

THE LOCOMOTIVE ENGINEER NEWSLETTER • SEPTEMBER 2001

ID convention set for Miami

625 delegates converge on Miami for 7th Quinquennial ID convention

A total of 625 delegates from the U.S. and Canada will convene in Miami, Fla., on September 24 for the Brotherhood of Locomotive Engineers' Seventh Quinquennial International Convention.

In addition to electing the officers who will lead the BLE for the next five years, delegates will also consider more than 100 resolutions to amend the BLE's Constitution & Bylaws.

The convention will be held at the Fontainebleau Hotel in Miami, where delegates can register on September 22 from 3 p.m. to 6 p.m. and on September 23 from 11 a.m. to 6 p.m.

The convention begins at 9 a.m. on Monday, September 24. The opening ceremony begins with ceremonial bag pipe playing. A Marine Corps color guard, representing the 8th Tank Battalion from Hialeah, Fla., will present the flags.

The highlight of Monday's opening ceremony is guest speaker Cecil Roberts, president of the United Mine Workers of America. Brother Roberts, along with 11 other protestors, was arrested in front of a cheering crowd on Sep-

tember 4 for blocking a road during a protest outside a coal mine in Oakland City, Ind. The UMWA is attempting to unionize more than a dozen Black Beauty Coal Co. mines in Indiana and Illinois, and Roberts said the arrests were part of a large-scale UMWA organizing drive.

It is expected election of officers will take place the morning of September 26, with any runoff elections that may occur taking place that evening or the morning of September 27.

It is anticipated that the convention will adjourn on September 28, however, it is impossible to accurately forecast the exact time as the final decision will be made by the delegates in session.

A GIA-BLE reception will be held on September 23 and a banquet is scheduled for September 27.

While Miami is a beautiful setting and delegates are invited to bring their families along, they may not be able to spend much time together. With early morning meetings and late night caucuses, the work of delegates is arduous and time-consuming.

Railroad Retirement bill now in Senate

S. 697, the Railroad Retirement and Survivors' Improvement Act of 2001, is currently awaiting action in the Senate Finance Committee as this issue of the *Newsletter* goes to press.

State Legislative Board Chairmen have been contacting members of the Finance Committee in order to get that committee to vote on the bill and not support major amendments to it. The bill was introduced by Finance Committee member Orrin Hatch (R-Utah). While all of the Democratic members of the Finance Committee have signed on as cosponsors of the legislation, some Republican members have not.

With 72 cosponsors, it would appear the majority of our work is done. However, that is not the case by a long shot. With a comparable number of cosponsors last year, opponents of the measure were able to use obscure Senate rules to keep the bill in committee, where it was eventually killed.

It is expected that certain Republicans may attempt a similar maneuver again this year, so it is vitally important that BLE and GIA members continue to call their Senators for support of and action on S. 697.

When contacting the Senate, please ask your Senators to not only support S. 697, but to contact their party leadership in an effort to get the legislation moving.

In addition, it is expected opponents of S. 697 will employ various delay tactics in their efforts to halt the bill from a full Senate vote. Please let your Senators know you are opposed to any amendments to the legislation.

Critical to the passage of S. 697 is support of the Senate Finance Committee. The members of this committee are listed below:

Democrats

Max Baucus (MT), Chair
John D. Rockefeller (WV)
Thomas Daschle (SD)
John Breaux (LA)
Kent Conrad (ND)
Bob Graham (FL)
Jeff Bingaman (NM)
John F. Kerry (MA)
Robert Torricelli (NJ)
Blanche Lincoln (LA)

Republicans

Charles Grassley (IA),
Ranking Member
Orrin Hatch (UT)
Frank Murkowski (AK)
Don Nickles (OK)
Phil Gramm (TX)
Trent Lott (MS)
Fred Thompson (TN)
Olympia Snowe (ME)
Jon Kyl (AZ)
Craig Thomas (WY)

You can find their phone numbers and addresses in the blue pages of your local phone book or on the Senate website at www.senate.gov. The number for the Capitol switchboard is: (202) 224-3121.

The Senate has targeted October 5 as its adjournment date for the year, which gives Rail Labor and its supporters less than one month to get this much needed piece of legislation passed.

Last year, the bill was killed by the efforts of Senators Nickles, Gramm and Domenici.

The bill has 72 Senate cosponsors as of September 12. The following is a list of non-cosponsors. Members of the Senate Finance Committee are denoted with an asterisk.

S. 697 Non-cosponsors

- Allard, Wayne (R-CO)
- Bennett, Robert (R-UT)
- Bond, Christopher (R-MO)
- Bunning, Jim (R-KY)
- Campbell, B.N. (R-CO)
- Domenici, Pete (R-NM)
- Feingold, Russell (D-WI)
- Fitzgerald, Peter (R-IL)
- Gramm, Phil (R-TX) *
- Grassley, Chuck (R-IA) *
- Gregg, Judd (R-NH)
- Hutchison, K.B. (R-TX)
- Inhofe, James (R-OK)
- Jeffords, James (I-VT)
- Kohl, Herb (D-WI)
- Kyl, Jon (R-AZ) *
- Lott, Trent (R-MS) *
- Lugar, Richard (R-IN)
- McCain, John (R-AZ)
- Murkowski, F. (R-AK) *
- Nickles, Don (R-OK) *
- Santorum, Rick (R-PA)
- Sessions, Jeff (R-AL)
- Stevens, Ted (R-AK)
- Thomas, Craig (R-WY) *
- Thompson, Fred (R-TN) *
- Voinovich, George (R-OH)
- Wyden, Ron (D-OR) •

Lawsuit delays vote count in proposed BLE merger with UTU

Three BLE members have filed a lawsuit in Cleveland's federal court to void the proposed merger of the Brotherhood of Locomotive Engineers with the United Transportation Union.

A hearing in the suit is scheduled for September 17, delaying the release of the vote count at least two days. The count was originally set for September 15.

A lawsuit against the BLE and UTU was filed in Cleveland on September 10, four days after the same

suit had been dismissed in Maryland. The previous suit was dismissed after U.S. District Judge Frederic N. Smalkin found that Baltimore was not the proper location to bring the case.

The case filed in U.S. District Court in Cleveland has been assigned to Judge Ann Aldrich. In a telephone conference call with attorneys from all three parties, Judge Aldrich said that a hearing could not take place until Monday, September 17, because of a

scheduling conflict on her part. Aldrich also asked that the announcement of the results of the vote count be voluntarily delayed until after the September 17 hearing and her ruling.

The deadline for receiving ballots has been extended to noon (EDT) on September 17 due to interruption of U.S. domestic and international mail and courier service caused by the September 11 terrorist attacks on New York City and Washington, D.C. •



LEGISLATIVE UPDATE

DC Feedback: Locomotive cab temperatures

Study shows cabs hotter than 90 degrees 88% of the time during August 2000

Do you have a question about federal laws, Federal Railroad Administration rules that impact your job, or about pending legislation governing our industry? Send it to:

D.C. Feedback, Brotherhood of Locomotive Engineers
10 G. Street N.E., Suite 480
Washington, DC 20002

Or you can fax your questions to (202) 347-5237; or via e-mail to: blede@aol.com.

If the BLE's National Legislative Office does not have the answer on hand (such as a federal interpretation), they'll get back to you as soon as possible. Select questions and answers will be published regularly in the pages of the *Locomotive Engineer Newsletter*.

This month's installment deals with the question of cab temperatures.

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What is the BLE doing in regards to an air conditioning standard for locomotive cabs?

Locomotive engineers are forced to work in temperatures hotter than 90 degrees nearly 90 percent of the time during summer months, according to preliminary results of the Brotherhood of Locomotive Engineers' three-year survey of locomotive cab temperatures.

In August of 2000, 88 percent of locomotives surveyed by BLE members had ambient in-cab temperatures that were 90 degrees Fahrenheit or higher. Over a 12-month period, cab temperatures averaged 90 degrees or higher 20 percent of the time (in locomotives without working air conditioners), and above 100 degrees five percent of the time.

This data is part of the BLE's ongoing study into the need for a maximum temperature limit inside locomotive cabs. Scientific studies have proven that worker performance reaches its lowest levels during periods of extreme heat. The purpose of the study is to provide data for the use by the Rail Safety Advisory Committee (RSAC) in developing a high temperature standard in locomotive cabs.

The best way to regulate in-cab temperature is by air conditioning. The carriers, however, have been loath to implement an air conditioning standard due to cost. Regular exposure to temperatures above 86 degrees, however, can cause fatigue, nausea, dizziness, heat exhaustion, heat stroke and even death if the body loses its ability to cool itself.

Opening a door or window to lower cab temperatures is unsafe, the BLE report concludes. Opening windows leaves locomotive engineers unprotected from projectiles and harmful diesel exhaust fumes. In addition, there were several reports of mosquito swarms entering locomotive cabs in cases where windows were left open.

The BLE In-Cab Temperature and Humidity Survey began in the summer of 1998. BLE members in 29 states par-

ticipated in the survey, equipped with hygro-thermometers provided by the BLE's National Legislative Office headquartered in Washington, D.C. The engineers who participated have provided more than 2,500 useable temperature and humidity ratings, which is the basis for the temperature readings provided above.

For more details, please read the following summary of the In-Cab Temperature and Humidity Survey, which was prepared by the BLE's Washington D.C. office.

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BLE In-Cab Temperature and Humidity Survey, 1998-2001

This draft summarizes the information collected as of August, 2001 by BLE members on temperature and humidity in locomotive cabs.

Beginning in the summer of 1998, and continuing now, BLE members have been participating in data collection for the In-Cab Temperature and Humidity Survey. In this time, more than 2,500 useable temperature and humidity ratings have been recorded. Over three years, in 29 states, 24 hours a day, temperature and humidity readings were measured and recorded at three locations in the locomotive cab: the engineers' side, conductors' side, and center of the cab. Measurements were made in locomotives both with and without air conditioning. Outside (ambient) air temperature and humidity were also recorded at the time interior recordings were made. Persons who were collecting data were instructed to insure that the data collection process did not hinder safe train operations.

Participating BLE divisions were issued a hygro-thermometer with identifying number, provided written instructions facilitating consistency of data collection, given standardized reporting forms with detailed fields for information entry and instructed to measure the temperature and humidity at the locations detailed below. These measurements were made at three hour intervals, three times during their shift. The specific locations were:

1. Outside the cab;
2. Engineer's side at "belt buckle" level, in a sitting position;
3. Conductor's side at belt buckle level; and
4. Center of the cab, approximately four feet off the cab floor.

We asked that they note any unusual circumstances that may affect the interior cab temperature/humidity, including mechanical problems such as failed air conditioners or weather stripping problems and unusual weather conditions. We requested the position of windows (open or closed) be recorded.

The geographic diversity of the readings provides a good picture of cab

temperature/humidity conditions and indicates an accurate picture of the differences between locomotive cabs with and without air conditioning. Twenty-five percent of the temperature readings were taken between midnight and 7:59 a.m., 46 percent of readings were taken between 8:00 a.m. and 3:59 p.m. (covering the period when the heat is likely to be greatest) and the remaining 29 percent were taken between 4:00 p.m. and 11:59 p.m.

The purpose of the study was to provide data for the use of the Rail Safety Advisory Committee (RSAC) in developing a high temperature standard in locomotive cabs. Within the RSAC, two significant questions arose:

1. How hot and humid does it get in locomotive cab?
2. Are high temperatures affecting safety and health?

To answer the last question, BLE has documented cases of heat related illnesses experienced by locomotive engineers while occupying locomotive cabs and believes there is considerable evidence to support a decrease in human performance (safety) when exposed to hot environments.

Heat contributes significantly to fatigue as well. It is understood that cold temperatures can adversely affect human performance. In hot temperatures, particularly those above 86 degrees Fahrenheit (F), fatigue, nausea, dizziness, heat exhaustion, heat stroke and even death can result when the body loses its ability to cool itself.

During RSAC discussions, information was introduced utilizing the Federal Railroad Administration's (FRA) accident statistics generated in the years 1992 to 1997. The information reported was based on cause codes associated with "human factor" accidents. There are only a few data points in this accident category. Overall, accidents are a rarity in our industry but, there is a relationship between these human performance accidents and ambient temperature; that is to say that accidents of this type will peak at the low temperature extremes and at the high temperature extremes (in this case, over 90 degrees Fahrenheit)

While our data was not seeking and, therefore, shows no correlation, other studies have demonstrated that accident rates increase in extreme temperatures. In fact, FRA data from 1994 shows that accidents in July and August, two of the hottest months of the year, are the fourth and third highest, respectively. FRA data also shows that Yard accidents are highest between 6 a.m. and 10 a.m., and mainline accidents are highest between 10 a.m. and 2 p.m. This mainline information correlates precisely with the times when sun exposure is at its peak. Human factors yard accidents peak between 4 p.m. and 6 p.m., coinciding with a low point in alertness, according to circadian rhythms, and with the time period when

heat effects from peak exposure would be felt.

The BLE data indicates that 20 percent of temperature readings fell above 90 degrees Fahrenheit, most of them in the months of August and September. Five percent of all of the data collected showed inside cab temperatures above 100 F, ranging as high as 123.1 F with a humidity reading of 16.1 percent. In this one measurement the outside-the-cab temperature was 108 F at 22.2 percent humidity. There were frequent reports of temperatures over 110 F. Of note is that in August of 1999, 64 percent of data collected showed temperatures above 90 F at the engineers' side. In August of 2000, this number increased to 88 percent. Temperatures above 80 F occur as early as March, and above 90 F as early as April. These high temperatures continue through the summer and into the fall, ending in October.

Air conditioning in cabs can reduce temperatures an average of 10 to 12 F, with the possibility of reducing temperatures as much as 20 F or 25 F, bringing temperatures well above 90 F into the range where they are much less likely to affect performance, or cause heat related illnesses.

Data reporting sheets contained space for comments from engineers. The necessity of closed windows was noted in several cases when under the heat and humidity conditions, open windows would have been preferable. Several reports of mosquito swarms fell into this category. Engineers also expressed concern with rocks being thrown at the cab, as well as other conditions like diesel fumes or dust in the air. Closed windows would also provide additional protection from diesel fumes and noise; occupational hazards for locomotive engineers.

We have also collected several reports of engineers leaving cab doors open to cool the cab, allowing even greater exposure to dangerous noise levels, diesel fumes and dust, and adding to the risk of being struck by a projectile. It was also noted that opening windows in locomotive cabs designed for air conditioning provided poor ventilation and relief when the air conditioning failed to function properly.

Extensive study may be required to establish conclusively that air conditioned cabs can improve employee alertness and health. The potential to decrease accidents and incidents by maximizing human performance is without question. A reduction in exposure to other occupational hazards, including diesel fumes, dust and noise, would be a benefit of air-conditioned locomotive cabs.

The BLE continues to gather data on this critical issue and will pursue this effort with increased vigor, knowing the need exists and is being demonstrated by the survey data.

Thanks to all who continue to participate in this study. •

Burlington Northern Santa Fe



FORT WORTH, Texas — Railroad group Burlington Northern Santa Fe Corp. said on July 24 that its second-quarter earnings fell 12.6 percent as increases in coal shipments were not enough to offset lower rates it negotiated a few years ago in many of its long-term contracts.

Burlington Northern reported in a statement second-quarter net profits of \$195 million, or 50 cents per diluted share, compared with \$223 million, or 53 cents per diluted share, a year earlier.

The company said its second quarter operating revenues rose to \$2.27 billion from \$2.26 billion a year earlier.

Shares of BNSF stock are up 10 percent year-to-date compared with the Standard & Poor's 500 Railroad sector, which is up 25 percent year to date. •

Canadian National Railway



WASHINGTON — Canadian National Railway Co. saw second-quarter earnings run slightly ahead of expectations on a 4.4% growth in revenue, defying the economic slowdown in North America.

At the same time, the company announced it was cutting 690 jobs and taking a C\$71 million (US\$46.16 million) charge against earnings to write down its investment in fiber optics company 360networks Inc.

The rail carrier reported net income of C\$240 million (US\$156 million) excluding non-recurring items, or \$1.21 a share, on revenue of \$1.4-billion for the quarter ended June 30, versus \$230 million for the same period a year ago. Analysts had expected earnings of \$1.20 per share, according to a First Call/Thomson Financial survey.

Taking into account one-time charges for the 360networks investment and the job cuts, CN reported diluted earnings per share of \$1.10 for the quarter, down from \$1.15 last year. •

Canadian Pacific Railway



**CANADIAN
PACIFIC
RAILWAY**

OTTAWA — CP Rail said net income for the quarter declined to \$95 million Canadian dollars (US\$61.7 million) from C\$96 million (US\$62.4 million) in the second quarter of 2000. Operating income increased to a record US\$134 million from US\$132.7.

The railroad, soon to be spun off from parent Canadian Pacific Ltd., enjoyed a 3% increase in freight revenue, to US\$605 million, despite a soft economy, a revenue cap on the movement of Canadian grain and flooding of the Mississippi River in Minnesota that disrupted shipments.

Cargo volume increased 2% over the second quarter of 2000, while fuel consumption improved 5%, the railway said.

Operating expenses increased 4% to US\$472 million, "largely due to a 2% increase in volumes, flooding in the Midwest U.S. and higher energy costs," the company said. Terminal facilities in Minnesota were flooded and "out of action for the better part of four weeks," costing the company \$4 million. •

CSX Transportation



WASHINGTON — Led by strong railroad earnings, CSX Corp. said that net income in the second quarter was \$108 million or 51 cents per share, more than double earnings in the same period the prior year. The 125% increase "reflects the fact that the railroad is running well and getting better," said CEO John Snow. "We are running a good network."

The company said the increase came despite the fact that total CSX revenues were virtually unchanged at \$2.06 billion versus \$2.07 billion the year before. "Costs poured out in this quarter," said Snow. The improved results came despite what Snow said was "about the worst time for the industrial economy we serve in about two decades."

Overall carloads were down about 3% to 1,797,000. CSX said continued strength in agricultural and coal shipments offset declines in automobile, intermodal and other general merchandise, though the company was able to achieve rate increase for many of these commodities as well. The carrier said that it was having good success in getting more shippers, especially shippers of food and consumer goods, waste, and metals, to convert from truck to rail. •

Kansas City Southern



NEW YORK — Railroad operator Kansas City Southern Industries Inc. said its second quarter earnings fell 47 percent as the U.S. economic slump caused lower industrial production and less demand for product shipments.

The railroad reported second quarter results of \$4.7 million, or 8 cents per share. That compared with income of \$8.8 million, or 15 cents per share, a year earlier, it said in a statement. Revenues declined by \$1.2 million to \$143.2 million and operating expenses rose by \$4.3 million to \$130.3 million compared to the year-ago period.

The railroad said its freight revenues have continued to suffer, particularly in the paper and forest products and certain chemical markets, but it expects these trends to improve when economic conditions improve. •

Norfolk Southern Corp.



**NORFOLK
SOUTHERN**

NORFOLK, Va. —

Despite the sluggish economy, Norfolk Southern more than held its own in the second quarter, posting an 8 percent earnings increase on flat revenues.

"We are encouraged with our progress in the second quarter in light of the economic downturn that is proving to be longer and deeper than we anticipated," company Chairman David R. Goode said. "While we can't directly control the economic forces that affect us, we are focused on managing Norfolk Southern's cost and on continuing to improve service to keep our business as strong as possible."

The company, which trimmed nearly 4,000 workers since its June 1, 1999, Conrail acquisition, had 2,400 fewer employees this second quarter than last. •

Union Pacific Railroad



OMAHA, Neb. — Union Pacific Corp.'s earnings were flat in the second quarter as high fuel prices and floods in key areas offset increased revenue from energy and agricultural shipments.

The largest U.S. railroad recorded net income of \$243 million, or 95 cents a diluted share, compared with \$244 million, or 96 cents a share, in the second quarter of last year.

Overall revenue edged 1.1% higher to \$3 billion from \$2.97 billion. Revenue from energy shipments surged 18% to \$576.9 million and agricultural revenue rose 3% to \$344.5 million. But revenue from chemical traffic fell 8.6% to \$387.6 million. •

Wisconsin Central



ROSEMONT, Ill. — Wisconsin Central Transportation Corporation reported net income for the second quarter ended June 30 of \$15.5 million versus second quarter 2000 net income of \$7.8 million. Without special items, second quarter 2001 income would have been \$16.1 million and second quarter 2000 income would have been \$15.7 million.

WC's North American operating income for second quarter 2001 was \$25.9 million compared to \$24.2 million in the year-ago quarter. Second quarter 2001 North American operating revenues of \$93.7 million were a second-quarter record, topping last year's revenues of \$93.0 million. Despite a drop in carloadings, revenues were up because of a favorable shift in commodity mix as well as growth in haulage business. •

EASTERN UNION MEETING ASSOCIATION



BLE International President Edward Dubroski, standing left, discusses Amtrak General Committee issues with, from left, Dino Raptis, Local Chairman of BLE Division 12 (Fort Wayne, Ind.); S.J. Tuck, Amtrak Regional General Chairman and Local Chairman of BLE Division 17 (Kansas City, Mo.); and C.A. McDowell, Amtrak Regional Vice-General Chairman and Local Chairman of BLE Division 47 (Denver).



Giving her address at the podium is GIA International President Ruth E. Pillman-Windham, and seated is BLE President Dubroski.



From left: GIA Canadian Representative Sherry McGunigal and GIA First Vice-President Mabel Grotzinger.



Speaking during the closed meeting is Doug Davidson, Local Chairman of BLE Division 96 (Chicago).



From left: Conducting the Legislative Representative Workshop is National Legislative Representative-Canada George Hucker and U.S. National Legislative Representative Leroy Jones.



GIA Vice-President Onita Wayland and GIA President Windham.



RIGHT:
From left: General Secretary-Treasurer Russell W. Bennett; EUMA Chairman Mark Kenny; International President Dubroski; and BLE First Vice-President & Alternate President Jim McCoy at the podium.

ATLANTIC CITY, NEW JERSEY



From left: Pennsylvania State Legislative Board Chairman Ken Kertesz; Delaware & Hudson/Springfield Terminal General Chairman Mike Twombly; and International President Dubroski.



From left: SEPTA Vice-General Chairman Rich Dixon; Long Island Railroad General Chairman Bob Evers; and SEPTA General Chairman Steve Bruno.



Several members of Division 269 (Jamaica, Long Island, N.Y.) attended the EUMA, including, from left: John Bove, Secretary-Treasurer of Division 269; Eddie Jackson, Auxiliary Committeeman; John Hardecker, Engine Coordinator; Russ Accetta, Secretary-Treasurer of the LIRR General Committee of Adjustment; Mickey Quinn, Vice-Chairman of the LIRR General Committee; and Doug Willox, President of Division 269.



EUMA Arrangements Chairman Sonny Kertesz with his wife, Mary Ann.



From left: President Dubroski with former International President Ronald P. McLaughlin, who now serves as Interim Chairman of the BLE's Retired Members Association.



From left: Bill Cloonan, Legislative Representative of Division 269 (Jamaica, Long Island, N.Y.); Mike Gannon, Legislative Representative of Division 11 (New York); and D.J. Anderson, Alberta Provincial Legislative Board Chairman.



From left: BLE President Dubroski, GIA President Windham and GIA Vice-President Wayland.



From Left: Doug Davidson, Local Chairman of Division 96 (Chicago); and R.G. Shaw, Local Chairman of Division 292 (Beach City, Ohio).

BLE NEWS

Spouses hot over cab temperatures

GIA conducts informational picketing in Houston to protest dangerous Union Pacific cab conditions

In an effort to raise awareness about the dangers of high temperatures in locomotive cabs on the Union Pacific Railroad, GIA members and their families in the Houston area held an informational picket outside of UP's Englewood Yard on August 31.

The picket was organized by GIA Auxiliary 139 President Glenda Sikorski and other members of that auxiliary. The rally began at about 7 a.m. and continued until 3 p.m. with more than a dozen people picketing.

This summer in Texas, temperatures in some locomotive cabs have been more than 130 degrees Fahrenheit. The high temperatures and humidity in Texas, combined with the metal composition of the locomotive cab, creates dangerous conditions for engineers.

"The men and women are subjected to temperatures of 130 degrees for up to 12 hours at a time," said Sikorski. "The heat is also continuously absorbed by the metal in the locomotive and the occupants are essentially being baked."

"This picket was our last resort," she continued. "We sent a registered letter to U.P. to discuss this topic, and they declined to meet with us."

According to GIA Auxiliary 139 member Chandra Barras, some UP employees have become physically ill because of the heat and have had to take time off.

"We hope that Union Pacific will realize the problems associated with the heat before it is too late," Barras said. "UP employees are valuable."

Union Pacific stated recently that 70 percent of its locomotives have air conditioning; however, many of the air conditioned locomotives are not being used as lead locomotives in the train consists. The GIA members and their families believe this shows how

little consideration the railroad has for its employees.

"Apparently UP's slogan of safety first does not apply," Sikorski said. "It is safety last and train moving and money first."

The rally received coverage by all the television stations in Houston and the *Houston Chronicle* newspaper. •



Spouses outside Union Pacific's Englewood Yard in the Houston area conduct informational picketing to draw attention to dangerously high temperatures inside UP's locomotive cabs.

Fatigue relief bill reintroduced

Congressman Steven LaTourette has introduced a rail worker fatigue relief bill, H.R. 2596, in the U.S. House of Representatives, which is identical to H.R. 3091, which he introduced in the last Congress.

H.R. 2596 was introduced before the August recess on July 23 and was referred to the House Transportation & Infrastructure Committee's Subcommittee on Railroads. The bill's purpose is to provide fatigue protection for operating employees by giving rail workers an option to take

up to 72 hours off duty after working or being available to work for seven consecutive days.

H.R. 3091 was introduced in the 106th Congress and died in the House Transportation & Infrastructure Committee at the end of the 2000 session. It had 202 cosponsors.

The House of Representatives is now back in Washington, D.C., following the Labor Day recess. BLE members are encouraged to contact their members of Congress in their D.C. offices and urge them to support H.R. 2596.

Contact information for

members of Congress can be found in the blue pages of your local phone book, by calling the Congressional switchboard at (202) 224-3121, or by looking on the U.S. House website at: <http://www.house.gov>

While H.R. 3091 was in the House last year, many General Chairmen were able to obtain favorable work/rest agreements with their respective carriers. Once the Congressional session came to a close without action on H.R. 3091, many carriers have begun to abrogate those agreements.

Legislation introduced to protect workers from scabs

Two labor-friendly pieces of legislation that would prohibit discrimination against workers during and after labor disputes were introduced in the U.S. House of Representatives and the U.S. Senate in August.

In effect, the bills would prevent workers who participate in strikes or other labor disputes from losing their jobs because of their participation.

The bills, S. 1107 and H.R. 2320, would "amend the National Labor Relations Act and the Railway Labor Act to prevent discrimination based on participation in labor dis-

putes." The bills would amend paragraph 4 of section 2 of the Railway Labor Act and eliminate the permanent replacement of workers involved in labor disputes.

S. 1107 was introduced by Senator Tom Harkin (D-Iowa) and was referred to the Senate Committee on Health, Education, Labor and Pensions.

H.R. 2320 was introduced by Rep. John Tierney (D-Mass.) and was referred to both the House Committee on Education and the Workforce and the Committee on Transportation and Infrastructure.

NEWS BRIEFS

Portland to bill railroad for cost of fighting wildfire

PORTLAND, Ore. — The Portland Fire Bureau will bill the Union Pacific Railroad for the cost of fighting an urban wildfire that threatened a north Portland neighborhood on August 8.

The bureau's final investigation report concluded that a UP train with mechanical problems started the brush fire that quickly climbed a bluff near the University of Portland. However, investigators have been unable to determine what created the sparks that several witnesses saw coming from under the passing train's cars.

The fire threatened as many as 100 homes and took 170 firefighters, plus helicopters, fireboats and every firetruck in the city to battle. •

CP firms are takeover targets

TORONTO — Each of the five Canadian Pacific Ltd. companies that begins trading August 21 is a takeover target, says chief executive officer David O'Brien, a nationalist who fears the loss of Canadian head offices.

O'Brien, 59, was speaking about the prospects for the CP companies on the day before they joined the Toronto Stock Exchange on a "when-issued" basis.

The shares — Canadian Pacific Railway Co., CP Ships Holdings Inc., Fording Inc., PanCanadian Petroleum Ltd. and Fairmont Hotels & Resorts Inc. — can now be bought and sold in anticipation of CP's official breakup in early October.

At that time, Mr. O'Brien will step down as CP's chairman, CEO and president, although he will remain as PanCanadian's chairman and a director of Fairmont.

The companies will be takeover targets because each will be widely held and none appear to have restrictions on foreign ownership.

Although the rail, energy and hotel companies are large by Canadian standards, they are vulnerable because they are relatively small by global standards, he said. •

Slim budget forces Amtrak to halt Iowa expansion

CEDAR RAPIDS, Iowa — Noting a congressional mandate to cut costs, Amtrak has dropped plans for Des Moines-to-Chicago passenger rail service through Iowa City.

Amtrak Chief Executive Officer George Warrington told Illinois legislators in August that expansion of the railroad's Iowa service was unlikely.

The derailed plan doesn't affect Iowa's participation with other Midwest states seeking to develop a higher-speed rail-passenger network.

Funding for that long-term project is tied to pending federal legislation giving Amtrak bonding authority to upgrade and expand service.

Iowa will continue to have two Amtrak routes — the California Zephyr and the Southwest Chief, each with one daily passenger train each way.

The California Zephyr serves the Burlington Northern Santa Fe line through Burlington, Mount Pleasant and Ottumwa, and the Southwest Chief's Burlington Northern route clips the state's southeast corner at Fort Madison. •

RRB issues annual financial statement

Financial situation 'generally favorable;' System has over \$18.6 billion in trust funds

The Railroad Retirement Board is required by law to submit annual reports to Congress on the financial condition of the railroad retirement system and the railroad unemployment insurance system. These reports must also include recommendations for any financing changes which may be advisable in order to ensure the solvency of the systems. In June, the Board submitted its 2001 reports on the railroad retirement and unemployment insurance systems.

The following questions and answers summarize the findings of these reports.

1. How much money is in the Railroad Retirement Board trust funds?

By the end of fiscal year 2000, the net position of the railroad retirement trust funds was over \$18.6 billion, while the railroad unemployment insurance account balance was \$93.8 million.

2. What was the overall finding of the 2001 report on the financial condition of the railroad retirement system?

The 2001 report, which addressed railroad retirement financing during the next 25 years, was favorable. It concluded that, barring a sudden, unanticipated, large decrease in railroad employment, no cash-flow problems arise during the next 25 years. However, like previous railroad retirement financial reports, the 2001 report also indicated that the long-term stability of the system, under its current financing structure, is still dependent on future railroad employment levels.

Over the years, the main source of income to the railroad retirement system has been a payroll tax on railroad employment. The amount of income that the tax produces is directly dependent on the number of railroad employees covered under the system. Therefore, under current law, actual levels of railroad employment over the coming years will largely determine whether any financing changes are necessary to ensure the system's solvency.

3. What methods were used in forecasting the financial condition of the railroad retirement system?

The 2001 report projected the various components of income and outgo of the railroad retirement system under three employment assumptions, utilizing different patterns of changes and decreases in the railroad work force for the 25 calendar years 2001-2025.

The projections of these components were combined and the investment income calculated to produce the projected balances in the railroad retirement accounts at the end of each projection year.

Projecting income and outgo under optimistic, moderate and pessimistic employment assumptions, the 2001 report indicated positive balances at the end of the projection period under all three assumptions.

However, under the optimistic and moderate assumptions the balances in the railroad retirement accounts continued to grow throughout the 25-year projection period, while under the pessimistic assumption the account balances began to decline after 2012.

4. Did the 2001 report on the railroad retirement system recommend any railroad retirement payroll tax rate changes?

The report did not recommend any change in the rate of tax imposed on employers and employees. The absence of projected cash-flow problems for 25 years under even a pessimistic employment assumption indicated that an immediate increase in tax rates is not required.

5. What were the findings of the 2001 report on the financial condition of the railroad unemployment insurance system?

The Board's 2001 railroad unemployment insurance financial report was also generally favorable. Even as maximum benefit rates increase 52 percent (from \$48 to \$73) from 2000 to 2011, experience-based contribution rates are expected to keep the unemployment insurance system solvent, except for a small, short-term cash-flow problem in fiscal year 2002. However, projections show a quick repayment of the loans even under the most pessimistic assumption.

Unemployment levels are the single most significant factor affecting the financial status of the railroad unemployment insurance system. However, the system's experience rating provisions, which adjust contribution rates for changing benefit levels, and its surcharge trigger for maintaining a minimum balance help to ensure financial stability in the advent of adverse economic conditions.

Under the experience rating provisions, each employer's contribution rate is determined by the Railroad Retirement Board on the basis of benefit payments made to the railroad's employees. The report predicted that, even under the most pessimistic assumption, the average employer contribution rate remains well below the maximum throughout the projection period.

The report also predicted that the 1.5 percent surcharge that is in effect in calendar year 2001 would increase to 2.5 percent in 2002 and 2003, and then revert to 1.5 percent in calendar year 2004.

projection period.

The report also predicted that the 1.5 percent surcharge that is in effect in calendar year 2001 would increase to 2.5 percent in 2002 and 2003, and then revert to 1.5 percent in calendar year 2004.

6. What methods were used to evaluate the financial condition of the railroad unemployment insurance system?

The economic and employment assumptions used in the unemployment insurance report corresponded to those used in the report on the retirement system. Projections were made for various components of income and outgo under each of three employment assumptions, but for the period 2001-2011, rather than a 25-year period.

7. Did the 2001 report on the railroad unemployment insurance system recommend any financing changes to the system?

No financing changes were recommended at this time by the report. •



Zoll new RRB Chief Information Officer

The U.S. Railroad Retirement Board has named Kenneth J. Zoll as its Chief Information Officer.

An independent Federal agency headquartered in Chicago, the RRB administers the \$8.5 billion-a-year benefit programs provided under the Federal Railroad Retirement and Unemployment Insurance Acts covering the nation's railroad workforce and their families.

As CIO, Zoll will head the RRB's Bureau of Information Services and will be responsible for planning, directing and coordinating the agency's information resources management program. In addition, he will continue to serve as the RRB's Chief Enterprise Architect, with responsibilities for establishing standards, policies and frameworks to guide the use of information technology as well as developing infrastructure programs and Internet/Intranet strategies.

Zoll will also serve as a member of the RRB's Executive Committee, which is responsible for the day-to-day operations of the agency and for making recommendations to the three-member Board on agency-related policy issues.

A native of Chicago, Zoll is a graduate of Loyola University (B.S. 1969, M.B.A 1975). •

2001 RRB Informational Conferences

The U.S. Railroad Retirement Board will offer free informational conferences for elected BLE officials throughout the 2001 calendar year.

Registration for all informational conferences begins at 8 a.m., with the program beginning promptly at 8:30 a.m. and ending at 12:30 p.m.

What follows are the informational conferences that the Railroad Retirement Board has scheduled for 2001.

Sept. 21 • Portland, Ore.

Hilton Garden Inn Portland Airport, 12048 N.E. Airport Way

Oct. 5 • Philadelphia, Pa.

Holiday Inn Express Midtown, 1305 Walnut St.

Oct. 12 • Houston, Texas

University Hilton Hotel, 4800 Calhoun Rd.

Oct. 19 • Ft. Worth, Texas

Holiday Inn South, 100 Alta Mesa East Blvd.

Oct. 26 • Huntington, W.Va.

UpTowner Inn, Governors Room, 100 Alta Mesa East Blvd.

Nov. 2, Louisville, Ky.

Executive Inn, 978 Phillips Lane

Nov. 9 • Metairie, La.

Holiday Inn Metairie, 3400 I-10 & Causeway Blvd.

Nov. 9 • Wichita, Kan.

Holiday Inn Select, Pecan Room, 549 S. Rock Rd. (Kellogg & Rock Rd.)

Nov. 16 • Charlotte, N.C.

Sheraton Hotel Airport, 3315 S. I-85 & Billy Graham Parkway

Dec. 7 • Jacksonville, Fla.

Baymeadows Holiday Inn, 9150 Baymeadows Rd.

BLE NEWS

Steam engineers wanted for film documentary



Producers of an upcoming documentary, which will record the experiences of veteran locomotive engineers around the country during the last 50 years, have renewed their call for input from BLE members who worked on both steam and diesel locomotives during their railroad careers.

Information regarding the film was first published in the July 2001 issue of the *Locomotive Engineer Newsletter*. Doug Kirkpatrick of Streamliner Productions in New York is producing the documentary. He reports that he has received dozens of e-mail messages from retired locomotive engineers interested in participating in the project.

"Dozens of retired engineers have told me about growing up in 'railroad engineer' families, gritty labor-management disputes, narrowly-avoided disasters, communities changing around the tracks over time, colleagues they worked with — and a life they miss deeply," Kirkpatrick said. "One fellow wrote, 'I loved every minute of it and even today miss it very much, wish I was out there right now. I'm 72 years old.'

"Their e-mails are so soulful and poignant, one can almost hear their voices reading them aloud. What they've written is just a glimpse of a very moving retrospective about a career and about life in America."

Kirkpatrick began work on the film in 1998 when his production photographer recorded the last day of service of Delaware & Hudson veteran Bernie O'Brien. Known as something of a legend in northeast U.S. railroad circles, O'Brien was finishing up 50 years of

continuous service on the D&H. His recollections inspired Kirkpatrick to begin a series of interviews with retired engineers around the country.

Production is slated to begin in early 2002. BLE members who began their careers on steam locomotives and who are interested in sharing their recollections of life on the road throughout their careers are encouraged to send their contact information via email to Doug Kirkpatrick at: <stream@bellatlantic.net>.

A brief outline of the documentary is available online at the following: <www.streamlinervideo.com/pages/PP_LastRailroaders.html>.

Members without Internet access are encouraged to write Kirkpatrick at: **Streamliner Productions**
512 Seventh Ave., 11th Floor
New York, NY 10018 •

SEPTEMBER 2001 CALENDAR & EVENTS

SEPTEMBER 24-29, 2001... BLE Seventh Quinquennial International Convention
At the Fontainebleau Hotel in Miami, Fla. See April 2001 Newsletter for official list of delegates. See July 2001 Newsletter for non-delegate registration form. See related article on page 1 of this issue.

OCTOBER 5... Railroad Retirement Board Informational Conference in Philadelphia
The U.S. Railroad Retirement Board will conduct a free informational conference in Philadelphia, Pa. On-site registration begins at 8 a.m. with sessions starting promptly at 8:30 a.m. All sessions end at 12:30 p.m. To be held at the Holiday Inn Express Midtown, 1305 Walnut St. For details, visit the RRB website at <www.rrb.gov>, or call the toll-free RRB Help Line at (800) 808-0772.

OCTOBER 12... Railroad Retirement Board Informational Conference in Houston, TX
The U.S. Railroad Retirement Board will conduct a free informational conference in Houston, Texas. On-site registration begins at 8 a.m. with sessions starting promptly at 8:30 a.m. All sessions end at 12:30 p.m. To be held at the University Hilton Hotel, 4800 Calhoun Rd. For details, visit the RRB website at <www.rrb.gov>, or call the toll-free RRB Help Line at (800) 808-0772.

Plan ahead for 2002...

JUNE 16-20, 2002... 75th Southeastern Meeting Association in Virginia Beach, Va.
Chairman T.C. Emory is hosting the 2002 SMA at the Virginia Beach Resort Hotel & Conference Center from June 16-20, 2002. Discount room rates of \$99 per night have been secured and reservation deadline is May 24, 2002. Reservations can be made by calling (800) 468-2722 (in Virginia please call (800) 422-4747). For pre-registration form, please contact SMA 2002 Chairman T.C. Emory at 4912 Euclid Rd., Virginia Beach, VA 23462.

Advisory Board August Activity

By action of the delegates at the Fifth Quinquennial Convention, summaries of BLE Advisory Board members' activities are published monthly:

International President Edward Dubroski—International Office: General supervision of BLE activities; Publications committee; Meeting with U.S. General Chairmen and State Legislative Board Chairmen; Meeting with Canadian General Chairmen and Provincial Legislative Board Chairmen; Chicago Town Hall meeting; Eastern Union Meeting Association.
First Vice-President & Alternate President James L. McCoy—FVP duties, contacted GCofAs, SLBCs, telephone calls, correspondence, etc.; Publications committee; Mtg. w/ Merrill Lynch, organization expenses; CRLO mtgs., Washington D.C.; CSX General Committee mtgs.; EUMA.
General Secretary-Treasurer Russ Bennett—International Office: Supervision of BLE Financial depts.; Records Dept.; BLE Job Bank; Publications Cmte.; EUMA.
Vice-President Paul T. Sorrow—Mtg. w/ NS and all BLE committees to discuss H&W issues; Div. 217 mtg.; Advisory Board mtg.; CSX Western Lines GCofA mtg.; Mtg. w/ CSX Northern Lines GCofA, re: Walker/Wilsonberg Abandonment and other issues of concern; Reviewed and finalized awards for PLB 6199 (CSX) and SBA 1063; Assisted NS, GTW & CSX GCofAs with various issues.
Vice-President Joseph A. Cassidy Jr.—Write submission to Public Law Board; Prepare for upcoming arbitration on EJ&E; PLB 6420; Mtg. w/ GC Hall & members of Div. 520; Mtg. w/ EJ&E management, re: pilot dispute; Mtg. w/ President's representative, T. Brennan; Mtg. on equity issue before Board of Appeals; Grievances involving Springfield Terminal Rwy. & Amtrak; Present Amtrak case to Board of Appeals; Mtg. w/ Amtrak GC; SBA 928 (4 cases); UTU mtgs., unification proposal, proposed constitution & bylaws; Drafting & Review Cmte. mtg.; Advisory Board mtg.; Study & paperwork; Office duties; Review of unification agreement & constitution & bylaws; Mtg. w/ representatives of UTU; Q's & A's re: UTU.
Vice-President & U.S. Nat'l Legislative Representative Leroy D. Jones—Washington office; Div. 56 mtg.; Nevada State Legislative Board mtg.; Division LR training session, Reno, Nevada; BLE Drafting Cmte., Cleveland; Division LR training session, Cleveland; Advisory Board mtg.; Mtgs. w/ Sean O'Hallaran, Asst. Sec'y. for Transportation Policy, DOT; Alan Rutter, FRA-Designee; Betty Monro, Deputy Adm., FRA; staff, House T&I cmte.; RR coalition mtg.; AFL-CIO leg. dept., re: H.R. 1140; Senate Commerce Cmte. Staff; Senator Baucus (D-MT); Cong. Oberstar's staff; Boehlert (R-NY).
Vice-President William C. Walpert—ID Office; BLE Education & Training Dept.; Internal Organizing, Mobilizing & Strategic Planning Dept.; BLE Safety Task Force; General chairmen and state legislative board chairmen mtg., Cleveland; Town Hall mtgs., Little Rock, Ark.; Pine Bluff, Ark., North Platte, Neb.; EUMA, Atlantic City, N.J.
Vice-President Edward W. Rodziewicz—NS-Eastern region, Imperial; Allegheny Ludlum RR, contract negotiations, Brackenridge; NS-E, SBA 894, mtg. w/ VGC W. Thompson; CSXT SBA 1116 mtgs., Philadelphia; BLE Finance Cmte., Cleveland; BLE-UTU Finance Cmte., Cleveland; South Buffalo RR contract negotiations, Buffalo.
Vice-President Don M. Hahs—BNSF system including MRL, UP South & West, SP East & South, SSW, DLGW, Tacoma Belt, Pac Harbor Belt; General office duties; BNSF (SLSF) GCofA mtg.; Advisory Board mtg., conference call.
Vice-President Richard K. Radek—International Office; BLE Decertification Helpline services; Director of Arbitration Dept.; National Railroad Adjustment Board (NRAB); Illinois Central; Wisconsin Central; Indiana Harbor Belt; METRA; Belt Rwy. of Chicago; Paduca & Louisville; Chicago Central & Pacific; WC arbitration/ general assistance; General & state legislative chairmen's mtg.; Various NRAB arbitration; CN-IC contract negotiations; Various Town Hall mtgs., Chicago; WC GCofA mtg.; EUMA; CC&P contract negotiations; IHB general assistance; FRA Part 240.409 dockets: EQAL 01-06, 00-51, 00-41, 98-84, 99-04.
Vice-President Dale McPherson—I&M Rail Link; CP Rail/SOO, UP East Lines; Indiana Railroad Co.; M&NA; LP&N, Longview Sw. Co. TRRA-St. Louis; Pacific Harbor Line; General office duties; BNSF safety summit mtg. & recommendations; CP Rail mtg. w/ GC Priestner, Minneapolis; Prepare PLB/IMRL-BLE cases, Terre Haute, Ind.; Advisory Board mtg. & conf. call; CSX Western Lines GCofA mtg.
Vice-President & Canadian Director Gilles Hallé—Ottawa Office; CIRB hearing; Mtg. w/ UTU President Boyd; Mtgs. w/ CN Rail; Mtg. of Canadian leadership, re: BLE/UTU merger; Mtg. w/ R. Dixon, CN Rail; Annual vacation; RCTC negotiations and LTD mtg.; CN Pension Board mtg.; Town Hall mtg.
Vice-President & National Legislative Representative-Canada T. George Hucker—Ottawa Office; Canadian National Legislative Board; Algoma central negotiations; Advisory Board mtg.; BLE-UTU merger mtgs.; CPR/BLE LTD mtg.; EUMA mtg.; VIA Rail senior policy safety & health mtg.



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