Senate Republicans kill Railroad Retirement bill

The Brotherhood of Locomotive Engineers learned on October 26 that the Railroad Retirement & Survivors Improvement Act of 2000, H.R. 4844, would not become law this year as the Senate will not vote on it before adjourning for the year.

The Senate Majority Leader Trent Lott (R-MS), with the backing of three ultra-conservative Senators, refused to attach 4844 to any bill. However, in an act of support for the nation’s rail carriers, Lott attached the 4.3 cent diesel fuel tax repeal measure to a separate tax bill, H.R. 2612.

Senators Pete Domenici (R-NM), Phil Gramm (R-TX) and Don Nickles (R-OK) successfully convinced Senator Lott to hold the bill from consideration by the full Senate.

Their opposition was based on two factors. One was a desire by ultra-conservative legislators to completely privatize the Railroad Retirement system as a prelude to a plan to privatize Social Security. The second concern was the fact that — under the federal government’s unitary budget scoring system — transfers of Railroad Retirement funds from the U.S. Treasury to the new Railroad Retirement Trust Fund could be scored as a reduction in assets on the federal books.

The layout of the ballot was a cause of concern for many senior citizen voters in Florida. The ballot was overcrowded and confusing, which led to them being misled to vote for candidates other than those they intended to vote for.

Further election coverage can be found on the BLE website and in the next issue of the Newsletter.

Engineers overwhelmingly approve SEPTA contract

Brotherhood of Locomotive Engineers General Chairman Steve Bruno reports that BLE members on Southeastern Pennsylvania Transportation Authority (SEPTA) have overwhelmingly ratified a new contract.

The deal, which was ratified by a nearly five-to-one margin, provides wage increases over the next five years of a minimum of 16 percent and a maximum of 25 percent. Engineers will also be paid nearly twice as much for travel time if they meet specific requirements.

Other facets of the agreement include:
• a change in the dates for COLA increases;
• a carrier-paid short-term disability policy;
• the establishment of a Joint Training Productivity Committee to address concerns in the training of new and current engineers; and
• a relaxation of the attendance and sickness policies.

The BLE represents more than 500 members on SEPTA. Negotiations began in July of 1999 and ratification was published October 24. •
Do you have a question about federal laws, Federal Railroad Administration rules that impact your job, or about general laws, Federal Railroad Administration (FRA) rules that impact your job, or about federal interpretation, or via e-mail to: D.C. Feedback, Brotherhood of Locomotive Engineers, 10 G. Street N.E., Suite 480, Washington, DC 20002. Or you can fax your questions to (202) 347-5237; or via e-mail to: bldev@xml.com.

If the BLE’s National Legislative Office does not have the answer on hand (such as a federal interpretation), they’ll get back to you as soon as possible. Select questions may be published regularly in the pages of the Locomotive Engineer Newsletter.

This month’s installment of DC Feedback deals with noise levels inside locomotive cabins.

It has been well established that continuous exposure to high noise levels will result in hearing loss. Noise-induced hearing loss is caused by one-time exposure to extremely loud sound or by exposure to sounds at high decibels over months or years. It occurs when the delicate hair cells in the inner ear that translate sound waves into nerve impulses are damaged.

If you think that you are an exception and noise does not bother you, there is a good chance that you may have experienced hearing loss. To understand noise-induced hearing loss we should look at the way sound is measured.

The intensity of loudness of noise is measured in decibels (dB). The decibel is a dimensionless unit based on the logarithm of the ratio of a measured quantity to a reference quantity. It is a measurement of the amount of sound energy and is related to sound pressure. Because it is a logarithmic scale, an increase of one bel produces a doubling of sound intensity. In other words, a noise level of 90 dB is two times as intense as a noise level of 80 dB and four times as intense as a noise level of 70 dB. If the dB reading is followed by an (A), then it is an indicator that the dosimeter unit that recorded the sound was set with a parameter known as the A-scale.

The legal standard under Occupational Safety and Health Act (OSHA) is 90 dB(A) exposure over an eight-hour work day. When noise levels at or above that limit are reached, certain provisions for noise reduction or mitigation through hearing conservation must be followed. For example, if the time-weighted average noise level in your workplace was twice the allowable level for an eight hour shift, the permissible exposure would be limited to four hours, or half period.

To give you a basis for understanding the relative “loudness” of sound pressures in decibels (dB) the table to the right provides sound levels in decibels for familiar environments.

The perception of sound is also relative. Some sounds can be surprisingly loud (sirens or some of the higher decibels locomotive horns) while others, even at higher decibels, may be less so. Sound becomes uncomfortable at 120 dB, the threshold of discomfort is 130 dB, and that of pain is 140 dB. It is believed that prolonged daily exposure to noise levels higher than 90 dB will cause hearing loss.

So, how loud is it?

Sound levels inside the cab of a locomotive depend on a large number of variables. Among those variables are: the type of locomotive; position of windows and doors; horn placement and air pressure to the horn, radio volume control; air exhaust characteristics; audible warning devices; proximity to reflective surfaces; use of the dynamic brake; use of equipment such as heater or air conditioning fans; general age and condition of the locomotive; and the nature of the run with its associated demands for power, dynamic brake, and horn use.

According to actual measurements, the sound level in cabooses has reached a peak as high as 145 dB(A). It is assumed this would occur in situations where the horn was in use and reflective surfaces permitted the sound to enter through open cab windows (some locomotive horns have been measured at over 116 dB(A) 100 feet in front of the locomotive). Measurements inside the cab also indicate levels of sound over 100 dB(A) for extended periods of time.

Time of exposure is a significant factor in the development of noise-induced hearing loss. OSHA and Federal Railroad Administration (FRA) purposes those time periods are based on a time-weighted average (TWA). OSHA and FRA’s allowable exposure is 90 dB(A) for 8 hours. Since railroad employees can be exposed for up to 12 hours under the House of Service Act, FRA looks at 87 dB(A) as the limit.

Since 1995, FRA has mandated noise level measurements of 350 locomotives. The FRA data is not a true random sample of locomotives or locomotive operating environments. It is argued that appropriate caution should be used when characterizing the findings. Approximately 10% of the 350 total measurements of locomotives exceeded 87 dB(A). For 53 locomotive engineers who were on lead locomotives where the horn was used, 38% of the measurements were found to exceed 87 dB(A).

Recent recommendations from the National Institute for Occupational Safety and Health (NIOSH) suggest a standard of 85 dB(A) in locomotive cabs is a better target to decrease the risk for hearing loss when exposed for an 8-hour period. Nearly all railroads have a hearing conservation program where hearing protection is offered. It is a good practice to use hearing protection when in a locomotive cab, especially older locomotives where conditions of open windows and long rows create exposure levels that will cause noise induced hearing loss.

The following chart illustrates some common noise levels.

<table>
<thead>
<tr>
<th>Source of Noise</th>
<th>dB(A)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rock Concert (at ground zero is beyond measurement)</td>
<td>150+</td>
</tr>
<tr>
<td>Jet engine</td>
<td>140</td>
</tr>
<tr>
<td>Explosive activated tool</td>
<td>133</td>
</tr>
<tr>
<td>Hockey game crowd</td>
<td>120</td>
</tr>
<tr>
<td>Air grinder</td>
<td>110</td>
</tr>
<tr>
<td>Gasoline chain saw</td>
<td>100+</td>
</tr>
<tr>
<td>Locomotive horn (minimum level, required by law; at 100 feet forward of the locomotive in direction of travel)</td>
<td>90</td>
</tr>
<tr>
<td>Lawn mower operators ear</td>
<td>85</td>
</tr>
<tr>
<td>Diesel truck (40 mph at 50 feet)</td>
<td>85</td>
</tr>
<tr>
<td>Garbage disposal (at 3 feet)</td>
<td>80</td>
</tr>
<tr>
<td>Average home or office</td>
<td>75</td>
</tr>
<tr>
<td>Passenger car (50 mph at 50 feet)</td>
<td>70</td>
</tr>
<tr>
<td>Conversation (at 3 feet)</td>
<td>65</td>
</tr>
<tr>
<td>Quiet room</td>
<td>40</td>
</tr>
</tbody>
</table>

Four BLE members were elected to office on November 7, but one falls short in race with a twist similar to Gore vs. Bush.

Four BLE members were elected to political office on November 7, but a potential fifth lost in a race similar to the Al Gore versus George W. Bush nail-biter in Florida.

The four victorious BLE members are:

• Kent S. Kunz of BLE Division 228 in Pocatello, Idaho;
• L. Brent Boggs, BLE Political Affairs Coordinator and a member of BLE Division 735 in Gassaway, WV.;
• Pat Johnson of BLE Division 125 in Clinton, Iowa; and
• James Chapelle, New Jersey State Legislative Board Chairman and a member of BLE Division 53 in Jersey City, N.J.

In a bitingly disappointing loss, Joe Barrett of BLE Division 115 (Cheyenne, Wyo.) ran as the Democratic challenger for a seat in District Eight of the Wyoming State Legislature.

On election night, Brother Barrett was declared the winner and interviewed by several Wyoming newspapers, radio and television stations. Then, just as in the Presidential election, came the stunning news.

In the final tally which included absentee ballots that were previously overlooked, the incumbent won by 94 votes.

“Everybody on the campaign was really upset,” said Barrett, who did not request a recount but indicated that he may run again in two years.

Of the four victorious BLE members, Kunz was reelected to the Idaho House of Representatives by an unofficial count of 10,048 to 8,833. Boggs regained his seat in West Virginia’s House of Delegates by a large margin, 5,615 to 1,250. Johnson was elected to the County Board of Supervisors for Carroll County, Ill.; and Chapelle will serve his second term as a City Councilman for the Borough of South Belmar. N.J. Chapelle was reelected by a 448-230 majority.

BLE Division 504 member Bill Wilson (Great Falls, Mont.), who had served in the Montana State Senate for eight years, was reelected from running again by Montana’s term limits rule.
Limited seat availability.

The American high-speed railroad will dawn November 16 when Amtrak launches 150 mph Acela Express service on the Northeast Corridor, the Corporation announced as it accepted the first of 20 trainsets on October 18.

The launch will consist of daylong ceremonial activities running from Washington north to New York and Boston to mark the history-making event. Revenue service between Washington and Boston will start December 11. Tickets go on sale November 2.

“Acela Express is the leader of all that is yet to come as high-speed rail speeds across all countries,” said Wisconsin Gov. Tommy Thompson, the chair of Amtrak’s Board of Directors. “The travelling public is sending a distress call to escape our nation’s endless traffic jams and air port gridlock.”

Regularly scheduled service for Acela Express will begin in what is termed a “two-trains-a-day” daily schedule in each direction between Washington and Boston. The trains will reach its top speed of 150 mph between Boston and New York — 50 mph faster than today’s trains completing that leg of the journey in three hours, 23 minutes. The Washington-New York portion will take two hours, 44 minutes, make six stops and achieve a top speed of 135 mph.

The trains will serve BWI Airport, Baltimore, Wilmington, Philadelphia, Trenton, Newark, New York, New Haven, Providence and three stations in the Boston area — Route 128, Back Bay and South Station. One-way fares for Business Class are $143 from New York and Washington and $120 between Boston and New York, with upgrades available to First Class.

Amtrak will begin regularly scheduled service after delivery of the second trainset and will increase service as it receives more trainsets each month from the manufacturing consortium of Bombardier ALSTOM. By the time all 20 trainsets are delivered next summer, Amtrak will be running 19 roundtrips daily between New York and Washington and 10 roundtrips between Boston and New York.

Acela Express is an all-new train that generates 12,500 horsepower utilizing the electric propulsion system of the P3, manufactured by ALSTOM. It incorporates an advanced technology system developed by Bombardier that improves ride quality as the train travels through the tunnel at 150 mph.

The 20 trainsets are part of an $800 million contract with Bombardier that also includes 15 high horsepower locomotives to power existing trains and new maintenance facilities in Boston, New York and Washington.

Each train consists of locomotives on the front and rear with six passenger coaches in between, including a First Class Car, a Business Class car and a Cafe Car.

Each seat is equipped with electric outlets to plug in laptop computers, three channels of audio entertainment, adjustable headrests and large fold-down tray tops.

FRA calls 1993-99 safest years in rail history

But there is much more room for improvement, BLE President Dubrosky says

Federal Railroad Administration-led partnerships with rail labor, management and others helped reduce train accident fatalities by 87 percent, rail employee casualties by nearly 34 percent, and high-speed rail crossing fatalities by more than 35 percent, according to a new report released October 25 by the Federal Railroad Administration (FRA).

This comprehensive rail transportation report on safety best practices and technology development indicates that since 1985 record safety lows were achieved while freight and passenger traffic increased to all time highs.

The report, FRA 2000 — Federal Railroad Administration — A Report to the Nation, is an extensive guide for rail transportation industry leaders, state and local government officials faced with the challenges and opportunities for rail transportation in their communities, and citizens who want to understand how rail transportation impacts their lives.

“Leadership, partnership and results — these three words embody the core spirit and professionalism of the women and men of today’s Federal Railroad Administration,” said Federal Railroad Administrator Jolene M. Molitoris. “Our job, however, is not done. With safety as our North Star and by working with our industry partners, we can achieve our ultimate goal of zero tolerance for accidents, injuries and fatalities in rail transportation.”

While key statistical measures of fatalities, injuries and accidents are down dramatically, BLE President Edward Dubrosky says there is room for improvement, given the high number of fatalities involving BLE members over the past seven years.

“Work still needs to be done,” Dubrosky said. “There have been BLE 32 members killed in the line of duty since 1983. Our Brotherhood will continue to fight for safety in memory of our fallen Brothers.”

However, the BLE President complimented Administrator Molitoris for her fight to reach the goal of “zero tolerance” for injury and death in the rail industry.

“Administrator Molitoris has driven in her goal of zero tolerance,” he said. “Without question, her ability to foster working relationships between labor and management has helped improve safety.”

The FRA is committed to making America’s transportation system the safest, most economically sound and most environmentally friendly in the world. The Report sets the stage for future progress in achieving FRA’s goal of zero tolerance for railroad safety hazards.


IN THE LINE OF DUTY

BLE Members, 1993-2000

W.A. Conine Sr. • June 28, 2000
Yosh Toribash • December 30, 1999
R.A. Conine • December 17, 1999
Carl Finzel • August 11, 1999
Arnold Holt • October 18, 1999
Don Blaine • April 23, 1999
Kevin Holt • April 23, 1999
Roger H. Bell • January 17, 1999
J.L. (Lee) King • December 11, 1998
W.J. Adams • August 22, 1997
Michael E. Brown • July 2, 1997
Robert M. Zottini • June 30, 1997

Terrance (Terry) Allen Fujita • March 26, 1997
W.J. (Bud) Smith • September 24, 1996
Tom L. Shy • August 20, 1996
Dale W. Gibson • February 1, 1996
J.M. (Mike) Grier • December 18, 1996
Allison B. DeBonis • February 9, 1996
Alan T. (Tip) Nance • December 14, 1996
Dale W. Gibson • November 18, 1995
Huston D. Moses • September 21, 1995
Peter Whirlow • January 20, 1995
J.D. Ginn • September 24, 1994
Tim V. Anderson • June 6, 1994
Robert G. (Bob) Ogilvie • January 29, 1994
J.L. Panke • February 24, 1994
Mark A. Pohl • November 14, 1993
Wayne R. Krueger • November 11, 1993
Billy R. Hilt • September 22, 1993
Mike O. Vani • September 22, 1993

BLE NEWS

Local chairmen urged to register soon for 2001 workshops

The BLE Education & Training Department will conduct two local chairman workshops in 2001, and chairmen are urged to register soon because space is available on a first-come, first-served basis.

A total of 30 slots (out of a possible 50) are available at this time, 15 per workshop. The first is February 4-6 and the second is May 20-22, 2001. Both will take place on the campus of the George Meany Center in Silver Spring, Md.

Local chairmen will be given in-depth training on representing members, enforcing contracts, exercising leadership and building member support.

The course will include BLE organizational structure and functions, representing members at disciplinary and decertification hearings, union leadership skills, claim and grievance handling, and writing skills. A highlight of the seminars will come when attendees participate in hands-on simulated disciplinary hearings.

Room and board is $125 per person daily for a single room; $85 per person daily for a double room. The charge includes all meals. Spouses are charged $85 daily, including meals. All other costs at the Center are paid by the International, including a graduation banquet and ceremony. After they register, participants will be sent a packet from the Meany Center with instructions and directions to the campus.

To register, contact Barbara Kara at (312) 241-2830, ext. 230, or e-mail kara@ble.org.

Amtrak plans November debut for Acela Express high speed service

The era of American high-speed rail will dawn November 16 when Amtrak launches 150 mph Acela Express service on the Northeast Corridor, the Corporation announced as it accepted the first of 20 trainsets on October 18.

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North Platte engineers reject UP scheduling plan

A plan intended to eliminate unpredictable work schedules for Locomotive Engineers was rejected by BLE members on the Union Pacific Railroad in a North Platte, Neb., ratification vote on October 4.

The six-month trial agreement would have established scheduled reporting times for about 100 Engineers who operate trains on the North Platte to South Morrill, Neb., coal line. Engineers would have known weeks in advance of their scheduled work times and rest days.

"Earlier this year our membership at North Platte demanded development of a schedule for over-the-road engineers that would meet a balance between work and home life," said BLE General Chairman Michael Young. "This proposed agreement contained 146 guaranteed scheduled days off annually (about 40% of the year), and appeared to meet that challenge.

"The proposed plan was innovative with advanced work/rest scheduling designs," Young added. "It represented tremendous cultural change for both our membership, and management, which may have accounted for the lack of acceptance at North Platte."

Some Locomotive Engineers who voted against the plan say it could have reduced their pay by up to $15,000 per year.

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On Thursday, November 2, the AFL-CIO President Edward Dubroski joined AFL-CIO President John Sweeney, AFL-CIO Executive Vice President Linda Chavez-Thompson, USWA President Andrew Stern, AFSCME President Gerald McEntee, LIUNA President Terry O’Sullivan and other national and Cleveland-area union leaders for worksite appearances and a downtown rally to urge working families to get to the polls on November 7.

The labor leaders were joined by candidates both from statewide and local races in Ohio. The union leaders came to Cleveland as part of a bus tour through Ohio and Michigan, which was part of a campaign sponsored by the AFL-CIO in key Midwestern states.

More than 500 people attended the high-spirited rally, which was intended to muster support for AFL-CIO and BLE-endorsed candidates, including Al Gore and Joseph Lieberman.

Dubroski was introduced at the rally by BLE Division 3 (Cleveland) Local Chairman Mike Fitzgerald, who noted the BLE’s unique position as the oldest labor organization in North America, founded in Marshall, Mich. in 1863 and headquartered in Cleveland since 1870.

After Fitzgerald’s rousing introduction, Dubroski fired up the crowd by talking about what a Gore-Lieberman victory could do for the people of the United States. The focus of the rally was health care and Dubroski noted that the cost of healthcare was rising in general and specifically cited the rising cost of the BLE’s healthcare.

“They say you can tell a lot about a society by how they treat their young and their old,” Dubroski said. “We live in the greatest and wealthiest country in the world. And yet, despite our wealth, tens of millions of children have no health care, and many more millions of elderly Americans are forced to choose between eating well and taking their medications. Honest, decent, hard-working parents are unable to provide affordable health care for their families. So, by that standard, our society should hang its head in shame.

“In the railroad industry, the cost for our national health plan this year is right at one billion dollars... for fewer than two hundred thousand workers,” he continued. “Last week, we learned that premiums are going up by almost 19% next year. Much of that is driven by prescription prices, which are rising by almost 25% a year... We need a national health plan that takes care of those children, that provides prescription benefits under Medicare for the elderly, and that makes health care affordable for working Americans.”

The efforts of these leaders and other dedicated union members worked in the Cleveland area. Voters in Cuyahoga County overwhelmingly voted for the Gore-Lieberman ticket, however, George W. Bush carried Ohio’s 21 Electoral College votes.
Retirees who work can earn more in 2001

Railroad retirement annuitants who are under full retirement age and who work after retirement can earn more in the year 2001 without having their benefits reduced, as a result of increases in earnings limits indexed to average national wage increases. Railroad retirement annuitants generally consist of tier I and tier II beneficiaries and include dual benefit payments, vested dual benefit payments, employees and spouses, and tier I and tier II beneficiaries and their survivors. Legislation passed in April 2000 eliminated the earnings restriction for those under age 65 in 2001. For beneficiaries attaining age 65 in 2001, the exempt earnings amount rises to $25,000 in 2001 from $17,000 in 2000 for the months before the month age 65 is attained. For those under age 65, the earnings deduction is $51 for every $1 over $25,000; the second by 32 percent, and the third by 1.1 percent, which is 32.5 percent of the CPI rise. Tier II reductions will be increased by 1.1 percent, which is 32.5 percent of the CPI rise. Vested dual benefit payments and supplemental annuities also paid by the Railroad Retirement Board are not adjusted for the CPI rise. In January 2001, the average regular railroad retirement employee annuity will increase $27 a month to $1,418 and the average of combined benefits for an employee and spouse will increase $35 a month to $2,043. For aged widow(er)s, the average survivor annuity will increase $25 a month to $985. If a railroad retirement annuitant also receives a social security benefit, the increased tier I benefit is reduced by the increased social security benefit. Tier II cost-of-living increases are not reduced by social security increases.

For those beneficiaries covered by Medicare, the basic Part B premium generally deducted from monthly benefits increases from $45.50 to $50.00 in 2001. In late December, annuitants will receive letters from the Railroad Retirement Board providing a breakdown of their increased annuity rates.

## How dual benefit reductions impact Railroad Retirement

Railroad Retirement Act employee annuities are subject to dual benefit reductions when social security benefits are also payable, and, they may be subject to a reduction when railroad or non-profit, or foreign pension payments are also due a retired employee. The following questions and answers describe how railroad retirement annuities are affected when retired railroad employees are also entitled to pensions from employers not covered by railroad retirement or social security.

### 1. When was the noncovered service pension reduction in employee annuity payments legislated and how did it come about?

The noncovered service pension reduction in railroad retirement benefits was introduced by 1983 social security legislation which also applied to the tier I benefits of railroad retirement employee annuities. Social security and railroad retirement tier I benefits include a percentage of a worker’s pre-retirement earnings. The formula used to compute benefits includes factors that ensure lower-paid workers get a higher return than highly-paid workers. For example, lower-paid workers could get a social security or tier I benefit that equals about 60 percent of their pre-retirement earnings. The average replacement rate for highly-paid workers is about 25 percent. Before 1981, such benefits for people who spent time in jobs not covered by railroad retirement or social security were computed as if they were long-term, low-wage workers. They received the advantage of the higher percentage benefits in addition to their other pension. The modified formula eliminated this advantage.

### 2. In general terms, which employees are affected by this reduction and what types of benefits would cause a reduction?

For employees first eligible for a railroad retirement annuity and a Federal, State or local government pension after 1985, there may be a reduction in social security or tier I benefits. A spouse or dependent of a railroad retirement annuitant has a three level formula. Each level of earnings is multiplied by a specified percentage. The first level of earnings is multiplied by 90 percent, the second by 32 percent, and the third by the final level by 15 percent. The results are added to obtain the basic benefit rate. For those first eligible in 2000, the gross tier I benefit is equal to 90 percent of the first $32,000 of average indexed monthly earnings, plus 32 percent of the amount of those earnings over $32,000 to $42,200, plus 15 percent of those earnings in excess of $53,200. Beginning with 1986, a reduction in the 90 percent factor was phased in until, for employees subject to the noncovered service pension reduction and who became eligible in 1990 or later, the 90 percent factor is reduced to as low as 40 percent. Consequently, a 62-year-old employee retiring this year, who is eligible for a noncovered service pension and whose average indexed monthly earnings are $32,000, would receive, after the reduction for early retirement, a tier I benefit of $32,000, which is 32 percent of the formula benefit and 32 percent of the benefit computed from earnings of $32,000.

### 3. If a noncovered service pension reduction is required in a railroad retirement employee annuity, how would it be applied?

Unlike the dual benefit offset for social security entitlement applied by deducting the amount of the social security benefit from the annuitant’s tier I railroad retirement benefit, an alternate factor is used in the tier I benefit computation of annuitants with such pensions.

A tier I benefit is calculated in the same way as a social security benefit. In computing a tier I benefit, an employee’s creditable earnings are adjusted to take into account the changes in wage levels over a worker’s lifetime. This procedure, called indexing, increases creditable earnings from past years to reflect average national wage levels at the time of the employee’s retirement. The adjusted earnings are used to calculate the employee’s average indexed monthly earnings and a formula is applied to determine the gross tier I amount.

The noncovered service formula has three levels. Each level of earnings is multiplied by a specified percentage. The first level of earnings is multiplied by 90 percent, the second level of earnings is multiplied by 32 percent, and the third level of earnings is multiplied by the final level by 15 percent. The results are added to obtain the basic benefit rate. For those first eligible in 2000, the gross tier I benefit is equal to 90 percent of the first $32,000 of average indexed monthly earnings, plus 32 percent of the amount of those earnings over $32,000 to $42,200, plus 15 percent of those earnings in excess of $53,200. Beginning with 1986, a reduction in the 90 percent factor was phased in until, for employees subject to the noncovered service pension reduction and who became eligible in 1990 or later, the 90 percent factor is reduced to as low as 40 percent. Consequently, a 62-year-old employee retiring this year, who is eligible for a noncovered service pension and whose average indexed monthly earnings are $32,000, would receive, after the reduction for early retirement, a tier I benefit of $32,000, which is 32 percent of the formula benefit and 32 percent of the benefit computed from earnings of $32,000.

### 4. Are there any provisions excluding retired railroad employees who also receive noncovered service pensions from this reduction?

For employees first eligible for a railroad retirement annuity and a Federal, State or local government pension after 1985, there may be a reduction in social security or tier I benefits. A spouse or dependent of a railroad retirement annuitant has a three level formula. Each level of earnings is multiplied by a specified percentage. The first level of earnings is multiplied by 90 percent, the second by 32 percent, and the third by the final level by 15 percent. The results are added to obtain the basic benefit rate. For those first eligible in 2000, the gross tier I benefit is equal to 90 percent of the first $32,000 of average indexed monthly earnings, plus 32 percent of the amount of those earnings over $32,000 to $42,200, plus 15 percent of those earnings in excess of $53,200. Beginning with 1986, a reduction in the 90 percent factor was phased in until, for employees subject to the noncovered service pension reduction and who became eligible in 1990 or later, the 90 percent factor is reduced to as low as 40 percent. Consequently, a 62-year-old employee retiring this year, who is eligible for a noncovered service pension and whose average indexed monthly earnings are $32,000, would receive, after the reduction for early retirement, a tier I benefit of $32,000, which is 32 percent of the formula benefit and 32 percent of the benefit computed from earnings of $32,000.

### See Dual Benefit Reductions, Page 7

### BLE SENIOR REPORT

Retirees to get cost of living adjustment

Cost-of-living increases are calculated in both the tier I and tier II benefits included in a railroad retirement annuity. Tier I benefits include a percentage of combined benefits and remains in effect for the months before the month of full retirement age. Tier II benefits will increase by 1.1 percent, which is 32.5 percent of the CPI rise. Vested dual benefit payments and supplemental annuities also paid by the Railroad Retirement Board are not adjusted for the CPI rise. In January 2001, the average regular railroad retirement employee annuity will increase $27 a month to $1,418 and the average of combined benefits for an employee and spouse will increase $35 a month to $2,043. For aged widow(er)s, the average survivor annuity will increase $25 a month to $985. If a railroad retirement annuitant also receives a social security benefit, the increased tier I benefit is reduced by the increased social security benefit. Tier II cost-of-living increases are not reduced by social security increases.

For those beneficiaries covered by Medicare, the basic Part B premium generally deducted from monthly benefits increases from $45.50 to $50.00 in 2001. In late December, annuitants will receive letters from the Railroad Retirement Board providing a breakdown of their increased annuity rates.
Four of the five Canadian Pacific business units — Canadian Pacific Railway, CP Ships, PanCanadian Petroleum, Fording (mining) and Canadian Pacific Hotels and real estate activities — reported higher income in the quarter. Only Canadian Pacific Railway was down, although its operating performance was improved from the year earlier period. Thanks to higher income primarily from its oil and gas subsidiary, CP earned $466 million (US$308.6 million), or US$1.48 a share, in the third quarter. This is a huge increase compared to earnings of US$267 million, or US$0.80 a share, in the third quarter of 1999.

Leading the revenue growth was intermodal traffic, which rose to an all-time high of US$1.74 billion in the quarter, a 7 percent increase. Revenue from the sale of timber rights. And the third quarter of 1999 included a $14,175. Norfolk Southern Corporation, struggling to overcome service problems stemming from its 1998 merger with part of Conrail, showed a small increase in profit from its railroad operations during the third quarter. NS reported a third quarter profit of US$99 million, compared with US$99 million in the same period in 1998.

But the results for the third quarter of this year included US$46 million in after-tax income from the sale of timber rights. And the third quarter of 1999 included a non-cash charge of US$1 million for a special work incentive program. Excluding those one-time items, NS earned US$53 million in this third quarter and US$50 million in the 1999 period. Leading the revenue growth was intermodal traffic, which rose to an all-time high of US$1.74 billion in the quarter, a 7 percent increase.

Revenue in the third quarter was US$2.32 billion, down 1% from US$2.34 billion in 1999. Operating expenses increased US$5 million to US$1.74 billion in the quarter, 2% higher than the US$1.71 billion expenses in the 1999 quarter. Diesel fuel expenses increased 30%, while other expense categories either were down or had small increases. Operating expenses also included US$30 million of costs incurred in the now terminated effort to merge with Canadian National Railway.

Canadian National Railway Co. earned US$216 million (US$84.3 million) in the third quarter, up 9% from earnings of US$198 million for the same period in 1999. Revenue in the quarter rose 4% to US$889 million, and volume increased 4%. Operating expenses increased less than 2%, despite higher fuel costs. Operating income rose 9% to US$229 million, and the ratio of operating expense to revenue improved by 1.4 points to 69.4%, the lowest among major railroads in North America. Net income for the first three quarters of 2000 was US$840 million. In the comparable 1999 period, CN earned US$336 million. CN’s operating ratio for the first nine months of the year improved to 70.1% from 72.5% for the comparable 1999 period.

CSX Corp. reported net income of US$427 million, or US$2.02 a share, in the third quarter, up 9% from earnings of US$398 million for the same period in 1999. The railroad’s results edged the US$2.02 a share that was expected by financial analysts.

Net income in last year’s third quarter was US$245 million, or 8.96 cents a share. Union Pacific hiked freight rates about 3% in early September to help offset rising fuel prices. The railroad poured millions of dollars into implementing its merger with Southern Pacific as service problems crippled the railroad in 1997 and 1998. The railroad believes it has begun to experience the benefits of a merger that brought it to a total of 36,000 miles of track in 23 states from the Midwest to the West and Gulf coasts.

For the first nine months of this year, Union Pacific had net income of US$685 million, a 21% improvement over the US$569 million in the same period last year.

The reduction generally does not apply if the employment on which the pension is based was covered under the Social Security Act on the last day of public employment. (A special rule applies to Federal employees who switch to the Civil Service Retirement System from the Federal Employees Retirement System.) Most military service pensions and payments from the Department of Veterans Affairs will not cause a reduction. For spouses and widow(er)s subject to the public pension reduction, the tier 1 reduction is equal to 2/3 of the amount of the public pension.

7. Where can more specific information on how noncovered pensions affect railroad retirement benefits be obtained?

Individuals who may be affected should contact the nearest field office of the Railroad Retirement Board for information as to how their noncovered service pensions would affect their railroad retirement benefits.

For the phone number or address of the nearest Board field office, persons should look in the telephone directory under “United States Government,” or check with theirrail employee, post office, or Federal Information Center. They can also find this information by calling the automated RRB Help-Line at (800) 888-7072 or by checking the Board’s Web site at www.rrb.gov. Most Board field offices are open from 9:00 a.m. to 3:30 p.m., Monday through Friday.
Arbitration victory

BLE announces win in interchange switching case at First Division

In an ad dated October 27th, the First Division of the National Railroad Adjustment Board sustained the BLE’s position against the Belt Railway of Chicago on behalf of five claimants, awarding one-day’s pay at the yard rate to each for performing yard service which was not classified as interchange.

The specific work found by Referee Robert Richter to be in violation of the May 13, 1971, BLE National Agreement included:

• being required to deliver locomotives, which fit on the interchange track, to the diesel ramp in Proviso Yard;
• switching out an entire interchange train that would have fit on the designated interchange track;
• placing an interchange train on a yard track, rather than the designated yard track, making a specific cut in the train, and placing two locomotives for a subsequent outbound trip;
• leaving a portion of an interchange train at yard, picking up an additional 83 cars, and transporting them to another yard, nearly three miles away;
• coupling a yard track in an interchange yard while performing interchange service.

BLE Vice President R.K. Radke, who recently completed another term as Chairman of the First Division, hailed Award No. 25164 as an important victory in preserving the distinction between interchange and yard service, and protecting yard jobs.

Assisting the preparation and presentation of the winning case were Belt Railway General Chairman V.C. Jackson and BLE Assistant Director of Arbitration and First Division Member J.M. Ruet.

Advisory Board October Activity

By action of the delegates at the Fifth Quinquennial Convention, summaries of BLE Advisory Board members’ activities are published monthly.

United Healthcare offers open enrollment in December

During December of 2000, United Healthcare will hold an open enrollment under GA-23111. During this open enrollment, any individual eligible for coverage under one of the GA-23111 plans can enroll and will be accepted for coverage without any medical underwriting or proof of insurability. There are no limitations on preexisting conditions.

If you enroll in December of 2000, you will be covered effective Jan. 1, 2001. Only those applicants who mail their Enrollment Form in December of 2000 will be considered for open enrollment. This open enrollment is being held for:

• Persons already enrolled in GA-23111 who want to change their coverage from Plan D to Plan F (which has no prescription drug coverage) or from Plan F to Plan D. The next opportunity to change plans will be December 2002.
• Any individual who was covered under any railroad health plan and was represented by a Railroad Labor Union. Previously, only individuals covered under GA-23000, GA-107380 or GA-46000 were eligible to enroll under GA-23111.

If you know someone who meets the new GA-23111 eligibility provisions, open enrollment provides an opportunity to become covered. You may also enroll your spouse or eligible children if they are not currently covered. In addition, open enrollment under Plans D or F is available for your parent or parent-in-law. Anyone interested in enrolling should call the following phone number or obtain an Enrollment Form or get additional information:

• For persons eligible for Medicare, call (800) 809-0453.
• For persons not eligible for Medicare, call (800) 942-5252.

The next open enrollment will be December of 2002.

S-T training tentatively scheduled for 2001

The following tentative dates and locations have been released for the 2001 Secretary/Treasurer comprehension classes:

Las Vegas, Jan. 11-13
Dallas, Jan. 25-27
Kansas City, Mo., Feb. 8-10
Chicago, Feb. 22-24
Atlanta, March 8-10
New York City area, March 22-24

Members interested in the January classes are urged to contact Dr. Elaine Reese as soon as possible by calling (216) 241-2830, extension 243.

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NOVEMBER 2000
CALENDAR & EVENTS
MAY 30-JUNE 2, 2001…6th Annual International Western Convention, Denver. Come to Denver for the “White Haven” convention where a room rate of $105 per night has been secured at the Hyatt Regency Tech Center, good for three days before and after the convention. To receive this discount, hotel reservations must be made by May 4, 2001, at (800) 233-1234. Reduced airline fares via United Airlines are available through Travel Volunteers by calling (800) 203-2574. There will be a golf tournament, tour of the Denver mint, Ocean Journey, Denver botanical gardens, and a barbeque at the Colorado Railroad Museum. Questions should be directed to WEC Chairman Skip Coyen by phone (709) 225-9715, or by e-mail at BLE2001@aol.com.

JUNE 24-28, 2001…74th Southeastern Meeting Association in Pine Mountain, Ga. Chairmen W.J. Spriggs Jr. and members of BLE Division 779 (Manchester, Ga.) are hosting this year’s convention at Callaway Gardens resort. Members interested in attending can contact Brother Spriggs at (706) 897-0064.

AUGUST 20-24, 2001…Eastern Union Meeting Association in Atlantic City, N.J. The At The Topazino Hotel & Casino in Atlantic City, N.J. Convention registration begins at 3 p.m. on Monday, August 20, and hotel check-out is Friday, August 24. A room rate of $126 per night has been secured through the conference, as well as a one-time valet parking fee of $2. Room reservations can be made by calling (800) 247-0747. Those calling must state they are attending the “Eastern Union Meeting Association of the Brotherhood of Locomotive Engineers.” Further details to come when available. Please direct questions to EUA Arrangements Chairman Sunny Kerwin at (720) 458-7642 or by e-mail at sunny911@aol.com.


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