

ENGINEER

THE LOCOMOTIVE

NEWSLETTER • OCTOBER 2001

Hahs new BLE President

Rodzicz, Walpert round out Executive Committee; Sorrow, McPherson, Hallé reelected by acclamation

Delegates at the BLE's Seventh Quinquennial International Convention on September 27 elected Don M. Hahs to the office of International President.

In a run-off election that began on September 26, President Hahs received a 417-211 majority of the votes. An incumbent member of the BLE's Advisory Board, he was first elected to the office of International Vice-President five years ago.

Coming to the Brotherhood's top post was an emotionally draining experience for President Hahs, who nevertheless remained focused on the business at hand.

"There are many pressing issues to be dealt with," said President Hahs, who specifically mentioned obtaining a fair and equitable national con-

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On September 27, Don M. Hahs became the 20th President of the BLE in the union's 138-year history.

Delegates OK changes to Constitution

Bringing a new level of energy and vitality to the BLE's top spot, newly-elected International President Don M. Hahs spent his first day in office reviewing several changes to the union's Constitution & Bylaws, which were approved by delegates at the BLE's Seventh Quinquennial International Convention.

Of significant note is a change to Section 1(e) of the Constitution, which governs mergers of the BLE with other labor organizations. The amended Section 1(e) details specific balloting procedures and timelines the International President must follow when considering a merger and/or affiliation.

In other business, delegates approved a dues increase of \$6 per month. It is the first increase in International dues since 1992, and will keep the BLE in the black while improving the level of service it provides to its members.

See Constitution, Page 7

BLE members to vote again on UTU merger

The Brotherhood of Locomotive Engineers will conduct a second referendum vote on whether or not to merge with the United Transportation Union after a lawsuit by three BLE officers halted the original balloting process.

As this issue of the Newsletter went to press, attorneys for the BLE and the three BLE officers reached a settlement on October 19, which was scheduled to be submitted to Federal Judge Ann Aldrich for approval on Friday, October 26.

Newly-elected BLE Inter-

national President Don M. Hahs said that as a condition of the settlement, the ballots cast by BLE members in the first referendum will be destroyed, and that the settlement — if approved by Judge Aldrich — will alter the balloting process in three major ways:

- The new referendum will be conducted by secret ballot;
- The votes of U.S. and Canadian BLE members will be counted together; and
- The three BLE officers who filed the lawsuit will have

the opportunity to submit a written statement in opposition to the merger, which will be included with ballots that will be mailed to all BLE members.

The new ballots will be mailed on November 7, and they must be filled out and returned to the American Arbitration Association (AAA) no later than December 10. The BLE will utilize the services of AAA to handle all phases of the new referendum, including the

See Merger Vote, Page 6

God Bless America



September 11, 2001

In memory of the victims and families.

CONVENTION 2001

ASLEF delegation brings condolences from U.K.

During the afternoon session on September 26, the two top officers of the Associated Society of Locomotive Engineers and Firemen (ASLEF) spoke to BLE delegates about the long history of friendship between the two unions and the need for solidarity in the face of transportation globalization.

ASLEF General Secretary Michael "Mick" Rix and Executive Committee President Martin Samways spoke to BLE members about the need for friendship across continents.

"In 1906 and 1909, we were very pleased to receive representation from the then-presidents of the BLE when they were guests of our union in the U.K., and that bond of friendship has lasted all that time," said Rix.

Rix said ASLEF borrowed several ideas for its founding from the BLE, which was formed in 1863. "Your own journal is called the *Locomotive Engineers Journal*. Well, we pinched that idea in the U.K. and, 1886, we started a *Locomotive Journal*, very much similar to your own," he said.

Rix offered his condolences to the people of the U.S. for the atrocities of September 11 from the people of Great Britain. He believes that this incident and the reaction that has followed will strengthen bonds between the two countries.

General Secretary Rix also discussed the effects of globalization on the workers of the world.

"Globalization is having a serious effect on the workers of the world and trade unionists," Rix said. "Safety and workers' rights have been put last in the quest for profits."

During his speech, Rix invited BLE members to work together with ASLEF members against the effects of globalization. He also urged BLE members to work with all other workers around the world against competition between workers and to create a level playing field for all.

"Workers in the transportation industry have a right to collective bargaining and solidarity action without recourse to the courts," said Rix, who received several ovations



From left: Martin Samways, ASLEF Executive Committee President, and Mick Rix, ASLEF General Secretary, during the BLE's Seventh Quinquennial Convention in Miami Beach, Fla.

throughout his speech.

Samways also brought condolences and greetings to all BLE members from the United Kingdom and spoke out against the problem of globalization.

"We must not walk away from those workers not in trade unions," said Samways. "We believe in furthering the rights of workers in all the world from whatever background and from whatever dia-

lect they speak, and I believe it an honor to be able to do it."

Both men expressed appreciation for the hospitality shown to them by BLE members and walked away from the podium to standing ovations. •

Election Results: BLE Seventh Quinquennial Convention

ADVISORY BOARD

International President
Don M. Hahs, Division 566

First Vice-President & Alternate President
Edward W. Rodziewicz, Division 325

General Secretary-Treasurer
William C. Walpert, Division 604

Vice-President, Slot 1
Paul T. Sorrow, Division 498
(reelected by acclamation)

Vice-President, Slot 2
Joseph A. Cassidy Jr., Division 269

Vice-President Slot 3 & U.S. Nat'l. Legislative Rep.
Raymond A. Holmes, Division 834

Vice-President Slot 4
Merle W. Geiger Jr., Division 758

Vice-President, Slot 5
Stephen D. Speagle, Division 155

Vice-President, Slot 6
E.L. "Lee" Pruitt, Division 126

Vice-President, Slot 7
Richard K. Radek, Division 404

Vice-President, Slot 8
Dale L. McPherson, Division 180
(reelected by acclamation)

Vice-President & Canadian Director
Gilles Hallé, Division 558
(reelected by acclamation)

Vice-President & Nat'l. Legislative Rep.-Canada
T. George Hucker, Division 243

ALTERNATE OFFICERS

Alternate General Secretary-Treasurer
C.D. Driggers, Division 435

Alternate Vice-President & U.S. Nat'l. Legislative Rep.
L.B. Boggs, Division 751

Alternate Vice-President No. 1
P.L. Wingo Jr., Division 198

Alternate Vice-President No. 2
D.M. Menefee, Division 934

Alternate Vice-President No. 3
C.L. Roy, Division 742

Alternate Vice-President No. 4
M.D. Priester, Division 754

Alternate Vice-President No. 5
J.C. Rupp, Division 74

Alternate Vice-President No. 6
R.K. Cutlip, Division 385

Alternate Vice-President No. 7
D.R. Pierce, Division 98

Alternate Vice-President No. 8
A.L. Tinney, Division 152

Alternate Vice-President No. 9
M.L. Wallace, Division 267

Alternate Vice-President-Canada, No. 1
R. Dyon, Division 89

Alternate Vice-President-Canada, No. 2
D.C. Curtis, Division 355

Alternate Vice-President-Canada, No. 3
M.A. Wheten, Division 728

BOARD OF APPEALS

Board of Appeals-Canada
R.G. Leggett, Division 898

Board of Appeals-U.S. East
R.H. Linsey, Division 659

Board of Appeals-U.S. Northwest
J.J. Zawada, Division 232

Board of Appeals-U.S. Southwest
A.J. Morris, Division 22

Board of Appeals-U.S. Southeast
A.E. "Buddy" White, Division 696

ALTERNATE BOARD OF APPEALS

First Alternate Board of Appeals-Canada
G.C. "Gordy" Howe, Division 728

First Alternate Board of Appeals-U.S. East
D.A. Myers, Division 447

First Alternate Board of Appeals-U.S. Southeast
T.E. Hudson, Division 156

First Alternate Board of Appeals-U.S. Southwest
L.R. Jean-Louis, Division 366

First Alternate Board of Appeals-U.S. Northwest
R.E. Etienne, Division 758

Second Alternate Board of Appeals-Canada
D.R. Able, Division 322

Second Alternate Board of Appeals-U.S. East
J.P. Louis, Division 421

Second Alternate Board of Appeals-U.S. Southeast
W.R. Skidmore, Division 782

Second Alternate Board of Appeals-U.S. Southwest
J.R. Hagar, Division 462

Second Alternate Board of Appeals-U.S. Northwest
J.W. Reynolds, Division 209

Roberts declares UMWA solidarity with BLE

In a stirring speech to BLE delegates the morning of September 25, United Mine Workers of America President Cecil E. Roberts exhorted the delegates attending the BLE's Seventh Quinquennial Convention as well as all BLE members to join together with mine workers in a coalition for the betterment of both unions.

"I believe we should work in a coalition together," Roberts said. "The UMWA and the BLE have so many common interests. I believe all of us standing together and fighting together... we can shine light into dark places. We can bring hope where there is no hope, and we can keep hope alive where there is hope."

"We mine it and you haul it," Roberts said of coal, the main link between BLE and UMWA members. "United we stand, divided we fall. A wrong to one is a wrong to all."

Brother Roberts, one of the labor movement's best speakers, received several standing ovations throughout his speech, which carried a strong message of solidarity and brotherhood.

A sixth generation mine worker, Roberts spoke with a heavy heart as he told delegates about the fatal accident that befell 13 mine workers at the Blue Creek No. 5 mine near Tuscaloosa, Ala. On September 22, two gas explosions nearly half a mile beneath the earth killed at least four coal miners and left nine of their rescuers missing and presumed dead. It is considered the nation's worst mining calamity in 17 years.

Roberts said 11 miners escaped an initial mine collapse, but knew that two of their union brothers were still trapped inside. These brave

brothers re-entered the mine to rescue the two missing miners when they, too, became trapped. On September 24, rescue teams located one body and one injured miner, who has since died at a nearby hospital. Roberts was forced to leave the BLE convention early due to this tragedy.

Roberts said the bravery of the miners involved in the Alabama cave-in brought to mind the heroic actions of police and firefighters following the September 11 terrorist attacks on the United States. He com-

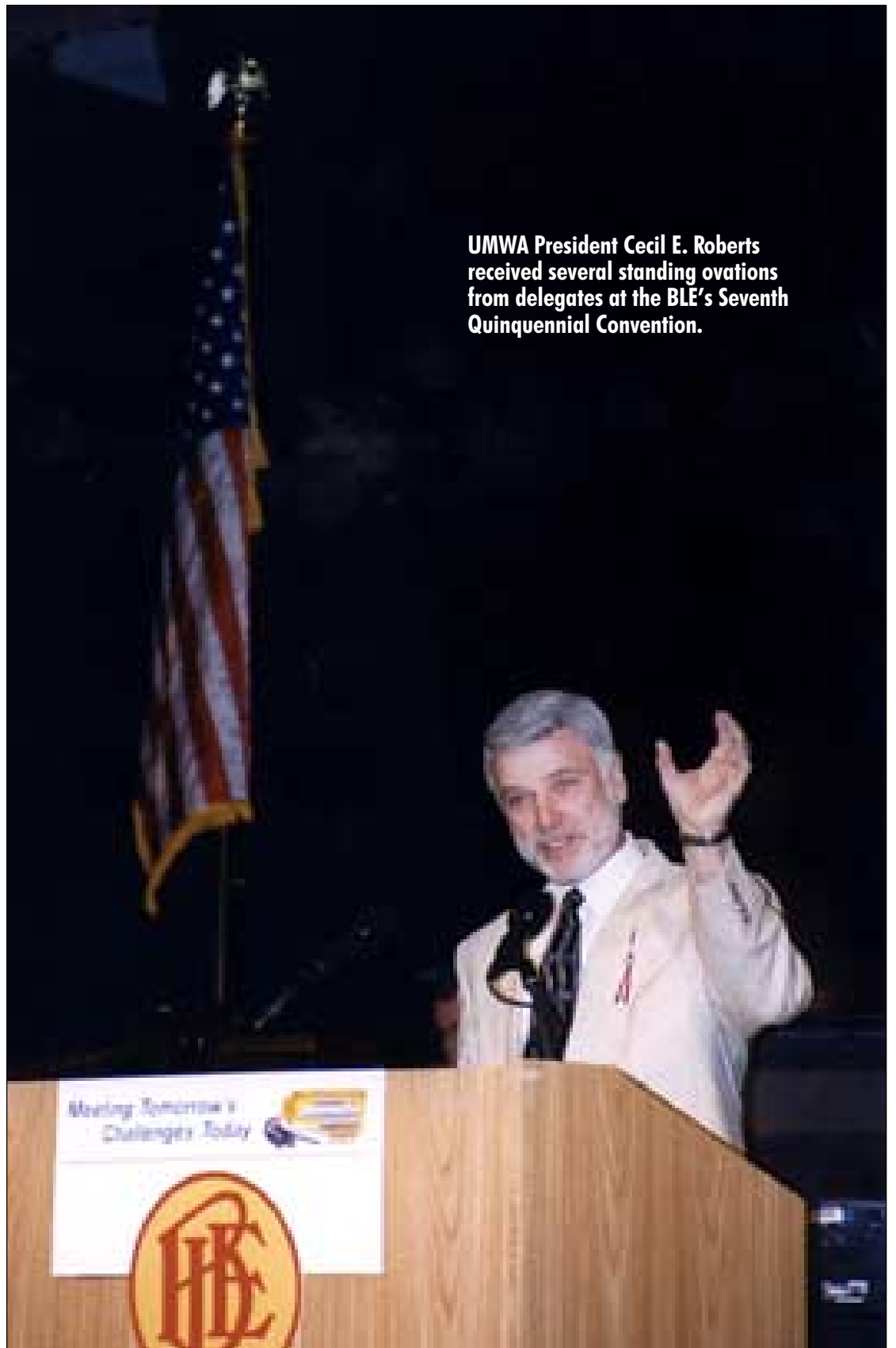
pared the 11 UMWA miners who re-entered the burning mine to rescue their union brothers to the New York

City firefighters and police officers who entered the World Trade Center to rescue victims following the terrorist attacks.

"This is a difficult and trying time for organized labor," said Roberts, explaining eight airline pilots, 25 flight attendants and 50 SEIU members — including several window washers — were killed in the attacks on the World Trade Center. Roberts said that two members of the Communications Workers of America were actually working on the main antenna on top of the World Trade Center when the first plane crashed.

"We ask for prayers for the victims and survivors," Roberts said. "But we, as organized labor, like the rest of the United States and, indeed, the world, have a duty and obligation to move forward." He said 75 members of the Laborers International Union, 40 members of ASFCME and 40 members of the Hotel Employees & Restaurant Employees union also lost their lives in the September 11 terrorist attack.

Times of strife often draw



UMWA President Cecil E. Roberts received several standing ovations from delegates at the BLE's Seventh Quinquennial Convention.

"A wrong to one is a wrong to all."

— UMWA President Cecil Roberts

people and organizations together, and Roberts thanked the BLE for its support of the UMWA during difficult times in the recent past.

"I am proud to stand with you today, and I thank you for

standing with us," he said.

This support has led to a natural bond between BLE and UMWA members.

"Fifty percent of the freight hauled in the U.S. is coal," Roberts said. "The BLE and

UMWA are wonderful partners in all of this. We are linked together."

Roberts said the BLE and UMWA have an excellent opportunity to forge stronger ties and fight together on issues of mutual interest. •

Massachusetts Gubernatorial candidate addresses BLE delegates



Warren Tolman addresses delegates.

Warren Tolman, Democratic Gubernatorial candidate for the Commonwealth of Massachusetts, addressed delegates on the afternoon of September 25 at the BLE's Seventh Quinquennial Convention.

Tolman introduced himself as a pro-railroad candidate from a railroad family. His brother John is Assistant to the International President and has been a member of the BLE for more than 20 years.

"John and I were two of eight kids of a union railroad leader," Tolman said. "My father, Dave Tolman, learned some very, very important lessons — lessons that all of you are familiar with — lessons to work hard, to listen to people and be honest."

"These are values that each of you exhibit on a regular basis, working 12 hour days to provide for your family, and I'm honored to be with all of you here today."

A Massachusetts native, Tolman is familiar with

the necessity of Amtrak in the Northeast Corridor. He is a strong supporter of funding for Amtrak and acknowledged the important role BLE members play in the success of the National Railroad Passenger Corp.

"During this difficult time in our nation's history, there's a lot of focus on air transportation," Tolman said. "Coming from a railroad family, my belief is that we should put more resources, more money, into rail transportation because it's safer, it's environmentally more friendly, it's more efficient, it's more economical."

In spite of the terrorist attacks on the United States, Tolman credits organized labor for helping the nation's economy get back on track.

"We will see a rebirth of freedom, a renewal that is so important to what makes America great," Tolman concluded. •

SOUTHWESTERN CONVENTION MEETING



From left: Terry Briggs, Secretary-Treasurer of Division 530 (Commerce, Texas); and James Ussery, Secretary-Treasurer and Legislative Representative of Division 834 (Mineola, Texas).



From left: Raymond Holmes, Vice-President & U.S. National Legislative Representative, is the lucky winner of a framed railroad print at the SWCM's banquet. Presenting the picture is Leo M. Srubas, a retired member of BLE Division 81 (Kansas City, Kan.), and Chairman of the SWCM Scholarship Committee. Also pictured is SWCM Arrangements Chairman Randy Schneider, Division 81 (Kansas City, Kan.); R.W. "Windy" Windham, a retired member of BLE Division 182 (N. Little Rock, Ark.); and R.T. "Tim" Windsor, SWCM Treasurer and member of BLE Division 527 (Pittsburg, Kan.).



From left: Pat Johnson, SWCM Recording Secretary; Tim Windsor, SWCM Treasurer; and Cheri Canier, SWCM Vice-Chair.



From left: International Vice-President Merle W. Geiger Jr.; BNSF North Lines Vice-General Chairman Matt Wilson; BNSF North Lines General Chairman Dennis Pierce; and UP-Eastern District General Chairman Mike Young.



From left: David Phillips, UP-Southern Region Vice-General Chairman; Gary Perrien, UP-Southern Region Vice-General Chairman; Gil Gore, UP-Southern Region General Chairman; and Louisiana State Legislative Board Chairman Mike F. O'Brien.



From left: SWCM Chairman Schneider and Tim Windsor of the Arrangements Committee, drawing for door prize winners during the banquet.



Standing, from left: Assistant to the President John Tolman; R.W. Windham; and Kansas State Legislative Board Chairman Jim Keele. Seated, from left: General Secretary-Treasurer W.C. "Bill" Walpert; and Jim Jackson, co-chairman of the 2000 SWCM.

2001 BLE Fees Objector Policy

1. Employee Rights

a. Any employee covered by a union or agency shop agreement in the United States has the legal right to be or remain a nonmember of the Union. Nonmembers have the legal right: (1) to object to paying for Union activities not related to collective bargaining, contract administration and grievance adjustment, and to obtain a reduction in fees for such activities; (2) to be given sufficient information to intelligently decide whether to object; and (3) to be apprised of internal Union procedures for filing objections. Employees who choose to object have the right to be apprised of the percentage of the reduction, the basis for the calculation, and the right to challenge these figures.

b. To the extent permitted by law, nonmembers may not participate in Union elections as a voter or as a candidate; attend Union meetings; serve as delegates to the Convention, or participate in the selection of such delegates; or participate in the process by which collective bargaining agreements are ratified.

2. Publication of Policy

The fee objector policy shall be published annually in the BLE's newsletter in the month preceding the objection notice period and mailed annually to each objector. It shall also be provided to each new employee when s/he first becomes subject to a union shop agreement.

3. Making Objection Known

Objecting nonmembers shall provide notice of objection by notifying the International General Secretary-Treasurer of the objection by first-class mail postmarked during the month of November preceding the calendar year to which s/he objects, or within thirty (30) days after s/he first begins paying fees and receives notice of these procedures, except for 1996 only objectors to 1997 fees shall state their objection by January 31, 1997.

The objection shall contain the objector's current home address. Nonmembers wishing to continue their objection from year to year must renew their objection each year as specified in this paragraph.

Objections may only be made by individual employees. No petition objections will be honored.

4. Major Categories of Chargeable Expenses

All objectors shall pay their fair share of expenses germane to collective bargaining including:

- All expenses concerning the negotiation of agreements, practices and working conditions;
- All expenses concerning the administration of agreements, practices and working conditions, including grievance handling, all activities related to arbitration, and discussion with employees in the craft or class (or bargaining unit) or employer representatives regarding working conditions, benefits and contract rights;
- Convention expenses and other union internal governance and management expenses;
- Social activities and union business meeting expenses;
- Publication expenses to the extent coverage is related to chargeable activities;
- Expenses of litigation related to collective bargaining, contract administration and internal governance;
- Expenses for legislative and administrative agency activities to effectuate collective bargaining agreements;
- All expenses for the education and training of officers and staff intended to prepare the participants to better perform chargeable activities;
- All costs of strikes and other lawful economic actions.

5. Determination of Chargeable Share

The BLE shall retain a certified public accountant to perform an independent audit of the records of the International Division. The BLE shall also retain an independent referee for the purpose of determining the percentage of expenditures that fall within the categories specified in Section 4. The amount of the expenditures that fall within Section 4 shall be the basis for calculating the reduced fees that must be paid by the objector. The independent referee shall also give an opinion concerning the adequacy of the escrow amounts maintained pursuant to Section 10, and later will verify the existence and the amounts of money in any escrow account.

tion 10, and later will verify the existence and the amounts of money in any escrow account.

6. Report of Chargeable Share and Basis of Its Calculation

The independent referee shall report the determination no later than May 31. This report shall include an analysis of the major categories of union expenses that are chargeable and non-chargeable. A copy of the independent referee's report shall be sent to all nonmembers whose timely objections have not been revoked.

7. Challenge Procedure

Each person entitled to receive the referee's report may challenge the validity of the calculations made by the independent referee by filing an appeal with the International General Secretary-Treasurer. Such appeal must be made by sending a letter to the International General Secretary-Treasurer postmarked no later than June 30.

8. Arbitration of Challenges

a. After the close of the appeals period, the International General Secretary-Treasurer shall provide a list of appellants to the American Arbitration Association (AAA). All appeals shall be consolidated. The AAA shall appoint an arbitrator pursuant to its Rules for Impartial Determination of Union Fees. The AAA shall inform the International.

b. The arbitration shall commence by August 1 or as soon thereafter as the AAA can schedule the arbitration. The arbitrator shall have control over all procedural matters affecting the arbitration in order to fulfill the need for an informed and expeditious arbitration.

c. Each party to the arbitration shall bear their own costs. The appellants shall have the option of paying a pro-rata portion of the arbitrator's fees and expenses. The balance of such fees and expenses shall be paid by the BLE.

d. A court reporter shall make a transcript of all proceedings before the arbitrator. This transcript shall be the official record of the proceedings and may be purchased by the appellants. If appellants do not purchase a copy of the transcript, a copy shall be available for inspection at the International during normal business hours.

e. Appellants may, at their expense, be represented by counsel or other representative of choice. Appellants need not

appear at the hearing and shall be permitted to file written statements with the arbitrator instead of appearing. Such statement shall be filed no later than fifteen (15) days after the transcript becomes available, but in no case more than thirty (30) days after the hearing closes.

f. Fourteen (14) days prior to the start of the first hearing, appellants shall be provided with a list of all exhibits intended to be introduced at the hearing and a list of all witnesses intended to be called, except for exhibits and witnesses that may be introduced for rebuttal. On written request from an appellant, copies of exhibits (or in the case of voluminous exhibits, summaries thereof) shall be provided to them. Additionally, copies of exhibits shall be available for inspection and copying at the hearing.

g. The International shall have the burden of establishing that the reduced fees set forth in the referee's report are lawful.

h. If the arbitrator shall determine that more than one day of hearings is necessary, hearings shall be scheduled to continue from day to day until completed. The parties to the appeal shall have the right to file a brief within fifteen (15) days after the transcript of the hearing is available, but in no case more than thirty (30) days after the hearing closes. The arbitrator shall issue a decision within forty-five (45) days after the submission of post-hearing briefs or within such other reasonable period as is consistent with the rules established by the AAA.

i. The arbitrator shall give full consideration to the legal requirements limiting the amounts that objectors may be charged, and shall set forth in the decision the legal and arithmetic basis for such decision.

9. Payment of Reduced Fees

Objectors shall pay reduced monthly fees based on the most recent report of the independent referee pending determination of the objection year's chargeable ratio.

10. Escrow of Disputed Funds

An amount equal to 25 percent of the reduced monthly fees, or such other greater amount as the independent referee may recommend, shall be placed in an interest-bearing escrow account pending final determination of the chargeable share. Escrowed funds shall be disbursed to objectors and the Union upon issuance of the arbitrator's decision or fifteen (15) days after the conclusion of the appeal period if there are no challenges to the independent referee's determination.

KANSAS CITY, KANSAS



Above: Members fill up their plates at the buffet-style lunch.

Left: The color guard prepares to present the flags during the SWCM opening ceremony.



From left: International President Don M. Hahs and SWCM Organization Chairman Rodney Stutes.



From left: GIA International President Onita Wayland and GIA Immediate Past President Ruth E. Pillman-Windham.



Seated, from left: Joe Monroe, Division 910 (Beaumont, Texas); and Les Jeanlouis, Local Chairman of Division 366 (Houston).

Standing, from left: Raymond Holmes, Vice-President & U.S. National Legislative Representative; and Gil Gore, UP-Southern Region General Chairman.



From left: GIA International First Vice-President & U.S. National Legislative Representative Becky Schneider; Division 192 (El Paso, Texas) Legislative Representative Larry Schneider; and Division 530 (Commerce, Texas) Secretary-Treasurer Terry Briggs.



Brother Joe Monroe, Division 910, with his wife, Marie, during the SWCM banquet.



A representative of Burlington Northern-Santa Fe demonstrates for engineers one of the railroad's locomotive cab simulators, one of many simulators used in the field to assist in the training of locomotive engineers.



Members look for a vacant seat in the crowded dining area during the SWCM luncheon. The 66th annual SWCM took place September 9-14 at the Double Tree Hotel at Corporate Woods in Overland Park, Kan.



From left: Raymond A. Holmes, Vice-President & U.S. National Legislative Representative; Mickey Gage, Missouri State Legislative Board Chairman; and C.E. Way, Illinois State Legislative Board Chairman.

BLE SENIOR REPORT

Applying for a Railroad Retirement annuity

Railroad employees who are planning to retire should be aware of what steps to take and what documents are required when applying for an annuity from the Railroad Retirement Board. Being prepared can prevent needless delays and insure that payments from the Board begin as soon as possible after retirement. The following questions and answers describe this Railroad Retirement Board application process and other related items that retiring employees should be aware of.

1. How are railroad retirement annuity applications filed?

Applications are filed through the Railroad Retirement Board's field offices. Applicants may file in person or by telephone and mail. Those filing in person may do so at any Board office or at one of the office's Customer OutReach Program (CORP) service locations. Applicants filing by telephone receive the same information and instructions that are provided to those filing in person; forms requiring signatures and other documents are then handled by mail.

The addresses and phone numbers of all the Board's field offices are available on the Board's Web site at www.rrb.gov or by calling the toll-free RRB Help Line at (800) 808-0772. The RRB Help Line is an automated telephone service available 24 hours a day, 7 days a week. Most Board field offices are open to the public from 9:00 a.m. to 3:30 p.m., Monday through Friday.

2. Can an application be filed prior to a person's actual retirement date?

The Board accepts annuity applications up to three months in advance of an annuity beginning date, which allows the Board to complete the processing of most new claims by a person's retirement date. However, applications for employee disability annuities cannot be filed until an employee is no longer in compensated railroad service. Compensated service includes the receipt of pay for time lost, some wage continuation payments, or any other employer compensation precluding the payment of railroad retirement benefits.

To expedite the filing process, applicants should contact the Board to schedule time for a pre-retirement consultation and also to confirm their eligibility and be advised as to the required documents. The consultation can be conducted in person, or by telephone, with a Board representative who will provide an annuity estimate, explain a retiree's benefit rights and responsibilities, and answer related questions.

3. What are some of the documents required with an application?

- All applicants have to furnish proof of their age.
- All applicants should be prepared to furnish the notice of any social security benefit award or other social security claim determination.

- An employee may be required to submit information regarding any other Federal, State or local government pension for which he or she also qualifies, as well as certain other payments not covered by railroad retirement or social security, such as from a non-profit organization or from a foreign government or a foreign employer.

- An employee or survivor filing for a disability annuity is required to submit supporting medical information from his or her treating physician, as well as any reports or records from recent hospitalizations. He or she may also be asked to go for one or more specialized medical examinations. If an employee disability applicant is receiving workers' compensation or public disability benefits, notice of the amount and beginning date of such payments must be submitted.

- An employee will have to furnish proof of any military service claimed.

- A spouse, divorced spouse or widow(er) applying for a railroad retirement annuity must furnish proof of marriage to the employee. A divorced spouse must furnish proof of marriage and divorce from the employee, as well as proof that any subsequent marriages have terminated.

- A spouse, divorced spouse or survivor also qualified to receive a public service pension must submit information regarding that pension.

- All applicants have to provide banking information necessary for the Direct Deposit of their benefit payments.

A booklet, "Furnishing Evidence to Support Your Claim" (Form RB-3), gives detailed information as to the types of proofs that are required when filing for an annuity, as well as sources from which these documents can be obtained. The booklet is available free of charge at any Board office or on the Board's Web site.

4. Can proofs be filed in advance of retirement?

Railroad employees are encouraged to file proofs of their correct birth date and their military service well in advance of retirement. The information will be recorded and stored electronically until they actually retire. This will expedite the annuity application process and avoid any delays resulting from inadequate proofs.

If employees do not have an official record of their birth or military service, their local Railroad Retirement Board office will explain how to get acceptable evidence. All evidence brought or mailed to a Board office will be handled carefully and returned promptly.

5. What is the retroactivity of a railroad retirement application?

The retroactivity of a railroad retirement annuity application is limited to one year for disability annuities and six months for full age annuities. Reduced age annuities to those ages 60-61 with 30 years of service and their spouses can also have up to six months' retroactivity; there is no retroactivity for reduced age annuities to those em-

ployees under full retirement age with less than 30 years of service.

The maximum retroactivity for widow(er)s ages 60-61 is six months if it does not increase the age reduction (this does not apply to surviving divorced spouses or remarried widow(er)s). Otherwise, there is generally no retroactivity for reduced age widow(er)s' annuities.

6. Are retiring railroad employees required to relinquish their rights to their railroad job?

An employee annuity based on age cannot be paid until the employee stops railroad employment and gives up any rights to return to work for a railroad employer. While an annuity based on disability is not paid until an employee has stopped working for a railroad, employment rights need not be relinquished until the employee attains full retirement age. However, in order for a supplemental annuity to be paid by the Board, or for an eligible spouse to begin receiving annuity payments, a disabled annuitant under full retirement age must relinquish employment rights. And, regardless of age and/or earnings, no railroad retirement annuity is payable for any month in which a retired or disabled employee annuitant, a spouse annuitant or a survivor annuitant works for a railroad employer.

Railroad retirement annuitants may work in nonrailroad employment, but benefits may be reduced if a beneficiary under full retirement age works after retirement and earnings exceed annual exempt amounts. Additional earnings deductions are assessed if a retired or disabled employee annuitant, or a spouse annuitant, works for his or her last pre-retirement nonrailroad employer, regardless of age or the level of earnings.

Special restrictions also apply to any earnings by disabled employees.

7. How soon after filing can an applicant expect payment?

Under the Board's Customer Service Plan, persons who filed for their railroad retirement employee or spouse annuity in advance will receive their first payment, or a decision, within 35

days of the beginning date of their annuity. Persons who did not file in advance will receive their first payment, or a decision, within 65 days of the date they filed their application. Those who filed for a railroad retirement survivor annuity or lump-sum benefit will receive their first payment, or a decision, within 65 days of the date they filed their application, or became entitled to benefits, if later. Widows or widow(er)s who are already receiving a spouse annuity will receive their first payment, or a decision, within 35 days of the date the Board receives notice of the employee's death.

For disability annuities, no payment can be made until all medical evidence has been evaluated. Consequently, an annuity based on disability takes longer to process than an annuity based on age and service. And, a waiting period of five months is required after the onset of disability before disability annuity payments can begin. In any case, persons who filed for a railroad retirement disability annuity will receive a decision on their claim within 105 days from the date they filed their application. If they are entitled to disability benefits, they will receive their first payment within 25 days of the date of that decision, or earliest payment date, whichever is later.

Of course, claims for some benefits may take longer to handle than others if they are more complex, or if information from other people or organizations is needed. If this happens, the Board will provide an explanation and an estimate of the time required to make a decision.

8. How are railroad retirement payments made?

Persons applying for railroad retirement benefits will be automatically enrolled in the U.S. Treasury's Direct Deposit Program, which electronically transfers Federal payments into individuals' checking or savings accounts.

Direct Deposit waivers are, however, available to individuals who determine that Direct Deposit would cause a hardship, and to individuals without bank accounts. •

Ballots due Dec. 10 in UTU merger

Merger Vote

Continued from Page 1

printing, mailing and counting of the new ballots.

The BLE will direct the AAA to destroy the ballots cast by BLE members during August and September — ballots which were impounded by Judge Aldrich's order of September 17.

"Ultimately, the process of determining whether there should be a merger with UTU will not be complete until the membership has spoken," President Hahs said. "The fi-

nal decision rests with you. Therefore, I urge you to exercise your right to vote on what is perhaps the most important issue in BLE history."

President Hahs also said the BLE will establish a toll-free hotline for BLE members to use to report missing ballots or to request another copy of the Unification Agreement and Constitution.

A condition of the settlement requires the BLE to publish on its website the October 19 Stipulation and Consent Order, as well as Judge Aldrich's September 21 Memorandum Opinion. Links will be provided to both documents pending Judge Aldrich's decision.

Hahs new BLE President

Advisory Board

Continued from Page 1

tract, the BLE's financial status, and the Brotherhood's sometimes contentious relationship with the United Transportation Union (UTU).

In his acceptance speech, President Hahs took a firm but even-handed stance on the current situation with the UTU.

"We must demonstrate that we can serve the collective memberships of both organizations better by working together," President Hahs said. "We have to find a common ground and stop wasting the memberships' money."

"On the other side of the coin, we'll do whatever we can, with whomever we can to protect our right to exist. If we have to fight, I will personally be on the Kansas City Southern with every other ID officer and we will fight to win."

There were many closely-contested races during the convention, and nine of the 42 races were determined by run-off elections. A complete list of election results is published on page 2 of this issue.

Delegates made a clean-sweep of the BLE's Executive Committee and

elected three new officers to fill the Brotherhood's three highest ranking offices.

Brother Hahs is the 20th president in the 138-year history of the BLE. He is from Kingwood, Texas, and has been a BLE member since 1975. He was elected to the office of International Vice-President in 1996 and spent 16 years as General Chairman of the Southern Pacific-Eastern Lines General Committee of Adjustment. He is a member of BLE Division 566 (Del Rio, Texas).

The BLE's new First Vice-President & Alternate President is Edward Rodzwick. He was elected to the office of International Vice-President in 1996, and immediately prior to that, he served the Brotherhood in the position of Special Representative since 1988. He was elected to the office of Alternate Vice-President in 1991. As First Vice-President & Alternate President, Brother Rodzwick assumes command of the Brotherhood's second-highest office. He comes from the Eastern region of the U.S., having served on the Conrail General Committee of Adjustment in a variety of offices throughout the years. He is from Pittsburgh, Pa., and he joined the BLE in 1977. He belongs to Division 325 (Wilkesburg, Pa.).

William C. Walpert was elected to the office of International Vice-President in 1996, and now — following his election to the office of General Secretary-Treasurer in Miami — he serves as the Brotherhood's chief financial officer. Immediately prior to becoming Vice-President in 1996, he was elected to the office of First Alternate Vice-President.

Brother Walpert will continue to be in charge of a number of BLE departments, including the BLE Safety Task Force, the Department of Internal Mobilizing, Organizing & Strategic Planning, and the Education & Training Department. He joined the BLE in 1973 and is off the Burlington Northern-Santa Fe's St. Louis & San Francisco



D.M. Hahs
President



E.W. Rodzwick
1st Vice-President
& Alt. President



W.C. Walpert
General Secretary-
Treasurer

line, having served as its General Chairman from 1984-1992. He is a member of BLE Division 604 (Sherman, Texas).

The members of the new Advisory Board are:

- Don M. Hahs, International President;
- Edward Rodzwick, First Vice-President & Alternate President;
- William C. Walpert, General Secretary-Treasurer;
- Paul T. Sorrow, Vice-President;
- Joseph A. Cassidy Jr., Vice-President;
- Raymond A. Holmes, Vice-President and & U.S. National Legislative Representative;
- Merle W. Geiger Jr., Vice-President;
- Stephen D. Speagle, Vice-President;
- E.L. "Lee" Pruitt, Vice-President;
- Richard K. Radek, Vice-President;
- Dale McPherson, Vice-President;
- Gilles Hallé, Vice-President & Canadian Director; and
- T. George Hucker, Vice-President & National Legislative Representative-Canada.

Brothers Hahs, Rodzwick and Walpert were all incumbent Vice-Presidents who moved higher up on the Advisory Board as a result of the elections in Miami.

Congratulations to Brothers Sorrow, McPherson and Hallé, who were reelected by acclamation. Brothers Cassidy, Radek and Hucker fended-off challengers win reelection to their current spots. Finally, congratulations to Brothers Geiger, Speagle and Pruitt, who are the newest members of the BLE's Advisory Board. •



Delegates established two funds at the Seventh Quinquennial Convention to assist the victims of the New York City terrorist attack as well as the families of the miners killed in Tuscaloosa, Ala. Several thousand dollars were raised for these two funds over the course of the five-day convention, with the possibility that BLE Designated Legal Counsel would offer matching funds for each dollar donated by delegates.

Delegates approve change to BLE Constitution

Constitution

Continued from Page 1

Among other items, the new income generated by the dues increase will be used to raise the number of local chairman and secretary-treasurer training programs offered by the BLE, said newly-elected General Secretary-Treasurer Bill Walpert, the union's top financial officer.

President Hahs also announced that income generated from the dues increase will assist in the formation of a new Passenger Rail Department at the International Division.

The new department would be responsible for lending assistance to all passenger and commuter rail General Committees of Adjustment on a variety of issues, such as contract negotiations and enforcement of existing contracts.

President Hahs will soon announce who will head the new department and how it will be structured.

A third major revision to the BLE Constitution & By-laws calls on the BLE's National Legislative Office to provide up to \$25,000 annually to the Grand International Auxiliary for assistance in Congressional lobbying efforts. The money will be used in a variety of ways, such as letter-writing campaigns and covering expenses of GIA officers who lobby Congress to support key issues of importance to BLE members and their families.

In his acceptance speech on September 27, President Hahs pledged to foster a strong relationship between the BLE and GIA as he recognized Immediate Past President Ruth E. Pillman-Windham and newly-elected GIA International President Onita Wayland. •

S. 697 lobbying resumes

Following a temporary suspension of lobbying efforts in light of the September 11 terrorist attacks on the United States, Rail Labor resumed the fight for passage of S. 697 in early October.

The Railroad Retirement and Survivors' Improvement Act of 2001 now has 75 Senate cosponsors. The House version of the bill, H.R. 1140, was passed by a large bipartisan majority in late July, 384-33.

Raymond A. Holmes, the BLE's new International Vice-President & U.S. National Legislative Representative, asked all BLE and GIA members to pass along the following message when contacting their members of the Senate:

"While we recognize that the Senate has much unfinished business related to the events of September 11th, please don't forget to pass S. 697 — the Railroad Retirement and Survivors' Improvement Act of 2001.

"S. 697 has 75 cosponsors. The House passed its version (H.R. 1140) by an overwhelming vote of 384-33.

"Please pass Railroad Retirement this year."

S. 697 would reduce the vesting requirement under the Railroad Retirement system from 10 years to five, would eliminate the actuarial reduction for those who retire prior to age 62, and would increase surviving spouses' annuities.

The 25 Senators who are not cosponsoring this legislation are listed below:

S. 697 Non-cosponsors

1. Allard, Wayne (R-CO)
2. Bennett, Robert (R-UT)
3. Bunning, Jim (R-KY)
4. Campbell, B.N. (R-CO)
5. Domenici, Pete (R-NM)
6. Feingold, Russell (D-WI)
7. Gramm, Phil (R-TX) *
8. Grassley, Chuck (R-IA) *
9. Gregg, Judd (R-NH)
10. Hutchison, K.B. (R-TX)
11. Inhofe, James (R-OK)
12. Kohl, Herb (D-WI)
13. Kyl, Jon (R-AZ) *
14. Lott, Trent (R-MS) *
15. Lugar, Richard (R-IN)
16. McCain, John (R-AZ)
17. Murkowski, F. (R-AK) *
18. Nickles, Don (R-OK) *
19. Santorum, Rick (R-PA)
20. Sessions, Jeff (R-AL)
21. Stevens, Ted (R-AK)
22. Thomas, Craig (R-WY) *
23. Thompson, Fred (R-TN) *
24. Voinovich, George (R-OH)
25. Wyden, Ron (D-OR) •

Operation of remotes is BLE jurisdiction

BLE International President Don M. Hahs challenged the United Transportation Union's attempt to "circumvent the law" and gain jurisdiction over remote control technology, stating that the BLE — not UTU — is the union that carriers must bargain with to implement the new technology.

President Hahs warned that any agreement between the carriers and the UTU regarding remote control technology will be treated as a direct violation of the BLE's rights to bargain on behalf of its members.

"It is our position that any proposed changes in rates of pay, rules, or working conditions resulting from the use of remote control technology would have to be negotiated with our organization," President Hahs wrote in an October 5 letter to the chief labor relations officers of CSX Transportation, Union Pacific, Norfolk Southern, Burlington Northern-Santa Fe, Conrail and the Kansas City Southern.

On October 4, the UTU announced it had signed a Letter of Intent with six of the nation's rail carriers regarding "expeditious" implementation of remote control technology.

"Please be advised that as the duly accredited bargaining representative for the craft of locomotive engineer on each of the properties signatory to the Letter of Intent, the Brotherhood of Locomotive Engineers possesses the exclusive right to bargain collectively on all issues affecting the engineers employed on your properties," the President's letter stated. "This right would include bargaining over the implementation and utilization of remote control technology"

"In our opinion, the Letter of Intent is an attempt by the parties to circumvent the law and violate our rights as an organization to bargain on behalf of our members."

President Hahs noted that the Federal Railroad Administration (FRA)

still has not issued enforceable guidelines governing the use of remote control technology, as requested by the BLE in November of 2000.

"If UTU is prepared to abandon its previously stated commitment to rail safety with this apparent sweetheart deal with the carriers, we have to question whether the UTU is really committed to rail worker solidarity, as it claims," President Hahs said. "This attempted power grab by UTU, illegal and ill-advised, is a signal to rail workers that UTU is not working in their best interests."

In July of 2000, the FRA held a first-of-its-kind Technical Conference on Remote Control Locomotives in Washington D.C., at which time the BLE and UTU maintained a united front and issued joint testimony about the dangers of remote control locomotives.

"(B)ecause of the significance of this issue to the lives and safety of the people working in the industry, UTU and BLE are here today united and speaking with one voice," the UTU testified.

However, President Hahs today expressed dismay that the UTU had wavered from this stance, noting that UTU's Letter of Intent clearly contradicts the previous agreement it made to work together with the BLE.

In an article titled, "UTU and BLE join forces," published on the front page of the August 2000 issue of the UTU News, the UTU reported that, "The UTU and BLE have agreed to work together to develop a joint position on the remote control operation of locomotives."

"We had hoped to continue working jointly with UTU on the remote control issue," President Hahs said. "But after yesterday's actions, we acted swiftly to protect the jobs and working conditions of BLE members. That's our top priority." •

OCTOBER 2001 CALENDAR & EVENTS

NOVEMBER 2... Railroad Retirement Board Informational Conference in Louisville
The U.S. Railroad Retirement Board will conduct a free informational conference in Louisville, KY. 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 Executive Inn, 978 Phillips Lane. For details, visit the RRB website at <www.rrb.gov>, or call the toll-free RRB Help Line at (800) 808-0772.

NOVEMBER 9... Railroad Retirement Board Informational Conference in Metairie, La.
The U.S. Railroad Retirement Board will conduct a free informational conference in Metairie, La. 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 Metairie, 3400 I-10 & Causeway Blvd. For details, visit the RRB website at <www.rrb.gov>, or call the toll-free RRB Help Line at (800) 808-0772.

NOVEMBER 9... Railroad Retirement Board Informational Conference in Wichita
The U.S. Railroad Retirement Board will conduct a free informational conference in Wichita, Kan. 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 Select, Pecan Room, 549 S. Rock Road. 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 September Activity

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

- International President Don M. Hahs**—International Office: General supervision of BLE activities; ID convention; Southwestern Convention Meeting; Advisory Board mtg.
- First Vice-President & Alternate President Edward W. Rodzwick**— ID convention; Mtg. w/ former President Dubroski; Mtg. w/ Vice General Chairman Thompson; Southwestern Convention Meeting; Norfolk Southern Eastern Region; Advisory Board mtg.
- General Secretary-Treasurer William C. Walpert**—ID convention; Southwestern Convention Meeting; General supervision of BLE financial and record depts.; ID office; BLE Education & Training Dept.; Internal Organizing, Mobilizing & Strategic Planning Dept.; BLE Safety Task Force; Advisory Board mtg.
- Vice-President Paul T. Sorrow**—ID convention; Advisory Board mtg.; Southwestern Convention Meeting; SBA 1063; PLB 6199; I&O negotiations; GTW mtg. w/ all Local Chairmen; Assisted NS, GTW, CSX properties.
- Vice-President Joseph A. Cassidy Jr.**— Study & paperwork; General office duties; Duluth, Missabe & Iron Range Rwy.; Mtg. w/ General Chairman Delano & committee; PLB 6420; Prepare for upcoming arbitrations; Mtg. w/ Western Caucus; Advisory Board mtg.; ID convention; Mtg. w/ Southeastern Caucus.
- Vice-President & U.S. Nat'l Legislative Representative Raymond A. Holmes**—Washington D.C. office; ID convention; Advisory Board mtg.; Various activities related to transition into new office.
- Vice-President Merle W. Geiger Jr.**— Assigned to following properties: Kansas City Southern; Midsouth; South Rail; Gateway Western; Delaware Hudson/ Springfield Terminal; Assigned to SBA 1062, PLB 5527, PLB 6145; ID convention; Advisory Board mtg.
- Vice-President Stephen D. Speagle**— Assigned to the following properties: All BNSF General Committees of Adjustment; Montana Rail Link; Attended ID convention; Advisory Board mtg.
- Vice-President E.L. "Lee" Pruitt** — Assigned to following properties: UP-Western Lines; UP-Western Region; UP-Central Region; UP-Southern Region; Tacoma Belt; Attended ID convention; Advisory Board mtg.
- 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 GCofA assistance; METRA GCofA assistance; Southwestern Convention Meeting; IHB GCofA general assistance; Seminar/Panel, NARR related mtgs.; ID convention; FRA Part 240 dockets: EQAL 00-41, 98-29, 94-04, 00-67, 00-51; Advisory Board mtg.
- 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; PLB 6324; Southwestern Convention Meeting; ID convention; Advisory Board mtg.
- Vice-President & Canadian Director Gilles Hallé**—Ottawa Office; Mtg. w/ CN Rail; Mtg. w/ CATAQ insurance; Mtg. w/ ALL Inc.; Mtgs. w/ CN Rail & VIA Rail; Attended charity fundraiser; Arbitration w/ VIA Rail and BLE Central; Mediation, re: Cairns case; Advisory Board mtg.; ID Convention.
- Vice-President & National Legislative Representative-Canada T. George Hucker**—Ottawa Office; National Legislative Board-Canada; CPR return to work committee; CNR senior policy committee mtg.; Advisory Board mtg.; ID convention.

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