

## Deadheading and new Hours of Service regulations

**T**he BLET National Division continues to get reports from all segments of the industry about problems with how deadhead trips are being treated for Hours of Service (HOS) recordkeeping purposes and in the application of the law. Some of these problems appear to be related to various carriers' electronic timekeeping systems, while others seem to flow from a misinterpretation of the law.

This is intended to be a single-source document article will answer all ques-

tions related to deadheading and how it should be treated.

Before analyzing the law and current FRA interpretations, we want to define some terms that will be used in this Memorandum:

- **"AGGREGATE SERVICE"** means one or more periods of time on duty within a single duty tour separated by one or more interim release periods.

- **"COMMINGLED SERVICE"** means any non-covered service that is not separated from covered service by a statutory off-duty period; such commingled service is

counted as time on duty.

- **"CONSECUTIVE SERVICE"** means a period of unbroken total time on duty during a duty tour.

- **"COVERED SERVICE"** means the portion of someone's time on duty during which (s)he is engaged in, or connected with, the movement of a train.

- **"EXCESS LIMBO TIME"** means the limbo time past the 12th hour when the sum of on-duty time and limbo time exceeds 12 hour in a duty tour.

- **"INTERIM RELEASE PERIOD"** means an off-duty period of at least 4 hours undis-

turbed, but less than a statutory off-duty period, which occurs at a designated terminal and which temporarily suspends the accumulation of time on duty, but does not start a new duty tour.

- **"LIMBO TIME"** means time spent waiting for deadhead transportation or time spent in deadhead transportation.

- **"START"** means the initiation of an on-duty period.

- **"STATUTORY OFF-DUTY PERIOD"** means a period of 10 hours undisturbed time off duty, plus — where applicable — the

CONTINUED ON PAGE 7 <=>

## 85 percent majority of BLET members ratify CSXT contract

**B**y an 85 percent majority, members of the Brotherhood of Locomotive Engineers and Trainmen ratified a new five-year collective bargaining agreement with CSX Transportation on September 10.

The new contract provides for wage increases of 16 percent over the life of the contract (value is over 17 percent when compounded) in addition to annual bonus payments from the Maximum Performance Bonus Payout plan.

The tally was 1,591 votes in favor and 240 against for an 85.26 approval percentage.

"This Agreement represents an acknowledgment by CSXT of the contributions of locomotive engineers to CSXT's shippers, as well as a recognition of the carrier's profitability in these difficult economic times," BLET National President Ed Rodziewicz said.

The agreement covers approximately 5,000 CSX locomotive engineers, who are represented by three BLET General Committees of Adjustment — CSX Eastern Lines, Western Lines and Northern Lines. The new agreement is a continuation of



Early morning at CSX's Moncrief Yard in Jacksonville, Fla. Photo: courtesy International Brotherhood of Teamsters

the Single System Agreement ratified in April of 2007.

Ratified by a ratio better than 6-to-1, the newly-ratified contract provides for an increase in the Maximum Performance Bonus Payout from 10% of total wages in 2009 to 12% each year from 2010 through 2014, regardless of length of service. These bonus payments are in addition to the general wage increases.

The new contract also retains the \$15.00 per day, \$0.15 per overmile Special Pay Differential for locomotive engineers.

Members have the option to "snap back" at the end of 2014 to the National Agreement, which would include all general wage increases (GWI's) from the up-

coming national bargaining round.

The current health and welfare and short-term disability plans will continue without change under the new agreement until the conclusion of national negotiations, at which time any changes in the National Agreement will be implemented. The agreement also contains a moratorium on Section 6 notice to change any terms of the BLET-CSXT Single System Agreement until November 1, 2014, with future changes to be effective no earlier than January 1, 2015.

The agreement did not address any work rule changes.

National President Rodziewicz praised the efforts of General Chairmen Tony Smith

(Eastern Lines), Don Moates (Western Lines), and Rick Finamore (Northern Lines), who finalized the tentative agreement with the assistance of Vice President Dennis Pierce.

Vice President Pierce thanked those members who took time to participate in the voting process. "Regardless of how they voted, I thank all of those members who got involved. It is important that members make their voices heard on contract issues that have such a huge impact on their livelihoods."

A member of the Teamsters Rail Conference, the Brotherhood of Locomotive Engineers and Trainmen represents 55,000 professional locomotive engineers and trainmen throughout the United States. ©



### Honorary Engineer

Bataan Death March survivor honored by BLET. **pg 4**

### 2010 Regional Meetings

Dates and location announces for next year's travel destinations. **pg 5**

### Hazmat Awareness

National Labor College offers training for rail workers. **pg 6**



2009

## Calendar & Events

### November 1-6, 2009

The Rail Workers Hazardous Materials Training Program will conduct a hazardous materials transportation/chemical emergency response training program at the National Labor College, Silver Spring, Md. For registration details, see page 6 of this issue.

### November 8-13, 2009

BLET Education & Training Department hosts a workshop for first-time Local Chairmen at the National Labor College in Silver Spring, Md. For details, contact Ken Kroeger, Coordinator of the Education and Training Dept., (216) 272-0986 or Kroeger@ble-t.org.

### March 21-26, 2010

**The Rail Workers Hazardous Materials Training Program** will conduct a hazardous materials transportation/chemical emergency response training program at the National Labor College, Silver Spring, Md. For registration details, see page 6 of this issue.

### June 13-18, 2010

#### 83rd Annual Southeastern Meeting Association, Cincinnati, Ohio

Hosted by the members of BLET Division 110, the 2010 SMA will be held at the Hilton Cincinnati Netherland Plaza.

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**70th Annual International Western Convention**, Bismarck-Mandan, N.D. Chairman Mike Muscha, co-chair Ron Huff, and the members of BLET Division 671 host the 2010 IWC at the Radisson Hotel Bismarck.

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**72nd Annual Eastern Union Meeting Association**, Pittsburgh, Pa. Hosted by Tom and Sue Caruso, Division 355, the 2010 EUMA will take place at the Sheraton Station Square Hotel in Pittsburgh, Pa.

### September 12-16, 2010

**75th Annual Southwestern Convention Meeting**, San Antonio, Texas. Hosted by Russell Elley, Local Chairman of Division 197, the 2010 SWCM will take place at the Hyatt Regency San Antonio, on the River Walk at Paseo del Alamo (123 Losoya St., San Antonio, Texas, 78205).

#### Railroad Retirement Board Informational Conferences

The U.S. Railroad Retirement Board holds free information conferences for railroaders. Conference registration begins at 8 a.m., with the programs beginning promptly at 8:30 a.m. and ending at 12:30 p.m.

#### October 30, 2009 Salt Lake City, Utah

Crystal Inn Hotel & Suites, 230 West 500 South

#### November 20, 2009 Metairie, La.

Four Points by Sheraton, New Orleans Airport, 6401 Veterans Memorial Blvd.

#### December 11, 2009 Riverview, Fla.

Hilton Garden Inn  
4328 Garden Vista Drive.

## OBITUARIES

### Former Mississippi Legislative Chairman Don Little

1949-2009

**D**on Little, Legislative Representative of BLET Division 294 (Bensenville, Ill.) and former Mississippi State Legislative Board Chairman, died from a massive heart attack on Monday, August 24.

"Brother Little was dedicated member of the BLET and his service will be sorely missed," BLET National President Ed Rodziewicz said.

"Brother Little served the union faithfully for many years before his life was tragically cut short. He will be missed by all of his coworkers, especially those in the Chicago area where he worked for many years. On behalf of the BLET National Division, I extend my deepest condolences to his family and friends."

Brother Little joined the BLE on June 1, 1976 and served the Brotherhood in many capacities during his years of service, including as Mississippi State Legislative Board Chairman in 2005. He worked for the Canadian Pacific Railway and Metra.

"Brother Little was an exemplary example of service to our Brotherhood," BLET Vice President & National Legislative Representative John Tolman said. "No matter where he was working, he stepped up and took on leadership roles in our organization."

Born July 10, 1949, in Escanaba, Mich., Brother Little was a Vietnam War veteran. He was dedicated to veteran's organizations and the Lion's Club, giving many hours of his service.

"Don was a dear friend and loyal member of our Brotherhood and helped me and our Board above and beyond the call of duty," BLET Illinois State Legislative Board Chairman Ed Way said.

Brother Little is survived by his wife of 30 years, Judith; his children, Kelly Lee (Rick) Burke, David Paul Little, Lauren Little and Shannon (Patrick Ford) Little; his grandchildren, Hillary Elizabeth and Alec David; his stepgrandchildren, Ashley and Kathleen Burke; his mother, Mary Lee Little; his siblings, Michael (Nancy) Little, Patricia Hoffmann, Stephen (Vicki) Little, Joseph Little, John (Leslie) Little, James (Sharon) Little and Terry Little; mother-in-law, Clara Arnholt; brother-in-law, Jim Terwilliger; and many aunts, uncles, cousins, nieces and nephews. He was preceded in death by his father; and his brother, David. ☹☹

**FOR THOSE WISHING TO MAKE A DONATION, MEMORIALS MAY BE MADE TO THE WOUNDED SOLDIER FUNDRAISER, 6 S 260 HANKES ROAD, AURORA, IL 60506.**

### Former Canadian Vice President J.W. "Wes" Lyster

1923-2009

**F**ormer Canadian International Vice President J.W. "Wes" Lyster passed away on August 9. He was 86 years old.

Brother Lyster was a member of Division 355 in Calgary, Alberta. He joined the Brotherhood on March 11, 1951, and over the years served his Division as Local Chairman and Secretary-Treasurer.

He was appointed to the office of Special Representative on October 25, 1976. He was well known on the railroads in western Canada where he spent a good deal of time with all divisions. He was also known in the western United States by virtue of his Brotherhood work and by his being chairman of the International Western Convention in Calgary in 1973.

He was elected first Canadian alternate vice president at the BLE's Third Quinquennial Convention in Cleveland in 1981. He was promoted to the Advisory Board on September 1, 1983, following the retirement of former Canadian Director E.J. Davies.

He retired from service to the Brotherhood on August 30, 1986.

He hired out on the Canadian Pacific Railway as an engine wiper at Empress, Alberta, in 1940 and went firing steam engines in 1942. He won his promotion to locomotive engineer in 1948 and was initiated into Division 355, Calgary, on March 11, 1951.

Outside of his railroad career, Lyster served two years in the Canadian Air



Force. He was born April 6, 1923, in Cabri, Sask.

He was a Mason and a member of the Shrine. He is predeceased by his wife, Grace. The couple had two sons, Donald and Dale.

"I extend deepest condolences to the Lyster family on behalf of the BLET National Division," BLET President Ed Rodziewicz said.

"He was a well-known and beloved member of the Brotherhood who served his members well over the years. He will be truly missed by everyone who knew him." ☹☹

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## Passenger Rail members complete training workshop



**Photo:** courtesy BLET Education & Training Department

**In August,** the BLET's Education and Training Department and Arbitration Department completed a training workshop designed for Chairmen of

passenger/ commuter railroads.

The workshop was held at the National Labor College in Silver Spring, Md., from August 23-28. BLET National

Secretary-Treasurer Bill Walpert, who also heads the BLET's Education and Training Department, said the workshop was the first of its kind because it was geared specifically for members who work at passenger lines.

Vice President Ruef, who heads the BLET's Arbitration Department, said the workshop was a tremendous success.

Brother Walpert thanked Ken Kroeger, Coordinator of the Education and Training Department, for helping to make the workshop a success. Brother Ruef thanked Doug Davidson, BLET Assistant Arbitration Director, and David Cameron, assistant to the director of the Teamsters Rail Conference, for their efforts.

**Front row, from left:** Sereena Hogan, BLET-Auxiliary Vice President and National Legislative Representative; David Cameron, assistant to the director of the Teamsters Rail Conference; Kelly Hamrick, Division 482; Charles Lough Jr., Div. 131; and Marcus J. Ruef, Vice President / Director of Arbitration.

**Second row, from left:** Ken Kroeger, Coordinator of Education & Training / Special Representative; Rich-

ard Dixon, Div. 71; William Walpert, NST / Director of Education & Training; and H. Lorraine DePugh, Div. 53.

**Third row, from left:** James Brown Jr, Div. 269; Tom Foran Jr, Div. 171; Herbert Harris Jr., Div. 482; Carlyle Smith, Div. 482; and David Decker, Div. 272.

**Fourth row, from left:** Michael Abell, Div. 96; Richard Nunziato, Div. 752; Keith Wood, Div. 14; Doug Davidson, Assistant Director of Arbitration / Labor Member - NRAB; James Brown, Div. 373; Paul Osciak, Div. 71; James Rendleman, Div. 373; Michael Taylor, Div. 815; and Brian Gilmartin, Div. 53.

**Present but not pictured:** Jeffrey Buie Sr, Div. 482.

## LETTERS *to the* EDITOR

# Are you engaged ... in life?

**Dear Brothers and Sisters,**

Recently I had the opportunity and responsibility to attend a memorial service for the deceased wife of an engineer brother. The Pastor shared the following story and asked the members of the audience, “are you engaged in life?”

"A woman wanted to contribute something to her church. The Pastor openly invited her to find a niche and do so. The Pastor was very aware of the church's facilities, inside and out and from the front door to the back. He even knew how the kitchen was equipped, down to very least item such as the 'basic kitchen drying towels.' Plain and white they were.

“Weeks later the Pastor noticed something had changed in the kitchen. As he looked closer, he noticed that the basic drying towels in fact were changed. He looked even closer, and noticed that they had been embroidered with an emblem. Yes — there it was — bold, and embossed in professional lettering of gold was the emblem of the church. He was surprised and delighted. The Pastor inquired who had done such a fine thing to the basic drying towel. The answer came and not shockingly. It was the same Sister who had wanted to do something for the church. This good lady found a way to improve and refine what appeared to be a simple thing. It did not go unnoticed or unappreciated.”

Brothers and Sisters, this story set my mind to asking questions. What would this world be like if everyone took just one item — like the basic drying towels — to improve on? Further, we could ask, “What can each member do to improve our own organization, the Brotherhood of Locomotive Engineers and Trainmen?” If we all could just do something, it would be awesome.

I would like to close and say that this good Sister brought honor to her family, church and friends. She also supported her husband in his craft for the past 35 years.

It is my hope that when we are each put to rest, that there will be “improvements in the basic drying towels of life.”

Fraternally,  
**JOHN T. LITTLE 4TH**  
 CHAIRMAN  
 TENNESSEE STATE LEGISLATIVE BOARD

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# Bataan Death March survivor Ben Steele named Honorary Engineer by BLET



By PATRICK DAWSON  
SPECIAL TO THE BLET

While BLET National President Ed Rodzwick was behind the wheel on his drive through West Cleveland this past summer, he was struck by a radio interview with the authors of a new book, "Tears in the Darkness."

Michael and Elizabeth Norman's stories of soldiers (from both sides) of World War Two's notorious Bataan Death March came to center around one U.S. soldier in particular, Ben Steele, a young Montana cowboy who was among thousands taken prisoner following months of siege ending in surrender to the Imperial Japanese Army April 9, 1942. The story inspired the president, himself a Marine Corps combat veteran of Viet Nam.

"One of our divisions out in Montana was going to have a picnic coming up, and I thought, Gee, wouldn't it be exciting if we could invite a true war hero, one of America's Greatest Generation," recalled the president, who got the ball rolling with some local BLET officials and members.

Mr. Steele, born in 1917, and a retired professor of art at Montana State University-Billings, accepted the union's invitation to the affair, held in a frontier-style log meeting hall on the bank of the Yellowstone River at Laurel, Montana, site of an original Northern Pacific division point, yards and car shops.

Craig Gilchrist, BLET's Montana Legislative Director, surprised the local members when he introduced visiting V.I.P.s President Rodzwick, First Vice President Paul Sorrow, VP and National Legislative Representative John Tolman. Also attending the event were Matt Wilson, BNSF/MRL General Chairman, and Jerry LaPrath, BNSF/MRL Vice General Chairman.

Mr. Steele and his wife and daughter were introduced by President Rodzwick to the union's members and officials and presented with a plaque and engraved brass steam-engine bell bestowing on him the title of Honorary Locomotive Engineer — only the second time such an honor has been given by BLET.

Ben Steele said afterwards, "That was a great honor for me. This came out of the blue — which was great. I was very moved by it. That bell and plaque I will treasure for the rest of my life."

President Rodzwick called the items, "a very small token of our appreciation for his sacrifice. It was just an honor and a privilege for me to be able to meet this war hero. I'm a veteran myself, and while I can relate to wartime situations, I cannot imagine surviving the Bataan Death March and three and-a-half years as a prisoner in those horrible conditions. He is a spry guy, and when he spoke at our picnic, he told some some funny and interesting stories."

Craig Gilchrist recalled that while Mr. Steele shared some lighthearted anecdotes, the group was quiet and sat spellbound during his weightier narrative. "The reactions went from tears to laughter and joy.



Ben Steele, WWII veteran and survivor of the Bataan Death March, was given the title "Honorary Locomotive Engineer" by BLET National President Ed Rodzwick.



Mark Frickel, Legislative Representative of BLET Division 232, with M'Kenzie Frickel, his daughter, Nicole Hotzel, daughter of BLET Division 232 President Larry Hotzel, and their friend Jackie Walters. Brother Frickel helped organize the event and these young ladies helped make sure things ran smoothly.



Mr. Steele autographs copies of the book "Tears in the Darkness." In the background is Mrs. Steele and Pete McKinney of the BLET-designated McKinney & McKinney law firm.

It's the biggest group I've ever seen so captivated. That man is eloquent. As a speaker, he was in the top one or two I've heard in my life. He is one tough man."

Mr. Steele regaled the members and guests with accounts of his survival, especially how good it felt to be repatriated following liberation of the Philippines. He recalled how he hadn't had a candy bar in years, and so immediately ate a case of two dozen that had been air-dropped by a B-29, which of course made him sick. But it was a good sick: "We were so hungry, we would have put a hog to shame!"

After a chicken dinner in Japan during physical exams and treatment, Mr. Steele wrapped up some pieces in a napkin, took them back to the hospital to hide under his pillow, prompting the medical staff to insist that it was okay; he would now be fed good food regularly, and there was no need to hoard food any longer. Such sur-

vival strategies and instinctive behavior were hard to shake after all those years of deprivation.

After Pearl Harbor, the Allied forces of Americans and Filipinos had been attacked at the Army Air Corps Clark Field from air and sea, then ground troops pushed them further up the Bataan Peninsula, until they were ultimately cut off from air support, supply lines and reinforcements. After months of grueling, running battles, and with supplies exhausted, the Allies were overrun in April, and by May the thousands who surrendered were force-marched up the peninsula. Many died along the way, and those who faltered because of illness, wounds or weakness from dehydration and malnourishment were summarily bayoneted or shot and left by the road. At the outset, many American and Filipino prisoners were murdered in large groups by Japa-

nese soldiers ordered to bayonet them and push them into ravines.

Despite the hardships and horrors, and as a prescription to help his own sanity, Mr. Steele assigned himself the monumental — and risky — task of trying to document the experiences of the Allied P.O.W.s through pencil and charcoal sketches of things he witnessed. He says he was unschooled as an artist and had never drawn much until then, but back home as a teenager had been personally acquainted with and inspired by the famous cowboy artist-author, Will James. "When I got in the camps, I tried to find something to occupy my mind," he recalled. "It was really good for me, because otherwise, you think too much, and you never know what is going to happen from day to day."

These were not pretty pictures leisurely drafted by a sentimental artist. They are





**Clockwise, from top:** Matt Wilson - General Chairman BNSF/MRL GCA; Robbie Mayes, Division 232 member; Terry Bankston, long-time S-T of Division 232; an unidentified friend of the BLET; and Jerry LaPrath, Vice Chairman, BNSF/MRL GCA.



**Mr. Steele** describing his experiences in captivity and his repatriation after the end of the war. Seated immediately in front of him are BLET First Vice President Paul Sorrow and BLET Vice President & National Legislative Representative John Tolman.

unblinking depictions of Japanese military cruelty towards weakened, defenseless prisoners of war. The Japanese soldiers themselves had undergone rigid, cult-like indoctrination, with physical punishment of their own a common disciplinary practice. Such behavior was ingrained in their military culture. Ben sketched two sadistic Nissei infantrymen goading at gunpoint a bearded American prisoner while he dug his own grave in the tropical muck. He captured in pencil on rough scraps of paper scenes of Allied prisoners being herded like livestock onto boxcars.

Throughout the long ordeal, these Americans — the first of the war to surrender and be captured — endured confusing feelings of shame, isolation, anger, defeat and hopelessness. But most stuck together and helped each other as best they could. Some violated their own. Ben Steele and a comrade discovered that cans of food and bars of chocolate from their 1944 Red Cross care packages were missing. The fellow prisoner who had stolen and consumed all their goods was soundly thumped by his enraged victims.

After 41 months of captivity, 50 pounds of weight loss, having endured countless beatings, slave labor in underground coal mines, and witnessing friends and fellow soldiers tortured and dying, Ben Steele was at last liberated in 1945, sent to Japan, then to various Army hospitals in the U.S. before finally returning home to Montana for the long process of healing and recuperation.

Thanks to the G.I. Bill of Rights, he completed his college education through a Master's degree, married, and landed a job teaching art at Eastern Montana College in Billings in 1960. But healing the intense trauma he experienced was not easy nor swift. Some things refuse to evaporate with time. A big test came 15 years after the war, during his first year of teaching, when he noticed a Japanese-American student in his class — the first Japanese he recalled seeing since his return to the States.

Reflexive feelings of hatred and anger returned, and Mr. Steele agonized over how to deal with it. The student, Harry Koyama, came from a regional farming family, some of whom had been detained in Japanese-American relocation camps during the war. Each man had his own basis for animosity, but they worked it out, with Ben Steele emerging healthier and Harry Koyama as one of his best students — and today a recognized We stern painter.

Most of Ben Steele's P.O.W. sketches had been done clandestinely and were secreted in the Mass kit of a Catholic priest who served the camp, but were lost at sea on a return voyage. So the artist relied on those powerful images engraved forever in his memory to re-create his work.



**Mr. Steele sketched scenes of his imprisonment** as a way to occupy his mind. After the war, Mr. Steele became an artist and professor at the University of Montana. These sketches depict some of the horrors he encountered at the hands of the enemy.

**Sketches:** by Ben Steele. Used with his permission.

With his recognition as Honorary Locomotive Engineer, Mr. Steele joins the ranks of those BLE members who over the years answered their country's call, and those who served in the wartime railroad battalions, hauling troops and military material both in the U.S. and overseas.

The BLET Designated Legal Counsel firm of McKinney and McKinney of Houston, Texas sponsored the event. Pete McKinney, a principal in the firm, attended the picnic.

"On behalf of Division 232, our thanks go out to the McKinney law firm," said Larry Hotzel, Division 232 President. "Their willingness to act as our sponsor enabled the event to take place with the positive effect that it had for our Division."

At the August ceremony, BLET National President Ed Rodzicz recalled, "I told our membership about all the freedoms we have in this country, and that they are not free. Somebody had to pay the price for them, and Ben Steele was one of those who

has. I can't express in words what an honor it was to have Ben at our gathering. I think we are going to have this event every summer, and invite Ben back." @@

THE COMPELLING STORY AND SOME OF BEN'S PICTURES OF THIS VERY HUMAN CHAPTER OF WORLD WAR TWO HISTORY CAN BE FOUND IN MICHAEL AND ELIZABETH NORMAN'S BESTSELLER BOOK, "TEARS IN THE DARKNESS," PUBLISHED IN 2009 BY FARRAR, STRAUSS, GIROUX. FOR MORE INFORMATION, VISIT: [HTTP://WWW.TEARS-](http://WWW.TEARS-)

## Plan ahead for 2010 BLET regional meetings!

**BLET members making vacation plans for next year are encouraged to consider attending one of the BLET's regional meetings in 2010.**

These multi-day meetings combine the best of Brotherhood, networking, education, and family fun all in one place. The meetings provide an excellent opportunity for members to meet their elected leaders while giving them a chance to exchange ideas and information with their fellow BLET Brothers and Sisters.

**The 2010 meetings are as follows:**

**June 13-18, 2010**  
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Vacation destinations

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# National Labor College offers 2009-10 hazardous materials awareness training

The Rail Workers Hazardous Materials Training Program will conduct the following hazardous materials transportation/chemical emergency response training programs at the National Labor College - George Meany Campus in Silver Spring, Maryland:

OCTOBER 25-30, 2009

NOVEMBER 1-6, 2009

MARCH 21-26, 2010

APRIL 25-30, 2010

MAY 2-7, 2010

The training, eligible for 3 academic credits from the National Labor College,

addresses OSHA and DOT required procedures and different levels of response and worker protection in a hazardous materials emergency or release, weapons of mass destruction awareness, the incident command system, as well as components required to complete OSHA 10-Hour Outreach certification. The training includes advanced classroom instruction, small group activities, intensive hands-on drills and a simulated hazmat response in full safety gear.

The Rail Workers Hazardous Materials Training Program is funded to provide this

training by a federal grant from the National Institute of Environmental Health Sciences (NIEHS) and also sponsored in part by funding from the North American Railway Foundation (NARF). This funding provides transportation, lodging, and meals for training participants. In addition, participants who are unable to secure regular pay through their employer or are not union paid officers are eligible for a stipend of \$550.00.

Completed registration forms should be faxed, mailed or e-mailed to the Hazmat office as soon as possible. @@

MEMBERS CAN REGISTER ONLINE BY CLICKING HERE: [HTTP://WWW.NLC.EDU/~BCANTRELL/REGISTER.HTM](http://www.nlc.edu/~bcantrell/register.htm)

FOR MORE INFORMATION,

PLEASE CONTACT:

Railway Workers  
Hazardous Materials  
Training Program  
10000 New Hampshire Avenue  
Silver Spring, Maryland 20903  
(301) 439-2440  
(301) 628-0165 -fax  
hjajuga@nlc.edu

## Dependent Social Security Numbers must be provided to comply with new federal law

A new federal law that became effective January 1, 2009 requires that group health insurance plans, certain claims processing third-party administrators, and certain employer self-funded/self-administered plans report specific information about Medicare beneficiaries who have other group coverage. This law requires the reporting of Social Security Numbers (SSNs) for covered dependents of employees to the Centers for Medicare & Medicaid Services (CMS).

Also, if the covered dependent is eligible for Medicare, the Medicare Health Insurance Claim Number (HICN) is also required. In order to comply with this new law, Railroad Enrollment Services,

jointly with the Health and Welfare Plan and the NRC/UTU Plan, have taken the following steps:

- During June 2009, approximately 100,000 personalized forms were mailed to employees of the Health and Welfare Plan and NRC/UTU Plan requesting SSNs for covered dependents where Railroad Enrollment Services did not already have that information on file. Additionally, for any covered dependent who is Medicare eligible, the form also requested that the HICN be provided.

- Railroad Enrollment Services requested that the forms be completed, signed and returned by July 15, 2008. From this effort, approximately 33% of the forms

were returned by the deadline. However, Railroad Enrollment Services continues to receive approximately 2,000 completed forms per day from this mailing.

- The enrollment form included in the 2009 Open Enrollment Period packet, expected to be mailed mid-September for the Health and Welfare Plan and the NRC/UTU Plan, will also include instructions to provide this information for any covered dependent where we do not already have this information.

When Railroad Enrollment Services transmits the SSN's and/or HICNs, they will maintain all physical, electronic and procedural safeguards that comply with federal standards to guard all personal

information.

Railroad Enrollment Services is the national account name that UHC has for the railroad unions' account. In short it is the Enrollment and Account Administration Service Center for everything to do with the UHC National Railroad Account, which consist of the BLET as well as the other participants of the CRLO.

Railroad members with any questions regarding the collection of this dependent information, should call Railroad Enrollment Services at 1-800-753-2692. If a BLET member needs information on how to obtain an SSN for a newborn child or newly adopted child, they should visit

[WWW.SSA.GOV/PUBS.10120.HTML](http://www.ssa.gov/pubs.10120.html). @@

## Federal drug testing flyer available for download

The BLET's National Legislative Office is making available a two-page synopsis explaining what every operating employee needs to know regarding Federal drug and alcohol testing.

Rail Labor, including the BLET, helped

prepare the guide in conjunction with representatives from rail management and the Federal regulatory agencies.

In addition to the BLET, Rail Labor representatives included the American Train Dispatchers Association, United Transportation Union, International Brother-

hood of Electrical Workers, and the Brotherhood of Railroad Signalmen.

The synopsis covers such items as: Drug and alcohol prohibitions; over the counter medications; direct observation of urine collection; shy bladder (difficulty providing a urine specimen); refusal to test; fatal

flaws; highway-rail grade crossing accidents; and voluntary referral and co-worker report policies.

The two-page flyer is available for download as a PDF from the BLET website. [HTTP://WWW.BLE-T.ORG/PR/PDF/DOT-DRUGALCOHOL.PDF](http://www.ble-t.org/pr/pdf/dot-drugalcohol.pdf) @@

### 2010 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 shall provide notice of objection by notifying the National Secretary-Treasurer of the objection 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. Nonmembers wishing to continue their objection from year to year must renew their 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. Conversion expenses and other union internal governance and management expenses;
- d. Social activities and union business meeting expenses;
- e. Publication expenses to the extent coverage is related 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;

activities;

- i. All costs of strikes and other lawful economic actions.

#### 5. Determination of Chargeable Share

The BLET shall perform an independent audit of the records of the National Division. 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 later 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 nonchargeable. 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 arbitrator shall bear their 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 the official record of the proceedings and 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 instead of appearing. Such statement shall be filed no later than fifteen (15) days after the transcript becomes available, but in no case more than thirty (30) days after the hearing closes.

- 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 re-

buted. 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 hearings is necessary, hearings all 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 (15) days after the conclusion of the appeal period if there are no challenges to the determination.



HOURS OF SERVICE REGULATIONS

CONTINUED FROM PAGE 1

additional undisturbed time off duty mandated when the sum of on duty time and limbo time in the preceding duty tour exceeded 12 hours.

The most important factor in accurately classifying and tracking time spent in deadheading is to remember that pay status (i.e., separate service or combined service) is irrelevant. What matters is how the time spent deadheading relates to the duty tour prior to the deadhead and to the duty tour following the deadhead.

There are nine possible combinations of service and deadheading. Each of them — and the service and reporting ramifications of each — are shown on the attached table. There are a fairly complicated set of provisions that interact with one another, but the following general rules apply:

1. A deadhead is considered time on duty only when it is followed by covered service and no statutory off-

duty period is provided between the two (i.e., deadheading to a duty assignment).

2. Unless a statutory off-duty period is provided on both ends of a deadhead, it will commingle with the covered service on the end(s) not having a statutory off-duty period.

3. If the deadhead is both preceded and followed by statutory off-duty periods, it is stand-alone limbo time. If only an interim release period is provided, the deadhead aggregates with the covered service. If neither a statutory off-duty nor an interim release period is provided, the deadhead time is consecutive with the covered service.

4. The only time a deadhead, itself, constitutes a start is if it occurs on the 7th day (We have asked FRA to change this interpretation so as to treat no stand-alone deadhead as a start, and we will attempt to push a technical correction to the RSIA if FRA fails to do so.). A deadhead that is followed by covered service performed without an

intervening statutory off-duty period would count as a start, but the covered service, itself, would not, because it either aggregates with or is consecutive service with the deadhead. No other deadhead would count as a start.

5. All deadheading time counts towards the 276-hour calendar month cap.

6. Only excess limbo time counts towards the monthly limbo time cap.

The above explanations and table only apply in situations where the service performed before or after the deadhead is covered service as a “train employee” (i.e., the member is engaged in or connected with the movement of a train, including as a hostler (49 U.S.C. § 21101(5))). If other mandatory service for the carrier or time covered by HOS provisions pertaining to dispatching service (e.g., certain yardmasters) is involved, the application of the law is significantly more complicated and the chart should not be used for this purpose. @@

BLET Auxiliary Cookbook, Part II

By BECKY SCHNEIDER, BLET AUXILIARY NATIONAL PRESIDENT

We had so much fun putting together a cookbook for the Auxiliary in 2005, in memory of the late Betty Child, who served as the Office Manager for the BLET's DC office for 37 years, that we thought we would do it again. Not only did the cookbook raise much-needed funds for the Auxiliary, we had a good time creating the name and the design, and putting it all together. That being said, I wish I had a nickel for everybody who later expressed regret for not sending in their favorite recipes.

Carpe Diem! Now is your chance to get your favorite family recipe submitted for the next installment. We need everyone, including BLET members, Auxiliary members, and their families to submit recipes, which are due November 30th, so that we can put the cookbook together in time to have it available for next year's regional conventions.

You can submit recipes in several ways: send them via regular mail; or to my e-mail address; or fax them to me at (915) 587-6897. If you would like to have the recipe form to fill out, you can download it from our website, www.bletauxiliary.net. We hope to have enough recipes to do another installment of our cookbook, with the same categories as the first. We have the usual cookbook categories, but also have our own special one — “Especially for Railroaders.”

Once we have the new recipes in place, we will be doing another printing of our first and only cookbook, Mainline Cooking. We would love to have as many members and extended members submit recipes as possible, so get busy and send those recipes in so you're included in the next one. Don't put this in the “to do” pile; send your recipes in today!

Becky Schneider  
515 W. Redd Road  
El Paso, Texas 79932  
(915) 581-1373 – Office  
(915) 587-6897 – Fax  
beckygial@earthlink.net

Electronic Communications Policy

The policy currently in effect is that official communications between BLET members and the National Division require a hard copy of the correspondence — with 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.

Due to the volume of e-mails it would be impossible for the President to answer all unofficial communications. Therefore, it is the policy of the BLET National Division Office that e-mails addressed to the National President will be reviewed and forwarded to the appropriate officer or staff for a timely response. In other words, an email message is not considered an official communication.

This will allow the President to be aware of the opinions and suggestions of the membership, while at the same time providing a timely response to the member, if a response is necessary. @@

Key: A = statutory off-duty period (10 hours UDR plus any additional UDR equal to excess limbo time); B = interim release period at designated terminal; C = less than 4 hours UDR at designated terminal NOTE 1: does not apply in cases of “other mandatory service” (e.g., rules class) or when other work is not as a train employee. NOTE 2: if “time off” is at other than a designated terminal it cannot be considered off-duty time.”

Before DH	After DH	Time	Commingle On Duty	Type of service service	Is it a start?	Counts towards 276-hour cap	Excess limbo time counts towards limbo time cap
A	A	No	No	Stand alone limbo time	Only on 7th consecutive day	Yes	No
A	B	Yes	Yes	Aggregates with next covered service	Yes, because it initiates an on-duty period	Yes	No, it is a deadhead to duty, which is time on duty
A	C	Yes	Yes	Consecutive with next covered service as a train employee	Yes, because it initiates an on-duty period	Yes	No, it is a deadhead to duty, which is time on duty
B	A	No	Yes	Limbo time, aggregates with prior covered service as a train employee	No; it piggybacks with prior tour	Yes	Only if sum of deadhead and on-duty time exceeds 12 hours
B	B	Yes	Yes	Aggregates with both periods of covered service as a train employee	No; it piggybacks with prior tour	Yes	No, it is a deadhead to duty, which is time on duty
B	C	Yes	Yes	Aggregates with prior covered service as a train employee; consecutive with next covered service as a train employee	No; it piggybacks with prior tour	Yes	No, it is a deadhead to duty, which is time on duty
C	A	No	Yes	Limbo time, consecutive with prior covered service as a train employee	No; it piggybacks with prior tour	Yes	Only if sum of deadhead and on-duty time exceeds 12 hours
C	B	Yes	Yes	Consecutive with prior covered service as a train employee; aggregates with next covered service as a train employee	No; it piggybacks with prior tour	Yes	No, it is a deadhead to duty, which is time on duty
C	C	Yes	Yes	Consecutive with both periods of covered service as a train employee	No; it piggybacks with prior tour	Yes	No, it is a deadhead to duty, which is time on duty

LAST RUNS

Kruspe retires after nearly 40-year career

On March 4, 2009, BLET Illinois State Legislative Board Secretary-Treasurer William R. Kruspe retired. Brother Kruspe was serving his seventh term of office at the time of his retirement.

Brother Kruspe was a member of Division 582 in the Chicago area for nearly 40 years. He joined the Brotherhood on July 1, 1970. He was a CSX locomotive engineer at the time of his retirement.

“Congratulations Brother Kruspe for your 30-plus years of dedicated service to

the Brotherhood and the Illinois State Legislative Board,” said Paul Piekarski, Vice Chairman of the Illinois State Legislative Board.

Piekarski said Brother Tyrone Miller of Division 613 will step up and fill those big shoes of Brother Kruspe. He said Brother Miller has an extensive background for the job, having served as a Secretary-Treasurer of his local Division.

Brother Kruspe and his wife Bonnie plan to do some traveling and just simply enjoy life during retirement. @@







## 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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Paul T. Sorrow, First Vice-President & Alternate President  
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## OCTOBER 2009 PHOTO OF THE MONTH



**On October 25, 2008**, southbound UP mixed manifest train 5154 rounds the curve as it passes Hawkins Road on the way to Winlock, Wash., as the fall colors of western Washington begin to peak. **Photo:** Ryan Dadgari.

## Advisory Board August Activity

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

**National President Edward W. Rodziewicz** — National Division office: General supervision of BLET activities; General office duties; Various correspondence & phone calls; President, Teamsters Rail Conference; Division 232 meeting and special guest Ben Steele, veteran of WWII and the Bataan Death March; BLET Advisory Board mtg.; Rail Chiefs mtg.; NCCC meeting w/ Ken Gradia.

**First Vice-President and Alternate President Paul T. Sorrow** — Performed various duties in Office Administrator capacity; Various duties assigned to First Vice President; Various correspondence and telephone communications; General supervision of Special Representatives; IWC, Green Bay, Wisc.; Division 232 picnic, Billings, Mont.; RLBC negotiation mtg., Washington, D.C.

**National Secretary-Treasurer William C. Walpert** — General supervision of accounting dept., records dept., online services dept., IT Dept., tax compliance dept.; public relations dept.; Education & Training Dept.; Internal Organizing, Mobilizing & Strategic Planning Dept.; Safety Task Force; Meetings with vendors and financial institutions; Standard Building operations oversight; IWC, Green Bay, Wisc.; Meeting with NTSB Chairman, Washington, D.C.; Local Chairman Workshop, NLC, Silver Spring, Md.

**Vice-President Merle W. Geiger Jr.** — Assigned to: Kansas City Southern; Texas Mexican Railway; MidSouth Rail; SouthRail; Gateway Western; CP Rail System/US; Utah Railway; Indiana Harbor Belt; Belt Railway of Chicago; Great Western Railway; and Panhandle Northern Railway; Implementing agreement mtg., Tex-Mex, KCS, Rosenberg, Texas; PLB No. 6884 (KCS) session, Chicago; Vacation; Research, correspondence and general office duties.

**Vice-President Stephen D. Speagle** — Assigned to Burlington Northern Santa Fe, Montana Rail Link, Pacific Harbor Line, Missouri & Northern Arkansas (M&NA), National Wage/Rule Committee; General office duties; International Western Convention (IWC), Green Bay, Wisc.; Advisory Board mtg.; Wabash Hospital Association Employee dinner, Decatur; Conference call w/ BNSF general chairmen; General office duties.

**Vice-President E.L. "Lee" Pruitt** — Assisted general chairmen & members of: UP-Western Lines; UP-Western Region; UP-Central Region; UP-Southern Region; UP-Tacoma Belt; UP-Eastern District; Prior rights and Rail Safety Improvement Act (RSIA9), UPWL GCA, assisting GC Hahhan, Reno, Nevada; PLB 7312 arbitration, UPWL, El Paso,

Texas; IWC, Green Bay, Wisc.; Vacation; PLB 7329 arbitration, UPWR GCA, assisting GC Dayton; Office duties, paperwork, telephone calls, etc.

**Vice-President & National Legislative Representative John P. Tolman** — Assigned to BLET Washington, DC office; BLET Security Officer; General Office Duties, telephone, correspondence; Coordinate content of NLO website; International Western Convention, Green Bay, Wisc.; Division 232 first annual division event, Laurel, Mont.; Situational awareness and Rail Safety Improvement Act issues, Washington, D.C.; Attended Kennedy memorial service, Boston, Mass.; Vacation.

**Vice-President Marcus J. Ruef** — Labor member-NRAB, Vice Chairman, First Division; Director of Arbitration Dept; Assigned to Amtrak; Port Authority Trans Hudson (PATH); Long Island Railroad (LIRR); Southeastern Pennsylvania Transportation Authority (SEPTA); New Jersey Transit (NJT); MNR; and NYAL; NJT appeal hearing, NJT, Newark, N.J.; PLB 5210, PATH, New York; Assist VP Twombly w/ CF&E dismissal; Assist VGC Linsey, NS-W&E; Adopt awards & administrative matters, NRAB, Chicago; Research ID issues for GC Wilson, BNSF-MRL; Assist GC Quinn w/ disciplinary issues, LIRR, NYAL, Hicksville, NY; Mtg. w/ H. Hoglander and R. Watkins to discuss NRAB & NMB issues, Washington, D.C.; Prepare for Passenger Chairmen's workshop; Passenger Chairmen's Workshop, Silver Spring, Md.

**Vice-President Dennis R. Pierce** — Assigned to all CSX General Committees — Eastern Lines, Western Lines, Northern Lines, Conrail (SAA/CSX-Northern District) — and Indiana Rail Road, Alabama State Docks; Special projects, BNSF GCofAs; General office duties; PLB 7301, Jacksonville, Fla.; IWC, Green Bay, Wisc.; PLB 7263, Jacksonville; General Chairmen's mtg., CN-IC, CN-WC, CN-EI&E, Chicago; BLET-UTU-BNSF ebb and flow mtg., Fort Worth, Texas.

**Vice-President Mike Twombly** — Assigned to Delaware & Hudson; Springfield Terminal; St. Lawrence & Atlantic; Montreal, Maine & Atlantic; Union Railroad; Birmingham Southern; New York, Susquehanna & Western; New England Central; South Buffalo Rwy.; Iowa, Chicago & Eastern; Indiana & Ohio; Indiana Southern; Louisville & Indiana; Meridian Southern; Talleyrand Terminal Railroad; IWC, Green Bay; WNYP mediation, Harrisburg, Pa.; MMA contract mtgs., Bangor, Maine; Home office, general office duties.

**Vice-President Willard E. Knight** — Assigned to: All Norfolk Southern General Committees; Wheeling & Lake Erie; New York, Susquehanna & Western; New England Central; Connecticut Southern; Western New York & Pennsylvania; IWC meeting, Green Bay; Division 260 and 273 meeting, Conneaut, Ohio; Mtg. w/ NS Northern Region General Chairman and NS management, Buffalo, N.Y.; WNYP mediation, Amherst, N.Y.; Mtg. w/ NS Northern Region Vice Chairman, Division 659 Local Chairman, and NS general manager, Buffalo, N.Y.; General office duties.

A message from  
Teamsters General President  
James P. Hoffa

## Health Insurance Reform

**Summer is over and Congress is back to work on health insurance reform.**

The shouting has died down and it's time to get back to the urgent business of reforming health insurance.

Most Teamsters have excellent health insurance. But that coverage is getting more expensive.

Recently, President Obama cleared up some misconceptions about health care reform in his speech to Congress. He emphasized that health insurance reform will not reduce Medicare benefits. Nor will it affect your existing benefits in any way.

Health insurance reform won't extend coverage to undocumented immigrants.

Health insurance reform wouldn't create government "death panels" to ration care. Federal bureaucrats won't have access to Americans' bank accounts or their personal

health care records. Health insurance reform won't target Americans based on political beliefs.

There is also confusion about the so-called "public option." The public option would be an affordable, publicly financed health insurance plan that individuals could buy into voluntarily.

No Teamster would ever have to give up his or her existing coverage if a public plan came into being.

Some think a public option is essential to health insurance reform. They say Congress must include a public option as part of any deal to get reform passed.

The absence of a public option is not a deal-killer. Instead, we've got to find out what's doable. Every improvement that works will make it easier to pass the next improvement. Every improvement helps re-

store faith in government's ability to improve people's lives.

What's essential is to expand health insurance to all Americans. The uninsured get health care, but they tend to get it in the emergency room — which is expensive, and which the rest of us pay for.

The public option isn't the only way to expand coverage. We can provide financial relief to low- and medium-income people who can't otherwise afford insurance.

We can also crack down on the insurance companies — and we will.

Reform would forbid insurance companies from refusing coverage for pre-existing conditions, prohibit them from retroactively cancelling coverage and require community rating.

But there's one proposal that Teamsters absolutely cannot support: a tax on insurers. Insurers would pass that tax on to the people they insure — the largest middle-class tax hike in history.

Faternally,

**James P. Hoffa**

TEAMSTERS GENERAL PRESIDENT