



PUBLISHED BY THE BLET, A DIVISION OF THE RAIL CONFERENCE, INTERNATIONAL BROTHERHOOD OF TEAMSTERS

## U.S. HOUSE PASSES MAJOR RAIL SAFETY BILL, H.R. 2

**B**y a vote of 233-188, the U.S. House of Representatives passed H.R. 2 on July 1. The bill, called the Moving Forward Act, includes a \$1.5 trillion infrastructure plan and incorporates all the significant rail safety improvements that were introduced in the \$500 billion INVEST In America Act, which BLET members lobbied Congress to support in a national mobilization outreach in late June.

BLET National President Dennis R. Pierce said H.R. 2 represents the most important rail safety legislation in more than a decade. It contains many of the stand-alone bills that have been central to BLET's legislative efforts since 2008, including:

- Two-person train crews;
- Increased Amtrak funding;
- Fatigue mitigation;
- Unsafe train lengths, including the impact on blocked crossings;
- Safety culture assessments;
- Protecting American rail jobs at the U.S.-Mexico border; and
- Crew member assault prevention.

"The Moving Forward Act contains rail safety provisions that will benefit all rail-

**TITLE V OF THE MOVING FORWARD ACT**

"The favorable vote in the Democrat-controlled U.S. House of Representatives is a direct result of the lobbying by BLET officers and members alongside all of Rail Labor. It is clear from the vote that mobilized and united Union members can make a difference. While the vote represents a victory for the safety and job security of American rail workers, the true test of support for rail workers will come as the legislation moves into the Republican-controlled U.S. Senate."

— BLET President Dennis R. Pierce

roaders, including BLET members and their families," President Pierce said. "The favorable vote in the Democrat-controlled U.S. House of Representatives is a direct result of the lobbying by BLET officers and members alongside all of Rail Labor. It is clear from the vote that mobilized and united Union members can make a difference. While the vote represents a victory for the safety and job security of American rail workers, the true test of support

for rail workers will come as the legislation moves into the Republican-controlled U.S. Senate. BLET's membership must be prepared to lobby even harder to get this legislation over the finish line."

On June 3, 2020, a \$500 billion transportation bill titled the Investing in a New Vision for the Environment and Surface Transportation in America Act — the INVEST in America Act — was introduced in the U.S. House of Representa-



**The INVEST in America Act** was introduced in the U.S. House of Representatives by Peter DeFazio (left), Chairman of the Transportation and Infrastructure (T&I) Committee, and Dan Lipinski (right), Chairman of the Railroad Subcommittee.

tives. It was introduced by Peter DeFazio (D-OR), Chairman of the Transportation and Infrastructure (T&I) Committee, and Dan Lipinski (D-IL), Chairman of the Railroad Subcommittee. The T&I Committee approved the bill on June 18, and it was later rolled into the House's larger infrastructure bill, H.R. 2.

The Act mandates a minimum crew size of two — a certified engineer and a certified conductor — on trains carrying hazardous materials, as well as on trains

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### Amtrak's Avelia

THE FIRST OF AMTRAK'S NEW AVELIA TRAINSETS heads to Philadelphia east through the Canisteo River Valley on the Southern Tier Line. Photo by Brother Cory Rusch, a member of BLET Division 659 in Buffalo, N.Y. Brother Rusch is a conductor with Norfolk Southern.

### 2020 BLET REGIONAL MEETINGS

## CINCINNATI MEETING POSTPONED

**T**he BLET National Division is postponing its Cincinnati, Ohio, regional meeting that was originally scheduled for August 17-21, 2020. The postponement is due to the continuing, widespread restrictions on movement and travel as well as limitations on the size of gatherings due to the coronavirus (COVID-19) pandemic. The BLET plans to reschedule the meeting for later in the year, and those who may have already made hotel or meeting reservations will be contacted in the coming days regarding a refund.

On April 21, the BLET announced that it would postpone its Milwaukee regional meeting for the same reasons. That meeting was originally scheduled for June 22-26. The National Division is also suspending the publication of its commemorative Regional Meeting Program and golf sponsorships for 2020. Any checks submitted to the National Division will be returned as soon as practicable.

The BLET will continue to monitor the course of the pandemic, and evaluate the public health measures in place in the coming months.

Please refer to the National Division website for updates. @@



### BLET President's Message

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### New General Counsel Named

Joshua McInerney appointed to replace retired Mike Wolly **pg. 3**



### COVID-19 News

RRB begins CARES Act payments to unemployed railroaders **pg. 6**





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

# A LITMUS TEST FOR THE NOVEMBER ELECTIONS

On June 3, 2020, a \$500 billion transportation bill titled the Vision for the Environment and Surface Transportation in America Act — the INVEST in America Act — was introduced in the U.S. House of Representatives. It was introduced by Peter DeFazio (D-OR), Chairman of the Transportation and Infrastructure (T&I) Committee, and Dan Lipinski (D-IL), Chairman of the Railroad Subcommittee. The T&I Committee approved the bill on June 18, and it was later rolled into the House's larger infrastructure bill, H.R. 2 (also known as the Moving Forward Act). On July 1, it passed the full House of Representatives by a vote of 233-188, and it is now being considered in the United States Senate.

The bill includes many significant rail safety improvements that would improve the working conditions of all railroaders, including locomotive engineers and trainmen. It comes at a time when rail profits are at their highest in decades, but those record profits have come at the expense of hard working railroaders who have been heartlessly furloughed for



President Pierce (center) with Local Chairmen attending the Education and Training Department's class in August 2019.

the sake of Corporate America and Wall Street.

As railroaders, we know firsthand that the operating model known as "Precision Scheduled Railroading" (PSR) is to blame for these needless job cuts. PSR puts short term gains ahead of the long term stability of the industry. Hallmarks of the PSR model include cutting corners on safety, delayed maintenance, slashing the union workforce to the bone, and squeezing those who remain to the brink of exhaustion. Such callous dis-

regard for the well-being and safety of railroad workers is one of the reasons why our union was founded over 157 years ago, and why the railroad industry today has one of the most densely unionized workforces in America. Rail workers need union protection.

The Moving Forward Act calls for a study focusing on the impacts of PSR. While PSR may create substantial value for shareholders, others have been left holding the bag. Aside from the myriad of layoffs mentioned

above, railroads are putting the lives of their workers at risk by slashing the workforce and cutting corners on safety. I firmly believe our members — regardless of their political affiliation — would welcome a federal investigation that would shed light on the dark underbelly of PSR.

In addition to PSR, the Moving Forward Act would address a laundry list of issues that are of great interest to our membership. They include safety improvements that have been central to the BLET's legislative

efforts since 2008:

- Two-person train crews;
- Increased Amtrak funding;
- Fatigue mitigation;
- Unsafe train lengths, including the impact on blocked crossings;
- Safety culture assessments;
- Protecting American rail jobs at the U.S.-Mexico border; and
- Crew member assault prevention.

To me, these are not Republican issues or Democratic issues. These are our issues — rail safety issues that will go a long way toward improving the quality of life of our members and their families. The umbrella of our Brotherhood covers members from both political parties, and they do not always see eye-to-eye on all issues. But I think we can all agree that PSR is a scourge upon the railroad industry that must be addressed. The Moving Forward Act should also serve as a litmus test for the upcoming November elections. Those candidates who support your safety issues and your jobs have earned your support in return.

**DENNIS R. PIERCE**  
BLET NATIONAL PRESIDENT

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## RAIL UNIONS JOIN FORCES TO END RUIA SEQUESTRATION

All U.S. railroad labor unions have united in a campaign to overturn the unfair sequestration of Railroad Unemployment Insurance Act (RUIA) benefits, which unjustly reduces the unemployment and sickness benefits of railroad workers. The unions are represented by the Teamsters Rail Conference and the AFL-CIO's Transportation Trades Department (TTD).

On June 11, the unions contacted Ohio Senators Rob Portman and Sherrod Brown, and requested that they jointly co-sponsor language consistent with the HEROES Act (H.R. 6800) that

would eliminate sequestration. Specifically, the unions are asking the Senators to rescind the sequestration of RUIA benefits by amending the Balanced Budget and Emergency Deficit Control Act of 1985 to include RUIA among the other various programs that are not subject to sequestration. Senator Portman is chairman of the Senate subcommittee where a decision on sequestration will be made.

According to Teamsters Rail Conference President Dennis R. Pierce and TTD President Larry Willis: "Unlike the average U.S. worker, railroad employees do not receive unemployment ben-

efits through state-administered unemployment insurance programs. Instead, unemployed railroaders receive these benefits through the RUIA program, which is administered by the United States Railroad Retirement Board (RRB). As a result of the Budget Control Act of 2011, RUIA are subject to sequestration. No state unemployment insurance benefits in the country are subject to this unfair treatment."

As background, unemployment and sickness benefits payable under the RUIA have been sequestered or reduced since 2013, as part of a package of automatic spending cuts required by the Budget

Control Act of 2011 (BCA), which was passed in August 2011. Currently, RUIA unemployment benefits are being sequestered at the rate of 5.9%, as are RUIA sickness benefits. In the past, these rates have been adjusted annually when the federal sequestration is recalculated. Railroaders have seen their benefits sequestered as high as 9.2% in the past.

As part of the push to end sequestration, the Brotherhood of Locomotive Engineers and Trainmen (BLET) will launch a mobilization effort in the state of Ohio to urge Senators Portman and Brown to co-sponsor legislation to ease the burden upon sick and unemployed railroad-

ers by overturning sequestration.

"In these uncertain times, our members who are either laid-off or sick deserve the same fair treatment as all other workers across the country, who receive 100% of the unemployment benefits to which they are entitled by law. For these reasons, it is critical that the sequestration of RUIA be rescinded," President Pierce and President Willis concluded. ©©

A COPY OF THEIR JOINT LETTER TO THE SENATORS IS AVAILABLE AT: [www.ble-t.org/pr/pdf/Brown\\_Portman\\_Letter.pdf](http://www.ble-t.org/pr/pdf/Brown_Portman_Letter.pdf)

## BLET NATIONAL DIVISION ELECTRONIC COMMUNICATIONS POLICY

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

reference to a specific request and can be used in future correspondence.

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

response; however, an e-mail message is not considered an official communication.

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

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

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





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

# CONGRESS MUST MOVE QUICKLY TO HELP U.S. WORKERS

**T**he coronavirus pandemic continues to affect hard-working Americans' everyday life. Despite a plateauing of new cases, the toll this scourge is enacting on the public is immense. That's why the Teamsters are pushing even harder now to protect our way of life.

Congress has returned to the nation's capital, and we need lawmakers to get down to business so they can help both workers and those who worked hard all their lives. That means taking additional steps to make workplaces safer; protecting the hard-earned pensions of workers and retirees; and ensuring state and local governments have the funds they need to pay their employees so they can keep serving their constituents.

More than a million Teamsters are deemed essential workers, working in health care, transportation, grocery, food processing, warehouse,

sanitation and corrections, just to name a few. These members and others like them need to be protected with comprehensive and enforceable safety standards in the next stimulus bill that comes to a vote on Capitol Hill.

Any legislation must require the Occupational Safety and Health Administration (OSHA) to issue a temporary emergency standard that covers all workers, including public sector employees in states that have not opted into OSHA coverage, as well as transportation workers not covered by another federal safety agency.

Meanwhile, the COVID-19 pandemic has the potential to wreak havoc with multiemployer pension plans that are already in critical and declining status. Worker layoffs and furloughs will adversely affect contributions to these plans and jeopardize the retirement ben-

efits that active workers and retirees have earned.

The next stimulus package should protect retiree benefits, do no harm to healthy plans, and provide the financial stability that multiemployer plans need.

Additionally, state and local government jobs must be protected. Some 200,000 Teamsters work in the public sector. The CARES Act approved in late March provided considerable state and local aid, but governments need much more assistance.

At a time when some in big business are taking advantage of federal funding meant to help workers and small businesses, elected officials must move quickly and make sure future legislative fixes put people first.

Fraternally,

**JAMES P. HOFFA**  
TEAMSTERS GENERAL PRESIDENT



66 Congress has returned to the nation's capital, and we need lawmakers to get down to business so they can help both workers and those who worked hard all their lives. 99

## BLET names new General Counsel

**B**LET National President Dennis R. Pierce has appointed Joshua D. McInerney to serve as General Counsel for the oldest labor union in the Western Hemisphere. The appointment became effective upon the May 31 retirement of long-serving General Counsel Michael S. Wolly.

McInerney is a partner with Barkan Meizlish, LLP, a Columbus-based firm founded in 1957 that provides a broad array of employment-related legal services to individuals and unions across the nation. Prior to working at Barkan Meizlish, McInerney was with the law firm of Baptiste & Wilder, PC in Washington, D.C. Over the last 20 years, he has represented a variety of labor organizations at the local, state, and national levels, including the BLET, the BMWED, the BRS, the IBT, and the Teamsters Airline Division.

Concurrent with this appointment, Barkan Meizlish attorney James Petroff was named Associate General Counsel. Petroff has 30 years of national practice experience in all aspects of collective bargaining and traditional labor law matters for a variety of private sector, public sector, federal sector, and Railway Labor Act unions. In the past, he provided legal rep-



resentation to BLET on Teamsters-related matters.

In announcing these appointments, National President Pierce issued the following statement:

"The retirement of General Counsel Wolly marks the end of an era for all of Rail Labor. Mike has provided legal services to our Brotherhood for over a quarter of a century, and has served as BLET's General Counsel for nearly a decade. His successes are far too numerous to detail, but two stand out in my mind. One was his defense of our National Vacation Agreement and our National Personal

Leave Agreement from attack by unilaterally-imposed carrier FMLA policies. The other is the only successful major dispute litigation I've seen in my union career. I know I speak for all BLET officers and members in wishing Mike a long, healthy and enjoyable retirement.

"At the same time, I want to congratulate Josh McInerney and Jim Petroff on joining the BLET team. Their past work for the BLET brought successful results, and the Barkan Meizlish team has a stellar reputation in providing representation to unions subject to the Railway Labor Act. I look forward to



Mike Wolly has provided legal services to the Brotherhood for over 25 years. He has served as the BLET's General Counsel for the last 10 years.

our new partnership, and I have every confidence that BLET members will be well represented by our new counsel."

President Pierce also thanked George Faulkner of Faulkner, Hoffman and Phillips, LLC in Cleveland for the assistance that he has provided to the BLET. "George has also been a key part of BLET's legal team and we look forward to our continued relationship with him." @



Faulkner

## SIGN UP FOR BLET NEWS FLASHES!

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The News Flash alerts are news articles from the BLET National Division

website that are automatically emailed to you.

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gin receiving the most current news from the BLET National Division.

It is a great way to keep informed on the most recent issues impacting your job, your contract and your Brotherhood.



# Sturdivant reelected NS-Southern Lines General Chairman

**J**erry G. Sturdivant was reelected to his second term as General Chairman of the Norfolk Southern-Southern Lines General Committee of Adjustment (GCA) at its quadrennial meeting on May 19, 2020.

Brother Sturdivant is a member of BLET Division 110 (Ludlow, Ky.) and has held continuous membership in the Brotherhood since 1993. Brother Sturdivant was serving the GCA as 1st Vice General Chairman and Secretary-Treasurer when he was elevated to the office of General Chairman following the installation of then-General Chairman Mark L. Wallace as a BLET National Vice President effective January 1, 2019.

Also elected at the 2020 quadrennial meeting were: 1st Vice General Chairman and Secretary-Treasurer Fred M. Cox, Division 52 (Baltimore, Md.); 2nd Vice General Chairman C.R. (Rusty) Jones, Division 239 (Knoxville, Tenn.); 3rd Vice General Chairman J.E. Briles III, Division 165 (Louisville, Ky.); 4th Vice General Chairman G.L. Pack, Division 316 (Atlanta, Ga.); 5th Vice General Chairman J.D. Conner, Division 409 (Columbus, Ga.); and Alternate Vice General Chairman A.K. Brendle, Division 166 (Charlotte, N.C.). Appointed to serve the GCA as Trustees were Brother Briles, Brother Pack and Brother Conner.

Representing the BLET National Division at the meeting were National President Dennis R. Pierce, National Vice President Mike Twombly, and National



**Jerry G. Sturdivant**

**“Congratulations to General Chairman Sturdivant and all officers of the Norfolk Southern-Southern Lines GCA. I thank these Brothers for their dedicated service to our Brotherhood.”**

**— BLET President Dennis Pierce**

Vice President Rick Gibbons.

“Congratulations to General Chairman Sturdivant and all officers of the Norfolk Southern-Southern Lines General Committee of Adjustment,” President Pierce said. “I thank these Brothers for their dedicated service to our Brotherhood, and I appreciate their hard work and commitment to representing our proud Brothers and Sisters who work for Norfolk Southern.”

Brother Sturdivant hired out in 1990 as a brakeman on NS, and entered into engine service in 1992. He joined the Brotherhood in 1993 and was elected First Vice Local Chairman of Division 110 later that same year. In 2000, Brother Sturdivant was elected Local Chairman of Division 110, a position he held for 12 years. Brother Sturdivant held var-

ious positions on the GCA's Executive Board, starting in 2004 as a Vice General Chairman under former General Chairmen Ray Wallace and Bill Overton. Brother Sturdivant was elected by acclamation to the full-time office of 1st Vice General Chairman and Secretary-Treasurer at the GCA's 2012 quadrennial meeting, the same year Mark Wallace was elected General Chairman. In 2016, Brother Sturdivant was reelected by acclamation to the office of 1st Vice Chairman and Secretary-Treasurer. Brother Sturdivant has also served the BLET as Secretary-Treasurer of the Southeastern General Chairman's Association.

The Norfolk Southern-Southern Lines GCA represents nearly 3,200 active locomotive engineers and trainmen in 42 Divisions. ☺☺

## NEW OFFICERS GCA 810 ELECTED

### GENERAL CHAIRMAN:

**J.G. Sturdivant**, Division 110 Ludlow, KY

### 1ST VICE GENERAL CHAIRMAN/ST:

**F.M. Cox**, Division 52 Baltimore, MD

### 2ND VICE GENERAL CHAIRMAN:

**C.R. Jones**, Division 239 Knoxville, TN

### 3RD VICE GENERAL CHAIRMAN:

**JE Briles III**, Division 165 Louisville KY

### 4TH VICE GENERAL CHAIRMAN:

**G.L. Pack**, Division 316 Atlanta, GA

### 5TH VICE GENERAL CHAIRMAN:

**J.D. Conner**, Division 409 Columbus, GA

### ALTERNATE VGC:

**A.K. Brendle**, Division 166 Charlotte NC

## RRB issues statements of service, Form BA-6

### MEMBERS ARE URGED TO CHECK THE FORM CAREFULLY AND TO REPORT ANY DISCREPANCIES

**E**ach year, the U.S. Railroad Retirement Board (RRB) prepares a Form BA-6, **Certificate of Service Months and Compensation**, for every railroad employee with creditable railroad compensation in the previous calendar year. The RRB will mail the forms to employees during the first half of June. While every effort has been made to maintain current addresses for all active railroad employees, anyone with compensation reported in 2019 who has not received Form BA-6 by July 1, or needs a replacement, should contact an RRB field office by calling the agency toll-free at (1-877-772-5772).

Form BA-6 provides employees with a record of their railroad retirement service and compensation, and the information shown is used to determine whether an employee qualifies for benefits and the amount of those benefits. It is important that employees review their Form BA-6 to see whether their own records of service months and creditable compensation agree with the figures shown on the form.

In checking the 2019 compensation total, employees should be aware that only annual earnings up to \$132,900 were creditable for railroad retirement purposes in that year, and that \$132,900 is the maximum amount shown on the form. To assist employees in reviewing

their service credits, the form also shows service credited on a month-by-month basis for 2018, 2017, and 2016, when the creditable compensation maximum was \$128,400 for 2018, \$127,200 for 2017, and \$118,500 for 2016. The form also identifies the employer(s) reporting the employee's 2019 service and compensation.

Besides the months of service reported by employers, Form BA-6 shows the number of any additional service months deemed by the RRB. Deemed service months may be credited under certain conditions to an employee who did not work in all 12 months of the year, but had creditable tier II earnings exceeding monthly prorations of the creditable tier II earnings maximum for the year. However, the total of reported and deemed service months may never exceed 12 in a calendar year, and no service months, reported or deemed, can be credited after retirement, severance, resignation, discharge, or death.

The form also indicates the number of months of verified military service creditable as service under the Railroad Retirement Act, if the service was previously reported to the RRB. Employees are encouraged to submit proofs of age and/or military service in advance of their actual retirement. Filing these proofs with the RRB in advance will streamline the benefit application process and prevent payment delays.

For employees who received separation or severance payments, the section of the form designated **Taxable Amount** shows the amounts reported by employers of any separation allowance or severance payments that were subject to railroad retirement tier II taxes. This information is shown on the form because a lump sum, approximating part or all of the tier II taxes deducted from such payments made after 1984 which did not provide additional tier II credits, may be payable by the RRB upon retirement to qualified employees or to survivors if the employee dies before retirement. The amount of an allowance included in an employee's regular compensation is shown under **Compensation Amount**.

Form BA-6 also shows, in the section designated **Employee Contributions**, the cumulative amount of tier II railroad retirement payroll taxes paid by the employee over and above tier I social security equivalent payroll taxes. While the RRB does not collect or maintain payroll tax information, the agency computes this amount from its compensation records in order to advise retired employees of their payroll tax contributions for Federal income tax purposes.

Employees should check their name, address, birth date, and sex shown at the top of the form. If the form shows the birth date as 99-9999 and the gender code is U (for unknown), it means the RRB is

verifying his or her social security number with the Social Security Administration. Otherwise, if the personal identifying information is incorrect or incomplete (generally a case where the employee's surname has more than 10 letters and the form shows only the first 10 letters) or the address is not correct, the employee should contact an RRB field office. The field office can then correct the RRB's records.

Any other discrepancies in Form BA-6 should be reported promptly in writing to:

### Protest Unit - CESC

U.S. Railroad Retirement Board  
844 North Rush Street  
Chicago, Illinois 60611-1275

The employee must include his or her social security number in the letter. Form BA-6 also explains what other documentation and information should be provided. The law limits to four years the period during which corrections to service and compensation amounts can be made.

For most employees, the address of the RRB office serving their area is provided on the form along with the RRB's nationwide toll-free number (1-877-772-5772). RRB field offices are currently closed to the public due to the coronavirus pandemic, but representatives can still be reached by calling the toll-free number. ☺☺



# CSX General Chairman Best reelected by acclamation

**G**eneral Chairman Garrison D. Best was reelected by acclamation to a third term of office at the quadrennial meeting of the CSX Eastern Lines General Committee of Adjustment, which was held on April 27, 2020.

A CSX locomotive engineer, Brother Best was elevated to the General Chairman's office in September of 2013 following the retirement of former General Chairman Tony Smith, and was reelected by acclamation at the GCA's quadrennial meeting in April of 2016. Brother Best also serves the Brotherhood as Sixth Alternate National Vice President, and was a member of the Bylaws Committee at the BLET's Fourth National Convention in 2018. He has held continuous membership in BLET Division 498 (Abbeville, S.C.) since January 1, 1995.

The following officers were also elected at the quadrennial meeting: Vice General Chairman Chris R. Hyde, Division 314 (Rocky Mount, N.C.); 1st Vice General Chairman Jamie L. Truesdale, Division 598 (Greenville, S.C.); 2nd Vice General Chairman Troy L. Bryant, Division 532 (Richmond, Va.); 3rd Vice General Chairman Roger W. Bickerstaff, Division 684 (Birmingham, Ala.); 4th Vice Gen-



**A proud legacy:** Only four men have served as General Chairman of the CSX-Eastern Lines (former Seaboard Coast Line) General Committee of Adjustment since its formation in 1967. They are, from left, **Marvin L. Geiger** (1967-1985), **Paul T. Sorrow** (1985-1991), **Tony Smith** (1991-2013) and **Gary Best** (2013-present).

eral Chairman David P. Wyatt, Division 216 (Tampa, Fla.); Secretary-Treasurer Robbie W. Clark, Division 779 (Manchester, Ga.); and Alternate Secretary-Treasurer S.A. (Anthony) Sirmans, Division 648 (Waycross, Ga.). Brothers Truesdale, Bryant and Wyatt also were appointed to serve the GCA as Trustees.

BLET National President Dennis R. Pierce and National Vice President J. Alan Holdcraft represented the BLET National Division during the meeting. Also, retired National Vice President Gil L. Gore

was in attendance.

"I am proud to offer my congratulations to Brother Gary Best and all officers of the CSX Eastern Lines General Committee of Adjustment," President Pierce said. "I thank them for their service to our Brotherhood and I have every confidence they will continue doing an excellent job of enforcing our contract and protecting the rights of our Brothers and Sisters at CSX."

Only four men have served as General Chairman of the CSX Eastern Lines

GCA since it was founded in 1967: M. L. Geiger, 1967-1985; Paul T. Sorrow, 1985-1991; Tony Smith, 1991-2013; and Gary D. Best, 2013 to present.

In addition to the election of officers, the delegates to the quadrennial meeting addressed key concerns of the membership and conducted business for the good of the order.

The CSX Eastern Lines General Committee of Adjustment represents approximately 1,200 members from 18 different BLET Divisions. @@

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# FRA waivers put lives at risk

Ruling favors carriers over workers and general public, puts U.S. through another two months of risk

In May, the Federal Railroad Administration (FRA) extended safety waivers that were granted to the Association of American Railroads (AAR) and the American Short Line and Regional Railroad Association (ASLRRA) in the early stages of the coronavirus pandemic, again favoring the material concerns of the carriers over the safety of America's rail workers and of the general public.

The extension runs until the earlier of when the emergency declaration is lifted, or 60 days from letters dated May 21 to the AAR and ASLRRA by the agency governing safety on America's railroads. The broad waivers concerning numerous safety regulations and training requirements were initially set to expire beginning May 24, 29 and June 9.

The leaders of two of America's largest rail unions, the SMART Transportation Division (SMART-TD) and the Brotherhood of Locomotive Engineers and Train-

## JOINT STATEMENT

"The agency continues a pattern of FRA appeasement to the carriers. Essential safety tasks once again are being deferred with regulators' blessings while the agency could not be bothered to enact an emergency order to hold carriers accountable to Centers for Disease Control and Prevention minimum health and safety standards for employees during the COVID-19 pandemic."

— BLET President Dennis R. Pierce &  
SMART-TD President Jeremy R. Ferguson

men (BLET), objected to the lengthening of these waivers that they had described as "alarming" when first initiated.

"The agency continues a pattern of FRA appeasement to the carriers," said SMART-TD President Jeremy R. Ferguson and BLET President Dennis R. Pierce. "Essential safety tasks once again are being deferred with regulators' blessings

while the agency could not be bothered to enact an emergency order to hold carriers accountable to Centers for Disease Control and Prevention minimum health and safety standards for employees during the COVID-19 pandemic."

The waiver extension, granted nine days after the AAR's petition to renew, cover regulations governing:

- Periodic track inspections
- Training
- Quick tie-ups
- Locomotive and conductor certification
- Territorial qualifications

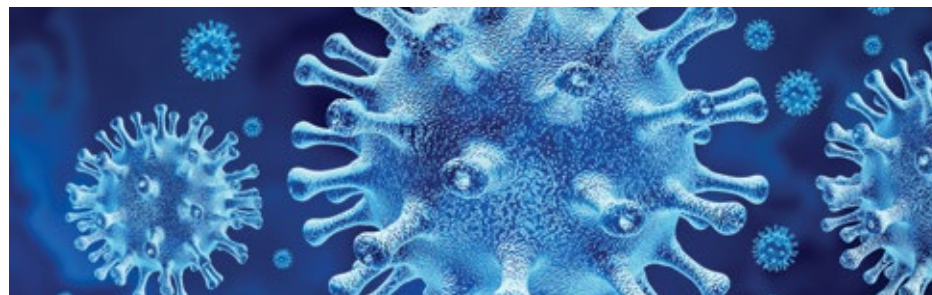
Conversely, SMART-TD and the BLET jointly petitioned FRA to respond to the pandemic multiple times in March seeking emergency orders to improve working conditions and to better protect workers from potential infection by requiring carriers to adhere to basic CDC protocols. The agency, however, declined to put its full regulatory power on the side of protecting essential transportation workers.

"The continued pattern of rubber-stamping requests by carriers while unabashedly coming up short for the essential workers who have continued to show up and work through the pandemic shows where FRA's priorities are," the union presidents said. ©©

## RRB begins paying CARES Act recovery payments for unemployed rail workers

The Coronavirus Aid, Relief, and Economic Security Act, or CARES Act, recently signed into law by President Trump, authorized a "recovery payment" for unemployed railroad workers in the amount of \$1,200 per 2-week registration period. After making necessary programming changes to claims processing systems, the U.S. Railroad Retirement Board (RRB) started making the payments on the evening of May 28.

In the initial round of processing, the agency made retroactive payments of \$1,200 per 2-week registration period to individuals who had previously filed claims beginning on or after April 1. Those individuals had previously received unemployment insurance (UI) benefits in the amount of \$733.98 to most claimants. The RRB estimates that the total amount of retroactive payments will be about \$32 million. While the regular UI amount of \$733.98 is reduced from \$780 due to sequestration, the additional \$1,200 recovery payment is not subject to reduction. However, it is subject to income taxation and garnishment for tax and other legally established debt.



### RRB CARES ACT PAYMENTS BEGAN ON MAY 28:

In the initial round of processing, the agency made retroactive payments of \$1,200 per 2-week registration period to individuals who had previously filed claims beginning on or after April 1.

Estimates for total amount of retroactive payments is about \$32 million.

Once these payments are completed, the RRB plans to start paying the additional \$1,200 for new benefit claims the following day. The additional amount is payable on claims for days of unemployment through the 2-week claim period beginning July 31, 2020.

The CARES Act includes an appropriation of \$425 million to pay for this added recovery payment. If these funds are exhausted before August 13, the end of the last eligible registration

period, the added payment will no longer apply.

The CARES Act also authorized payment of extended benefits to rail workers who received UI benefits between July 1, 2019, and June 30, 2020. The RRB started paying the extended UI benefits on May 11, once again beginning with retroactive payments to individuals who had previously exhausted their regular UI benefits, before moving on to new claims.

The final piece of the CARES Act for the RRB is the elimination of a 1-week waiting period to receive benefits, funded by an additional \$50 million appropriation to cover this provision. The agency continues to diligently work on the needed programming for this provision, and hopes to have it completed in the near future. Again, the agency will initially make retroactive payments to individuals who had previously submitted UI claims before quickly moving on to processing new claims without the waiting period.

The RRB identified any eligible employees who previously received UI benefits for days of unemployment after April 1, 2020, so that the payments could be issued without the employee submitting additional information. For initial claims in the coming months, employees are encouraged to file them online through myRRB at [www.rrb.gov/Benefits/myRRB](http://www.rrb.gov/Benefits/myRRB).

Since RRB offices are currently closed to the public due to the pandemic, railroad employees are encouraged to file for UI benefits by setting up an online myRRB ([www.rrb.gov/Benefits/myRRB](http://www.rrb.gov/Benefits/myRRB)) account if they have not already done so. ©©

## FRA GRANTS UNIONS' REQUEST FOR ANOTHER EXTENSION TO FILE CERTIFICATION PETITIONS

Following a second joint petition by the Brotherhood of Locomotive Engineers and Trainmen (BLET) and the SMART Transportation Division (SMART-TD), the Federal Railroad Administration (FRA) on June 3 granted another 60 day extension to time limits in which certain petitions for review must be filed with the Locomotive Engineer Review Board (LERB) and the Operating Crew Review Board (OCRB). Originally, the BLET and the SMART-TD requested an extension on March 30, which the FRA granted on April 7.

In response to the unions' second joint petition

for extension, which was filed on May 27, the FRA wrote: "FRA considered the petitioners' extension request and concluded that extending the previously granted relief would be in the public interest, necessary to address the COVID-19 public health emergency, and is not inconsistent with railroad safety. Accordingly, FRA grants an extension of temporary emergency relief from the 180- and 120-day deadlines in § 240.403(c) and (d), and § 242.503(c), so that the deadline for any petition that becomes due to be filed during the duration of this waiver is extended 60 days."

Under FRA regulations governing certification of locomotive engineers, a petition seeking review of a railroad's decision to deny certification or recertification must be filed with the LERB no more than 180 days after the date of the railroad's denial decision, and a petition seeking review of a railroad's decision to revoke certification must be filed with the LERB no more than 120 days after the date of the railroad's denial decision. Similarly, under FRA regulations governing certification of conductors, a petition seeking review of a railroad's decision to deny certification or recertifica-

tion, or to revoke certification, must be filed with the OCRB no more than 120 days after the date of the railroad's denial decision.

Under the terms of the June 3 waiver extension, FRA granted temporary emergency relief from the 180- and 120-day filing deadlines, so that the deadline for any petition for review that becomes due to be filed during the duration of the waiver is extended 60 days.

A copy of the FRA waiver extension (PDF) is available at: [www.ble-t.org/pr/pdf/FRA\\_Emergency\\_Waiver\\_Extension.pdf](http://www.ble-t.org/pr/pdf/FRA_Emergency_Waiver_Extension.pdf) ©©



# BLET marked 157th anniversary in May

**O**n May 8, the Brotherhood of Locomotive Engineers and Trainmen (BLET) proudly marked its 157th anniversary. The union was founded as the Brotherhood of the Footboard on May 8, 1863 in Marshall, Mich. In 1864, the union changed its name to Brotherhood of Locomotive Engineers (BLE), the name it retained for 140 years until merging with the International Brotherhood of Teamsters on Jan. 1, 2004, when it became the BLET. The BLET is the oldest labor union in the Western Hemisphere.

The Organization was formed in the early 1860s when locomotive engineers on the Michigan Central Railroad became discouraged with pay cuts and the arbitrary dismissal of their firemen. During that time, locomotive engineers at the Michigan Central were paid at the rate of \$60 a month on the condition that they ran at least 2,500 miles, regardless of the time consumed.

The BLET was the first labor organization to obtain contracts with railroads. Among the earliest was an agreement with the former New York Central in 1875. Today, the BLET has hundreds of contracts with railroads large and small, and represents locomotive engineers on 98 percent of rail trackage in the United States.

In the three decades before the founding of the BLET, locomotive engineers suffered abominable working conditions. The 24-hour workday was commonplace. Railroad magnates ran roughshod over employees. Strikes were mercilessly crushed.

Several attempts to organize locomotive engineers were made between 1855 and 1860. It wasn't until April 1863, however, that William D. Robinson, a Michigan Central locomotive engineer, brought 19 men of the craft together at his home in Marshall, Mich., and inspired them to found the Organization, which survives today. A monument marking the event still stands in Marshall.

At a meeting in Detroit the following month, a dozen men agreed to tie their destinies together. They cemented a common bond on May 8, 1863, electing Robinson as their Grand Chief Engineer (president), and naming the group the Brotherhood of the Footboard. By August 1863, 10 Divisions had been established — Detroit and Marshall, Mich.; Michigan City, Ind.; Adrian, Mich.; Norwalk, Ohio; two in Chicago, Ill.; Lafayette, Ind.; Crestline, Ohio; and La Porte, Ind. The name Brotherhood of Locomotive Engineers (BLE) was adopted at the first national convention held in Indianapolis in August 1864.

The Brotherhood has always been proud to support America's soldiers and their



**1896 Convention:** Group photo of the Brotherhood's 1896 convention in Ottawa, Ontario, Canada.



**Labor Unrest:** Violent strikes of the late 1870s



**Historic Home:** Meetings here at the home of Yankee Thompson in Marshall, Mich., led directly to the creation of the Brotherhood



**BLE Memorial:** A stone memorial in Marshall, Mich., commemorates the 1863 founding of the Brotherhood.



**Life Insurance:** An early life insurance certificate from the Locomotive Engineers Mutual Life Insurance Association

families. Born in the midst of the Civil War, our union's membership has been comprised of veterans of every major military conflict since, up to and including the conflicts in Iraq and Afghanistan. With BLET members at the throttle, U.S. railroads carried 90 percent of all military freight and 97 percent of all military passenger movements during World War II.

In cooperation with other railroad brotherhoods, the BLET spearheaded the drive to make the 24-hour workday illegal. This was accomplished in 1907 through the Hours of Service Act, which set a 16-hour maximum.

The Adamson Act of 1916, providing



**100th Anniversary:** Members celebrate "Canadian Night" at the Brotherhood's 100th anniversary celebration in 1963

for the eight-hour day, also was a result of the BLET's leadership. An original copy of the Act, along with the fountain pen used by President Woodrow Wilson to sign the legislation, is displayed at BLET National Division Museum, located at the Union's headquarters in Independence, Ohio. The Act was the first federal law dealing with overtime pay.

The BLET also played a leading role in persuading Congress to pass the Railway Labor Act in 1926. The RLA, amended

several times since then, provides procedures for handling labor-management disputes over wages and working conditions.

The Railroad Retirement and Railroad Unemployment Insurance Acts, which became effective in 1937, are railroad industry's counterparts to the Social Security system and the various state unemployment systems. They represent another instance of social progress in which the BLET played a pivotal part.

Heightened workplace safety and greater safety for the shipping and traveling public have also been important BLET goals. Legislative activities by the BLET and other rail unions have resulted in the Locomotive Inspection Act and statutes requiring the use of air brakes, automatic couplers, electric headlights, power-reverse gears and other technological improvements.

BLET's current National President is Dennis R. Pierce, the 23rd principal officer in the BLET's long history. He has held the post since July 1, 2010. The BLET is the founding member of the Teamsters Rail Conference and represents nearly 58,000 active and retired locomotive engineers and trainmen throughout the United States. @@

## NEW RAIL SAFETY LEGISLATION PASSES IN CONGRESS

CONTINUED FROM PAGE 1

over 7,500 feet in length. These requirements are effectively a repudiation of last year's withdrawal by the Federal Railroad Administration (FRA) of pending two-person crew regulations, and that Agency's attempt to preempt numerous state laws governing crew size.

The Act also challenges the Class I freight rail industry's Precision Scheduled Railroading (PSR) operating model, which places rail industry profits ahead of safety, by mandating that the Comptroller General of the United States study and

report on the impact of PSR on railroad workers and other affected parties.

Further, the Act reforms the FRA process for non-emergency waivers of safety regulations. The new requirements include timely public notice of a waiver request, access to the waiver request and underlying related data that is not protected by law from public disclosure, and a reasonable opportunity to comment on the proposed waiver.

Finally, the Act authorizes funding for Amtrak for five years, tripling funding to \$29 billion. The Act also mandates that workers who serve food and beverages on Amtrak trains must be Amtrak employ-

ees, prevents call center outsourcing, and requires that there be at least one ticket agent employed at each station.

While passage of H.R. 2 represents a victory for Rail Labor, much work lies ahead as a companion bill is expected to be introduced in the U.S. Senate as this issue of the *Locomotive Engineers & Trainmen News* goes to press.

"It is clear what can be done legislatively to improve and protect Rail jobs when we elect labor-friendly candidates," President Pierce said. "We will all have an opportunity in the fall elections to support those candidates who support our issues." @@

**Many of the stand-alone bills that have been central to BLET's legislative efforts since 2008 have been incorporated into the Act, including:**

- Two-person train crews;
- Increased Amtrak funding;
- Fatigue mitigation;
- Unsafe train lengths, including the impact on blocked crossings;
- Safety culture assessments;
- Safe cross-border operations with Mexico; and
- Crew member assault prevention





## Locomotive Engineers And Trainmen News Brotherhood Of Locomotive Engineers And Trainmen

7061 East Pleasant Valley Road  
Independence, Ohio 44131

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VOLUME 34 • NUMBER 4 • May/June 2020

### LOCOMOTIVE ENGINEERS & TRAINMEN NEWS (ISSN 0898-8625)

is published monthly by the Brotherhood of Locomotive Engineers & Trainmen,  
7061 East Pleasant Valley Road, Independence, Ohio 44131

USPS: 0002-244 ISSN: 0898-8625

### POSTMASTER: Send address changes to

Locomotive Engineers & Trainmen News — BLET Record Department,  
7061 East Pleasant Valley Road, Independence, Ohio 44131.

7/20

### Photo of the Month: May/June 2020



**UNION PACIFIC TRAIN** ZG1BRB-03 arrives in Rawlins, Wyoming, on May 4, 2019. Photo by Brother Cory Rusch, a member of BLET Division 659 in Buffalo, N.Y. Brother Rusch is a conductor with Norfolk Southern.



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

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

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

## Advisory Board April & May 2020 Activity

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

**NATIONAL PRESIDENT DENNIS R. PIERCE:** National Division Office, Independence, Ohio; General supervision of BLET activities; General office duties; Correspondence and telephone communications; Supervision of Office Administration; General Supervision of Special Representatives; President, Teamsters Rail Conference; Policy Committee, Teamsters Rail Conference; CN-Wisconsin Central GCA mtg.; CSXT-Eastern GCA mtg.; NS-Southern GCA mtg.; New Jersey SLB mtg.

**FIRST VICE PRESIDENT E.L. (LEE) PRUITT:** National Duties include but not limited to: Trainmen's Dept.; National Publications Committee; National Legislative Board; Teamsters Rail Conference Policy Committee; and PRAC; General office duties, telephone, email, correspondence communications, etc.

**NATIONAL SECRETARY-TREASURER STEPHEN J. BRUNO:** General supervision of Accounting Dept., Record Dept., Online Services Dept., Tax Compliance Dept.; Safety Task Force; PAC and FEC reports and filings; Implementation and training for BLET membership database/Union Track; Pension, STD, 457 plan Trustee; Mtgs. with vendors and financial institutions; Union Track issues, development, testing, status updates; Merrill Lynch, BLET finance committee.

**VICE PRESIDENT & NATIONAL LEGISLATIVE REPRESENTATIVE JOHN P. TOLMAN:** Assigned to BLET Washington, DC office; General office duties, telephone and correspondence communications, Washington, D.C.; Various receptions and office visits with members of Congress and the leadership of both the GOP and Democratic parties, Washington, D.C.

**VICE PRESIDENT MARCUS J. RUEF** — Chairman, National Railroad Adjustment Board (NRAB); National Mediation Board (NMB) Advisory Forum—Labor Member; Department Head, BLET Arbitration Department; Assigned to CN-Wisconsin Central, CN-Illinois Central, Indiana Harbor Belt, Metra (Chicago), CP Rail System/US (Soo); Assist GC Semenek w/ Section 6 talks, ISRR, Chicago; Mtg. w/ T. Brown, NMB Dir. of Arv. Svcs., NRAB, Chicago; Mtg. w/ C. Parker, Asst. to L. Puchala, NMB, NRAB, Chicago; Assist GC Reynolds w/ discipline appeals, WC; KCS arb. selection; Prep for DL 476; Referee Benn, DL 476; Referee Simon DL 472; CN-WC GCA mtg.; Assist GC Burns /w Disc. Appeal, IHB; Assist GC Semenek w/ Disc. submissions and disc. appeals, CP; Referee Benn, DL 475; Assist GC Semenek with CP/Soo Section 6 talks; Draft NRAB submission handling circular; PLB 7154, IC; Assist GC Hau w/ discipline appeals, WC; Study dockets for DL 477, NRAB; Referee Wesman, DL 477, NRAB hearing; Assist GC Hau w/ filing multiple cases at NRAB, WC; Award annotation indexing, NRAB; Assist GC Semenek w/ counterproposal, ISRR; PLB 7154 Exec. Session, IC.

**VICE PRESIDENT MIKE TWOMBLY:** Department Head and designated representative of the BLET National Short Line Division (NSLD) and Organizing Department with responsibility for hearings, conferences, appeals, First Division Appeals and all other daily business involving the NSLD assigned railroads in conjunction with Carrier Officers and advancement of BLET organizing strategies and opportunities; NVP assigned to: CN—Grand Trunk Western; Springfield Terminal; Delaware & Hudson; St. Lawrence & Atlantic; New York Susquehanna & Western; Connecticut Southern; New England Central; Louisville & Indiana; Huron & Eastern; Wheeling & Lake Erie; Tacoma Municipal Belt Line Railroad; National Short Line Division (Local Division 16) railroads: Union Railroad, Belt Railway of Chicago, South Buffalo Railway, Western New York & Pennsylvania and Gary Railway; General office duties, telephone, email, correspondence communications, etc.; On duty at home office, NVB and NSLB Department Head combined daily responsibilities; NSLD Division 16 monthly mtg.; Belt Rwy. of Chicago COVID-19 conference call; BLET National Division officers and staff conference call; BLET Advisory Board Conference Call; WNYP agreement modification negotiations; NYS&W voluntary furlough call; L&I RR PLB 7945; NS-Eastern GCA quadrennial mtg.; NRAB First Division conference call, Belt Railway of Chicago; Short Line Dept. Local Division

mtg. conference call; International Brotherhood of Teamsters conference call; National Short Line collective bargaining agreement database conference call w/ Walt Schmidt; Prep. for NRAB First Division hearings; WNYP contract ratification conference call; NRAB First Division conference call, WNYP and BRC.

**VICE PRESIDENT MICHAEL D. PRIESTER:** Assigned to all BNSF (former ATSF, former C&S, CRI&P, FWD, former STL-SF, BNSF/MRL), Panhandle Northern, Great Western Railway of Colorado; Missouri & North Arkansas, Montana Rail Link, Otter Tail; General office duties, telephone, email, correspondence communications, etc.; BLET National Division officers and staff conference call; BLET Advisory Board conference call; BNSF operations update conference calls w/ BLET GCs; BNSF operations conference calls w/ GC Psota and Local Chairmen.

**VICE PRESIDENT R.C. (RICK) GIBBONS:** Assigned to: All Norfolk Southern General Committees (Northern, Eastern and Southern Lines); Chicago, Ft. Wayne & Eastern; Indiana & Ohio (G&W); General office duties, telephone, email, correspondence communications; Vice President duties; On duty at home office; BLET National Division officers and staff conference call; NS-Southern GCA mtg.; IORY negotiations, assisting GC Cole; PLB 7574, assisting GC Sturdivant; NS-Southern GCA quadrennial mtg.; PLB 7238, assisting GC Fannon.

**VICE PRESIDENT JAMES P. LOUIS:** National Division Department Head, BLET Education & Training Dept.; Department Head of the BLET Internal Organizing, Mobilizing & Strategic Planning Dept.; Department Head, BLET Passenger Dept.; Assigned Amtrak; Keolis Commuter Services; Keolis Rail Services of Virginia, LLC; TransitAmerica Services, Inc.; Long Island Rail Road; New York & Atlantic; Metro-North; New Jersey Transit; PATH; SEPTA; Technology mtg., National Division; Assist GC McCarthy, PATH; SBA 940, GC Brown, NJ Transit; Regional meeting issues, National Division; PATH contract issues, assist GC McCarthy; LIRR contract issues, assist GC Sexton; Education & Training issues, National Division; Amtrak contract issues, assist GC Kenny; BLET ND technology mtg.; SBA 940, assisting NJ Transit GC Brown; Regional meeting issues; Conference call w/ Amtrak GC Kenny; Contract issues, assisting LIRR GC Sexton; Contract issues, assisting SEPTA GC Hill.

**VICE PRESIDENT MARK L. WALLACE:** Assigned to all Union Pacific GCAs (Eastern District, Northern Region (former C&NW), Western Lines (Pacific Harbor Lines), Western Region (Portland & Western RR), Central Region, and Southern Region); Utah RR; Longview Portland & Northern and Longview Switching, and Portland Terminal; General office duties, telephone, emails, correspondence, communications, etc.; On duty at home office; Assist UP GC's with various on-property issues; BLET National Division officers and staff conference call; Assist GC Leyshon w/ PNWR mediation; IBT COVID-19 conference call; Assist GC Carr w/ prep and hearing for PLB 6659; PNWR mtgs., assisting GC Leyshon; Union Pacific COVID-19 daily conference calls; Assist all UP GCs w/ various on-property issues; PLB 6659; Portland & Western finalizing agreement language, assisting GC Leyshon; Presentation of PNW agreement to Division 416, assisting GC Leyshon; Teamsters conference call; National Division conference call; Conference call w/ GC Crow and UP/Metra.

**VICE PRESIDENT J. ALAN HOLDCRAFT:** Assigned to all CSX Transportation GCAs (Eastern Lines, Western Lines, Northern Lines (Bombardier Transportation Services), Conrail Shared Assets/CSX Northern District); KCS—Kansas City Southern/Louisiana & Ark. RR.; KCS—Texas Mexican Railway; KCS—Mid South Rail, South Rail, Gateway Western RR, Illinois Midland (G&W); General office duties, telephone, email, correspondence communications, etc.; Assist KCS GC Ball in meeting with members of his GCA regarding ratification of Reserve Board Agreement; Mtg. w/ KCS concerning arbitrator selection to hear dispute over use of Mexican national crews to perform interchange at Laredo; PLB 7932; CSXT-Eastern GCA mtg.; Served as Board Member on PLB 7239.

# Department of Labor orders Norfolk Southern to reinstate employee after being terminated for reporting injury

The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has ordered Norfolk Southern Railway Corp. to reinstate and pay more than \$150,000 in back wages after terminating an employee for reporting an on-the-job injury at its Atlanta, Ga., facility, and also filing an alleged violation report with the Federal Railroad Administration

(FRA). OSHA also ordered the company to pay the employee \$75,000 in punitive damages, \$10,000 in compensatory damages and attorney's fees.

OSHA investigators determined Norfolk Southern Railway Corp. violated the whistleblower provision of the Federal Railroad Safety Act (FRSA) when the company issued the employee a charge letter, subjected the employee to an investigative

hearing and later terminated the worker.

In addition to the monetary penalties, NS must also train managers and employees on workers protection rights under the FRSA. NS may appeal the order to the Department's Office of Administrative Law Judges.

"This order underscores the U.S. Department of Labor's commitment to protect employees who report work-

place injuries," said OSHA Regional Administrator Kurt Petermeyer in Atlanta, Georgia. "The Federal Railroad Safety Act protects employees who exercise their right to report workplace injuries and OSHA enforces those legal provisions."

For more information on whistleblower protections, visit OSHA's Whistleblower Protection Programs webpage, [www.whistleblowers.gov](http://www.whistleblowers.gov). @