Victory in New Jersey

New law prohibits NJ Transit from asserting sovereign immunity to escape rail worker lawsuit under FELA

ail Labor scored a major victory for railroad workers in New Jersey on June 25 when Governor Phil Murphy signed the “New Jersey Transit Corporation Employee Protection Act” into law. The law prohibits NJ Transit from asserting sovereign immunity to escape rail worker lawsuits under the Federal Employers’ Liability Act (FELA) and other federal rail statutes.

The new law effectively reverses the wrong-headed Court decision in the “New Jersey Transit Corporation v. Weinberg” case, which would have halted existing lawsuits as an “arm of the state.” That ruling would have halted existing FELA suits and would have prevented all future FELA federal court claims. The new law sets things right.

Members of the New Jersey State Legislature took action to combat the wrong-headed Court decision in the form of S3164, sponsored by Senator Linda Greenstein (D-14) and Senator Patrick J. Diegnan Jr. (D-18), and A4689, sponsored by Assemblyman Daniel Benson (D-14), Yvonne Lopez (D-19) and Carol A. Murphy (D-7). Both Houses of the State Assembly unanimously ratified the final bill on June 20 by a vote of 74-0. Final language of the bill is available at: https://legiscan.com/NJ/text/S3164/2018

“I thank BLET General Counsel Mike Wolly for his role in drafting the legislation and the New Jersey State Legislative Board for its efforts tolobby for passage of this much needed law,” BLET National President Dennis R. Pierce said. “I also thank all BLET members in New Jersey as well as their families for contacting their members of the state legislature regarding this bill. United in solidarity, we were able to score a major victory by preserving the rights and protections that our New Jersey Transit Brothers and Sisters have enjoyed throughout their entire careers.”

President Pierce also thanked members of the BLET National Mobilization Team for helping to organize membership action on this issue. ☉

“United in solidarity, we were able to score a major victory by preserving the rights and protections that our New Jersey Transit Brothers and Sisters have enjoyed throughout their entire careers.”

— President Dennis Pierce

TEAMSTER 2020 ELECTION SURVEY

To IDENTIFY TOP ISSUES

W orking Americans face numerous challenges. Despite top line economic numbers that may look favorable, many workers’ paychecks are not growing. Add to that concerns surrounding pensions and health care benefits, and uncertainty looms for the U.S. middle class.

That’s why the 2020 election is so very important for the BLET and all Teamsters. The Teamsters and BLET are committed to making our presence felt and demanding that presidential candidates make commitments on issues that are important to our membership.

That starts with input from BLET and Teamster members.

“The Teamsters want to hear from members about what their top issues and concerns are as the nation prepares for this pivotal election,” Teamsters General President Tom Hoffa said. “This union will be putting on a full-court press to demand that any candidate for president listen to our members and address our concerns.

The Teamster 2020 survey is an important step as we hear directly from our members on what issues do we care about. We want to make sure our voices are heard.”

BLET National President Dennis R. Pierce encouraged all BLET members to go to www.teamsters2020.com and fill out the survey to let union leaders know what their thoughts are going into the 2020 election.

Go to www.teamsters2020.com to fill out the survey

“All BLET members are a part of this process, and we should all participate in this first step of the election process,” Pierce President said. "The 2020 Presidential Election is right around the corner and it’s more important than ever that we elect people who support workers and our families."

Together, Teamster Brothers and Sisters can ensure that this great union plays a critical role in electing a president that will truly stand with our members and the nation's workers. ☉
I want to start by thanking you all for being here. At the core of our strength and our solidarity is our fellowship. It is at meetings like this one that foster that fellowship; my hope is that we all leave here more united and determined than ever.

A lot has happened since our last BLET Regional Meeting in Washington, D.C. last year. Perhaps one of the most important events was when the citizens of the proud State of Missouri put the ballot box in August of last year and overturned the State’s so-called Right to Work law.

My hat is off to the working men and women of Missouri, and more importantly, I offer my thanks to the many Union Brothers and Sisters that got involved in the campaign to right the horrible wrong done to working class Americans in Missouri by their elected government. Let’s give a round of applause for the Officers and Members of our Missouri State Legislative Board, as well as for all the hard working Teamster Brothers and Sisters who refused to sit on the sidelines and got involved in the campaign.

As was said then, don’t be fooled by the slogan. Right to Work gives you no rights, except the right to work for less, have lesser health care, and a less safe workplace. Strong Unions are about protecting the family of workers, and the FRA Administrator to task, you must seek out and elect politicians who will work for working class Americans. We must support politicians who know that a vibrant working middle class is what makes America great.

In fact, the brave politicians that passed the six state Crew Size laws have earned our support.

At the Federal level, we are being urged by Congress to testify on behalf of our proud Union a few weeks ago at a hearing of the House Subcommittee on Railroads, Pipelines, and Hazardous Materials. This was the second time I have testified before a Committee, and I can tell you that the tone of last week’s hearing — under Democratic control — was much different than the tone of the hearing on Amtrak 188, where the Republicans were in control.

If you have not watched the video that the labor friendly Democrates on the Committee took the FRA Administrator to task, you should. It was obvious in his testimony and his defensive answers to the Committee that he has yet to be held accountable for his actions. He has not answered questions about his role in and do their part. To stop the anti-worker movement in the legislative halls across the country, we must work in an industry that is virtually completely organized, and for that reason, our members have benefits that come not only from collectively bargained contracts, but also from legislation that is looked down upon by some as a non-Union factory in the Midwest. The boss’s friends and families had the best jobs, and made the most money, I was neither of those.

That changed for me when I first-hand the difference between a Union job and a non-Union job. I did not grow up in a Union household, and my first job after leaving college was in a non-Union factory in the Midwest. The boss’s friends and families had the best jobs, and made the most money, I was neither of those.

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General President’s Message by James P. Hoffa

Unions Offer Opportunity for Younger Workers

Young adults in America are not optimistic about the future, and for good reason—financially they are doing far worse than those from previous generations.

Statistics released by accounting behemoth Deloitte shows that the average net worth of those aged 18 to 25 is only $8,000, down 34 percent since 1996. That’s due in large part to sharp increases in education, housing, food, health care and transportation costs while wages have largely remained unchanged.

Those numbers followed broader global research conducted by Deloitte that stated millennials and Generation Z members are feeling unsettled about their future, especially economically. Only 26 percent expect economic conditions to improve in the coming year, down from 45 percent a year earlier. Income inequality and unemployment were listed as top concerns.

But there are things these younger generations can do to help create a more secure future — join a union! The median union worker makes $10,000 more a year than the median non-union one. They are also more likely to have health care and retirement benefits.

Now, to be fair, there is proof younger workers understand this. The number of millennials who were a member of a union grew by nearly 400,000 between 2016 and 2017. A Pew Report this year, meanwhile, found that 68 percent of those aged 18 to 29 support unions, the highest of any age group.

While the U.S. Supreme Court and lawmakers in some statehouses have successfully rolled back labor rights, workers do have the power to halt such actions. Last year in Missouri, for example, voters overrode an effort to put a so-called right-to-work measure on the books.

All workers can ensure a better future for themselves by organizing on the job and then supporting candidates at the ballot box that protect their rights to collectively bargain. It’s never too soon to create a better tomorrow for the working class!

Fraternally,

James P. Hoffa
Teamsters General President

BROTHER William J. Fleischmann, BLET Division 752 (Rensselaer, N.Y.), was elected by acclamation to serve as Chairman of the New York State Legislative Board at its quadrennial meeting in Lake George, N.Y., July 12-13, 2019.

An Amtrak locomotive engineer, Brother Fleischmann was elected by acclamation to serve the Board as 1st Vice Chairman at its quadrennial meeting in 2015. He has been a member of BLET Division 752 since December 1, 1998.

Also elected by acclamation were: 1st Vice Chairman Jay J. Carhart, Division 169 (Syracuse, N.Y.); 2nd Vice Chairman Brian R. Burns, Division 87 (Green Island, N.Y.); Secretary-Treasurer Rick Jordan, Division 269 (Long Island, N.Y.); and Alternate Secretary-Treasurer Corey W. Engel, Division 752 (Rensselaer, N.Y.).

Elected to serve as Trustees were: 1st Alternate Nate M. DeFayette, Division 46 (Albany, N.Y.); 2nd Alternate David G. Kearsing, Division 46 (Albany, N.Y.); 3rd Alternate M. DeFayette, Division 641 (Hornell, N.Y.); and 4th Alternate Fred J. Eyer, Division 54 (Port Jervis, N.Y.).

Elected to serve as Trustees were: David G. Kearsing, Division 46 (Albany, N.Y.); Karl Bischoff, Division 269 (Long Island, N.Y.); and Brian R. Burns, Division 87 (Green Island, N.Y.).

Representing the BLET National Division at the meeting were: National President Dennis R. Pierce; Vice President & National Legislative Representative John P. Tolman; Director of Regulations and Labor Affairs Vince G. Verna; Special Representative and Director of Mobilization-Eastern Region Matthew C. Kronyak.

I wish to extend my thanks and congratulations to Brother Fleischmann and officers for serving the New York State Legislative Board.” President Pierce said. “I know they will do an excellent job of representing the best interests of our members in the Empire State.”

The New York State Legislative Board represents 13 local Divisions and more than 2,500 active and retired members throughout New York, including both freight and passenger lines.

But there are things these younger generations can do to help create a more secure future — join a union! The median union worker makes $10,000 more a year than the median non-union one. They are also more likely to have health care and retirement benefits.

Fleischmann elected New York State Legislative Board Chairman

Members, officers and guest at the New York State Legislative Board’s quadrennial meeting in Lake George, N.Y., July 12-13, 2019.
More than 300 members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) and their families convened in St. Louis, Missouri, on the morning of June 25 for opening ceremonies of the BLET’s first regional meeting of 2019. BLET National President Dennis R. Pierce called the meeting to order. After presentation of the colors by members of the First Marine Division Association (St. Louis Chapter), Brother Gary R. Pedigo, Chairman of the BLET’s Texas State Legislative Board, delivered the invocation. Brother Pedigo is a member of BLET Division 177 (Denison, Texas).

President Pierce then welcomed all members, families and guests to St. Louis. He introduced members of the BLET Advisory Board who were in attendance, and thanked National Vice President Jim Louis, Special Representative Matt Krotnyk and Special Representative Jason Wright for their work in managing and organizing the regional meeting. President Pierce also recognized and thanked the regional meeting arrangements committee members: Brother Mike Gurley, Local Chairman of BLET Division 42 (St. Louis, Mo.); Brother Mike McGill, Legislative Representative and Second Vice Local Chairman of Division 42 (St. Louis, Mo.); and Brother Steve Tuck, a retired member of Division 17 (Kansas City, Mo.), and his wife Chris.

Guest speakers included: St. Louis Mayor Lyda Krewson; International Brotherhood of Teamsters Vice President and Rail Conference Director John Murphy; Railroad Retirement Board Labor Member John Bragg; International Brotherhood of Teamsters Trustee Jim Kabell; and BLET Auxiliary National President Kathleen Bublak.

A Teamster member since 1972, Brother Kabell is the Principal Officer and Secretary-Treasurer of Local 245, and is the former President of the Missouri-Kansas-Nebraska Conference of Teamsters. With assistance from BLET Missouri State Legislative Board Chairman Calvin Groose and retired MoSLB Chairman Brian Kelby, National President Pierce presented Brother Kabell with a handsomely engraved brass bell in recognition of his distinguished career and pending retirement.

President Pierce delivered remarks regarding the state of the union and the state of the rail industry. He also discussed the upcoming national election and the need to elect union-friendly politicians to help safeguard what the BLET has accomplished over the past 156 years.

“We know all too well that there are very few workforces subjected to as much oversight and control by the Federal Government as those of us who toil in the nation’s rail industry,” President Pierce said. “Whether it be the Federal Railroad Administration’s oversight of rail regulations, the Surface Transportation Board’s oversight of rail mergers, or the National Mediation Board’s oversight of our grievance and contract mediation and arbitration, we are continually affected by the power of the Executive Branch to appoint these government overseers. I need your help to spread the word, and the help of every BLET member who is willing to pitch in and do their part. To stop the anti-worker movement in the legislative halls across the country, we must seek out and elect politicians who will work for working class Americans. We must support politicians who know that a vibrant working middle class is what makes America great.”

Midway through the morning session, President Pierce led BLET members in a moment of silence for all BLET members who have been killed in the line of duty since 1989. All their names were shown in a solemn video presentation.

Also during the morning session, a delegation of members from BLET Division...
More than 300 members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) and their families convened in Clearwater, Florida, on July 23 for opening ceremonies of the BLET’s second regional meeting of 2019.

BLET National President Dennis R. Pierce called the meeting to order. After presentation of the colors by members of American Legion Post 273 Color Guard, Brother Chris Hyde, Vice Chairman of the BLET’s CSX Eastern Lines General Committee of Adjustment, delivered the invocation. Brother Hyde is a member of the BLET Division 314 (Rocky Mount, N.C.).

President Pierce then welcomed all members, families and guests to Clearwater. He introduced members of the BLET Advisory Board who were in attendance, and thanked National Vice President Jim Louis, Special Representative Matt Kronyak and Special Representative Jason Wright for their work in managing and organizing the regional meeting. President Pierce also recognized and thanked the regional meeting arrangements committee members: Brother Dave Wyatt, Local Chairman of BLET Division 216 (Tampa, Fla.) and Brother Dave Lavery, Legislative Representative of Division 216 (Tampa) and former Chairman of the Florida State Legislative Board; and Brother Dino Rapitis, a retired member of Division 12 (Fort Wayne, Ind.), and his wife Kathy.

Guest speakers included: Ken Hall, General Secretary-Treasurer of the International Brotherhood of Teamsters; John Bragg, Labor Member of the Railroad Retirement Board; Representative Charlie Crist, U.S. House of Representatives (D-FL); BLET Auxiliary National President Kathleen Bisbikis; and Brother Lavery, former Chairman of the Florida State Legislative Board.

The chief financial officer of the IBT, Brother Ken Hall discussed the strong financial state of the Teamsters. A second-generation Teamster, Brother Hall has been a member since 1976 when he began his Teamster career working in the oilfields for the Pennzoil Company. After serving as a Pennzoil job steward and negotiating committee member for 11 years, Hall was appointed as Local 175 business agent in 1987. He was appointed Teamster International Vice President, Eastern Region, in 2003 and elected GST in 2011. Hall spoke about the need for unity within the IBT and with all of labor.

"I’m a Teamster. You’re a Teamster. We’re all Teamsters. We just do different jobs," Brother Hall said. "When one of us has a fight, we all have a fight. Your fight to protect two-person train crews is the fight of all Teamsters. We have to have each other’s backs."

A native of Hinton, West Virginia, Bragg began his railroad career 18 years ago with CSX Transportation as a freight conductor at Pinoca Yard in Charlotte, N.C. He subsequently transferred to the Signal Department and was elected Local Chairman and Northeast General Committee Trustee for the Brotherhood of Railroad Signalmen (BRS). In May 2008, he was appointed as a BRS Grand Lodge Representative, holding several key positions, including Director of Research — a position that works jointly with the Federal Railroad Administration to craft railroad safety regulations. In 2011, he was elected as a BRS Vice President, and was reelected by acclamation in 2014 and 2018. On February 5, 2019, he was sworn in as Labor Member of the Railroad Retirement Board, with the support of the 13 national rail unions. He urged members to remain active in order to protect their retirement benefits.

"Rest assured, when you go to retire, the Railroad Retirement system will be there for you," Bragg said. "But we have to remain vigilant. Any changes to Social Se-

CONTINUED ON PAGE 7
Kent J. Psota was elected to the office of General Chairman at the Burlington Northern Santa Fe/Montana Rail Link (BNSF/MRL) General Committee of Adjustment’s 15th triennial meeting in Las Vegas, Nevada, July 8-11, 2019.

A member of BLET Division 623 (McCook, Neb.), Brother Psota served for several years as Vice Local Chairman and then Local Chairman of Division 623. He was elected 1st Alternate Chairman at the GCA’s 2007 meeting and was elevated to a full time VGC in Fort Worth, Texas, in 2008. He was reelected by acclamation to VGC spots in 2010, 2013, and 2016, prior to his election as General Chairman in 2019.

Also elected were: 1st Vice Chairman Matt Brandt, Division 727 (Sterling, Colo.); 2nd Vice Chairman Jess Nelson, Division 842 (Klamath Falls, Ore.); 3rd Vice Chairman Vern Gordon, Division 98 (Lincoln, Neb.); 4th Vice Chairman Brian Fransen, Division 207 (Casper, Wyo.); and Secretary-Treasurer Luke Myers, Division 727 (Sterling, Colo.).

Elected to serve as alternate officers were: 1st Alternate Vice Chairman, Jason Scanlan, Division 107 (St. Joseph Mo.); 2nd Alternate Vice Chairman Rick Lear, Division 290 (Superior, Wisc.); 3rd Alternate Vice Chairman Neal Schipper, Division 940 (Denver, Colo.); 4th Alternate Vice Chairman Jeff Grimes, Division 450 (Pasco, Wash.); and Alternate Secretary-Treasurer Cordell Booke, Division 746 (Mandan, N.D.).

Elected to serve as Trustees were: Brandon Folsom, Division 665 (Centralia, Ill.); and Alternate Secretary-Treasurer Dave Gavrin, Division 627 (Lincoln, Neb.).

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Elected to serve as Trustees were: Brandon Folsom, Division 665 (Centralia, Ill.); and Alternate Secretary-Treasurer Dave Gavrin, Division 627 (Lincoln, Neb.).

Representing the National Division at the meeting were: National President Dennis R. Pierce and National Vice President Michael D. Priester.

“I would like to congratulate Brother Kent and all officers of the BNSF/MRL General Committee of Adjustment,” President Pierce said. “I am proud to thank these Brothers for their hard work in serving our great Brotherhood.”

President Pierce served as General Chairman of the BNSF/MRL GCA from 2001-2008. He recognized outgoing General Chairman E. G. “Jerry” LaPrath and GCA Secretary-Treasurer Kevin Foley, who did not seek reelection due to their upcoming retirements. “I wish both Brothers a happy and healthy retirement,” President Pierce said.

In addition to the election of officers, the delegates in attendance heard reports from their cab committee as well as their safety coordinators. The delegates also addressed Bylaws issues, including the decision to hold future meetings on a quadrennial basis (once every four years) instead of triennially.

The BNSF/MRL GCA is the largest GCA in the BLET in terms of the number of members represented and the number of Divisions. The GCA represents nearly 6,800 active and retired members from 44 different Divisions.
BLET MEMBERS RATIFY NEW CONTRACT WITH M&NA SHORT LINE

June 20, members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) ratified a new collective bargaining agreement with the Missouri & Northern Arkansas Railroad. The agreement runs through 2023 and provides for improved wages and benefits for the 350 operating employees. Members will receive a signing bonus as well as a significant wage increase. The agreement also includes a new multi-employer pension plan and a new health and welfare plan.

President Pierce also thanked the negotiating team for bringing the negotiations to a successful conclusion, recognizing National President Dennis R. Pierce. President Pierce also thanked the negotiating team for bringing the negotiations to a successful conclusion, recognizing National President Dennis R. Pierce. President Pierce also thanked the negotiating team for bringing the negotiations to a successful conclusion, recognizing National President Dennis R. Pierce.

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At the GCA's quadrennial meetings in 2011 and 2015 he began serving as General Chairman, and in his third term, has been elected to serve the National Division as Alternate National Vice President No. 4 at the BLET’s Fourth National Convention in 2018. Also elected during the meeting were: 1st Vice Chairman Nick T. Mogren, Division 790 (Chicago), 2nd Vice Chairman Joe Rainwater, Division 117 (Mason City, Iowa); 3rd Vice Chairman Lýze K. Dondz, Division 294 (Bensenville, Illinois); Secretary-Treasurer Paul M. Dinskus, Division 882 (Milwaukee, Wisc.), and Alternate Secretary-Treasurer Jodi McClure, Division 540 (Chicago). Delegates also elected the following Brothers to serve as Trustees: Jeremy C. Thorsen, Division 71 (LaVergne, Tenn.); Rob P. Ralph, Division 671 (Enderlin, N.D.); and Gordon L. Kepka, Division 357 (Minneapolis, Minn.). Representing the National Division at the meeting were: Dennis R. Pierce, National President; E. Lee Pratt, First Vice President; Marc J. Ruef, National Vice President; and Michael D. Priester, National Secretary-Treasurer.

Dennis R. Pierce, National President, said: “I am proud to congratulate Brother Semcken and all officers of the General Committee, and I thank them for their service to our great Brotherhood,” President Pierce said. “I have every confidence they will continue doing an excellent job protecting the rights of our Brothers and Sisters.” The GCA has more than 1,300 active and retired members and represents locomotive engineers on the Canadian Pacific-U.S. (former Minn. & St. Joe Line) and locomotive operators, conductors and trainmen on the Indiana Southern Railroad, and locomotive engineers and train service employees on the former Dakota, Minnesota & Eastern Railroad. 

Semcken reelected to third full term as CP Rail General Chairman

Are you a photographer? The National Division’s Public Relations Department, which produces the newsletter each month, has received numerous inquiries lately from BLET members volunteering to contribute their images to the “Photo of the Month” section of the newsletter. If you would like to submit a photo for consideration, you may call Editor John Bentley at (216) 241-2630, ext. 248, or you can email photos@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.