

LOCOMOTIVE ENGINEERS & TRAINMEN **Journal**

VOLUME 121 | No. 2 | SUMMER 2017

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We the People

**Fighting Right-to-Work
in Missouri**

**CREW VAN
SAFETY LAW IN
WASHINGTON STATE**

Also inside:

**Last Runs
BLET Town Hall Meetings
Legislative &
Regulatory Update**



Published by the BLET, a division of the Rail Conference, International Brotherhood of Teamsters



BLET President's Message

BY DENNIS R. PIERCE, BLET NATIONAL PRESIDENT

Public infrastructure for public benefit

EDITOR'S NOTE:

THE FOLLOWING EDITORIAL
BY PRESIDENT PIERCE
WAS PUBLISHED IN THE
WASHINGTON TIMES ON
SEPTEMBER 13, 2017.

The story of the growth of our Nation — the expansion of 13 Eastern Seaboard states from sea to shining sea — is the story of infrastructure. It is the story of inland waterways, like the Erie Canal, and the Transcontinental Railroad. It is the story of the federal highway system of nearly a century ago, and the interstate highway system created during the 1950s. And it is the story of the Hoover Dam and the Tennessee Valley Authority.

Most of all, it is a story of big ideas, and even bigger projects, that were implemented of the people, by the people and for the people. These were investments in America, by America and for America ... for Main Street, first and foremost.

But lately our Nation seems to have lost its way. Bipartisan transportation and infrastructure goals that have been shared for a century and a half have fallen victim to



President Pierce at a workshop for BLET Local Chairmen at the National Division Training Center in Independence, Ohio, on September 14, 2017.

the paralysis of ideology.

And so, bridges are crumbling and tunnels are threatened. In 2016, 58,495 bridges were rated as structurally deficient. Cars, trucks, buses and emergency vehicles cross deficient bridges more than 200 million times a day. If placed end to end, the deficient bridges would stretch 1,340 miles from New York City to Miami. The Arlington Memorial Bridge in Washington, D.C., carries 68,000 ve-

hicles a day and the National Park Service estimates it will take \$250 million to repair.

The lack of proper infrastructure funding also has had a major negative impact on rail commuters, especially those along the East Coast, as evidenced by slowdowns created by years of deferred infrastructure repairs at New York's Penn Station. Tunnels that were built in the early 1900s are being used to carry passenger trains into and out

of New York City. Penn Station in New York is forced to handle three times as many trains as it was designed to accommodate. And every day three railroads, scores of employers, and hundreds of thousands of commuters cross their fingers that this won't be the day that infrastructure fails in a catastrophic way.

And infrastructure does not end with roads, bridges and railroads. The nation's electrical grids, and our water supply and waste treatment systems are long overdue for renewal and updating. Continued failure to address these important public needs will produce severe and costly interruptions to commerce when outdated and under-maintained systems inevitably fail.

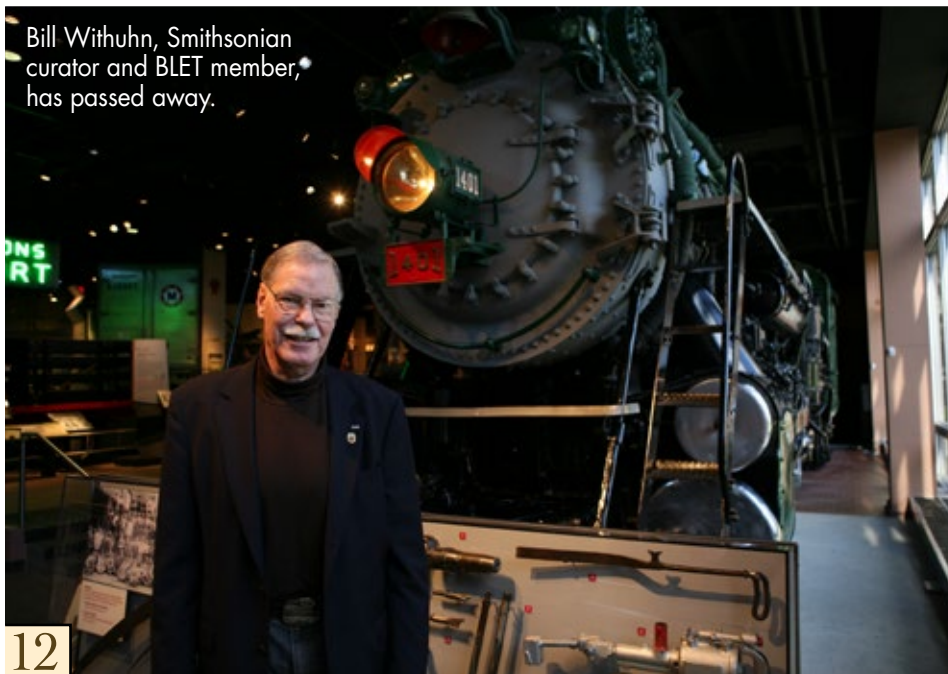
As for rail safety, on key routes throughout the land, the railroad industry is implementing Positive Train Control (PTC), a technology that will improve safety for railroad workers, for passengers, and for the communities through which our railroad systems operate. However, little has been done to ensure that the actual operation of

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“But lately our Nation seems to have lost its way. Bipartisan transportation and infrastructure goals that have been shared for a century and a half have fallen victim to the paralysis of ideology.”

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»» **ON THE COVER: THE HELPER LOCOMOTIVES OF A LOADED COAL TRAIN (RIGHT) PASS A WESTBOUND EMPTY COAL TRAIN (LEFT) ON NORFOLK SOUTHERN'S DEEPWATER DISTRICT NEAR CLARKS GAP, W.VA., IN SEPTEMBER OF 2015.** Photo: Chase Gunnoe



Bill Withuhn, Smithsonian curator and BLET member, has passed away.

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Safety Law in Washington

After a horrible and preventable accident



in 2011, BLET members have secured major improvements to the state's crew van safety law — which is now the most stringent in the United States.

Journal

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The Locomotive Engineers & Trainmen Journal (ISSN: 1553-5010 USPS: 120) is published quarterly for \$10.00 per year (single copies \$3.00) by the Brotherhood of Locomotive Engineers and Trainmen, 25 Louisiana Ave. N.W., 7th Floor, Washington, D.C. 20001. Periodicals postage paid at Washington, D.C. POSTMASTER, please send address changes to: Locomotive Engineers & Trainmen Journal, BLET Record Department, 7061 East Pleasant Valley Road, Independence, Ohio 44131. Copyright 2017. All rights reserved. Reproduction in whole or in part without written permission is prohibited. Widows of BLET members will receive free subscriptions upon request to: BLET Record Dept., 7061 East Pleasant Valley Road, Independence, Ohio 44131.

SAVE THE DATES!

Monterey and Washington D.C. will host BLET for 2018 regional meetings

The BLET National Division is hosting two regional meetings 2018, and they are as follows: June 18-22 in Monterey, California; and August 13-17 in Washington, D.C.

The Monterey regional meeting will be held at the Hyatt Regency and the Washington, D.C. regional will be held at the Capital Hilton.

As with the 2017 regional meetings, the 2018 meetings will be arranged on a Monday through Friday schedule. Travel to the meeting, registration and

a welcome reception for each meeting will be on Monday (June 18 for Monterey and August 13 for Washington, D.C.). Meetings, training classes and other events will be scheduled throughout the remainder of the week and will include a closing banquet on Thursday night. Travel home is on Friday for each meeting (June 22 for Monterey and August 17 for Washington, D.C.).

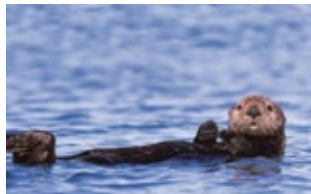
Per the BLET Bylaws, regional meetings are held "for the purposes of membership training, education and dis-

cussion of matters of importance to the membership." Additionally, the meetings are structured to include options for fellowship with other members and their families, entertainment, fun and relaxation.

More specific details will be announced at a later date. Registration information will be available online at the BLET National Division's regional meeting website (www.bletregionals.org). All members are encouraged to attend one or both of these regional meetings in 2018! 🐾

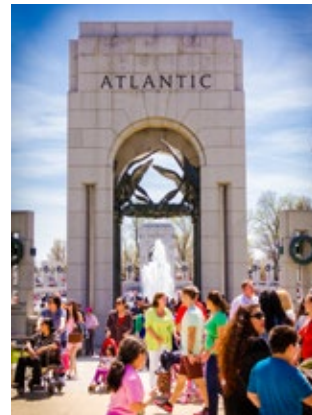
JUNE 18-22

MONTEREY, CALIFORNIA



AUGUST 13-17

WASHINGTON, D.C.



Photos: courtesy of seemonterey.com

Photos: courtesy of washington.org

Summer Town Hall Meetings bring out BLET members

BLET National President Dennis R. Pierce participated in several Town Hall meetings during the summer of 2017 that were well attended by hundreds of BLET members.


On June 14, he attended a Town Hall meeting in Ontario, Calif., along with First Vice President Lee Pruitt, Vice President Mike Priester, General Chairman Alan Holdcraft (BNSF former ATSF), General Chairman Bill Hannah (Union Pacific-Western Lines), and General Chairman Dick Crow (Union Pacific-Northern Region). More than 80 BLET members were in attendance representing ap-

proximately 20 BLET Divisions.

On June 15, President Pierce attended a Town Hall meeting hosted by the members of BLET Division 383 in Fort Mohave, Ariz. Also attending was Vice President Priester, General Chairman Holdcraft, and Arizona State Legislative Board Chairman Nick Johnson.

On September 7, he attended a Town Hall meeting in Chicago hosted by the Union Pacific-Northern Region General Committee of Adjustment. Participants included the members of Division 404 and Division 683 in the greater Chicago area. Also attending were Vice President Mike Twombly, Vice President Marcus Ruef, Vice Pres-

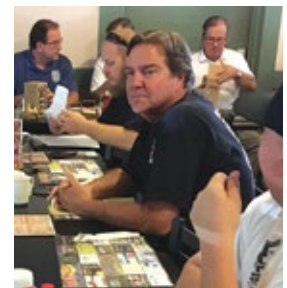
ident Priester, General Chairman Holdcraft, General Chairman Crow, and General Chairman Pete Semenek (CP Rail U.S./Soo Line).

At all three sessions, President Pierce gave members an update on national contract negotiations and thoroughly explained the bargaining process under the Railway Labor Act. He also discussed the implications of the national right-to-work law currently being considered in the U.S. House of Representatives. President Pierce engaged in extensive question-and-answer sessions with the membership at all Town Hall meetings and encouraged all members to become more involved in the Brotherhood. 

JUNE 14: Ontario, CA



JUNE 15: Fort Mohave, AZ



September 7: Chicago, IL



BARTELA APPOINTED BLET SPECIAL REPRESENTATIVE

Richard C. Bartela Jr., a member of BLET Division 382 (Buffalo, N.Y.), has been appointed as a Special Representative by BLET National President Dennis R. Pierce effective July 1, 2017.

Immediately prior to his full-time appointment, Brother Bartela had served as a part time Special Representative since May of 2016. His duties will include auditing Divisions, General Committees of Adjustment and State Legislative Boards, and other duties as assigned by the National President. He fills the vacancy created by the retirement of Special Representative Richard A. Olson.

"Rich Bartela's strong accounting background and knowledge of the Brotherhood makes him ideally qualified for the role of Special Representative," President Pierce said. "I am proud to welcome him aboard as a member of our National Division staff."

Brother Bartela hired out as a conductor trainee with Conrail in February of 1999 at Buffalo, N.Y. He was forced to Norfolk Southern in June of 1999 following the Conrail split, at which point he began working out of Olean, N.Y. He quit the NS in July of 1999 and hired with CSX at Buffalo, N.Y., working as a conductor. He joined BLET Division 382 in December of 2000 and earned promotion to



Rich Bartela and President Pierce


locomotive engineer in March of 2001.

Brother Bartela has nearly a decade of experience as a union officer. He was elected to serve as Secretary-Treasurer of Division 382 in January of 2009, winning reelection in 2012 and 2015. Also in 2015, he was elected Alternate Secretary-Treasurer of the Conrail SSA/CSXT-Northern District General Committee of Adjustment.

Brother Bartela attended Penn State-Beh-

rend College and graduated in 1997 with a BS in Accounting and a minor in Economics.

"I am honored to be appointed as a Special Representative by President Pierce," Brother Bartela said. "I look forward to working at the National Division and helping out all of my Brothers and Sisters in the BLET."

In his free time, Brother Bartela enjoys traveling, photography and model railroad-ing. 

Nevada governor vetoes two-person crew bill

On June 8, 2017, Nevada Governor Brian Sandoval vetoed a railroad safety bill that would have mandated a minimum crew size for freight trains operating in the state.

The measure (S.B. 427) would have restored to Nevada law a provision for minimum freight train crew size, insuring that no freight trains in the state would be operated by a crew of less than two persons. Nevada law previously specified a minimum crew size for freight trains, but the crew size requirement in that law was repealed in 1985.

Matt Parker, the BLET's Nevada State Legislative Board Chairman, said the bill came in response to interest expressed by freight railroad operators nationwide to reduce the current crew size for most cross-country freight trains from two persons to a single operator. Parker said such a move would represent a giant step backwards for the safety of train crews and the general public.

"Railroad workers oppose such action, citing what they see as a compromise in safety with regard to further crew size reductions," Brother Parker said. "The desire to pursue single-person operation of freight trains clearly represents placing cost reduction and profits ahead of responsibility for ensuring that movement of freight by rail through the communities of Nevada takes place in the safest possible manner."

S.B. 427 passed through the State House and Senate on party-line votes,




Matt Parker, BLET Nevada State Legislative Board Chairman

with Democrats supporting it. In vetoing the measure, Governor Sandoval, a Republican, wrote that the "... intent behind the bill is laudable..." but that "... S.B. 427 does not appear to be necessary." He noted that representatives from both the Union Pacific Railroad and the BNSF Railway opposed S.B. 427.

Brother Parker worked with Jason Doering, Chairman of the Nevada State Legislative Board of the Sheet Metal, Air, Rail, and Transportation Workers Transportation Division (SMART-TD), to lobby on behalf of the bill. The two men, along with representatives of the Inter-

national Brotherhood of Teamsters in Nevada and many individual BLET and SMART-TD members, spent months lobbying for passage of the measure, which was first introduced in the Nevada Senate on March 23, 2017.

BLET National President Dennis R. Pierce thanked Brother Parker for his hard work and diligence in shepherding the bill through the Nevada legislature.

"You overcame many obstacles in placing this measure before the Governor, and our Nevada membership can take great pride in your work," President Pierce said. 


PROUD OHIO BLET MEMBERS

On May 6, 2017, members of the Ohio State Legislative Board represented the Brotherhood of Locomotive Engineers and Trainmen (BLET) at National Train Day events in Toledo, Ohio.

From their booth at the Toledo Amtrak Station, the Ohio State Legislative Board representatives handed out BLET promotional items and discussed train safety and pending legislation with the public. Approximately 10,000 people attended the one-day event.

Created by Amtrak in 2008, National Train Day is designed to share information with the general public about the advantages of

rail travel and the history of trains in the United States.

Representing the Ohio State Legislative Board at the National Train Day event were: Chairman Tim Price, Division 607 (Cleveland); Cami Price, daughter of Chairman Price; 1st Vice Chairman Dan DeSelms, Division 4 (Toledo); 2nd Vice Chairman Kevin McGinty, Division 3 (Cleveland); Alternate Secretary-Treasurer Jim Blum, Division 526 (Willard); Luke Tuckerman, Division 4 (Toledo); Kirk Knopp, Division 937 (Toledo); and Mike Friedman, Division 282 (Cincinnati). 



Guest Columnists

BY JAMES P. HOFFA, TEAMSTERS GENERAL PRESIDENT
& JOHN MURPHY, DIRECTOR, TEAMSTERS RAIL CONFERENCE

Opioid use due to broken system

Our country's opioid epidemic, which claims the lives of 91 Americans every day, is hurting far too many families across the country.

Opioid drugs, including prescription painkillers and heroin, killed more than 33,000 people in this country in 2015, the most on record. The epidemic is straining both public services and state budgets. With a problem this big, there is no one solution that will help everyone. But elected officials and groups like the Teamsters are getting involved to help stop this scourge.

For our part, the Teamsters Union is leading a

shareholder effort to demand accountability from our country's largest wholesale drug distributors for their role in fueling the opioid epidemic. In addition to representing workers at each of the "Big Three" distributors — McKesson, Amerisource-Bergen and Cardinal Health, which account for 85 percent of all prescription drug distribution in the U.S. — the union and its affiliated pension and benefit funds are long-term shareholders.

The numbers are staggering. According to news reports, the "Big Three" shipped 423 million doses of hydrocodone and oxycodone into West

Virginia, a state of only 1.8 million people, over a six-year period. At the same time, more than 1,700 people in West Virginia fatally overdosed as the three companies reported a combined \$17 billion in profits and their CEOs received more than \$500 million in combined compensation.

The companies' practices of putting profits ahead of people has created both financial and reputational risk — sparking an investigation by the House Energy and Commerce Committee, multiple lawsuits and an onslaught of negative press.

It goes without saying that there is much at stake right

now when it comes to the nation's health care system. That is certainly the case when it comes to fighting opioid addiction, where almost 3 million people whose treatment is paid by Medicaid.

It's time to come together and protect the people. Getting serious about opioid abuse and stopping the Senate's bad health care bill is how we do it.

Fraternally,

JAMES P. HOFFA
TEAMSTERS GENERAL
PRESIDENT

Congress must hold carriers to PTC deadline

For decades, the BLET has been advocating for the rail carriers to implement Positive Train Control (PTC). The PTC system automatically slows or stops trains to prevent collisions and to prevent trains from taking curves too fast. The National Transportation Safety Board (NTSB) has been calling for PTC since 1970.

PTC will save lives. Congress finally got serious about PTC in 2008, but only after a Union Pacific freight train and a Metrolink commuter train collided head-on in California, killing 25 and injuring

135. Congress passed and the President signed the Rail Safety Improvement Act of 2008, which mandated all rail carriers to implement PTC by December 2015.

However, in the months leading up to the 2015 deadline, the railroads threatened to shut down the country unless Congress granted an extension. Despite numerous accidents that the NTSB determined PTC could have prevented, Congress complied and granted an extension to December 2018.

Even though they have been granted a deadline exten-

sion, the Federal Railroad Administration reports that several commuter railroads and freight railroads are not on track to meet the new deadline:

- Canadian National
- CSX
- Norfolk Southern
- Metra
- MBTA

The railroads continue to seek one delay after another, citing technological and legal complexities for the delays in rolling out the system. Freight railroads have spent about \$8 billion on PTC deployment and passenger railroads an estimated \$3.5 bil-

lion on their systems.

While some railroads will have their PTC systems complete by the end of next year, Congress must hold the other carriers' feet to the fire to get PTC installed and its workers trained in its operation. It will save the lives of rail workers, passengers and people in the communities we serve.

Fraternally,

JOHN F. MURPHY
DIRECTOR, TEAMSTERS
RAIL CONFERENCE
AND INTERNATIONAL
VICE PRESIDENT

About the Authors:



James P. Hoffa grew up on picket lines and in union meetings. He is the only son of James R. Hoffa, former General President of the International Brotherhood of Teamsters. On his 18th birthday, Hoffa received his own union card and was sworn in by his father.



John Murphy has been an Eastern Region Vice President since 1998. He spearheaded merger negotiations with the Brotherhood of Locomotive Engineers and Brotherhood of Maintenance of Way Employees and now serves as Director of the Rail Conference.

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Former Vice President Ed Watson, 1929-2017

FORMER BLE INTERNATIONAL VICE PRESIDENT EDGAR ELLIS (ED) WATSON passed away on May 31, 2017, at the age of 87. He served the BLE as International Vice President from 1979-1993.

Brother Watson began his railroad career with the Terminal Railroad Association of St. Louis (TRRA) in 1950. He earned promotion to locomotive engineer in 1953, at which time he joined the Brotherhood of Locomotive Engineers Division 48 in St. Louis, Mo. He held continuous membership in the Brotherhood since January 14, 1953. He was elected General Chairman of the TRRA General Committee of Adjustment in 1962.

Brother Watson served the Brotherhood in numerous capacities over the years. He served as Chairman of the Southwestern Convention Meeting and as chairman of the Western General Chairmen's Association. He also served as a delegate to the 1962 BLE Grand International Convention and was a member of the Credentials Committee for the 1966 Convention. He served as Chairman of the Legislative Committee at the 1971 Convention and was Chairman of the Constitution & Bylaws Committee at the Second Quinquennial Convention in 1976, where delegates elected him 1st Alternate International Vice President.

Brother Watson was promoted to the office of International Vice President in June of 1979 following the retirement of A.F. Zimmerman from the Advisory Board. He was reelected Vice President by acclamation three times: at the Third Quinquennial Convention in 1981, at the Fourth Quinquennial in 1986, and at the Fifth Quinquennial in 1991. He retired effective June 30, 1993.

Prior to his railroad career, Brother



1984: Brother Ed Watson served as International Vice President of the BLE from 1979 until his retirement in 1993.

Watson proudly served in the United States Navy and while on leave he returned home and married his high school sweetheart Patricia J. Askins. They then became the proud parents of Lynda, John, Nancy and Lee.

He is survived by: his loving wife of 67 years Patricia J. "Pat" Watson; daughter Lynda and husband Jon Henderson; son John and wife Virginia Watson; son Lee and wife Theresa Watson; four grandchildren, Lauren and husband Drew Biondo, Kelsey Henderson, Kathryn "Katy" Watson, and Amber and husband Errin Henry; two great grandchildren, Collin and Hunter Henry; sister Dorothy and husband Bob Schmidt; brother-in-law Richard Avery; and many nieces, nephews, great nieces, great nephews and a host of other relatives and friends.

Brother Watson is preceded in death by his infant daughter Nancy Sue; parents John T. and Goldie Watson; sister Marilyn "Sue" McCune; two sisters-in-law Donna Avery and Barbara and husband John Cope-land; and other relatives and friends.

Brother Watson was known as a practical joker. He also enjoyed a spirited argument and treasured the



1966: As a member of the Credentials Committee.



1967: He was a life long St. Louis Cardinals fan.

times he got to entertain his family and friends.

"Brother Ed Watson was a tremendous asset to our Brotherhood and he will be missed by all who know him," BLE National President Dennis R. Pierce said. "On behalf of the entire organization, I extend deepest condolences to Pat and the entire Watson family."

Approximately 335 BLET members, families and guests observed a moment of silence in honor of Brother Shell at the union's regional meeting in San Antonio on June 6, 2017. 🕯

Former Vice President Jim Shell, 1933-2017

JIM D. SHELL, FORMER INTERNATIONAL VICE PRESIDENT OF THE BROTHERHOOD OF LOCOMOTIVE ENGINEERS, passed away at St. Luke's Hospital in Kansas City, Mo., on Thursday, June 1, 2017. He was 83 years old.

Brother Shell was born on December 28, 1933 in Nortonville, Kansas. He graduated from Central High School as part of the 1952 class and, afterwards, he attended St. Joseph Junior College.

Brother Shell began his railroad career in 1954 when he hired out as a switchman on the Chicago, Burlington & Quincy Railroad (CB&Q) at St. Joseph, Missouri. He went firing for the CB&Q in August of 1955, then he served his country in the United States Navy aboard the U.S.S. Bennington for two years. Brother Shell returned to the CB&Q and earned promotion to locomotive engineer in January of 1964.

In 1961, Jim married Marlene Ann (Diederich) Shell; together, they have three children.

Brother Shell joined the Brotherhood in 1968 as a member of Division 107 in St. Joseph, Missouri, and immediately became an active and involved member. He was elected Local Chairman in 1969 and served in that capacity until 1982, when he was elected Alternate Vice Chairman of the Burlington Northern General Committee of Adjustment. He held that office for four years before being elected General Chairman in September of 1986.

Brother Shell served as a delegate to the BLE's 1981 2nd Quinquennial International Convention. He was elected 3rd Alternate International Vice President at the 3rd Quinquennial International Convention in 1986. In 1987, Brother Shell was elevated to the office of International Vice President following a series of retirements at the Advisory Board. He was reelected International Vice President in 1991 at




Brother Shell served as International Vice President of the BLE from 1987 until his retirement in 1996.

the Fifth Quinquennial International Convention, and retired in 1996 following the Sixth Quinquennial International Convention.

Brother Shell was preceded in death by his mother, Roberta Barker (Shell) and his step-father, Carrol Barker, Sr. He is survived by: his wife, Marlene; son Jaime (Karen) Hummer of Kansas City, Kansas; daughter, Gena Evans, of Kansas City, Missouri; son, Christopher (Julie) Shell, Sr. of Osage Beach, Missouri; six grandchildren and ten great-grandchildren; brother, Carrol (Martha) Barker, Jr.; and several nieces and nephews. He and Marlene were longtime supporters of the Young Life Association, and they spent countless hours together collecting and restoring antiques. Brother Shell also enjoyed golfing, hunting, fishing, camping and traveling.

"Brother Jim Shell's railroad career spanned 42 years, and during that time he was a tireless advocate for hardworking railroaders and a loyal member of our union for many years," BLET National President Dennis R. Pierce said. "On behalf of the Brotherhood of Locomotive Engineers and Trainmen, I extend my most heartfelt condolences to Marlene and all members of the Shell family."

Approximately 335 BLET members, families and guests observed a moment of silence in honor of Brother Shell at the union's regional meeting in San Antonio on June 6, 2017.

He was interred at Mount Olivet Cemetery in St. Joseph, Missouri, on June 5. The family suggests memorial contributions to St. Jude's Children's Research Hospital (<http://www.stjude.org/>). 

Smithsonian curator and BLET member Bill Withuhn, 1942-2017



Bill Withuhn, BLET member and Transportation Curator at the Smithsonian National Museum of American History in Washington, D.C., describes the "America On The Move" exhibit in 2010.

WILLIAM L. WITHUHN, A CERTIFIED LOCOMOTIVE ENGINEER AND MEMBER OF THE BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN, passed away at his home in Burson, Calif., on June 29, 2017. Brother Withuhn spent 27 years as transportation curator at the Smithsonian National Museum of American History in Washington, D.C. before retiring in 2010. Brother Withuhn was 75.

He entered the U.S. Air Force after graduating from UC Berkeley in 1963 and served nine years of active duty, flying more than 200 combat missions as a navigator during the Vietnam War.

He earned his engineer's certification and operated short line railroads in Virginia, Maryland, Delaware and New York prior to becoming a



Volunteering as a fireman at the Steamtown National Historic Site in 2002.

railroad historian and preservationist. In 1981, Brother Withuhn helped prepare the Smithsonian's 1831 John Bull locomotive, the oldest self-propelled vehicle in North America, for a short run.

After becoming the Smithsonian's transportation curator in 1983, Brother Withuhn focused his energies on enlarging the scope of the museum's influence. He worked with the Federal Railroad Administration to write and publish regulations governing the maintenance and operation of steam locomotives in an effort to preserve the skills necessary for safe operations at tourist railroads.

Brother Withuhn oversaw a major updating of the Smithsonian's railroad and automotive exhibits. He titled the new exhibit "American On the Move," which became one of the museum's largest and most extensive exhibits. He made sure that union values were integrated into the exhibit and showed the human side of railroading.

"For instance, I placed two life-sized

figures, one of an engineer, the other of a fireman, in the cab of the massive Southern Railway engine," said Brother Withuhn in a 2010 interview published in the Teamster magazine. "Additionally we have a recording of the engineer and the fireman discussing their route while they prepare to start their day. This is a departure from some museums, which exhibit empty engine cars. The professional relationship between the engineer and fireman, and among all train crew members is part of the railroading experience that I don't believe most of the public is aware of, and yet it is crucial to being able to safely handle

the engine and its cargo."

Brother Withuhn also made sure to include antique union lapel pins into the exhibit in honor of the key role union members played in the development of modern railroads.

"I made sure that this national museum's exhibit on transportation history reflected not just the evolution of the technology and equipment but also spoke to the critical role that hardworking men and women in the union movement had in building the nation's transportation infrastructure," he said. "The sweat of our union Brothers and Sisters who came before us made America the country it is today. We must

always remember that."

Brother Withuhn became a member of BLET Division 263 (Wilkes Barre, Pa.) on April 1, 2001, and later transferred membership to Division 641 (Hornell, N.Y.). He is survived by his wife of 52 years, Gail, two sons, a brother, and a grandson.

"Brother Bill Withuhn definitely lived a full life and helped to bring honor and prestige to the railroad operating crafts in general and to our Brotherhood in particular," BLET National President Dennis R. Pierce said. "On behalf of all BLET members, I extend deepest condolences to the Withuhn family." ☪

BLET OBITUARIES:

THIS INFORMATION IS BASED UPON REPORTS

FILED BY THE SECRETARY-TREASURERS OF THE VARIOUS BLET DIVISIONS

AS OF FEBRUARY 28, 2017

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165 — Kahil J. Stanley
256 — Richard A. Dooley
269 — F.M. Gehard
269 — Christine M. O'Brien
279 — Floyd R. Rossman
388 — Antony L. Znaniecki
481 — A.L. Brady
497 — J.S. Kwityn
530 — V.E. Mullenax
757 — R.A. Centric

AS OF MARCH 31, 2017

5 — P. Baltazar
46 — Steven M. Kalow
75 — David N. McCreary III
158 — Scott M. Goyette
216 — M.W. Terry
276 — J.F. Fulse
287 — Howard P. Long
326 — L.E. Evans
383 — Kenneth G. Rumfelt
495 — J.W. Cook
518 — C.C. Newman
592 — Wesley L. Jines
636 — Rowdy D. Rashall
641 — S.J. Potis
766 — Don L. Moreland
882 — Andre Tucker

AS OF APRIL 30, 2017

4 — Tim R. Dubois
20 — Elwood B. Burwell
20 — R.J. Weigle
32 — Brian J. Cadore
54 — Herbert H. Sebranek

84 — Daniel H. Snyder
126 — T.W. Slater
135 — Jeromy J. Shepherd
235 — Michael J. Dalton
476 — P.F. Ellis
553 — R.M. Bloomer
671 — James G. Bearfield
698 — W.E. Love
910 — C. Hernandez

AS OF MAY 31, 2017

42 — Doyle E. Engle
42 — Robert E. Tyler
155 — O.R. Wilcox
191 — E.E. Greenlaw
202 — Michael R. Coppin
208 — Al L. Hicks
286 — E.F. Smithger
332 — James K. Rhodes
336 — T.L. Turner
442 — F.L. LaFentres
622 — I.J. Farritor
622 — Chuck W. Woods
682 — Thomas Kolwicz
730 — W.K. Hockenbrought
937 — R. Fore

AS OF JUNE 30, 2017

2 — E.D. Metras
48 — E.E. Watson
83 — Lawrence J. Sheppard
107 — Jim D. Shell
121 — William H. Conn
140 — Joe B. McCollough
192 — R. Tellez
239 — Jeff S. Ray
244 — Bernardo Perez

244 — F.D. Pillette
353 — D.T. McIntyre
365 — Ray C. Barnes
393 — John D. Hammontree
553 — R.M. Bloomer
599 — Jonathan A. Manning
612 — Ronald L. Knott
717 — William T. Hawes
754 — J.D. Grady
786 — E. Watson

AS OF JULY 31, 2017

38 — G.E. Taylor
39 — C.D. Grimsley
74 — R.W. Harrigan
75 — Donald W. Black
140 — A.E. Jones
190 — Ronald K. Hibner
197 — R.P. Mortellra
198 — J.R. Merriman
206 — Michael D. Eastman
239 — William T. McCammon
256 — Barry D. Offerson
259 — William D. Dottery
262 — James L. Osborn
287 — D. Keown
353 — D.T. McIntyre
393 — Lesley D. Old
421 — J.P. Lynch
421 — K.E. Schwandt
446 — Richard Sanchez
502 — C.O. Jones
523 — N.T. Young
578 — Anthony E. West
590 — Terence J. Synan
624 — R.S. Meeker
700 — E.C. Hall

779 — J.G. Price

AS OF AUGUST 31, 2017

34 — R.E. Nethers
41 — J.E. Shields
62 — L.R. Read
71 — J.R. Sack
95 — J.E. Miller
101 — G.D. Smith
106 — W.N. Sheehan
130 — Kirk E. Charbonneau
178 — D.R. Younger
182 — Ronald W. Young
200 — B.B. Wood
210 — Manning P. Walters
216 — E.T. Purvis
236 — J.L. Dewaal
264 — R.L. Goekler
265 — Herbert R. Cammer
265 — H.G. Merriman
267 — Shane M. Cook
269 — W.K. Hamilton
269 — T.E. Kost
269 — David D. Williams
393 — Robert D. Hall
448 — David W. Rash
494 — D.J. Denny
511 — H.C. Smith
542 — G.A. McClain
592 — M.L. Freeman
595 — D.A. Williams
641 — William L. Withuhn
721 — D.E. Lovelace
781 — N.D. Fletcher
800 — R.A. McClure
803 — M.R. Hall
937 — Robert F. Aemmer

“We The People” to decide fate of right-to-work in Missouri



From left: Brian Kelley, Missouri State Legislative Board Chairman, Calvin Groose, Division 609 Legislative Representative; Bob Moeckel, Retired Local Chairman of Division 609; and Jeff Jones, current Local Chairman of Division 609.

Brother Kelley with his wife Pam holding the BLET-designed “Let We The People Decide” banner in the capital rotunda.

In what could be a major victory for organized labor, a union coalition in Missouri has collected enough signatures to force a referendum vote to halt the state’s right-to-work law. Members of the Brotherhood of Locomotive Engineers and Trainmen were a proud part of the coalition, which helped to collect more than 310,000 signatures to place language to overturn the anti-union law on the ballot in 2018.

Right-to-work legislation allows workers to opt-out of paying union dues while at the same time forcing unions to provide services to those who refuse to pay. The goal of the legislation is to break the backs of unions by cutting off their financial resources.

Missouri Governor Eric Greitens signed the right-to-work law in February 2017. With the law set to take effect on August 28, members of the pro-union “We Are Missouri” coalition mobilized and collected enough signatures from

voters to likely force a state-wide referendum on the issue in November 2018, which could overturn the law.

Under state law, the unions had to collect a little more than 100,000 votes to force the referendum, but thanks to efforts of coalition members like the BLET, they turned in over 310,567 signatures.

“We The People” Campaign

Brian Kelley, Chairman of the BLET’s Missouri State Legislative Board, worked with BLET Legislative Representatives and various members throughout the state to collect signatures to force the referendum. They used a creative “We The People” campaign to convince voters to sign petitions. The Board produced and circulated “We The People” banners, which featured script resembling the handwriting from the Preamble to the Constitution of the United States.

“I found most people to be very re-



“Let We The People Decide” banner with other anti-right-to-work banners at a signature collection booth.

ceptive to the ‘We The People’ concept,” Brother Kelley said. “I explained that in Missouri we, as voters, have the right to put issues on the ballot and let us decide — not the politicians! We need to have signatures to do that.

“Most people believe in fairness, so we told them that Federal law forces



the Missouri Secretary of State's office for submission."

According to the Kansas City Star, the signatures will go out to local county clerks for verification, a process likely to take until November 2017. If it's determined that there are enough signatures to put the issue on the ballot in 2018, then voters would be faced with a yes or no question. A no vote would repeal the law.

Dark Money Funds Anti-Union Effort

While unions bankrolled the anti-right-to-work campaign, it's unclear who is paying for the other side. The Kansas City Star reported: "Donations of hundreds of thousands of dollars have gone to pro-right-to-work political action committees after being routed through nonprofits to hide the original source of the funding."

Brother Kelley issued a call to all union members to get involved, keep the momentum going, and to get out and vote in 2018.

"Unless there is some sort of political foul play we should be well on our way to the 2018 election we worked so hard for," he said. "The so-called right-to-work law is effectively put on hold for now. Our opponents have plenty of money ready and are prepared to spend it. If you have enough cash, you can convince even sane people that the Pope is really the Devil. We cannot out spend them so we must be prepared to out work them. We are the workers, so let us get to work! We have the numbers — they don't. Now is the time to make them count. **Every Missouri union member must get off the sidelines and in the game or in the near future we may find out we are no longer even allowed onto the field.**"



unions to represent all members — even when right-to-work laws like the one just passed in Missouri allow those same members the option to 'freeload' and not pay dues," Brother Kelley explained. "As a union, we could spend hours of time and thousands of dollars representing an employee who literally paid nothing for us doing so. How is that fair?"

That approach worked. Brother Kelley turned in over 17 petitions himself.

"I found the signature gathering experience to be both challenging and enlightening," Brother Kelley said. "I am glad I did it and that I helped out in this historic effort."

Signatures Turned In At Referendum Rally

On August 18, following weeks of collecting signatures, Brother Kelley and members of Division 609 (Kansas City,

On August 18, thousands of Missourians marched in We Are Missouri's massive referendum rally to submit the 310,567 signatures at the state capital. The goal was to put a measure on the ballot in 2018 that would let citizens vote to overturn the state's right-to-work law.

Mo.) participated in We Are Missouri's massive referendum rally to submit the 310,567 signatures at the state capital. He thanked Division 609 Legislative Representative Calvin Groose, Division 609 Local Chairman Jeff Jones and Retired Division 609 Member and former Local Chairman Bob Moeckel for attending the rally and showing support for this important effort. Last but not least, Brother Kelley also thanked his wife Pam Kelley for her participation and support.

"To see all the various workers from the broad array of unions around the Show-Me state joined all together in one united group was awe inspiring," Brother Kelley said. "You could feel the energy throughout the Capitol as they all patiently worked their way through security into and around the first, second, and third floors of the Rotunda area. What a proud time for us all as we marched in the parade carrying the BLET banner and then watched as box after box of petitions were handed fire brigade style out of a large van and into

Crew Van Victory

With new state law, BLET members in Washington state secure major improvements in crew transportation safety



Washington Governor Jay Inslee (seated) signs the new train crew transportation bill into law on May 16, 2017.

The BLET's Washington State Legislative Board recently completed a five-year journey to secure enhancements to the state's Train Crew Transportation Law. A horrific crew van accident in 2011 inspired BLET members, officers, and their families to fight for the new safety law, which is now the toughest in the United States.

"The would-be impossible became possible with an all-out effort stemming from many quarters," BLET Washington State Legislative Board Chairman Shahraim C. Allen said. "Our officers, members, and their families provided support throughout the legislative process and helped to secure strong bipartisan support, which was a catalyst to the win."

Brother Allen noted that the legislation passed despite the relentless efforts of railroad carriers to oppose it, even though this legislation would en-

sure the safety of their own employees.

On May 16, 2017, Engrossed Substitute House Bill (ESHB) 1105 was enacted into statute law and signed by Governor Jay Inslee (D). "Five years of hard work culminated at the signing, and all in attendance experienced extreme gratification at this moment," Brother Allen said.

The new Washington State statute is the most stringent railroad contract crew transportation safety law in our nation, with most of the provisions taking effect on January 1, 2018. This law brings all rail contract transportation vehicles, regardless of seating capacity, under the strict regulatory authority of the Washington State Utilities and Transportation Commission (WUTC). This agency has a mandate to regulate all aspects of rail contract crew transportation services including driver qualifications, equipment and operational safety, driver's hours of service, passenger safety, drug testing provisions, and mandatory recordkeep-

ing. The WUTC now has been granted the authority to enforce all aspects of this new law including the investigation of passenger complaints and the imposition of penalties. This law increases state insurance requirements from \$1.5 million to \$5 million of liability coverage, and will require coverage of no less than \$1 million in Uninsured and Underinsured Motorist coverage (currently there are no UIM coverage requirements whatsoever).

On March 24, 2011, a horrific crew van accident resulted in three deaths and one critical injury. Killed were: Tom Kenny, 58, a 22-year BNSF Railway employee and proud member of BLET Division 238 (Tacoma, Wash.); Chris Loehr, 22, a BNSF Railway conductor-in-training; and Steven Sebastian, 60, a Coach America van driver. BNSF Conductor Dwight Hauck, 52, sustained severe injuries. Those present for the signing of this legislation included engineer Tom Kenny's widow Laura Kenny and their



Governor Inslee (left) shakes hands with BLET Washington State Legislative Board Chairman Shahraim C. Allen.

children, as well as Conductor Hauck and his wife Susan.

"We are especially grateful to both the Kenny and Hauck families for their testimony and strong support, which was instrumental in our ability to eventually win out over the railroads' opposition," Brother Allen attested. "It has been nearly 40 years since legislation of this type has been passed in our state, and it was a long time coming. It took a great deal of time and effort, but in the interest of the safe transportation of our membership, it was a worthwhile cause."

Additionally, the legislation requires state-approved notices to be posted prominently in every contract crew vehicle to inform railroad employees of their right to safe transportation, and the notices will also explain how to file safety complaints with the state for investigation. Drivers will soon be required to undergo a state-approved safety training program, and they will be automatically disqualified from driving railroad employees for three years if their drivers license has been suspended more than once in the past three years for anything other than

non-payment of a traffic ticket. Drivers will also be disqualified upon conviction of any alcohol or drug related traffic offense, using a vehicle to commit a felony, leaving the scene of an accident, prohibited passing of another vehicle, any railroad grade crossing traffic violations, and for driving with a suspended license.

The WUTC now has the authority to inspect all railroad and contractor passenger transportation vehicles; they are required by the new law to develop a periodic state inspection program for all contract transport vehicles. Lastly, to prevent attempts by railroad officers or contract crew transport companies from retaliating against our members, this new law includes a special confidentiality clause that prohibits agency public disclosure of the identity of any employee who submits a crew transportation safety complaint to the WUTC.

While passage of this law is a major advancement, the work isn't over. Brother Allen said the WUTC rulemaking process to enforce the provisions of this statute is even more critical.

"This is where the rubber really meets the road as the regulations the

commission finally adopts will determine precisely how this new law will actually be applied and enforced and will impose the specific expectations on these contract operators," he said. "The BLET's Washington State Legislative Board is actively engaged in participating in the regulatory development process of the WUTC."

The BLET worked in solidarity to lobby on behalf of the bill with the SMART-TD Washington State Legislative Board and other labor organizations, including the Washington State Labor Council and the Pierce and King County Central Labor Councils.

"With the vast number of moving parts in the legislative process, one thing is abundantly clear, at the end of the day, all of the negotiating parties must agree in order to move forward," Brother Allen said. "This process sometimes takes longer than expected, but that is part of the game. Point being, never give up the good fight, never stop believing that a positive outcome will be achieved, Though we do not agree on everything, that which we do, we must all stand together in solidarity."

Brother Allen also thanked the BLET National Division and National President Dennis Pierce for support and guidance, along with the National Legislative Office in Washington, D.C., and Vice President and National Legislative Representative John P. Tolman.

"It has been made clear that under the current presidential administration, rail labor potentially has a hard road to travel in the way of rulemaking and protections progressed by federal agencies on our behalf," Brother Allen said. "Now more than ever, state level legislation must be progressed on behalf of our members. It demonstrates to the carrier that the rank and file is engaged in the legislative process and cannot be easily deterred or misinformed by diversionary or divisive tactics. The better connected we are with our state leadership, the more our story is heard and understood, so they may work with us in a more cohesive manner. 🍌

Get your union-made gear from the BLET web store!

You Can Also Shop For BLET Merchandise Online. Go to www.bletmerchandise.com

CHECK OUT OUR NEWEST ITEMS!!



Embossed Plaid Pique Polo — BLT-0219

Stylish and sleek embossed graph-check pattern on the body makes this polo stand out from the rest. Moisture wicking fabric keeps you comfy and cool. Decorated with our classic embroidered BLET logo.

Available in black in sizes medium thru 4X Med-XL \$38.00, 2X \$40.00, 3X \$42.00, 4X \$44.00 each



Drop Needle Checked Polo — BLT-0220

This polo is super lightweight dry wicking material with a checked texture that gives it a retail look. Its decorated with an embroidered BLET logo.

Available in burgundy in sizes Medium to 4X. Med-XL \$36.00, 2X \$38.00, 3X \$40.00, 4X \$42.00

Bonded Jersey Full Zip Jacket — BLT-0221

This is a must-have addition to your BLET wardrobe. Made from Bonded Jersey material that is water



resistant and breathable. Full-zip with cinch waistband.

Available in black in sizes Medium to 4X. Med-XL \$60.00, 2X \$62.00, 3X \$64.00, 4X \$66.00 each



BLET Water Bottle — BLT-0212

Sharp and functional, this water bottle that will surely get you noticed. Perfect for a rally, party or give away at your next event. Sturdy 24 oz. clear bottle with a full color screen-printed logo with coordinating stripes to set it apart from the rest. \$5.50



New Cool Watch — BLT-0222

The newest addition to our watch family is our sleek high polished black bracelet style band with classic roman numerals and a gold BLET logo. \$99.00

CLASSIC FAVORITES

Black Dial Gold watch — BLT-0123M

What a stylish way to show pride as a BLET member. The logo stands out as it displays sharply against a black background with gold-plated case and band. This watch will truly be a keepsake for years to come. Engraving is available up to four lines of text on the back of your watch.

Watch \$86.95, Custom Engraving \$10.00 extra

(Women's watch available for same price: Product number BLT-0123L)

Stretch Fit Ball Cap — BLT-0216

Classic stretch fit ballcap in sleek black fabric. A fully embroidered BLET logo is on the front with a complementary blue sandwich visor to finish off the look.

One size fits most. \$18.95

Full Zip Sweatshirt — BLT-0108

Super comfortable full zip hoodie makes the perfect new addition to your BLET wardrobe. Black hoodie with a classic embroidered BLET logo on the left chest.

Available in sizes: medium to 3X Med-XL \$35.00, 2X \$37.00, 3X \$38.00



Portfolio — BLT-0213

Full size portfolio in black pearl fabric. Inside features slash pocket, card pocket and is fully lined. A legal tablet is also included. Decorated with a gold hot stamp of our BLET logo. \$15.00



Decals — BLT-0210

What a great way to show pride and solidarity! This 2 1/2 X 3 1/2 decal is perfect for any application. Conveniently packaged in lots of 25, making this a perfect purchase for any size division.

Bundle of 25, \$7.00



Bumper Sticker — BLT-0211

Classic full-color bumper sticker proudly shows the BLET logo. A great organizing tool or recognition at your next meeting. Size is 3 X 11 1/2 and can be purchased individually or in lots of 12.

Single for \$1.00, 12 for \$10.00

BLET GEAR • ORDER FORM

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Under \$50.00 - \$3.00 • Over \$50.00 - \$4.00	Total Merchandise Price:	
Over \$100.00 - \$13.95 • Over \$200.00 - \$18.95		

Over \$500.00 - Multitply order amount X .05

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With check or credit card information made payable to: **American Products, Inc.**

Total Merchandise Price:	
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	Subtotal:	
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NY Residents Add New York Sales Tax for your County :	
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Grand Total (US Funds ONLY) :	
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Safety: Our #1 Concern



BY JOHN P. TOLMAN
VICE PRESIDENT & U.S.
NATIONAL LEGISLATIVE
REPRESENTATIVE

Safety is the top priority in the BLET's National Legislative Office. We often hear that safety is the number one concern for the railroads but, in my mind, if this were true then we would have next to zero injuries and accidents in our industry. Everyone would always come home from work safe and sound.

Fatigue — our number one safety issue — hasn't been seriously addressed by the railroad industry for a long time. The railroads' unwillingness to confront their fatigue problem is a significant safety gap that never seems to go away. Despite all stakeholders in the rail industry having studied this issue for decades, nothing seems to be rectified or implemented. Let's start walking the walk and talking the talk. There are multiple ways to employ fatigue abatement.

A major problem for our freight train crews is improper train line-ups. When you return home from your run, you need reliable information regarding when you are expected to go back to work in order to manage your sleep time to maximize your alertness when you report for duty again. Far too often the line-up indicates you will not be called back to work in the next 24-32 hours and then — the next thing you know — the railroad is calling you back to work in 10 hours. To make matters worse, you could be fired if you miss a call for work and have run afoul of the railroad's attendance policy.

The railroads often place blame on employees or the "unpredictable nature" of freight rail operations, but these are



Vice President Tolman addresses BLET members at the 2017 San Antonio regional meeting.

just efforts to divert attention from the fact that the railroad is unable or unwilling to manage its operations in a way that abates the effect of fatigue. For example, railroads have direct control over when they deadhead crews. Unexpectedly inserting deadheads into a line-up deprives lower-standing crews of the opportunity for a night's rest, because they rise to the top of the board without sufficient warning, and are forced to work without sleep and, frequently, to work overnight.

There are several ways to address this problem, and I will mention just a few. One way would be to have a 10-hour call instead of a 2- or 3-hour call. Another way would be to have calling windows spread throughout the day to provide 24-hour a day coverage (for example, a couple of people would protect service between the hours of 7 a.m. to 11 a.m.,

and another between 11 a.m. and 2 p.m., etc.). Yet a third way would be to have as many trains as possible run at scheduled times.

Some of these suggestions will work in some geographic locations and some will not. While there is not a one-size-fits-all solution, there are things that can be done in every location that are not being done today. This can be observed in real time. You can ask any of our members and they will give you an honest assessment of what needs to be done to address fatigue on the assignment they're working. If Federal Railroad Administration (FRA) officials or senior railroad managers refuse to believe it, then I would invite them to shadow a crew member and live their railroad work life for a month. Substantial work/rest data already exist — and have for a long time — but the moun-



Left Caption: From left: VP & NLR John Tolman; Julian Castro, U.S. Secretary of Housing and Urban Development (2014-2017); BLET Director of Regulatory Affairs Vince Verna; and BLET Legislative and Political Director Bob Hagan. Castro was a guest speaker at the BLET's 2017 San Antonio Regional Meeting.



VP & NLR John Tolman with Linda Chavez-Thompson, former Executive Vice President of the AFL-CIO (1995-2007) and Democratic nominee for Lieutenant Governor of Texas (2010). She was a guest speaker at the BLET's 2017 San Antonio Regional Meeting.

tain of data alone has not convinced decision makers of the immediate need to address this urgent problem.

The culture of the railroad industry has to change. After investing hundreds of thousands of dollars into training their employees to be both proficient and efficient, management seems to spend the rest of their time implementing rules that make their employees' and their middle management's lives miserable. Among the worst are attendance policies that punish you for taking time off, no matter how exhausted, sleepy, fatigued, or just plain worn-out you are. Now let's think about this: if you want to run a railroad with safety-first being your motto, then why would you possibly torture your employees to go above and beyond a human's capability? We all know and have been pushed over the edge of the abyss, and sometimes you just need a break.

The railroad industry has given all its employees an opportunity to earn a good living wage and to provide for our families. But lately, the costs keep getting excessively higher on the mind, body, and soul. Instead of addressing fatigue, railroads put cameras in the cabs of the locomotives, which do absolutely nothing to address safety. There have been several studies that say a person


**“Real culture change
in this industry can only
start when the railroads
stop treating us
— their workers and
their representatives
— as the enemy.”**

with a camera on them, while working, increases stress, which in turn increases fatigue.

Real culture change in this industry can only start when the railroads stop treating us — their workers and their representatives — as the enemy. The fact of the matter is that the perspective provided by our experience is key to solving the problem of fatigue. Labor and management working together to resolve our industry's safety problems is a much better route than waiting until after a catastrophe occurs, forcing Congress to step in and introduce a new law or procedure that makes railroad-ing more difficult. We, labor and management, know the industry better than any outsider can ever know it. We know what our problems are. We know that these problems are not that difficult or

complex to resolve, but there is a better way to run a railroad.

The Brotherhood of Locomotive Engineers and Trainmen merged with the International Brotherhood of Teamsters almost 15 years ago. We are proud Teamsters. Joining with the Teamsters moved us into the 21st century; it has been a great family move. We represent the ultimate railroad professionals in the industry. We go to work and get the trains over the road in the most professional and efficient manner, which is what we love to do. Together, labor and management need to do a lot better to achieve a better and safer work place for our members and their employees. We need fewer grievances and more harmony. We need to manage fatigue better for a safer railroad. We must have the willingness to solve our tough and easy problems. Fatigue has been a difficult issue to resolve and it is indeed a complicated issue when all components of the problem are viewed together. However, the problem is not impossible and is probably easier to fix once all parties are willing to fix it.

This includes the FRA. They are the regulator. They need to do something about the problem that addresses the legitimate concerns of the men and women who crew the nation's trains. 

PART 2 OF A SERIES

The Administrative State



BY VINCENT G. VERNA
DIRECTOR OF
REGULATORY AFFAIRS

(BLET Editor's Note: This is the second in a three-part series to help BLET members become more familiar with the regulatory process and the impact it has on their jobs. Part One focused on Congress. Part Two focuses on Executive Branch control of agencies (e.g., executive orders); and Part Three will be in regards to "Rulemaking and Taking.")

In the Spring 2017 edition of the *Locomotive Engineers & Trainmen Journal* we provided history and background concerning the regulatory process, so that regulations can be better understood by BLET members, and how the different branches of government affect those regulations. Part One discussed how Congress delegates regulatory authority to the Executive Branch and its agencies for reasons such as subject matter expertise and, more importantly, to afford Members of Congress political shelter because they don't have to dive into the weeds of a subject they know nothing about ... railroad operations. It also typically is faster to regulate than to legislate and — in matters of safety — sometimes time is of the essence.

This Part Two concerns the Executive Branch, and how actions by presidential administrations have played a role in the way regulatory activity is conducted in Washington, D.C. (and how regulations become part of citizen's lives in the rest of the U.S.). The BLET has many interactions with Members of Congress, Senators, and regulatory agencies (mostly the Federal Railroad Administration (FRA), but also others), and the White House.

The BLET has the least interface with the White House, itself, because the agencies such as FRA are meant to directly interact on a routine basis with industry stakeholders, such as labor organizations like BLET or management groups such as the Association of American Railroads (AAR). The Executive Branch — namely, the President and his cabinet secretaries — control the various Executive Branch agencies. Currently, the Secretary of Transportation is Elaine Chao. And, on July 11, 2017, President Trump nominated former Conrail Chief Operating Officer Ronald L. Batory to serve as FRA Administrator; this appointment is subject to Senate confirmation.

Regulations should be borne of necessity or eliminated for good reason, and not simply because there is an ideological position advocating greater or fewer regulations. Regulations are the offspring of administrative law. Legal scholars refer to the current era from 1980 to the present as the "Cost-Benefit State." This era has been characterized by Presidential Executive Orders that define how regulations will be crafted and how their promulgation will be tied to their economic impact.

Starting with President Ronald Reagan in 1980, the Executive Branch issued Executive Order 12291. The Reagan Administration's stated goal in the Order was to reduce regulatory burdens of current and future regulations. This was the beginning of a period in which reliance on cost-benefit analysis in federal rulemaking took center stage. Subsequently, President George H. W. Bush refined Reagan's Order with Executive Order 13422. President Bill Clinton issued Executive Order 12866, which was used to ease regulations on small firms, but also eased the review of regulations as compared to the Reagan administra-

tion.

President George W. Bush, who issued Executive Order 13272, ushered in the era of Office of Management and Budget ("OMB") review and approval of proposed regulations. This gave OMB's Office of Information and Regulatory Affairs new political power. Next, President Obama issued Executive Order 13563 — issued on January 18, 2011 — to "remove outdated regulations that stifle job creation and make our economy more productive."

President Donald Trump has issued two Executive Orders regarding regulatory policy during his first months in the White House, Executive Order 13771 and Executive Order 13777. Executive Order 13771 has the arbitrary, blunt instrument policy of eliminating two regulations for every regulation approved. It is still unclear how this Executive Order can be or will be carried out. Executive Order 13777 seeks to create "Regulatory Reform Officers" ("RROs") for every Executive Branch agency unless the agency has a waiver from this requirement. The RRO will "oversee the implementation of regulatory reform initiatives and policies to ensure that agencies effectively carry out regulatory reforms."

The BLET has had to fight the cost-benefit analysis arguments put forth by railroads for decades. Railroading is an industry where the numbers provided for economic analysis under a cost-benefit scheme are too large to be effective. For example, the trend for accidents in the railroad industry has been going down and injuries have been reduced in many areas. However, like the nuclear industry and the airline industry (to name just two), the railroad industry experiences accidents that are of low frequency and high consequence.

There aren't enough catastrophic ac-



Brother Verna during the Legislative Representative training class at the 2017 San Antonio Regional Meeting.

cidents to create a cost-benefit model that is statistically reliable, but we all know we do not want catastrophes and we need to try to prevent them before another one provides us with more data. Computer modeling can help, but such models are largely dependent on input scenarios that are inexact. A simple cost-benefit model can be manipulated, for example, to demonstrate that because a building has never experienced a fire, the cost of having fire extinguishers is too great.

If you are old enough, like me, to remember the Ford Pinto debacle, then you know something about how cost-benefit analysis can become so cynical as to cost lives. Ford Pinto cars had a tendency to catch fire after minor rear end collisions with the rear bumper and occupants were dying from the resulting fires. Installing a rubber bladder that lined the fuel tank would have prevented 180 deaths at a cost of \$11 per car. At the time, however, Ford chose to settle potential lawsuits from fire victims resulting from the fuel tank because according to their calculations, their overall cost of settling the lawsuits would be approximately \$5.08 cheaper per car than retrofitting the Pinto fuel tanks with the rubber bladder.

It is too early to tell whether or not we are entering a new era of the “post-

administrative state” under President Trump. That ultimately will depend upon how much of the President’s regulatory agenda — or, more accurately, a deregulatory agenda — gets through Congress. Also of concern are the deregulation efforts that happen behind the scenes in a presidential administration. In Washington D.C., it is said that “personnel is policy.” Along those lines, President Trump has appointed corporate executive who have vested interests in the industries they are charged with regulating as heads of his agencies.

Also, many of the people being brought in to work for regulatory agencies had prior careers seeking to deregulate their respective industry. For example, according to The New York Times, recently confirmed Trump nominee for Deputy Secretary of Transportation, Jeffrey A. Rosen, worked at the law firm Kirkland & Ellis. He has represented an airline trade group, General Motors, Hyundai and the U.S. Chamber of Commerce in their efforts to roll back federal safety and consumer-protection regulations. As General Counsel for the Department of Transportation for the George W. Bush administration, Mr. Rosen testified that regulatory reviews he was a part of led to the termination of 180 proposed rules.

Rosen is also proposing cutting fund-

ing for many infrastructure plans and for Amtrak. The use of presidential Executive Orders has been the “go to” method for setting regulatory policy since the beginning of the Cost-Benefit State. What seems to be happening now (in addition to Trump’s Executive Orders) is the *de facto* elimination of entire administrative structures by deliberately short-staffing federal agencies. According to *The Washington Post*, and as of July 10, 2017, of the 564 key Executive Branch positions requiring Senate confirmation, Trump has formally nominated only 130, with four awaiting nomination, 46 confirmed and no one has been nominated for 384 of these key positions. In stark contrast, at the same point in the Obama Administration, President Obama had 185 confirmed nominees and another 147 awaiting confirmation.

This does not mean that President Trump has done nothing. He has put in place over 400 “temporary employees” referred to as “beachhead teams,” to all agencies of the Executive Branch. Because of their “temporary” status, these appointees do not require Senate confirmation. The BLET has been wrestling with Executive Orders regarding cost-benefit analysis since their inception. Congress is currently seeking to enshrine the language of those Orders into federal law and is working on a bill that will soon be introduced in the Senate. This will make it much tougher to seek regulatory solutions to safety problems. Executive Orders can be changed or cancelled by a new president; laws passed by Congress are much more difficult, and many times impossible, to change.

(IN OUR NEXT ISSUE... THE THIRD PART OF THIS SERIES WILL EXAMINE HOW REGULATIONS ARE MADE AND HOW THEY ARE REPEALED. IN LIGHT OF EXECUTIVE ORDER 13771, IT IS IMPORTANT TO EXAMINE THE ROLE OF REGULATORY “MAKING AND TAKING,” AND WHAT ROLES THE THIRD BRANCH OF GOVERNMENT (THE JUDICIARY) CAN PLAY WHEN IT COMES TO FEDERAL REGULATIONS.)

Gilchrist offers sound advice to active membership

Craig A. Gilchrist, long-serving Chairman of the Montana State Legislative Board, safely completed his Last Run for the BNSF Railway on February 23, 2016.

Brother Gilchrist's railroad career spanned 42 years. He hired out with the Burlington Northern's maintenance of way department at Glasgow, Montana, in 1974. He transferred to train service later that year and went firing on November 1, 1975. He earned promotion to locomotive engineer on March 31, 1976.

Brother Gilchrist has held continuous membership in the BLET since February 1, 1979, when he joined Division 392 (Havre, Montana). He has been an active and involved BLET member for nearly 40 years.

Brother Gilchrist was a charter member of Division 298 in Glasgow, Montana, and served as its Legislative Representative from 1989 to 2016. He served as Chairman of the Montana State Legislative Board for 16 years (1996-2012), stepping down in 2012 to prepare for retirement and spend more time with his family.

He represented Division 298 as Delegate to BLE International Conventions in 1996 and 2001, and to the BLET First National Convention in 2006. In 2010 and 2014, he was appointed to serve on the National Division Arrangements Committee for the Second and Third National Conventions, respectively. Also, Brother Gilchrist enjoyed the once-in-a-lifetime opportunity of serving on the Arrangements Committee during the BLET's 150th Anniversary Celebration at Detroit, Michigan, in May of 2013.

Brother Gilchrist was working as a long pool locomotive engineer at the time of his retirement. For his Last Run on February 23, 2016, he operated a unit oil train from Minot, N.D. to Glasgow, Montana. His retirement




Brother Gilchrist at his Last Run with wife Jane and grandchildren Amelia, Ella and Isla.

became effective on July 1, 2016.

Brother Gilchrist comes from a railroad family. His father Gil was a conductor for the BN from 1950-1989, and his father-in-law Philip Wanner was a BLE member and locomotive engineer from 1941-1979.

Brother Gilchrist and his wife Jane were married on July 7, 1977. The couple has two children, Patrick and Erin, and four grandchildren. He is a member of the Knights of Columbus, and during retirement he plans to improve his golf game, travel, and continue with his wood working and

furniture building hobbies.

"If I may be allowed to pass some knowledge to the active membership, it is simply this: Grab a bat and get into the game," Brother Gilchrist said. "Attend every Division meeting you can because an informed member is an asset to the overall strength of our Brotherhood. When asked by your union to help in any way, stand up and be counted as a loud and proud member of the BLET. Lastly, your leaders are some of the best in the labor movement, bar none. With your help, you will prevail." 

Tim Smith led California State Legislative Board for nearly 20 years

Timothy L. Smith, former Chairman of the BLET's California State Legislative Board, retired effective January 31, 2017, concluding a railroad career that spanned 45 years.

Brother Smith hired out as a brakeman with the Southern Pacific Railway at Roseville, California, in 1972. He went firing in August of 1973 and earned promotion to locomotive engineer in November of 1976.

In August of 1973, Brother Smith initiated into BLET Division 415 (Roseville, California). Prior to the start of his railroad career, Brother Smith proudly served in the U.S. Air Force Reserves at McClellan Air Force Base in Sacramento, California. He served from 1970-1976 and achieved the rank of Staff Sergeant.

Brother Smith has been an active and involved BLET member throughout his career. He served Division 415 as Legislative Representative from 1991-2001. In 1994, he began serving as 2nd Vice Chairman of the California State Legislative Board, elevating to the office of 1st Vice Chairman in 1996. In 1998, he began serving full time as Chairman of the California State Legislative Board, a position he held until his retirement in 2017.

Brother Smith was also active in the BLET's National Association of State Legislative Board Chairmen (NASLBC), serving as its 2nd Vice Chairman in 2001, 1st Vice Chairman in 2004, and Chairman from 2007 to 2017. Brother Smith was appointed to serve as Chaplain during the BLET's Third National Convention in 2014. He also served as a California High Speed Rail Coordinator.

Over the years, Brother Smith became known for his wry sense of humor. He penned several well-written opinion columns that were published in the BLET's *Locomotive Engineers Journal* and the California State Legislative Board's official publication, *Capitol to*



Brother Smith delivers the invocation as Chaplain during the BLET's Third National Convention in 2014.

Capitol. Upon retirement, he wrote that the only award or citation he received from the railroad was, "Their undying gratitude that I am retiring!"

Brother Smith and his wife Sue Ellen were married on June 18, 1977. The couple has two children, Timothy A. Smith and Emily L. Smith, and two grandchildren. During retirement, he plans to golf, travel, sleep, catch up on his "honey-do" list, and enjoy more time with friends and family. He enjoys music, singing with the worship team at church and volunteering as a singer with the Colla Voce Chamber Choir.

Brother Smith's introduction to music started in grade school as a singer in the choir and trumpet player in the band and he continued his music throughout high school and college. He graduated from Mira Loma High School in 1970 and from North Seattle College in 1982. Brother Smith recently dusted off his trumpet — after many years on the shelf — to play in the Auburn Community Band and the Placer High School Alumni Jazz

Band. He has enjoyed singing, playing bass, trumpet and flugelhorn as a member of the Sierra Grace Worship Team since 2001. He joined the Colla Voce Chamber Singers in 2013, and says it brings him great joy and fellowship being with fellow singers and music lovers.

Upon his retirement, BLET First Vice President E. Lee Pruitt thanked Brother Smith for his years of dedicated service to the Brotherhood. "I personally congratulate you on your well-deserved retirement," Brother Pruitt said. "You are a valuable asset to the Brotherhood. Your hard work and diligence have greatly benefitted our Organization and the National Division."

Brother Smith thanked the BLET for contributing to the many improvements in working conditions he enjoyed over his 45-year railroad career. "I learned from the steam engineers while we transitioned to diesel," he said. "The power got better and the away from home terminal beds got softer. Thanks, BLET, for all the improvements!" 🎵

Tim Stipp a GCA S-T for 38 years, Local Chairman for 41

Timothy L. Stipp, once the youngest locomotive engineer working for any railroad in the United States, has retired following a 47-year career with the BNSF Railway. Also, he has the distinction of serving his Division as Local Chairman for 41 years and was the longest-tenured Secretary-Treasurer for a BLET General Committee of Adjustment when he retired on November 1, 2016.

Brother Stipp hired out with the Frisco (St. Louis-San Francisco Railway) as a brakeman/switchman at Springfield, Missouri, in October of 1969. He went firing on March 31, 1970, and earned promotion to locomotive engineer on June 11, 1971 — at the age of 19 years and 8 months. Following his promotion, the *UTU News* reported that Brother Stipp was the youngest locomotive engineer working on any railroad in the United States at that time.

Brother Stipp joined BLET Division 507 (Springfield, Missouri) on May 1, 1970, and has held continuous membership ever since. During his career, he saw the Frisco merge with the Burlington Northern, and its transformation to the BNSF Railway. He transferred his BLET membership to Division 83 (Springfield, Missouri) in 2016.

Brother Stipp has an incredible record of service to the BLET, serving Division 507 as Local Chairman for 41 years (July 1974 through December 31, 2015), and he served the BNSF (former Frisco) General Committee of Adjustment for 38 years (May 1978 through November 1, 2016). Also, Brother Stipp represented Division 507 at five BLE International Conventions (1981, 1986, 1991, 1996 and 2001) and three BLET National Conventions (2006, 2010 and 2014) as either a delegate or a member of the Arrangements Committee. In 2010, he served as a member of the Salaries Committee at the Second National Convention in Reno, Nevada.



Brother Stipp, center, receives a commemorative brass bell in recognition of his retirement and years of dedicated service to the BLET.

A retirement dinner was held in his honor, at which time BLET National Vice President Michael D. Priester (left) and BNSF (Former STL-SF) General Chairman Jeffrey L. Thurman presented the bell.

His Last Run came on October 31, 2016, working as a crossing closure and field safety representative for the BLET on the BNSF Railway. His retirement became effective the next day.

Brother Stipp is the proud owner of a 40-year BLET membership pin. He is also a member of the BN Broken Wheel Club and has been recognized with Bronze, Silver and Gold Achievement Awards from the BNSF Railway.

He and his wife Benna Kay were married on September 14, 1969. The couple has two children, Douglas Wade Stipp, Ph.D., and Natalie Nicole Stipp, and three grandchildren.

Brother Stipp comes from a railroad

family. His father, Raymond Earl Stipp, was a Frisco engineer and BLET Division 507 member from 1968-1991. His daughter Natalie continues the family legacy as a third generation railroader. She hired out in October of 1994 and is currently a BNSF locomotive engineer and member of BLET Division 567.

During retirement, Brother Stipp plans to continue volunteering as an Operation Lifesaver presenter. He is a member of the Church of Christ in Neosho, Missouri.

"I am proud to have been a BLET member my entire engine service career," Brother Stipp said. 🕒

Division 192's Mel Slade to enjoy Harley rides during retirement

Mel D. Slade of BLET Division 192 (El Paso, Texas) safely completed his Last Run for the Union Pacific Railroad on December 22, 2016. His railroad career spanned 37 years.

Brother Slade hired out as a trainman on the Southern Pacific Railroad at Ennis, Texas, on April 14, 1979. He went firing for the SP in 1984 and earned promotion to locomotive engineer on May 10, 1985. That was also the day he initiated into the BLET, joining Division 588 in Tucumcari, New Mexico.

Brother Slade served Division 588 as Vice Local Chairman, and would eventually transfer his membership to Division 192 in El Paso, Texas.

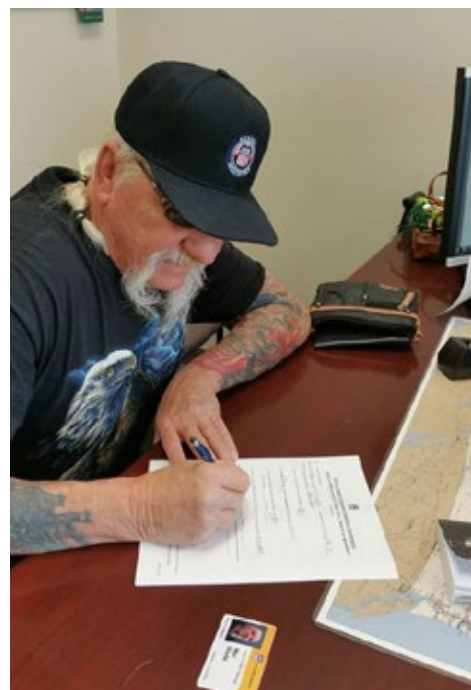
His Last Run came as locomotive engineer of expedited Union Pacific freight train 2ZG-4CI (locomotive 7491, C45AC) from Vaughn, New Mexico to Santa Teresa, New Mexico.

Brother Slade and his wife Cindy were married on April 6, 1973. The couple has four children (Mike, Joseph, Melanie and Coleen) and nine grandchildren. Their son Mike is an MRO with Union Pacific, cousin Jim Slade is a retired Union Pacific MOP, cousin Holly Butler is a Union Pacific clerk, and cousin Jeremy Butler is a UP locomotive engineer and member of BLET Division 28 in Tucson, Arizona.

Brother Slade's hobbies include riding Harley Davidson motorcycles and NHRA drag racing. During retirement, he plans to spend time riding and racing in addition to spending time with all his grandchildren. 🍷



Brother Slade with wife Cindy and grandson Tyler.



Brother Slade signs his official retirement paperwork, concluding his 37-year railroad career with the Southern Pacific and Union Pacific.



Brother Slade and his wife Cindy.



Brother Slade at home on his Harley.

Division 660 LC Don Carroll enjoyed challenges of litigation

Don W. Carroll began his career on the Union Pacific Railroad as a surveyor on a track gang in Salt Lake City, Utah, on October 1, 1974. He worked out of the Union Pacific Depot, a local landmark. Brother Carroll moved to Cedar City, Utah, with the track gang, transferred into engine service and achieved a fireman date in September of 1980. Brother Carroll earned promotion to locomotive engineer on July 31, 1981, and began working runs between Milford, Utah to Salt Lake City, and Milford to Las Vegas.

In 1988, Brother Carroll transferred to Los Angeles and began running from Los Angeles to Yermo, California. He also worked many local and yard jobs as an extra board engineer, and has held continuous membership in the BLET since July 1, 1989. Brother Carroll became active in Division 660 (Los Angeles) during an organizing campaign to get an on-property agreement. In 1995, he took over as Local Chairman of Division 660 and also served as Vice General Chairman with the former Western Lines General Committee on the UP. He would serve as Local Chairman continuously until his retirement.

Brother Carroll always loved the challenge of litigation, investigations and law boards, advocating for BLET members. He had many successes including getting hearings shut down in the middle of the proceedings on numerous occasions. He was involved in merger and hub agreements, also advocated for pilot pay, eventually succeeding in 2004. The agreement still stands as the only pilot pay with discipline protection on the Union Pacific system.

Brother Carroll retired on June 1, 2017, having served as Local Chairman of Division 660 for more than 22 years and 43 years on the Union Pacific Railroad. "The Brotherhood will sorely miss him," said Brother Steve Blasyak, the now-retired former Local Chairman of Division 660. "We wish him the very best in his new adventure." 🍷



Brother Carroll receives a commemorative brass bell from National President Dennis R. Pierce in recognition of his retirement.



Pinson honored with plaque for 29 years as President of Division 236

Kent B. Pinson, who spent 29 years as President of BLET Division 236, safely completed his Last Run on October 14, 2016. He spent his 44-year career working for the Union Pacific Railroad.

In 1973, Brother Pinson hired out as a clerk for the UP at Pocatello, Idaho. He transferred to engine service and began working as a switchman/brakeman for the UP in 1974. He went firing in 1977 and earned promotion to locomotive engineer in 1978.

Brother Pinson joined BLET Division 236 (Portland, Oregon) on May 1, 1978, and has held continuous membership ever since. He was elected to serve as President of his Division in 1988, a position he held for 29 years until his retirement in 2017. He also served as Division Mobilization Coordinator for "Campaign 95" in 1995 and served as a member of the BLET National Mobilization Team in 2010.

Brother Pinson's Last Run came on October 14, 2016. He operated a Union



The members of BLET Division 236 presented Brother Pinson with a plaque on March 14, 2017, honoring him for his 29 years of service as Division President. From left: Tim Haug, Div. 236 Local Chairman; Brother Pinson; and Tom Preston, Union Pacific-Western Region GCA Secretary-Treasurer.

Pacific passenger special (powered by a GE44AC locomotive), which consisted of 19 UP business cars and a vintage UP domeliner viewing car. Brother Pinson was hand picked by the region's Manager of Operating Practices for the job, which was for the UP marketing group to show UP's route from Canada to Portland and the Pacific Northwest to major

Canadian customers. The route includes the famous Columbia River Gorge and scenic Multnomah Falls, where Brother Pinson made a stop for the passengers to take in the view.

Following his retirement, which became effective June 1, 2017, the members of BLET Division 236 presented Brother Pinson with a commemorative plaque thanking him for his 29 years of dedicated service as Division President.

Brother Pinson and his wife Melodee were married in 1982, and the couple has one son, Parker, and one daughter, Hanna. The couple owns six acres of land and they enjoy gardening and caring for their numerous animals (including a dog, two cats, two donkeys and several chickens). Brother Pinson's retirement activities include golfing, gardening, and spending more time with his family.

"I am very proud to be a member of the BLET," Brother Pinson said. "I am fortunate to have my craft represented by such a great organization." 📷

The BLET publishes Last Runs for members who have retired, and recognizes members with 40 years or more of membership in Honor Roll articles. If you are planning to retire soon, please let us know! For details, contact: John Bentley, Editor, Locomotive Engineers and Trainmen Journal, Email: Bentley@ble-t.org, 7061 East Pleasant Valley Road, Independence, Ohio 44131

PRESIDENT PIERCE MESSAGE

CONTINUED FROM
PAGE 2 ➡

these new technologies is not creating task overload on the cab of the locomotive. It is clear that well implemented and tested technology can help to bring infrastructure up to date, but technologies such as PTC alone will not solve every safety concern.

After more than 175 years, the railroad industry still has over-worked train crews who toil around the clock with unpredictable on-duty times.

"A railroad can build and maintain a world-class infrastructure, but if the issue of fatigue on the nation's railroads is not addressed in a serious and fundamental way, then the industry won't be as safe as it can be."

Crews on freight trains rarely go to work at the same time on any two days in a row, and do not have routine sleep/rest cycles in their daily lives. A railroad can build and maintain a world-class infrastructure, but if the issue of fatigue

on the nation's railroads is not addressed in a serious and fundamental way, then the industry won't be as safe as it can be.

The people want, need and deserve better and safer infrastructure. We should have

the best airports, rail systems and freeways in the world. The public will is there, and the political will must now fund and address the needs of the people.

Let's get our infrastructure, and particularly the transportation system, moving into the 21st Century. Let's buy American products. Let's put tens of thousands of underemployed Americans back to work. And let's build the transportation infrastructure that will equal what our forefathers created. 📷



How we make a difference



**SUBMITTED BY
JESSICA COLE**

BLET AUXILIARY MEMBER-
AT-LARGE, BARABOO, WISCONSIN

I'm a sentimental sort, and for that reason, I love the "On This Day" feature on Facebook that reminds me of what I was doing on this date any given number of years ago. Something about looking back at where I've been keeps me grounded in where I am now.

Quite recently, "On This Day" reminded me that only a few years ago, a bill I helped work on with my husband, Tony Dimond (Vice Chairman of the Wisconsin State Legislative Board), and many of his fellow BLET brothers, got passed into law. It's still exciting to me to have been part of that even though some time has passed — I feel like we actually lived the old Schoolhouse Rock Cartoon about Capitol Hill in real life, and convinced enough legislators that these stronger regulations were a good idea, and for sure we made a difference in our state.

This new law requires the railroads in Wisconsin to notify their employees when subcontractors come in to spray the tracks to kill the weeds that impede visibility. Employees must be told what product was used and when it was applied. Prior to this law, there were several instances where employees became sick enough from exposure to toxic herbicides that they needed

"It's a fact: If it kills weeds, it can kill or harm humans too. It is only common sense that employees should be warned when chemicals are applied so that they can exercise caution. If exposure occurs despite precaution, knowing the chemicals involved greatly simplifies doctors' chances of treating reactions effectively. However, in our state, common sense did not prevail without the law in place."

emergency room treatment, and doctors were mystified as to how to treat them without knowing what chemicals they had been exposed to. Furthermore, the law stipulates that the railroad make herbicide labels available to employees annually and provide education about how to read the label ingredients and warnings.

It's a fact: If it kills weeds, it can kill or harm humans too. It is only common sense that employees should be warned when chemicals are applied so that they can exercise caution. If exposure occurs despite precaution, knowing the chemicals involved greatly simplifies doctors' chances of treating reactions effectively. However, in our state, common sense did not prevail without the law in place.

We were disappointed that our bill was not passable in its original form, because it required that communities be notified as well. This would seem to be another good common sense idea, because private citizens often walk on or near or across the tracks even though they shouldn't be doing that for many reasons. Nonetheless, if a track trespasser should show up in the ER with toxic exposure to herbicide, it would be a wonderful asset for doctors to know what had been sprayed.

Unfortunately, there are many strong business and agriculture lobbyists in our state, and they objected to the burden that further regulation would put on their business interests. So, a compromise was reached to take the requirement for notifying communities out of this bill.

A couple of years after our bill became law, Tony ran into an herbicide company employee at work. Tony was previously acquainted with this man and knew that he had a toddler granddaughter living at home. Tony asked the man what he was spraying and requested to see the label. The man became defensive and said that he didn't have to show Tony that information.

Tony informed the man that there was a new law, and that he did indeed need to share that information, so the man complied. Tony has had extensive HazMat training and recognized some pretty toxic chemicals on the label. He asked the man if he was aware that the product was absorbed through the skin and that he should not touch his grand-

ABOUT THE AUXILIARY:

The BLET Auxiliary exists to support the interest and welfare of the Brotherhood of Locomotive Engineers and Trainmen (BLET) Auxiliary and railroad families, especially the Brotherhood of Locomotive Engineers and Trainmen, and the organizations of the International Brotherhood of Teamsters Rail Conference, our members and their families throughout the United States. Learn more about joining the Auxiliary at: www.bletauxiliary.net

PURPOSE:

The overall purpose of the Auxiliary shall be to provide support and promote issues that effect the health, safety, welfare and quality of life of railroaders and their families, to promote higher education with the families of its full members, to give assistance to widows, widowers, sisters and brothers, when needed, especially during times of duress, and to render assistance whenever and wherever needed to further our mission.

daughter for at least a week to avoid exposing the small child to the toxins.

The man was very surprised. He had no idea how dangerous the chemicals he was spraying were, and no idea that he could unwittingly injure his granddaughter. Sadly, my husband, whose job it is to run trains, was better informed about herbicide safety than the man whose job it was to spray weeds! Clearly this man should have read the label more thoroughly and educated himself, but his employer also should have taken responsibility to teach him to use more care. The man, who had been abrasive towards Tony when first confronted, wound up being very grateful for the warning.

Because Tony was aware of the new law and warned the man, at least two people besides rail employees wound up safer that day: that man and his granddaughter.

As this story shows, laws have unintended consequences and that is part of why it is sometimes hard to rally enough support for a new bill to become a law. In this case, the unintended consequence was good, but sometimes the opposite happens, and lawmakers listen to a host of arguments and special interests in deciding whether to support a bill.

The process of bringing this bill into law involved months of talking with all sides, revising, rewriting, and, at times, worrying that the whole thing was dead in the water. It was very much a great learning experience and an eye opener about how politically charged even a common-sense kind of issue can be. Who would think there would be any argument about warning people to use extra caution where poisons are involved, and yet there was! The fact that it passed is testament to the value of working with the other side, listening, persevering for the cause, and compromising to make something happen that leaves the world still far from perfect, but safer than it would have been without it. Well worth doing! 🍷



The BLET Auxiliary Executive Council held their annual meeting May 17-20, 2017, at the home of Sereena Hogan and Ken Kroeger in Tucson, Arizona. **Pictured front row:** National President Sereena Hogan, National 1st Vice President Susie Burrola. **Back row:** Alternate National Treasurer Jodi Wallace (guest), National Secretary Helen Brand, National 2nd Vice President/National Legislative Representative Kathleen Bisbikis, National Treasurer Terri Fleming.



BLET Auxiliary members, guests and speakers at the 2017 Myrtle Beach regional meeting.

Locomotive Engineers & Trainmen Journal

(ISSN: 1553-5010 USPS: 120)

Published quarterly for \$10 per year by

Brotherhood of Locomotive Engineers & Trainmen

25 Louisiana Ave. N.W., 7th Floor, Washington, D.C. 20001

Periodicals Postage paid at Washington, D.C.

POSTMASTER:

Send address changes to:

RECORD DEPARTMENT

Brotherhood of Locomotive Engineers & Trainmen

7061 East Pleasant Valley Road, Independence, Ohio 44131



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2018 BLET REGIONAL MEETINGS

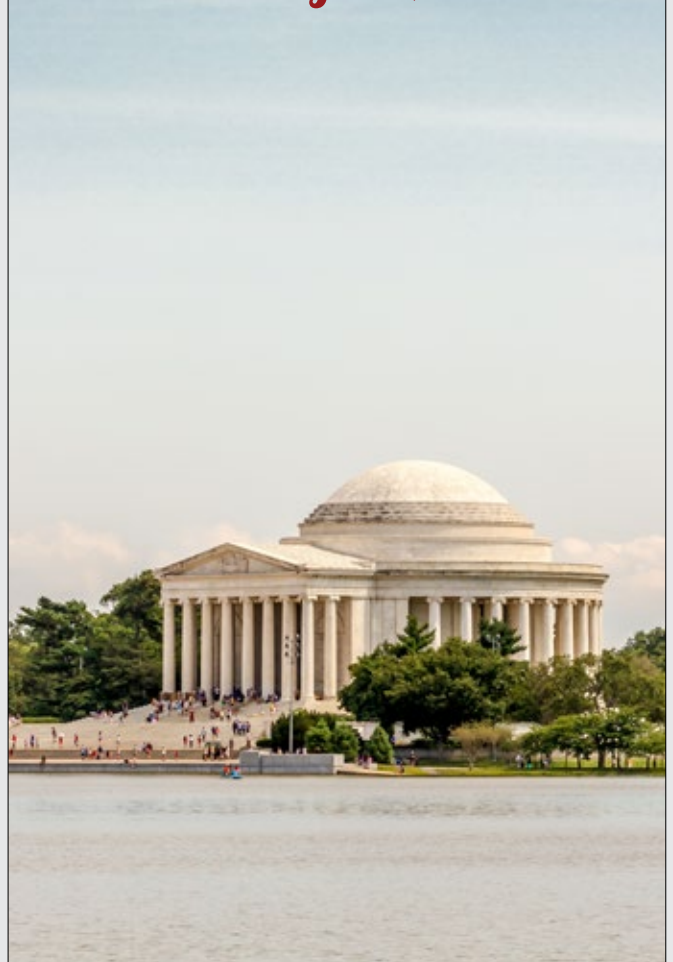
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Join Us Next Summer!

Mark your calendars and plan to attend one or both of the BLET's regional meetings in 2018. See **Page 4** for details!