The future of high speed passenger and commuter rail in America is brighter than ever before, and that means more good jobs for members of the Teamsters Rail Conference. A delegation of passenger rail leaders from the Brotherhood of Locomotive Engineers and Trainmen (BLET) and the Brotherhood of Maintenance of Way Employees (BMWED) came away highly encouraged about President Obama’s plan for high speed rail after attending a Passenger Rail Forum sponsored by the Federal Railroad Administration in Philadelphia on June 2.

Representatives from the federal government outlined the Obama Administration’s national vision for passenger rail in the United States and how the recently allocated stimulus money will be spent to achieve those goals.

“Rail industry veterans who have spent most of their careers reluctantly witnessing the downsizing of many rail facilities and services were heartened by the prospect of infrastructure being restored or newly installed to ease congestion and/or allow the coexistence of freight and passenger services,” said Marcus Ruef, BLET Vice President. "His turnout when someone is wearing the uniform of a high speed train crossing over Tehachapi. (Produced for the California High Speed Rail Authority by Newlands & Company, Inc. [NC3D]. Image: courtesy of NC3D.)

FRA publishes interpretations governing new Hours of Service laws

The Federal Railroad Administration (FRA) has published a series of interpretations pertaining to new Hours of Service laws taking effect for certain freight railroad workers, including operating crews, on July 16.

The Rail Safety Improvement Act of 2008 made significant changes in Hours of Service requirements governing BLET members. Among the major changes are:

- Increases to the amount of off-duty time required between work tours and a prohibition against a railroad interrupting that time;
- Caps on the number of service hours and limbo time hours; and
- Mandatory days off when someone initiates a tour of duty on six or more consecutive days.

The interpretations explain how FRA will enforce the new Hours of Service laws. Currently, they are of an

HISTORY OF LOCOMOTIVES MURAL, now on display at BLET headquarters in Cleveland, features this Pennsylvania Railroad GG1 electric locomotive. This panel, the last one in the mural, is signed by Artist Earl J. Neff and his main assistant, Leo Nowak. The mural was completed in 1937 and restored at BLET headquarters in 2009. More images of the mural will be published in future issues of the Locomotive Engineers and Trainmen News. Photo: Jesse Kramer

To continue reading please open the next page.
there are several types of injuries for which railroad workers can seek recovery under FELA. Various studies have shown that wear and tear injuries account for a significant percentage of workplace injuries. These injuries are often referred to by various terms — cumulative trauma disorders, repetitive stress injuries, overuse injuries, or wear and tear injuries. The Federal Railroad Administration (FRA) refers to this type of injury as musculoskeletal disorders, or wear and tear injuries, as including carpal tunnel syndrome, trigger finger, low back pain, herniated spinal discs, etc. Indeed, the FRA has issued a guide for preparing accident/incident reports. This guideline issued to the railroad industry provides: "Musculoskeletal disorders (MSDs) are treated like all other injuries or illnesses, they must be recorded if they result in days away, restricted work, transfer to another job, or medical treatment beyond first aid."

In order to succeed in court to recover damages for a wear and tear injury, there are two fundamental questions that must be answered in favor of the railroad worker pursuing the lawsuit. The first question is whether or not a physician will give a professional opinion that the railroad worker's job duties contributed to the development of the wear and tear injury. This is what we refer to as causation. In other words, did the negligence of the railroad cause or contribute in any way to the development of the injury? By negligence, that simply means that the railroad either did something it should not have done or failed to do something that it should have done. The second question is, was the lawsuit timely filed? Under the FELA, an individual has three years from the date of his or her injury in order to file a lawsuit in court. This is called a statute of limitations. If the claim is not filed within the statute of limitations, it is forever barred.

Sixty years ago the United States Supreme Court ruled in a FELA case that for an injury which does not occur at an exact moment in time, the plaintiff must file the lawsuit within three years of the date he or she knew, or should have known, that the injury resulted from work for the railroad. Obviously, a wear and tear injury, which may take months or even years to develop, is such an injury. In conclusion, despite the railroad industry's hard stance denying that wear and tear injuries result from work activities, the FRA and various courts have recognized these injuries as work related.

Wear and tear injuries under FELA

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Education & Training Dept. to conduct workshop for General Chairmen, Local Chairmen of passenger lines

The BLET Education & Training Department is conducting a first-of-its-kind workshop for Local and General Chairmen who represent members working at passenger and commuter railroads. “This is the first time we have had a protective workshop that is just for passenger representatives,” said National Secretary-Treasurer Bill Walpert, who is also Director of the BLET Education & Training Department. “The content is a little different and is drawn from issues faced by passenger General Chairmen and Local Chairmen.”

The five-day workshop will be held August 23-27, 2009, on the campus of the National Labor College in Silver Spring, Md. It will begin the evening of Sunday, August 23 and will conclude with a banquet the evening of Thursday, August 27.

All General Chairmen, Vice General Chairmen, Local Chairmen and Vice Local Chairmen who work for the following railroads are encouraged to register as soon as possible: Amtrak (and all Amtrak commuter affiliates), Long Island Rail Road, Metra, Metro North, New Jersey Transit, PATH, and SEPTA. Registration is on a first come, first served basis with class size limited to the first 22 who register.

Attendees must register for the August workshop online through the BLET website at: http://www.blet.org/rc. For more information, please contact Ken Kroeger, Coordinator of the BLET Education & Training Dept., at (216) 272-9868 or kroeger@ble-t.org.

The BLET Education & Training Department completed a workshop for General Chairman at the Hyatt hotel in downtown St. Louis, Mo., May 10-14, 2009. Attendees and instructors are pictured here.

From left: Ken Kroeger, Coordinator of Education & Training / Special Representative; Marcus J. Ruef, BLET Vice President, Director of Organizing — to be considered an “official communication” — being received by the National President — to be 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.

Electronic Communications Policy

The policy currently in effect is that official communications between BLET members and the National Division Office that e-mails are made they have reference to a specific request and can be used in future correspondence. 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.
Elections

Passi reelected Chairman of Nevada State Legislative Board

Chairman John Passi was reelected by acclamation at the Nevada State Legislative Board’s Second Quadrennial meeting in Sparks, Nevada, on June 30, 2009.

Brother Passi is a member of BLET Division 158 (Sparks, Nevada) and has been a member of the BLET since June 1, 1997. He was promoted from his office of First Vice Chairman to fill the Chairman’s office on November 1, 2008.

Other officers elected included: First Vice Chairman Matt Parker, Division 158; and Second Vice Chairman Fred Aguirre, Division 766 (Las Vegas). Patrick L. McDaniel, Division 794 (Elko, Nevada) was reelected to the office of Secretary-Treasurer. K.E. Underwood, Division 158, was elected Alternate Secretary-Treasurer.

Other members in attendance included: John Eutsler, Local Chairman of Division 158; Donna Domingo, member of Division 794; Waylon Huber, Legislative Representative of Division 229 (Winnebago, Nevada); Dave Horn, former Nevada State Legislative Board Alternate S-T and member of Division 158.

Educational programs were presented by Anthony S. Petru, counsel for Hildebrand, McLeod & Nelson LLP; and Tom Lelevich, Field Representative for Hildebrand, McLeod & Nelson LLP.

The Nevada State Legislative Board currently represents approximately 250 members in four different Divisions.

Moates reelected at CSX Western Lines

Don L. Moates was reelected General Chairman of the BLET-CSXT Western Lines General Committee of Adjustment at meetings on June 6, 2009.

Brother Moates has held continuous membership in BLET Division 782 (Etowash, Tenn.) since December 1, 1971. He was first elected to his current office on August 1, 2005.

Also elected were: Senior Vice General Chairman Matt Thornton (Division 781, Erwin, Tenn.); and Secretary-Treasurer Tim Braden (Division 271, Russell, Ky.). Representing the National Division at the meeting was First Vice President Paul Sorrow; National Secretary-Treasurer Bill Walpert; and National Vice President Dennis Pierce.

As the Vice President assigned to the CSX property, Pierce spoke about implementation of the upcoming Rail Safety Improvement Act and bargaining under the property Single System Agreement and its interaction with National handling.

The delegates also agreed on an informative and extensive report from the BLET Cab Committee. Brother Moates hired out as a brakeman on the former Louisville & Nashville Railroad in February of 1971. He was promoted to fireman in September of 1971 and earned promotion to loco-motive engineer on April 2, 1972.

Since 1973 he has served Division 782 in various capacities, including: Secretary-Treasurer; Member, Local Committee of Adjustment; Education Officer; and Local Chairman. He was also served the L&N GCoA as 1st Alternate Vice Chairman, Junior Vice Chairman and as full time General Chairman from 1978 to 1985 and as General Chairman of the former L&N GCoA full time from 1985 to 1994. He also served as Chairman of the Geiger/Brindle Scholarship Committee and was involved in the National Wage Rules movement in 1985-86. He has been an Alternating National Vice President since 2006 and was reelected on June 9 to the office of Chairman, Southeastern General Chairman’s Association.

He and his wife Lee Ann have two sons (ages 32 and 33), one daughter (17 years old), and three grandchildren.

The BLET-CSXT Western Lines General Committee of Adjustment represents nearly 2,200 active members and 1,200 retired members from 29 different Divisions.

Finamore reelected CSX-North Lines General Chairman

The CSX Northern Lines represents 1,600 hard-working locomotive engineers and trainmen from 37 different BLET Divisions.

As the Vice President assigned to the CSX property, Pierce spoke about implementation of the upcoming Rail Safety Improvement Act and bargaining under the property Single System Agreement and its interaction with National handling.

Designated Counsel also gave a presentation on current issues under the Federal Employers Liability Act (FELA).

There were also reports from the GCoA officers, handling of grievances and appeals, and reports from the Finance, Bylaws and Credit Committee.

The CSX Northern Lines General Committee of Adjustment represents nearly 2,200 active locomotive engineers from 37 different BLET Divisions.

BLET Auxiliary unveils new logo

By Becky Schneider

Patron’s Journal BLET Auxiliary

We finally have a new logo for the BLET Auxiliary. I have to say when we started the process of changing our logo when we changed our name back in June of 2006, I would have never dreamed how arduous a journey it would be. In looking back through newsletter updates on the subject, I guess every quarter I was a little too optimistic.

There have been a number of people who have contributed to the process. Thanks to all of our members who submitted artwork, and to those who gave at a college try. I also want to thank American Time Company, especially Sherry Schirripa and Neil Stein for their enduring patience. In early April, we thought we had achieved our final design when we learned that it would be very expensive to reproduce, and decided it was too busy. The logo we have ended up with was the brainchild of Mike Slade, a locomotive engineer for Union Pacific. He came by the house to drop off a disk with what we thought was the final design and saw one of our pictures. Eureka, he went home and working with his friend Stickle, came up with the design in an evening. With a little tweaking, we found something that everyone liked, and would be easier to transfer to letterhead, shirts, etc. (Stickle did ask Mike why he hadn’t come up with ideas two years ago - such is the way of artistic inspiration, I guess.)

We thank the BLET for allowing the Auxiliary to use their logo in the interim and for their admittedly extreme patience as we made our way through the process. Other thanks go to the El Paso Model Railroaders Club for allowing us to photograph some of their model trains in an attempt to find something that would work. Turns out it didn’t, but we thank them nonetheless for their participation, and to Brenda Roberts for helping me take pictures of the model trains. Lastly, thanks to the Executive Council for their patience and participation in the seemingly never ending process.

All I have to say is it is good to be moving forward. We are currently obtaining bids for membership pins, have procured enough stationary to last until the next National Convention, and we will be making arrangements to have shirts, etc. available with the new logo.

It’s been a long and rocky road, but all things considered, the journey was worth it.
**Last Runs**

Former BLET Special Representative Sonny L. Hamm retired on June 3, 2009 after a railroad career that spanned nearly 40 years

Brother Hamm served the BLE International Office as a Special Rep for approximately five years during the mid-1990s. Whether working as a Local Chairman, General Chairman or Special Representative, Brother Hamm dedicated his entire railroad career to protecting BLET members and promoting their safety.

At the time of his retirement, Brother Hamm was working as BLET SENSE Coordinator for CSX’s Baltimore Division. He was appointed to that position on September 8, 2006.

SENSE, or Structured Employee Network for Safety Empowerment, is the employee safety program on the CSX property that was founded by the BLET in 1997 in response to unsafe working conditions and a number of fatal accidents. As a Safety Coordinator, Brother Hamm closely monitored safety conditions throughout the CSX Baltimore Division and played a key role in bringing about improvements that benefited all Engineers at CSX.


On January 1, 1980, he was elected General Chairman of the RF&P. On January 3, 1993, former President Ron McLaughlin appointed him to serve the BLE International Office as a Special Representative, a position he held for approximately five years.

Prior to his railroad career, Brother Hamm served in the United States Marine Corps from May 23, 1966 until May 22, 1970, where he earned two special military citations: a Vietnam Service Ribbon and a Navy Achievement Medal.

He and his wife Nancy were married March 13, 1971. The couple has three children: David, 36; Christie, 33; and Ryan, 30. They also have four grandchildren: Mason, 6; Dylan, 5; Hayden, 4; and Morgan, 3.

In his free time, Brother Hamm enjoys playing golf. During retirement, he is looking forward to spending time with his family, especially his four grandchildren.

Old friends may get in touch with Sonny by writing: 617 Glenmeadow Road, Midlothian, VA 23113.

Artie “The Fle” Fleischer safely completed his last run on August 22, 2008, concluding a railroad career that spanned 40 years

“T he Fle” hired out in 1968 and joined the Brotherhood on August 1, 1969.

His last run came in New York, working Penn Station yard assignment EYNP-704.

Brother John S. Kaniuk of BLET Division 11 (New York, NY) completed his last run on June 23, 2008

H is last run was Yard Assignment E-SP-3, taking Empire service west bound Train #235 from Sunnyside Yard to New York’s Penn Station. He was working as a Locomotive Engineer and an Engineer Instructor at the time of his retirement.

He began railroading in 1977, and he first joined the Brotherhood on October 1, 1982.

Friends may contact him by writing: 15 Lenhardt Rd., Trenton, NJ 08690.

Prior to his last Run, John S. Kaniuk (right) receives congratulations from Pete Sevens, Assistant Superintendent of Road Operations for Amtrak’s New York Division.
Mushrush a proud BLE member for 51 years

On March 1, Brother Paul W. Mushrush celebrated 51 years as a member of BLE Division 325 (Wilkinsburg, Pa.)—retired member of BLE Division 43 in 1958, and is currently a retired member of BLE Division 325 (Wilkinsburg, Pa.). Brother Mushrush, whose father and uncle both worked in the railroad industry, 1st went firing in 1941 for the Erie Railroad in Meadville, Pa. He was promoted to the position of locomotive engineer in 1952, and then the BLE on March 1, 1958. He made his last run on February 19, 1982. During his time on the railroad, he worked as an engineer and a fireman on both diesel and steam locomotives. From 1944 to 1946, Brother Mushrush served as a member of the 711th Railway Operating Battalion. He was a locomotive engineer for the Iranian Railroad, which carried war supplies to Russia. He also worked as a station agent in Ahwaz, Iran.

Brother Mushrush was married to his wife, Erma, for nearly 60 years, until her passing in March 2008. Together, the two had one child, Kathleen; two grandchildren and four great-grandchildren. Since his retirement, Brother Mushrush has enjoyed spending time with his family and friends. He has also kept up with his hobbies, which include woodworking, woodworking, woodworking, and fishing. He is an active past master of his Masonic Lodge. Brother Mushrush reflects that “As a number one engineer, I have enjoyed working in passenger and freight.”


Woodruff celebrates 40 years of membership

Brother Robert T. Woodruff of BLE Division 325 (Wilkinsburg, Pa.) celebrated 40 years as a BLE member on November 1, 2008. A veteran of the U.S. Army, Brother Woodruff began his locomotive career on September 29, 1968 as a fireman for the Erie Lackawanna Railroad and in November of that year, became a BLE member. He was promoted to the position of locomotive engineer on January 22, 1973. During his career, Brother Woodruff has served the BLE through various capacities. He has been the Local Chairman of two divisions, as well as a delegate to four National Division Conventions. He is currently the President of Division 325.

Brother Woodruff and his wife of nearly 37 years, Patty, have two children, both of whom work for the railroad. Daughter, Cappi, is a train dispatcher for the Norfolk Southern Pittsburgh Division, and son, Rob, is a promoted engineer working as a conductor in Conway, Pa. In his spare time, Woodruff enjoys fishing and golfing.

The Woodruffs live at: 103 Meredith Dr., Mars, Pa. 16046.

P.T. Kerrigan, former BLE VP & NLR, 1926-2009

Paul T. "Pat" Kerrigan, former BLE Vice President and National Legislative Representative (VP & NLR), passed away at Mercy Hospital in Scranton, Pa., on June 24, 2009. He was 82 years old. A former BLE Special Representative, Brother Kerrigan was promoted to the office of VP & NLR in July of 1985 following the retirement of VP & NLR Ed McCulloch. He was elected to fill that vacancy by a majority vote of the Advisory Board.

Brother Kerrigan was elected fifth alternate vice president at the BLE’s Third Quinquennial Convention in 1981. Prior to the retirement of Brother McCulloch, Kerrigan progressed to his seat on the Advisory Board following the retirements of Vice Presidents R.B. Curtis, C.M. Moore and W.A. Hirst, and the death of Vice President E.E. Blakeslee. He was born in Scranton, Pa., on December 26, 1926, to the late Patrick Kerrigan, a Delaware Lackawanna & Western switchman and yardmaster. Paul Kerrigan went railroad in 1948, when he worked out with the D&L&W in the clerical department. Prior to the start of his railroad career, Kerrigan was in the U.S. Army, where he served in the European Theater from 1943 to 1946, and attended college.

In 1955, he transferred to the D&L&W Motive Power Department as a fireman. He earned promotion to Motive Engineer in 1960 and was initiated into Division 276 (Allentown, Pa.) on August 10, 1964.

After serving as local chairman of Division 276, he was elected General Chairman of the D&L&W and held that position until the 1968 combination of the Erie and the D&L&W general committees of adjustment. He served as a BLE special representative from 1969 until promotion to the Advisory Board in 1985. He retired from his service to the BLE on June 29, 1986. Upon his retirement, the office of Vice President & National Legislative Representative was filled by D.L. Lindsey.

He is survived by his wife, Marie. The couple had celebrated their 58th wedding anniversary on February 6, 2009. Also surviving are two sons, Paul B. and wife, Sarah; and Thomas P.; two grandchil dren, Olivia and Graham Kerrigan; two sisters, Joan Quinlan, Scranton; and Ann O’Connor, Dallas, Texas; nieces, nephews and cousins. "Integrity and character are the two words I would use to describe Brother Kerrigan," said BLE National President Ed Rodzwicz. He was extremely dedicated to the organization, which he served faithfully for more than two decades. On behalf of the BLE, I extend my heartfelt condolences to his wife, Marie, and the entire Kerrigan family.”

Brother Kerrigan was extremely dedicated to the Brotherhood and to the late President John Sytsma. “My Dad lived and breathed the BLE even after his retirement,” said his son Tom Kerrigan. “He was always interested in keeping up with the current issues and developments.”

Former BLE staffer John M. Waybright, 1919-2009

Former BLE staffer John M. Waybright, 90, passed away on March 24, 2009. He served at the BLE International Headquarters in various capacities for 15 years, including Administrative Assistant to International President John F. Sytsma. A member of BLE Division 98 in Lincoln, Neb., Brother Waybright began his railroad career in 1942 when he went firing for the Chicago, Burlington & Quincy. After serving in the U.S. Navy during World War II, he returned to the rails and became a member of the BLE on September 12, 1953.

Brother Waybright served Division 98 as local chairman and as secretary-treasurer. He began working at the International Office on January 12, 1968. In addition to his duties as administrative assistant to the International President, Waybright held the post of office manager. He retired on April 30, 1983.

He was born on January 10, 1919 in Ashland, Neb. He is survived by his daughter, Joan Byerly; nine grandchildren; 18 great grandchildren; and a sister, Margaret Blasing. He is preceded in death by his wife, Neomah Barrett Waybright.
railroad limo safety bill becomes law in Texas

On May 23, Texas Governor Rick Perry signed the Railroad Limo Safety Improvement bill into law. Passage of the bill culminates efforts that the Texas State Legislative Board (TSLB) of the Brotherhood of Locomotive Engineers and Trainmen (BLET) initiated in August of 2006. The Railroad Limo Safety Improvement bill, SB481, strengthens the regulation of contract carriers (railroad limo companies) who transport railroad-operating crews in a vehicle designed to transport eight passengers or less, including the driver, when operating intrastate. In addition to the current regulations, this law requires contract carriers to set up a program that screens drivers for drugs and alcohol upon employment, and establishes post-accident and random drug testing. The regulations require the establishment of a drug and alcohol screening program that will include important provisions to protect the limo drivers’ rights. Furthermore, adding the Texas AFL-CIO and the members of the United Labor Legislative Committee (ULLCO) provided Brother Briggs with “invaluable advice and support,” he said.

“Over 30 BLET Division Legislative Representatives lobbied for SB481 during a two day meeting on March 3 and 4 in Austin,” Briggs said. “Their efforts were key.

Contract carriers travel 30 million miles in Texas yearly, transporting BLET and UTU members to and from trains and between terminals. “With the combined efforts of every one mentioned above, as well as all of the BLET members who contacted legislators, SB481 has finally passed, providing much safer on-the-job travel for all future contract carriers,” Briggs said. The bill in the House, and Senator John Carona (R), Dallas, who filed the Senate version.

“Both legislators and their staff helped immensely,” Briggs said. UTU State Legislative Director Connie English and Vice Director David Arterburn both helped with the essential day-to-day lobbying, Briggs said.

The law becomes effective on September 1, 2009.

Continued from page 1...

Court upholds DOT direct observation, strip search regulations

The decision marks a dark day for BLET members, all transportation workers, and all Americans.

--- BLET National President Ed Rodzewicz

“Big changes are coming in a few weeks for BLET members working in freight service,” President Rodzewicz said. “All members should download the interpretations and review them in preparation for the implementation of these changes. President Rodzewicz also noted that General Chairmen whose properties will be affected by these changes, with the support of the National Division, are continuing to attempt to negotiate a smooth transition for the implementation of these changes.”

As of April 30, 2009

5 — C. M. Gahring
6 — J. A. Heiden
11 — P. J. Rush
20 — J. J. Foley, Jr.
74 — M. H. Marks
112 — F. X. Aumond Jr.
133 — P. L. Peter
153 — R. O. Murley
182 — R. W. Windham
190 — W. D. Hastings
314 — I. G. Ricks

As of May 31, 2009

118 — R. L. Schothorne
150 — M. C. Allen
190 — R. A. De board
192 — R. V. Birch
269 — F. J. Bell Jr.
269 — J. G. Laufer
332 — G. I. Woodell

As of June 30, 2009

5 — A. R. McClain
18 — D. R. Schwab
54 — J. V. Keen Jr.
57 — E. M. Kelly
74 — J. C. Blankby

498 — M. J. Gilliam
531 — B. D. Armand
551 — B. B. Sebok
458 — M. J. Harding
549 — J. W. Dillibough
672 — L. G. Buchanan
858 — A. A. Adams Jr.
861 — B. E. La Goo

Brotherhood Obituaries

Brotherhood Obituaries

As of April 30, 2009

5 — C. M. Gahring
6 — J. A. Heiden
11 — P. J. Rush
20 — J. J. Foley, Jr.
74 — M. H. Marks
112 — F. X. Aumond Jr.
133 — P. L. Peter
153 — R. O. Murley
182 — R. W. Windham
190 — W. D. Hastings
314 — I. G. Ricks

As of May 31, 2009

118 — R. L. Schothorne
150 — M. C. Allen
190 — R. A. De board
192 — R. V. Birch
269 — F. J. Bell Jr.
269 — J. G. Laufer
332 — G. I. Woodell

As of June 30, 2009

5 — A. R. McClain
18 — D. R. Schwab
54 — J. V. Keen Jr.
57 — E. M. Kelly
74 — J. C. Blankby

498 — M. J. Gilliam
531 — B. D. Armand
551 — B. B. Sebok
458 — M. J. Harding
549 — J. W. Dillibough
672 — L. G. Buchanan
858 — A. A. Adams Jr.
861 — B. E. La Goo

SB 481 has finally passed, providing much safer on-the-job travel for all future contract carriers.

--- Terry Briggs, Texas State Legislative Board Chairman

The interpretations were published governing new hours of service law

Continued from page 1...

“THE DECISION MARKS A DARK DAY FOR BLET MEMBERS, ALL TRANSPORTATION WORKERS, AND ALL AMERICANS.”

--- BLET National President Ed Rodzewicz

The decision marks a dark day for BLET members, all transportation workers, and all Americans.

As counsel pointed out during oral argument, never before has a U.S. court upheld suspicionless direct observation testing of non-incarcerated civilians.

“This decision is one more example of the fact that elections have consequences, a lesson that is underscored as President Obama prepares to nominate his first Supreme Court appointee,” Rodzewicz said.

Attorneys for the BLET and the other petitioners are studying the opinion and reviewing their options.

FRA publishes interpretations governing new hours of service law

Continued from page 1...

The law is on the BLET website at http://www.ble-t.org/hos/
Rate Tables effective July 1, 2009

The following Rate Tables, effective July 1, 2009, reflect a 4.5% general wage increase applied to the basic daily rate and the mileage rate.

It should be noted that these figures are derived from the BLET National Agreement. The rates in effect on some properties differ slightly from the published rates, because of the effect of different system agreements. Your General Chairman's office should have the rates in effect on your property.

<table>
<thead>
<tr>
<th>WEIGHT ON DRIVERS (Pounds)</th>
<th>Daily</th>
<th>Regular</th>
<th>Under Art. VII</th>
<th>Straight Time</th>
<th>Overtime</th>
</tr>
</thead>
<tbody>
<tr>
<td>less than 80,000</td>
<td>$182.85</td>
<td>$1.416</td>
<td>$1.480</td>
<td>$22.8868</td>
<td></td>
</tr>
<tr>
<td>80,000 and less than 100,000</td>
<td>$182.85</td>
<td>$1.416</td>
<td>$1.480</td>
<td>$22.8868</td>
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<tr>
<td>100,000 and less than 140,000</td>
<td>$183.04</td>
<td>$1.416</td>
<td>$1.480</td>
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<tr>
<td>140,000 and less than 170,000</td>
<td>$183.12</td>
<td>$1.417</td>
<td>$1.480</td>
<td>$22.8868</td>
<td></td>
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<tr>
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<td>$183.21</td>
<td>$1.418</td>
<td>$1.480</td>
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<td>$1.480</td>
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<tr>
<td>250,000 and less than 300,000</td>
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<td>$1.419</td>
<td>$1.480</td>
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<td>$1.423</td>
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<td>500,000 and less than 550,000</td>
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<td>$1.423</td>
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<td>$1.424</td>
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<tr>
<td>650,000 and less than 700,000</td>
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<td>$1.426</td>
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<td>$1.427</td>
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</tr>
<tr>
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<tr>
<td>800,000 and less than 850,000</td>
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<tr>
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<tr>
<td>950,000 and less than 1,000,000</td>
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<td>$1.432</td>
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<td>$22.8868</td>
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</tr>
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$183.89 and $1.4165 or $1.480 and $22.8868

Table 2 - Locomotive Engineers

Through Freight Service - With a Fireman (Helper) $4.00

<table>
<thead>
<tr>
<th>WEIGHT ON DRIVERS (Pounds)</th>
<th>Daily</th>
<th>Regular</th>
<th>Under Art. VII</th>
<th>Straight Time</th>
<th>Overtime</th>
</tr>
</thead>
<tbody>
<tr>
<td>less than 140,000</td>
<td>$197.90</td>
<td>$1.525</td>
<td>$1.545</td>
<td>$24.7357</td>
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</tr>
<tr>
<td>140,000 and less than 160,000</td>
<td>$198.33</td>
<td>$1.518</td>
<td>$1.548</td>
<td>$24.7312</td>
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<tr>
<td>160,000 and less than 180,000</td>
<td>$198.52</td>
<td>$1.516</td>
<td>$1.548</td>
<td>$24.7312</td>
<td></td>
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<tr>
<td>180,000 and less than 200,000</td>
<td>$198.82</td>
<td>$1.514</td>
<td>$1.548</td>
<td>$24.7312</td>
<td></td>
</tr>
<tr>
<td>200,000 and less than 220,000</td>
<td>$199.00</td>
<td>$1.512</td>
<td>$1.548</td>
<td>$24.7312</td>
<td></td>
</tr>
<tr>
<td>220,000 and less than 240,000</td>
<td>$199.18</td>
<td>$1.510</td>
<td>$1.548</td>
<td>$24.7312</td>
<td></td>
</tr>
<tr>
<td>240,000 and less than 260,000</td>
<td>$199.36</td>
<td>$1.508</td>
<td>$1.548</td>
<td>$24.7312</td>
<td></td>
</tr>
<tr>
<td>260,000 and less than 280,000</td>
<td>$199.54</td>
<td>$1.506</td>
<td>$1.548</td>
<td>$24.7312</td>
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<tr>
<td>280,000 and less than 300,000</td>
<td>$199.72</td>
<td>$1.504</td>
<td>$1.548</td>
<td>$24.7312</td>
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<td>300,000 and less than 320,000</td>
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<td>$1.502</td>
<td>$1.548</td>
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<tr>
<td>320,000 and less than 340,000</td>
<td>$200.28</td>
<td>$1.500</td>
<td>$1.548</td>
<td>$24.7312</td>
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<tr>
<td>340,000 and less than 360,000</td>
<td>$200.56</td>
<td>$1.498</td>
<td>$1.548</td>
<td>$24.7312</td>
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<tr>
<td>360,000 and less than 380,000</td>
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<td>$1.496</td>
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<td>$24.7312</td>
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<td>380,000 and less than 400,000</td>
<td>$201.12</td>
<td>$1.494</td>
<td>$1.548</td>
<td>$24.7312</td>
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<tr>
<td>400,000 and less than 420,000</td>
<td>$201.40</td>
<td>$1.492</td>
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<td>$24.7312</td>
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<tr>
<td>420,000 and less than 440,000</td>
<td>$201.68</td>
<td>$1.490</td>
<td>$1.548</td>
<td>$24.7312</td>
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<tr>
<td>440,000 and less than 460,000</td>
<td>$201.96</td>
<td>$1.488</td>
<td>$1.548</td>
<td>$24.7312</td>
<td></td>
</tr>
<tr>
<td>460,000 and less than 480,000</td>
<td>$202.24</td>
<td>$1.486</td>
<td>$1.548</td>
<td>$24.7312</td>
<td></td>
</tr>
<tr>
<td>480,000 and less than 500,000</td>
<td>$202.52</td>
<td>$1.484</td>
<td>$1.548</td>
<td>$24.7312</td>
<td></td>
</tr>
</tbody>
</table>

$201.80 and $1.4685 or $1.548 and $24.7312

Table 3 - Locomotive Engineers

Through Freight Service - Without a Fireman (Helper) $4.00
Walford meets special guests on his Last Run

Brother James V. Walford, a member of Division 657 in Revelstoke, B.C. (now Teamsters Canada Rail Conference), successfully completed his last run on July 16, 2008. He hired out on the Canadian Pacific Railway’s Revelstoke Division on August 5, 1977, and earned promotion to Locomotive Engineer on June 14, 1980. He joined the Brotherhood on October 1, 1983.

He worked his whole career out of Revelstoke on the Mountain and Shuswap Subs. The last few years he worked the senior Shuswap Sub and finished his career on that Sub.

He met his wife Linda and daughter Meagan at Salmon Arm to help him celebrate his Last Run. Brother Walford can be reached at: Box 2062, Revelstoke, B.C. V0E 2S0, 866

R

ner James V. Walford, a member of Division 657 in Revelstoke, B.C. (now Teamsters Canada Rail Conference), successfully completed his last run on July 16, 2008. He hired out on the Canadian Pacific Railway’s Revelstoke Division on August 5, 1977, and earned promotion to Locomotive Engineer on June 14, 1980. He joined the Brotherhood on October 1, 1983.

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B

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He worked his whole career out of Revelstoke on the Mountain and Shuswap Subs. The last few years he worked the senior Shuswap Sub and finished his career on that Sub.

He met his wife Linda and daughter Meagan at Salmon Arm to help him celebrate his Last Run. Brother Walford can be reached at: Box 2062, Revelstoke, B.C. V0E 2S0, 866
### TABLE VIII – LOCOMOTIVE ENGINEERS

LOCAL AND WAY FREIGHT SERVICE – WITHOUT A FIREMAN (HELPER) – $6.60

<table>
<thead>
<tr>
<th>WEIGHT ON DRIVERS (Pounds)</th>
<th>Daily</th>
<th>Mileage</th>
<th>Regular</th>
<th>Under Art. VIII</th>
<th>Straight</th>
<th>Overtime</th>
<th>Standard Time Overtime</th>
</tr>
</thead>
<tbody>
<tr>
<td>less than 1,400,000</td>
<td>$204.46</td>
<td>$1.5981</td>
<td>$1.6199</td>
<td>$25.507</td>
<td>$39.7813</td>
<td></td>
<td></td>
</tr>
<tr>
<td>less than 1,450,000</td>
<td>$204.40</td>
<td>$1.5974</td>
<td>$1.6182</td>
<td>$25.507</td>
<td>$39.7813</td>
<td></td>
<td></td>
</tr>
<tr>
<td>less than 1,500,000</td>
<td>$204.34</td>
<td>$1.5957</td>
<td>$1.6165</td>
<td>$25.507</td>
<td>$39.7813</td>
<td></td>
<td></td>
</tr>
<tr>
<td>less than 1,550,000</td>
<td>$204.28</td>
<td>$1.5939</td>
<td>$1.6148</td>
<td>$25.507</td>
<td>$39.7813</td>
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<tr>
<td>less than 1,600,000</td>
<td>$204.22</td>
<td>$1.5922</td>
<td>$1.6129</td>
<td>$25.507</td>
<td>$39.7813</td>
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</tr>
<tr>
<td>less than 1,650,000</td>
<td>$204.16</td>
<td>$1.5905</td>
<td>$1.6112</td>
<td>$25.507</td>
<td>$39.7813</td>
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<tr>
<td>less than 1,700,000</td>
<td>$204.10</td>
<td>$1.5888</td>
<td>$1.6095</td>
<td>$25.507</td>
<td>$39.7813</td>
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<td>less than 1,750,000</td>
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<td>less than 1,850,000</td>
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<td>$1.6060</td>
<td>$25.507</td>
<td>$39.7813</td>
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<td></td>
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</table>

**Note:** For each additional 50,000 pounds over 1,000,000 or fraction thereof add:
Daily Earnings Minimum $0.16

---

### TABLE IX – LOCOMOTIVE ENGINEERS

YARD SERVICE 3 DAY – WITH A FIREMAN

<table>
<thead>
<tr>
<th>WEIGHT ON DRIVERS (Pounds)</th>
<th>Daily</th>
<th>Mileage</th>
<th>Regular</th>
<th>Under Art. VIII</th>
<th>Straight</th>
<th>Overtime</th>
<th>Standard Time Overtime</th>
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<tbody>
<tr>
<td>less than 500,000</td>
<td>$231.90</td>
<td>$26.705</td>
<td>$30.534</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>less than 550,000</td>
<td>$231.90</td>
<td>$26.705</td>
<td>$30.534</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>less than 600,000</td>
<td>$231.90</td>
<td>$26.705</td>
<td>$30.534</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>less than 650,000</td>
<td>$231.90</td>
<td>$26.705</td>
<td>$30.534</td>
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<tr>
<td>less than 700,000</td>
<td>$231.90</td>
<td>$26.705</td>
<td>$30.534</td>
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<td>$231.90</td>
<td>$26.705</td>
<td>$30.534</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>less than 800,000</td>
<td>$231.90</td>
<td>$26.705</td>
<td>$30.534</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>less than 850,000</td>
<td>$231.90</td>
<td>$26.705</td>
<td>$30.534</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>less than 900,000</td>
<td>$231.90</td>
<td>$26.705</td>
<td>$30.534</td>
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<td>less than 950,000</td>
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<td>$30.534</td>
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<td>$231.90</td>
<td>$26.705</td>
<td>$30.534</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:** For each additional 50,000 pounds over 1,500,000 or fraction thereof add:
Daily Earnings Minimum $0.16
In The Line of Duty: Two BLE members killed in IC&E train crash

T

two members of the Brotherhood of Locomotive Engineers and Trainmen were killed on July 14 when their Iowa, Chicago & Eastern (IC&E) freight train collided with a group of stationary cars in Bettendorf, Ill. Both were members of BLE Division 266 in Savanna, Ill.

Andrew R. Reed, 27, was working as a conductor at the time of the fatality. He was born August 27, 1981 in Sterling, Ill., the son of Steve and Jill (Pursell) Reed, his fiancé Jennifer Schreiner, and her daughter Kaliann Schreiner, and his daughter Bailey Baker. Kaliann had just turned two. Reed was also engaged to be married. He was a member of the Savanna VFW. Josh enjoyed riding his motorcycle and was a fan of the Chicago Cubs, Bears, and Bulls. Most important to Josh was spending time with his daughter Kaliann Schreiner, his fiancé Jennifer Schreiner, and her daughter Bailey Baker. Kaliann had just turned two.

Josh will be dearly missed by his fiancé, Jennifer, of Savanna; daughter, Kaliann and her daughter Bailey; both were members of BLE Division 266 in Savanna, Ill.

Andrew R. Reed and "Sweet-Meat," enjoyed playing sports and boating on the Mississippi River. He is survived by his fiancée, Jamie Dieckes, their daughter, Brynn, and his daughter, Delaney Holmes of Savanna. His mother is Ramona Cofey ofArgyle, Wis., and his father, Richard "Dick" Reed of Moline. He was a member of the Savanna VFW. Josh enjoyed riding his motorcycle and was a fan of the Chicago Cubs, Bears, and Bulls. Most important to Josh was spending time with his daughter Kaliann Schreiner, his fiancé Jennifer Schreiner, and her daughter Bailey Baker. Kaliann had just turned two.

Josh will be dearly missed by his fiancé, Jennifer, of Savanna; daughter, Kaliann and her daughter Bailey; both were members of BLE Division 266 in Savanna, Ill. His father, Steve (Elsa) Osborn of Sterling, Ill., the son of Steve and Jill (Pursell) Reed, who was known by his friends as "Reed-o".

Andrea R. Reed and Joshua M. Osborn were killed in IC&E train crash. And "Sweet-Meat," enjoyed playing sports and boating on the Mississippi River. He is survived by his fiancée, Jamie Dieckes, their daughter, Brynn, and his daughter, Delaney Holmes of Savanna. His mother is Ramona Cofey ofArgyle, Wis., and his father, Richard "Dick" Reed of Moline. He was a member of the Savanna VFW. Josh enjoyed riding his motorcycle and was a fan of the Chicago Cubs, Bears, and Bulls. Most important to Josh was spending time with his daughter Kaliann Schreiner, his fiancé Jennifer Schreiner, and her daughter Bailey Baker. Kaliann had just turned two.

Josh will be dearly missed by his fiancé, Jennifer, of Savanna; daughter, Kaliann and her daughter Bailey; both were members of BLE Division 266 in Savanna, Ill. His father, Steve (Elsa) Osborn of Sterling, Ill., the son of Steve and Jill (Pursell) Reed, who was known by his friends as "Reed-o".

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Healthcare reform needs to work
Congress is finally beginning to grapple with a way to give all U.S. citizens access to affordable health insurance. Unions support universal coverage like a large majority of Americans. Almost 15 years have gone by since lawmakers considered comprehensive reform to our nation’s health care system with the goal of making sure every American can access health care. How to pay for comprehensive care reform was the problem then—and it’s the problem now.
Sen. Max Baucus (D-Mont.), the powerful chairman of the Finance Committee, is suggesting an enormous new tax on employer-sponsored health insurance. Such a tax would raise hundreds of billions of dollars. That tax revenue would help pay for a public-government-sponsored plan for individuals and families.
For those who have employer-provided coverage, creating a “public” plan is a sensible way to make health insurance available to people who can’t get it through their employer and don’t qualify for Medicaid or Medicare. But a tax hike on health benefits to pay for health care reform is a bitter, bitter pill for middle-class families to swallow.
Sen. John McCain (R-Ariz.) made the mistake of floating the idea during his presidential campaign. Candidate Barack Obama lashed out with a television ad against McCain, calling him a “tax-and-spend liberal.” The next day, McCain announced that he doesn’t support a tax on insurance.
President Obama is suggesting a limit on itemized deductions for the 3 million wealthiest people in this country. That tax revenue would be spent on a universal, single-payer health care program. If it did, it would destroy employer-sponsored health insurance.
We know Members of Congress can be creative when they need to find revenue. If it did, it would destroy employer-sponsored health insurance.
It’s time for that to change.

Advisory Board June Activity

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

- **National President Edward W. Romey** — National Division office, General supervision of BLET activities, General office duties, Various correspondence & phone calls, President, Teamsters Rail Conference, NMB meeting with Ken O’Hara, Southeastern Meeting Association (SMA), BLET Rail Conference mtg. w/ VP John Murphy and BLET President Fred Simpson; Federal Railroad Administration (FRA) and National Mediation Board (NMB) meetings, National Association of State Legislative Board Chairmen (NASLB) mtg.

- **First Vice-President and Alternate President Paul T. Sorrow** — Formulated various duties in Office Administrator capacity; Various duties assigned to First Vice-President; Various correspondences and telephonic communications; General supervision of Special Representatives, SRA regional mtg., Goforth, Tex; FRA and NMB mtgs. — Washington, D.C.; NASLB mtg., Philadelphia, Pa.; CH-4 Hours of Service advisory; Assisted GTCA.

- **National Secretary-Treasurer William C. Waldrop** — General supervision of BLET financial, record details, ND office; BLET Education & Training Dept., Internal Organization, Coordination & Strategic Planning Dept., Safety Task Force; Meetings with vendors and financial institutions, Standard Building operations oversight, Southeastern Area and mediations,化身; Govt. roles and general office duties.

- **Vice-President Merle W. Ogger Jr.** — Assigned to Kansas City Southern, Santa-Maria-Mexico Railway/McKinnell Rail, Southrail Gateway Western, OF Rail Systems, US, Utah Railway, Indiana Harbor Belt, Bell Railway of Chicago, Great Western Railroad, and Fontana-Northern Railway, Mtg. w/ GC Kaulins (Bell RR), VP East and Doug Davidson regarding pending remote control issues, Chicago; Numerous cancellations and postponements, Research, correspondence, and general office duties.

- **Vice-President Stephen D. Spiegel** — Assigned to Burlington Northern San, Mt., Montreal Rail Yard, Pikes Peak Line, Missouri & Northern Arkansas (MANAR), National Ways/Rules Committee, General office duties, Conference call, All BNSE, General Chairman, Conference call with President and General Chairman, BNSF, Tucson day; Southeastern Association, Goforth, Tex; FRA 699, Mtg., Reno, Nevada; Audit Committee, Cleveland.

- **Vice-President E.L.”Les” Pruit** — Assisted General chairman & members of UP-Western Lines, UP-Western Region, UP-Western Region, UP-Southern Region, UP-Denver District, Guarantee dispute, UPCE & UPGR GCAs, assisting G’s RightofWay and Gow, Kansas City Mtg., 2009 Rail Safety Improvement Act mtgs., UP GCA, Kansas City, GO to Los Angeles to W. Colmar, UPW & UPN GCAs, assisting G, Hannah and Dayton, Kansas City, SRA, Goforth, Tex; UP-WRC GCA mtg., San Antonio, Texas; UP, 2009 RSA prayer, assisting of using UP GCAs.

- **Vice-President & National Legislative Representative John P. Talman** — Assigned to BLET Washington, D.C. office, BLET Security Officer, General Office Duties, Telephone, correspondence, Coordinate content of NDOT website, SRA, Goforth, San Antonio, Austin, Spring, 2009 Annual Meeting, Wround a rail, interpretation request, NRAB; Visit Division 272 & B. J. Martin for prep & hearing, Harrisburg, Pa.; Work on UP NOI controversy, BNSF Contacting for GCA, Rutland, Mtg. w/ UP Director, New Haven, N.J.; Visit Division 272 & Up GCA Dancy with upcoming negotiation, NJ Transit, Dancy, Danc; Review administrative issues; UP History of Issues with Dancy, Danc; Chicago, UCMRC/RO conference w/ J. Kocak, VP East, Doug Davidson, BLET, Chicago, Pulp for work for passenger warehouse, Education & Training Dept., Assail VP Teamsters in negotiating a PIB establishment agreement; R.J. Dancy negotiation, prep & hearing, NJ Transit, New Haven.

- **Vice-President Dennis R. Pierce** — Assigned to CSX General Committees — Eastern Lines, Western Lines, Northern Lines, Cornell CSA/CSX-Northern District and Indiana Rail Road, Alabama State Docks, Special projects, BLET GCAs, General office duties, PB 64.10 hearing, Jacksonville, Fl.; FC&A CSM, CSX-Western Lines, Goforth, SRA, Mtg. Goforth, Tex.; Executive Session, PB 763, Jacksonville, BLET/CSX SSA ban plans negotiation, Jacksonville, Advisory Board quill committee meetings, CSX, BLET/UNIT/BNR, ad-hoc and flow, Mt. Wash, Texas, Rail Safety; Hours of Service conference call, CSX labor relations and CSX.

- **CSX, CSN, C&O, C&O GCA.**

- **Vice-President Mike Twombly** — Assigned to Delmarva & Hudson; Springfield Terminal, St. Lawrence & Atlantic, Montreal & Maine Atlantic; Union Rail Road, Northern and Southern, New England Central, South Buffalo Royal, Iowa; Chicago & Eastern & Indiana; Ohio; Indiana Grand Trunk, Main Line, Conrail; Inter-Regional Terminal Railway; SRR contract negotiations, Las Vegas; Springfield Terminal contract negotiations, Andover, Mass.; Taylor Road Terminal Railway mtg. w/ rank-and-file members, Jacksonville, Fl.; Montreal, MIA; Atlantic & Contract negotiations w/ GC M. Anderson, Miami, Advisory Board audit committee meetings, Cleveland, PB 7287 w/ GC Ben Martinez, New York.

- **Vice-President William E. Knight** — Assigned to All Norfolk Southern General Committees and Whiting & Lake Erie, Mtg. w/ NS-General Chairman and Southern Vice General Chairman, Weirton, W.Va., In cs; 255 mtg. SRA, Goforth, Tex.; Mtg. W/ East to obtain NS fax, Charles Town, W.Va., Assisted WCONA GC agreement mediation, Harrisburg, Pa.; Hours of Service mtg. NS Labor Relations and NS Eastern, Northern and Southern Region GCAs, Norfolk, Va., In cs 79 special mtg. w/ NS Eastern Region General Chairman; General office duties.

KANSAS CITY SOUTHERN TRAINING Crosses the U.S.-Mexico border via the Laredo International Railway bridge southbound on its way to Mexico in 2007. Photo J. B. Butler, Editor, Locomotive Engineers & Trainmen News.