The Brotherhood of Locomotive Engineers and Trainmen (BLET) and the International Association of Sheet Metal, Air, Rail and Transportation Workers Transportation Division (SMART TD) filed a joint petition on September 4 challenging actions of the Federal Railroad Administration (FRA) that allow crews comprised of Mexican nationals employed by a Mexican railroad company to operate trains across the United States border and into the U.S. instead of American crews employed by American railroads.

Since July 9, the FRA has allowed foreign crews from Kansas City Southern de Mexico (KCSM), a railroad based in Mexico and subsidiary of Kansas City Southern (KCS), to cross into the U.S. and run trains on the Texas Mexican Railway Company (“Tex-Mex”) line in Laredo, Texas. BLET and SMART TD maintain that this violates long-established federal laws and regulations regarding safety, training, crew qualifications, and conduct of locomotive engineers and conductors operating freight trains in the U.S. The FRA is an agency of the U.S. Department of Transportation (DOT), which also is named as a respondent in the petition.

“The Petitioners challenge this conduct as arbitrary and capricious, an abuse of discretion, in excess of the Respondents’ statutory authority and otherwise contrary to law,” the petition states.

There has been no order, waiver, public notice or documentation published by the FRA regarding the actions being challenged. The unions seek to set aside the agencies’ actions and to require that they divulge all internal records detailing the authorization of the practice, including the vetting of the non-U.S. crewmembers by FRA, and the decision to allow KCSM, a foreign company not incorporated in the United States, to operate across the border into this country.

“FRA’s conduct has generated significant safety concerns,” BLET National President Dennis R. Pierce said. “U.S. crews are held to the highest safety standards while crews coming in from Mexico are held to much lower standards in terms of certification, testing and operating experience. This degradation in safety is unacceptable. Beyond that, while American companies outsourcing jobs to foreign countries is nothing new, all Americans should be angered by this job giveaway on our own soil.”

“We deem it to be unsafe, we deem it to be a threat to American jobs. FRA has not been able to answer simple questions regarding certification and qualification of the foreign crews. Nor have they explained in any way how they plan to enforce American safety rules to hold the foreign crews to the same high safety standards that govern all American railroad workers,” SMART Transportation Division President John Previsich said. “We are not going to let FRA stand aside and ignore their responsibilities while a Class I carrier allows foreign crews to cross the border and jeopardize the safety of our members and the American public.”

The petition was filed in U.S. Court of Appeals for the District of Columbia Circuit.

“THIS DEGRADATION IN SAFETY IS UNACCEPTABLE. BEYOND THAT, WHILE AMERICAN COMPANIES OUTSOURCING JOBS TO FOREIGN COUNTRIES IS NOTHING NEW, ALL AMERICANS SHOULD BE ANGERED BY THIS JOB GIVEAWAY ON OUR OWN SOIL.” —President Pierce
When the first Labor Day was celebrated in New York City in 1882, our Brotherhood had been fighting to improve wages and working conditions for locomotive engineers for nearly 20 years. These days, some note the holiday as marking the unofficial end of summer, but the true history of Labor Day is far more somber.

America in the late Nineteenth Century was a decidedly unfriendly place for workers. The six day workweek was the norm, and the typical work day lasted from 10 to 12 hours, without payment of overtime. There were no pensions, health care or vacations for the average worker. The courts considered trade unions to be illegal conspiracies in restraint of trade. A railroad strike in 1877 led to industrial warfare in which railroad workers and citizens were killed by federal troops, and 10 years after the first Labor Day a private army hired by Andrew Carnegie murdered seven steel workers in Homestead, Pennsylvania.

Despite this dark history, the labor movement is the engine that made the American Dream a reality for tens of millions of workers and their families. All of the benefits we enjoy today — including paid holidays like Labor Day — are the result of generations of struggle by American workers and their unions. Those victories were not won just by union leaders and members fighting together in unity, wages struggles that required blood, sweat and tears, and genuine sacrifices to win.

We now carry on the struggle initiated by our forefathers. Like the countless generations that came before us, we carry the torch for fair wages, a safe work place, and dignity on the job. We in turn will pass the torch to the next generation to carry in hopes that the struggle to protect our union rights will continue for generations to come.

But that struggle is not easy. Labor unions are under attack like never before. The Supreme Court’s recent Janus decision has changed the landscape into a de-cidedly anti-union environment.

The possibility of a national right-to-work law is being considered in the U.S. House of Representatives and the Senate. What this type of legislation does is relieve nonmembers of the obligation to pay for the representation they receive while retaining the union’s duty of fair representation.

The biggest concession pushed on the American worker by corporate bosses is the notion that he or she is better off without a Union contract. To accomplish that, they spew lies and make false promises, and they promote division within the house of labor — we create a class of freeloaders that will drive unions into bankruptcy and out of existence because the costs of representation far outweigh the unions’ income. So, we really should call this type of legislation “right-to-freeload.” Ultimately, it is the right to make the union weaker, and the bosses richer.

If these corporate-backed politicians succeed in eliminating labor unions from the American workplace, your Union contracts go away with them. Many of our members do not realize that without a union and a union contract, there is no seniority or pension plan. We are in a fight like none of us have ever experienced. And it won’t happen in a single, winner-take-all battle. Instead, years of attacks on labor, some hidden in seemingly harmless legislation, lie ahead. That means we need all hands on deck, and we need to educate our membership exactly how stark are the risks we face if we don’t mount an historic struggle.

This fall’s election could mark a major turning point for organized labor. Wall Street and Big Business are seeking to turn back the clock to the dark days of the late Nineteenth Century. I don’t think anyone in the BLET wants the railroad industry to go back to a non-union environment. I don’t think anyone wants the railroad to become a workplace where seniority rosters, contractually negotiated wages, work rules, and benefits are gone.

To restore this nation, and to protect America’s middle class and the labor movement, we must elect politicians who are not afraid to say the word UNION and support us in our efforts. On page 6 of this issue, you will find a list of BLET-endorsed candidates for office. These candidates were selected by the BLET State Legislative Board Chairmen who were elected to represent your best interests in the state where you live.

I urge all BLET members to join our fellow Brothers and Sisters throughout the labor movement by electing politicians who understand and support organized labor. Fulfilling your obligation to vote in the national, state and local elections this fall is an investment in the BLET not unlike the sacrifices of those who preceded us, and it can have an equally powerful impact on where we go from here.

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Don’t turn back the clock

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BLET NATIONAL DIVISION ELECTRONIC COMMUNICATIONS POLICY

Official communications between BLET members and the National Division require a hard copy of the correspondence, bearing a signature, being received by the National President to be considered an “official communication.” This is to provide that the actual question(s) are addressed, and ensures that when official interpretations are made they have reference to a specific request and can be used in future correspondence. The volume of e-mails received makes it impossible for the National President to answer all unofficial communications. Therefore, it is the policy of the BLET that e-mails addressed to the National President will be reviewed and forwarded to the appropriate officer or staff for a timely response; however, an e-mail message is not considered an official communication. Moreover, anonymous e-mails and e-mails that do not provide sufficient information concerning the sender to enable National Division staff to confirm the sender’s membership status will not receive any reply or acknowledgement. This policy is intended to allow the National President to be aware of the opinions and suggestions of the membership, while at the same time providing a timely response to the member’s unofficial communication, if a response is necessary, without needlessly expending limited BLET resources.

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www.ble-t.org

Don’t turn back the clock

BLET PRESIDENT’S MESSAGE

BY DENNIS R. PIERCE

President Pierce with a group of Norfolk Southern engineers at the BLET’s Washington D.C. regional meeting from left: Keith Holley, Local Chairman of Division 333 (Bermama, Pa.); Casey Pearce, Local Chairman of Division 899 (Birmingham, Ala.); Ray Vigil, Secretary-Treasurer of Division 226 (Newark, N.J.); President Pierce, and Scott Brown, Local Chairman of Division 259 (Easton, Pa.).
Despised supporters’ efforts to sabotage the anti-RTW referendum vote by having it moved to the August primary ballot from the November general election ballot earlier this year, workers made it clear they didn’t believe the lies told by big business in an effort to halt collective bargaining in the “Show Me” state. Destructive RTW laws are designed to drive down wages and weaken workers’ bargaining rights that have already mandated right-to-work for less, lower wages, higher unemployment and poverty levels, and fewer protections for workers than free bargaining states. As voters showed, there was no good reason for them to support such an anti-worker measure. The median salary of a union worker is more than $11,000 a year higher than the median non-union workers. Nine of the 10 highest poverty states are RTW. And those living in RTW states are also less likely to receive employer-based health insurance as well.

Big business says RTW is good for the American economy. But many of these same companies have refused to pay their fair share of the push. But by the middle of the year, big business was seeing the economic consequences of RTW in Missouri. By the end of June, almost 47,000 Missourians had signed petitions to drive the flag out of their state.

"Enough!" when they voted to reject the "Show Me" state. Missouri workers have finally rejected the lies told by big business in an effort to halt collective bargaining in the "Show Me" state.
The Rail Workers Hazardous Materials Training Program is hosting four rail worker training sessions in the coming months. The dates are as follows: November 11-16, 2018; January 6-11, 2019; February 3-8, 2019; and March 17-22, 2019.

These 40-hour rail hazmat/chemical emergency response training courses will run on a Sunday through Friday basis, with an orientation session at 5:30 p.m. on Sunday and departure on Friday. All training will be conducted at the Houston Fire Department’s Val Jahnke Training Facility, 8030 Braniff St., Houston, Texas, 77061.

The Rail Workers Hazardous Materials Training Program is funded by a federal grant from the National Institute of Environmental Health Sciences (NIEHS) to provide hazmat training to rail workers. These five-day hazmat training courses will provide rail workers the essential knowledge, skills, and response actions in the case of an unintentional release. These tools will allow rail workers to protect themselves, their co-workers and their communities.

This training addresses OSHA and DOT required training in addition to procedures, different levels of response and worker protection in a hazardous materials emergency or release, weapons of mass destruction awareness, and the incident command system. The training also provides completion of the OSHA 10-Hour General Industry Outreach requirements. The programs are delivered using interactive classroom instruction, small group activities, hands-on drills and a simulated hazmat response in full safety gear.

The funding provides the following student expenses: travel, lodging and meals. In addition, an incentive of $175.00 per day is available to all training participants of these programs, except those who are able to secure regular pay through their employer, or are paid union officers.

It is recommended that rail workers complete the 40-hour chemical emergency response training courses once every three years. Please use the following website to register: http://www.railworker-trainingprogram.org.

For more information, please use the link above or call the Rail Workers Hazardous Materials Training Program at (202) 624-6963 (Monday-Friday, 9 a.m.-5 p.m., EST). A flyer to print and share on bulletin boards at your on-duty location is available here: http://www.ble-t.org/pr/pdf/Hazmat_Flyer_2018-19.pdf. 
M ore than 300 members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) and their families convened in Washington D.C. on the morning of August 14 for opening ceremonies of the BLET's Washington D.C. regional meeting. They heard presentations from 10 different speakers, including Teamsters General Secretary-Treasurer Ken Hall.

In order of appearance, guest speakers were: Jeff Marootian, Director of the D.C. Department of Transportation; Ken Hall, General Secretary-Treasurer of the International Brotherhood of Teamsters; Congressman Anthony G. Brown, who represents Maryland's 4th District; President Pierce; Kathleen Bisbikis, National Second Vice President and Legislative Representative of the BLET Auxiliary; Karl Racine, Attorney General for the District of Columbia; Dana Balter, Democratic candidate to represent New York's 24th District; Steve Tuck, a retired member of Division 18 (Kansas City, Mo.) and his wife Kathy; and Dana Balter, Democratic candidate for the District of Columbia legislative board; Dino Raptis, a retired member of Division 12 (Fort Wayne, Ind.) and his wife Kathy; and Steve Tuck, a retired member of Division 17 (Kansas City, Mo.), and his wife Chris.

Speaking on behalf of Washington D.C. Mayor Muriel Bowser, Jeff Marootian presented a proclamation to BLET President Dennis Pierce welcoming the Union to Washington and recognizing the time of his retirement in 2017.

Near the end of the morning session, President Pierce delivered remarks regarding the importance of the union movement and the necessity for unions to work together in solidarity. He also warned that rail worker benefits and contracts are under attack due to the anti-union movement and the necessity for unions to stand together. "They say that beside every great man stands a great woman, and there are no greater women than those married to a railroader," she said.

Two special presentations took place during the BLET closed meeting on the afternoon of August 14. Prior to the start of business, President Pierce recognized the retirement of former Union Pacific-Western Lines General Chairman Bill Hannah, presenting him with a United States flag that flew over the U.S. Capitol near the time of his retirement in 2017. Also, Herb Harris, Chairman of the BLET's District of Columbia Legislative Board, presented a proclamation to the membership on behalf of the Washington D.C. City Council.

Members took advantage of educational opportunities throughout the remainder of the week. Workshops featured specialized training for BLET Legislative Representatives, Secretary-Treasurers and Local Chairmen. The 2018 Washington D.C. regional meeting concluded with a banquet on the evening of Thursday, August 16. The dates and locations of the BLET's 2019 regional meetings will be announced soon. When available, information will be posted at: http://www.blet.org/regional/.

BLET concludes 2018 Washington D.C. regional meeting
BLET LEGISLATIVE BOARD
ENDORSEMENTS 2018

EDITOR'S NOTE: These endorsements are based on recommendations from the various BLET State Legislative Board Chairmen. They represent the candidates your elected BLET officers believe will best represent the interests of railroad workers and middle class Americans.

DUE TO FEDERAL ELECTION COMMISSION (FEC) REGULATIONS, OUR 2018 ENDORSEMENTS ARE VIEWABLE IN THE MEMBERS-ONLY AREA OF THE BLET WEBSITE: WWW.BLE-T.ORG/MEMBERS.
It is without question that unions have paved the way for higher wages, better benefits and safety in the American workplace that have provided union members and their families peace of mind for more than 150 years. As the oldest active labor union in our country, the BLET and its membership know this better than most. There is however a threat that can destroy this security in one fell swoop; the loss of income due to a sickness (cancer, heart attack, stroke, etc.) or an off-the-job injury. While FELA exists to protect railroad workers’ income for on-the-job injuries, the FELA system has limitations and can sometimes leave members fighting for years to receive the benefits they deserve. This is why BLET has partnered with Cornerstone Benefits Management to provide 24-hour tax-free income replacement benefits, such as disability insurance, life insurance, and critical illness and accident insurance.

One might ask why union members historically haven’t had access to better income protection benefits. The answer is that employers aren’t willing to pay for them and unions typically aren’t staffed to administer them. Administering group income replacement benefits requires educating the members on the benefits, enrolling members who wish to participate, coordinating premium payments from the members to the insurer and assisting members who need to file a claim or have claims-related issues. For these reasons, unions have engaged outside consultants to ensure that members can obtain robust income replacement benefits that are affordable and allow them to enjoy true peace of mind.

We’ve all seen what happens when a member who is injured, suffers a serious critical illness, or worse is killed doesn’t have adequate life or disability insurance. The union will typically become a fundraiser for that member and the family. The pass-the-hat scenario, “go fund me” campaigns, and helpful fundraisers of all kinds are all too well known to most of us. BLET members and their families should be very proud that their union makes 24-hour, cost effective, tax-free income replacement benefits available to all members on a guaranteed approved basis.

The BLET, through its partnership with Cornerstone, now offers all members options to protect their most important asset… their income. This is a unique benefit available only to BLET members. In the rail industry especially, one of the least insurable industries in the nation, only your union representation can provide a fair plan through a group rate.

You must be an active dues paying member to have access to the benefits provided by Cornerstone. The benefits are not available to non-members. All members should know and understand that the only way to preserve the longevity of current benefits and introduce new future programs is for the membership to participate and support these plans, and the union overall.

Below is a list of all the voluntary plans (and enrollment dates) that BLET members can obtain from Cornerstone. All members are encouraged to consider: (1) what would happen if their income is lost for an extended period of time or permanently due to sickness, injury, or death; and (2) providing themselves and their families peace of mind by enrolling in any of the benefit plans being made available by the BLET. Please call (847) 387-3555 with any questions or to enroll in any of the following benefits.

**BLET On-The-Job (Part B) Short-Term Disability Plan (MetLife)**
- Open Enrollment is open through September 30

**General Committee and Local Division Plans (Principal Insurance Company)**
- Open Enrollment is NOW OPEN and will remain open through October 31
  - Short Term Disability Insurance
  - Long Term Disability Insurance
  - Life Insurance

**BLET National AFLAC and Trustmark Plans**
- Open Enrollment is NOW OPEN and will remain open through September 30
  - Accident Insurance
  - Critical Illness w/ Cancer Insurance

**INSURANCE COVERAGE YOU CAN ONLY GET IF YOU ARE A BLET MEMBER**
BLET members ratify Cedar River Contract

By an unanimous vote, members of the Brotherhood of Locomotive Engineers and Trainmen ratified a new collective bargaining agreement with the Cedar River Railroad, a Canadian National subsidiary, on July 30, 2018. The contract governs six hard work- ing locomotive engineers and runs through December 31, 2019. It provides retroactive pay dating to January 1, 2015, and also includes a 3% general wage increase effective January 1, 2019. The total compounded pay increase over the life of the agreement (2015-2019) is 13.14%.

The contract provides the same health and welfare plan as BLET members covered by the National Agreement, with monthly payments frozen at $228.89. There are no work rule changes in the contract.

BLET National President thanked the Cedar River membership for participating in the ratification process. He also thanked National Vice President Marcus J. Ruef, new General Chairman W.D. (Billy) Evans, and recently-retired General Chairman Clay Coddock for bringing this round of contract negotiations to a successful conclusion.

“I thank our Cedar River members for participating in the ratification process. I also thank our negotiating team for a job well done.”

— President Pierce

Are you a photographer? The National Divisions’ Public Relations Department seeks news photos. Send image files to photo@ble-t.org. Please note only high resolution images can be used. Members are also encouraged to review their employer’s policies regarding the use of cameras and other electronic devices while on duty.