Rail Labor seeks mediation to settle national contract talks

Despite our best efforts, collective bargaining with the major U.S. Class I railroads completely stalled late last week. Therefore, pursuant to the terms and conditions of the Railway Labor Act, we have today applied to the National Mediation Board (NMB) for the assignment of a federal mediator to assist in our negotiations. This development is very disappointing, as the Unions in the Coordinated Bargaining Group have been at the negotiating table for almost two years seeking a voluntary settlement. Throughout that time, the Unions have steadfastly maintained that the Carriers’ original demands were unacceptable to our bargaining team, and would be found equally unacceptable by our collective membership. Nevertheless, the Unions went to the table last week with the intention of reaching a satisfactory voluntary settlement that would fairly address the needs of both sides, but that did not happen. Unfortunately, the railroads apparently believe that the national elections in November have tipped the labor-management balance in this country heavily in their favor, as they made clear that no reasonable and fair resolution is any longer in the offing.

Our members have earned, and rightfully expect, a fair contract settlement that recognizes the fact that the industry continues to reap many billions in net profits annually. We have maintained from the outset that there is no reason not to bring these negotiations to a timely and equitable conclusion. Instead, the railroads continue to demand extreme concessions that would erode our members’ standard of living and earned benefits. We cautiously anticipate that the involvement of the NMB will cause the industry to refocus on addressing the legitimate needs of the men and women whose labor generates their positive financial returns.

Additional information will be provided as developments warrant.

The Coordinated Bargaining Group is comprised of six unions: the American Train Dispatchers Association; the Brotherhood of Locomotive Engineers and Trainmen (a Division of the Rail Conference of the International Brotherhood of Teamsters); the Brotherhood of Railroad Signalmen; the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers; the National Conference of Firemen and Oilers / SEIU; and the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers. Collectively, the CBG unions represent more than 85,000 railroad workers covered by the various organizations’ national agreements, and comprise over 58% of the workforce that will be impacted by the outcome of the current bargaining round.

Rail Labor’s Coordinated Bargaining Group (CBG) released the following statement on December 5, 2016:

This year marks the 18th annual running of the Canadian Pacific Railway Holiday Train, which raises money, food and awareness for local food banks and food shelves on its annual coast-to-coast journey. Two trains operate each year, with BLET members working on the train through the United States and our Brothers and Sisters with the Teamsters Canada Rail Conference (TCRC) working the train in Canada. The program has raised more than C$12 million and 3.9 million pounds of food for communities along CP’s routes in Canada and the northern U.S. Photo: Canadian Pacific Railway

The Coordinated Bargaining Group (CBG) released the following statement on December 5, 2016:
A CALL TO ARMS:  
JOIN ME IN OUR NATIONAL CONTRACT FIGHT

In the days leading up to this month’s Newsletter going out, a major development occurred with our National Negotiations with the nation’s freight carriers. As most of you are aware, on Monday, December 5, 2016, the Unions making up the Coordinated Bargaining Group served notice on the National Mediation Board requesting that they mediate our contract dispute with the freight carriers. It is important that all BLET members understand what has happened with our negotiations to get us to this point, as well as what will happen now that mediation has been invoked, and my message will key on both of those issues. It also is imperative that all BLET members understand the terms and conditions of the Railway Labor Act (RLA) that govern our actions in contract negotiations and this month’s Newsletter also includes an explanation of the relevant portions of the RLA (see page 4).  

For almost two years, the rail unions in our bargaining group, as well as all other rail unions, have been at the table making every effort to reach an agreement with the freight carriers that would respect the contributions that you make to the carrier’s bottom line. We all know that those profits would not be possible without the hard work of the union-represented employees of the nation’s freight carriers. When the bargaining process began, the traffic was good, but that changed within a year of our negotiations starting. Not only did the nation’s Class I carriers begin to furlough operating employees as a result of a downturn in business, they began to close shops, lay off railroaders, and reduce low density rail lines and, in some cases, they even spun off portions of their properties to shortline carriers through leases and line sales. Many of these same carriers also served notices to change their operations, and in many cases long standing terminals shut down, leaving many of our members facing furloughs and operational changes that your employers have forced upon you. What is important to note in all of this is that history shows us the nation’s railroads will find a way to get back to higher profits, and their actions so far make it more than clear that they intend to do that on the backs of their union-represented employees.

Our contract negotiations are no different. In the two years that we have been at the bargaining table, the carriers have never made a contract offer to any of the unions that we found acceptable. Not only were their offers unacceptable to the unions’ bargaining teams, it is clear to me that they also would have been unacceptable to the membership. The level of concessions that were demanded on our Health and Welfare benefits were way beyond anything any of the rail unions had seen in decades. And to add insult to injury, the General Wage Increases they offered were so low that in some cases they would not even have been enough to offset the additional Health and Welfare costs. When business declined the carriers’ offers went from bad to worse, and totally unacceptable demands were made to change our work rules in ways that would have our membership doing more work for less money. We have been crystal clear with the carriers that you would never accept or ratify their demands. It is important for all BLET members to understand not only what has happened to date, but why it happened. The carriers’ unwillingness to treat us fairly was not because of any failure of the participating rail unions to put forward reasonable settlement proposals that reflected what our membership expected. Quite to the contrary, we made it clear that improvements in health and welfare plan and fair wage increases is what our members not only wanted, it is what they have earned. We also argued for improvements to our work rules, including real improvements to mitigate fatigue, and a national agreement to once and for all put an end to the carriers’ outrageous attendance policies.

Whether you are an Independent, a Republican, or a Democrat, it should be clear to all involved that the carriers delayed reaching a settlement until they knew the results of the November Presidential election. One of the weaknesses of the bargaining terms and conditions of the RLA is that either side can delay settlement, as the Carriers did throughout 2015 and 2016. We sought a fair agreement for that entire period; it was clear early on that the Carriers intended to delay until now.

In the weeks preceding the election, our meetings with the carriers showed some potential for a reasonable settlement, but that was when the polls favored Secretary Clinton. Early on November 9th it became clear that Mr. Trump had been elected, and before I share how that impacted our negotiations, I think it is important for us all to recognize what happened within our union on election day.

In the year preceding the election, I spent many weeks on the road meeting with member groups, Locomotive Division meets, General Committee meetings and State Legislative meetings as well as our regional meetings. I interacted with several hundreds of BLET members, and asked them all to share with me their feelings and opinions on how their employer was treating them, as well as how the outcome of the November elections might impact that. Well before the decision, it was clear to me that many of BLET’s members were outraged by the way that their employers were treating them, and they were equally outraged that our union has been unable to stop that treatment. Whether it be the carriers’ excessive disciplinary policies, including heavy-handed attendance policies, or the complete disregard for lines and the resulting impact on our quality of life, BLET’s members are tired of the way things are. Adding to that frustration is the fact that under the governing provisions of the RLA, the carriers treated them, and many other unionized rail employees, felt so disenfranchised that they were willing to give Mr. Trump a chance. The message that Trump put out during the campaign was attractive to many working and middle class Americans. Many of these Americans feel that the system has left them behind for many years of reasons, and the promises that Trump made led them to believe that he would improve the working class’ lot in life. Although this is not based upon hard data, it is safe to conclude that a significant portion of BLET’s membership — perhaps over half — voted for Mr. Trump, and in some locations it was much higher. I fully understand this vote of frustration, as I too am completely frustrated with the nation’s railroads and our treatment of our membership. In the end, many of BLET’s members who voted for Mr. Trump now feel that they won; they are certain that they will be treated better in the workplace, including the terms of their upcoming contract. The part that may be lost on many of our members, however, is that the railroads also were frustrated. They were frustrated by President Obama’s administration, especially when it came to the RLA, the carriers’ treatment of BLET members, and the increasing costs that they were willing to bear. What happened to date was not because of any failure of BLET’s members, and many other unionized rail employees, felt so disenfranchised that they were willing to give Mr. Trump a chance. The message that Trump put out during the campaign was attractive to many working and middle class Americans. Many of these Americans feel that the system has left them behind for many years of reasons, and the promises that Trump made led them to believe that he would improve the working class’ lot in life. Although this is not based upon hard data, it is safe to conclude that a significant portion of BLET’s membership — perhaps over half — voted for Mr. Trump, and in some locations it was much higher. I fully understand this vote of frustration, as I too am completely frustrated with the nation’s railroads and our treatment of our membership. In the end, many of BLET’s members who voted for Mr. Trump now feel that they won; they are certain that they will be treated better in the workplace, including the terms of their upcoming contract. The part that may be lost on many of our members, however, is that the railroads also were frustrated. They were frustrated by President Obama’s administration, especially when it came to

BLET NATIONAL DIVISION ELECTRONIC COMMUNICATIONS POLICY

Official communications between BLET members and the National Division require a hard copy of the correspondence, because 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 impractical 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, O HIO ON JULY 22, 2016. 88

BLET PRESIDENT’S MESSAGE  BY DENNIS R. PIERCE

President Pierce, center, with BLET Secretary-Treasurers at a training class in Independence, Ohio, on September 15, 2016.
A fter the November election results, there may be a lot of issues off the table. But one that remains a strong possibility is a badly-needed increase in infrastucture investment.

President-elect Trump has repeatedly called for more to be done to improve roads, rails and airports. And the Teamsters agree. Back in September 2015, the union released its “Let’s Get America Working” plan that called for greater spending to improve the nation’s transportation, energy and water systems. Now it’s time to make it happen.

So why infrastructure? Because infrastructure jobs, unlike those in other sectors, can’t be outsourced. They improve living standards for all Americans, including the men and women who help to repair and maintain roads, bridges, ports, airports and mass transit systems, along with those who earn a living transporting goods and the vast majority of Americans who use our transportation networks every day.

To adequately maintain our transportation systems, the Congressional Budget Office says an additional $13 billion a year needs to be invested by federal, state and local governments. However, surface transportation investment actually has declined at all levels of government between 2002 and 2012, when adjusted for inflation. Meanwhile, the American Society of Civil Engineers estimates that $3.6 trillion should be spent on all infrastructure by 2020 to get the U.S. back on track.

There was a time when building infrastructure and improving job training and education weren’t partisan issues — they were American values, something we all could support. There needs to be return to that way of thinking. This country’s future depends on it.

Rebuilding, repairing and reinvestment doesn’t just need to be about transportation, energy and water projects — it can be about rebuilding and repairing the trust between government and workers by reinvesting in the people that have and can continue to make this country great. Better pay will lead to more spending and improve our quality of life. That way we all win.

Now is the time to build, repair and maintain America!

Fraternally,

JAMES P. HOFFA
TEAMSTERS GENERAL PRESIDENT

GENERAL PRESIDENT’S MESSAGE

Hoffa-Hall reelected to five year term to lead union; Vice Presidents, Trustees also elected

TheUSDump
November 2016

IN ADDITION TO HOFFA AND HALL, THE 2017-2022 INTERNATIONAL BROTHERHOOD OF TEAMSTERS GENERAL EXECUTIVE BOARD MEMBERS ARE:

Central Region Vice Presidents:
- Bill Frisky, Secretary-Treasurer, Local Union 964, Brook Park, OH
- Tony Jones, President, Local Union 413, Columbus, OH
- Bob Kopystynsky, Local Union 718, Mokena, IL
- Avrail Thompson, Vice President, Local Union 89, Louisville, KY

Southern Region Vice Presidents:
- John Palmer, Local Union 657, San Antonio, TX
- Kimberly Schultz, President, Local Union 2011, Sarasota, FL

International Trustees:
- Jim Kelleher, Secretary-Treasurer, Local Union 245, Springfield, MO
- Kevin D. Moore, President, Local Union 964, Brook Park, OH

Founded in 1903, the International Brotherhood of Teamsters represents more than 1.4 million hardworking men and women in the United States, Canada and Puerto Rico. Visit www.teamster.org for more information and follow us on Twitter @teamsterpower.
If we can’t achieve a fair and equitable contract that is worthy of your consideration through mediation, the prospects for which seem very slim right now, our bargaining dispute will reach a “final” cooling-off period, after which both sides would have the legal right to exercise self-help. I cannot speak for what the carriers will do when they gain that right, but I can assure you that I am convinced that the only leverage that we have is the economic strength of a strike. When we legally reach that point, I fully intend to authorize that strike, and to join the membership on the picket line as we all act in solidarity.

I am calling on all affected BLET members to join in our efforts as our strength is in our numbers. Having said all this, there is one piece that we must all recognize. Under the RLA, there is only one person who can take away our legal right to exercise our economic strength through striking. That person is the President of the United States of America, and the President exercises his right to do so by appointing a Presidential Emergency Board.

As for our efforts, your negotiating team has heard loud and clear that our membership will not voluntarily accept a less than acceptable wage increase, changes work rules, and provides for any recognition for the past 30 years of crew size reductions resulting in fewer employees doing more work.

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The 74th annual CSX Santa Train ran safely and on-time again in 2016, thanks in large part to a member of the Brotherhood of Locomotive Engineers and Trainmen.

Every November, Santa Claus trades in his sleigh and reindeer for a CSX train ride through Appalachia. On November 19, Santa and his elves distributed nearly 17 tons of donated gifts to children of all ages at 14 stops in rural communities in eastern Kentucky, southwest Virginia, and eastern Tennessee. The 110-mile journey begins at Shelby Yard in Pikeville, Ky., and runs south to Kingsport, Tenn.

The Santa Train is sponsored by CSX, Dignity U Wear, Food City, and the Kingsport Chamber of Commerce.

In addition to Santa, this year’s special guest was country music star Darryl Worley, who distributed gifts along the route and performed a concert in Kingsport, Tenn., at the end of the train’s route.

The members of BLET Division 781 (Erwin, Tenn.) have historically worked as engineers for the Santa Train. Those proud BLET members are intimately familiar with the many challenging hills and curves along the route from Pikeville to Kingsport. They are uniquely qualified to operate trains along the territory and are extremely proud of their contributions to the Santa Train heritage.

The honor of running the 74th annual Santa Train went to Brother H.S. (Scott) Steffey, a member of Division 781 for nearly 20 years. He first joined the BLET on January 1, 1997.

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Craver reelected Virginia State Legislative Board Chairman

Brother Timothy R. Craver of BLET Division 532 (Richmond, Va.) was reelected by acclamation to his third full term as Chairman of the Virginia State Legislative Board at its quadrennial meeting on October 27, 2016, in Richmond, Va.

A CSX locomotive engineer, Brother Craver hired out with CSX in January 1997. He earned promotion to locomotive engineer in 1997 and joined the Brotherhood effective December 1, 1998. He has served Division 532 as legislative representative for several terms since that time. In 2007, Brother Craver began serving as Chairman of the Virginia State Legislative Board and was subsequently reelected at quadrennial meetings in 2008, 2012 and now 2016. Also, elected during the 2016 quadrennial meeting were: 1st Vice Chairman Marlon B. Ward, Division 38 (Clifton Forge, Va.); 2nd Vice Chairman, David W. Bateman, Division 456 (Norfolk, Va.); Secretary Treasurer, Jeffrey E. Wood, Division 26 (Richmond, Va.); and Alternate Secretary-Treasurer Theodore L. Filer, Division 143 (Manassas, Va.).

Brother Wood has served the Board as Secretary-Treasurer since 2005. “I congratulate Brother Craver and all members of the Virginia State Legislative Board, and I thank them for their willingness to serve our Brotherhood,” BLET National President Dennis R. Pierce said. “Even though the national election just concluded on November 8, these Brothers and sisters will have much work to do in educating members of the House and Senate about our issues prior to the 2018 election.”

Brother Herbert Harris Jr., Chairman of the BLET’s District of Columbia Legislative Board, was a special guest at the meeting. “It is a privilege and honor to be allowed to continue in my service to the BLET and its members here in Virginia,” Brother Craver said. “We have a dedicated team on my Board that will represent the members of Virginia.” He also extended a special thank you to BLET Auxiliary Member Sherri Wood for her commitment and dedication to the BLET’s Virginia State Legislative Board.

The Virginia State Legislative Board represents 11 Divisions and approximately 950 members.
person's claim for unemployment, disability, survivor, unemploy-
ment or sickness benefits from the Railroad Retirement Board's Bureau of Hearings and Appeals' decision. An ap-
peal may further appeal to the three-

member Board, which heads the agency, and in cases involving claims for unemployment, disability or sickness benefits, the petition for review must be filed within 90 days of the Board's decision notice.

1. How does a person initiate a review of an unfavorable decision on claims for unemployment, disability, survivor, unemploy-
ment, or sickness benefits? What happens if a person's appeal is not filed within the prescribed time limits?

2. What are the second and third stages of the appeals process and their time limits?

For all claims under the Railroad Re-
tirement Act and Railroad Unemployment Insurance Act, claims may be reviewed in three stages: • reviewing and appeals process within the RRB.

An individual dissatisfied with the ini-
tial decision on his or her claim may request reconsideration from the RRB unit which issued that decision. An indi-
vidual has 60 days from the date on which notice of the initial decision is mailed to the claimant to file a written request for reconsideration. This step is mandatory before the RRB's Bureau of Hearings and Appeals may conduct an in-person hearing.

If a person's appeal is not filed within the prescribed time limits, the request for reconsideration or appeal will not be considered.

In some cases, video conferencing or phone hearings are held. If not satisfied with the Bureau of Hearings and Appeals' decision, an ap-
pealant may file an appeal with the appropriate U.S. Court of Appeals to review the Board's decision. In cases involving retirement, disability or sickness claims, the peti-
tion for review must be filed within one year after notice of the three-member Board's decision has been mailed to the appellant. In cases involving claims for unemployment or sickness benefits, the petition for review must be filed within 90 days of the Board's decision notice.
Brother Daniel M. Cadogan of BLET Division 57 (Boston, Mass.) was killed by a trainman with Amtrak in Boston. He has been a locomotive engineer on the MBTA commuter railroad since February 2, 2005. Through competitive bidding for this privatized service, Brother Cadogan is currently employed by Keolis and was preceded by Keolis and Amtrak, respectively. He has held continuous membership in BLET Division 57 since January 1, 2006. Also elected were: 1st Vice Chairman William S. Keay Sr., Division 57 (Boston, Mass.); 2nd Vice Chairman Christopher A. Roy, Division 57 (Boston, Mass.); Alternate 2nd Vice Chairman Mark A. Williams, Division 312 (Boston, Mass.); Secretary-Treasurer Joseph R. DeBlartolomae, Division 112 (Greenfield, Mass.); and Alternate Secretary-Treasurer John F. Raymond, Division 57 (Boston, Mass.). BLET National President Dennis R. Pierce and Vice President Lonnie Swigert also served the Board at the meeting. It was a homecoming of sorts for Vice President Tolman, who is a member of Division 57 and is a former Chairman of the Massachusetts State Legislative Board. "I am proud to congratulate Brother Cadogan and all officers of the Massachusetts State Legislative Board." — Dennis R. Pierce, BLET National President

Brother Cadogan was serving the Board as a Vice Chairman immediately prior to his election as Chairman. He currently serves the 210 members of Division 57 in Boston as Local Chairman and Legislative Representative. He has spent over half of his nearly 20-year railroad career as a union officer, having served for several years as Vice Local Chairman and Local Chairman in the SMART-TD (former UTU) prior to joining the BLET. The BLET's Massachusetts State Legislative Board represents six Divisions from four different railroads around the state (Keolis, Amtrak, CSX and Pan Am). Overall, the Board represents approximately 100 members from Massachusetts, Maine, New Hampshire, Vermont, Rhode Island and Connecticut.

Members receive...
- Initial two months of membership free for all new memberships
- Affordable, low cost monthly dues that offer superior value
- The highest available daily benefits per day
- All members are encouraged to introduce and refer coworkers to this Brotherhood
- Referral program participants earn $125 when introducing new, approved members
- Earn $50 for each approved increase to existing members
- An accidental death and dismemberment benefit while on duty that pays up to $50,000
- A generous retirement benefit based on length of membership
- $1,000 educational scholarships for the children of members – twenty are awarded each year

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For more information, go to: www.BLETRegions.org