Dynamic Leadership

Pierce elected new BLET First Vice President; General Chairman Gil Gore promoted to VP

The Advisory Board of the Brotherhood of Locomotive Engineers and Trainmen on December 17 elected Vice President Dennis R. Pierce to the position of First Vice President & Alternate President, the second-highest office in the union. Additionally, Gil Gore became the newest BLET Vice President as he was elevated from the First Alternate Vice President’s position to fill Pierce’s vacancy on the Advisory Board. Vice President Gore previously served as General Chairman of the Union Pacific-Southern Region General Committee of Adjustment.

Pierce was promoted to the office of National Vice President on April 8, 2008. He was elected to the office of First Alternate National Vice President in June of 2006 at the BLET’s First Quadrennial Convention in Las Vegas.

“I would like to thank the Advisory Board for their vote of confidence and support,” First Vice President Pierce said. “I will dedicate myself to this new assignment to the best of my ability and will do my utmost to meet the expectations of the Advisory Board and the membership.”

Continued on page 3

BLET members ratify five-year contract with BNSF

By nearly a 3-to-1 majority, members of the Brotherhood of Locomotive Engineers and Trainmen on December 17 ratified a new five-year collective bargaining agreement with the BNSF Railway.

More than 3,500 engineers cast ballots on the contract, with 75 percent voting in favor. The agreement totals general wage increases of 11 percent over the life of the contract. Engine- ers will also receive an increased 401(k) contribution from BNSF, and engineers with 25 or more years of service will receive an additional week of vacation for a total of six weeks. “I am very proud of the high level of participation by the BNSF engineers,” said National Vice President Steve Speagle, who helped negotiate the contract. “More than 50 percent returned ballots. And the high percentage of those who voted in favor showed that the engi- neers recognize the value of the agreement in this econom- ic climate. It also shows that they appreciate the hard work and dedication of their General Chairmen.”

BLET National President Paul Sorrow thanked Vice President Speagle along with BNSF General Chairmen Rick Gibbons (former STL-SF), Austin Morrison (former C&S/CRI&P/FWD), Pat Williams (former AT-SF) and Matt Wilson (BNSF-MRL) for their hard work in negotiating the agreement.

“Our BNSF membership has shown the kind of forward thinking that has made the Brotherhood the leading rail labor organization for nearly 150 years,” National President Sorrow said. “The agreement provides locomotive engineers with the wage increases they deserve without any give backs or concessions.”

Continued on page 5
New Year’s Resolutions

“We will convey to railroad management that it is not business as usual, because this union means business!”

I hope that you had a joyous Holiday Season and that you are looking forward to this New Year. I truly believe that we have the ability to make 2010 a great year for the BLET and for every Member we represent. However, to accomplish this objective it is imperative that we set goals for the year, adopt a plan to achieve those goals, and commit ourselves at all levels of the Organization to follow that plan without deviation, except as changed circumstances demand. Commitment is the key to realizing our goals.

As we reflect back on 2009 there are numerous achievements we can point to with pride. We won a great victory in maintaining our Vacations and National Personal Leave Day Agreements from being eroded when exercising FMLA rights. We also ratified new agreements on CSX, BNSF, Union Railroad and several other short lines. And we won a number of representation elections on railroads including IC&E, Austin & Western, and Ohio Central. In addition, we sent out surveys and solicited input at every Regional meeting I prepare for National Bargaining. So, all in all, we accomplished some important goals and positioned our Organization to approach this round of national bargaining armed with a strong membership perspective.

However, not everything worked out exactly as we had planned. While implementation of the Rail Safety Improvement Act means significant safety gains for BLET members and other railroad workers, the new hours of service provisions are a real disappointment. Nevertheless, we are working at every level of the Organization to mitigate negative impacts through favorable interpretations, waivers and, if needed, amendments to the law.

While membership participation in activities such as ratification votes and surveys is higher than average participation rates in the society at large, there remains significant room for improvement. I say this not as a criticism but as encouragement, because greater participation provides clearer direction for your leadership and increases our leverage in dealing with the carriers.

I believe there is room for improvement at every level within our organization. It is a good time to set Resolutions for improvement in the New Year and to commit ourselves to these Resolutions.

First, we should all commit to support the Organization at every level, acknowledging that if we don’t support ourselves no one else will. Next, we all need to become even more actively involved in the BLET; for example, each member should commit to attend at least one more Division meeting than last year.

Third, we should provide positive inputs and maintain a positive, forward-thinking attitude. There is certainly enough negativity to go around and a positive attitude during difficult and negative times is a key to success. Tough and positive thinking people will always ensure tough and negative times. In this same vein let us commit in this New Year to cast all our votes, and return all our ballots and surveys so that we maintain the proper direction and assurance that the BLET speaks with a single, stronger and more effective voice.

The National Division is service oriented, and we will continue in our quest to seek out new ways to improve the service we provide to our membership in the New Year. We also will foster greater membership involvement that focuses on teamwork and team building through revitalization of internal mobilization.

We don’t have a magic wand, but we do have a mighty powerful tool when we commit ourselves at all levels and work hard in pursuit of our vision. As we approach our 150th Anniversary, my vision for this great Brotherhood is to make the BLET of tomorrow better in every way than it is today.

Our primary goal for 2010 is to move forward through a struggling economy, and establish ourselves as the leader within the Rail Industry and within the Union community. Our immediate focus is to seek and secure improvements in wages, working conditions and benefits for our membership. We will also strive to develop new and innovative ways to enhance the quality of life for our members with out reducing their earning capabilities. While none of these things will be easy, they are within the realm of accomplish
2010 BLET Advisory Board

Advisory Board

Pierce, 51, is a member of BLET Division 687 (Sioux City, Iowa) and is a BNSF locomotive engineer. He has been a BLET member since April 1, 1981. He was elected to serve his Division as Local Chairman in 1991 and four years later was elected to the office of full-time Vice General Chairman of the BNSF/MRL General Committee of Adjustment. He held that office from 1995 until devoting to the office of General Chairman in 2001. As General Chairman from 2001-2008, Pierce pressed over the BLET’s largest General Committee of Adjustment — the BNSF/MRL General Committee represents 3,500 members from 44 separate BLET divisions.

As National Vice President, Pierce was assigned to assist the CSX Transportation General Committees of Adjustment. The membership at CSX overwhelmingly ratified a new System Agreement during his tenure at CSX.

As First Vice President, Pierce will serve on the Executive Committee with National President Paul Sorrow and National Secretary-Treasurer Bill Walpert.

“I look forward to serving on the Executive Committee with Brother Sorrow and Brother Walpert, and I hope to complement their strong leadership,” Pierce said.

To fill the vacancy on the Advisory Board created by Pierce’s promotion, Brother Gil L. Gore was elected to the office of National Vice President.

Gore, 60, joined BLET Division 193 (Gretna, La.), on February 1, 1974, and is a Union Pacific locomotive engineer. The past 30 years of his life have been devoted to serving the Brotherhood and its members.

Vice President Gore served Division 193 as Local Chairman for 20 years from 1980 to 2000. He was elected Vice General Chairman of the Union Pacific-Southern Region GCofA in 1986, an office held until 1998. In 2000, he was elected to the General Chairman’s position on the UP-SR GCofA.

Gore was elected Fourth Alternate National Vice President at the BLET’s First Quadrennial Convention in June of 2006. He has also served as Chairman of the Bylaws Committee at the 2001 and 2006 BLET national conventions.

“Brothers Pierce and Gore are extremely bright and dedicated union officers who will make our Advisory Board one of the most dynamic in recent memory. There are many challenges that lie ahead, but I look forward to working with the new Advisory Board to advance the Brotherhood and meet those challenges head-on. Our future is indeed bright.”

Electronic Communications Policy

The policy currently in effect is that official communications between BLET members and the National Division require a hard copy of the correspondence — with a signature — being received by the National President — to be considered an “official communication.”

This is to provide that the actual question(s) are addressed, and ensures that when official interpretations are made they have reference to a specific request and can be used in future correspondence.

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

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

“Is it an honor and privilege to serve the membership of the BLET as Vice President,” Brother Gore said. “I look forward to working with President Sorrow and the members of the Advisory Board for the betterment of our Brotherhood.”

President Sorrow congratulated Brother Pierce and Brother Gore on their promotions and challenged them to work even harder for the membership in their new positions.

“I am extremely optimistic about the future of the Brotherhood because of the leadership provided by our new Advisory Board,” President Sorrow said. “I welcome Brother Gore to the Advisory Board with open arms, and I know he and Brother Pierce will do an excellent job of representing the membership.”

“Brothers Pierce and Gore are extremely bright and dedicated union officers who will make our Advisory Board one of the most dynamic in recent memory. There are many challenges that lie ahead, but I look forward to working with the new Advisory Board to advance the Brotherhood and meet those challenges head-on. Our future is indeed bright.” **
BLET chalks up two short line organizing victories

The Organizing Department of the Brotherhood of Locomotive Engineers and Trainmen ended 2009 on a positive note, scoring two shortline organizing victories in seven days. The BLET is proud to welcome aboard workers from the Ohio Central Railroad/Columbus & Ohio Rail Road Co. and the Austin Western Railroad.

The National Mediation Board certified the Ohio Central Railroad/Columbus & Ohio Rail Road Co. and the Austin Western Railroad. Together the organizing victories bring 64 new train and engine service into the ranks of BLET — 47 from the Ohio Central and 17 from the Austin Western.

October 4-7, 2010
BLET National Division Convention, Reno, Nevada
The BLET’s Second Quadrennial National Convention will be held at the Grand Sierra Resort and Casino in Reno. More details to come.

With a little bit of snow still on the ground, Ohio Central CBT-17 heads back home through the woods on the NS Buckeye Line near Columbus, Ohio. Photo: Geoff Brozny

ABOUT THE OHIO CENTRAL
Headquartered in Columbus, Ohio, the Ohio Central Railroad/Columbus & Ohio Railroad Co. is a subsidiary of Genesee & Wyoming, Inc. (GWI).

It is among a group of nine short lines known as the Ohio Central Railroad System acquired by GWI on October 1, 2008. The Ohio Central system is comprised of nine short lines that operate over a combined 400 miles of track.

As a whole, the short lines of the Ohio Central system move about 140,000 carloads annually and service four solid waste landfills, multiple coal mines, a coal-fired power plant and steel producers, among others.

GWI owns and operates short line and regional freight railroads in the United States, Canada, Australia and the Netherlands. Operations currently include 62 railroads organized in nine regions, with more than 6,000 miles of owned and leased trackage, and approximately 3,100 additional miles under track access arrangements. GWI provides rail service at 16 ports in North America and Europe and performs contract coal loading and railcar switching for industrial customers.

ABOUT THE AUSTIN WESTERN
The Austin Western Railroad (AWRR) operates 155 miles of track from Llano, Texas, to Giddings, Texas, with a 6.4 mile branch extending from Fairland to Marble Falls, Texas.

The line dates back to 1871 when the Houston and Texas Central Railroad built the Giddings to Austin line. The AWRR interchange with the UP at McNeil and Elgin. Nearly 49,000 carloads move annually, shipping commodities such as aggregates, crushed limestone, calcium bicarbonate, lumber, beer, chemicals, plastics and paper.

Beginning in 2009 the City of Austin, TX will begin commuter rail operations on the freight line. Once commuter rail commences freight service will operate primarily at night during non-commuter operations.

President Paul Sorrow thanked the Ohio Central and Austin Western workers for joining the BLET.

“We are a great group of guys who knew they wanted to be a part of Organized Labor,” Miller said.

Miller thanked the Ohio Central and Austin Western workers for joining the BLET.
BLET members ratify contract with Union Railroad

I n December, members of the Brotherhood of Locomotive Engineers and Trainmen ratified a new five-year collective bargaining agreement with the Union Railroad.

The agreement gives members 9.5 percent general wage increases over the life of the deal, which covers about 30 members.

In addition to the upcoming wage increases, members also earned 6.5 percent retroactive pay. While members did not pay retroactive health and welfare cost sharing expenses, management did not pay Harris COLAs during the negotiating process.

BLET Vice President Mike Twombly helped negotiate the agreement. He said the retroactive payments were unusually high because the negotiating process was quite unique — it took nine years to complete.

“It was a very difficult negotiating process with many difficult issues to resolve,” Vice President Twombly said.

“Many different officers were involved over the years and I am thankful for their efforts in moving the process along,”

Vice President Twombly said he worked on the agreement over the past two years. However, he credited the local negotiating team for their stellar commitment to the membership through the marathon negotiating process.

The wage team included: John Cia-rolla, Sam Wagner, Sam Bilak and Barry Driscoll.

They did a great job,” Vice President Twombly said. “They wouldn’t take ‘no’ for an answer and were as tough as bulldogs.”

A unique aspect of the contract is the money members earn for overtime. Instead of time-and-a-half or double-time, which is standard in many contracts, the Union Railroad members earn 2.25 percent pay for overtime.

The Union Railroad feeds the steel mills in the Pittsburgh region and is comprised of about 20 miles of mainline track. The railroad interchanges with CSX and Norfolk southern, and services coke works, two steel mills along the Monongahela River. The BLET members deliver coal, coke, steel, and iron ore pellets.

BLET, rail unions halt SEPTA attack on FELA

The Brotherhood of Locomotive Engineers and Trainmen has forced SEPTA to stop misleading its Regional Rail Division workers that the Federal Employers’ Liability Act (FELA) does not apply to them.

In January of 2009, SEPTA posted notices throughout the property instructing its commuter rail workers who were injured on the job to seek remedy under the Pennsylvania Workers’ Compensation Act instead of the FELA.

The carrier will now be posting a correction that “Any rail employee who suffers a work-related injury may elect to instead file a Federal Employers’ Liability Act claim in either state of federal court.”

SEPTA had to retreat after the BLET and several other Rail Labor unions joined forces to challenge SEPTA’s position.

The revised notice that SEPTA has agreed to post confirms that its commuter rail workers may pursue a claim under the FELA, and summarizes some of the medical treatment rights included in the Rail Safety Improvement Act of 2008. In addition, the new SEPTA notice acknowledges that no one will be disciplined for not following the original notice to submit to the Workers’ Compensation system.

In addition to BLET, the other unions involved in the dispute include: the International Brotherhood of Electrical Workers; Sheet Metal Workers International Association; United Transportation Union; International Association of Machinists; Transportation Communications International Union; and the Transportation Workers Union.

The unions had filed suit in the United States District Court for the Eastern District of Pennsylvania, alleging that SEPTA’s action violated (1) the FELA, (2) a section of the Rail Safety Improvement Act that prohibits interference in a treatment plan developed by a worker and his/her treating physician, and (3) the Railway Labor Act.

However, the unions and BLET reached an out-of-court settlement in mid-December.

National President Paul Sorrow was pleased with the outcome. “I want to congratulate General Chairman Rich Dixon and our SEP-7A Brothers and Sisters for taking on this fight,” Sorrow said. “I also want to express my appreciation to our counsel, Mike Wolfe and Margo Pave, who did another outstanding job.”

New Secretary-Treasurers complete training

Newly-elected BLET Secretary-Treasurers attended a workshop in Cleveland in mid-December.

Presented by the BLET Education & Training Department, the workshop was geared toward new Secretary-Treasurers who were elected by acclamation during the Division Triennial Elections.

Front row, from left: Kevin Smith, Division 251; Bob Broka, BLET Director of Records; Ken Kneiger, Coordinator, BLET Education & Training Department; Bill Walpert, National Secretary-Treasurer; Paul Sorrow, National President; Peter Polka II, Division 94; Web Schmidt, BLET Director of Online Services; and James Cia-rollo, Division 3. Second row, from left: Shawn Slade, Division 214; Richard Hooker, Division 315; Ernest Landeros, Division 398; Ted Usher, Division 172; Matthew Collins, Division 232; and Stan Reed, Division 106. Third row, from left: Dan Douglas, Division 682; Mike Sproule, Division 446; Kevin Coffrell, Division 25; and Paul Arias, Division 63. Fourth row, from left: Marc Samuelson, Division 226; J.J. Spivey, Division 648; David Bunting, Division 456; and Chad Tyk, Division 263. Fifth row, from left: Rick Coger, Division 457; Brian Mills, Division 273; Ray Walker, Division 42; and Richard Varga, Division 607. Sixth row, from left: Tom Zavadskas, Division 404; Elaine Reese, BLET Director of Tax Compliance; and Ron Shawcroft, Division 29.

INWARD-FACING CAMERAS

Continued from page 1

the next few years, there will be no advantage whatsoever for either audio or video recording of in-cab activities because the fail-safe nature of PTC technology will prevent collisions of the type that served as the basis for the NTSB recommendation.

Additionally, current FRA regulations and railroad operating procedures already provide for extensive recording of locomotive and signal data, and radio conversations are routinely recorded. Indeed, locomotive operation is monitored in such detail by today’s event recorders that inward-facing video cameras will provide no additional information of use in accident investigations.

The BLET also took the position that the NTSB placed too much significance on the locomotive engineer’s use of a cellular phone prior to the collision.

Indeed, former NTSB Chairman Jim Hall recently said the use of a cell phone by the Metrolink engine did not violate any law or regulations at the time of the Chatsworth accident, and the issue has now been voluntarily addressed by the FRA. FRA Emergency Order 26, issued in 2008, outlawed in-cab use of cellular phones and other hand-held electronic devices by train crews except in strictly defined circumstances.

Hall said that Metrolink’s failure to embrace safety technology such as PTC was more of a contributing factor to the Chatsworth crash than the engine’s use of a cellular phone.

Hall also said the failure of Metrolink to install PTC technology years ago — specifically, after NTSB recommended that Metrolink install it following a 2002 Metrolink accident in Placentia, Calif. — was “irresponsible” and was a “major factor in the Chatsworth collision.”

“The tragedy in Chatsworth was one of California’s worst disasters in the modern era of railroadinc and our hearts and prayers go out to those who lost family members, friends and neighbors in the accident,” BLET National President Paul Sorrow said. “But the fact of the matter is that positive train control, if implemented at the time, could not have prevented this tragedy.

“The speedy installation of Positive Train Control technology should be the focus here, not invasive, inward-facing video cameras inside of locomotive cabs,” Sorrow added. “Safety is the most important responsibility of all locomotive engineers, and while our organization fully supports technology that makes the workplace safer for our members and the traveling public, we oppose any measure that needlessly invades their priva-

“—— and without providing substantive safety improvements.”
The FRA report finds variable work schedules cause greater fatigue

"T&E workers with variable start time jobs mark off sick at twice the rate of their counterparts in fixed start time jobs"
Advisory Board revises Code of Compliance for DLC program

The Advisory Board of the Brotherhood of Locomotive Engineers and Trainmen has revised its Code of Compliance, Protocol for Designation and Rules of Conduct regarding the Designated Legal Counsel program.

The new regulations govern the interaction between BLET officers and employees with Designated Legal Counsel, and alters the way firms obtain designated status. The regulations also establish creation of a standing of Advisory Board members to monitor the DLC program.

The revised Code of Compliance Protocol for Designation and Rules of Conduct were drafted by a committee appointed by the Advisory Board which had as its objective to review and recommend changes to the Protocol for Designation Legal Counsel. The Advisory Board committee was comprised of National Secretary-Treasurer Bill Walkert who acted as chairman; Vice President Steve Spogule; and Vice President & Arbitration Director Marcus Ruez.

“Our members have placed a tremendous amount of trust in us as their leaders,” the BLET Advisory Board wrote in adopting the new regulations. “They expect every officer and employee at every level of the Union to be familiar with the ethical practices so that every action taken on behalf of the Union is one to be proud of.”

The BLET Advisory Board adapted the new regulations on December 17, 2009. They will apply to all officers at the National Division level, all General Committees of Adjustment, all State Legislative Boards, all Divisions, and all employees.

The new regulations explicitly prohibit any BLET officer or employee at all level of the organization from soliciting or accepting any gift, payment, money, loan, promise, or agreement, or anything of tangible or intangible value, from any employer, Designated Legal Counsel, or attorney seeking designated status.

The new regulations also prohibit Legal Counsel from offering the same DLC firms must also submit an annual report confirming that they are continuing to abide by the Rules of Conduct.

In addition, the regulations shift oversight of the Designated Legal Counsel program away from the National President and to the Advisory Board.


“The Designated Legal Counsel program is an integral part of protecting the rights of our members who work under the Federal Employers’ Liability Act,” President Sorrow said. “The new rules ensure the firms who have achieved designated status, or those attempting to gain designated status, abide by a code of ethics that promotes the spirit of our Brotherhood.

“That same code of ethics also governs our officers and employees, giving our membership the peace of mind that those working on their behalf are operating in good faith.”

A standing committee of Advisory Board members has been appointed under the new Code of Compliance to investigate complaints that arise under the DLC program. The standing committee consists of Officers and Vice President Steve Spogule; Vice President & National Legislative Representative John Tolman; and Vice President & Arbitration Director Marcus Ruez.

The documents were mailed to all BLET Officers in mid-January, and are available on the BLET website for downloading.

Code of Compliance

For BLET Officers and Employees Concerning Interpersonal Relationships With Employees and Designated Legal Counsel

(As revised and adopted by the BLET Advisory Board December 17, 2009)

As expressed in our Bylaws, “It is the vision of the Brotherhood of Locomotive Engineers and Trainmen to be at the forefront of the labor movement as the result of grassroots involvement, expanding membership, and a cohesiveness among the engineer and trainman crafts and with other unions. We are committed to ‘be a democratic organization with deeply held values and ideals that advance the working conditions, wages, benefits, job security, and quality of life for its present and future members and their families.’

Our members have placed a tremendous amount of trust in us as their leaders. They expect every officer and employee at every level of the Union to ensure that the loyalty of our Members is instilled in ethical practices so that every action taken on behalf of the Union is one the members will be proud of. They recognize, as do we, that the Union will be a more effective representative of its Members if its Members properly, an officer or employee may accept food, refreshments, or anything of minimal value, such as plaques and greeting cards.

3. Unless the frequency would appear to be imposed upon, to pressure, an officer or employee may accept food, refreshments and materials provided at an, conference or webinar attended gathering or certain other events which an officer or employee attends in his official capacity.

Every BLET officer and employee will be provided with a copy of this Code and will be expected to comply with it in every respect.

BY DIRECTION OF THE ADVISORY BOARD

BLET scores victory before Supreme Court

Upholds membership’s right to arbitration hearing on the merits

In a 9-0 decision issued on December 8, 2010, the United States Supreme Court affirmed an important right for BLET members and all railroad workers: the right to have their contract disputes heard on the merits by an arbitrator.

At issue were five cases involving BLET members working for the Union Pacific Railroad (UPRR), who were disciplined or dismissed in 2002 and 2003. After the on-property appeals process was exhausted, the cases were listed for arbitration before the First Division of the National Railroad Adjustment Board (NRAB) pursuant to the Railway Labor Act (RLA).

In 2004, one of the carrier members on the First Division objected that the General Committee did not include evidence of the final on-property conferences in the cases. The railroad never raised this objection in its submission to the Division. Even though the General Committee submitted its Notice of Conference, the Referee at the First Division’s suggestion, he dismissed all five cases claiming a lack of jurisdiction.

The General Committee unsuccessfully sought to have the dismissals vacated by the United States District Court for the Northern District of Illinois, Eastern Division. However, the United States Court of Appeals for the Seventh Circuit reversed the district court and voted all five dismissals on the ground that the BLET members had been denied due process. The UPRR then appealed to the Supreme Court, which heard arguments in the case in early October.

In addition to the parties, amicus curiae briefs were filed with the Supreme Court by the BLET National Division, by the AFL-CIO, and jointly by the National Railroad Labor Act, the Association of American Railroads, and the Airline Industry Relations Council.

Speaking for a unanimous Court, Justice Ruth Bader Ginsburg wrote that the majority of the First Division panel that voted to dismiss the cases “misconceived” a NRAB claim-processing rule as a jurisdictional requirement and, in so doing, violated the RLA commandment that it “conform to and confine itself to matters within the scope of its jurisdiction. The Court also noted that if “the NRAB lacks authority to define the jurisdiction of its panels ... surely the panels themselves lack that authority.”

National President Paul Sorrow had high praise for those who worked to make this ruling possible. “First and foremost I want to congratulate the five BLET members for toughing it out during this long and frustrating struggle. Charlie Rightnowar and the entire UP Central Region GCA for devoting their full resources to this fight.

“The National Division was pleased to be able to provide support before the Supreme Court, and I am most grateful that our Brothers and Sisters in the AFL-CIO did the same,” Sorrow added.

The five arbitration cases will now be heard on the merits by the First Division.
“General” Westmoreland retires after nearly 40 years

During his first day on the job for the Norfolk & Western, Brother R.D. Westmoreland was christened with a new nickname. Now — nearly 40 years later — Brother Westmoreland has retired but the nickname “General” has stuck with him.

“I told my brakeman my name was Westmoreland, and he called me ‘General,’” said Brother Westmoreland, who hired as a fireman on the N&W in Norfolk, Va., on April 17, 1970. “General became my name until this day.”

“General” Westmoreland retired from the Norfolk Southern on October 2, 2009. His Last Run was as a yard engineer at the Norfolk Terminal between Portlock and Norfolk, Va.

He earned promotion to Locomotive Engineer on May 7, 1971, and finally “wised up” and joined the Brotherhood on January 22, 1993.

“I’ve been a proud member of the BLET for 17 years,” he said. “It was the best union decision of my career.”

Throughout his long and colorful railroad career, “General” Westmoreland has won several company safety slogan competitions. One of his winning safety slogans is: “Safety is the cure for the common accident.”

He also gave a speech as part of the Norfolk Southern Safety Caravan, and was interviewed in Roanoke, Va., for an annual NS safety banquet video.

“He loves the railroad and cares a lot about safety,” said his wife of 41 years, Kathleen, who is affectionately known as Kitty. The couple has one son, Raymond Dale Jr.

While never formally achieving the rank of General, Westmoreland did spend time in the military. He spent three years and seven months in the Navy, primarily at Oceana Air Station in Virginia Beach, Va.

During his retirement, “General” Westmoreland plans to spend time doing odds and ends around the house and catching up on fishing. He will also continue his faithful service at church, where he works as a deacon, usher, and as a member of the finance committee.

“Being a railroad engineer is every little boy’s dream,” he said. “This dream lasted 39 and a half years for me. I absolutely loved my job.”

Old friends and coworkers may contact “General” Westmoreland by writing: 224 Haledon Rd., Chesapeake, VA 23320.

Division 11’s “Big Ed” Cheetham retires after 35 years

Brother Eddie Cheetham, Locomotive Engineer and member of BLET Division 11 (New York, N.Y.), successfully completed his last run on July 24, 2009.

Known as “Big Ed,” Cheetham’s Last Run was as the locomotive engineer of Amtrak trains #171 and #2126 between New York’s Penn Station and Washington, D.C., and back. His retirement brought to a conclusion a long and distinguished railroad career that spanned 35 years.

Big Ed hired out in 1974 and joined BLET Division 373 on August 1, 1980. He later transferred membership to Division 11 on April 1, 1987.

Big Ed served as an Engineer Instructor during the final years of his rail career, passing his knowledge and experience on to many of Amtrak’s younger engineers.

“On behalf of BLET Division 11, we wish you a great retirement,” said Michael Lyons of Division 11, who helped arrange the send-off for Big Ed’s Last Run.

Old friends and coworkers may write to Brother Cheetham at: 213 Wirt Ave., #4, Hamilton, N.J. 08610-4522.

Hunt retires after 40-year career on MoPac, UP

Brother Rickie A. Hunt, BLET Division 48 (St. Louis, Mo.), completed his Last Run on August 29, 2009.

On his Last Run trip, he worked as a Locomotive Engineer in transfer service most of the time, between 12th Street and Lelseyance St. His retirement became effective the next day.

His first railroad position as a fireman was for the Missouri Pacific Railroad in St. Louis in 1969. He earned promotion to Locomotive Engineer in 1973 and joined the Brotherhood on April 1, 1975. He has held continuous membership in the organization ever since.

His father, Carl Hunt, was an engineer too. He worked first on the Missouri Pacific, then the Union Pacific for over 30 years. He retired in 1988 when he was 60 years old.

Brother Hunt and his wife, Constance, have been married since 1966. They have two children, Ron Hunt and Angela Mesina, and four grandchildren.

He was in the Army from 1966-1968, and served in the Corps of Engineers as a bridge builder. He served in Viet Nam and served out the remainder of his time in Fort Carson, Colo.

“It seems that he was destined to be an engineer, one way or another,” Constance said.

His personal interests include hunting, fishing, skeet shooting, and construction. “He has even recently discovered that computers can be fun,” Constance said.

He plans to spend a lot of time hunting, traveling, visiting the children, and finally spending some holidays with the family.

Old friends and coworkers may write to Brother Hunt at: 215 LaSalle, Collinsville, Illinois 62234.

Brother Jeremiah started his career on the Burlington Northern railroad in the clerical department in 1970, hiring out in the early 1940s. From 1987 to 1998, Jeremiah served as the Brotherhood's Washington State Legislative Board Chairman.

“We had some challenging issues over those years” states Jeremiah, “from a proposal for the state to purchase the former Northern Pacific mainline over the Cascade mountains to a state passenger crew size law.”

Several times during those years he worked on International Division committees concerning engineer certification regulations.

“When I joined the BLE in 1979, John Systama was President. Since then, it seems like there’s a revolving door to the President’s office. Hopefully, we can have a two or three term President in the future. And hopefully, the UTU will merge into our BLE&T.”

The past four years, Jeremiah has been working a switch engine. Retired, he hopes to improve his golf game (he lost a dollar to retired BLE&T Vice President Joe Cassidy) and continue accordion lessons. ☛

FRA publishes final rule on Positive Train Control

The Federal Railroad Administration published its final rule regarding Positive Train Control systems in the Federal Register dated January 15, 2010. The implementation of Positive Train Control was mandated by the Rail Safety Improvement Act of 2008 (RSIA08). RSIA08 mandated that freight, intercity passenger and commuter rail routes have operable PTC in place no later than December 31, 2015. Railroads must submit their final PTC plans to the FRA by April 16, 2010. The law mandates PTC on track carrying passenger trains and freight trains that contain highly toxic cargo.

“The implementation of positive train control was one of the best aspects of the Rail Safety Improvement Act passed last year,” BLET National President Paul Sorrows said. “The clear mandate made the railroads move forward on an important safety technology they had been ignoring for years. Positive Train Control will help save many lives.”

The technology is intended to help avert train-to-train collisions and/or derailments caused by excessive speed, accidents caused by human error or misaligned switches, and to protect roadway workers from harm. The control systems would tie in a mix of onboard devices, track signaling and distant traffic dispatch technology to prevent trains from colliding.

According to the FRA, the final rule is the result of over a decade of work by FRA, BLE&T and other stakeholders, carried out in partnership through the Railroad Safety Advisory Committee (RSAC). The National Transportation Safety Board placed positive train control on its Most Wanted List of safety improvements in 1990. The BLE&T, in addition to other rail labor organizations, has worked with the FRA on this rule.

“Safety is our highest priority, and we believe the installation of this equipment will make our nation’s railroads safer,” said Secretary of Transportation Ray LaHood said in a press release. The railroads have concerns over the costs of the system. However, the FRA cost benefit analyses clearly show a benefit to its implementation. The FRA estimates it will cost the railroads a total of about $5.5 billion to install PTC on 69,000 miles of track, including components placed onboard 30,000 rail vehicles. In addition, railroads will spend about $820 million annually to maintain and refurbish the systems. The recently passed FY 2010 Budget allocates $50 million for positive train control technology. ☛

A copy of the Final Rule is available for download from the BLE&T website: www.ble-t.org/pr/pdf/PTCfinalrule0110.pdf

WE’RE ALL IN FOR OUR MEMBERS

When the chips are down, the BR&CF is your best bet. For over nine decades the Brotherhood’s Relief & Compensation Fund has provided the security of job income protection at an affordable cost to U.S. and Canadian railroaders. We have survived the test of time by working hard to serve your job income protection needs.

Dues received and claims paid over the years 2005-09

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Dues received and claims paid over the years 2005-09
The BLET Auxiliary and International Western Convention (IWC) scholarships are available to children of the BLET members who are in 'Good and Regular Standing.' Applicants must be 27 years of age or younger. The scholarships range in value from $1,000 each. The application deadline is March 1, 2010.

The John O. and Brenda Casteel Scholarship is available to the children of BLET members who are in 'Good and Regular Standing.' The application deadline is March 1, 2010.

The Auxiliary scholarship Directory is as follows:

The 2010 BLET Scholarship Directory is as follows:

The James R. Hoffa Memorial Scholarship Fund is available to the children of Teamster members who are in 'Good and Regular Standing.' The application deadline is March 1, 2010.

The Eastern Union Meeting Association (EUMA) Scholarship is awarded to active or deceased members or their family members. The application deadline is March 1, 2010.

The BLET Scholarship Directory is available at www.ble-t.org/pr/pdf/eumasch.pdf

The Southern Eastern Meeting Association (SMA) Scholarship is available to the children of active or deceased members or their family members. The application deadline is March 1, 2010.

Our Brothers Keeper Foundation (OBKF) is planning to award four $1,000 scholarships in 2010 to family members of seriously injured railroad workers. The application deadline is March 1, 2010.
Former Va. Legislative Chairman Charlie Cunningham, 1930-2009

Brother Cunningham, former Chairman of the BLET Virginia State Legislative Board, passed away on November 4 after a valiant struggle with a terminal illness. He was 79 years old.

Cunningham first joined BLET Divi- sion 456 in Norfolk, Va., on April 25, 1960. He served the members of that Division for many years, and was elected number- ous times as President of the Virginia State Legislative Board. He held con- tinuous membership in the Brother- hood for 32 years upon his retirement on March 1992.

After retirement, he worked as an in- vestigator for the law firm of Wilson, Hajek, Stupans, Cooper & Lewis. He was a mem- ber of St. Paul’s Catholic Church and Knights of Columbus 418. He was a U.S. Air Force veteran. Brother Cunningham was born on April 4, 1930.

Survivors include his daughter, Re- becca Heroux and husband Dustin and their children, Katelynn and Avery Her- oux; three step-children, Ricky L. Tun- er, Sherry T. Bryan, Brian Turner; two step-grandchildren; sister, Mae Cun- ningham Wakefield; niece, Mary Ann Viola; and his former wife, Jacqueline Skipwith Cunningham.

Several hundred people attended the November 10 funeral, including the fol- lowing: Marcus Roef, BLET National Vice President; Tim Craver, Virginia State Legislative Board Chairman; T. C. Emory, Retired Local Chairman, Div. 456; Danny Shifflett, Legislative Repre- sentative; Dwaine Shifflett, BLET Auxiliary; Kevin Piek, General Chairman, NS - Eastern Lines; J. T. Nor- ris, Retired SLBC; and Bob Morione, Retired Va. SLBC.

“Charlie Cunningham was a hard- working and dedicated union Brother for a long, long time,” said BLET National Vice President Charlie Cunningham.

Cunningham will be remembered as a dedicated Brother who served the members of Virginia well throughout his career, and he will be sorely missed by all who knew him. I extend deepest sympa- thy to the family.

The family asks that memorial dona- tions may be made to the American Heart Association.

SUMMARY ANNUAL REPORT

This is a summary of the annual report for the Brotherhood of Locomotive En- gineers and Trainmen Disability and Welfare Benefit Trust Fund, 30-0262584/501, for 01/01/2008 through 12/31/2008. The annual report has been filed with the Employee Benefits Security Administration as required under the Employee Retirement Income Security Act of 1974 (ERISA).

The plan has a contract with Metropolitan Life Insurance Company to pay certain claims incurred under the terms of the plan. The total premiums paid for the plan year ending 12/31/2008 were $7,356,649 as of 12/31/2008, compared to $4,220,308 as of 01/01/2008. During the plan year the plan experienced a de- crease in its net assets of ($423,659). This decrease includes unrealized appreciation or depreciation in the value of plan assets that is, the difference between the value of the plan’s assets at the end of the year and the value of the assets at the begin- ning of the year, the cost of assets ac- quired during the year. The plan had in- come of $8,623,794, including employer contributions of $7,479,240; less distributions of $177,058 from the sale of assets and a loss from investments of ($474,068). Plan expenses were $7,447,453. These expenses included $161,902 in administrative ex- penses and $7,285,551 in benefits paid to participants and beneficiaries.

Your Rights to Additional Information

You have the right to receive a copy of the full annual report, or any part thereof, on request. The items listed be- low are included in that report:

1. An accountant’s report;
2. Financial information and informa- tion on payments to service providers;
3. Assets held for investment;
4. Transactions in excess of 5% of assets; and
5. Insurance information including sales commissions paid by insurance car- riers.

To obtain a copy of the full annual report, or any part thereof, write or call: BLET, Employee Benefits Security Administration, Room N-1513, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington DC 20210. The charge to cover copying costs will be $2.75 for the full annual report, or $0.25 per page for any part thereof.

You also have the right to receive from the plan administrator, on request and at no charge, a statement of the assets and liabilities of the plan and accompanying notes, if any, or a statement of income and expenses of the plan and accompa- ny ing notes, if any, or both. If you request a copy of the full annual report from the plan administrator, these two statements and accompanying notes, if any, will be included as part of that report. The charge to cover copying costs given above does not include a charge for copying of these portions of the report because these por- tions are furnished without charge.

You also have the legally protected right to examine the annual report at the plan office of the plan at 1370 Ontario Street, Standard Building Mezzanine, Cleveland, OH, 44113-1702 and at the U.S. Department of Labor in Washington DC, or obtain a copy from the U.S. Department of Labor upon payment of copy- ing costs. Requests to the Department should be directed to the Superintendent of Documents, Room N-1513, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington DC 20210.
Locomotive Engineers And Trainmen News

It’s a sad fact of life, when the economy is in shambles and investors are of the opinion losses will get worse, businesses will stop hiring, and thousands of jobs before the business day is over. That’s what happened to the 33,000 Teamsters who work for the country’s largest trucking company, YRCWorld. YRCWorld is the parent company of YRC, the wear and tear company, and the owner of the largest trucking company, YRC World. In total, this aggregate practice allows an employer to make money by allowing the company to sell financial products, such as credit default swaps, to investors. Credit default swaps are basically a way to buy insurance for a company. The main reason companies use credit default swaps is to allow them to sell financial products. One thing they could do is to sell a part of the YRCWorld, which is the parent company of YRC and WCA, to investors. Investors would then be able to buy insurance for YRCWorld, which is the parent company of YRC and WCA, and the owner of the largest trucking company, YRC World. In total, this aggregate practice allows an employer to make money by allowing the company to sell financial products, such as credit default swaps, to investors.

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

December 2009 Activity

Advisory Board

James P. Hoffa

The Senate is looking at ways to prevent such egregious practices by financial institutions. It makes no sense to give our financial service companies created and sold derivative products, like credit default swaps, to comprehensive oversight. It’s a sad fact of life, when the economy is in shambles and investors are of the opinion losses will get worse, businesses will stop hiring, and thousands of jobs before the business day is over. That’s what happened to the 33,000 Teamsters who work for the country’s largest trucking company, YRCWorld. YRCWorld is the parent company of YRC, the wear and tear company, and the owner of the largest trucking company, YRC World.