLINGS, MONT.

**IWC ARRANGEMENTS CO-CHAIRMAN** Craig Gilchrist and D.B. Kenner welcomed members to Billings, Mont., for the 72nd annual meeting of the BLET's International Western Convention (IWC), July 29-August 1.

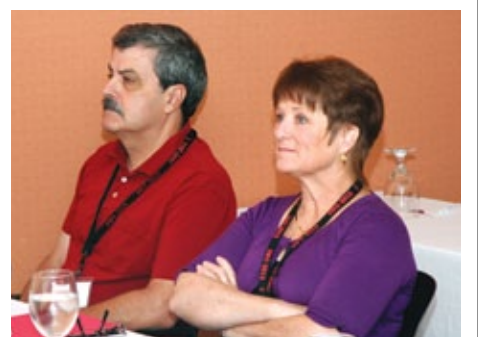
During opening ceremonies on July 31, BLET National President Dennis R. Pierce announced publicly that the Organization had endorsed Barack Obama for reelection as President of the United States.

"We believe President Obama is the best candidate to protect the rights of the 55,000 men and women of the Brotherhood of Locomotive Engineers and Trainmen," BLET National President Dennis R. Pierce said, in announcing the endorsement during opening ceremonies here at the IWC, prompting a rousing ovation from the body.

As part of his commitment to more strongly involve all departments of the BLET, President Pierce announced that the union's top legislative body, the National Legislative Board, passed a resolution urging that the Advisory Board endorse President Obama's reelection.

Educational opportunities were provided throughout the remainder of the week, including workshops regarding the BLET mobilization network and the BLET Safety Task Force. There were also training workshops for Local Chairmen, Legislative Representatives and Secretary-Treasurers.

Next year's IWC is slated for San Francisco, Calif., and will be hosted by Arrangements Chairman Oscar A. Burrola, Local Chairman of BLET Division 839 (Richmond, Calif.). @@





# High speed rail victory

## TEAMSTERS RAIL CONFERENCE APPLAUDS HISTORIC CALIFORNIA VOTE

**T**he Teamsters Rail Conference applauds the State of California's actions to begin construction on the nation's first truly high-speed rail system.

On July 6 vote, the California State Senate voted to pass legislation that enabled high-speed rail construction to begin, and Gov. Jerry Brown signed the legislation into law on July 17. The new rail system would be the largest public works project in the state and could potentially employ hundreds of unionized locomotive engineers and trainmen and maintenance of

way workers who are members of the Teamsters Rail Conference.

"It's a terrific day for the residents of California and the rail union members who will put their skills to use in building and operating trains on this high speed rail line," said John Murphy, Director of the Teamsters Rail Conference. "The legislators in Sacramento got it right when they voted to fund this project since it will help hundreds of people find good union jobs and the high speed rail line will provide a viable alternative to car and plane travel in the state."



Gov. Brown and his administration have been urging the passage of this high-speed rail project ever since he took office in January 2011. Nationally, President Obama's administration was an early advocate for national high-speed rail projects. Vice President Biden, in particular, is a supporter of

Amtrak since he used to commute on the rail system from his home in Delaware to the U.S. Senate in Washington.

Dennis Pierce, Rail Conference President and National President of the Brotherhood of Locomotive Engineers and Trainmen (BLET), said that California will serve as a model for other states and cities to make similar decisions. "The California high-speed rail line will be a beacon of performance on the West Coast and our members look forward to operating the equipment on this state-of-the-art rail line."

"We have an opportunity to show Californians the skills and hard work our members bring to the rail profession," said Freddie N. Simpson, President of the Brotherhood of Maintenance of Way Employees Division (BMWED) and Teamsters Vice President. @@

## BLET FEES OBJECTOR POLICY

### 1. EMPLOYEES' RIGHTS

A. Any employee covered by a union or agency shop agreement in the United States has the legal right to be or remain a nonmember of the Union. Nonmembers have the legal right (1) to object to paying for Union activities not related to collective bargaining, contract administration and grievance adjustment, and to obtain a reduction in fees for such activities; (2) to be given sufficient information to intelligently decide whether to object; and (3) to be apprised of internal Union procedures for filing objections. Employees who choose to object have the right to be apprised of the percentage of the reduction, the basis for the calculation, and the right to challenge these figures.

B. To the extent permitted by law, nonmembers may not participate in Union elections as a voter or as a candidate; attend Union meetings; serve as delegates to the Convention, or participate in the selection of such delegates; or participate in the process by which collective bargaining agreements are ratified.

### 2. PUBLICATION OF POLICY

The fees objector policy shall be published annually in the BLET's newsletter in the month preceding the objection notice period and mailed annually to each objector. It shall also be provided to each new employee when s/he first becomes subject to a union shop agreement.

### 3. MAKING OBJECTION KNOWN

Objecting nonmembers must provide notice of objection by notifying the National Secretary Treasurer of the objection in writing by first class mail postmarked during the month of November preceding the calendar year to which s/he objects, or within (30) days after s/he first begins paying fees and receiving notices of these procedures. The objection shall contain the objector's current home address. Each nonmember wishing to continue his/her objection from year to year must renew the objection each year as specified in this paragraph. Objections may only be made by individual employees. No petition objections will be honored.

### 4. MAJOR CATEGORIES OF CHARGEABLE EXPENSES

All objectors shall pay their fair share of expenses germane to collective bargaining including:

A. All expenses concerning the negotiation of agreements, practices and working conditions;

B. All expenses concerning the administration of agreements, practices and working conditions, including grievance handling, all activities related to arbitration, and discussion with employees in the craft or class (or bargaining unit) or employer representatives regarding working conditions, benefits and contract rights;

C. Convention expenses and other

union internal governance and management expenses;

D. Social activities and union business meeting expenses;

E. Publication expenses to the extent coverage relates to chargeable activities;

F. Expenses of litigation related to collective bargaining, contract administration and internal governance;

G. Expenses for legislative and administrative agency activities to effectuate collective bargaining agreements;

H. All expenses for the education and training of officers and staff intended to prepare the participants to better perform chargeable activities;

I. All costs of strikes and other lawful economic actions.

### 5. DETERMINATION OF CHARGEABLE SHARE

The BLET shall engage an outside auditor to perform an independent audit of the records of the National Division annually. Based on this audit, the BLET shall determine the percentage of expenditures that fall within the categories specified in Section 4. The amount of expenditures that fall within Section 4 shall be the basis for calculating the reduced fees that must be paid by the objector. The auditing firm conducting the annual audit of the BLET National Division shall give an opinion concerning the adequacy of the escrow amounts maintained pursuant to Section 10, and lat-

er will verify the existence and the audits of money in any escrow account.

### 6. REPORT OF CHARGEABLE SHARE AND BASIS OF ITS CALCULATION

The BLET shall report the determination no later than September 30. This report shall include an analysis of the major categories of union expenses that are chargeable and non-chargeable. A copy of the report shall be sent to all nonmembers whose timely objections have not been revoked.

### 7. CHALLENGE PROCEDURE

Each person entitled to receive the BLET's report may challenge the validity of the calculations by filing an appeal with the National Secretary Treasurer. Such appeal must be made by sending a letter to the National Secretary Treasurer postmarked no later than October 31.

### 8. ARBITRATION OF CHALLENGES

A. After the close of appeals period, the National Secretary Treasurer shall provide a list of appellants to the American Arbitration Association (AAA). All appeals shall be consolidated. The AAA shall appoint an arbitrator pursuant to its Rules for Impartial Determination of Union Fees. The AAA shall inform the National Secretary Treasurer and the appellant(s) of the arbitrator selected.

B. The arbitration shall commence by December 1 or as soon thereafter as the AAA can schedule the arbitration. The arbitrator shall have control over all procedural matters affecting the arbitration in order to

fulfill the need for an informed and expeditious arbitration.

C. Each party to the arbitration shall bear its own costs. The appellants shall have the option of paying a pro rata portion of the arbitrator's fees and expenses. The balance of such fees and expenses shall be paid by the BLET.

D. A court reporter shall make a transcript of all proceedings before the arbitrator. This transcript shall be prepared within 15 days of the close of the hearing and shall be the official record of the proceedings which may be purchased by the appellants. If appellants do not purchase a copy of the transcript, a copy shall be available for inspection at the National Division during normal business hours.

E. Appellants may, at their expense, be represented by counsel or other representative of choice. Appellants need not appear at the hearing and shall be permitted to file written statements with the arbitrator at the time of the hearing instead of appearing.

F. Fourteen (14) days prior to the start of the first hearing, appellants shall be provided with a list of all exhibits intended to be introduced at the hearing and a list of all witnesses intended to be called, except for exhibits and witnesses that may be introduced for rebuttal. On written request from an appellant, copies of exhibits (or in case of voluminous exhibits, summaries thereof) shall be provided to them. Additionally, copies of exhibits shall be available for inspection and copying at the hearing.

G. The National Division shall

have the burden of establishing that the reduced fees set forth in the report are lawful.

H. If the arbitrator shall determine that more than one day of hearing is necessary, hearings shall be scheduled to continue from day to day until completed. The parties to the appeal shall have the right to file a brief within fifteen (15) days after the transcript of the hearing is available, but in no case no more than thirty (30) days after the hearing closes. The arbitrator shall issue a decision within forty five (45) days after the submission of post hearing briefs or within such other reasonable period as is consistent with the rules established by the AAA.

I. The arbitrator shall give full consideration to the legal requirements limiting the amounts that objectors may be charged, and shall set forth in the decision the legal and arithmetic basis for such decision.

### 9. PAYMENT OF REDUCED FEES

Objectors shall pay reduced monthly fees based on the most recent report pending determination of the objection year's chargeable ratio.

### 10. ESCROW OF DISPUTED FUNDS

All monthly fees paid by objectors shall be placed in an interest bearing escrow account pending final determination of the chargeable share. Escrowed funds shall be disbursed to objectors and the Union upon issuance of the arbitrator's decision or fifteen days after the conclusion of the appeal period if there are no challenges to the determination.

## FRA AGREEMENT

CONTINUED FROM PAGE 1 <=>

complaints in the railroad industry have increased steadily since the protections were improved. Between 2007 and 2012, OSHA received more than 900 whistleblower complaints, and almost 63 percent involved an allegation that a worker was retaliated against for reporting an on-the-job injury.

Under their memorandum of agreement, OSHA and FRA will coordinate and cooperate regarding the enforcement of whistleblower reports. While FRA has broad authority over rail safety, it does not have direct authority to address whistleblower incidents, which falls under OSHA's jurisdiction.

The memorandum establishes procedures for the agencies to follow for whistleblower complaints. Under the agreement, the FRA will refer railroad employees who complain of alleged retaliation to OSHA. OSHA will provide the FRA with copies of the complaints it receives under the FRSA's whistleblower provision, as well as any findings and preliminary orders that OSHA issues. The agencies will jointly develop training to assist FRA enforcement staff in recognizing complaints of retaliation, and to assist OSHA enforcement staff in recognizing potential violations of railroad safe-

ty regulations revealed during whistleblower investigations.

FRA Administrator Joe Szabo described the memorandum as a "watershed moment" for rail safety. Dr. David Michaels, OSHA's Assistant Secretary of Labor, said: "The safety of railroad employees depends on workers' ability to report injuries, incidents and hazards without fear of retaliation." @@

## IMPORTANT LINKS

**The OSHA-FRA memorandum is available here:**

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=MOU&p\\_id=1125](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=MOU&p_id=1125)

**OSHA's whistleblower Fact Sheet for railroad workers is available here:**

[www.ble-t.org/pr/pdf/OSHA-factsheet-whistleblower-railroad.pdf](http://www.ble-t.org/pr/pdf/OSHA-factsheet-whistleblower-railroad.pdf)

**Employees who believe that they have been retaliated against for engaging in protected conduct may file a complaint with the Secretary of Labor for an investigation by OSHA's Whistleblower Protection Program. Detailed information on employee whistleblower rights, including fact sheets with information on how to file a complaint with OSHA, is available online here:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

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2012

## Calendar & Events

**September 21, 2012**

**U.S. Railroad Retirement Board  
Informational Conference**  
**WEST DES MOINES, IOWA**

The Railroad Retirement Board will hold free informational conferences to BLET officers throughout 2012. Registration begins at 8 a.m. The program begins at 8:30 a.m. and ends at 12:15 p.m. Hampton Inn West Des Moines, 7060 Lake Drive

**October 12, 2012**

**U.S. Railroad Retirement Board  
Informational Conferences**

**LITTLE ROCK, ARK., AND PITTSBURGH, PA.**

Registration begins at 8 a.m. The program Begins at 8:30 a.m. and ends at 12:15 p.m. In Little Rock at the Comfort Inn & Suites Downtown, 707 Interstate 30. In Pittsburgh at the Greater PA Regional Council of Carpenters Union Hall, 650 Ridge Road

**October 19, 2012**

**U.S. Railroad Retirement Board  
Informational Conference**

**WICHITA, KAN.**

Registration begins at 8 a.m. The program Begins at 8:30 a.m. and ends at 12:15 p.m. At the Best Western Airport Inn and Conference Center, 6815 W. Kellogg (U.S. Hwy. 54)

**October 26, 2012**

**U.S. Railroad Retirement Board  
Informational Conferences**

**PHILADELPHIA, PA., AND MATTHEWS, N.C.**

Registration begins at 8 a.m. The program Begins at 8:30 a.m. and ends at 12:15 p.m. In Philadelphia at the Sheet Metal Workers Local 19 Union Hall, 1301 S. Columbus Blvd. In N.C. at the Hampton Inn Matthews, 9615 Independence Pointe Parkway

**November 16, 2012**

**U.S. Railroad Retirement Board  
Informational Conference**

**METARIE, LA.**

Registration begins at 8 a.m. The program Begins at 8:30 a.m. and ends at 12:15 p.m. At the Four Points by Sheraton, New Orleans Airport, 6401 Veterans Memorial Blvd.

**December 7, 2012**

**U.S. Railroad Retirement Board  
Informational Conference**

**JACKSONVILLE, FLA.**

Registration begins at 8 a.m. The program Begins at 8:30 a.m. and ends at 12:15 p.m. At the Holiday Inn (I-95 Baymeadows), 9150 Baymeadows Road

### PLAN AHEAD FOR 2013

**June 23-28, 2013**

**86th Annual Southeastern  
Meeting Association (SMA)**

**RICHMOND, VA.**

Arrangements Chairman Troy Bryant, Local Chairman of Division 532, welcomes all BLET members to historic Richmond/Short Pump, Va., for the 2013 SMA. More details to come!

## SAFETY TASK FORCE HOTLINE



**(800) 306-5414**

Report major accidents when they happen

## RYAN WAGES WAR ON WORKERS

CONTINUED FROM PAGE 1

- it would increase the minimum retirement age for railroad employees to 62 years of age with a reduction in benefits;
- it would increase the minimum age for spousal annuities with a reduction in benefits; and
- it would increase the annual out-of-pocket medical costs paid by railroad retirees and cause the costs of railroad retiree health insurance under GA-46000 to soar.

The claim that repealing pension rights for railroad workers would save the U.S. taxpayers even a single dime, much less "\$2 billion over 10 years" is completely false. All Railroad Retirement benefits — whether Tier 1 Social Security equivalent benefits or the Tier 2 benefits that represent the railroad industry's pension plan — are fully funded through taxes paid by railroad workers and their employers.

But soon-to-be GOP Vice Presidential candidate Ryan won't let the facts get in the way of a good story. In a May 14 letter to a California constituent, Ryan not only admitted that his budget plan would strip railroad workers of their unique railroad retirements benefits, he also made the assertion that "Tier 1 Retirement Benefits

## BE INFORMED! The following related resources concerning this issue can be viewed/downloaded/printed from the BLET website: [ble-t.org/ryanbudget](http://ble-t.org/ryanbudget)

are ... invested in special non-marketable bonds, just like with Social Security." This claim, too, is demonstrably false.

Section 107(c) of the Railroad Retirement and Survivors' Improvement Act of 2001 specifically provides for all Tier 1 funds in the Social Security Equivalent Benefit Account to be transferred to the Railroad Retirement Investment Trust (RRIT), except for those "needed to pay current benefits and administrative expenses." And Section 105 of the Act empowers the RRIT Trustees to determine how the funds will be invested; the majority of those investments are in other than non-marketable bonds, which yield a significantly higher rate of return than investments made by the Social Security system.

The Ryan Budget also targets the retiree medical benefits of railroad workers and all Americans. It proposes to eliminate Medicare as we know it and increase the Medicare eligibility age to 67 with drastically reduced coverage. Ryan also wants to replace Medicare's guaranteed benefits with a voucher system that is not guaran-

teed to cover the cost of equivalent care currently provided under Medicare; this change would affect anyone born in 1958 or later.

On March 20, while stumping in Chicago, Romney said "I'm very supportive of the Ryan budget plan. It's a bold and exciting effort on his part and on the part of the Republicans and it's very much consistent with what I put out earlier. ... I applaud it. It's an excellent piece of work and very much needed." More recently, he vowed that, if he were President he would have signed the Ryan Budget if it had crossed his desk. (<http://thinkprogress.org/politics/2012/08/12/678941/romney-embraced-ryan-budget/>)

"The decision by Candidate Romney to select Ryan as his running mate, which has been ratified by the GOP convention, underscores for BLET members and all railroad workers and their families what is at stake in this fall's national elections," President Pierce said. "We must remember in November which candidates support our interests, and which ones will do us harm." @@

## FOCUS ON VALUE

E	1
F P	2
T O P	3
B R C F	4
V A L U E	5
E D F C Z P	6
F E L O P Z D	7
D E F P O T E C	8
L E F O D P C T	9
F D P L T C E O	10
P E Z O L C F T D	11



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## Locomotive Engineers And Trainmen News Brotherhood Of Locomotive Engineers And Trainmen A Division Of The Rail Conference, International Brotherhood Of Teamsters

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### Photo of the Month: August 2012

**AMTRAK'S 40TH ANNIVERSARY:** An Amtrak locomotive bearing a special paint scheme to commemorate the National Railroad Passenger Corporation's 40th anniversary (1971-2011) arrives in Albany, N.Y., in August 2012. *Photo courtesy:* David T. Magill, BLET Division 752 (Rensselaer, N.Y.)



**Are you a photographer?** The National Division's Public Relations Department, which produces the Newsletter each month, has received numerous inquiries lately from BLET members volunteering to contribute their

images to the "Photo of the Month" section of the Newsletter. If you'd like to submit a photo for consideration, you may call Editor John Bentley at (216) 241-2630, ext. 248, or you can email: Bentley@ble-t.org.

Please note only high resolution images can be used. Members are also encouraged to review their employer's policies regarding the use of cameras and other electronic devices while on duty.

## James Tiede elected Chairman of Kansas State Legislative Board

James (Jim) Tiede was elected by acclamation to serve as Chairman of the Kansas State Legislative Board during the Board's quadrennial meeting in Kansas City, Kan., July 17-18, 2012.

Brother Tiede, a member of BLET Division 587 (Salina, Kan.), is a Union Pacific locomotive engineer. Immediately prior to his election, Brother Tiede served as 2nd Vice Chairman of the Kansas State Legislative Board. He has held continuous membership since first joining the Brotherhood on June 1, 1979.

Also elected by acclamation was 1st Vice-Chairman Steve Facklam of BLET Division 130 (Kansas City, Kan). Tyler Jones, Division 740 (Pratt, Kan.) was elected 2nd Vice-Chairman. Scott Newell of Division 336 (Osawatomie, Kan) elected Secretary-Treasurer. William Tills-worth of Division 777 (Kansas City, Kan.) was elected by acclamation to the Alternate Secretary-Treasurer position.

Three members were elected by acclamation to serve on the Audit Committee, including: Jim Rosebaugh Jr., Division 224 (Marysville, Kan.); William Tillsworth, Division 777 (Kansas City, Kan.); and Dustin Bishop, Division 64, (Newton, Kan.).

The Board gave special recognition to longtime State Chairman James Keele, Division 336, who retired. Also retiring this year was longtime State Board Secretary-Treasurer J. R. (Rich) Dame and former 1st Vice-Chairman Rick Lewis, who succeeded Keele as State Chairman for a brief period following his retirement at the beginning of July.

Representing the National Division at the meeting were: National President Dennis R. Pierce; 1st Vice President E. Lee Pruitt; National Secretary-Treasurer William C. Walpert; Vice President and National Legislative Representative John P. Tolman; and National Vice President Cole Davis.

"Brother Tiede and his newly-elected team of officers have big shoes to fill, but I know they will do an excellent job of representing our membership in Kansas," President Pierce said. "This is an important election year and they definitely have their work cut out for them. I would also like to thank Brother Keele, Brother Dame and Brother Lewis for their many years of dedicated service to our Brotherhood."

Additional special guests included Anthony Hensley, Kansas Senate Minority Leader, and Paul Davis, Kansas House Democratic Leader. Both discussed the upcoming State elections. @@



Officers, delegates and guests attending the quadrennial meeting of the Kansas State Legislative Board, July 17-18, 2012, in Kansas City, Kan.

## Advisory Board May 2012 Activity

In accordance with the BLET Bylaws, summaries of BLET Advisory Board members' activities are published monthly:

**NATIONAL PRESIDENT DENNIS R. PIERCE:** National Division Office, Cleveland; General supervision of BLET activities; General office duties; Correspondence and telephone communications; Supervision of Office Administration; General Supervision of Special Representatives; President, Teamsters Rail Conference; Policy Committee, Teamsters Rail Conference; Western General Chairmen's Assoc. mtg., Las Vegas; IBT General Executive Board mtg., Las Vegas; IBT Unity Conference, Las Vegas; Kansas City Southern GCA quadrennial mtg., Bossier City, La.; CN-IC GCA mtg., Tunica, Miss.; Union Pacific-Southern Region GCA quadrennial mtg., Fort Worth, Texas.

**FIRST VICE PRESIDENT E.L. "LEE" PRUITT:** National Duties include but not limited to: Director, Passenger Dept.; Shortline Organizing Dept.; Trainmen's Dept.; National Publications Committee; National Legislative Board; Teamsters Rail Conference Policy Committee; PRAC; and National Negotiations; WGCA, Las Vegas; NS-S GCA mtg., Knoxville, Tenn.; KCS GCA mtg., Bossier City, La.; CN-IC GCA mtg., Tunica, Miss.; UP-SR GCA mtg., Fort Worth, Texas.

**NATIONAL SECRETARY-TREASURER WILLIAM C. WALPERT:** General supervision of accounting dept., records dept., online services dept., tax compliance dept.; Education & Training Dept.; Internal Organizing, Mobilizing & Strategic Planning Dept.; Safety Task Force; Meetings with vendors and financial institutions; Publications Committee; Teamsters Rail Conference Policy Committee; Trustee, National Railroad Retirement Investment Trust (NRRIT); WGCA mtg., Las Vegas; IBT Unity Conference, Las Vegas; James R. Hoffa Scholarship event, Las Vegas; KCS GCA mtg., Shreveport, La.; NRRIT mtg., Washington, D.C.; UP-SR GCA mtg., Fort Worth, Texas.

**VICE PRESIDENT & NATIONAL LEGISLATIVE REPRESENTATIVE JOHN P. TOLMAN:** Assigned to BLET Washington, DC office; BLET Security Officer; General office duties, telephone, correspondence communications; Coordinate content of NLO website; Weekly Drive Committee and Legislative meetings; WGCA mtg., Las Vegas; IBT Unity Conference, Las Vegas; Labor International Hall of Fame mtg., AFL-CIO, Washington, D.C.; Hearings, receptions and various mtgs. with U.S. Representatives, Washington, D.C.

**VICE PRESIDENT MARCUS J. RUEF:** Vice Chairman, full NRAB; Labor Member, 1st Division; Labor Member, National Mediation Board Arbitration Advisory Forum; Director of Arbitration Dept; Assigned to Illinois Central; Wisconsin Central; Grand Trunk Western; Duluth Missabe & Iron Range; Elgin, Joliet & Eastern; Indiana Harbor Belt; and Belt Railway of Chicago; Study cases, referee Darby, NRAB; Mtg. w/ GC Rhodes, Chicago; NRAB adoption session and hearings, Chicago; Assist GC Hobbs, EJ&E, Chicago; CN-IC GCA mtg., Memphis, Tenn.; Vacation; Holiday.

**VICE PRESIDENT MIKE TWOMBLY:** Assigned to all Union Pacific GCAs (Eastern District, Northern Region (former C&NW), Western Lines (Pacific Harbor Lines), Western Region (Portland & Western, Eastern Idaho), Central Region, Southern Region (New Orleans & Gulf Coast); Tacoma Belt RR; Utah RR; and Longview Portland & Northern and Longview Switching; WGCA mtg., Las Vegas; IBT Unity Conference, Las Vegas; UP-Central Region vacation dispute settlement conference, Kansas City, Mo.; UP-Western Region and UP-Western Lines operating conference, Las Vegas; PLB 7484, UP-Western Lines, San Francisco, Calif.; UP-SR GCA mtg., Fort Worth, Texas.

**VICE PRESIDENT WILLARD E. KNIGHT:** Assigned to: All Norfolk Southern General Committees; Wheeling & Lake Erie; Chicago, Fort Wayne & Eastern; New York, Susquehanna & Western; New England Central; Connecticut Southern; Western New York & Pennsylvania; Indiana & Ohio; Ohio Central; Grand Trunk Western; General office duties, telephone, correspondence communications, prepare for PLBs, etc.; PLB 7287 w/ GC Ben Martin, Ft. Myers, Fla.; NS-SR GCA mtg., Knoxville, Tenn.; W&LE negotiations w/ GC Linsey, Cleveland.

**VICE PRESIDENT GIL GORE:** Assigned to all CSX; Union Pacific-Southern Region GCA special assignment; Dispute Resolution Committee (DRC) issues, CSXT; General office duties, paperwork, correspondence, telephone calls, etc.; Indiana Railroad negotiations, Indianapolis; Conference call, Montgomery-New Orleans ID, GC Thornton; Talleyrand claims conference call; Conference call w/ GC Louis, GC Finamore, CSX; CSX-E GCA mtg., GC Tony Smith, Troy, Ala.; Conference call w/ Talleyrand employees.

**VICE PRESIDENT MICHAEL D. PRIESTER:** Assigned to all BNSF (former ATSF, former C&S, CRI&P, FWD, former STL-SF, BNSF/MRL), Panhandle Northern, Missouri & North Arkansas, Montana Rail Link, Austin Western RR, Great Western; General office duties, telephone, correspondence communications, etc.; Ongoing prep work regarding PLBs 7493, 7383, 5939, 7503, 7092, 7477 and 7530; WGCA mtg., Las Vegas; IBT Unity Conference, Las Vegas; MRL contract rollout w/ GC Wilson, Spokane, Wash., Missoula, Mt., Helena, Laurel, Livingston, Mt.

**VICE PRESIDENT COLE W. DAVIS:** Assigned to: Kansas City Southern (MidSouth Rail, SouthRail, Gateway Western, Illinois & Midland), Texas Mexican Rwy.; CP Rail System/US (Indiana Southern, Iowa, Chicago & Eastern, Dakota, Minnesota & Eastern); Springfield Terminal (St. Lawrence & Atlantic, Montreal, Maine & Atlantic, Delaware & Hudson), Cedar River, Louisville & Indiana, Huron & Eastern; General office duties, telephone, correspondence communications, etc.; WGCA mtg., Las Vegas; CP issues, assist GC Semenak; KCS issues, assist GC Parker; IBT Unity Conference, Las Vegas; KCS GCA mtg., Shreveport, La.; Division 599 mtg., Shreveport, La.; CN-IC GCA mtg., Tunica, Miss.; Tex-Mex issues, assist GC Rodriguez; Huron & Eastern issues, assist GC Lorenz; Louisville & Indiana issues, assist GC Hartell.

**VICE PRESIDENT STEPHEN J. BRUNO:** Assigned to various Rail Safety Advisory Committees (RSAC); Regulatory duties as assigned by the President; Amtrak; Long Island Rail Road; New York & Atlantic; Metro North; New Jersey Transit; PATH; SEPTA; Metra; Union Railroad; Birmingham Southern; Telephone calls, correspondence, general office duties, etc.; WGCA mtg., regulatory presentations RRP & FMP, Las Vegas; IBT Unity Conference, Las Vegas; RSAC RRP & FMP working groups, Washington, D.C.; CN-IC GCA mtg., Metra, Tunica, Miss.; NECSC, Philadelphia; RSAC, RRP Working Group mtg., Philadelphia.