The following message is from Dennis Pierce, President of the Teamsters Rail Conference.

In March, President Donald J. Trump presented his budget to the American people, and despite making public statements that his administration would spend $1 trillion on infrastructure, his first budget proposal consists of cuts that hurt American workers. Included in this budget is the complete elimination of funding for all long distance Amtrak trains. These cuts would negatively impact rail service in 23 states and along 15 Amtrak routes, and further affect hundreds of thousands of riders a year nationwide.

Along with hampering the ability of Americans to use passenger rail as a mode of transportation, these cuts would also eliminate the jobs of approximately 500 hardworking members of the Brotherhood of Locomotive Engineers and Trainmen (BLET), who operate Amtrak trains, and also the jobs of hundreds of members of the Brotherhood of Maintenance of Way Employees Division (BMWED), who repair tracks, bridges and other infrastructure along Amtrak routes. Additionally, the cuts would eliminate jobs in other railroad crafts along Amtrak’s long distance train system. The loss of so many jobs would have a serious impact on the Railroad Retirement System, as employer and employee taxes pay for the system. All railroaders, regardless of employer, would feel the negative impact if these cuts are allowed to happen.

On behalf of the Teamsters Rail Conference, BLET National President Dennis Pierce is urging the Trump Administration and members of Congress to fully fund Amtrak on long distance, Northeast Corridor, and state-supported corridor trains. The Rail Conference also urges President Trump and members of Congress to allocate enough money for improvement of rapid, frequent and dependable service and continued growth of passenger rail throughout the United States of America.

All Teamster members, families and friends are asked to contact their member of Congress by calling the U.S. Capitol Switchboard at (202) 224-3121, and ask to speak with the House of Representative member from your Congressional District. Contact information can also be found here (www.house.gov/htbin/findrep). If you do not talk directly with your member of Congress, then ask to speak to the staff member who handles Labor issues. When speaking to staff, please be respectful just as you would if you were personally speaking with your member of Congress.

CONTACT YOUR CONGRESSPERSON: BLET members can send a customized email asking them to oppose the Trump budget that does not fully fund Amtrak: http://tinyurl.com/Amtrak-Funding

The end of an era...

ON JULY 30, 2016, Norfolk Southern ran its last train across the NS Princeton-Deepwater District from Alloy Yard in Deepwater, WV, south to Elmore Yard in Mullens, WV. Here, the southbound freight passes through Harper, WV, as a rainbow greets the mixed freight comprised of covered hoppers, tank cars and gondolas. Photo taken at Harper, WV, by Chase Gunnoe.
I would like to start by thanking American Train Dispatchers Association, on March 22, 2017, at an ATDA training class held in conjunction with the celebration of the 100th anniversary of the American Train Dispatchers Association, a fellow Rail Labor union.

Continued on page 5

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 for 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.

Adopted at Cleveland, Ohio on July 22, 2010.

Anthem cover photo: Siemens press picture. Pincash photo above: courtesy of ATDA.
H

Having Good Health Insurance Shouldn’t Be Punished

Lawmakers have decided to penalize their constituents, even though many let them know they were looking for improved health care coverage, not a more expensive insurance. It’s just the latest example of the rich getting a free pass while the people who can least afford it foot the bill.

BLET members to keep Health FSA plan for 2017

Members of the Brotherhood of Locomotive Engineers and Trainmen will keep their Health Flexible Spending Accounts (Health FSA) plan. Members participated in the plan and encouraged more members to sign up for future Plan Years.

The Health FSA program has proven to be a moneysaver for BLET families,” President Pierce said. “I am encouraged by our membership’s steady participation level and I am optimistic that it will continue to increase as the word spreads about the Plan’s benefits and more members become familiar with the positive aspects of the plan.”

Any members with questions regarding the FSA should call United Health care at (888) 298-9754 or visit the Your Plan website.
BLET General Chairmen meet in Cleveland

On February 28 and March 1, 2017, more than 50 BLET General Chairmen and Vice General Chairmen convened for informational meetings and educational seminars at the BLET Education & Training Center in Independence, Ohio.

The BLET Advisory Board was also in attendance, holding a meeting on March 2.

“February was a highly successful and productive session,” BLET National President Dennis R. Pierce said. “We were able to bring our General Chairmen, Vice General Chairmen and Advisory Board together in the spirit of solidarity as we move along a unified front concerning national negotiations and the challenges facing the BLET.”

During the morning session on February 28, BLET National President Dennis R. Pierce gave an update on the current National Bargaining Round. Other topics included health & welfare discussions, the negotiating process under the Railway Labor Act, and the current political environment. The afternoon session began with an update from the BLET’s National Legislative Office, with presentations led by BLET Vice President & National Legislative Representative John F. Tolman. The afternoon concluded with an informational session about BLET Bylaws compliance, tax compliance, internal controls and audit committees, and a presentation on the new Union Track membership reporting system.

On March 1, the educational seminars focused on Section 3 dispute resolution, Public Law Boards, Special Boards of Adjustment, selecting a neutral, and the National Railroad Adjustment Board First Division, which hears grievances from locomotive engineers and trainmen crafts. The afternoon concluded with a presentation regarding the BLET’s mobilization network.

Registration open for BLET’s Myrtle Beach regional meeting

Registration is now open for the BLET regional meeting at the Hilton Myrtle Beach Resort, August 14-18, 2017.

The BLET National Division is planning a meeting filled with educational opportunities and entertaining leisure time activities. Guests will stay at the Hilton Myrtle Beach Resort (10000 Beach Club Drive Myrtle Beach, South Carolina 29572, (843) 449-5000).

BLET convention registration as well as hotel registration can be made through the BLET’s regional meeting website www.bletregionals.org. If making reservations by telephone, you must mention the group code “BLET.” Please be advised that all room reservations must be made by July 14, 2017.

Located right on the ocean, the Hilton Myrtle Beach Resort is moments from unique shops, delicious dining, and exciting entertainment.

The Myrtle Beach regional meeting kicks off with registration and a welcome reception on Monday, August 14. Opening ceremonies will take place the morning of Tuesday, August 15, with a closed meeting for BLET members that afternoon. A golf tournament will be held on Wednesday, August 16, at the Barefoot Resort Dye Course. The cost to register for the golf tournament is $160 per person. Non-golfers will be on their own to explore the many different entertainment options that Myrtle Beach has to offer.

Workshops will be held for Local Chairmen, Secretary-Treasurers and Legislative Representatives throughout the day on Thursday, August 17. The BLET’s Myrtle Beach regional meeting will conclude with a banquet the evening of August 17. Attendees will travel home on August 18.

There is no cost for BLET members who wish to attend the August 15 meetings and August 17 workshops only; however, there will be fees for those members who choose to attend the meals. The cost of full registration (including all meetings, workshops, the banquet and all BLET sponsored meals) is $200 per person. The cost is $150 to register for all of the above EXCEPT the banquet. Additionally, reduced children’s registration and a la carte meal registration options are also available Please visit www.bletregionals.org for more information about the registration process.

The website www.bletregionals.org has been established as a one-stop shopping opportunity for all future BLET regional meetings. Registration is also currently open for the BLET’s first regional meeting of 2017 — which will be held June 5-9, 2017, in San Antonio, Texas. Please visit the BLET website, Facebook page, and www.bletregionals.org for the latest information.
news

LIRR POSTS HIGHEST RIDE SHIPS SINCE 1949

The Metropolitan Transportation Authority (MTA) announced on January 23, 2017, that the Long Island Railroad (LIRR) is seeing record rider- ship numbers, carrying 88.9 million custom- ers in 2016, a 1.9% increase over 2015 and the highest ridership since 1949.

According to MTA, the LIRR’s growth contin- ues to result in the net flow of the LIRR, and the LIRR is building a second track from Farmingdale to Ronkonkoma.

A detailed demographic and travel analy- sis of LIRR customers shows an increase in ridership on the LIRR on the part of younger gener- ations. The study showed that millennials, defined as those born between 1981 and 1997, have lower levels of access to automobiles than old- er New Yorkers.

Metro-North Railroad, another MTA subsid- iary, carried approximately 86.5 million in 2016, the highest ridership in Metro-North’s history. Metro-North’s ridership for 2016 surpasses the previous record of 86.3 million, set last year.

Metro-North’s total ridership has more than doubled since the railroad was founded in 1983.

News Briefs

CP RAIL BRINGS BACK BEAVER LOGO

Canadian Pacific is bringing back its iconic red “CP” logo mark that has been in use since 1922, and the gold heritage shield that features the beaver. Canada’s official symbol for sovereignity. The railroad logo, said, “There is no better time to bring the beaver back” than now, with the nation of Canada marking its 150th anniversary in 2017. More information about the history of the railway's corporate symbol can be found on the CP Rail website, www.cpr.ca.

TOTAL 2016 RAIL TRAFFIC VOLUME DOWN 5 PERCENT FROM 2015

In January, the Association of American Rail- roads (AAR) reported that U.S. rail traffic vol- umes had declined during calendar year 2016. It marked the second consecutive year that rail carloads were down in year-over-year statistical comparisons.

Total U.S. carload traffic for 2016 was 33,096,840 carloads, down 8.2 percent or 1,169,152 carloads, from 2015. Also, interna- dal containers and trailers were 13,490,491 units, down 1.6 percent or 230,771 containers and trailers when compared to 2015. In 2016, total rail traffic volume in the United States was 26,587,321 carloads and intermodal units, down 5 percent or 1,389,323 carloads and intermodal units from the same point last year. The AAR said market shifts in the U.S. econ- omy have led to challenges in the freight rail industry, especially as it relates to rail traffic. In spite of the decline, AAR said that there are signs that the economy may be gradually re- turning to a period of growth. Carload traffic was up 2.9 percent in January 2017 and 6.7 percent in February 2017.

PRESIDENT PIECE message

Continued from page 2

Those were the conditions that led locomotive engineers to found my Union 154 years ago in May, and they led train dispatchers to form your Associa- tion a century ago.

When my Union was founded, there was no one to hand out membership applic- ations. There were no legal protec- tions for labor actions; in fact, the very first application of anti-trust laws in the late Nineteenth Century was against unions! What our forefathers did was to commit to one another in complete soli- darity, willingly risking what little finan- cial stability their families had for the common good.

They also risked their lives. In 1877 railroad strikes spread like wildfire through the country. Martial law was declared and federal troops were de- ployed. And when the militia opened fire on strikers and their supporters in Reading, Pennsylvania, 10 people were killed. … including BLE Division 75 members John H. Weaver and John A. Cassidy. By the time the ATDA was founded, the days of the so-called labor riots in the railroad industry thankful- ly were behind us, but there still was no legal protection for your founders.

Everything we have today — from le- gal protections, to the level of wages, benefits and working conditions we en- joy today — came from the battles waged by those who founded our unions and those who followed them. These victo- ries were not simply conceded by the railroads or the government … they were wrested from the hands of the wealthy and powerful by means of a genuine movement and a broad solidarity on the part of our predecessors.

Today — especially today — we must be mindful of the lessons of our history if we are to stave off the attacks that in- tend to turn the clock back and restore those reprehensible conditions. So what does that mean in terms of going forward?

First, we must tell our elected politi- cians — with a loud and single voice comprised of every Rail Union member — to leave the Railway Labor Act alone, and to drop the push for Right-to-Work legislation. It’s not fake news, Brothers and Sisters, that working class Ameri- cans who labor in Right-to-Work states make over $8,100 less per year than their counterparts in states that are not Right- to-Work. Anti-union forces may have given these laws a catchy name. They may make it sound like you are getting a right or a benefit, but don’t fall for this age-old bait and switch tactic. What you are getting is the right to work for less, so your employers can keep more; it’s as simple as that.

Join me in our fight to keep unions strong in the rail industry. Join us as we work to defend the provisions of our union contracts, many of them so enshrained in our culture that they are taken for grant- ed. Become a vocal union advocate in the workplace, let there be no doubt that we support the union movement, and that we support our rail unions. On this proud day of ATDA’s 100th anniversary, I want each and every one of you to make a com- mitment to work tirelessly to ensure that ATDA, and all Rail Labor, is here to celebrate ATDA’s 150th Anniversary. Thank you all for your time.

DENNIS R. PIERCE
BLE National President

Total rail traffic volume in the United States was

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OSHA Whistleblower Roundup

INTRODUCTION

The U.S. Department of Labor’s Occupational Safety and Health Administration (OSHA) enforces the whistleblower provisions of more than 20 whistleblower statutes, protecting employees who report violations of various workplace safety and health laws. This includes railroad workers under the statutes of the Federal Railroad Safety Act (FRSA). Under FRSA, an employee of a railroad carrier or a contractor or subcontractor is protected from retaliation for reporting certain safety and security violations. For more information, please visit: www.blet.org/pr/pdf/OSHA_factsheet.pdf

In this section of the Locomotive Engineers and Trainmen News, we report on recent findings from OSHA that are favorable to railroad workers.

BNSF TRACK INSPECTOR AWARDED $147,000 IN BACK PAY AND DAMAGES

On December 28, 2016, OSHA reported that the BNSF Railway violated federal law when it terminated a track inspector for insubordination after the employee reported railroad track defects to management.

OSHA has ordered BNSF to pay more than $147,000 in back wages and damages and take other corrective actions.

Agency investigators determined the company retaliated against the former employee in violation of the Federal Railroad Safety Act (FRSA).

AMTRAK SPECIAL AGENT REINSTATED, AWARDED $892,000 FOR FRSA VIOLATION

On January 18, 2017, OSHA reported that Amtrak retaliated against a supervisory special agent in its inspector general’s office when he raised concerns about railroad safety, fraud and abuse involving an Amtrak contractor, and when he supported a fellow agent’s safety concerns during an internal investigation.

In early to mid-2010, the agent was investigating an Amtrak contractor that had been convicted in a New York state court for fraud in examining and testing concrete at building projects in the New York City area. This Amtrak contractor had performed testing on certain Amtrak tunnel projects. Strongly believing it was necessary for safety and security reasons, the agent raised safety concerns regarding work performed by this contractor on Amtrak projects.

Then, in October 2010, the agent gave Amtrak’s Dispute Resolution Office information and provided support for a fellow employee who had received a letter of reprimand after he raised safety concerns in a separate matter. The following month, the agent received his first-ever negative performance review. In March 2011, Amtrak notified him that — as a part of an overall reorganization — his position was being eliminated. In the course of the next few months, the agent applied for other positions, but was told that he lacked the required law enforcement training, despite a 40-year law enforcement career that included equivalent training. In June 2011, Amtrak notified the agent that he would be terminated due to his not being placed in a new position.

The terminated agent later filed a whistleblower complaint with OSHA. After concluding its investigation, the agency determined that the complainant engaged in protected Federal Railroad Safety Act (FRSA) activities when he raised concerns about safety issues related to work conducted by the Amtrak contractor and when he expressed his support of his fellow agent’s safety complaints. OSHA also found these protected activities contributed as factors in his termination by Amtrak.

OSHA has issued a decision of findings to Amtrak ordering it to take the following corrective actions:

• Amtrak ordered Amtrak to reinstate the employee to his former or a similar position with all rights, seniority and claim payments deposited in your account every week.

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Accidents are unavoidable.

 Losing your income doesn’t have to be.

• Claim payments up to your policy limit even if you sign a waiver
• Receive your full daily benefit if you are decertified and decline to exercise your seniority
• Claim payments deposited in your account every week

UP ENGINEER AND CONDUCTOR VICTORIOUS IN STAND AGAINST INTIMIDATION

On February 20, 2017, the North Platte Bulletin reported that OSHA fined the BNSF Railway $20,000 after a locomotive engineer and conductor complained that the seats in their locomotive were too wobbly to safely operate a train.

The two operating crew employees boarded their locomotive on November 20, 2015, for a scheduled run from North Platte, Neb., to Cheyenne, Wyo. Before departure, however, they advised management that the seats in the lead locomotive were not up to federal safety standards. A manager called a technician to measure the wobble, and after talking to his supervisors, he ordered the crew to take the train “as is.” The men declined.

They asked that the seats from the No. 2 locomotive or the entire No. 2 locomotive to be moved to the No. 1 position, but management declined. The operating crew members were then pulled off the locomotive and ordered to the superintendents office for questioning.

When the two crew members got to the office, they declined to answer any questions until their union representatives arrived. Before their representatives arrived, the two crew members were escorted out of the office and told to go home.

They left work presuming they could be fired, but due to an administrative error, the department that schedules crews reintegrated the two men 24 hours later on another locomotive. Also, 24-48 hours later, the locomotive in question was sent to a mechanical repair facility where both seats were replaced.

In its determination, OSHA ruled that the employee followed the proper chain of command in reporting the issue, and that the managers’ conduct became unprofessional and unsafe. OSHA also ruled that the two men had a right to wait for union representation.

According to the North Platte Bulletin, UP will pay each man $10,000 in punitive damages as well as $2,500 in compensatory damages, and the men’s attorney’s fees in the total amount of about $18,000. Through their attorney, the men told the newspaper that case wasn’t about the money. Rather, they wanted to fight back against on-the-job intimidation. 406

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To register online, just go to www.blet.org/newsflash. On this page, you will find an area to enter your email address and click subscribe to begin receiving the most current news from the BLET National Division.

It is a great way to keep informed on the most recent issues impacting your job, your contract and your Brotherhood.
I n addition to the retirement annui- ties payable to employees, the Rail- road Retirement Act, like the Social Security Act, also provides annui- ties for the spouses of deceased railroad employees. Payment of a spouse's annuity is made di- rectly to the wife or husband of the em- ployee. Divorced spouses may also qual- ify for benefits.

The following questions and answers describe the benefits payable to spouses and the different requirements. Information regarding divorced spouses be- gins with Question 8.

1. How are railroad retirement spouse annuities computed?

Regular railroad retirement annuities are computed under a two-tier formula. The spouse annuity formula is based on a certain percentage of the employee’s tier I and tier II amounts.

The tier I portion of an employee’s annuity is based on both railroad retirement credits and any social security credits that the employee also earned. Computed using the same formula applied to an employee’s tier I benefit, the spouse’s tier I benefit approximates the social security benefit that would be pay- able if all of the employee’s credits were formed under the Social Security Act.

The tier II portion of the employee’s annuity is based on railroad retirement credits only, and may be computed a disability to the retirement benefits paid over and above social security benefits to workers in oth- er industries.

The first tier of a spouse’s annuity, be- fore any applicable reductions, is 50 per- cent of the railroad employee’s unreduced tier I amount. The second tier amount, before any reductions, is 45 percent of the employee’s unreduced tier II amount.

2. How does a railroad retirement spouse annuity compare to a social security spouse benefit?

The average annuity awarded to spouses in 2016, excluding divorcing spouses, was $1,091 a month, while the average monthly social security spouse benefit was about $719.

Annuities awarded in fiscal year 2016 to the spouses of employees who were of full retirement age or over and who re- tired directly from the rail industry with at least 25 years of service averaged $1,333 a month; and the average award to the spouses of employees retiring at age 60 or over with at least 30 years of service was $1,489 a month.

3. What are the age requirements for a railroad retirement spouse annuity?

The age requirements for a spouse an- nuity depend on the employee’s age and date of retirement and the employee’s years of railroad service.

If a retired employee with 30 or more years of service is age 60, the employee’s spouse is also eligible for an annuity the first full month the spouse is age 62. Ear- lier retirement eligibility for a spouse is gradually raised to age 67, just as for an employee, depend- ing on the year of birth. Reduced benefits are still payable at age 62, but the maxi- mum reduction will be 25 percent rather than 20 percent by the year 2022. How- ever, the tier II portion of a spouse annuity will not be reduced below 25 percent if the employee had any creditable rail- road service before August 12, 1983.

4. What if the spouse is caring for a child of the retired employee?

A spouse of an employee receiving an age and service annuity (or a spouse of a disability annuitant who is otherwise el- igible for an age and service annuity) is eligible for a spouse annuity at any age if caring for the employee’s unmarried child, and the child is under age 18 or a disabled child of any age who became disabled be- fore age 22.

5. What are some of the other general eligibility requirements?

The employee must have been married to the spouse for at least one year, unless the spouse is the natural parent of their child, or the spouse was eligible or poten- tially eligible for a railroad retirement widow(er)s, parent(s) or disabled child’s annuity in the month before marrying the employee or the spouse was previously married to the employee and received a spouse annuity.

6. Can the same-sex spouse of a railroad employee file for a railroad retirement spouse annuity?

On June 26, 2013, the Supreme Court found Section 3 of the Defense of Mar- riage Act, which prevented the Federal government from recognizing marriages of same-sex couples, to be constitu- tional. The Railroad Retirement Board (RRB) began accepting ap- plications for benefits from those eligible spouses in same-sex marriages who were validly licensed by state law. On June 26, 2015, the Supreme Court further found that the Constitution required all States to license same-sex marriages, and to rec- ognize lawfully licensed same-sex mar- riages performed in other States.

7. Are spouse annuity benefits subject to offset for the receipt of other benefits?

The tier I portion of a spouse annuity is reduced for any social security entitle- ment, regardless of whether the social se- curity benefit is based on the spouse’s own earnings, the employee’s earnings or the earnings of another person. This reduc- tion follows principles of social security law which, in effect, limit payment to the higher of any two or more benefits pay- able to an individual at one time.

The tier I portion of a spouse annuity may also be reduced for receipt of any Federal, State or local government pension sepa- rately payable to the spouse based on the spouse’s own earnings. The reduc- tion generally does not apply if the em- ployment on which the public service pension is based was covered under the Social Security Act throughout the last 60 months of public employment. Most military service pensions and payments from the Department of Veterans Affairs will not cause a reduction. Pensions paid by a foreign government or interstate in- strumentality will not cause a reduction.

For spouses subject to a public service pension reduction, the tier I reduction is one third of one third of the amount of the public service pension.

In addition, if the employee was first eligible for a railroad retirement annuity and a Federal, State or local government pension before 1985, there may be a reduc- tion in the employee’s tier I amount for receipt of a public pension based, in part or in whole, on employment not covered by social security or railroad retirement after 1985. If the employee’s tier I benefit and the pension to which the employee is entitled to be reduced, the spouse tier I amount is reduced by one third of the amount of the employee’s tier I amount.

The spouse tier I portion may also be reduced if the employee is under age 65 and is receiving a disability annuity as well as worker’s compensation or public disability benefits.

While these offsets can reduce or even completely wipe out the tier I benefit oth- erwise payable to a spouse, they do not affect the tier II benefit potentially pay- able to that spouse.

8. How do the eligibility require- ments and benefits differ for a divorced spouse?

A divorced spouse annuity may be pay- able to the divorced wife or husband of a retired employee if their marriage lasted for at least 10 consecutive years, both have either attained age 62 for a full month, and the divorced spouse is not currently married. A divorced spouse can receive an annuity even if the employee has not retired, provided they have been divorced for a period of not less than 2 years, the em- ployee and former spouse are at least age 62, and the employee is fully insured un- der the Social Security Act using com- bined railroad and social security earn- ings. Early retirement reductions are applied to the divorced spouse annuity if the divorced spouse retires prior to full retirement age. Full retirement age for a divorced spouse is gradually rising to age 67, depending on the year of birth.

While a spouse is eligible for an annu- ity at any age if caring for the employee’s unmarried child, and the child is under age 18 or a disabled child of any age who became disabled before age 22, a divorced spouse is not eligible for an annuity on such basis unless the employee desires it. Unlike a regular spouse annuity, the divorced spouse annuity is computed un- der a single tier formula. The amount of a divorced spouse annuity and the question as to what social security would pay in the same situation (tier I only) and therefore less than the amount of the spouse annuity otherwise payable (tier I and tier II). The average divorced spouse annuity awarded in fiscal year 2016 was $651.

9. Would the award of an annuity to a divorced spouse affect the monthly annuity rate payable to a retired employee and/or the current spouse?

No. If a divorced spouse becomes enti- tled to an annuity based on the employ- ee’s railroad service, the award of the di- vorced spouse’s benefit would not affect the amount of the employee’s annuity. Tier I benefits are payable separately to the rail- road retirement annuity that may be pay- able to the current spouse.

10. What if an employee and spouse/divorced spouse are both railroad employees?

If both started railroad employment after 1974, the amount of any spouse or divorced spouse annuity is reduced by the amount of the employee’s annuity to the extent to which the spouse’s annuity is also entitled. If both the employee and spouse are qualified railroad employees and either had some railroad service before 1975, both can re- ceive separate railroad retirement em- ployee and spouse annuities, without a full dual benefit reduction.

11. Are railroad retirement annui- ties subject to garnishment or property settlements?

Certain benefits of any railroad re- tirement annuity (employee, spouse, di- vorced spouse or survivor) may be sub- ject to legal process (i.e., garnishment) to enforce an obligation for child support and/or alimony payments.

Also, a court-ordered partition pay- ment (or even if the employee is not enti- tled to an annuity provided that the employee has 10 years of railroad service or 5 years after 1995 and both the employee and former spouse are 62).

Employee tier II benefits, vested dual benefits and supplemental annuities are subject to court-ordered property settle- ments. The employee or survivor, who is entitled to an annuity that the employee has 10 years of railroad service or 5 years after 1995 and both the employee and former spouse are 62.

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ЛЕЙФ БРЮН: Генеральный секретарь управления, Объединение Локомотивщиков и Операторов Пути
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