Stop the war on workers!

**War on Workers in Wisconsin, Ohio and Across the Nation**

BLET members have been on the front lines in Wisconsin, Ohio, and other states where labor unions have fallen under attack from ultra-conservative politicians.

This war on workers has been particularly vicious in Wisconsin, where newly elected governors are employing underhanded political tricks to hammer through union-busting legislation (see Page 3 for background).

"This is a critical juncture for the labor movement," BLET National President Dennis Pierce said. "An injury to one is an injury to all. It's just a matter of time before these attacks on public sector unions shift to unions in the private sector, like the BLET. I encourage all BLET members to get involved and stand up for what is right."

**Hoffa: November Elections Hurt Labor**

Teamsters General President James P. Hoffa said the attack on labor dates to the November 2010 elections.

"Last November’s elections brought many anti-union governors and lawmakers into statehouses throughout the country," he said. "These elections were financed by a wave of corporate cash never before seen in this country."

"Newly elected politicians are paying back their corporate contributors by attacking the voices of working people. Right to work (for LESS) laws are being proposed in a number of states, including Michigan, Missouri, Indiana, Wisconsin, New Hampshire, Maine, Minnesota and more."

**BLET Gets Involved**

Countless BLET members are helping public employee unions fight to protect their collective bargaining rights by participating in rallies in Wisconsin and Ohio, Kansas, California, Arizona, Minnesota, Iowa and Indiana (see Page 4 for pictures).

In Ohio, President Pierce joined a number of BLET members at a massive rally in the state capital on February 22 and March 1. Teamsters General President Jim Hoffa and a crowd of union protesters estimated to be between 8,000 and 20,000 joined him.

Photos of BLET members in action at rallies across the country can be found on the BLET National Division Flickr website, www.flickr.com/photos/bletunion/sets.

**How You Can Help**

The BLET National Division is getting many calls and emails from outraged BLET members who want to show their solidarity with the workers in Wisconsin and Ohio.

"It’s critical that you call or write your representatives and urge them to vote against ‘right to work’ proposals," President Pierce said. "Tell them to focus on what your state really needs: jobs."

Additionally, members can join the Teamsters “Stop The War On Workers” website to find a link to a list of rallies in your area.

And on Page 3 of this issue, members can use the sample language provided to get their local, county or state government to sign a pro-union resolution.

"Our fight has just begun," General President Hoffa said. "These attacks in Ohio, Wisconsin, Indiana and throughout the country are reviving the labor movement and bringing Americans together in a way we haven’t seen in many, many years."
A

have often said, one of the primary objec-
tives of my Administration is to pro-
mote increased involvement by BLET officers and members. To put it bluntly, trade unionism is not a spectator sport; it is a par-
ticipation sport where we can ill afford to sit back and let others decide our future. And moving from talk into action was never more urgent than it is today.

On February 22, 2011, First Vice President Lee Pruitt, Vice President and National Legisla-
tive Representative John Tolman and I travelled from our head-
quarters in Cleveland to Colum-
bus, Ohio to march in a rally with other working men and women who are fighting the in-
justice being imposed upon pub-
lic sector employees in Ohio. I returned to Columbus a week later on March 1, 2011, along with General President Hoffa and thousands of working men and women to again march against the injustice of Ohio Senate Bill 5. We were joined at both marches by Ohio State Legis-
latve Board Chairman Tim Hanely, BLET Division 757 member and State Representa-
tive Bob Hagan, as well as other BLET members from all across the state. We were part of a group of several hundred Team-
ster members who came to have their voices heard in support of all working men and women.

While this was happening in Ohio, BLET members were also joining marches and rallies in Wisconsin, Kansas, California, Arizona, Iowa and many oth-
er states. I offer my personal thanks to all who are getting in-
volved in their state. If there was ever a time to get involved, it is now and here is why.

In recent weeks, the rights of working men and women have come under attack all across our great country. Politicians in sev-
eral states are waging war on the rights of public sector em-
ployees to collectively bargain. They use budget woes to justify this “war on the worker.” We all know that the working middle class men and women of America did not cause the fi-
ancial problems that plague our country. As time goes on, many seem to forget that it was Wall Street’s financial collapse, facilitated by little or no govern-
ment oversight and risky busi-
tess ventures, that pushed this country headlong into the recession that still plagues us, and has caused so many gov-
ernment pensions funds be-
come seriously underfunded. State and Local budgets are all reeling, but not because of working men and women. The exact opposite is true, there are not enough working men and women making a decent liv-
ing wage to fund the services that Federal, State and Local gov-
ernments are expected to pro-
vide. Cutting the wages and ben-
efits of taxpaying working men and women is not a long term so-
lution to any State’s budget woes because these cuts will simply re-
duce tax revenues even fur-
ther. The politicians pushing this war on the workers know this and it is becoming clear that their motives are much grander than just balancing a budget. Their real agenda is to once and for all break the back of the labor move-
ment in this country, and that is not an agenda that will benefit any working class American.

Although Organized Labor is leading the fight against this war on the workers, all working class Americans, unionized or non-
unionized, should be very con-
cerned. Contrary to what some of the corporate-owned media would have you believe, this is not a battle between non-union working Americans and union-
ized working Americans. Unions are not the enemy or the prob-
lem. The truth is that unions are the only thing blocking corpo-
rate interests from taking this country back to the days of sweat-
shops and the 80 hour work week.

The long term goal of Wall Street, big business, and their agents in the political class is very simple; when the work-
ers make less, the corporations make more. That is why corpo-
rate America is bankrolling the politicians that are waging the war on workers, but the public sector is just one battle in this war. This war on workers will not stop with the public sector employees in Ohio, Wisconsin or Indiana. It will not stop un-
til all labor organizations are dismantled and the work-
ning class of this country has no one to speak for.

Now is the time to get in-
volved in your union. Now is the time to get involved in the local politics of your city, coun-
try and state government. Now is the time to march. Now is the time to attend a rally and sup-
port our fellow working class citizens. That’s the message I will be sharing everywhere that I go.

In fact, as part of my plan to attend BLET Local Division meetings every month, I attend-
ed my first 2011 Local Division meeting with the members of our first Division in Detroit on March 2 and shared this mes-
sage with them. Division 1 rep-
resents engineers and trainmen who work for Norfolk Southern and Conrail Shared Assets, and the fellowship and exchange of ideas that we had can only help me as your National President. I also attended regular meetings with Division 6 (Union Pacific) in Boone, Iowa, Division 687 (BNES) in Sioux City, Iowa and Division 3 (C/X) in Clevel-
and, Ohio. Join me by attending your union meeting and by attending a rally to fight the war on the workers. Our strength is in our numbers, we must all be involved if we are to be successful.

Fraternally,
Denis R. Pierce
BLET National President

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BLET NATIONAL DIVISION ELECTRONIC COMMUNICATIONS POLICY

Offical communications be-
tween BLET members and the National Division require a hard copy of the correspon-
dence, bearing a signature received by the National President to be consid-
ered an “official communication.” This is to provide that the actual question(s) are addressed, and ensures that when official interpretations are made they have refer-
cence to a specific request and can be used in future correspondence.

The volume of e-mails received makes it impossible for the National President to answer all unofficial communications. Therefore, it is the policy of the BLET that e-mails addressed to the National Presi-
dent will be reviewed and forwarded to the appropriate officer or staff for a time-
ly response; however, an e-mail message is not considered an official communication.

Moreover, anonymous e-mails and e-
mails that do not provide sufficient in-
formation concerning the sender to en-
able National Division staff to confirm the sender’s membership status will not receive any reply or acknowledgement. This poli-
cy is intended to allow the National Presi-
dent to be aware of the opinions and sug-
gestions of the membership, while at the same time providing a timely response to the member’s unofficial communication, if a response is necessary, without need-
lessly expending limited BLET resources.

Adopted at Cleveland, Ohio on July 22, 2010, Sec.
O ur fight to protect the rights of American workers continues. On March 1 I was in Columbus, Ohio to attend a rally with tens of thousands of Ohio workers. I was proud to join nearly a thousand of our Teamster Brothers and Sisters who were there to demand that corporate-backed politicians not be allowed to strip them of their rights as union members and Americans.

In Madison and across Wisconsin, thousands of workers once again engaged in peaceful protest as they have done every day since Governor Walker launched his attack on their rights. I also want to thank the many Teamster members across the country who wore red on March 1 as a part of Teamster Solidarity Day to show their support of these brave protesters in Wisconsin, Ohio, Indiana, Michigan, Missouri, New Hampshire and all of the other states where workers are standing up for their rights.

Every day I asked what else Teamsters can do to stop this war on American workers. In addition to continuing to attend solidarity rallies in your area, I'm asking for you to get your local elected officials to go on record with their support for collective bargaining rights. We all know that elected officials like to make promises, but now we have a way for them to take action. Ask them to pass a resolution in support of collective bargaining rights and America’s labor movement. Get them to make a clear statement that they believe that collective bargaining is a fundamental American right and that the labor movement has been and continues to be a key element in a strong and secure middle class in this country.

Thank you for everything you have done and that I know you will continue to do in this fight. Please be sure to check teamster.org regularly for updates on our activities and more information on how you can help stop the war on workers.

Fraternally,

JAMES P. HOFFA
TEAMSTERS GENERAL PRESIDENT

BACKGROUND: Republicans successfully attack unions in Wisconsin, Ohio

Here is a rundown of what transpired in Wisconsin and Ohio, the two states where Republican politicians resorted to “political thuggery” and “corrupt” dirty tricks to force through union-busting legislation.

WISCONSIN—Political thuggery

In Wisconsin, Governor Scott Walker created a false budget deficit and used the pretext of a budgetary crisis to wipe out unions representing state and local government workers. In January, Walker forced through legislation that created $4.4 billion in new tax breaks for special-interest groups. Then he promptly announced a budget “deficit” of $35.7 billion and demanded concessions from public sector unions to offset the cost of the deficit — which he created.

The bill strips public sector unions of the ability to negotiate salaries, pensions, work rules and health-care benefits. It also allows for “free riders” who can free-load on public employee pay, and allows tax dollars to be transferred from public sector unions to offset the cost of the new tax breaks.

Democratic Senators fled Wisconsin to boycott the unjust legislation, and the legislation did not move forward for several weeks because a quorum of Senators was not present. However, Walker and Senate Republicans used underhanded political trickery to pass the legislation in the dead of night on March 9. Under Wisconsin law, a quorum is required to vote on legislation relating to budgetary and fiduciary issues. Even though Walker insisted the union-busting bill was all about the budget, he stripped all financial components from the bill, which allowed it to move forward.

In speaking with the Milwaukee Journal-Sentinel, Wisconsin State Senator Bob Jauch condemned the move as “political thuggery.”

OHIO—Corrupted legislative process

In Ohio, Governor John Kasich also cited a budget crisis as a reason to pass Senate Bill 5, which would basically destroy public sector unions. However, the bill’s sponsor, Sen. Shannon Jones, R-Springboro, admitted that the bill is unlikely to have any significant effect on the deficit. In fact, when she introduced it, she could not cite figures on savings. And while Kasich insisted SB 5 was not an attempt to destroy unions, his previous public statements show his true agenda. According to the Columbus Dispatch, Kasich gave a speech before Ashland County Republicans in March 2009, where he said he wanted to “break the back of organized labor in the schools.”

SB 5 would nearly eliminate collective bargaining for government workers. It includes provisions to ban strikes by public workers, remove binding arbitration and eliminate union negotiations over health care and other benefits.

On March 2, the bill passed out of committee by the smallest margin possible — one vote — but only after more underhanded Republican tricks. Just before the vote, Senate President Tom Niehaus (R) pulled Sen. Bill Seitz (R) off the committee that was considering the measure because Seitz had opposed a Republican amendment to the bill and the process in which the bill was being considered. Seitz was replaced with another Republican who supported the measure, clearing the way for a 7-5 vote that otherwise would have ended in a tie. MSNBC news analyst Lawrence O’Donnell said it was the “dirtiest legis- lative maneuver I have ever seen. I have never seen a more corrupted legislative process.” The move was widely condemned by labor and in the national court of public opinion.

OTHER STATES

In addition to Wisconsin and Ohio, union worker rights are under attack in many other states:

Indiana — House Democrats have left the state to protest passage of anti-union “Right to Work” legislation in February, denying the House the quorum necessary to pass the legislation. Labor unions organized a massive rally on March 10 to protest the harmful legislation.

Missouri — The full senate could consider RTW legislation within the next few weeks, though there are few details regarding the timing of a vote.

New Hampshire — Despite passage of RTW legislation by the House in late February, there is no indication as to when the Senate will consider the bill.

Michigan — The senate passed “emergency legis- lation” on March 10, giving broad powers to “emergency financial managers” appointed by the state to oversee struggling cities and school districts. One Michigan democrat condemned the legislation and said the Republicans were attempting a “backdoor approach to what’s going on in Wisconsin.

Tennessee — Republicans have introduced bills this year to do away with teachers’ collective bar- gaining rights, and prohibiting them from using dues for political purposes.
Ohio, Wisconsin set to lose millions in federal transit funds

The union busting bills in Ohio and Wisconsin will hurt not only unions and families, but the traveling public as well. Transportation officials warn that the anti-union legislation adopted in Ohio and Wisconsin could result in the states forfeiting tens of millions of dollars in federal funds for transportation.

Federal labor law forbids the Federal Transit Administration (FTA) from dispensing money for transit operation, acquisition or improvements without Department of Labor certification that the collective bargaining rights and working conditions of affected transit employees have not been diminished since the time when federal assistance was first granted.

“It appears Republican lawmakers overlooked this important information during their haste to force through union busting legislation,” BLET National President Dennis Pierce said. “While both governors cited budgetary concerns for introducing the anti-union measures, it appears their actions may backfire as their budgets now stand to lose tens of millions in dollars.”

Wisconsin received $74 million in federal transit funds this fiscal year. Of that, $46.6 million would be put at risk should the collective-bargaining bill come to pass.

Additionally, Ohio would stand to forfeit a significant portion of its $171 million in annual FTA funds.

DURING FEBRUARY AND MARCH, BLET members were busy on the front lines showing solidarity with public sector union workers in Wisconsin, Ohio and other states. On February 26, unions organized a national day of protest and scheduled pro-labor rallies in each of the 50 state capitals. BLET members participated in many of those rallies. And while we cannot show you all of their photos here, you can view them on the Internet. Please visit the BLET National Division’s Flickr page: www.flickr.com/photos/bletunion/sets

(Editors Note: If you have photos of a rally that you attended, and you are not included here, please notify Editor John Bentley at: Bentley@ble-t.org.)
Mike Wolly appointed BLET general counsel

The Brotherhood of Locomotive Engineers and Trainmen and 10 other Railroad unions went to the U.S. Supreme Court in late March to protect the Federal Employers’ Liability Act (FELA).

Oral arguments were held on March 28 in the case of CSX Transportation Inc. v. Robert McBride. Brother McBride, a member of Division 742, was awarded $184,000 in damages by a jury, which found that he had been injured on the job in 2004 as a result of negligence on the part of the railroad. McBride is represented by BLET Designated Legal Counsel John P. Kujawski of Kujawski & Associates, PC.

Under the FELA, a railroad worker who is killed or injured on the job may recover for liability under FELA. Based on testimony from railroad’s negligence, however, the railroads are attempting to make it more difficult for an injured or deceased railroad employee to establish negligence in FELA cases by introducing a higher “proximate cause” standard.

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Congress desired for injured workers to receive fair compensation for their injuries, and FELA has helped make that happen for over 100 years. It is shameful that railroad corporations reaping multi-billion dollar net profits every year are trying to use the Supreme Court to increase their windfall at the expense of worker safety,” Pierce added.

The FELA was enacted in 1908, and the railroads are attempting to change it for the worse, said Brother H. Johnson, BLET President.

“Competitive forces are forcing the railroads to reduce costs, leading them to cut safety measures and reduce worker compensation,” Johnson said.

The Coalition also provided data proving that the railroad industry fatality rate is significantly higher than the national workplace fatality rate, and that operating crews and maintenance of way workers suffer a disproportionate share of fatalities. It also pointed to recent, broad expansions of statutory rights for railroad workers who are involved in or witness accidents and injuries as evidence that Congress understands that the railroads cannot be trusted to place safety before profits.

The 7th U.S. Circuit Court of Appeals affirmed the jury’s verdict on March 16, 2010, disagreeing with CSX’s contention that proximate causation is required for liability under FELA. Based on a claim of a split among the appellate circuits, the U.S. Supreme Court agreed to hear the case.

The FELA was the Congressional response to unique railroad industry hazards, one of the most dangerous workplace nations in the nation then and now,” BLET National President Dennis Pierce said.

We will always be in Harold’s debt and know that his advice is just a phone call away,” President Pierce also thanked George Faulkner of Faulkner, Muskovitz and Phillips, LLP in Cleveland, Ohio, for the assistance that he has provided to the BLET. “George has also been a key part of BLET’s legal team and we look forward to our continued relationship with him.”

In other personnel changes effective on February 1, long-time Communications Director Chuck Anderson has been reassigned as the President’s Staff Liaison to the BLET Information Technology (IT) Department, where he will assist in a long-overdue redesign of the National Division’s technologi- cal capacity. Greg Ross has been transferred from the BLET Arbitration Department and now becomes Director of Communications and Coordinator of Legal Affairs.

BLET supports member, protects FELA before Supreme Court

The railroads are attempting to make it more difficult for an injured or deceased railroad employee to establish negligence in FELA cases by introducing a higher “proximate cause” standard.

The Bureau of Labor Statistics reported that the railroad industry’s relative fatality rate is significantly higher than the national workplace fatality rate, and that operating crews and maintenance of way workers suffer a disproportionate share of fatalities. It also pointed to recent, broad expansions of statutory rights for railroad workers who are involved in or witness accidents and injuries as evidence that Congress understands that the railroads cannot be trusted to place safety before profits.

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President Pierce with newly-appointed BLET General Counsel Mike Wolly.

Act arbitration in 2008. BLET President Pierce noted that the appointment was well deserved. “Mike Wolly has been a key member of our legal team for a number of years, and has been a part of every significant case involving the BLET. We will be very well represented, and I’m happy that Mike is on board,” President Pierce said.

“I also want to recognize the continuing support and counsel provided by Harold Ross,” Pierce added. “Although Harold ‘retired’ as General Counsel in late 2004, he has continued to provide substantial representation and assistance to us, and has more than earned the time he offers.”

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President Obama nominates Walt Barrows to RRB Labor Member post

Walter A. Barrows, the candidate unanimously endorsed by the BLET and the Teamsters Rail Conference Policy Committee, has been nominated by President Barack Obama to serve as the Labor Member of the Railroad Retirement Board. Brother Barrows is Secretary-Treasurer of the Brotherhood of Railroad Sig-
nalmen (BRS). He was elected to this position in 1999 and reelected in 2002, 2006, and 2010. “I congratulate Brother Barrows on this well-earned nomination,” said Den-
nis R. Pierce, BLET National President and President of the Teamsters Rail Con-
ference. “Walt’s expertise and his long service as a Trustee for the Railroad Re-
irement Investment Trust make him by far the most qualified person for this im-
portant position.”

Regarding Brother Barrows and oth-
er nominees, President Obama said, “I am honored that these talented individ-
uals have decided to join this Adminis-
tration and serve our country. I look for-
ward to working with them in the months and years to come.”

The nomination now goes to the Sen-
ate for confirmation.

About Brother Barrows
Brother Barrows began his railroad career in 1974 with the Norfolk & West-
ern Railroad and held numerous posi-
tions in the railroad’s signal department. Within his union, in locals 199 and 228, he served as Local Chairman, Local Pres-
ident, and Recording-Financial Secre-
tary. Brother Barrows also served the BRS as the General Chairman and Gen-
eral Secretary-Treasurer for the Nor-
folk Southern General Committee. Prior to being elected Secretary-Treasurer, he served as a Trustee on BRS’ Grand Board of Trustees.

Since 1999, Brother Barrows has served as a labor member on the joint health care subcommittee to oversee the Railroad Employees’ National Health and Welfare Plan. In the cur-
rent round of national railroad bar-
gaining, he chairs the Health Care Committee for the six unions in the Rail Labor’s Bargaining Coalition. In 2004, 2007, and 2010 he was elected as a labor trustee to oversee the National Railroad Retirement Investment Trust Fund.

The Teamsters Rail Conference Poli-
 cy Committee is comprised of members of the Brotherhood of Maintenance of Way Employees Division and the Broth-
 erhood of Locomotive Engineers and Trainmen, both divisions of the Rail Con-
ference of the International Brotherhood of Teamsters. ©

James Rigsby was reelected Chair-
man of the Georgia State Legisla-
tive Board at quadrennial meet-
ings in Atlanta from February 7-9, 2011. Brother Rigsby was elevated to the position of Chairman upon the retire-

Brother Rigsby is a CSX locomotive engineer and member of BLET Division 706 (Fitzgerald, Ga.). He joined the Broth-
erhood on March 1, 2001.

The following Board members were elected by acclamation: 1st Vice Chair-
man Dwayne Massengale; 2nd Vice Chair-
man Louis Myers; and Alter-
man Dwayne Massengale; 2nd Vice Chair-
man Jamie Spivey; and Lawanna Knight; BRCF Board of Directors 
Mark Robb; BRCF Board of Directors member Jamie Spivey; and Lawanna Poss, National Alternate Secretary of the BLET Auxiliary.

“Congratulations to Brother Rigsby on his reelection to Chairman of the Georgia State Legislative Board,” BLET National President Dennis Piusc said. “I also thank all members of the Board for their dedication in serving the Brotherhood.”

With the ongoing attacks against la-
bor unions in state houses throughout America, BLET State Legislative Boards are on high alert. I have every confidence these Brothers will do an outstanding job of representing and protecting the in-
terests of BLET members in the proud state of Georgia.”

The Georgia State Legislative Board represents approximately 1,500 mem-
bers in 15 Local Divisions throughout the state. Their members work primar-
ily for CSX Transportation and Norfolk Southern. ©

James Rigsby

James Rigsby was reelected Chairman of the Georgia State Legislative Board at quadrennial meetings in Atlanta from February 7-9, 2011. Brother Rigsby was elevated to the position of Chairman upon the retirement of A.E. "Buddy" White in August of 2008.

Brother Rigsby is a CSX locomotive engineer and member of BLET Division 706 (Fitzgerald, Ga.). He joined the Brotherhood on March 1, 2001.

The following Board members were elected by acclamation: 1st Vice Chairman Dwayne Massengale; 2nd Vice Chairman Louis Myers; and Alternate Secretary-Treasurer Christopher Dobbely. Mike Poss was reelected by ac-
clamation to the position of Secretary-
Treasurer.

The delegates in session discussed a number of safety issues and also planned strategy regarding H.B. 273, a crew van safety bill that the BLET helped to get introduced in the Georgia State House. Guest speakers included Georgia AFL-CIO President Richard Ray; Georgia AFL-CIO Political Director Tasso Knight; BRCF International President Mark Robb; BRCF Board of Directors member Jamie Spivey; and Lawanna Poss, National Alternate Secretary of the BLET Auxiliary.

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In the Line of Duty

STANLEY L. WATTS

STANLEY L. WATTS, Secretary-Treasurer of BLET Division 354 (Kankakee, Ill.), was killed in the line of duty on February 8 following a switching accident at a Norfolk Southern yard in Kankakee, Ill.

Brother Watts, 43, joined the BLET since February 1, 2006. He was a Norfolk Southern locomotive engineer who was set back working as a conduc-
tor at the time of the accident. He was working as part of a conventional switching crew consisting of an engineer, conductor and conductor-in-training, and had gone on duty at 6:00 a.m.

He is survived by his wife, Sara, and young sons Zachary and Andrew. Brother Watts was born Jan. 1, 1968, in Chicago. He was a veteran of the U.S. Army, serving from 1986-1990. He coached youth football and was active with his sons’ sports. He enjoyed camping and was an avid Bears fan. He loved spending time with his family.

A memorial fund has been estab-
lished for the family of Brother Watts. Donations to the fund will be given to the Watts family to help with living expenses following the tragic loss of their primary breadwinner.

“Our thoughts and prayers are with the family of Brother Watts,” said Dennis R. Pierce, BLET National President. “On behalf of the entire organization, I extend our deepest sympathies to the family and friends of Brother Watts.”

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More than 20 members of the Brotherhood of Locomotive Engineers and Trainmen inundated Capitol Hill on February 17, visiting nearly 100 offices to help save Amtrak’s funding and to lobby on behalf of the future careers of their fellow BLET members.

The BLET members included Division Legislative Representatives from 12 states, the Legislative Board Chairmen from five states and the District of Columbia, and Vice President & National Legislative Representative John Tolman. Most were visiting Washington, D.C., as part of the BLET Education & Training Department’s Legislative Representative workshop.

The visit by these BLET members came at a particularly opportune time,” Vice President Tolman said. “Amtrak was under attack by opponents in Congress, who were putting forth amendments to a continuing resolution, a means of funding the government until a full budget can pass, that would strip Amtrak of its funding.”

Of particular concern was an amendment presented by Representative Pete Sessions of Texas, which would have crippled Amtrak by reducing the railroad’s capital funding by $446.9 million. Thanks in large part to the quick early morning actions, the amendment failed by a vote of 250-176.

The BLET members also asked these members of Congress for their support on several other key issues of great importance to BLET members, including the Compassion Leave Act, NMB voting procedures amendments, and Hours of Service technical corrections. The members attending the Legislative Representative Workshop were: Roger Adams, Division 124; Brian Burns, Division 87; Mark Chalupa, Division 231; Kenneth Ealey III, Division 141; Brian Farkas, Division 121; Doug Ford, Division 239; Rachael Grimes of the BLET Auxiliary; Kent Hansen, Division 391; Thomas Hebert, Division 312; Doug Krucina, Division 520; Michael Lacey, Division 769; Wayne Lanham, Division 284; Ron Shawcroft, Division 29; and Erik Wood, Division 98.

They were accompanied by Vice President Tolman; Colorado State Legislative Board Chairman Jim Wilmesker; District of Columbia State Legislative Board Chairman Herbert Harris; Illinois State Legislative Board Chairman Paul Pickarski; Nebraska State Legislative Board Chairman Randy Mee; and North Dakota State Legislative Board Chairman David Kearnung.

“I would like to personally thank the BLET members who thought they were simply taking a legislative class, but ended up helping to save Amtrak,” BLET National President Dennis Pierce said. “When I spoke to the group on February 15, the BLET was preparing them to advocate on behalf of our ‘Compassion Leave Act,’ which would amend the Family and Medical Leave Act. However, they very quickly changed course to help save Amtrak’s funding, the jobs of 20,000 of their fellow members of rail labor, and the Railroad Retirement system, along with still trying to help their Brothers and Sisters by working on the Compassion Leave Act.

This kind of action shows how effective our legislative department can be and also that we can make our voices heard in Congress when we work together.”

Risk reduction plans for railroads need employee input

Teamsters Rail Conference affiliates Brotherhood of Locomotive Engineers and Trainmen (BLET) and Brotherhood of Maintenance of Way Employees Division (BMWED) were joined by five other rail unions in submitting comments to the Federal Railroad Administration on February 6 regarding implementation of a Congressionally ordered Risk Reduction Program (RRP).

The unions stressed that Congress intended for labor organizations to be included in the process of designing the RRP, creation of which was mandated under Section 103 of the Rail Safety Improvement Act of 2008. However, an Advance Notice of Proposed Rulemaking issued by FRA on December 8 runs counter to the intent of Congress by allowing railroad companies to unilaterally submit their own plans without the input of labor.

“Employees are the most important component of any plan,” BLET National President and IBT Rail Conference President Dennis R. Pierce said. “They must be allowed to participate in the creation of the plan and then contribute to the plans in an on-going fashion without fear of repercussions. Therefore, both good faith challenges and strong whistleblower protections must be part of the regulations.”

In addition to BLET and BMWED, the unions filing the joint comments included: American Train Dispatchers Association, Brotherhood of Railway Carmen, Transport Workers Union and United Transportation Union.

“We expressed our concern that absent FRA enforcement of the Congressional mandate, rail carriers would engage in their usual practice of unilateral dictation and implementation of safety practices,” said Freddie Simpson, National President of the BMWED. “Absent clear direction from FRA at the onset of the RRP development process, we believe carriers will dictate a ‘take it or leave it’ approach to Rail Labor, thereby stymieing Congressional intent and leaving the public and rail employees still at risk for avoidable rail tragedies.”

As part of their written comments to FRA, the unions pointed out that railroads have been permitted to police their own safety for far too long, which has not produced the best outcome for rail workers. Therefore, Risk Reduction Programs must remain true to the Congressional mandate and require labor-management consensus, which is a critical part of reforming the rail industry’s “failed” safety culture.

Additionally, the RRP’s should be scientifically based and data driven, and should provide root-cause analysis and rely upon non-punitive remediation.

There is currently a punitive system for safety in the railroad industry, and as employees are the best source of primary information regarding safety, they must be able to report safety concerns without fear,” President Pierce said. “This is the only way to reform what Congress believes is a failed safety system.”

Of particular interest to operating employees are comments the unions filed regarding fatigue management plans. The Labor Organizations urged FRA to require 10 hours of prior notification as part of the RRP.

“Other than each job having an assigned starting time, the next best way to reduce fatigue for operating employees is the 10 hour call,” National President Pierce said. “FRA acknowledges that knowing with certainty when you will next go to work is the strongest fatigue mitigation tool available and will virtually eliminate acute fatigue as a safety issue for operating employees.”

Regarding concerns of Brothers and Sisters in the Maintenance of Way Division of the Teamster Rail Conference, fatigue management plans must address the cumulative effects of fatigue resulting from inadequate lodging and meal arrangements, long commutes to work sites, and — on the Norfolk Southern — camp cars.

The unions also called for improved training for rail workers, as rapid changes in technology across all crafts makes the need for more training imperative.
BLET, MBCR reach tentative agreement

As this issue of the Locomotive Engineers and Trainmen News was going to press, BLET members were voting on a tentative agreement with the Maryland-Baltimore County Railroad (MBCR) that would provide members with general wage increases worth 13.7 percent over the four-year contract.

The agreement would run through June 30, 2013, with retroactive pay back to February 17 and were due back to the BLET National Division on March 17.

In addition to the general wage increases, the agreement provides passenger engineers with a series of increased trainman allowances and instructor allowances that will be received.

BLET members rejected an earlier tentative agreement with MBCR in 2010.

According to the Boston globe: “The railroad engineers were negotiating separately, with train conductors and line maintenance engineers as the mechanical and maintenance unions formed a coalition. After the engineers rejected a tentative deal last year, the conductors split off to join them.”

In a letter to members introducing the new 2011 tentative agreement, Amtrak General Chairman Mark Kenny said, “There were some significant personnel changes that made relevant to MBCR top management and at the bargaining table” following rejection of the 2010 tentative agreement.

He also said there was a “dramatic shift in the Carrier’s posture in the table in terms of a genuine willingness to reach an agreement that would be accepted within a ratification process.”

In terms of work rule changes, General Chairman Kenny wrote that pay for layover time will be increased from half-time to five-eighths.

“It is truly significant as it breaks the long standing ceiling of half-time and sets in place a more advantageous threshold going forward in the next bargaining round.”

Additionally, the health and welfare plan changes in the tentative agreement have been reduced from the 2010 tentative agreement and are substantially more consistent with the BLET National health and welfare plan.

The Maryland-Baltimore County Transportation Authority is the public operator of most bus, commuter rail and ferry systems in the greater Boston area. BLET operates the commuter rail portion of the MBTA system.

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Are you a photographer? The National Division's Public Relations Department, which produces the Newsletter each month, has received numerous inquiries last month from BLET members volunteering to contribute their images to the “Photo of the Month” section of the Newsletter. If you'd like to submit a photo for consideration, you can call Editor John Bentley at (216) 241-2630, ext. 248, or you can email Bentley@ble-t.org.

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This e-edition of the BLET Newsletter was produced on Friday, March 11, 2011 by John Bentley Jr., Editor of the BLET Newsletter. The design and layout was created by Bill Joyce, Art Director of the BLET Newsletter. The newsletter is available online at www.ble-t.org. The BLET Newsletter is published monthly by the Brotherhood of Locomotive Engineers & Trainmen, 13070 Osborn Street, Cleveland, OH 44131-3702. Periodical postage paid at Cleveland, OH. USPS: 002-244 ISSN: 0898-8625

POSTMASTER: Send address changes to Locomotive Engineers and Trainmen News – BLET Records Department, 13070 Osborn Street, Macoustephen, OH 44131-3702

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