Romney enlists Ryan to wage war on railroad workers

On August 29, Wisconsin Representative and House Budget Committee Chairman Paul Ryan accepted the Republican Party's nomination as its Vice Presidential candidate. The man chosen to serve as Mitt Romney's running mate is the architect of a plan to gut the pension rights of railroad workers.

"This pairing represents a nightmare scenario for BLET members and all railroad workers in America," BLET National President Dennis R. Pierce said. "With Romney's campaign trail promises to slash Amtrak funding and Ryan's infamous budget plan that would destroy Railroad Retirement Tier 1 benefits, there could be many dark days ahead from railroaders if this pair is elected in November."

Ryan is the author and primary sponsor of the so-called Ryan Budget plan, which was passed by the House of Representatives earlier this year. The peril to the pension rights of railroad workers is laid out on page 101 of House Report No. 112-421 that accompanied the measure, under the heading of Conform Railroad Retirement Tier 1 Benefits to Social Security Benefits, which states as follows:

"Tier 1 benefits for railroad retirees are supposed to mimic Social Security benefits, but they are more generous than Social Security in many ways. This option would conform Tier 1 so that its benefits would equal those of Social Security, with an estimated savings to taxpayers of $2 billion over 10 years."

That proposal would have the following disastrous effects for railroad workers, their spouses and dependents:

- it would eliminate the "60/30" provision that allows railroad employees to retire with full benefits at 60 years of age with 30 years of service;
- it would eliminate the Railroad Retirement Occupational disability program for rail workers who can no longer perform their railroad duties due to disability;
- it would reduce the payments for railroad workers who were injured on the job.

Continued on page 7

BLET applauds OSHA, Federal Railroad Administration agreement to protect workers from retaliation

On July 17, the Federal Railroad Administration and the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) announced that they had reached a memorandum of agreement to begin working together to address the seriousness and overwhelming number of whistleblower complaints that OSHA has received from railroad workers.

"OSHA has received nearly 1,000 whistleblower complaints in less than five years," President Pierce said. "That's more than 200 per year, or more than one every other day. Retaliation against railroad workers is an epidemic that has plagued our industry for years and I am pleased that problem is finally being addressed in a manner that I hope will bring an end to the decades old harassment and intimidation of rail workers."

The BLET was instrumental in passage federal legislation in 2007 and 2008, which contain whistleblower provisions that protect railroad workers from retaliation when they report violations or work-related personal injuries and protect their right to prompt medical treatment.

"The BLET helped in many ways to pass this law with a labor-friendly Congress," President Pierce said. "The wheels of justice sometimes move slowly, and five years later our hard work is finally paying dividends."

According to OSHA, whistleblower complaints have increased to over 1,000 in five years, with a recent increase in complaints of workers being fired or terminated in retaliation for filing a complaint.

Continued on page 6

UNION PACIFIC MARKS 150TH ANNIVERSARY

It was 150 years ago that Abraham Lincoln signed the Pacific Railway Act of July 1, 1862, creating the original Union Pacific. And on July 1, 2012, the railroad marked its 150th anniversary with special trains and celebrations throughout the Western United States. Here, an historic E-9 Streamliner locomotive pulls the UP 150th Special near Multnomah Falls, Ore., on its trip from Spokane, Wash., to Eugene, Ore., on July 11, 2012.

Photo: Dan Schwartz
The message in Charlotte is that America needs a strong middle class to work its way out of the economic troubles that we face. Growing from the middle out and the bottom up was the heart of that message, with secure, good-paying jobs with benefits being the lynchpin of the message.

BLET National President Dennis Pierce addresses the crowd at the 2012 International Western Convention in Billings, Mont.

The volume of e-mails received makes it impractical for the National President to answer all unofficial communications. Therefore, it is the policy of the BLET that e-mails addressed to the National President will be reviewed and forwarded to the appropriate officer or staff for a timely response; however, an e-mail message is not considered an official communication. Moreover, anonymous e-mails and e-mails that do not provide sufficient information concerning the sender to enable National Division staff to confirm the sender’s membership status will not receive any reply or acknowledgement. This policy is intended to allow the National President to be aware of the opinions and suggestions of the membership, while at the same time providing a timely response to the member’s unofficial communication, if a response is necessary, without needlessly expending limited BLET resources.

Adopted at Cleveland, Ohio on July 23, 2010.
Mitt Romney’s Plan to Undermine Workers

Members of the BLET recently ratified new collective bargaining agreements with three different short line railroads. Members who work for the Connecticut Southern, the Ohio Central / Columbus & Ohio River Railroad, and the New York, Susquehanna & Western Railroad have ratified contracts that provide wage increases, health and welfare benefits, and improved union protections.

The three separate properties fall under the jurisdiction of the BLET’s New York, Susquehanna & Western General Committee of Adjustment, headed by General Chairman Ben Martin.

BLET National President Dennis R. Pierce said: “The BLET has led the way in organizing and negotiating contracts in the short line industry in recent years. Our Brothers and Sisters who work for short line railroads are an integral part of our Brotherhood, and they take great pride in the dignity and respect that comes from their strong union contracts. I offer my sincere congratulations and thanks to General Chairman Ben Martin, assigned Vice President Willard Knight, and the numerous members of the three negotiating teams for bringing these negotiations to a successful conclusion.”

Connecticut Southern

BLET members who work at the Connecticut Southern Railroad, a RailAmerica subsidiary, ratified their first ever BLET contract in June. The members first joined the Brotherhood in February of 2008, and obtained their first union contract eight months later.

The negotiating team consisted of Brother Martin and Spencer Hogan of BLET Division 521 (Hawthorne, N.J.). The new five-year deal provides increased wages (15 percent over the life of the agreement), safety incentives, increased work boot allowance, and a ninth paid holiday. It also establishes a prescription safety glasses program. The BLET also obtained an important crew consist provision, which will be instrumental in protecting BLET members.

The agreement also adds an Extra Board protocol for future protection of BLET members. “The Connecticut Southern is a small property that rosters 12-14 employees at any given time, and it has operated as a scheduled rail, but it was important to the membership to insist they had better protections above and beyond their 40-hour guarantee,” Martin said. “We were very pleased that we maintained all previous contractual benefits from the first agreement without givebacks.”

Ohio Central / Columbus & Ohio River Railroad

The new BLET contract with the Ohio Central / Columbus & Ohio River Railroad, a Genesee & Wyoming subsidiary, is the first ever union contract for the members there. The formerly non-union workforce voted overwhelmingly to join the BLET in December of 2009. “Finishing this first agreement is a cornerstone to progressing with future agreements on Genesee & Wyoming properties,” Martin said.

The negotiating team consisted of Brother Martin and National Vice President Knight. The new three-year deal establishes many important basic provisions of a union contract, including a seniority-based system for bidding on job assignments, discipline rules, a union shop agreement, job craft protection, a crew consist provision, and standards for cleanliness of locomotives.

“These employees were pushed around for 12 hours a day for a flat rate, while the Carrier was making record profits,” Martin said. “The engineers and conductors were guaranteed under the existing agreement, the BLET was finally able to add a guaranteed Extra Board, as well. It is 40 hours per week and includes an advertised rest day.” This was a big move for our employer,” Martin said. “Extra Boards used to operate on an hourly window as a goal for determining the size of the boards. Now they are all guaranteed and have a rest day included — without penalty.”

He characterized the negotiations with NYS&W as respectful by both parties. “With the NYS&W there are no corporate schemes,” Martin said. “The railroad made the process run smoother because they made their intentions clear and were willing to show their workforce respect through compromise and improvement, not givebacks.”

New York, Susquehanna & Western

BLET members ratified a new four-year contract with the New York, Susquehanna & Western Railroad, which provides general wage increases of 10 percent over the life of the contract, based on an hourly rate of pay system. Members will also receive full retroactive pay.

The negotiating team consisted of Brother Martin and Division 521 Local Committee of Adjustment members Sid Baldwin and Stephen Weiss. The new deal provides an increased certification allowance, along with improved meal allowance and better sick leave provisions. “As small as it may be in the overall scheme of the strong existing agreement, one flaw we had for decades was there was no paid sick time,” Brother Martin said. “We finally broke through and negotiated two paid sick days per year starting in 2014.”

Also, members who assume the role of Trainer for trainees will receive higher pay allowances. In terms of health and welfare, each member in the family plan receives $1,500 (single $500) annually in flexible spending accounts, without contribution.

While regular assigned engineers and conductor jobs were guaranteed under the existing agreement, the BLET was finally able to add a guaranteed Extra Board, as well. It is 40 hours per week and includes an advertised rest day. This was a big move for our employer,” Martin said. “Extra Boards used to operate on an hourly window as a goal for determining the size of the boards. Now they are all guaranteed and have a rest day included — without penalty.”

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More Work Ahead

In spite of the three new contracts, the General Committee’s work is not yet done. “While finishing three agreements with three separate carriers in just seven weeks seems like a reflection of pride, our goal is targeted in finishing an agreement at the National Mediation Board with the Western New York & Pennsylvania Railroad,” Martin said. “Our mediation has been three years running and we cannot be satisfied until our Brothers and Sisters working on the WNY&P hold their first contract.”

The WNY&P workers voted to join the Brotherhood in late 2008. ©
BLET members and their families were gathered in Orlando, Fla., for the Southeastern Meeting Association’s (SMA) 85th annual convention from June 24-29, one of four regional meetings hosted by the BLET this summer.

BLET National President Dennis R. Pierce led members in a moment of silence for two BLET members who were killed in the line of duty the day before the opening ceremony. BLET members Dan J. Hall and John S. Hall (no relation) of BLET Division 592 (Dalhart, Texas) were killed in the head-on collision of two Union Pacific trains near Goodwell, Okla., on June 24.

SMA Chairman Earl Karper (BLET Division 35) kicked off the meeting by welcoming everyone to Orlando and providing a history of railroading in Florida. SMA Secretary-Treasurer Chuck Warder gave the invocation and led a ceremony to recognize BLET members killed in the line of duty. An empty chair was left at the front of the meeting hall to symbolize the Organization’s departed Brothers and Sisters.

The opening ceremonies continued with the historic presentation of state flags by members of the BLET Auxiliary, a tradition that dates back nearly 100 years. States flags presented in the ceremony include Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia and West Virginia.

Walt Barrows, Labor Member of the Railroad Retirement Board, addressed the membership and advised that the Railroad Retirement fund is solvent and well-funded into the future. However, it remains a target for conservative politicians. He praised BLET leaders and members for being at the forefront to protect Railroad Retirement.

Educational opportunities were provided throughout the week, including workshops regarding the BLET mobilization network and the BLET Safety Task Force. There were also training workshops for Local Chairmen, Legislative Representatives and Secretary-Treasurers.

Next year’s SMA will be held June 23-28, 2013, in Richmond/Short Pump, Va., and will be hosted by Local Chairman Troy Bryant and the members of BLET Division 532.
Craig Gilchrist and D.B. Kenner welcomed members to Billings, Mont., for the 72nd annual meeting of the BLET’s International Western Convention (IWC), July 29-August 1. During opening ceremonies on July 31, BLET National President Dennis R. Pierce announced publicly that the Organization had endorsed Barack Obama for reelection as President of the United States.

“We believe President Obama is the best candidate to protect the rights of the 55,000 men and women of the Brotherhood of Locomotive Engineers and Trainmen,” BLET National President Dennis R. Pierce said, in announcing the endorsement here at the IWC, prompting a rousing ovation from the body.

As part of his commitment to more strongly involve all departments of the BLET, President Pierce announced that the union’s top legislative body, the National Legislative Board, passed a resolution urging that the Advisory Board endorse President Obama’s reelection.

Educational opportunities were provided throughout the remainder of the week, including workshops regarding the BLET mobilization network and the BLET Safety Task Force. There were also training workshops for Local Chairmen, Legislative Representatives and Secretary-Treasurers.

Next year’s IWC is slated for San Francisco, Calif., and will be hosted by Arrangements Chairman Oscar A. Burrola, Local Chairman of BLET Division 839 (Richmond, Calif.).
**BLET FEES OBJECTOR POLICY**

1. EMPLOYEES RIGHTS
   - Any employee covered by a union contract/agreement, under United States law, has the right to be a member of a union.
   - No employee shall suffer any form of discrimination, nor shall any discriminatory complaints be filed on that basis.
   - Employees have the right to form or to refrain from forming a union.
   - Employees have the right to participate in the selection of such delegates to the Convention, or participate; attend Union meetings; serve on the board of directors; or otherwise participate in the management of the affairs of their Union.
   - Employees have the right to challenge these figures.

2. FINANCIAL EXPENSES
   - All costs of strikes and other chargeable activities;
   - All expenses for the education and training of officers and staff involved in the preparation of the participants to perform their chargeable activities;
   - All costs of strike-related litigation.

3. DETERMINATION OF CHARGABLE EXPENSES
   - The BLET shall determine and exclude those expenses which,
   - The BLET shall report the determination in writing to the applicable union.

4. ARBITRATION OF CHALLENGES
   - After the close of appeals permitted by the National Convention and the arbitrator pursuant to the agendum of the BLET National Division shall be placed in an interest-bearing escrow account while the arbitrator’s decision is pending review.

5. ESCROW OF DISPUTED FUNDS
   - The parties to the appeal shall be given an opportunity to participate in the determination of all matters related to the arbitration of the chargeable expenses.

6. IMPORTANCE OF LINKS
   - The BLET fees objector(s) are established by the BLET.

7. FRA ADMINISTRATOR JOS E ZABODESCRIPTION OF THE RAIL SYSTEM
   - The State of California is developing a high-speed rail system from its home in Delaware to the U.S. Senate in Washington.
   - Dennis Pierce, Rail Conference President of the National Federation of the Brotherhood of Locomotive Engineers and Trainmen (BLET), said that California will serve as a model for other states and cities to make similar decisions. "The California high-speed rail line will be a beacon of performance on the West Coast and our members will be able to take advantage of the equipment on this state-of-the-art rail line."
   - We have an opportunity to show California the skills and hard work our members bring to the rail profession," said Freddie N. Simpson, President of the Brotherhood of Maintenance of Way Employees Division (BMEW) and Teamsters Union No. 6.

8. ARBITRATION OF CHALLENGES
   - Each person entitled to receive a complaint with OSHA, is available at the OSHA's whistleblower Fact Sheet for railroad employees: www.ble-t.org/pr/pdf/OSHA-factsheet-whistleblower-rail.pdf
   - In 2012, OSHA received more than 900 whistleblower complaints, and almost 63 percent involved an allegation that a worker was retaliated against for reporting an activity on the job.

9. ARBITRATION OF CHALLENGES
   - The BLET shall report the determination in writing to the applicable union.

10. ESCROW OF DISPUTED FUNDS
    - The parties to the appeal shall be given an opportunity to participate in the determination of all matters related to the arbitration of the chargeable expenses.

11. FRA ADMINISTRATOR JOS E ZABODIRIMITED OFFICIALS
    - The BLET shall have the option of paying a proportionate share of the arbitrator’s fees and expenses.

12. FRA ADMINISTRATOR JOS E ZABORDERLY FUNCTION
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15. FRA ADMINISTRATOR JOS E ZABOEmployers who believe that they have been retaliated against for engaging in protected conduct should file a complaint with the Secretary of Labor for an investigation by OSHA’s Whistleblower Protection Program.

16. FRA ADMINISTRATOR JOS E ZABOLOCOMOTIVE ENGINEERS

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18. FRA ADMINISTRATOR JOS E ZABOSHAPE STRATEGIES
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**Calendar & Events**

**September 21, 2012**
U.S. Railroad Retirement Board
Informational Conference
WEST DES MOINES, IOWA
The Railroad Retirement Board will hold five informational conferences to BLET officers throughout 2012. Registration begins at 8 a.m. The program begins at 8:30 a.m. and ends at 12:15 p.m. Hampton Inn West Des Moines, 7000 Iaiki Drive

**October 12, 2012**
U.S. Railroad Retirement Board
Informational Conference
LITTLE ROCK, ARK., AND PITTSBURGH, PA.
Registration begins at 8 a.m. The program begins at 8:30 a.m. and ends at 12:15 p.m. In Little Rock at the Comfort Inn & Suites Downtown, 707 Interstates 30. In Pittsburgh at the Greater PA Regional Council of Carpenters Union Hall, 650 Ridge Road

**October 19, 2012**
U.S. Railroad Retirement Board
Informational Conference
WICHITA, KAN.
Registration begins at 8 a.m. The program begins at 8:30 a.m. and ends at 12:15 p.m. At the Best Western Airport Inn and Conference Center, 6815 W. Kellogg (U.S. Hwy. 54)

**November 16, 2012**
U.S. Railroad Retirement Board
Informational Conference
METARIE, LA.
Registration begins at 8 a.m. The program begins at 8:30 a.m. and ends at 12:15 p.m. At Four Points by Sheraton, New Orleans Airport, 6401 Veterans Memorial Blvd

**December 7, 2012**
U.S. Railroad Retirement Board
Informational Conference
JACKSONVILLE, FLA.
Registration begins at 8 a.m. The program begins at 8:30 a.m. and ends at 12:15 p.m. At the Holiday Inn (195 Baymeadow Rd), 9150 Baymeadow Road

**PLAN AHEAD FOR 2013**

**June 23-28, 2013**
68th Annual Southeaster Meeting Association (SMA)
RICHMOND, VA.
Arrangements Chairman Troy Bryant, Local Chairman of Division 352, welcomes all BLET members to historic Richmond/ Short Pump, Va., for the 2013 SMA. More details to come!

**Focus on Value**

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The BR&CF is the least expensive protection when disciplined for eligible occurrences. We are affordable. You could save up to $672 each year. A BR&CF membership offers you the best price, value and service. To apply for membership... act today... ask a BR&CF member where you work for an application or visit our web site at www.brcf.org or call us toll free at 800 365-5414.

**Safety Task Force Hotline**

(800) 306-5414
Report major accidents when they happen

**Ryan wages war on workers**

Continued from page 1

- it would increase the minimum retirement age for railroad employees to 62 years of age with a reduction in benefits;
- it would increase the annual out-of-pocket medical costs paid by railroad retirees and cause the cost of railroad retiree health insurance under GA-46000 to soar.

The claim that repealing pension rights for railroad workers would save the U.S. taxpayers even a single dime, much less “$2 billion over 10 years” is completely false. All Railroad Retirement benefits—whether Tier 1 Social Security equivalent benefits or the Tier 2 benefits that represent the railroad industry’s pension plan—are fully funded through taxes paid by railroad workers and their employers. But soon-to-be GOP Vice Presidential candidate Ryan won’t let the facts get in the way of a good story. In a May 14 letter Ryan wrote, “We must remember that the BLET is the only labor organization in the country that represents railroad workers and their employers. But if it is correct that the pension rights enjoyed by the railroad workers and their employers are fully funded through taxes paid by railroad workers and their employers, Ryan not only admitted that his budget plan would strip railroad workers of their unique railroad retirement benefits, he also made the assertion that “Tier 1 Retirement Benefits are … invested in special non-marketable bonds, just like with Social Security.” This claim, too, is demonstrably false.

Section 107(c) of the Railroad Retirement and Survivors’ Improvement Act of 2001 specifically provides for all Tier 1 benefits in the Social Security Equivalent Benefit Account to be transferred to the Railroad Retirement Investment Trust (RRIT), except for those “needed to pay current benefits and administrative expenses.” And Section 105 of the Act empowers the RRIT Trustees to determine how the funds will be invested; the majority of those investments are in other than non-marketable bonds, which yield a significantly higher rate of return than investments made by the Social Security system.

The Ryan Budget also targets the medical benefits of railroad workers and all Americans. It proposes to eliminate Medicare as we know it and increase the Medicare eligibility age to 67 with drastically reduced coverage. Ryan also wants to replace Medicare’s guaranteed benefits with a voucher system that is not guaranteed to cover the cost of equivalent care currently provided under Medicare; this change would affect anyone born in 1958 or later.

On March 20, while stumping in Chicago, Romney said “I’m very supportive of the Ryan budget plan. It’s a bold and exciting effort on his part and on the part of the Republicans and it’s very much consistent with what I put out earlier… I applaud it. It’s an excellent piece of work and very much needed.” More recently, he vowed that, if he were President he would have signed the Ryan Budget if it had crossed his desk. (http://thinkprogress.org/politics/2012/08/12/678941/romney-embraced-ryan-budget/)

“The decision by Candidate Romney to select Ryan as his running mate, which has been ratified by the GOP convention, underscores for BLET members and all railroad workers and their families what is at stake in this fall’s national elections,” President Pierce said. “We must remember in November which candidates support our interests, and which ones will do us harm.”

**BE INFORMED**

The following related resources concerning this issue can be viewed/downloaded/printed from the BLET website: ble-t.org/ryanbudget
James Tiede elected Chairman of State Legislative Board

James (Jim) Tiede was elected by acclamation to serve as Chairman of the Kansas State Legislative Board during the Board’s quadrennial meeting in Kansas City, Kan., July 17-18, 2012.

Brother Tiede, a member of BLET Division 587 (Salina, Kan.), is a Unicorn Pacific locomotive engineer. Immediately prior to his election, Brother Tiede served as 2nd Vice Chairman of the Kansas State Legislative Board. He has held continuous membership since first joining the Brotherhood on June 1, 1975.

Also elected by acclamation was 1st Vice-Chairman Steve Facklam of BLET Division 130 (Kansas City, Kan.). Tyler Jones, Division 740 (Pratt, Kan.) was elected 2nd Vice-Chairman. Scott Newill of Division 336 (Oswatattive, Kan.) was elected Treasurer. William Tills of Division 777 (Kansas City, Kan.) was elected by acclamation to the Alternate Secretary-Treasurer position.

Three members were elected by acclamation to serve on the Audit Committee, including Jim Rosebaugh Jr., Division 224 (Marysville, Kan.), William Tills (Division 777, Kansas City, Kan.); and Dustin Bishop, Division 64, (Newton, Kan.).

The Board gave special recognition to longtime State Chairman James Keele, Division 336, who retired. Also retiring this year was longtime State Board Secretary-Treasurer J. R. (Dick) Dame and former 1st Vice-Chairman Rick Lewis, who succeeded Dame at State Chairman for a brief period following his retirement at the beginning of July.

Representing the National Division at the meeting were: National President Dennis R. Pierce; 1st Vice President E. Lee Pruitt; National Secretary-Treasurer William C. Walpert; Vice President and National Legislative Representative John F. Tolman; and National Vice President Cole Davis.

“Brother Tiede and his newly-elected team of officers have big shoes to fill, but I know they will do an excellent job of representing our membership in Kansas,” President Pierce said. “This is an important election year and they definitely have their work cut out for them. I would also like to thank Brother Keele, Brother Dame and Brother Lewis for their many years of dedicated service to our Brotherhood.”

Additional special guests included Anthony Hensley, Kansas Senate Minority Leader, and Paul Davis, Kansas House Democratic Leader. Both discussed the upcoming State elections.

Advisory Board May 2012 Activity

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

AMTRAK'S 40TH ANNIVERSARY: Amtrak's 40th anniversary: a special point scheme to commemorate the National Railroad Passenger Corporation's 40th anniversary (1971-2011) arrives in Albany, N.Y., in August 2012. Photo courtesy: David T. Magp4 BLET Division 752 (Haverhill, N.Y.)