

**PROCEEDINGS  
OF THE  
FOUNDING CONVENTION  
OF THE  
NORFOLK SOUTHERN EMPLOYER JOINT  
PROTECTIVE BOARD**

**\*\*\***

**BROTHERHOOD OF MAINTENANCE OF WAY  
EMPLOYEES DIVISION,  
INTERNATIONAL BROTHERHOOD OF TEAMSTERS**

**\*\*\***

**The Seelbach Hilton Louisville  
500 South Fourth Street  
Louisville, Kentucky 40202**

**March 2-3, 2022**

**STENOGRAPHIC RECORD:**

**Janine Ferren, RMR, CRR, CSR**

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**Day One**  
**Founding Convention of the Norfolk Southern Employer Joint Protective Board**  
**March 2, 2022**

*The Founding Convention of the Norfolk Southern Employer Joint Protective Board, Brotherhood of Maintenance of Way Employees Division, IBT, was called to order at 9:00 a.m., Chairperson David presiding.*

**CALL TO ORDER/CONVENING OF THE CONVENTION**

CHAIRPERSON DAVID: Good morning, everybody.

*...The delegates responded, "Good morning."*

CHAIRPERSON DAVID: My name is Jack David and I have been appointed the chairman of this NS founding convention. I'm proud to accept that appointment.

Can you all hear me, everybody in the back?

At this time I'd like to call on Brother Johnny Long for the invocation. If you would come up here to the podium, please.

I have a couple notes here that I would like to read before he gives the invocation. We'd like to keep the people in the Ukraine in our prayers, Dave Joynt and his family, and Byron Dunwoody and his family in our prayers.

**INVOCATION**  
**Chaplain Johnny Long**

Good morning, Brothers and Sisters. May we pray.



Heavenly Father, we come before you today and want to thank You most of all for Your many blessings. We pray that You will help us with the many decisions we'll be faced with today, as well as those in the future, and that the decisions will benefit this brotherhood.

We want to especially pray today for Brother David Joynt, as we understand he could not be here due to taking care of a beloved family member, and for Brother Byron Dunwoody, who is undergoing surgery. We ask that You will keep Your hand upon these brothers and give them the strength they need to overcome any obstacles that may come their way. We also pray today for all the brothers and sisters throughout this brotherhood, that You would keep them safely away from harm's way.

These things we ask in Jesus' name. Amen.

*...The delegates responded, "Amen."*

CHAIRPERSON DAVID: Thank you, Brother Johnny.

At this point if we will stand for the flag. Do we not have a flag? No flag. Let's pretend there's a flag and we'll recite the Pledge of Allegiance.

### **PLEDGE OF ALLEGIANCE**

*...The delegates recited the Pledge of Allegiance.*

CHAIRPERSON DAVID: Brother Justin Blankenship, where are you at? Brother Justin is going to sing the National Anthem.

BROTHER JUSTIN BLANKENSHIP: In a show of solidarity, I'd like for all of us to sing this together, if we could.

### **NATIONAL ANTHEM**

*...The National Anthem was sung by Brother Justin Blankenship.*

*(Applause)*

CHAIRPERSON DAVID: At this time, we'd like to recognize any veterans or military people in the building, in the room. Will they please stand?

*(Applause)*

CHAIRPERSON DAVID: We just want to thank you for your service.

The next three letters are to be read. They're in your books, and I would entertain a motion to suspend the reading of those three letters since everyone has got them in their books. Is there any motion to suspend the reading of the letters?

UNIDENTIFIED DELEGATE: I make a motion to suspend the reading of the letters.

CHAIRPERSON DAVID: Okay. Do we have a second?

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Second. Kevin Evanski, Local Lodge 1551.

CHAIRPERSON DAVID: Thank you.

I'm going to make an announcement now I should have made earlier. When any of you speak, please go to the microphone and give your name, your lodge number, because our court reporter is plugged into the microphones and she can't hear us speak without it.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: I'd like to second that motion. Kevin Evanski, Lodge 1551, Scranton, Pennsylvania.

CHAIRPERSON DAVID: Thank you, Kevin.

All in favor.

All opposed?

Hearing none, we'll suspend the reading of those letters.

*...July 2, 2021 NS Convention Call from President Simpson, June 21, 2021 Letters*

*Appointing Chairperson Jack David and Co-Chairmperson Roger Sanchez, December 7, 2021*

*Settlement Agreement and Consent Order, and January 31, 2022 American Arbitration Association Certification of Norfolk Southern Members Balloting Results Supporting Single System for Norfolk Southern Workers, are all included at the end of the transcript.*

## **INTRODUCTION AND APPOINTMENT OF COMMITTEES**

CHAIRPERSON DAVID: At this time I'm going to introduce the committees, and I'll start off with the Credentials Committee.

On the Credentials Committee for this founding convention, we have Mike Ragard -- if you want to stand when I read your name, you can -- Kevin Evanski, Ronnie Beebout, Jr., Chad Reading, Trapper Cory, Bruce Glover as advisor, and Susan Hunt for support.

On the Rules Committee, we have Aaron Walden, Michael Babb, Patrick T. Jackson, Terry Hart, Justin Poor, Robert Shanahan as an advisor, and Clark Ballew for support.

On the Constitution and Bylaws, we have Johnny Long, Corey Hayes, Justin Blankenship, Tom Modica, David Beal. And Jack David, Roger Sanchez, Peter Kennedy, Zac Voegel, we're all advisors. Our support is Sandy Mattox and Susan Hunt.

On the Resolutions Committee: Anthony Ingram, Timothy R. Southerland, Lewis Williams, Dustin Heiser, Michael Smith, Jed Dodd as advisor, Victoria Thurlow for support.

Salary and Finance Committee: Dale Bogart, Heath Vezza, James Manspile, Sheldon Swain, Scott Kocher, David Joynt as advisor; he was not here and Bruce Glover filled in for him. Thank you, Bruce. And Angela Carr for support.

We also have a parliamentarian, and I'm going to let him say a little something about himself, Jim Slaughter.

PARLIAMENTARIAN SLAUGHTER: Good morning, everybody.

*...The delegates responded, "Good morning."*

If you have not had chance to meet me yet, I'm Jim Slaughter. I'm an attorney, a certified professional parliamentarian. More importantly, I've been the union's parliamentarian for 20 years this year. I've been at the other founding conventions.

My only role here is to make certain that the rules are followed and, at the end of the day, the majority of you get to do what you want to do. So I'm just here to help out.

CHAIRPERSON DAVID: Thank you, Jim.

Zac Voegel, if you'll stand. He is our assistant parliamentarian. Thank you, Zac.

And the sergeant-at-arms is Corin Rodriguez, and he's assisted by Matt Weaver and Carey Dall.

At this time I'm going let Brother Roger introduce the visitors and guests.

### **INTRODUCTION OF VISITORS AND GUESTS**

CO-CHAIRPERSON SANCHEZ: Good morning, everyone.

*...The delegates responded, "Good morning."*

The list that was provided, that checked in as guests at registration for the NS founding convention is, Angela Carr, who is the executive assistant to the secretary-treasurer.

Brother Anthony Sessa is here from the Amtrak, general chairman.

Brother Bruce Glover, vice president.

Brother Carey Dall, internal organizing.

Brother Chris Leidy, who is with the IT department.

Brother Clark Ballew, who is the director of communication.

And we have Brother Corin Rodriguez, who is your sergeant-at-arms.

President Freddie Simpson, National Division president.

Greg Whitmer is a guest.

Jack David is the vice chairman and he's also an e-board member at-large.

Janine Ferren is the court reporter. She's bestowed with keeping the accurate minutes and doing the transcribing for this convention.

Brother Jed Dodd, vice president at-large.

Jerrett Mason is a guest.

Jim Slaughter, of course, is our parliamentarian.

Brother Matt Weaver, director of internal organizing.

Brother Peter Kennedy, director of strategic coordination and research.

Brother Robert Shanahan is assistant to the president.

I am here as well, vice president of the South Region.

Sandy Mattox, senior office manager.

Victoria Thurlow, administrative secretary.

And Zac Voegel, general counsel.

That was all that had registered as guests at this convention.

CHAIRPERSON DAVID: We don't have any communication or announcements. Do we?

I am sorry.

CO-CHAIRPERSON SANCHEZ: We do have one announcement. The Resolution Committee, it's been announced that right before we break for lunch, that they meet over here in the left-hand corner. So the Resolution Committee, before we break for lunch. Thank you.

### **ADOPTION OF THE AGENDA**

CHAIRPERSON DAVID: At this point, everybody's got a copy of the agenda in front of them. I would entertain a motion to accept the agenda as printed. Could I have any motion for that?

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Point of order, question. Kevin Evanski, Lodge 1551.

I think there's a resolution placed before the Credentials Committee. Wouldn't it be proper that the Credentials Committee sign in everyone before we start any business to be voted on by the board?

CHAIRPERSON DAVID: I understand. You're right.

At this time we would like the Credentials Committee to give their report.

### **REPORT OF THE CREDENTIALS COMMITTEE**

COMMITTEE CHAIRPERSON EVANSKI: Hello, everyone. It's an honor to be here, chairperson of the Credentials Committee.

There are 104 local lodges with a total of 2,974 BMWED members in good standing that are employed by the Norfolk Southern railroad, New England Central Railroad, New York Susquehanna & Western, and the Terminal Railroad Association of St. Louis.

In total, there are 68 local lodges with a registered delegate, representing 2,483 members in good standing at the founding convention of the Norfolk Southern Employer Joint Protective Board.

That concludes our report.

CO-CHAIRPERSON SANCHEZ: Thank you. Is there a motion to accept the committee's report?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I make a motion to accept the Credentials report.

CO-CHAIRPERSON SANCHEZ: Motion has been made to accept the Credentials report. Is there a second?

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Lodge 1362.

I second that.

CO-CHAIRPERSON SANCHEZ: Motion's been made and seconded. Any discussion?

If not, all in favor of accepting the committee report, signify by saying aye.

All opposed?

Motion carried.

### **ROLL CALL**

CO-CHAIRPERSON SANCHEZ: At this point in time, I'm going to call off the names of the delegates that are registered for the NS founding convention, just to keep the accurate records. So I'll start with Local Lodge 34 of Southern, Joseph Head. Are you here?

DELEGATE JOSEPH HEAD, Local Lodge 0034, Huntingburg, IN: Yes.

CO-CHAIRPERSON SANCHEZ: Lodge 76 of the Alliance, Brandon George.

DELEGATE BRANDON GEORGE, Local Lodge 0076, Charleston, WV: Here.

CO-CHAIRPERSON SANCHEZ: Donald Patton out of Lodge 224, Alliance.

DELEGATE DONALD PATTON, Local Lodge 0224, St. Louis, MO: Here.

CO-CHAIRPERSON SANCHEZ: Local Lodge 226 of the Alliance, Timothy R. Southerland.

DELEGATE TIMOTHY R. SOUTHERLAND, Local Lodge 0226, Decatur, IL: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 287, Alliance, Dustin Heiser.

DELEGATE DUSTIN HEISER, Local Lodge 0287, Wabash, IN: Here.

CO-CHAIRPERSON SANCHEZ: Local Lodge 301, Alliance, Jack David.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 302, Southern, Trapper Cory.

DELEGATE TRAPPER CORY, Local Lodge 0302, New Albany, IN: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 400, Penn, Mike Ragard.

DELEGATE MICHAEL RAGARD, Local Lodge 0400, Easton, PA: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 427, Alliance, Elmo Madden III. Brother  
Madden, are you here?

DELEGATE ELMO MADDEN III, Local Lodge 0427, Detroit, MI: Here.

CO-CHAIRPERSON SANCHEZ: Thank you.

0525, Southern, Bucky Davis.

DELEGATE BUCKY DAVIS, Local Lodge 0525, Asheville, NC: Here.

CO-CHAIRPERSON SANCHEZ: 0529, Southern, Norman Perry.

DELEGATE NORMAN PERRY, Local Lodge 0529, Selma, AL: Here.

CO-CHAIRPERSON SANCHEZ: 0532, Alliance, Scott Kocher.

DELEGATE SCOTT KOCHER, Local Lodge 0532, Delaware, OH: Here.

CO-CHAIRPERSON SANCHEZ: 0536, Southern, Tory Myles.

DELEGATE TORY MYLES, Local Lodge 0536, Atlanta, GA: Here.

CO-CHAIRPERSON SANCHEZ: 0537, Southern, Dana Rambo.

DELEGATE DANA RAMBO, Local Lodge 0537, Winston-Salem, NC: Here.

CO-CHAIRPERSON SANCHEZ: 0542, Southern, Clay Wilson.

DELEGATE CLAY WILSON, Local Lodge 0542, Louisville, KY: Here.

CO-CHAIRPERSON SANCHEZ: 0546, Southern, Patrick Barnes.

DELEGATE PATRICK BARNES, Local Lodge 0546, Rockwood, TN: Here.



CO-CHAIRPERSON SANCHEZ: 0551, Alliance, Jonathan Carr.

DELEGATE JONATHAN CARR, Local Lodge 0551, Bluefield, WV: Here.

CO-CHAIRPERSON SANCHEZ: 0567, Southern, Nathan Felker.

DELEGATE NATHAN FELKER, Local Lodge 0567, Knoxville, TN: Here.

CO-CHAIRPERSON SANCHEZ: 0568, Alliance, Charles Price, Jr.

DELEGATE CHARLES PRICE, JR., Local Lodge 0568, Radford, VA: Here.

CO-CHAIRPERSON SANCHEZ: 0571, Alliance, Terry Hart.

DELEGATE TERRY HART, Local Lodge 0571, Honaker, VA: Here.

CO-CHAIRPERSON SANCHEZ: 0580, Alliance, Michael Montgomery.

DELEGATE MICHAEL MONTGOMERY, Local Lodge 0580, Portsmouth, OH: Here.

CO-CHAIRPERSON SANCHEZ: 0585, Southern, Rick Coleman.

DELEGATE RICKY COLEMAN, Local Lodge 0585, Birmingham, AL: Here.

CO-CHAIRPERSON SANCHEZ: 0586, Southern, Patrick Jackson.

DELEGATE PATRICK JACKSON, Local Lodge 0586, Gate City, VA: Here.

CO-CHAIRPERSON SANCHEZ: 0594, Alliance, Shelby Adcock.

DELEGATE SHELBY ADCOCK, Local Lodge 0594, Norfolk, VA: Here.

CO-CHAIRPERSON SANCHEZ: 0599, Alliance, James Manspile.

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: Here.

CO-CHAIRPERSON SANCHEZ: 0619, Southern, Jeremy Cook.

DELEGATE JEREMY COOK, Local Lodge 0619, Valdosta, GA: Here.

CO-CHAIRPERSON SANCHEZ: 0627, Southern, Marcus Hood.

DELEGATE MARCUS HOOD, Local Lodge 0627, Vidalia, GA: Here.

CO-CHAIRPERSON SANCHEZ: 0636, Southern, Corey Hayes.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Here.

CO-CHAIRPERSON SANCHEZ: 0645, Southern, Ethan Mackey.

DELEGATE ETHAN MACKEY, Local Lodge 0645, Fort Payne, AL: Here.

CO-CHAIRPERSON SANCHEZ: 0660, Southern, David Kemp.

DELEGATE DAVID KEMP, Local Lodge 0660, Hattiesburg, MS: Here.

CO-CHAIRPERSON SANCHEZ: 0662, Alliance, Aaron Walden.

DELEGATE AARON WALDEN, Local Lodge 0662, Brunswick, MO: Here.

CO-CHAIRPERSON SANCHEZ: 0804, Southern, Anthony Ingram.

DELEGATE ANTHONY INGRAM, Local Lodge 0804, Columbus, GA: Here.

CO-CHAIRPERSON SANCHEZ: 0808, Southern, Carlos Sampson.

DELEGATE CARLOS SAMPSON, Local Lodge 0808, Macon, GA: Here.

CO-CHAIRPERSON SANCHEZ: 0866, Alliance, Andrew Bates.

DELEGATE ANDREW BATES, Local Lodge 0866, Buffalo, NY: Here.

CO-CHAIRPERSON SANCHEZ: 0887, Alliance, Sheldon Swain.

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Here.

CO-CHAIRPERSON SANCHEZ: 0935, Penn Fed, Mark Recker.

DELEGATE MARK RECKER, Local Lodge 0935, Lehigh, PA: Here.

CO-CHAIRPERSON SANCHEZ: 0991, Alliance, Kenneth Eagle.

DELEGATE KENNETH EAGLE, Local Lodge 0991, Elkhart, IN: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 1362, Alliance, David Beal.

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 1363, Alliance, Chad Reading.

DELEGATE CHAD READING, Local Lodge 1363, Warsaw, IN: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 1396, Alliance, Logan Kaminski.

DELEGATE LOGAN KAMINSKI, Local Lodge 1396, Oak Harbor, OH: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 1464, Alliance, Kenneth Akers.

DELEGATE KENNETH AKERS, Local Lodge 1464, Louisa, KY: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 1532, Alliance, Thomas Modica II.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 1551, Northeast, Kevin Evanski.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 1599, Alliance, Justin Poor.

DELEGATE JUSTIN POOR, Local Lodge 1599, Springfield, IL: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 1618, Southern, Lewis Williams.

DELEGATE LEWIS WILLIAMS, Local Lodge 1618, Columbia, SC: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 1632, Northeast, Dale Bogart, Jr.

DELEGATE DALE BOGART, JR., Local Lodge 1632, Binghamton, NY: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 1664, Alliance, Edward Metzger.

DELEGATE EDWARD METZGER, Local Lodge 1664, Toledo, OH: Here.

CO-CHAIRPERSON SANCHEZ: And I apologize if I mispronounced your last name.

Lodge 1700, Alliance, Richard Vallat, Jr.

DELEGATE RICHARD VALLAT, JR., Local Lodge 1700, Venice, IL: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 1978, Alliance, Jay Dearth, Jr.

DELEGATE JAY DEARTH, JR., Local Lodge 1978, Cincinnati, OH: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 2003, Southern, Zachary Ryder.

DELEGATE ZACHARY RYDER, Local Lodge 2003, Keysville, VA: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 2307, Alliance, Milo Hildebrandt. Brother Hildebrand present? (No response.)

Lodge 2434, Alliance, Samuel Peterman.

DELEGATE SAMUEL PETERMAN, Local Lodge 2434, Wheelersburg, OH: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 2703, Alliance, Ronnie Beebout, Jr.

DELEGATE RONNIE BEEBOUT, JR., Local Lodge 2703, Lafayette, IN: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 2838, Southern, Michael Babb.

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 2957, Northeast, Cory Edwards.

DELEGATE CORY EDWARDS, Local Lodge 2957, Honesdale, PA: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3002, Penn Fed, Trent Russler.

DELEGATE TRENT RUSSLER, Local Lodge 3002, Huntingdon, PA: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3004, Penn, Stephen Kane.

DELEGATE STEPHEN KANE, Local Lodge 3004, Carnegie, PA: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3006, Penn, Christopher Dillinger.

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3008, Penn, Nicholas Baker.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3009, Penn, Adam Schmitt.

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3017, Penn, Tommy Lawson, Jr.

DELEGATE TOMMY LAWSON, JR., Local Lodge 3017, Bradford, OH: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3047, Penn, Jonathan Hite.

DELEGATE JONATHAN HITE, Local Lodge 3047, Johnstown, PA: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3061, Penn, Stephen Jarman.

DELEGATE STEPHEN JARMAN, Local Lodge 3061, Columbus, OH: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3075, Penn, Steven Monteiro.

DELEGATE STEVEN MONTEIRO, Local Lodge 3075, Baltimore, MD: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3077, Penn, Bryan Miles.

DELEGATE BRYAN MILES, Local Lodge 3077, Harrington, DE: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3091, Penn, Timothy Yost.

DELEGATE TIMOTHY YOST, Local Lodge 3091, Sunbury, PA: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3094, Penn, Heath Vezza.

DELEGATE HEATH VEZZA, Local Lodge 3094, Conway, PA: Here.

CO-CHAIRPERSON SANCHEZ: Lodge 3098, Penn, Shawn Bahret.

DELEGATE SHAWN BAHRET, Local Lodge 3098, Columbia, PA: Here.

CO-CHAIRPERSON SANCHEZ: We show 67 and we were missing Brother Milo Hildebrandt, for the record.

### **ADOPTION OF THE AGENDA (Resumed)**

CHAIRPERSON DAVID: Now at this point, everybody has a copy of the agenda in their books. I would accept a motion or entertain a motion to adopt the agenda as printed.

All right. Would the Rules Committee be prepared to give their report, please?

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Do we adopt this first?

CO-CHAIRPERSON SANCHEZ: Out of due respect on the issue, point of order that was raised by Brother Kevin Evanski, in the agenda it normally states there's a Resolution 1.

With all due respect to the committee, if it's okay with the delegates, we would like to move that out of the agenda, and when the committee gives that report, let them report on all the resolutions, if that's acceptable.

So we'll entertain a motion to that effect.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski,  
Local Lodge 1551.

I'd like to make a motion that we change the agenda to show that Resolution Number 1 be considered along with the Resolution Committee report.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother Kevin Evanski.

Is there a second?

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile,  
Local 599.

I second that motion.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother Manspile.

Any discussion?

Hearing none, all in favor, signify by saying aye.

All opposed?

Thank you, motion carried.

CHAIRPERSON DAVID: All right, with that being said, now we'll entertain a motion to accept the agenda as reported.

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile,  
Local 599.

I make a motion to accept the agenda as printed.

CO-CHAIRPERSON SANCHEZ: Is there a second?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Local Lodge 2838.

I second that.

CO-CHAIRPERSON SANCHEZ: Any discussion?

Hearing none, all in favor signify by saying aye.

All opposed?

Motion carried.

CHAIRPERSON DAVID: Now that I've butchered all that, how about the Rules Committee giving their report, please?

### **REPORT OF THE RULES COMMITTEE**

COMMITTEE CHAIRPERSON BABB: Rules Committee report.

*...Committee Chairperson Babb read the following:*

Rule 1. The Convention shall convene March 2, 2022, at 9:00 a.m. and conclude no later than 5 p.m. on March 3, 2022.

Rule 2. Delegate registration shall close on March 2, 2022, at 8:30 a.m. and no delegate shall be seated who has not registered by this time.

Rule 3. Delegate badges must be worn at all general meetings.

Rule 4. Each delegate shall vote a weighted vote based on the number of members in good standing from the NS Railway, NYSW, NECR, and/or TRRA in their local.

Rule 5. Any delegate (or any Committee Member or Advisors assigned to a Committee) wishing to speak shall go to the nearest appropriate microphone, address the Chair and, upon being recognized, shall announce name and home Lodge number before proceeding.

Rule 6. No delegate shall speak more than twice on the same motion, nor longer than three (3) minutes each time.

Rule 7. A delegate speaking to a motion may not conclude those remarks by moving to close the debate.

Rule 8. Votes may initially be taken by voice or standing vote. Upon a motion approved by one-third of the delegates present, a roll call vote shall be conducted by recording the representation vote of each delegate, listing delegates by name and subordinate Lodge.

Rule 9. The presiding officer may require that any motion not covered by special rule be presented to the appropriate convention committee, in writing, signed by the maker and the seconder(s).

Rule 10. If a delegate wishes to have the Convention consider a proposed amendment to the Bylaws, when the Bylaws Committee has recommended against adoption, the proposed amendment must be moved during consideration of the affected Article and not later.

Rule 11. If a delegate wishes to have the Convention consider a new proposal to amend the Bylaws not previously submitted, the proposed amendment must be moved during the consideration of the affected Article and not later.

Rule 12. The Election of Officers shall be a special order of business after the approval and adoption of the bylaws.

Rule 13. Nominating speeches shall be limited to three (3) minutes. After nomination, the nominee must accept or decline the nomination. Each nomination must have a seconding speech, which shall be limited to two (2) minutes. No more than two (2) seconding speeches shall be allowed per nomination.



Rule 14. In the event there are more than two candidates and balloting results in no nominee receiving a majority vote, the nominee receiving the fewest votes shall be dropped from the next balloting.

Rule 15. If upon the close of any nomination there is only one nominee, that nominee shall be declared elected by acclamation.

Rule 16. Requests of announcements to the Convention shall be in writing with the name of the person (or a proper representative) under whose authority the announcement is issued and shall be handed to the presiding officer or co-chair.

Rule 17. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the convention in all cases to which they are applicable and in which they are not inconsistent with these Convention Rules.

CHAIRPERSON DAVID: Okay. You've heard the rules read and they recommend adoption.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Point of inquiry. Kevin Evanski, Local Lodge 151.

I believe it was Rule 3 talks about a weighted vote of a delegate. Is it Rule 3 -- 4.? So Rule 4. So I'm curious, so is that for any business that we take care of today when it says it shall have a weighted vote based on -- or is that just for elections, or is that for bylaws? If you could answer that.

PARLIAMENTARIAN SLAUGHTER: It's actually a couple of rules, and it's even beyond the rules. At the end of the day, this is a weighted vote convention, and that's because, if somebody represents one delegate and somebody represents a thousand, you can't take a hands vote and say that's fair because one's got a thousand votes, the other's got one.

So at the end of the day, in perfect world -- and we deal with this at national conventions all the time. In perfect world, everything would be weighted. You want to take a break? Weighted vote. You want to go to the bathroom? Weighted vote. You want to close debate? Weighted vote. Okay. Who wants to do that?

And so what these convention rules always say is, look, we're going to do hand votes, we're going to do voice votes, we're just going to let the people in the room decide unless, and as the rules say, unless a third want to do a weighted vote, at which point you would shift over to the weighted vote. So at the end of the day, though, this was noticed as a weighted vote convention.

You all represent different amounts of votes. The national bylaws provide that everything is weighted voting, so that's how we've done it elsewhere. So yes, this is a weighted vote convention. But you would be miserable if you voted every single thing by weighted vote. The idea is, let's just do it by voice or hands unless enough of you care, that then we'll do it by weighted vote.

I hope that make sense.

DELEGATE EVANSKI: It does. Thank you very much.

PARLIAMENTARIAN SLAUGHTER: Certainly.

CHAIRPERSON DAVID: Okay. You've heard the Rules Committee report. I'll entertain a motion to accept.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Actually, I would like to make a motion to amend Rule 5 to read that "Any delegate (or Committee Member) wishing to speak shall go to the nearest appropriate microphone, address the Chair and, upon

being recognized, shall announce name and home lodge number before proceeding." Essentially, strike out "advisor assigned to the committee."

PARLIAMENTARIAN SLAUGHTER: Just to make sure I'm understanding, you'd like to strike "or advisors assigned to a committee," but if the advisor is a delegate, they obviously -- I mean, there's some of those, too.

DELEGATE EVANSKI: Yes.

PARLIAMENTARIAN SLAUGHTER: You're trying to say if someone is an advisor and not a delegate, you would prefer they not to have the right to speak automatically?

DELEGATE EVANSKI: That's right.

PARLIAMENTARIAN SLAUGHTER: You'd want the body to have to decide that?

DELEGATE EVANSKI: Absolutely.

PARLIAMENTARIAN SLAUGHTER: By the way, that is the way it would work. If you just say delegates have the right to go to a mike and talk, anybody else could go to a mike and talk if the body said it was okay. It wouldn't stop them. You'd just have to decide if it was anybody other than a delegate. That's the intent of the motion; right?

DELEGATE EVANSKI: Right. That's the intent of the motion, correct.

CO-CHAIRPERSON SANCHEZ: All right. The motion has been made to amend Rule Number 5 to state "Any delegate (or Committee Member assigned to a Committee) wishing to speak shall go to the nearest appropriate microphone, address the chair and, upon being recognized, shall announce name and home lodge number before proceeding," so basically eliminate "or advisors." Is there a second?

DELEGATE DALE BOGART, JR., Local Lodge 1632, Binghamton, NY: Dale Bogart, Lodge 1632.

I second the motion.

CO-CHAIRPERSON SANCHEZ: A motion has been made and seconded. Any discussion?

Just for clarification also, it depends on what the committee wants to do. But also at the end of the day, if the members want to hear from somebody that is not an advisor and they allow him to speak, that is permissible, according to the parliamentarian, Mr. Slaughter.

But the motion's been made and seconded. Any discussion?

All in favor of amending Rule Number 5, signify by saying aye.

All opposed?

Motion carried.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

I'd like to make a motion to adopt the rules as amended.

CO-CHAIRPERSON SANCHEZ: Motion's been made to adopt the rules as amended. Is there a second?

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile, Local 599.

I second that motion.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Motion's been made and seconded to adopt the convention rules as amended. Any discussion?

Hearing none, all in favor, signify by saying aye.

All opposed?

Motion carried.

According to the agenda, up next is the Constitution and Bylaws Committee. Would the Constitution and Bylaws please come and give their report to the delegates?

CHAIRPERSON DAVID: At this point, because I am a delegate and I will be voting on issues, I am going to pass the chair to Co-Chairman Roger Sanchez and I'll be seated as a delegate.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Brother Chair, Corey Hayes, Lodge 0636.

I move we take a 20-minute recess before continuing with the Bylaws Committee report.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother Hayes.

A motion has been made to take a 20-minute break before proceeding. Is there a second?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Brother Chair, Michael Babb, Local Lodge 2838.

I second that.

CO-CHAIRPERSON SANCHEZ: Brother Babb, thank you for the second.

Any discussion?

All in favor of taking a 20-minute break, signify by saying aye.

All opposed?

We are adjourned for 20 minutes, and the Resolution Committee will meet back in the corner. Thank you, Brothers.

*(A recess was taken between 9:38 a.m. and 9:57 a.m.)*

CO-CHAIRPERSON SANCHEZ: All right, Brothers. If the convention will come back to order.

A couple of quick deals. Number one, I understand Brother Milo Hildebrandt has arrived and he is here. If it's permissible with the delegates to this convention, we'll show him as being here and appropriate, so we have all 68 delegates present. If we'll make that correction to the record.

One other thing, before we start on the Bylaws Committee, there was some concern from some of the delegates. This is your convention. This isn't my convention or our convention; it's your convention. So there was concern, there's only two microphones in here and people trying to get to the microphone. We want everybody to voice their opinion on whatever they desire. If they want speak on the microphone, we will give you ample time to get to the microphone and be recognized.

Now, we were supposed to get started on the Bylaws Committee. I think it's only appropriate, before Justin starts on the Bylaws Committee and gives the committee report, as you can see up on the screen, they've listed American Rail System Federation. That was something that was derived from the Bylaws Committee and that was what was plugged in in this draft. Like I said, this is a draft and nothing is final until it's approved in its entirety by the delegates.

So I guess the question is, if somebody is not comfortable with that name or wants to suggest another name, now would be the appropriate time to do it.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Can I just make a point of inquiry? Kevin Evanski, Lodge 1551.

So as the -- and I'm sure everyone's probably got the same sort of question. As we go through the bylaws, are we going to just read through them first? Are we going to go through them one by one? As the chairman reads the report, are we going to be amending them and making motions as we go through? What's going to be the process?

CO-CHAIRPERSON SANCHEZ: My understanding, Brother Evanski, is that when we go through the bylaws, like the first page just identifies the former properties that will come under that. We'll take page 1, page 2.

When we get into the articles, we'll go section by paragraph by paragraph. If anybody wants to propose an amendment or ask for rationale for whatever the purpose is and whether it was rejected or received for the ones that were presented, that would be the appropriate time to do it.

DELEGATE EVANSKI: Thank you.

PARLIAMENTARIAN SLAUGHTER: And a reminder, in fact, they did adopt rules this morning, you may recall, that say if you want to amend the bylaws, do it when you're at that place. Because nobody wants to get to the end and you think you're all done and then somebody says, "By the way, I've got 22 amendments I'd like to go back and take care of."

DELEGATE EVANSKI: Thank you.

CO-CHAIRPERSON SANCHEZ: All right. So the question is, I guess, are the delegates comfortable with using the name American Rail System Federation? If it is, I'll entertain a motion to that effect.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I make a motion to adopt the new name of the American Rail System Federation.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Local 1362.

I second that motion.

CO-CHAIRPERSON SANCHEZ: Motion has been made and seconded to accept the American Rail System Federation as the new name of the NS founding convention. Is there any discussion?

Hearing none, all in favor, signify by saying aye.

All opposed?

Thank you, Brother, motion carried.

At this time, then, we'll start with the reading of the committee report from the Constitution and Bylaws. Brother Justin Blankenship decided it would be more appropriate if he sat down. So if nobody has any objection, I'll stand. He just wanted to see me stand, you know.

### **REPORT OF THE CONSTITUTION AND BYLAWS COMMITTEE**

COMMITTEE CHAIRPERSON BLANKENSHIP: Good morning.

*...The delegates responded, "Good morning."*

*...Committee Chairperson Blankenship read the following:*

Bylaws for the Government of the Joint Protective Board and Members of the American Rail System Federation of the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters to be comprised of the following railroads:

Former Alliance System Federation: Former Consolidated Rail Corporation.

Norfolk and Portsmouth Belt Line Railroad Company.

Norfolk Southern Corporation: Former Des Moines Union Railway Company; former Interstate Railroad Company; former Norfolk & Western Railway Company; former Wabash Railroad Company; former Consolidated Rail Lines (Penn Central, Erie Lackawanna); (Nickel Plate-Wheeling and Lake Erie); Wheelersburg Terminal; Terminal Railroad Association of St. Louis.



Former Pennsylvania Federation: Akron and Barberton Belt Railroad Company Amtrak; Chicago Union Station Company; Washington Terminal Company; Consolidated Rail Corporation; Baltimore & Eastern Railroad Company; Buffalo Creek Railroad; Ironton Railroad Company.

CO-CHAIRPERSON SANCHEZ: That's page 1. Any questions, concerns?

DELEGATE TIMOTHY R. SOUTHERLAND, Lodge 0226, Decatur, IL: Tim Southerland, Lodge 0226.

There is a typo on the first page there, I believe. "Federation" -- "former Alliance System Federation." There is no A.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Any discussion on page 1? Hearing none, then I'll say it's adopted.

Page 2.

COMMITTEE CHAIRPERSON BLANKENSHIP: Lehigh Valley Railroad Company; Penn Central-Pennsylvania Railroad Company; Pennsylvania-Reading Seashore Lines; Monongahela Railway Company; Maryland and Pennsylvania Railroad Company; Middle Fork Railroad Company, Consolidated Rail Corporation; Western Maryland Railway Company.

Former Northeastern System Federation: Former Delaware and Hudson-South Lines; New York, Susquehanna, and Western Railway Corporation; New England Central Railroad.

Former Southern System Division. You have the Seaboard Coast Line Railroad Company; Piedmont and Northern Railway Company; Southern Railway Company; Alabama Great Southern Railroad Company; Atlantic and East Carolina Railway Company; Central of Georgia Railroad Company; Chattanooga Traction Company; Cincinnati, New Orleans, and

Texas Pacific Railway Company; Georgia Northern Railway; Georgia Southern and Florida Railway Company; Kentucky & Indiana Terminal Railroad Company; Live Oak, Perry, and South Georgia Railway Company; Louisiana Southern Railway Company.

Revised and amended at the meeting of the American Rail System Federation, Seelbach Hilton, 500 South Fourth Street, Louisville, Kentucky, March 2nd and 3rd, 2022.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report on page 2. Any discussion? Any problems that any of the delegates see?

Hearing none, then we'll say it's adopted.

Page 3.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Preamble. Number 1. To use all possible safety measures in our work so as not to injure our brother or sister members; to reduce the hazards of our occupation to a minimum and to get the maximum benefits for those injured and to fight for improved benefits. An injury to one is an injury to all.

CO-CHAIRPERSON SANCHEZ: Delegates okay with preamble number 1? Any discussion?

Hearing none, we'll say it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Number 2. For the purpose of unifying all railway employees, to protect their interests, elevate their intelligence, advance their general welfare, promote the progress and cooperation of all who toil, and to perpetuate the blessings of freedom and liberty; the American Rail System Federation of the Brotherhood of Maintenance of Way Employes Division has been organized upon these principles as

cornerstones and to assist other unions whenever possible in their resistance to attacks on their wages and working conditions and for the attainment of their demands and to honor legitimate picket lines.

The Bylaws Committee recommend adoption.

CO-CHAIRPERSON SANCHEZ: Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Number 3. To secure just working conditions and working hours as called upon by the members and system officers as befit the ideal of honorable labor, and thereby obtain the opportunity for closer cooperation with the managements, recreation, intellectual development, and social enjoyment to which all humanity is justly entitled.

Committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: Any discussion?

DELEGATE COREY HAYES, Local Lodge 636: Brother Chair, Corey Hayes, Lodge 636.

I suggest in Preamble Number 3, the second line, that we capitalize the word "members" and we capitalize the word "system" officers.

CO-CHAIRPERSON SANCHEZ: Is there a second?

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile, Local 499.

I second that motion.

CO-CHAIRPERSON SANCHEZ: All in favor of capitalizing M for "members" and S for "system" in the second line of Number 3?

All opposed?

Motion is carried to amend.

Now, any discussion on adopting Preamble Number 3 with the amended changes?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Number 4. To educate members on trade union principles, and educate ourselves in the civic affairs of our country and to encourage others to take an interest therein, in order that we may thereby vote intelligently and effectively for the common good and protection of all.

The committee recommend adoption.

CO-CHAIRPERSON SANCHEZ: Any discussion?

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Corey Hayes, Lodge 636.

Preamble Number 4. I move that we capitalize "members" in the first sentence of Preamble Number 4.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother Hayes.

A motion has been made to amend Preamble Number 4 to capitalize M on "members." Is there a second?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Local Lodge 2838.

I second that.

CO-CHAIRPERSON SANCHEZ: A motion has been made and seconded to capitalize the letter M in the first sentence of Preamble Number 4. Any discussion?

All in favor signify by saying aye.

All opposed?

Motion's carried.

Now under Preamble Number 4 with the amended changes, any discussion?

Hearing none, then it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Number 5. All of which we propose to consummate by conducting our affairs in an honorable and businesslike manner, in accordance with the provisions incorporated in these Bylaws which are the governing laws of our American Rail System Federation, consistent with and subject to the provisions of the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters, (BMWED-IBT) National Division Bylaws, the Merger Agreement between the BMWED and IBT, and the IBT Constitution.

The committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: Any discussion?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I'd like to strike the word "businesslike."

CO-CHAIRPERSON SANCHEZ: Strike what, Brother? "Businesslike"?

DELEGATE MODICA: Yes.

CO-CHAIRPERSON SANCHEZ: Is there a second?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Lodge 2838.

Second that.

CO-CHAIRPERSON SANCHEZ: A motion has been made and seconded to remove the word "businesslike" at the top of the first sentence on page 4. Any discussion?

All in favor of -- you want to talk again?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Can I make an amendment to the motion?

CO-CHAIRPERSON SANCHEZ: Sure.

DELEGATE MODICA: The words "and businesslike," two words. Do we need another second for that too? Okay.

CO-CHAIRPERSON SANCHEZ: "And businesslike," all right.

Motion was amended, just so we're clear for the record, "and businesslike" to be stricken and amended. So it's been motioned and seconded.

Any discussion?

All in favor of amending Preamble Number 5 by removing "and businesslike"?

All opposed?

That motion is carried.

Now we're back on Preamble Number 5 with the amended changes. Any discussion?

Hearing none, then it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Order of Business.

1. Meeting called to Order

2. Invocation by Chaplain
3. Reading Call of Meeting by Co-Chairman
4. Appointment of Committee on Credentials
5. Report of Committees: Credentials, Rules, Bylaws, Salary and Finance, and

#### Resolutions

6. Roll call of Officers and Members by Co-Chairman
7. Nomination and Election of Officers
8. Installation of Officers
9. Good of the Order
10. Adjournment by Chaplain

The rules contained in the current edition of *Robert's Rules of Order* shall govern the American Rail System Federation in all cases to which they are applicable and provided they are not inconsistent with these Bylaws and any special rules of order the American Rail System Federation may adopt.

The committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee reports. Any discussion?

Hearing none, it's adopted.

...*Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article I - Organization.

Section 1. This body shall be known as the American Rail System Federation of the Brotherhood of Maintenance of Way Employees Division and have jurisdiction over all Maintenance of Way Employees employed on railroads and departments coming under the jurisdiction of the American Rail System Federation.

Committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee's reporte under Article I, Section 1. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 2(a). Any System Division, Federation, or Maintenance of Way Employees of any railroad, wishing to affiliate with this System Federation, will be considered by making written application through its System Division or Federation Officers (or by petition if there is no System Division or Federation organization on such railroad) to the General Chairperson of the American Rail System Federation. If the General Chairperson of the American Rail System Federation feels the affiliation to be advisable, he/she shall immediately advise the members of the American Rail System Federation Executive Committee of such application for affiliation. The Executive Committee members will immediately advise the General Chairperson as to whether or not they deem it advisable to affiliate such a System Division, Federation or Maintenance of Way Employees of any railroad with the American Rail System Federation. If such majority of the Executive Committee approves such affiliation, the General Chairperson will proceed to affect such affiliation providing such conditions of affiliation meet the approval of the National Division President of the BMWED-IBT.

Committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee report under Article I, Section 2. Any discussion?

Hearing none, it's adopted.



*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 2(b). Should the General chairperson fail to affect an affiliation and he/she deems such affiliation still advisable in the interest of the American Rail System Federation, he/she may call into session the members of the Joint Protective Board, in order to affect such affiliation.

Committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee reports under Article I, Section 2(b). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 3. The governing body shall be in accordance with Article II, Section 2(a) and 2(c), Article III, Section 4, Article III, Section 5(d), and Article VIII of these Bylaws.

The committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee reports under Article I, Section 3. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 4. Representation on the Joint Protective Board shall be in accordance with Article 2, Section 3(b) of these Bylaws.

And the committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You've heard the committee's report under Article I, Section 4. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article II - Conventions, Federation And Subordinate Lodge Officers.

Section 1(a). The System Federation Convention will be held in September, 2025 and quadrennially thereafter, with the specific dates to be set by General Chairperson, for the purpose of electing the Joint Protective Board Officers and members referred to in Section 3(a) and (b) of this Article II and to transact such other business as may be lawfully brought before the Joint Protective Board.

The committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article II, Section 1. Any discussion?

DELEGATE DALE BOGART, JR., Local Lodge 1632, Binghamton, NY: Dale Bogart, Local Lodge 1632.

I'd like to amend the section to reflect September 2026. Today is March 2, 2022. And when this takes effect on April 1, 2022, these will be four-year terms; correct?

CO-CHAIRPERSON SANCHEZ: That is correct.

DELEGATE BOGART: So I move to amend the year to 2026.

CO-CHAIRPERSON SANCHEZ: A motion's been made to amend Article II, Section 1 to the year of 2026. Is there a second?

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Sheldon Swain, Local Lodge 887.

I second the motion.

CO-CHAIRPERSON SANCHEZ: Motion's been made to amend 2025 to 2026, and seconded. Any discussion? President Simpson?

NATIONAL PRESIDENT SIMPSON: I know I'm not supposed to talk. They need to change the month too. They can change the month.

DELEGATE DALE BOGART, JR., Local Lodge 1632, Binghamton, NY: Okay. I'd like to amend the amendment. How about March of 2026?

CO-CHAIRPERSON SANCHEZ: We're voting now on the amendment to the amendment. Is there a second? Or are you withdrawing your original motion, and we'll withdraw the second, and then we'll proceed to this motion, if that's appropriate with the body of the convention.

DELEGATE BOGART: I'll withdraw the previous motion completely and seek to make an amendment on a new motion to amend March 2026.

CO-CHAIRPERSON SANCHEZ: Who made the second?

NATIONAL PRESIDENT SIMPSON: It would have to be before March because it's still under four years. This is March 2nd; correct?

UNIDENTIFIED DELEGATE: April 1st.

PARLIAMENTARIAN SLAUGHTER: I'll just chime in so you don't wrap yourself around the axle. Roberts says that when you say, like, four-year terms, it doesn't mean four years to the day, because who can make a convention on an exact day? So it says sometimes it's a little less, sometimes a little more. Maybe you decide you want to have it in April and somebody gets elected in February this year; that will still count as four years. Roberts law allows a little flexibility on what a term is, because otherwise you'd always have to exactly line it up just right.

CO-CHAIRPERSON SANCHEZ: Okay.

DELEGATE DALE BOGART, JR., Local Lodge 1632, Binghamton, NY: Okay. Then I withdraw the previous motion to amend to March 2026 and make it for May 2026.

CO-CHAIRPERSON SANCHEZ: All right. Is there a second?

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: I might be out of line on this argument but I don't know where else to interject.

CO-CHAIRPERSON SANCHEZ: Brother, please state your name and lodge number.

DELEGATE BAKER: I'm sorry. Nick Baker, Local 3008.

For the finances of the local, having the general convention and a Federation convention the same year is going to hurt. I make a motion that we change the year altogether.

This is a founding convention. It's not four years since the last one. I'm saying we set the date so that it's every other year. So if we have the general convention this June, then we should have another convention in two years or something along those lines. At some point we need to change the years, because we're drawing a lot of money out of locals to be able to send representation to the conventions.

CO-CHAIRPERSON SANCHEZ: Okay. I got your motion. A motion's been made by Brother Bogart to change it to March 2026; is that correct? May 2026.

Is there a second?

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Lodge 1362.

I second that motion.

CO-CHAIRPERSON SANCHEZ: Motion's been made and seconded to amend Article II, Section 1 to May 2026.

You want to make an amendment to that motion, Brother, at this time?

NATIONAL PRESIDENT SIMPSON: I know that Roberts is okay, but Department of Labor standards says four years is all you can serve as a term. You have to get those terms in four years.

PARLIAMENTARIAN SLAUGHTER: I agree with that completely. I wasn't saying completely different years. I was just saying you don't have to make it the day. If you're a week early, a week late, a couple of weeks early, a couple of weeks late, that's okay. But don't mess with the DOL standards.

NATIONAL PRESIDENT SIMPSON: The term of office starts in April. Four years is all you can go in a term of office.

PARLIAMENTARIAN SLAUGHTER: What's being said, the court reporter can only hear people if they speak in the microphone because she's wearing a headset.

What was said is the federal labor law is four years, period.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

Can someone here verify that that's not the same year as National Division? Because I don't think we should have two conventions in one year.

CO-CHAIRPERSON SANCHEZ: The convention, to my understanding, for point of clarification President Simpson is here, it's every four years. And our convention on the National Division convention is the year of 2022, which will be June. So the convention for the national, the next one after this one will be in 2026.

Microphone Number 2.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Jack David, Lodge 301.

I was on the committee, and the committee gave a lot of thought into this. And that's the reason we had the 2025 date in there, is so we wouldn't have two major conventions in one year. That was the purpose of the 2025 date.

CO-CHAIRPERSON SANCHEZ: Any other discussion on the motion?

We're back on the motion to amend the motion to say May of 2026. It's been motioned and seconded. Any other discussion?

All in favor, signify by saying aye if you want to change it to May of 2026. All in favor?

All opposed?

Motion has failed.

We're back on Article II, Section 1, and the committee's report to adopt. Any discussion?  
Microphone 2.

DELEGATE DALE BOGART, JR., Local Lodge 1632, Binghamton, NY: Dale Bogart,  
Lodge 1632.

I'd like to amend the Article II, Section 1 to reflect February of 2026.

These are four-year terms. I don't know how we can hold conventions in off years where the terms are still active. They're four-year terms.

CO-CHAIRPERSON SANCHEZ: Motion has been made to amend Article II, Section 1 to say February of 2026. Is there a second?

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Sheldon Swain,  
Lodge 887.

I second the motion.

CO-CHAIRPERSON SANCHEZ: Motion has been made and seconded to amend Article II, Section 1 to February 2006. Any discussion? Microphone 1.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

This is still the same year as the national convention; correct?

CO-CHAIRPERSON SANCHEZ: That is correct.

DELEGATE MODICA: My understanding of the Department of Labor, four years is a minimum -- or maximum four years. We could elect officers every year if we wanted. We cannot have two conventions in one year. That's too much for the rank and file.

CO-CHAIRPERSON SANCHEZ: Microphone Number 2.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I agree with what Tom said. It states in the verbiage of this that this is a founding convention. I'm under the understanding that, going forward, we would set the dates and then it would be every -- after that -- I mean, we're having this convention in the middle of term limits right now for the Federations that are here. The people that are in office are going to be cutting their terms short for us doing this right now. So we're trying to set this going forward to protect the locals and their time frame. That's why I want to keep it at the 2025 spacing.

CO-CHAIRPERSON SANCHEZ: Any more discussion?

Microphone 1.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Corey Hayes, Lodge 636.

The committee recognized the upcoming 2026 National Division convention, and the committee gave honest consideration to the locals to prepare for being able to provide the funds to send delegates from their lodges to both the system convention and the National Division

convention. When we get further in these bylaws, we will realize -- we will recognize as a body, the committee has recommended four-year terms of office.

So following the February -- excuse me. Following the September 2025 convention of the American Rail System Federation, the next office, the next term of office will be a four-year term. And again, the committee considered the locals, and that's why we made this recommendation.

CO-CHAIRPERSON SANCHEZ: Microphone Number 2.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: How you doing?  
Kevin Evanski, delegate, Local 1551.

I heard some comments about the cost to local lodges if the conventions are in the same year, the Federation convention and the National Division convention. But the fact is, you have so much revenue per month for your Lodge and you have to budget for that. And if you look at the year, if you have it in 2025, you're actually having it a year earlier, which you'll have less funds in the treasury of your local.

So from a revenue standpoint, I think that it's kind of irrelevant because you just budget the money in your local to cover those things ahead of time.

As far as the workload, that's a different consideration which I have no comment on.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Any other discussion?

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I recognize what Brother Hayes said about later on, that there is provisions to protect that. But this is an article right here and now and we don't know if that's going to pass later. That's



why I wanted to address it here before it went any further. There's no guarantee that the funding will pass, so that's why I bring it up here.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Any other discussion?

Hearing none, we're back on the motion to amend Article II, Section 1 to change the date to February of 2026.

All in favor, signify by saying aye.

All opposed, say no.

The motion has been defeated.

We're back now under Article II, Section 1 to approve in its entirety as recommended by the committee. Any discussion?

All in favor, signify by saying aye.

All opposed?

Motion carried. Article II Section 1(a) is adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article II, Section 2(b). The delegate to the Quadrennial System Federation Convention shall be the Local Lodge Grievance Committee Chairperson. The first alternate delegate shall be Local Lodge Secretary-Treasurer and the 2nd alternate delegate shall be the Local Lodge President. In the event the delegate or first alternate delegate cannot attend the System Federation Convention, the 2nd alternate delegate shall serve as the delegate. If none of the above officers are available to attend the convention the Local Lodge can hold a meeting to elect a delegate to attend the convention.

The committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: Read the other.

COMMITTEE CHAIRPERSON BLANKENSHIP: Excuse me, sorry.

The Local Lodge President, Secretary-Treasurer and Chairperson of the Grievance Committee shall be elected by secret ballot vote and the regular Triennial Local Lodge election in accordance with the BMWED-IBT National Division Bylaws, the Merger Agreement between the BMWED and IBT, and the IBT Constitution.

The committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's reported under Article II, Section 1(b). Any discussion?

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Brother Chair, Corey Hayes Lodge 636.

I move that we strike the whole part of Article II, Section 1, part (b) and replace the deleted language with the following part. Article II Section 1 part (b) would then read:

"The delegate and alternate delegate to the Quadrennial System Federation Convention shall be elected by secret ballot vote of the members in good standing of the Local Lodge by which they are accredited to the convention."

CO-CHAIRPERSON SANCHEZ: Is there a second?

DELEGATE NATHAN FELKER, Local Lodge 0567, Knoxville, TN: Nathan Felker of Local Lodge 567.

I second that motion.

CO-CHAIRPERSON SANCHEZ: A motion has been made and seconded.

Was that presented to the committee as well? Can we ask the committee for a report and a rationale on why it was rejected, if that's okay with the delegate? In other words, that was presented to the Bylaws Committee; correct?

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Yes.

CO-CHAIRPERSON SANCHEZ: Okay. The Bylaws Committee rejected it and recommended this language. So what I'm asking is a rationale from Brother Justin as to why it was rejected.

DELEGATE HAYES: Okay.

CO-CHAIRPERSON SANCHEZ: So the members will understand before we vote.

DELEGATE HAYES: Thank you.

COMMITTEE CHAIRPERSON BLANKENSHIP: So basically in committee, it was discussed both ways. Some folks had done it -- former affiliated system and others had done it a certain way.

So essentially, the committee recommended that since -- if you're elected as local chairman, you're essentially holding that position, you're -- it's kind of one of those things where, when you're elected as that position, you know that you're going as delegate. That's what the committee recommended, Roger.

CO-CHAIRPERSON SANCHEZ: We're getting it up on the board so everybody can see.  
Microphone 1.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Yes. Jack David, Lodge 301.

There's a lot of logic that goes into the verbiage we used. When you elect your local lodge officers, you put the trust in them. You know when you elected those officers, that they

will be delegate to any convention that comes within their term. So you elect the proper people for that position and your delegate's already elected. It saves the lodge a lot of time in having other elections. We had trouble getting elections for credentials for this founding convention, for example. So that was the purpose and that's the logic behind that.

And there is -- well, if none of your local lodge officers want to attend, there is a mechanism. We can have a meeting and elect a delegate.

CO-CHAIRPERSON SANCHEZ: All right. A motion's been made and seconded. If we're going to talk for and against the motion, let's get it approved before we go any farther.

So a motion has been made and seconded to amend Article II.

UNIDENTIFIED DELEGATE: It was seconded.

CO-CHAIRPERSON SANCHEZ: That's what I said, a motion's been made and seconded to amend Article II, Section 1(b) by striking out under (b) "The delegate to the Quadrennial System Federation Convention shall be the Local Lodge Grievance Committee Chairperson. The first alternate delegate shall be Local Lodge Secretary-Treasurer and the 2nd alternate delegate shall be the Local Lodge President. In the event the delegate or first alternate delegate cannot attend the System Federation Convention, the 2nd alternate delegate shall serve as the delegate. If none of the above officers are available to attend the convention the Local Lodge can hold a meeting to elect a delegate to attend the convention," and put "The delegate and the alternate delegate to the Quadrennial System Federation Convention shall be elected by secret ballot vote of the members in good standing of the Local Lodge by which they are accredited to the convention."

Motion has been made and second. All in favor, say aye.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Hold on. I want to speak on it.

CO-CHAIRPERSON SANCHEZ: You have to made a motion that's been --

DELEGATE MODICA: We have a motion and a second, and then it's open for discussion.

CO-CHAIRPERSON SANCHEZ: -- made and seconded so it's open for discussion.

Okay. Any discussion? Microphone 1.

DELEGATE MODICA: Tom Modica, Local 1532.

We should not be electing one person for two positions. If the local can't get a quorum together for a delegate, then they don't send a delegate. That's on the local to get participation. This encourages participation, and that's all I have to say.

CO-CHAIRPERSON SANCHEZ: Any more discussion?

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, 3008.

I'm in favor of the change. In today's locals, we have guys that are leaving. That's just a reality left and right. Positions are going up for new election. I think that all of that just kind of muddies the water. Whereas if we just had a basic that you vote on it at the local lodge, you send who needs to go, then it's just simpler that way.

CO-CHAIRPERSON SANCHEZ: Any more discussion?

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: Hey, Brothers, I'm also in favor. Adam Schmitt, Local Lodge 3009.

To play back off what Brother Modica said, you are electing one member over the course of, you know, every convention over the course of three years. To play on what Brother Baker said, there's a lot of shakeup within those three years. And when we don't know where we're

going to go, I don't know, a lot of these lodges in separate places are in geographically in different areas.

So rather than one delegate go to every said convention over the course of their term, over the course of the next three years, depending on where the convention would be held, we would have a meeting to elect a delegate to go to that one prior than going any one that's set forth ahead of them.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Any more discussion?

Hearing none, we're back on the motion. The motion is to amend Article II, Section 1(b) with the language that is up there saying, "The delegate and alternate delegate to the Quadrennial System Federation Convention shall be elected by secret ballot vote of the members in good standing of the Local Lodge in which they are accredited to the convention," and then striking out the language that's up there on the board.

All in favor of the amendment, signify by saying aye.

All opposed?

CO-CHAIRPERSON SANCHEZ: I think the nos have it.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532. I demand a rising vote.

CO-CHAIRPERSON SANCHEZ: All right. We'll do this rising.

All in favor of amending, please stand up.

All right, Brothers, thank you. Sit down.

All opposed?

Thank you, Brothers.

Y'all got the count?

On the standing vote, it was 28 yes and 33 no, so the motion has failed.

UNIDENTIFIED DELEGATE: I want a roll call vote.

CO-CHAIRPERSON SANCHEZ: A roll call vote has been asked for. That takes one-third of the delegates.

Is there a second?

Do you need a second for a roll call vote?

PARLIAMENTARIAN SLAUGHTER: No. You just have to stand. Everybody who wants a roll call should stand.

CO-CHAIRPERSON SANCHEZ: Let's do this. Everybody who wants a roll call vote, please rise. Thank you.

All of those who don't want a roll call vote, please rise.

The nos have it, Brother. Thank you.

So we're back on the Bylaws Committee report to adopt Article II, Section 1(b) as written. Any discussion?

Hearing none, it's adopted.

Please proceed, Brother.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article II, Section 1(c). Any member in good standing of the Brotherhood of Maintenance of Way Employees Division, who has established seniority rights on some railroad in the departments coming under the jurisdiction of the American Rail System Federation and who meets the 24 months Continuous Good Standing provisions of Article II, Section 4(a)(1) of the IBT Constitution at the time of nomination, and is

a member in good standing at the time of election shall be eligible for nomination and election as a delegate or alternate to the Quadrennial System Federation Convention. For newly chartered Local Lodges in existence for less than twenty-four (24) months, eligibility for delegate or alternate delegate shall be governed by Article II, Section 4(b) of the IBT Constitution.

The committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article II, Section 1, paragraph (c). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP:

Article II, Section 1(d). All Joint Protective Board Members and Officers who are not elected as a delegate to their lodge, attending the Quadrennial System Federation Convention shall have one (1) vote in all matters brought before the Convention, except that the Joint Protective Board members and officers shall not be eligible to vote in the election of Joint Protective Board members and officers, or changes to dues, unless they have been elected as a delegate or alternate delegate. All delegates will carry a weighted vote of their lodge. If an officer is carrying an Ex Officio vote, one vote will be removed from their local lodge weighted vote.

Committee recommend adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article II, Section 1, paragraph (d). Any discussion?



DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Brother Chair, just on the second line there of part (d), "elected as delegate," should that read "from their lodge"? It's Corey Hayes, Local Lodge 636. I apologize.

CO-CHAIRPERSON SANCHEZ: "All Joint Protective Board members and officers who are not elected as a delegate to their lodge."

DELEGATE HAYES: Shouldn't that read "from their lodge"?

CO-CHAIRPERSON SANCHEZ: Or "for their lodge" or "from the lodge"?

DELEGATE HAYES: I move that we amend Section (d) to read "from their lodge."

CO-CHAIRPERSON SANCHEZ: A motion has been made to amend Article II, Section 1, paragraph (d), second line, that says "from their lodge."

Is there a second? Microphone 2.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Sure. Kevin Evanski, Local Lodge 1551.

I second.

CO-CHAIRPERSON SANCHEZ: A motion has been made and seconded to remove the "to" and add "from." Any discussion?

All right. All of those in favor of making the amendment to Article II, Section 1, paragraph (d), with the change "from," signify by saying aye.

All opposed?

Motion carried.

Now we're back on Article II, Section 1, paragraph (d) as amended. So it will now read "All Joint Protective Board Members and Officers, who are not elected as a delegate from their lodge, attending the Quadrennial System Federation Convention shall have one (1) vote in all

matters brought before the Convention, except that Joint Protective Board members and officers shall not be eligible to vote in the election of Joint Protective Board members and officers, or changes to dues, unless they have been elected as a delegate or alternate delegate. All delegates will carry a weighted vote of their lodge. If an officer is carrying an Ex-Officio vote, one vote will be removed from their local lodge weighted vote."

Any discussion?

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: I have a question for the committee, point of inquiry.

CO-CHAIRPERSON SANCHEZ: Yes, sir, go ahead.

DELEGATE EVANSKI: So in (d) it says, "All Joint Protective Board members and officers, who are not elected as a delegate." But didn't we just state in a previous that all local chairmen will be delegates? So where would the election of the delegate come in at, I guess?

COMMITTEE CHAIRPERSON BLANKENSHIP: So you're right. But as far as the Joint Protective Board members, you're not -- you don't have to be a local lodge chairman or delegate. I mean, anybody could be in that position.

DELEGATE EVANSKI: Okay. So someone besides the local chairman could show up?

COMMITTEE CHAIRPERSON BLANKENSHIP: Yeah.

DELEGATE EVANSKI: Okay. So you could have the Joint Protective Board member and a delegate show up to the convention?

COMMITTEE CHAIRPERSON BLANKENSHIP: Right, as I understand it.

DELEGATE EVANSKI: And they would still have one vote? That wouldn't be right, would it? Because you could send a delegate and your local chairman as a member of the Joint Protective Board and they'd be getting two votes; correct?

I just want to get it right. I mean, I'm not trying to raise an issue. I just want to make sure that we get the language right. So maybe we have to amend it.

COMMITTEE CHAIRPERSON BLANKENSHIP: I think that that was the idea of it. They would have a vote, but except for those things that were listed in that Section (d), Kevin.

CO-CHAIRPERSON SANCHEZ: Brother Evanski, I had the opportunity chance to sit as an advisor and there was a lot of discussion on that. Because currently, under the proposed bylaws, the Joint Protective Board members and officers who are not delegates have a vote at the Quadrennial Convention.

So the question was, since it was a weighted vote, would that give that individual his one vote plus the weighted vote? So that's why that language was incorporated at the bottom that says, "And if an officer is carrying an ex officio vote, one vote will be removed from their local lodge weighted vote," to make sure he doesn't get two votes.

DELEGATE EVANSKI: Okay, got you. Thank you.

CO-CHAIRPERSON SANCHEZ: Yes, sir.

Any other discussion?

Hearing none, we're back under Article II, Section 1, paragraph (d) to adopt. All in favor of the committee report, signify by saying aye.

All opposed, say no.

Motion carried. It's adopted.

Section 2.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article II, Section 2(a). The governing body of the American Rail System Federation shall be the delegates and the Joint

Protective Board Officers assembled at the Quadrennial System Federation Convention, and said Conventions shall be the true and legitimate source of all authority pertaining to all matters under the jurisdictions of the American Rail System Federation and, except as provided for in this Article II, Section 2(a) and 2(c), Article III, Section 4, Article III, Section 5(d), and Article VIII, there is no power vested in any officer, committee, or body of members under its jurisdiction to repeal, alter, or change its laws and its decisions; it shall enact legislation which is not contrary to, or conflicting with, any provisions of the BMWED-IBT National Division Bylaws, the Merger Agreement between the BMWED and IBT, and the IBT Constitution.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee reports under Article II, Section 2(a). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 2(b). A majority of the Joint Protective Board Officers and delegates will constitute a quorum at the Quadrennial System Federation Convention.

Committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You've heard the committee reports under Article II, Section 2, paragraph (b). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 2(c). The Joint Protective Board shall exercise jurisdiction over the members and affairs of the System Federation between

Quadrennial System Federation Conventions. The Board may enact such measures as are deemed necessary for the best interests of the Organization within its jurisdiction, but such measures must, in every respect, conform with the Bylaws of the Brotherhood of the Maintenance of Way Employees Division, and will not be in force until approved by the National Division President of the BMWED-IBT. A majority of all members of the Joint Protective Board shall constitute a quorum.

The committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You've heard the committee's report under Article II, Section 2, paragraph 2(c). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 2(d). Any member in good standing of the Brotherhood of Maintenance of Way Employees Division who has established seniority rights on some railroad in the departments coming under the jurisdiction of the American Rail System Federation and who meets the 24 months Continuous Good Standing provisions of Article II, Section 4(a)(1) of the IBT Constitution at the time of nomination and is a member in good standing at the time of assuming office, shall be eligible for nomination and election as a Joint Protective Board Officer. For newly chartered Local Lodges, eligibility shall be governed by Article II, Section 4(b) of the IBT Constitution.

The committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You herd the committee's report under Article II, Section 2, paragraph (d). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 3(a). All Joint Protective Board Officers will be elected by majority vote at the Quadrennial System Federation Convention held in September 2025 and quadrennially thereafter in September. All Joint Protective Board Officers will serve a term of four years beginning January 1st, following the election.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You've heard the committee's report under Article II, Section 3 paragraph (a). Any discussion?

Hearing none, it's adopted.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: I have a discussion.

CO-CHAIRPERSON SANCHEZ: You have something?

DELEGATE MODICA: We're in Article II, Section 3?

CO-CHAIRPERSON SANCHEZ: Article II, Section 3(a).

DELEGATE MODICA: Tom Modica, Local 1532.

I would like to strike all that and then bring a proposal for one member, one vote. Would you like me to read it first?

CO-CHAIRPERSON SANCHEZ: That was presented to the committee; correct?

DELEGATE MODICA: Yes -- no -- yes, it was.

CO-CHAIRPERSON SANCHEZ: Yeah. You've got a copy of it Brother Tom?

DELEGATE MODICA: Yes.

CO-CHAIRPERSON SANCHEZ: We can put it up here so the delegates can see.

We're under Article II, Section 3(a), and Brother Tom Modica would like the delegates to consider an amendment to Section II, 3(a); is that correct?

DELEGATE MODICA: For the whole Section 3.

CO-CHAIRPERSON SANCHEZ: The whole Section 3, okay.

DELEGATE MODICA: Can I wait for her to pull it up?

CO-CHAIRPERSON SANCHEZ: Yes. We're going to get it pulled up here real quick.

Then you can talk about the amendment you want to do, then we'll get a second, and then we'll open it up for discussion, Brother.

She doesn't have it.

Bear with us just a few minutes.

DELEGATE MODICA: Can I move to a five-minute recess while we get this figured out?

CO-CHAIRPERSON SANCHEZ: If you want to, Tom, you can go ahead and just read what you've got. Then we'll see if we can get a second, and in the meantime, we'll try to get it typed up into the deal for the delegates.

DELEGATE MODICA: Article II Section 3 shall read:

(a). Election of American Railway System Federation Officers, Board of Trustee members and Executive member or members of the Officers of the Federation and the members of the Federation's executive board shall be elected by the rank and file in a mail ballot referendum.

(b). Nominations. The nomination of Federation Officers, Board of Trustee members, and members of the Executive Board shall be the third-to-last order of business at conventions, followed by good and welfare, then adjournment. All convention delegates have the right to

nominate candidates for office. Nominations shall be from the floor and shall be conducted separately for each officer in the following order: General Chairperson, Vice Chairpersons, Board of Trustee members, Executive Board members. No person may be a nominee in Convention for more than one Federation office. There shall be no limit on the number of nominees.

(c). The ballots for a referendum election of Federation Officers, Board of Trustee members, Executive Board members, and except as otherwise herein provided for, all other elections referred to referendum by the Convention of the Federation shall be prepared by the Federation Election Procedures Committee selected by the Convention. They shall be assisted by the American Arbitration Association or another outside impartial certified and licensed professional election agency approved by the Joint Protective Board, which will mail the ballots to the members. Within 30 days after the close of Convention or within such time as reasonably required for the preparation of ballot packets, i.e., ballots, accompanying instructions, envelopes, and any other materials, not to exceed 45 days after the convention. Ballot packets shall be mailed to each member on the eligible voter list at their last known home address. Ballots are due back to the American Arbitration Association 45 days from the date on which they were mailed to the rank and file.

(d). Any member in good standing may submit objections to conduct affecting the outcome of the election, which shall be made to the Federation Joint Protective Board in writing by the final date ballots are received. The Joint Protective Board will consider and rule on all objections within 14 days of the end of the balloting process.

(e). The candidate receiving a plurality of votes from the members returning ballots shall be declared the winner of the election.



(f). All candidates for Federation office shall accept campaign donations only from members and retirees of the BMWED. Donations shall mean direct monetary donations, airline tickets, payment of hotels, car rental bills, and also payment of radio, television, and newspaper ad bills. All candidates must provide a full financial disclosure statement to the Federation Executive Board no later than the board meeting at which candidates will be installed. Such disclosure statements shall include all contributions received, listed by individual donor, and all moneys spent, listed type of expense. Violation of this section shall cause the candidate to forfeit election. The Federation shall send the outcome of the elections within three days to the Federation email list, and publish the results on all Federation websites and form of electronic media. All elected officers shall be installed and assume office on December 1 of the convention year.

CO-CHAIRPERSON SANCHEZ: All right. Do we have it pulled up there?

All right, before we proceed, a motion has been made to replace Article II, Section 3 with the amendment made by Brother Modica. Is there a second?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Local Lodge 2838.

I second that.

CO-CHAIRPERSON SANCHEZ: Thank you, Mike.

Would the committee from the Bylaws, this was presented to the Bylaws Committee and it was rejected. Would you like to give your rationale?

COMMITTEE CHAIRPERSON BLANKENSHIP: Yes. There was a lot of discussion went into this, a lot of good discussion. And a lot of it come down to, I think, cost. I think that it came down to disadvantages with, you know, campaign money, how deep your pockets were,

could alter change. I think it came down to who was at an advantage and who would be at a disadvantage in this scenario. But it ultimately came down to those things.

CO-CHAIRPERSON SANCHEZ: Thank you.

Microphone Number 1.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Local 1551.

I'm against the amendment for several reasons, but I'll state one, which is, I firmly believe at the end of this convention, we need to have elected our officers. We're looking to install this April 1st. We're going into a National Division convention and, from what I can tell, that provision there does not allow -- will take more time. We won't be ready by April 1st with our officers. We need to know, this Federation needs to know who its officers are going to be, and I think we need to do that here at this convention.

If we walk out of here, we know who our officers are, and we live to argue and fight another day. For that reason, I'm against the amendment.

CO-CHAIRPERSON SANCHEZ: Microphone Number 2.

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: Adam Schmitt, Local Lodge 3009.

With respect to what Brother Evanski said there, I think there's no dispute here that we will be leaving here electing officers, and this is moving forward at the next Quadrennial Convention in September of 2005 [sic].

I do ask you for a five-minute recess because I believe the one member, one vote was already struck down, as Brother Blankenship just said. I had given him a copy that I wrote up this morning. I know he has multiple copies of it, but I believe she does not. If we could take a

five- minute recess so I can make sure we can get it up there for all of our members to look at that.

CO-CHAIRPERSON SANCHEZ: Right now, Brother, we're talking on the motion that was made and seconded, so we're going to finish this order of business with the motion. Then when we come back, if you have another one you want to present, we'll do that at that time.

Microphone Number 2.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I'm in favor of this amendment. Coming into this, we gave the rank and file the power to vote for forming this new Federation. And I believe going forward, I agree with what Adam said, that we will leave here with elections now today, you know, today, tomorrow, for current leadership.

But going forward, we should have direct elections. The power is in the members, and we should give it to them going forward to vote for their representation as they see fit.

CO-CHAIRPERSON SANCHEZ: Microphone Number 3.

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: Chris Dillinger, 3006.

I am in favor of one man, one vote. I respect Brother Kevin on his opinion. Yes, we do need to have our officers ready for national convention after this. What we need this to go into effect is, is for our next convention there.

And also as far as the money, I mean, we ran the numbers, we got a bid from the American Arbitration people. It's nine cents a member a month, \$4.50. \$4.50 every four years out of your union dues will be spent for you to have a right to vote. So, I mean, look at this hotel.

Did we not spend more money than \$4.50 per man on wasted money? I mean, how much stuff has been thrown through social media lately about union money being spent on other stuff?

So one man, one vote puts it in the hands of the guys. It allows us to choose who we want.

There's some changes I would make to this. I'm from former Penn Fed. I don't feel my weighted vote should matter on who represents anybody from the South or anybody else; I should vote for my region. The general chairman who represents everyone should be in that large vote. But each person on their own specific region, it should just be those members voting and considering who's representing them.

CO-CHAIRPERSON SANCHEZ: Microphone 2.

DELEGATE KENNETH AKERS, Local Lodge 1464, Louisa, KY: Ken Akers, 1464 Local.

I'm totally against it. If you don't trust your delegates, elect better delegates.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Microphone Number 2.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Jack David, Local Lodge 301.

Our Federation and numerous other federations have had the elections as they were presented in the bylaws, proposed in the bylaws, for years. And it's very cost efficient to do it that way. You take care of all your business at the convention, you know who you've elected at the convention. I just think it's the best way of doing business for all.

You probably have more members represented here in this room than you would have turn out on a mail-in ballot on direct elections. That's my opinion.

CO-CHAIRPERSON SANCHEZ: Microphone Number 2.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Local 1551.

To reiterate what Brother David just said, the turnout, time and again, is so extremely poor for when we do direct elections, it just doesn't make sense. All you have to do is look to the Teamsters elections and the direct elections and what we put out as far as electing officials. There's no participation. Everyone says there's increased participation; there's just not.

CO-CHAIRPERSON SANCHEZ: Microphone number 1.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Corey Hayes, Lodge 0636.

My opinion, I support one member, one vote. If we, as a Federation moving forward, commit ourselves to communicate, educate, inform, and engage the membership, we will get more ballot returns than folks who are seated here today. With 100 percent confidence, I can speak that if we polled the membership today, we would get more than 68 votes returned. That's my opinion.

We have to communicate, we have to educate, we have to inform, and we have to engage. And when you are challenged as a membership to vote for your direct representation, folks will allow their voices to be heard, is my opinion. I'm in favor of one man, one vote.

CO-CHAIRPERSON SANCHEZ: Microphone Number 2.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I am in favor of this because I don't believe in a weighted vote. A weighted vote is not a fair vote. If I carry 30 votes out of my local and someone else carries 150, then that is not -- that

speaks to how he spoke about the -- Mr. Evanski, about turnout. It's cooked numbers compared to every person gets their own vote and gets their own say in how this place is run and represented.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: Point of order?

CO-CHAIRPERSON SANCHEZ: Point of order.

DELEGATE BEAL: That one was for. Now we should go against; correct?

CO-CHAIRPERSON SANCHEZ: Yes. We've got only two microphones and one doesn't say "for." So going forward after this, we'll say microphone Number 1 is "for" and microphone Number 2 is "against," either way; it doesn't matter. So we will get that corrected on the next one.

DELEGATE BEAL: I rise against this amendment. Guys are talking about --

CO-CHAIRPERSON SANCHEZ: State your name and lodge number.

DELEGATE BEAL: Oh, I'm sorry. David Beal, Lodge 1362.

I rise against this proposal. You know, there's guys sitting here and they talk about it's only nine cents per month per number and all that. And they give the numbers, they break it down. However, the numbers I would point to with the Teamsters election and the BMWED that voted in that election, what was the turnout of that, of those ballots? Who was the turnout on this? We're here today because 26.4 percent of the people decided to vote. Yeah, you can stand here all day and say, "Oh, yeah, if we put it in the people's hands, they're going to do it," but the numbers say that's false.

So I am against this proposal, and I call the question.

CO-CHAIRPERSON SANCHEZ: Question has been called for.

Brothers, as the parliamentarian just pointed out to me, when you speak, you can't call for question. Somebody else can call for question.

So microphone Number 1.

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: Adam Schmitt, Local Lodge 3009.

With all due respect to what the brothers have been up here to say negatively against, it needs to be made public, and I agree, and I so respect what Brother Evanski said, Brother Baker, Brother Dillinger. But I can only speak on what I know, and you are only as good as the information you've got.

I am out of Local Lodge 3009, president of Altoona, Pennsylvania. We have 42 members. At our meeting to elect a delegate member to come here, we had 38 guys of 42 show up. Brother over there has 114 members, and I hear they have a hard time to get a quorum. So when I come here with 42 votes of 38 guys who came to my lodge meeting to represent the 42 votes, I'm coming here with 42 votes. Brother over there is coming with 114 votes. How many people were at his local lodge meeting to send him here?

CO-CHAIRPERSON SANCHEZ: Microphone Number 2?

UNIDENTIFIED DELEGATE: You want me to answer that? I spoke to all 114 members in my local.

CO-CHAIRPERSON SANCHEZ: Microphone Number 2.

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Local Lodge 2838.

In my opinion, I respect everybody's opinion on it. But I believe it would empower the membership. I mean, I think it will. I think the membership would gain faith in our union that I think is dwindling down.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: Chris Dillinger, 3006.

Like I said, I respect everyone's opinion, and that's the beautiful thing about this country that we live in. We're allowed to vote like this.

The only thing about it is, everything that we heard was shot down by the Bylaws Committee was in the thing that, one of the most common that we heard was "that's the way it used to be, that's the way it always is." We're here because of "that's the way it always was, that's the way it used to be." How many times we hear it from supervisors on the agreements and stuff, "That's the way it is."

I think if it's time for a change, now is the time to do it. Let's give everybody that vote and everybody that voice. Anybody that's doing a good job shouldn't be afraid of some friendly competition. I think it will keep everyone on their toes and make everyone do their job a little bit better.

CO-CHAIRPERSON SANCHEZ: Microphone 2.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Jack David, Local Lodge 301.

There's been a lot of debate, there was a lot of debate in the committee. There's a handful of committee that are for this direct elections, but the majority of the people that I represent over the years have been perfectly satisfied with the weighted vote or the one lodge, one vote. I just



wanted to say that the majority of the people that I've represented have never had a problem with the way that we hold our elections.

CO-CHAIRPERSON SANCHEZ: Microphone Number 2.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski,  
Local 1551.

Can I call the question?

CO-CHAIRPERSON SANCHEZ: Question's been called for.

All in favor of the question, signify by saying aye.

All opposed?

All right. We're back on --

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Time out.  
Tom Modica, Local Lodge 1532.

I'd like to invoke Rule 4 for a weighted vote.

Go ahead and then I'll say it again.

CO-CHAIRPERSON SANCHEZ: All right. I thought, okay, did I miss something here?  
Thank you, Brother Tom.

We're back on Article II, Section 3, and the proposed amendment that was amended and seconded, one member, one vote.

All in favor of the one member, one vote as presented in the amendment by Brother  
Modica, signify by saying aye.

All opposed?

No.

Motion has failed.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I'd like to invoke Rule 4 for a weighted vote.

CO-CHAIRPERSON SANCHEZ: Weighted vote has been called for. All in favor of a weighted vote, please stand up.

DELEGATE MODICA: Parliamentary inquiry, that's a rule. I don't think we need to vote on that. That's a rule in the --

CO-CHAIRPERSON SANCHEZ: But it takes one-third, Brother Modica.

DELEGATE MODICA: Does it say that?

CO-CHAIRPERSON SANCHEZ: Yes.

Is that correct, Mr. Slaughter? It takes one-third for a roll call vote, even though it's in the rules.

DELEGATE MODICA: This is not a roll call vote. This is a weighted vote. It says "Rule 4. Each delegate shall vote a weighted vote based on the number of members in good standing from the NS Railway," yada, yada, yada.

CO-CHAIRPERSON SANCHEZ: Pointed out Rule 8. Look at Rule 8. That triggers it, Brother Modica.

Everybody that wanted the vote, stand up. Sit down.

Hold on.

UNIDENTIFIED DELEGATE: Point of parliamentary inquiry.

CO-CHAIRPERSON SANCHEZ: Let's do a recount. Those that want to --

PARLIAMENTARIAN SLAUGHTER: You might just want to let the count take place, because if there are enough counts for a roll call, I don't know if you want to fight over whether or not, what it takes to have a roll call.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Well, if they can stand against it, they can put their name down on it, too.

CO-CHAIRPERSON SANCHEZ: All right, thank you. You can sit down now.

All those opposed --

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Local Lodge 1362.

In all fairness, the brother up here in the front with the hat, I don't know if his vote was counted. He raised his hand. I want to make sure the vote is accurate.

CO-CHAIRPERSON SANCHEZ: Brother Rodriguez, did you get the gentleman who raised his hand over here?

DELEGATE BEAL: All right, thank you.

CO-CHAIRPERSON SANCHEZ: Okay.

So the others, stand up.

UNIDENTIFIED DELEGATE: Stand up tall.

CO-CHAIRPERSON SANCHEZ: Okay. There's 30, that's more than a third. So we will go -- so we've got 30.

All right, Brothers. Let's finish this vote and then we'll take a break. Now we're going to do a roll call vote. So a roll call vote. I'm going to call off the name and the lodge, and either a "yea" or a "nay."

Here's what we're going to do. We're going to take a ten-minute break. They're going to get the voting booths set up. My understanding, there's eight voting booths, there's 12 in a row. Once we come back and reconvene the convention, we'll take the first row, give them time to vote because they can vote, there will be four in the hall. They'll come back and then we start with the second row, and that way it's recorded and documented.

If that's agreeable with the delegates, then I suggest we take a ten-minute break. It is 11:20. Let's be back here at 11:30, Brothers. Thank you.

*(A recess was taken between 11:17 a.m. and 11:30 a.m.)*

CO-CHAIRPERSON SANCHEZ: The convention will come back to order.

A couple of housekeeping items that weren't mentioned before. Electronic devices, please silence your phone.

Let's put a little bit of principles before personalities and not be taking pictures of people that oppose or are in favor or whatever it might be. Let's respect each other and try to run a good convention.

The voting places are up. I talked to Chris Leidy, IT department. Everything is good to go there. Like I said, there's eight deals. Now, this is a roll call vote. So on a roll call vote, you're going to go up there, you're going to scan your badge, it's going to identify the picture. You're going to say, "Yeah, this is me." And then you vote however you want to vote, it will put a paper ballot out, and then you put it in the box.

Now, just for clarification so that I understand and I want the delegates to understand, the proposal by Brother Modica is for one member, one vote to replace Article II, Section 3 with your proposed amendment; is that correct?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Yes, that's correct.

CO-CHAIRPERSON SANCHEZ: If this goes through, that will remove -- if you look at what's in your books, it will remove "The officers of the Joint Protective Board shall be elected as follows," and it says "One General Chairperson, nine" and so forth, it removes on how you elect your officers. It removes the remaining portion of that.

DELEGATE MODICA. Inquiry: That can be added back in?

CO-CHAIRPERSON SANCHEZ: Yes. But right now your intention is to remove all of it; correct? That was what your amendment stated.

DELEGATE MODICA: Yes.

CO-CHAIRPERSON SANCHEZ: Okay. Everybody clear? All right. We're going to start the voting --

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Make it clear how to vote, if you vote "yes" --

CO-CHAIRPERSON SANCHEZ: If you vote "yes," you're voting to replace Article II, Section 3 with the proposed amendment. If you vote "no," you're voting not to replace it with the amended proposal. Everybody clear? All right.

We're going to take this first row. There's twelve in a row. Gentlemen, go vote.

*...The delegates proceeded to vote.*

All right, let's go with the second row.

Row three.

Row four.

Row five.

Row six.

Brothers, I've called all six rows. Is there anyone that didn't go to vote between rows one and six? If so, go exercise your right.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: All right, Brothers, could we get the convention back to order? Sentinels, could you see if anybody is still out in the hall? Thank you.

All right, everybody back? Here we go. The amendment, Article II, Section 3, one member, one vote, the "yes" was 911 votes, and "no" was 1,549 notes. The motion has failed.

I'm going to give this to the court reporter so she can attach it to the record.

At this point in time, I know we're still back on Article II, Section 3, and it's almost lunch, gentlemen. So lunch, they told me, is ready. So why don't we break with the permission of the delegates, or we can proceed, however y'all want to do it, and have lunch and reconvene at 1 p.m. Does that sound good with everybody?

Okay. We're adjourned to 1 p.m.

*(A recess was taken between 11:49 a.m. and 12:58 p.m.)*

CO-CHAIRPERSON SANCHEZ: Where we left off was Article II, Section 3. We're back on the committee's report.

Any discussion?

Hearing none, Section 3 is adopted, 3(a).

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: 3(b). The Officers of the Joint Protective Board shall consist of a General Chairperson, a First Vice Chairperson, a Second Vice Chairperson, Vice Chairperson/Secretary Treasurer, Vice Chairpersons and the Executive

Committee. The General Chairperson and Vice Chairperson elected as Secretary-Treasurer shall serve as the Chairperson and Secretary of the Joint Protective Board, respectively. In the absence of the General Chairperson, the First Vice Chairperson will assume the duties of the Joint Protective Board Chairperson.

The Officers of the Joint Protective Board shall be elected as follows:

One (1) General Chairperson – At-Large.

A total of nine (9) Vice Chairpersons from the Regions described below and from which one (1) will be elected to serve as the First Vice Chairperson, one (1) will be elected to serve as the Second Vice Chairperson, and one (1) will be elected to serve as the Vice Chairperson/Secretary-Treasurer.

The ten (10) full time officers shall be elected from the territories as follows (including the General Chairperson) in the following manner:

Three (3) full time officers' positions shall be elected and maintained from the former Southern Agreement territory on Norfolk Southern property. This will be considered Region 1.

Three (3) full time officers' positions shall be elected and maintained from the jurisdiction of the former Affiliated System Federation with two (2) positions from the Eastern Region of Norfolk Southern property and one (1) position from the Western Region from the Norfolk Southern property. This will be considered Region 2.

Four (4) full time officers' positions shall be elected, two (2) will be maintained from the jurisdiction of the former CRSF Federation and two (2) from the jurisdiction of the former Pennsylvania Federation. This will be considered Region 3.

The members elected as a Vice Chairperson shall, prior to the conclusion of the Convention, determine who will be the First Vice Chairperson, Second Vice Chairperson and the

Vice Chairperson/Secretary-Treasurer. In the event of a tie, the General Chairperson will resolve the matter.

Nine (9) Executive Committee Members shall be elected and maintained with three (3) elected from Region 1, three (3) elected from Region 2 and three (3) elected from Region 3.

The committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report on Article II, Section 3(b). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 4(a). The System Federation Officers will be the General Chairperson, First Vice Chairperson, Second Vice Chairperson, Vice Chairperson/Secretary-Treasurer, Vice Chairpersons, and Executive Committee Members.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: Committee recommends adoption on Article II, Section 4, paragraph (a). Any discussion?

Mike 1.

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: Yes, Chair. Adam Schmitt, Local Lodge 3009.

Whether it be in between -- I had it after Article II, Section 3(c) or Section 4 after all positions are brought up, I would like to make a motion to move a different wording on the direct ballot elections.

CO-CHAIRPERSON SANCHEZ: Where are you at, Brother?



DELEGATE SCHMITT: It was once the positions were read. She did just have it up there. It can be Article II, Section 3(c) or it can be Article II, Section 4(b) as soon as all the positions are decided upon.

CO-CHAIRPERSON SANCHEZ: Okay. You want to go ahead and move it?

DELEGATE SCHMITT: I do, yes.

CO-CHAIRPERSON SANCHEZ: Okay.

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: Chris Dillinger, Lodge 3006.

I second.

CO-CHAIRPERSON SANCHEZ: You want to talk on your motion, Brother?

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: Absolutely. As you see up there, a little different than we just went over, but I will read it word for word as we have up there. I know there's some copies of it going around.

But Article II, Section 3(c) shall read "Election of American Rail Federation, Federation Officers beginning at the Quadrennial System Federation Convention held in September 2025 and quadrennially thereafter in September and each general election thereafter, the elected officers of the Federation shall be elected directly by the rank and file in a mail ballot referendum conducted during the month of August that convention year. On or before August 1 of the convention year the American Rail Federation shall mail to each member of the Federation in good standing a ballot listing each position to be voted on and the candidates for each position. The positions are described in Article II, Section 3(b) above. The election shall be conducted and certified by the American Arbitration Association. Ballots shall be mailed by the American Arbitration Association. If the general chairperson should choose not to use the American

Arbitration Association, the manner of distributing and counting the ballots and/or the election service used must be approved by the Joint Protective Board. Ballots shall be accepted up to and including ten days from the September Quadrennial Convention and counted the next business day following. The Federation shall send the outcome of the election within three days to the Federation email list. When the balloting company is capable of reporting the totals by local lodge, they will be reported as such. The Federation shall bring all newly elected Federation Officers to the Quadrennial Convention. All elected officers shall be installed at the September Quadrennial Convention and assume office October 1 of the election year."

(d) -- well, I guess we don't get to (d), then. Would you like me to read (d), Justin?

COMMITTEE CHAIRPERSON BLANKENSHIP: That's not up to me.

CO-CHAIRPERSON SANCHEZ: Just for clarification, under your proposed amendment, it's saying, under Section 3(a), which was already adopted by the Convention, that all Joint Protective Board Officers will be elected by majority vote at the Quadrennial System Federation Convention, so that would be in conflict.

DELEGATE SCHMITT: All right. So you're saying we already adopted (a), so this does not apply?

CO-CHAIRPERSON SANCHEZ: That is correct.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Parliamentary inquiry. If we were to adopt a Section (c) as proposed in this amendment, could we not go back and revisit part (a) to amend it to read so it would cooperate with part (c)?

PARLIAMENTARIAN SLAUGHTER: Again, all I want at the end of the day is for the body to decide where it needs to be. I'm the one who asked the question, isn't this asking to adopt a new provision that says the election won't be at the Quadrennial Convention, when y'all just

adopted 3(a) that says the election will be at the Quadrennial Convention? I'm not sure howk you insert language that's that conflicting.

Again, all I was doing is asking the chair about it and he's asking you all about it. Those seem to me to be saying two completely different things.

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: They are, yes, sir.

This wasn't brought to the attention, like I said, we're on the floor now. I didn't discuss before we went to lunch there. Are we saying this will not be brought to the floor, then, you know, with the seconds since that's already in -- you know, it's all part of Section 3. If this would get passed, we don't go revisit Section (a)?

CO-CHAIRPERSON SANCHEZ: Section 3 has been adopted by the Convention delegates. We were on Section 4(a).

DELEGATE SCHMITT: Yeah, I was walking to the podium as well. So I can't add on to Section 3 as he was reading Section 4?

CO-CHAIRPERSON SANCHEZ: To do that, that would take --

Jim, right to go back to Section 3; right?

DELEGATE SCHMITT: Well, I don't think we were out of Section 3, is what I'm saying. You were reading as I was walking up here.

CO-CHAIRPERSON SANCHEZ: So you're saying we're still on Section 3?

DELEGATE SCHMITT: As you see below, there's a (d) and (e) as well to part of Section 3.

CO-CHAIRPERSON SANCHEZ: Section 3 is (a) and (b).

DELEGATE SCHMITT: Correct. Right now what she has on the computer now is Section (d) and (e) as well, before we get to Section 4.

CO-CHAIRPERSON SANCHEZ: Yes, but that's not in the proposed bylaws that was recommended by the committee.

DELEGATE SCHMITT: I understand that. You know, it was brought to his attention this morning. I'm addressing it on the floor as we speak.

CO-CHAIRPERSON SANCHEZ: Right. All I'm saying is 3, and y'all correct me if I'm wrong, has already been adopted and approved by the delegates. We were on Section 4(a).

DELEGATE SCHMITT: As I was walking up here, is what I'm saying.

CO-CHAIRPERSON SANCHEZ: Okay. Fine. A motion is made and seconded that you want to amend that to incorporate the following language that's up here on the board; correct?

DELEGATE SCHMITT: And I only read to 3(c) and then we were going over that before we even got to (d) and (e), because we're not there yet.

CO-CHAIRPERSON SANCHEZ: Motion is made and seconded. Any discussion?

Microphone 2.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Well, I thought the rules prohibited us going back after we had approved an article. Is that not true?

CO-CHAIRPERSON SANCHEZ: That is true. But the Brother says he was walking up to the microphone, which I didn't see, so I'm not here to debate. Like I said to begin with, this is y'all's convention and we'll make sure that every delegate has a right to address the floor.

DELEGATE DAVID: I have a follow-up here. Direct elections has overwhelmingly been defeated at this convention already today, and I see no reason to keep going after it just because a few are not happy. I mean, it's been defeated overwhelmingly by the body.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1. Microphone Number 1 is "for."

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski. I was going to make a parliamentary inquiry.

CO-CHAIRPERSON SANCHEZ: Okay.

DELEGATE EVANSKI: I'd like to know, since there was a weighted vote on the convention on Section 3(a), can we now make bylaws that are in direct conflict with 3(a)? The issue's already been raised. It can be raised a million other ways. But if it's in conflict with something that's already passed, weighted vote, went through the whole thing, the election, how can we bring it up again? We just keep doing the same thing over? Isn't that out of order?

PARLIAMENTARIAN SLAUGHTER: Just so you know, I'm not trying to do a star chamber thing here. He's the presiding officer, I'm not. I give advice, he's the chair. I just want to chat with him about the different options that are available. And then you can decide if you like his decision or not. At the end of the day, the majority is going to decide what it wants to do.

I'm not answering your question to the whole group because I want to talk to the chair about what's he going to rule, because he's the presiding officer of the convention, not me.

*(Discussion held off the record.)*

CO-CHAIRPERSON SANCHEZ: All right, Brothers. After further discussion and deliberation and the deal as position of the chair, I'm going to rule that the motion is out of order. If the delegates want to challenge the chair, then we'll leave it up to the delegates to vote.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Point of parliamentary inquiry, Brother Chair. Could I have a definition or an explanation of Rule 10, please?

CO-CHAIRPERSON SANCHEZ: Rule 10? And the reason I was basing my decision on it was Rule 11, Brother, just for the delegates, so they can look at it. And it's in conflict with what was already approved and passed by the delegates. And Rule 11 says, "If a delegate wishes

to have the Convention consider a new proposal to amend the Bylaws not previously submitted, the amendment must be moved during the consideration of the affected Article and not later."

You want an interpretation of Rule 10?

DELEGATE HAYES: Yes, sir.

CO-CHAIRPERSON SANCHEZ: "If a delegate wishes the Convention to consider a proposed amendment to the Bylaws, when the Bylaws Committee has recommended against adoption, the proposed amendment must be moved during consideration of the affected Article and not later."

DELEGATE HAYES: So to clarify, my brother that brings this amendment to the floor, this amendment to the Article II, Section 3 was not considered by the Bylaws Committee. Therefore, when we moved to adopt 3, he hadn't made his amendment proposal to the floor. And because you didn't notice him walking up, you had moved on to Section 4, and you hindered the brother from making his amendment, from making his proposal.

PARLIAMENTARIAN SLAUGHTER: If it helps, and I told the chairman, my advice to him, which since he's made a ruling I can support, had nothing to do with when this proposal was submitted. I mean, the chair wasn't going to decide this based on whether somebody walked to the mike five seconds too late, because he's already shown he'll let things come in late. The rule could be, y'all as a body could go back and change the rule.

The language I gave him was, I don't know how you adopt a bylaws proposal that seems to say the exact opposite of what it says a page earlier. That was my problem, is that you can't say do it this way but then do it this way. And if you adopt both of them, I think you've got a mess. Because if you adopt the second one, are you now going to go back and revisit the first one? Because it doesn't make any sense anymore either.

So my advice to him was based on what the proposal says, not when it was made.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: Adam Schmitt, Local 3009.

I would just jump in and want to rest my case. I respect the decision. But prior to us going on lunch, you know, this was made to everyone's attention. And I believe that, as I said, this wasn't brought on by the Bylaws Committee, you know, prior to today, so I did not bring it to their attention until I had it, which was written up in Section 3. And it had to get through Section (b) that stated every position that was therefore to be determined. That's where I came in, at Section 3(c), (d), and (e), that we also have not made it to yet.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother Schmitt.

You know what? I made a ruling. I don't know if it's appropriate or not appropriate. Like I said, all I'm trying to do is chair this deal. I think, if you want to, a motion has been made and seconded. I think it's out of order because it's in conflict with something that's already been adopted. But if you want to challenge the chair, we'll put it up for a vote for the delegates, Brother Schmitt.

DELEGATE SCHMITT: Like I said, at the end of the day, the vote was what it was. I heard a couple of brothers mention that we're going to go back and forth all day. That is not my intention whatsoever.

I just want to reiterate that we did have these discussions prior to breaking for lunch. You know, the vote being 900 to 1500, I respect that. But I, you know, respectfully say that if that vote does come and it gets shot down, then the vote in question would also get shot down.

CO-CHAIRPERSON SANCHEZ: Thank you.

We're back on Section 4, paragraph (a). The committee's report, they recommended adoption. Any discussion?

Hearing none, it's adopted.

Section (b).

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 4(b). The full-time System Federation Officers will be the General Chairperson, the First Vice Chairperson, Second Vice Chairperson, Vice Chairperson/Secretary-Treasurer, and Vice Chairpersons.

Committee moves for adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report on Article II, Section 4, paragraph (b). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 4(c). Immediately after the final adjournment of the Quadrennial System Federation Convention, the General Chairperson shall call the Executive Committee together for the purpose of them electing, from among their numbers, three Trustees. The purpose of the Trustees will be to conduct the American Rail System Federation audit in the second quarter of each fiscal year.

Committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report on Article II, Section 4, paragraph (c). Any discussion?

Microphone 2.



DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Sheldon Swain, Lodge 0887.

There is a typo in paragraph (c). The word "their" is listed twice in the third line of Section (c). Move to strike one of the "theirs" just for housekeeping.

CO-CHAIRPERSON SANCHEZ: Thank you for the point of clarification. You are correct.

So we're going to remove one of the "their numbers" in the third line, "among their numbers, three Trustees."

Any further discussion?

Hearing none, it's adopted with the correction raised by Brother Swain. Thank you.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article III - Duties, Authority and Responsibility of Officers and Members.

Section 1(a). The General Chairperson shall be the Executive Officer of the American Rail System Federation and shall have jurisdiction over all the System Federation Officers, whether elected or appointed. He/she shall supervise the activities of all Officers and Employees in the American Rail System Federation and shall issue instruction as to their duties and they shall report and be responsible directly to him.

The committee recommends.

CO-CHAIRPERSON SANCHEZ: Article III, Section 1, paragraph (a). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 1(b). The General Chairperson shall oversee the affairs of the American Rail System Federation, except such time as may be devoted to other duties pertaining to the Brotherhood. He/she shall arrange for Officers to attend Local Lodge meetings with emphasis on instructing the Local Lodge Officers and members on their duties and the proper methods of adjusting matters in dispute. He/she shall at the Quadrennial Convention report all claims handled, and work for the up-building and strengthening of the Brotherhood.

Committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 1, paragraph (b). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 1(c). The General Chairperson or his/her duly authorized Vice Chairperson or designee will handle all cases on appeal, after they have been processed to that point by the Local Chairperson, and System Officers. The General Chairperson or his/her duly authorized Chairperson shall conduct all conferences with top managements on grievances, wages and working conditions, and try to affect an honorable settlement in each instance. Settlements or agreements entered into in accordance with Article XIX, Section 9, of the BMWED-IBT Bylaws by the General Chairperson on matters in dispute are final and binding on the American Rail System Federation.

The committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report on Article III, Section 1, paragraph (c). Any discussion?

Microphone 1.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

I guess it would be the second sentence. "The General chairperson or his duly authorized chairperson." Should that be vice chairperson?

CO-CHAIRPERSON SANCHEZ: "The General Chairperson or his/her duly authorized Vice Chairperson or designee." Is that where you're talking about, Brother Kevin?

DELEGATE EVANSKI: Yes. "The General Chairperson or his/her duly authorized Chairperson shall conduct all conferences with top managements on grievances." Or is that local chairperson or vice chairperson?

CO-CHAIRPERSON SANCHEZ: My understanding, from sitting and listening to the committee yesterday, it's vice chairperson.

DELEGATE EVANSKI: Okay. So it should be vice. Should we amend it?

COMMITTEE CHAIRPERSON BLANKENSHIP: If I may?

CO-CHAIRPERSON SANCHEZ: Go ahead.

COMMITTEE CHAIRPERSON BLANKENSHIP: I think the reason why it's just chairperson is because of the first, second, secretary-treasurer, and this just says "Chairperson."

DELEGATE EVANSKI: Got you.

CO-CHAIRPERSON SANCHEZ: Any further discussion?

It's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 1(d). The General Chairperson may, when conditions require, employ such organizers or representatives, and office assistants as may be deemed necessary to carry on the business of the American Rail System Federation and maintain the membership, and to regulate their salaries and expenses in accordance with the requirements of their duties and may appoint as many Assistants to the General Chairperson as he/she may deem necessary to carry on the affairs of the Brotherhood. When consistent with good service, such Organizers and Office Assistants will be employed from the ranks of the American Rail System Federation. Any assignments that are in excess of sixty (60) days shall be subject to Joint Protective Board approval. Under no circumstances shall any officer of the American Rail System Federation employ as his/her assistant any of his/her relatives where such relative would be required to work under his/her direct supervision.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: Article III, Section 1, paragraph (d).

Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 1(e). The General Chairperson shall preside over the American Rail System Federation Conventions and meetings of the Joint Protective Board. He/she shall appoint the necessary committees to study and bring committee reports to the System Federation Convention on all matters that should be given thorough consideration by the Convention. He/she will make all arrangements for the Quadrennial System Federation Conventions and prepare necessary reports and information to be

brought before the Convention. Between Conventions he/she will work with the members of the Joint Protective Board to enact legislation that may be necessary for the best interest of the American Rail System Federation.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 1, paragraph (e). Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 1(f). The General Chairperson will determine the location of the System Federation Office(s), subject to the approval of the Executive Committee, and shall be in charge of the System Federation Office(s) and shall have charge of System Federation automobile(s), or automobile(s) leased by the System Federation. If System Federation Officers or Joint Protective Board members are required by the General Chairperson to use their personal automobile, they will be paid mileage in accordance with the applicable IRS rate. He/she shall work out budgets from time to time on the operation of the System, and at all times try to hold expenses to a minimum. He/she will have charge of expense accounts and allowances, and it will be necessary for any expense incurred by any System Officers to be approved by him/her before payment is made. No Officer or member of the Joint Protective Board has authority to incur or create any expense whatsoever, personal or otherwise, against the American Rail System Federation without the approval of the General Chairperson.

Committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 1, paragraph (f). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 1(g). The General Chairperson and Vice Chairpersons shall be paid a monthly salary and all necessary expenses while performing service in the interest of the Brotherhood. Said salary shall be determined by the Joint Protective Board Officers and the delegates at the Quadrennial System Federation Convention or by a majority vote of the Joint Protective Board members between Conventions. All necessary and actual expenses incurred by the General Chairperson and Vice Chairpersons while conducting business for the Brotherhood will be allowed.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report. They recommend adoption under Article III, Section 1, paragraph (g).

Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 1(h). When the General Chairperson or System Federation Officers are appointed or instructed by the National Division President of the BMWED-IBT to serve on National BMWED-IBT Committees, national or international, they will receive in addition to any per diem or expense allowed by BMWED-IBT National Division, the salary which is afforded to them.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 1, paragraph (h). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 1(i). The General Chairperson shall be vested with the authority to make the necessary purchase of office supplies, office equipment, etc., that may be required in the operation of the American Rail System Federation. He/she shall likewise have the authority to trade in System Federation automobiles or leased automobiles at such time that he/she deems necessary to cut down the loss of money by the Federation. He/she shall also be vested with the authority to execute leases for office space for the System Federation office(s) and shall likewise handle the matters of taxation on System Federation property, provided however, that no contract or agreement for the purchase or lease of goods, service or property, real or personal, obligating the Federation in the amount of \$5000.00 will in addition require the approval of the Executive Committee.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 1, paragraph (i) recommending adoption. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 1(j). The General Chairperson shall discharge on behalf of the System Federation such duties as may be imposed upon him/her by applicable law, including the execution and filing of any reports to Federal or

State authorities, and he/she shall cause to be maintained by the System Federation such records as the law requires to keep for a period of not less than seven (7) years in support of such reports.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report recommending adoption of Article III, Section 1, paragraph (j). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 2. It shall be the duty of the First and Second Vice Chairperson and Vice Chairpersons to assist the General Chairperson in the discharge of his/her duties and be subject to instructions of the General Chairperson. The First Vice Chairperson, Second Vice Chairperson and Vice Chairpersons will devote such time as may be necessary, in the opinion of the General Chairperson, to the interest of the Brotherhood.

The committee recommends.

CO-CHAIRPERSON SANCHEZ: The committee recommends. You heard the committee's report and Article III, Section 2. Any discussion?

Hearing none it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 3(a). It shall be the duty of the Vice Chairperson/Secretary Treasurer when active, to assist the General Chairperson in the discharge of his/her duties and be subject to the instructions of the General Chairperson. The Vice Chairperson/Secretary Treasurer shall keep a true and correct record of the proceedings of the Joint Protective Board meetings, preserve all books, records and documents pertaining to the



business and history of the System Federation and the Brotherhood, which may in any manner, come into his/her possession. Upon written request, the minutes will be provided to any member of the American Rail System Federation in good standing within thirty (30) days.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 3, paragraph (a). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 3(b). Members who upon retirement, or upon the receipt of an annuity, continue without interruption to pay full dues and assessments or who have received life membership shall be entitled to attend Local Lodge meetings. Members elected as delegates shall have the right to propose changes to these Bylaws. Members serving as Brotherhood Officers and/or representatives at the time of retirement, or at the time annuity is granted, may serve out the balance of the term for which elected, subject to the terms of the Merger Agreement between BMWED and IBT. They shall not be eligible for election or re-election or to participate in the transaction of Brotherhood business except to the extent herein provided and in the case of Local Lodge Secretary-Treasurers who may be eligible for re-election as Local Lodge Secretary-Treasurers, subject to the terms of the Merger Agreement between BMWED and IBT.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 3, paragraph (b). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 4. Special meetings of the Joint Protective Board may be called by the General Chairperson; by written request of a majority of the members of the Joint Protective Board, through the General Chairperson, or the National Division President of the BMWED-IBT. Such calls must plainly set forth the reason for such special meeting and only subject matters so specified shall be given consideration and transacted at such special meeting. At least ten (10) days' notice, in writing, shall be given to each member of the Joint Protective Board of such meeting.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 4. Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 5(a). It shall be the duty of the Trustees to examine all bills and accounts, vouchers, books and other documents in connection with the affairs of the American Rail System Federation, furnishing a copy of their audit to the National Division Secretary-Treasurer of the BMWED-IBT. The Trustees shall meet yearly during the second (2nd) quarter of each year at the System Office to perform this work and transact such business as may be necessary unless the meeting shall be accomplished through teleconference.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report on Section 5(a) of Article III. Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 5(b). It shall be the duty of the Executive Committee Members to see to it that the System Federation Officers are properly bonded, as provided in Section 9 of this Article III.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 5, paragraph b. Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: 5(c). If deemed necessary by the General Chairperson, the Executive Committee shall meet at any time and place upon (10) days' written notice from the General Chairperson.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 5, paragraph (c). Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 5(d). In all matters requiring action by the Executive Committee, when the Executive Committee is not in formal session, the Executive Committee may act by letter, electronic mail, fax, conference call and the like. When the General Chairperson requires action by the Executive Committee, he/she may obtain the same by such channels. Such Executive Committee members may take action on the matter

brought to their attention in the same manner, provided that all members of the Executive Committee shall be polled. Such action, so taken by a majority of the members of the Executive Committee responding to the poll, shall constitute action of the Executive Committee as though the Executive Committee were in formal session.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 5, paragraph (d). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 6(a). In case of a vacancy in the office of the General Chairperson by reason of death, resignation, removal for cause, or any other reason whatsoever, it shall become the duty of the First Vice Chairperson to take charge of the affairs of the office and perform the duties of the General Chairperson for the unexpired term. In such case, the First Vice Chairperson shall receive the salary specified for the General Chairperson.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 6, paragraph (a). Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 6(b). In case of a vacancy in the office of First Vice Chairperson by reason of death, resignation, removal for cause, or any

other reason whatsoever, it shall become the duty of Second Vice Chairperson to take charge of the affairs of the office and perform the duties of the office for the unexpired term.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 6, paragraph (b). Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 6(c). In case of a vacancy in the office of the Second Vice Chairperson by the reason of death, resignation, removal for cause, or any other reason whatsoever, the General Chairperson will fill the vacancy by appointment consistent with the principles set forth in Article II, Section 3(b) for the unexpired term.

And the committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 6, paragraph (c). Any discussion?

Microphone Number 2.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I make a motion to change the verbiage on that. That the general chairperson would not be able to fill that, that it would be on vote by the Executive or Joint Protective Board, by overwhelming vote.

CO-CHAIRPERSON SANCHEZ: Is there a second on the motion?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I second that.

CO-CHAIRPERSON SANCHEZ: Any discussion?

Is that correct the way it's up on the board, Brother? Strike out "General Chairperson" and incorporate "Joint Protective Board (by vote)"?

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

Since I brought it up, I believe that it should be by the numbers, that any other appointment should be made by the Joint Protective Board, just to not have the general chairperson have full power over all the people underneath him.

CO-CHAIRPERSON SANCHEZ: Any discussion?

All right. It's been moved and seconded to change the language in Section 6, paragraph (d) to remove "General Chairperson" and incorporate "Joint Protective Board (by vote)" and the rest remains the same.

All in favor of the amendment to change the language, signify by saying aye.

All opposed?

Motion carried.

Back on the committee's report.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: So a question for the committee, if I could. So if we do that, would there have to be -- would we have to come up with a way for nominations for those? I don't want to get past this and figure -- now it's going to be up for an election -- right? -- of the Joint Protective Board.

CO-CHAIRPERSON SANCHEZ: I'll let the committee respond.

Do you want to respond?

It says, "In case of a vacancy of any Executive Committee Member by reason of death, resignation, removal for cause, or any other reason whatsoever, the Joint Protective Board (by vote) will fill the vacancy by appointment consistent with the principles set forth in Article II, Section 3(b) for the unexpired term, subject to the approval of the Joint Protective Board."

DELEGATE EVANSKI: All right. So it's an appointment and there's really no election?

CO-CHAIRPERSON SANCHEZ: Do you want us to pull up what Article II, Section 3(b) says just for clarification?

DELEGATE EVANSKI: I read it, it's the qualifications, the regular 24 months in good standing. So I don't have an issue.

CO-CHAIRPERSON SANCHEZ: Everybody good with it? All right.

We're back on the committee's report under Section 6, paragraph (e), Brother.

UNIDENTIFIED DELEGATE: We just voted on (c). We're on (d).

COMMITTEE CHAIRPERSON BLANKENSHIP: We're on (d).

CO-CHAIRPERSON SANCHEZ: Okay.

COMMITTEE CHAIRPERSON BLANKENSHIP: Here we go, (d). In case of vacancy, an Executive Committee Member, by reason of death, resignation, removal for cause, or any other reason whatsoever, the General Chairperson will fill the vacancy by appointment consistent with the principles set forth in Article II, Section 3(b) for the unexpired term, subject to the approval of the Joint Protective Board.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 6, paragraph (d).

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: That's the one we just did, I think. Kevin Evanski.

COMMITTEE CHAIRPERSON BLANKENSHIP: No, that's executive.

UNIDENTIFIED DELEGATE: We just went over (c) and then we made the change on (d).

CO-CHAIRPERSON SANCHEZ: Yes.

COMMITTEE CHAIRPERSON BLANKENSHIP: (d) is executive board, (c) is the officer position.

UNIDENTIFIED DELEGATE: They put it in (d) but it was supposed to go in (c).

CO-CHAIRPERSON SANCHEZ: It goes in (d). We were on (e); correct?

COMMITTEE CHAIRPERSON BLANKENSHIP: No, we were on (c).

CO-CHAIRPERSON SANCHEZ: Okay. Now we're on (d). The change, though, the change, Kevin --

UNIDENTIFIED DELEGATE: They put it under (d) by accident but it was supposed to go under (c).

CO-CHAIRPERSON SANCHEZ: So the change is Section 6, paragraph (c). That's where the change goes?

*...Several delegates responded, "No."*

CO-CHAIRPERSON SANCHEZ: No? We were on (d). I have it here in my book, we were on (d), Article III, Section 6(d), that's where the change was to remove the general chairperson; right?

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: My understanding was that (d), right, because we didn't want the general chairperson to appoint --



CO-CHAIRPERSON SANCHEZ: Your name and --

DELEGATE EVANSKI: Kevin Evanski, Lodge 1551.

My understanding was we voted on (d), because Brother Baker got up and stated that he didn't want the general chairman to have sole authority to appoint an Executive Committee member and wanted to go to appointment. We had already passed (c) and we were talking about (d) was my understanding, which we voted on -- right? -- and then we were moving on to (e).

CO-CHAIRPERSON SANCHEZ: That's what I have as well, because I made the strike through when the motion was made and seconded and it had been approved.

Microphone 2.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: If I may clarify, it was something I had already written on my copy of the bylaws, so it was (c). I had challenged on (c), and I believe that they typed it in on (d). So we were on (c). I have some other brothers that have clarified that we were talking about (c), that we had voted on that amendment.

CO-CHAIRPERSON SANCHEZ: So the change is in Article III, Section 6(c)?

DELEGATE BAKER: Correct. "General Chairperson" should be changed to "Joint Protective Board."

CO-CHAIRPERSON SANCHEZ: Just for clarification, what we actually voted on was (d), not (c). All right? Now, if we want to go back, is (c) sufficient with the body? If it is, then we make the changes. Like I said, right now in (c) it doesn't have that. Because the changes that was voted on and approved was in actually (d). That was the paragraph we were on.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I disagree with you, sir, because right there in (c) it still says "General Chairperson."  
And what we voted on, if there's a way to bring up the record, we voted on the changing of the verbiage from "General Chairperson will fill vacancy" to "Joint Protective Board." I think that the madam, by accident, typed it in on (d), but we were still talking and voted on Section (c).

CO-CHAIRPERSON SANCHEZ: Can I ask -- I'm going to ask the stenographer.

DELEGATE BAKER: I have a whole lot of brothers nodding their heads in concurrence with me.

CO-CHAIRPERSON SANCHEZ: We can ask her to pull up the records. Just for clarification, everybody and mine as well, let's just back up to Article III, Section 6 and go to (c), and then we'll go to (d), and that will clarify?

Will that satisfy you, Brother?

*...Several delegates responded, "Yes."*

CO-CHAIRPERSON SANCHEZ: Okay. Microphone Number 1.

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile, Local 599.

Just for clarification, and it's the same thing us brothers go through out there talking to your dispatcher. When you go through the sections, if it's (c), (d), (e), or whatever, (c) Charlie, (d) Delta, (e) Edward. Because when you're saying (c), (d), and (e), some of us is both half tone deaf and you can't tell the difference. Thank you.

CO-CHAIRPERSON SANCHEZ: Yes, sir, we can do that.

So now we're under Article III, Section 6, paragraph (c). That's where you had wanted the change; correct, Brother?

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Yes.

CO-CHAIRPERSON SANCHEZ: You want to put that change back up, it's there, to remove "General Chairperson" under (c) and add that.

The motion has been made and seconded for Article III, Section 6 Charlie, so there's no misconception there. All in favor, signify by saying aye.

All opposed, say no.

Motion carried.

Now we're back under Article III, Section 6, paragraph (d) like in David.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: So did we adopt (d) yet, though?

CO-CHAIRPERSON SANCHEZ: It's adopted.

DELEGATE EVANSKI: As amended; right?

CO-CHAIRPERSON SANCHEZ: As amended, yes.

Article III, Section 6(d) like in David.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 6(d). In case of vacancy in any Executive Committee member by reason of death, resignation, removal for cause, or any other reason whatsoever, the General Chairperson will fill the vacancy by appointment consistent with the principles set forth in Article II, Section 3(b) for the unexpired term, subject to the approval of the Joint Protective Board.

The committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 6(d) like in David. Any discussion?

Microphone number 2.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Yes, it was already up there because we had that little snafu. Nick Baker, Local 308.

I move for the same position taken on Section (d) where it be Joint Protective Board, not General Chairperson.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: It's already in there.

DELEGATE BAKER: I know that it was written in there. I'm sorry, I'm reading from the old one. I apologize.

CO-CHAIRPERSON SANCHEZ: Any discussion on Article III, Section 6(d) like in David?

Hearing none, it's adopted as amended. We're going to change that one because we had already voted on it.

Microphone 1.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I move for a ten-minute break recess?

CO-CHAIRPERSON SANCHEZ: If it's all right with you, can we finish the last two of this section, Brother Modica?

DELEGATE MODICA: Yes.

CO-CHAIRPERSON SANCHEZ: All right. We're under Article III, Section 6(e) like in echo.

Microphone 1.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: On (d), I don't think we need to -- that's what I'm trying to address. We don't need to approve by -- we don't need to

change because it says at the bottom of it "subject to the approval of the Joint Protective Board."

It's already there. I don't think that change was what we were asking for. Am I right?

CO-CHAIRPERSON SANCHEZ: (d) stays the same; right?

DELEGATE DAVID: (d) stays the same.

CO-CHAIRPERSON SANCHEZ: Article III, Section 6(d) like in David stays the same, no changes on it, okay.

Now we're on Article III, Section 6(e) like in echo.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 6(e). In case of vacancy in the office of the Vice Chairperson/Secretary-Treasurer by reason of death, resignation, removal for any other cause whatsoever, the General Chairperson will appoint the Vice Chairperson/Secretary-Treasurer from the remaining Vice Chairpersons, excluding the first (1st) and second (2nd) Vice Chairperson for the remainder of the unexpired term.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee reports under Article III, Section 6(e) like in echo. Any discussion?

Microphone 2.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I make a motion for (e) to withdraw "the General Chairperson" and insert "Joint Protective Board" to vote on the appointment of the replacement.

CO-CHAIRPERSON SANCHEZ: Motion has been made in Article III, Section 6(e) like in echo to remove "General Chairperson" and insert "Joint Protective Board." Is there a second?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica  
Local 1532.

I second.

CO-CHAIRPERSON SANCHEZ: Motion has been made and seconded to remove  
"General Chairperson" and incorporate "Joint Protective Board (by vote)."

Any discussion?

All in favor of the amended changes, signify by saying aye.

All opposed?

Motion carried.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 6(f). In case of any other  
Joint Protective Board member vacancy, the General Chairperson will fill the vacancy by  
appointment consistent with the principles set forth in Article II, Section 3(b) for the unexpired  
term, subject to approval of the Joint Protective Board.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III,  
Section 6(f) like in Frank. Any discussion?

Microphone number 2.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local  
3008.

I make a motion to amend (f) to remove "General Chairperson" and insert "Joint  
Protective Board approval."

CO-CHAIRPERSON SANCHEZ: Is there a second?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I second.

CO-CHAIRPERSON SANCHEZ: Any discussion?

Microphone Number 1.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Once again, that (f) has "subject to the approval of the Joint Protective Board" in it already, so I don't know why we would need to change it.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: He is correct. My apologies.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

I guess I've got a question for the committee. It says, "In case of any other Joint Protective Board member vacancy." That would be a local chairman; right?

COMMITTEE CHAIRPERSON BLANKENSHIP: No. I think you specifically name your first, your second, then your secretary.

DELEGATE EVANSKI: Are we talking about officers or members of the --

COMMITTEE CHAIRPERSON BLANKENSHIP: Yeah, you're just talking about in case of other Joint Protective Board members, which your Joint Protective Board members would be made of your full-time officers and your e-board; right? So it's my understanding that it would be for those other vice chairman positions.

DELEGATE EVANSKI: But the Joint Protective Board is also made up of local chairmen; correct?

COMMITTEE CHAIRPERSON BLANKENSHIP: Yeah, your executive committee.

DELEGATE EVANSKI: So the Joint Protective Board is just the System officers and the Executive Committee? It doesn't include the local chairmen?

COMMITTEE CHAIRPERSON BLANKENSHIP: If I'm not wrong, the Joint Protective Board is the Executive Committee and the full-time officers.

DELEGATE EVANSKI: Okay. So no local representation on the Joint Protective Board?

COMMITTEE CHAIRPERSON BLANKENSHIP: Yeah.

CO-CHAIRPERSON SANCHEZ: Any other discussion?

Okay. We're back on Article III, Section 6(f) like in Frank. A motion was made and amended to remove "General Chairperson" --

COMMITTEE CHAIRPERSON BLANKENSHIP: No. He withdrew.

CO-CHAIRPERSON SANCHEZ: Where are we at here?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: This is Tom Modica, Local Lodge 1532.

I move for a recess.

CO-CHAIRPERSON SANCHEZ: We've got a motion, though, on the floor, and a second. So we have to act on it and then we'll take the recess, Brother.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: I withdrew it.

CO-CHAIRPERSON SANCHEZ: You withdrew your motion?

DELEGATE BAKER: I did.

CO-CHAIRPERSON SANCHEZ: Okay. The second withdrawn as well?



DELEGATE BAKER: I misunderstood.

CO-CHAIRPERSON SANCHEZ: Then how about a ten-minute recess, gentlemen?

*(A recess was taken between 1:52 p.m. and 2:01 p.m.)*

CO-CHAIRPERSON SANCHEZ: The convention is called back to order.

A couple of quick announcements, if I may.

The court reporter is informing me that some of the delegates that are speaking, she's not hearing at all. So please go up to the mike, announce your name and your local lodge number, so she'll be able to hear you since she's got headphones on. Some is not being heard at this point.

And I've been asked by a few of the delegates that there's chatter going on in the room when this order of business is being done. So if you have to have a discussion, please keep it to a minimum or go outside. We'd appreciate your cooperation with that.

So we're back on the committee's report, Article III, Section 6(f) like in Frank. Any discussion?

If not, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 7(a). The salary of the General Chairperson in compliance with Section 1(g) of this Article III and the salaries of all Federation officers and members of the Joint Protective Board shall be as determined by all Joint Protective Board members and delegates at the System Federation Convention by the adoption of appropriate resolutions or written authority of the majority of the Joint Protective Board members when not in session, and shall be commensurate with the requirements and duties of the position, and in addition thereto, including actual expenses while performing service in the interest of the Brotherhood.

The committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 7 paragraph (a) like in alpha. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 7(b). The General Chairperson, other full-time System Officers, and Office Staff shall receive the same compensation increases including, without limitation, percentage increases, cost of living increases, cost of living adjustments and lump sums, as provided for under the National Agreement.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 7, paragraph (b) like in bravo. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 7(c). The salaries and expenses of all Officers, delegates, Joint Protective Board members and Federation Office Secretaries when in accordance with the Bylaws or when working in the interest of the System Federation, under instructions of the General Chairperson, shall be paid out of the System Federation funds.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 7, paragraph (c) like in Charlie. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 8. The General Chairperson, other full-time System Officers and Office Staff shall be allowed vacation in accordance with the National Vacation Agreement and treating their continuous service for qualifying purposes as the sum of their combined carrier and union service. Provided, however, that there shall be no payment in lieu of vacation for any officer in the active service, on account of not taking vacation as allowed under the National Agreement, except in the case of a call to active military service, sick leave, FMLA leave, retirement or other leave as approved by the General Chairperson.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 8. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 9. The Officers and Employees of the System Federation shall be bonded as prescribed in the BMWED-IBT Bylaws. The premium of said bonds shall be paid from the American Rail System Federation funds, and the bonds shall be held in custody of the National Division Secretary-Treasurer of the BMWED-IBT.

The committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report on Article III, Section 9. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 10. The American Rail System Federation shall not contract, agree or be obligated in any way to pay salary and expense to Joint Protective Board members or Officers, or to incur any obligations of any kind with members or others beyond the extent of System Federation funds and current income without the approval of the National President of the BMWED-IBT. Any obligations incurred contrary to the foregoing provisions shall not create a claim or lien against the System Federation or the BMWED-IBT National Division beyond the extent of available funds in the System Federation treasury.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 10. Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 11. Duties of Members. Each member shall pay all required dues, as well as all assessments or fines properly levied, to a proper representative of the BMWED, and shall, after paying such dues, assessments or fines in full, receive an official dues receipt card.

It shall be the duty of every member to pay all dues and assessments promptly; to attend the meetings of his/her Local Lodge regularly unless prevented by sickness or other just cause; to comply with and assist in enforcing provisions of these Bylaws and other laws, rules and regulations of the BMWED; to see that these Bylaws are not violated; to recognize any member

in good standing as a Brother or Sister and to never knowingly harm a fellow member; to never discriminate against a fellow worker on account of race, color, religion, sex, age, physical disability, sexual orientation, or national origin; to refrain from any conduct that would interfere with the Union's performance of its legal or contractual obligations; and at all times to bear true and faithful allegiance to the BMWED and his/her Local Union.

And the committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article III, Section 11. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article IV - Charges, Trials, and Appeals Procedures of Members.

Charges against any Member shall be filed in writing in accordance with Article XIX of the IBT Constitution. Trials shall be conducted in accordance with Article XIX of the IBT Constitution and Paragraph 4.12 of the Merger Agreement between BMWED and IBT.

Appeals from the decision of the Trial Board shall be in accordance with Paragraph 4.12 of the Merger Agreement between BMWED and IBT.

Any expense incurred in connection with the hearing of charges against a member, conducted as prescribed in this Article, will be paid from Federation funds.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article IV. Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article V - Revenues, Fees, Dues, and Assessments.

Section 1. Revenue shall be derived from initiation fees, dues and assessments as are levied by properly constituted authority in accordance with these Bylaws, plus amounts earned through investments and other miscellaneous receipts. Aside from such sums as these Bylaws provide shall be allocated to and placed in other funds, all revenue of the System Federation shall be placed in a fund known as the General Fund and shall be in the possession of the National Division Secretary-Treasurer of the BMWED-IBT for the purpose of defraying expenses of the System Federation when approved by the duly constituted Officer as herein provided.

The committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article V, Section 1. Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 2(a). Each member shall be required to pay BMWED-IBT National Division dues and assessments, System Federation dues and assessments, and Local Lodge dues, as provided for in Article XV, Section 3 and 5 of the BMWED-IBT Bylaws.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article V, Section 2 paragraph (a) like in alpha. Any discussion?

Seeing none, it's adopted.

I'd like to take just a moment of privilege, if I may. This next paragraph under Article V, Section 2(b) like in bravo has an amount of a figure that's posted in here.

We have not heard from the Salary and Finance Committee. And I think, just for clarification and the delegates to understand how that number was derived to, I would like to call on the Salary and Finance Committee chairman to give a report to the delegates on how this number was inserted in for the consideration of the delegates at the NS founding convention.

### **REPORT OF THE SALARY AND FINANCE COMMITTEE**

COMMITTEE CHAIRPERSON SWAIN: Good afternoon, Brothers and Sisters. My name is Sheldon Swain. I was the chairman for the Salary and Finance Committee.

Salary and Finance Committee met yesterday, and what we did was review a lot of numbers that were provided for by National Division Secretary-Treasurer's department. We went through a four-year projection. And the reason the dues that were derived is looking at the projections, the amount of officers, and the expenditures of the Federation. Obviously, we don't know exactly how things are going to play out; this is a new Federation. So we wanted to play a little bit safe, make sure everything is going to be covered and we have the best representation for our membership.

*...Committee Chairperson Swain read the following:*

COMMITTEE CHAIRPERSON SWAIN: Section 2(b) reads: Effective April 1, 2022, the American Rail System Federation dues shall be a minimum of \$67.50 per month. Effective on January 1 of each year thereafter, dues are adjusted to reflect 1.8 times the average straight time hourly rate of pay for the 'standard contract' rate clarification listed in paragraph 3.8 of the Merger Agreement. The average straight time hourly rate of pay will be based on the information

reflected in the annual statement published by National Railway Labor Conference which shall be used as an equivalent formula. In the event that the National Railway Labor Conference ceases to publish the annual statement or alters it material, an alternative equivalent formula shall be adopted so as to accurately reflect increases in rates of pay provided for under Agreements during the appropriate measurement period. Said amounts should be rounded to the nearest 25 cents, which additional sum shall be taken into consideration when calculating any dues increases for the following year.

Any question on (b) for the Salary and Finance Committee?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Lodge 2838.

Could you clarify how much each Federation is going to increase? Do you have the numbers?

COMMITTEE CHAIRPERSON SWAIN: I don't have each Federation's individual dues. We did not have that information in our records, for what each System Federation dues are right now.

DELEGATE PATRICK T. JACKSON, Local Lodge 0586, Gate City, VA: Taylor Jackson, Local 0586.

That number represents a huge increase, like a third above what my guys are paying right now. I mean, it's going to have to be explained. Before I can go on with anything, it's going to have to be explained other than, "This is the number we came up with." I'm sorry for that explanation, but that's my due diligence.

COMMITTEE CHAIRPERSON SWAIN: That's understood.



DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Is it possible to get the calculations for 67.50 up on the screen so we can actually see what the money's going to?

COMMITTEE CHAIRPERSON SWAIN: I would have to consult with Angela Carr. She was the advisor on the committee and she had the projections.

CO-CHAIRPERSON SANCHEZ: Just as a point of information from the way I understand it, and you correct me, Brother Swain, if I'm wrong, that 67.50 is what they say that it will make sure that this NS founding convention, or the American Rail System Federation will survive on. Out of that 67.50, my understanding, and which they're going to give the report later, \$4.50 of that will go back into each local lodge. Out of that 67.50, an additional dollar will be set aside from that 67.50 for every member paying dues that will be put in an education fund.

So that was just a couple of points that I wanted to throw out. Am I correct in that?

COMMITTEE CHAIRPERSON SWAIN: That's absolutely correct, Brother Roger.

So I can explain, and to answer the Brother's question as far as explanation of where these things are going to go, I can definitely touch on that.

I'm sorry, go ahead.

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: Point of order here. You give the numbers. Would it be okay to go ahead and read part (c) which explains the 4.50? That would put a little more clarification.

COMMITTEE CHAIRPERSON SWAIN: That's what I was going to request, if the members and delegates here today would like me to touch on part (c) which will give a little bit more explanation of where we came up with that number and why that number was proposed as what it was. Would everybody like me to read that portion?

CO-CHAIRPERSON SANCHEZ: I don't think we need a motion because I've asked for an explanation. So feel free to explain what you feel and how y'all came up with that number, to give the delegates the knowledge they need to make an informed decision.

COMMITTEE CHAIRPERSON SWAIN: Understood.

So moving on to paragraph (c), this will give a little better explanation of where we came up with.

*...Committee Chairperson Swain read the following:*

COMMITTEE CHAIRPERSON SWAIN: So part (c) also says: Effective April 1, 2022, from the monthly System Federation dues, \$4.50 shall be reimbursed to the local lodges and an additional \$1.00 shall be applied to the Convention fund for the purpose of covering all related expenses including reimbursement of travel, meals, lodging, and wages incurred by the delegates to the System Federation Conventions, and to defray expenses incurred by the delegates to attend Quadrennial National Division Conventions. The expense will be calculated according to the geographical location of the Convention site.

So what the intent of the Salary and Finance Committee in Section (c) was to provide more money back to the locals. That's something we all hear in the field all the time, the locals incur a lot of expense all through meetings, sending delegates. You've got educationals, you get a lot of expense incurred and burden back on the Federation -- or on the local, rather. And that's something that's been brought up countless times today.

So what the intent of the Salary and Finance Committee, was to bring additional funds back into the locals, to support the locals in sending representation to conventions and being able to attend the educationals and things of that nature.

That \$4.50 is an increase for every local that is here represented today. That gives more money to the local, in turn more money for representation for your local lodge.

The additional dollar for the convention fund is exactly for that as well. As it was brought up today, this morning earlier, there was a lot of concern in regards to having the system convention and national convention so close together. That dollar was intended to offset that balance so that the local lodges didn't have to bear that burden.

So the reason that this was all derived and the reason we came up with the numbers is, that 5.50 is not going to go back to the Federation itself. What's going to go to the Federation is \$62. The 5.50 out of the 4.50 for the lodge and the dollar for the convention fund is going to be with the intent to go back to the lodges for those purposes.

So that changed some of the cost to give more money back and more pushback to the locals.

CO-CHAIRPERSON SANCHEZ: Any questions for the Salary and Finance Committee?

COMMITTEE CHAIRPERSON SWAIN: One last thing. I'm sorry, Roger.

CO-CHAIRPERSON SANCHEZ: Go ahead.

COMMITTEE CHAIRPERSON SWAIN: So one last thing also I'd like to remember to in part (b). The original rate that was projected in the draft bylaws was \$70 per month. Our intent and one of our main goals was to get off of that \$70 figure. So we tried to remove that, but also with the intent of giving back to the locals and the convention fund.

Another thing I would like to point out that was reduced by the committee was, instead of the 2.2 times the average straight time hourly rate moving forward, we reduced that down to 1.8 to, again, not have the significant increases year over year going forward.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE HEATH VEZZA, Local Lodge 3094, Conway, PA: Heath Vezza, Local 3094.

I just wanted to expand a little bit on what Brother Sheldon had to say; I'm also a member of the Salary and Finance Committee. As an example, as a member of the Pennsylvania Federation, under this structure, our dues would be reducing -- we would reduce our dues by \$2. We currently have \$4 that goes to the local lodge, although two of those dollars are for the education fund. So the lodge is actually only seeing two.

Under this structure, the lodge would see \$4.50, plus the additional dollar that would help to defray the cost for the National Division convention and cover the cost for the System convention, whereas currently our System convention is covered to a degree and our National convention is deferred by the lodge -- or incurred by the lodge.

So just wanted to give that example to say, at least for the Pennsylvania Federation members, this is a far better system.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Corey Hayes, Lodge 0636.

I appreciate the words from Brother Vezza. But for example, the Southern system's dues dollars are very much lower than what is proposed in this draft. And if we take a moment to look at the projected expenses, I'm assuming we're still waiting on those projections to be broadcast publicly so --

CO-CHAIRPERSON SANCHEZ: Correct.

DELEGATE HAYES: Okay. So we don't want to move before we have the opportunity to do that.

But looking at the per capita representative value of this new System Federation, if my math is correct, you'll have an officer difference between the north end and the south. Again, this is not an NW-Southern thing, but the former NW property will have, I think, seven officers. The former Southern property, including the Northeastern System Federation, the way that it reads, will have a total of three officers.

If my brothers from Southern systems could help me, this is a dues increase of, what is it, 18.50?

UNIDENTIFIED DELEGATE: \$23.

DELEGATE HAYES: Plus we have the \$12 trust fund that would be on top of that.

So representative value without projections, we need to take a very hard look at the projections, consider the officer salaries, consider the projected expenses, the whole kit and caboodle, before we can move on.

CO-CHAIRPERSON SANCHEZ: Microphone Number 2.

DELEGATE MICHAEL RAGARD, Local Lodge 0400, Easton, PA: Yeah, Mike Ragard, Lodge 0400, Bethlehem, Pennsylvania.

I'm just wondering if you can explain the trust that Brother Hayes brought up. A lot of the guys up in the north, we don't have that trust. Is that something that we can get into? Is that mandatory for the guys down south? Just kind curious on that. Thank you.

CO-CHAIRPERSON SANCHEZ: My understanding, and this was discussed in the Bylaws Committee while I was there as an advisor yesterday as well, Brother. And my understanding is, currently right now, it's something that can be obtained. Normally, from what I understand -- and if somebody is in the room, they can correct me if I'm wrong -- is to get in it, they normally take in everybody.

So it's not that the trustees have the intention as the members that have it to keep it, and it will go to the trustees for consideration of that trust fund to see if they would open it for the rest of the members coming in. So that's my understanding of it.

Microphone Number 1.

DELEGATE DANA RAMBO, Local Lodge 0537, Winston-Salem, NC: Dana Rambo, Lodge 0537.

Going back on the proposed dues increase, especially speaking, I guess, to the majority of the Southern, it's going to be an increase. I don't know if we're taking into account that on the Southern side, we're losing a lot of people daily. I don't know the numbers, but I would take a guess that it's probably close to ten people a month that we're losing.

If you increase these dues on the Southern side, we're going to lose more. Right now we're shorthanded on the Southern side by a lot. Section gangs, the one I left, there's zero people on the section. If we increase this, we're going to lose more people. We need to take into account for that.

The \$23 increase is going to be nothing compared to the extra people that we lose. You're going to lose a lot more money by increasing these dues at this amount.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Just as a point of clarification, I asked the committee to come up and give an explanation, and people are talking for and against, and yet there's not a motion made or second. So what I suggest is we wait and get the report put up here, and we'll get Angela Carr to explain the report to the delegates. Then at that time we'll go back on record to this specific portion under Article V, Section 2(b), have it read in its entirety. And then we'll open it for discussion. If somebody wants to make an amendment at that point in time, we'll proceed accordingly.

Ms. Carr, would you please come forward?

As stated, National Division Secretary-Treasurer Dave Joynt really wanted to be here and he sends his apologies, but medical issues with a family member of his beyond his control, he could not be here. However, he did let us know that Ms. Carr has full knowledge of what was reported and what was given to the Salary and Finance Committee.

So without further ado, I will turn the mike over to Ms. Carr and let her explain the deal, as soon as it's pulled up.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Brother Chair, I move that we suspend the rules to allow Ms. Carr to speak.

CO-CHAIRPERSON SANCHEZ: Motion made to suspend the rules.

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile, Local 599.

I second that motion.

CO-CHAIRPERSON SANCHEZ: Motion is made and seconded to suspend the rules and allow Ms. Carr to speak. All in favor, say aye.

All opposed?

Motion carried. Thank you, Brothers.

They're getting it pulled up right now.

EXECUTIVE ASSISTANT CARR: Can y'all hear me? All right.

So to begin with, with the projections, we started out with the prorated amount carried over from each system based on membership, to begin with a beginning balance of 3,017,478.40. The dues and the official dues are calculated at 2,984 members and 189 officials, to bring a dues

total to roughly 2.5 million. The interest and dividends is a carryover from the prorated amount from the various systems' investments and whatnot, to give you a total income of \$2.6 million.

Scroll down, Sandy.

What we use as a baseline for expenses for your normal operating expenses is, we went back and looked at fiscal year ending 3/31/20, because that was the last normal year before COVID hit, and then we increased those slightly to account for inflation.

Salary, we'll get to that page next. And expenses, the expenses per officer were calculated at roughly \$17,000 a year.

Seminar and meeting expense is where you're going to see the convention fund at a dollar per member.

Scroll down.

Then you've got your health care, and all of your taxes are based on 2022 rates.

Scroll down a little bit.

Transfer to local lodges is where the \$4.50 falls in going back to the lodge. That's 4.50 per member per month, which gives you projected expenses of \$2.3 million.

Scroll down.

This is a breakdown of the officers and the clerical expenses, benefits, taxes, salary.

I guess I'll ask if anybody has any questions with that, and then we'll go on to the four-year projection.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: I have a question here, ma'am. So could you --

CO-CHAIRPERSON SANCHEZ: State your name and lodge.

DELEGATE HAYES: Corey Hayes, Lodge 0636. Thank you, Brother Chair.



The health no cost share, what does that column represent?

EXECUTIVE ASSISTANT CARR: That is basically the monthly premium at a full year, the full cost.

DELEGATE HAYES: So the officers' healthcare, health insurance?

EXECUTIVE ASSISTANT CARR: That is correct, yes.

DELEGATE HAYES: So does that mirror as close as possible to what the members receive in their compensation packages -- benefit packages?

UNIDENTIFIED DELEGATE: It is very similar.

DELEGATE HAYES: And then also the column ADD, what is that?

EXECUTIVE ASSISTANT CARR: Accidental death and dismemberment.

DELEGATE PATRICK T. JACKSON, Local Lodge 0586, Gate City, VA: Taylor Jackson, Local 0586. What kind of moneys are brought into this? I know every system is not broke, or is it? I guess that's my question. What kind of funds are brought together when all this is brought together?

EXECUTIVE ASSISTANT CARR: Actually, if you scroll to, I think it's the second slide. Keep going back. Keep going back a little more. There we go, stop right there.

So basically, what we use for projections for moneys coming in to beginning balance was the balances of each respective system as of 3/31/21 LM, what was reported on the LM3, LM2. And then that's everybody's cash balance. And then you've got their investments as well.

Scroll down a little bit more, Sandy.

It has the total for each system. And then that is their prorated percentage. It's carried over.

DELEGATE JACKSON: So collectively, there are over \$3 million in investments between the four lodges current -- or a year ago?

EXECUTIVE ASSISTANT CARR: That would come into the new system, yes.

DELEGATE JACKSON: Is that number accurate today? I mean, it's a year old right now or right at a year old.

EXECUTIVE ASSISTANT CARR: That's the numbers that -- I can't answer that with certainty. I'm sure it's going to change a little bit. That's the numbers as they were 3/31/21.

DELEGATE JACKSON: So overall, you're saying 4.568 million total assets amongst the four investments and bank account?

EXECUTIVE ASSISTANT CARR: That's right.

DELEGATE JACKSON: I don't know how the other members feel about it, but I have a really hard time sitting on \$4.5 million and saying we need --

EXECUTIVE ASSISTANT CARR: That's not what the new system looked at. The prorated piece at the bottom, the 3.017 is --

DELEGATE JACKSON: Okay. We'll start out with \$3.017 million, and we've got that in the bank, and we're asking for my guys to have a 20 -- I don't know, does anybody got the number --

UNIDENTIFIED DELEGATE: \$23.

DELEGATE JACKSON: -- \$23 roughly, plus or minus, increase on our dues. Plus, I know you went on about the extra dollar back and all this stuff.

Do we not already get \$4, Marcus Hood?

DELEGATE MARCUS HOOD, Local Lodge 0627, Vidalia, GA: Correct.

DELEGATE JACKSON: I mean, we're not getting anything, you know, 50 cents. And the amount, I don't -- it looks like you're taking 23 bucks and giving me \$1.50 back or something, is what I'm getting at.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I have a question. Back down to miscellaneous expenses on the officers. What exactly is that? And is that standard or --

EXECUTIVE ASSISTANT CARR: So basically what we did with that is, we looked at similar size systems and we kind of analyzed a year's expenses of their automobile, their meals and hotel, their airfare, that type of commence, and then took the total and divided it by the number of members, and that's what it equated to, telephone --

DELEGATE MODICA: So that's just traveling expenses and expenses out on the road?

EXECUTIVE ASSISTANT CARR: Yes.

The second slide that we're going to show is the four-year projection at the dues rate of 37.50, with your beginning balance of 3 million. We use the assumption that the dues would stay flat across all four -- the dues remain the same across four years, but we did increase expenses by 3 percent per year.

And if you'll scroll down slowly.

It gives you a projection for, that's year two.

Keep going.

And I believe that's year four.

Go down a little bit, just to make this a full page. There you go.

So with that assumption, over the period of four years, you would still end up with a balance of \$4,000,098, which equates to about \$4.30 per member per month. That could be used for investment and increasing funds and whatnot to better the system.

DELEGATE COREY HAYES, Local Lodge 0363: So two questions. Is the Quadrennial System Convention figured into these projections? And so, if I'm understanding this correctly, we will have an excess over the four-year term of near \$1 million? We will bank near \$1 million?

EXECUTIVE ASSISTANT CARR: (Nods head.)

DELEGATE HAYES: And so that, if I understood you correctly, that's \$4 and some-odd cents a month per member that realizes that savings. Is that what you were explaining there?

EXECUTIVE ASSISTANT CARR: Uh-huh.

DELEGATE HAYES: Is there any way we could request for a paper copy of this to be distributed to the delegation?

Brother Chair, I move that which provide the delegation a paper copy of this before we move further after she has -- or we could get the paper and you could walk through it with us.

EXECUTIVE ASSISTANT CARR: Okay. That's fine. We'll have to make copies.

DELEGATE HAYES: Do you need a second on that?

DELEGATE PATRICK T. JACKSON, Local Lodge 0586, Gate City, VA: Taylor Jackson, Local 0586.

I second that motion.

CO-CHAIRPERSON SANCHEZ: A motion has been made and seconded to provide a copy of this report, a hard copy for every delegate here at the convention. Any discussion?

DELEGATE JACKSON: I also have another question for Ms. Carr, if that's okay.

CO-CHAIRPERSON SANCHEZ: Okay. Well, let's get through with this motion that's made and seconded. You can stay right there, Brother.

The motion is to have a copy of this printed out, which is going to take some time because they've got to go make all the copies for 68 delegates, it's going to take some time. The motion has been made and seconded.

All in favor of them providing a hard copy to the 68 delegates, signify by saying aye.

All opposed?

Motion's carried.

Angela, the gentleman has another question for you.

DELEGATE PATRICK T. JACKSON, Local Lodge 0586, Gate City, VA: Taylor Jackson, Local 0586.

Is there a minimum requirement that we need to maintain, like either by percentage or an amount? I guess I'm looking for, you know, what we have to have to operate, you know. Can you speak to that?

EXECUTIVE ASSISTANT CARR: Well, you would want to maintain -- typically what we do at National Division is we calculate what a year's expenses would be, and then you have to, at all times, maintain one month's balance at national. The rest of the money, you'd want to make sure that you can cover your monthly expenses, obviously. Other than that, you can invest.

DELEGATE JACKSON: So what does that work out to as a percentage, your best guesstimate?

EXECUTIVE ASSISTANT CARR: I would have to crunch the numbers to be able to get to that.

DELEGATE JACKSON: Can we get that?

EXECUTIVE ASSISTANT CARR: Yeah.

DELEGATE JACKSON: Thank you.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: I'd like to make a motion that we table the discussion on, what are we, on Article VII, Revenue --

UNIDENTIFIED DELEGATE: V.

DELEGATE EVANSKI -- Article V until we get all the documents provided, and we move on to Article VI.

CO-CHAIRPERSON SANCHEZ: Okay. Motion is made.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I second that.

CO-CHAIRPERSON SANCHEZ: You know, a motion was made. As privilege of the chair, I'm going to say that we're going to table Article V to give them time to get those copies and present it to y'all, and we'll come back without putting it up for a vote, if it's okay with the delegates.

We're moving on to Article VI.

## **REPORT OF THE CONSTITUTION AND BYLAWS COMMITTEE (Resumed)**

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article VI - Federation Website.

The Federation will maintain a website and app which will be under the editorial supervision of the General Chairperson. The website will have contact information for each of the Federation Officers, documents such as collective bargaining agreements, constitution and bylaws of the governing organization and other relevant material that can be accessed by the

membership. The website will also have an email sign up function or other electronic information distribution system so that those who sign up can receive timely and relevant updates of the business of the Federation. All members will be strongly and periodically encouraged to sign up for this list.

The General Chairperson will appoint a Federation Officer, with the approval of the Joint Protective Board, to be the web administrator. The Officer selected by the General Chairperson to be the Federation web administrator will be provided the training, equipment and software necessary for him/her to operate the site. The web administrator will work at the direction of the General Chairperson.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article VI. Any discussion?

Brother Modica, microphone 1.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Can I just ask an inquiry on that, as like, what all that entails? So the members are aware of that. Some don't have websites, some do, apps and all that.

COMMITTEE CHAIRPERSON BLANKENSHIP: Are you asking what the administrator's job is?

DELEGATE MODICA: Yes. What's he building on the website? Is it an app or what is it? Just talk about what all is included on that.

COMMITTEE CHAIRPERSON BLANKENSHIP: Essentially, if I understand correctly, I mean, this article is going to encompass the administrator, the person that's going to be in

charge of the website that is going to upload the document, who is going to -- under the direction of the general chairperson, as it reads, upload documents.

Also, you know, features such as sending out claims through that. There are multiple, multiple things that you can do with that, any website. Filing claims, bylaws, rosters, everything would be, you know, on there, bids, yeah.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE TIMOTHY R. SOUTHERLAND, Local Lodge 0626: Tim Southerland, Lodge 0226.

Is this the section that we needed to discuss the app as well, or is that in another section?

COMMITTEE CHAIRPERSON BLANKENSHIP: We don't have a section for the app. There's a bylaw revision that would probably need to be made here to include the app in this language.

DELEGATE SOUTHERLAND: Got you. So would this individual be the same operator of the app? Is that what's --

COMMITTEE CHAIRPERSON BLANKENSHIP: Yeah.

DELEGATE SOUTHERLAND: Okay. Make a motion that we would include that in the same position.

COMMITTEE CHAIRPERSON BLANKENSHIP: Include an app?

DELEGATE SOUTHERLAND: Yeah. App designer/manager.

COMMITTEE CHAIRPERSON BLANKENSHIP: I think, really, the biggest thing is just to include, if I'm not wrong, that we need to include not only a Federation website, but also an app-based system as well.



CO-CHAIRPERSON SANCHEZ: There's a motion made to include to state a Federation website with an app. Is there a second?

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Lodge 1362.

I second that motion.

CO-CHAIRPERSON SANCHEZ: A motion has been made and seconded to incorporate into Article VI, Federation Website, to state the Federation will maintain a website and app which will be under the editorial supervision of the general chairperson. Any discussion?

Hearing none, then I put it up for vote. All in favor, signify by saying aye.

All opposed?

Motion carried.

Is that the way you want it, Brother, that's up there on the board, that says "and app"? That's sufficient? Okay.

Now we're back under Article VI, Federation Website, committee report with the amended changes to incorporate "and app." Is there any discussion?

Hearing none, it's adopted.

Article VII, Brother.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article VII - Grievance Procedure.

Section 1. Any member in good standing belonging to a Local Lodge affiliated with the American Rail System Federation, believing he/she has been unjustly dealt with by his/her superior official, or is otherwise aggrieved, shall govern themselves according to the terms of the agreement in force on the railroad on which he/she is employed at the time.

Committee approves.

CO-CHAIRPERSON SANCHEZ: You've heard the committee's report under Article VII, Section 1. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article VII, Section 2. This American Rail System Federation has established procedures for the handling of claims and grievances which are best suited to the needs of the membership. These procedures which have been established to conform with applicable claim and grievance rules should be adhered to by all members and committees in the handling of claims and grievances.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article VII, Section 2. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 3. It is recognized that the General Chairperson or his/her duly authorized representative is empowered to initiate and handle grievances of any nature at any time to protect the interests of the membership. Expenses incurred in connection with the handling of grievances by a Local Lodge Grievance Committee shall be defrayed by the Local Lodge. Expenses incurred in connection with the handling of grievances by the System Federation shall be defrayed by the System Federation.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's record under Article VII, Section 3. Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 4. The General Chairperson or his/her duly authorized representatives shall carefully and impartially examine all grievances and other matters referred to him/her and proceed to adjust the same upon the basis of equity and justice and every honorable means shall be exhausted in trying to affect an amicable settlement of the matter in dispute. A settlement effected between the appropriate officer of the railway and the General Chairperson shall dispose of the matter at issue.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article VII, Section 4. Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article VIII - Negotiations.

Negotiations will be in accordance with the Article III, Section 1(c) of the System Federation Bylaws, and Article XIX, Section 9 of the BMWED-IBT Bylaws.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report on Article VIII. Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Article IX - Bylaws.

Section 1. These Bylaws shall become effective upon approval by the National Division President of the BMWED-IBT and shall remain in effect until changed by the American Rail System Federation Convention, or by the Joint Protective Board in session or by majority vote of the Joint Protective Board members by referendum ballot.

Committee recommends Section 1.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article IX, Section 1. Any discussion?

Seeing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 2. The General Chairperson may, with the consent of the Executive Committee, issue such dispensations as may be necessary to overcome emergencies or conditions not herein provided for.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article IX, Section 2. Any discussion?

Seeing none, it's adopted.

I'm going to ask, with the permission of the delegates, that we take a 30-minute break and see if we'll have that information for you all and reconvene at 3:20.

*(A recess was taken between 2:50 p.m. and 4:27 p.m.)*

CO-CHAIRPERSON SANCHEZ: Call the convention back to order.

Per the request of the delegates, the handout and the projection that Angela Carr did on behalf of the National Division for consideration here by the delegates was provided to each of the members. The motion was made to provide it to the members. I don't know what's the pleasure of the delegates, if y'all want that included in the minutes or not. If not, we won't include it.

Second of all, the finances are there, the Salary and Finance Committee took a few minutes to go back and discuss it. So at this point in time, I'm going to ask the Salary and Finance Committee if they have anything they want to add to this. And then we're going to get back on the regular order of business, which is the Constitution and Bylaws, because we're not voting on the projections. You have a figure that's plugged in there, and that figure was plugged in on recommendation of Salary and Finance Committee. You'll have an option to either approve, reject it, or amend it.

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Brother Chair, what I would like to propose -- Sheldon Swain, Lodge 0887 -- is for the Bylaw Committee to reintroduce the Article V and we can rereview. And when the Salary and Finance Committee would be called to question, then I could approach the stage.

CO-CHAIRPERSON SANCHEZ: Say that again, Brother Swain. You're asking the Bylaws Committee?

DELEGATE SWAIN: To reintroduce Article V, start with Article V of the bylaws, and then we can revisit from there.

CO-CHAIRPERSON SANCHEZ: That's where we're at. What is the recommendation? Come to the microphone, Brother.

We're going to explain it to all the delegates.

Microphone Number 1.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Parliamentary inquiry. Kevin Evanski, 1551.

Do we have to untable that if we tabled this motion for Article V?

PARLIAMENTARIAN SLAUGHTER: Not really, because you may recall, it was asked about tabling, but the Chair said, "Hey, let's just get copies and we'll take a break while everybody looks at it." But in theory, and I'll let the Chair correct me, Section 1 and Section 2(a) had come on to the floor and you just all were getting ready get into (b).

CO-CHAIRPERSON SANCHEZ: Correct.

PARLIAMENTARIAN SLAUGHTER: Had (b) been read?

CO-CHAIRPERSON SANCHEZ: (b) has not been read yet.

DELEGATE EVANSKI: One more question. So we did have some questions about the amendment. You know, I guess that it would be both for the Bylaw Committee to question the 67.50, where they came up with it. And then I don't know if that relates to the Salary and Finance Committee or who actually put the 67.50 in there; right? Because we have some questions -- these guys have some questions about some of the documents.

CO-CHAIRPERSON SANCHEZ: The 67.50 was plugged in there yesterday by the Bylaws Committee on recommendations of the Salary and Finance Committee. We'll let them speak and tell the delegates whatever they discussed back there, and then we'll ask if everybody's understanding or got any questions on it, and they're here and can respond. And then we'll go back to Article V, Section 2(b) which hasn't been read yet.

PARLIAMENTARIAN SLAUGHTER: Since I was asked this during the break, Mr. Chairman, I just want to make sure we're on the same page here which is, people had a lot of

questions about budget, finance, numbers. But recognize, the Finance Committee is not bringing a report forward that's going to be discussed and voted on. It was just information for you all to consider the bylaws.

When we were in the bylaws on Article V and perhaps Section 2(b), your options, like everything else, will be to adopt the language, change the language. But the Finance Committee's report's really not going to come before you in any fashion.

Your opportunity is twofold: One, you can change the numbers if you want in the bylaws, and elect people that you think will carefully watch over your money.

CO-CHAIRPERSON SANCHEZ: We're on the same page, Mr. Slaughter.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: I have an inquiry. I think we recessed so we could this printed it out and just talk about it more. I don't think we're done discussing what the Finance Committee was bringing to us.

CO-CHAIRPERSON SANCHEZ: Brother, before we vote, maybe I wasn't clear enough. I'll try again. It was recessed to get this handed out to the delegates. The delegates have it. When it was handed out, the Salary and Finance Committee went back and met again. So we're going to see what they had or what they discussed. Then it's going to be put out, we'll discuss it, try to answer everybody's questions. And then we're going to move on to Article V, Section 2(b).

#### **REPORT OF THE SALARY AND FINANCE COMMITTEE (Resumed)**

COMMITTEE CHAIRPERSON SWAIN: Good afternoon, Brothers and Sisters. So as you have in front of you, we had the projections and the numbers ran out. There was a lot of questions as far as the amounts, the structure, a lot of that.

First and foremost, I'd like to take this opportunity to attempt to field some questions, if possible. And as Brother Roger had stated, the Salary and Finance Committee has reconvened and we revisited a few things and looked at potential changes.

But at this time, I think it would be appropriate to take questions and concerns first, and then we could give the reconvened meeting that we did, we can give a report on that.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Corey Hayes, Local Lodge 636.

Brother chairman, I would ask, the \$3,048,709.55 that is projected to be on hand January of 2022, where does that number come from?

COMMITTEE CHAIRPERSON SWAIN: That was a number provided by National Division. So the Salary and Finance Committee, when we first met, essentially what we did was base off of if that number was not there on April 1. So the original projection of 67.50, when that was presented, that was taking into consideration if that money was not available cash on hand April 1, 2022.

DELEGATE HAYES: Excuse me for just a second. Brother Chair, I move that we suspend the rules and allow President of the National Division, President Simpson, to come and speak as to the confidence that we members of the American Rail Federation System -- or System Federation, excuse me -- would have in this \$3,048,7009.55 that we would have effective fiscal day one of the newly formed system.

CO-CHAIRPERSON SANCHEZ: You all heard the motion. Is there a second?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I second.



CO-CHAIRPERSON SANCHEZ: A motion has been made and seconded. If I understand the rules, it takes two-thirds of the majority of the delegates to proceed. So with that being said, all in favor of suspending the regular order of business and allow President Simpson to speak, please stand.

I think that's two-thirds.

President Simpson, would you like to come up and address the delegates?

Just for the record, the motion was approved.

NATIONAL PRESIDENT SIMPSON: Good afternoon. You guys look kind of solemn.

Anyway, I think Corey's question was a little more number than what we'll have.

Actually, Angela would have to answer that question.

But the number you asked for is what we intend to transfer on April 1st, plus expenditures and income between now and next year of. But April 1st when we do the transfers, we expect to transfer \$3,017,478. That should be in your packet there. It was in the one I got that got handed out. It's this little sheet here. That's what should happen on April 1st in accordance with the settlement in Flint.

Does that answer your question or now?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Could I ask a quick question? You say "should" and "expect." What do you mean, "should" and "expect"?

NATIONAL PRESIDENT SIMPSON: What now?

DELEGATE MODICA: You say "should" and "expect" that money.

NATIONAL PRESIDENT SIMPSON: In accordance with the court settlement, we plan to transfer, with the members that come to NS, all of them, a proportionate share of the money in

each Federation to the new Federation. That's what you'll start with on April 1st. That's just a matter of Brother Joynt and Angela and all of them going to the books and doing the transfer.

DELEGATE KENNETH AKERS, Local Lodge 1464, Louisa, KY: Ken Akers, 1464.

Does that go with our assets, our building from the old, plus vehicles?

NATIONAL PRESIDENT SIMPSON: We'll divide them all up at some point.

DELEGATE AKERS: Some point. I mean, we'd like --

NATIONAL PRESIDENT SIMPSON: It will be done between now and April 1st.

DELEGATE AKERS: April 1st will for sure --

COMMITTEE CHAIRPERSON SWAIN: That's when it all happens.

DELEGATE AKERS: 3 million plus all the settlement will be done by --

NATIONAL PRESIDENT SIMPSON: Whatever the total assets of the Federation are, will be divided up and follow the members.

Now, logically, I would think that the Federations would want to say the office in Catlettsburg probably should go to the new Federation. Maybe they won't, maybe they'll fight over that. At the end of the day if we have to divide the assets up that way, we will.

But I hope these general chairmen, when they get the next few weeks and decide how they want that done. But if they can't, I'll do it for them.

DELEGATE AKERS: Okay.

NATIONAL PRESIDENT SIMPSON: Any other questions?

Thank you, Roger.

CO-CHAIRPERSON SANCHEZ: Thank you, President Simpson.

You got anything else you want to add, Brother Swain?

COMMITTEE CHAIRPERSON SWAIN: Yes, I do.

CO-CHAIRPERSON SANCHEZ: All right.

COMMITTEE CHAIRPERSON SWAIN: In light of that information, the Salary and Finance Committee has re-reviewed, I know there was a few questions in regards to the amount of money that was going to be obtained and deposited over the four-year projection. Obviously that's a projection, it's not a guarantee. This is an estimate. It's an estimated amount. It's an educated guess, but it's still a guess.

With that in mind, the Salary and Finance Committee has reconvened, and we would like to amend the proposed language in Article V, Section 2(b).

What the intent of the Salary and Finance Committee would be is to have 2(b) essentially read: Effective April 1, 2022, the American Rail System Federation dues shall be a minimum of \$62 per month. Effective January 1 of each year thereafter, dues are adjusted to reflect the 1.8 times the average straight time hourly rate of pay for the standard contract rate classification listed in paragraph 3.8 of the Merger Agreement. The average straight time hourly rate of pay will be based on the information reflected in the annual statement published by the National Railway Labor Conference which shall be used as an equivalent formula. In the event that the National Railway Labor Conference ceases to publish the annual statement or alters it materially, an alternative equivalent formula shall be adopted so as to accurately reflect increases in rates of pay provided under the agreements during the appropriate measurement period. Said amounts shall be rounded to the nearest 25 cents, which additional sums shall be taken into consideration when calculating any dues increases for the following year.

CO-CHAIRPERSON SANCHEZ: All right, Brothers. A recommendation by the Salary and Finance Committee by Brother Sheldon Swain, who is also a delegate. That motion has been made to reduce Article V, Section 2(b) to the amount of \$62 per month instead of the 67.50.

Is there a second on the motion?

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

I second the motion.

CO-CHAIRPERSON SANCHEZ: A motion has been moved and seconded. Any discussion? Microphone number 2.

DELEGATE ETHAN MACKEY, Local Lodge 0645, Fort Payne, AL: Ethan Mackey, Local 645.

How did we lose \$5.50, first off? Second off, if you'll go to the third column on that sheet for projected income, to go what Rambo said there earlier, you're losing members. We all seat bid sheets. People will resign. It doesn't take into account any attrition through retirement, resign, disciplinary action. None of that's factored in.

I mean, at 103, which is what our Southern guys are paying, that's a lot of money. Something to consider.

COMMITTEE CHAIRPERSON SWAIN: So where the figures came from was, we reconvened with Angela from the National Division Secretary-Treasurer's department. And what we did to move that dollar figure around was, it was brought up as a concern or a question for the amount of increasing the assets of the Federation by a million dollars over a quadrennial period. Obviously we all know we're going to have a convention coming up again between three and a half and four years.

So with that in mind, what we did to keep the Federation in good financial standing was reduced it to a lot thinner margin, approximately \$243,000 rather than a \$1 million billed over the four-year term, taking into account. And another thing that we did discover, the question was

asked, and I forget which brother asked the question, if the Quadrennial Convention amount was taken into consideration in those sheets, and it was not.

So with that in mind, the \$243,000 would also have to pay for a Quadrennial Convention. That puts it at a razor-thin margin. The secretary-treasurer's department, obviously the Salary and Finance Committee, the intent is not to put a Federation in the red right off the get-go. That's not good for any of us.

So the intent now is to get the margins closer, with listening to the brothers and sisters on the floor today, and we reconvened. And that puts us at about a bare minimum that our Federation could afford to do to keep the current representation.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Corey Hayes, Lodge 636.

So the question to the committee, the Salary and Finance Committee. So the \$62 value that is plugged into the projected expenses, just for the lack of -- so you have \$3 million day one. If you plug in \$62 into the flow, how much money would we have projected the end of fiscal year four?

COMMITTEE CHAIRPERSON SWAIN: Well, it wouldn't be four fiscal years at that point because of the Quadrennial Convention. It's going to be September of 2025 as projected in the bylaws and accepted.

So to answer your question, to the information provided in the bylaws, the projected amount would be \$3,260,913.58. And again, that's an estimate. And that's not taking into account paying for the convention itself.

DELEGATE HAYES: And so current -- so your proposal would be, effective April 1st, 2022, the ARSF dues shall be a minimum \$62 a month. Effective on January 1st of each year, an escalator kicks in?

COMMITTEE CHAIRPERSON SWAIN: Correct.

DELEGATE HAYES: What is that escalator amount? Because we don't know what the standard contract rate clarification listed is. What is that value? What is the 1.8 times value that we could expect to realize on January 1st? Is it below \$62 or is it in excess of \$62?

COMMITTEE CHAIRPERSON SWAIN: Now keep in mind, obviously, that's subject to change every year. So I'll answer it with the caveat this isn't going to be a concrete answer, but I'll give you the information we have right now.

It's projected at this time, the Norfolk Southern average is \$30.24. 1.8 times that rate is \$54.43.

So what we did, and the reason that we came up with that 1.8 and the reason that that's lower, and obviously the language of the minimum of \$62, was in the interest that we're in negotiations currently. We all understand where we're at with that. If the contract is settled in 2022 fiscal year, then what we would be able to do is maybe lessen that blow, so to speak.

And the other intent would be, if the amount would be less than the \$62, then there would be no increase.

DELEGATE HAYES: So the way that the article is written currently, you take the standard rate classification listed in paragraph 3.8 of the Merger Agreement. I can only assume that that includes the Union Pacific wages, the CSX wages, the other roads that are the National Railway Labor folks that we are relying on to provide us with that information, or considering

brothers and sisters from other railroads that are in the same craft, however they make more money per hour.

COMMITTEE CHAIRPERSON SWAIN: The national rate is \$31.06. I did not run the numbers on the 1.8. I could do it in a matter of seconds, if needed.

DELEGATE HAYES: Thank you.

DELEGATE NATHAN FELKER, Local Lodge 0567, Knoxville, TN: Nathan Felker, Local Lodge 567.

I move to amend the amendment that's going on to add verbiage and remove verbiage out of the --

CO-CHAIRPERSON SANCHEZ: Brother, point of information, you're out of order. First of all, we haven't even read the article.

DELEGATE FELKER: I thought he asked for an amendment earlier when he said --

CO-CHAIRPERSON SANCHEZ: He did. But regardless, we've got to read it in before people can discuss it and debate it. Okay?

DELEGATE FELKER: Okay.

CO-CHAIRPERSON SANCHEZ: With that being said, there was a motion made to move it from \$67.50 to \$62, and it was seconded, and we did vote on it; right? No, we haven't voted on it.

DELEGATE FELKER: No, we have not voted on it.

CO-CHAIRPERSON SANCHEZ: That was just a motion made and seconded. In reality, the motion shouldn't have been made until we read the provision in the bylaws. So let's do that, if you'll allow that.

We're back on the record under Article VI, Section 2, paragraph (b) like in bravo.

## **REPORT OF CONSTITUTION AND BYLAWS COMMITTEE (Resumed)**

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Effective April 1, 2022, the American Rail System Federation shall be a minimum of \$67.50 per month. Effective on January 1 of each year thereafter, dues are adjusted to reflect 1.8 times the average straight time hourly rate of pay for the standard contract rate of classification listed in paragraph 3.8 of the Merger Agreement. The average straight time hourly rate of pay will be based on the information reflected in the annual statement published by the National Railway Labor Conference which shall be used as the equivalent formula. In the event the National Railway Labor Conference ceases to publish the annual statement or alters it materially, then an alternative equivalent formula shall be adopted so as to accurately reflect increases in rates of pay provided for under agreements during the appropriate measurement period. Said amount shall be rounded to the nearest 25 cents, which additional sum shall be taken into consideration when calculating any dues increase for the following year.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the report from the committee on Article V, Section 2(b) like in bravo. Now would be the appropriate time to entertain the motion that was made.

Brother Swain, do you want to make that motion again?

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: If I could, a parliamentary inquiry real quick?

CO-CHAIRPERSON SANCHEZ: Sure, go ahead.

DELEGATE HAYES: Corey Hayes, 636.



When we recessed, we as a delegation were being able to converse with the committee, right, on the values that they've presented to the Bylaws Committee. So before we accept an amendment to this article Section (b), I think we -- if we could be allowed to still engage with the Salary and Finance Committee chair.

CO-CHAIRPERSON SANCHEZ: So your deal is, you didn't have all your questions answered by the Salary and Finance?

DELEGATE HAYES: Well, the information provided in this flowchart is \$67.50. We don't have the information of \$62 to be able to look at this flowchart, whether it would be posted on the two screens or in front of the room or on paper copies like we requested that started this discussion.

CO-CHAIRPERSON SANCHEZ: Well, that's depending what the delegate wants to do, Brother Corey. If you want it put up on the board, we can do that. If you want copies, we're going to take a recess and go make more copies.

DELEGATE HAYES: I request that we would have the \$62 flowchart be put on the two screens and so we can -- we have this in our hands.

CO-CHAIRPERSON SANCHEZ: So you can see?

DELEGATE HAYES: We can follow along and we can see it.

CO-CHAIRPERSON SANCHEZ: I have no objection to that.

Angela, would you be able to put this \$62 projection up here?

EXECUTIVE ASSISTANT CARR: I sent it to Sandy.

CO-CHAIRPERSON SANCHEZ: Oh, you sent it to her? Would you like to come and inform the delegates? Thank you.

In discussing brothers Hayes and the delegates with the parliamentarian, he pointed out that, first of all, it's been read. There's no amendments on it at 67. So there's no amendment, really, at 62. It might be more appropriate to allow the motion to the \$62 in a second, and then put the chart up here so questions can be asked by the delegates.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Sheldon, are you going to make a motion? I can do it.

Kevin Evanski, Lodge 1551.

I'd like to make a motion to amend Article V, Section 2(b) to strike out 67.50 and replace it with \$62.

DELEGATE NATHAN FELKER, Local Lodge 0567, Knoxville, TN: Nathan Felker, Local Lodge 567.

I'd like to make an amendment to the amendment.

CO-CHAIRPERSON SANCHEZ: You need a second.

Is there a second to the amendment to reduce the 67.50 to \$62?

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile, Local 599.

I second that motion.

CO-CHAIRPERSON SANCHEZ: A motion has been made and seconded.

PARLIAMENTARIAN SLAUGHTER: Since I think I know where this is headed, I did want to mention, you are allowed to make an amendment. You are allowed to make an amendment to the amendment. The amendment to the amendment has to deal with exactly what is on the floor. Which means if you want to put a different number on there, that's fine.

DELEGATE NATHAN FELKER, Local Lodge 0567, Knoxville, TN: I don't want a different number. I want different verbiage of the next sentence.

PARLIAMENTARIAN SLAUGHTER: Then I would suggest waiting until you decide this number, and then that's just a separate amendment.

DELEGATE FELKER: It's on the same thing. So we can still come back to Article (b) and rehash this out after we approve the 62?

PARLIAMENTARIAN SLAUGHTER: Yes. In other words, you can decide what number goes in that first slot. There's nothing then to stop anybody from making an amendment to a different part of (b). That's perfectly fine.

What I'm suggesting is, you may want to resolve that first dues number first. And then if you want to talk about that multiplier, that's perfectly fine. That's a separate amendment.

DELEGATE FELKER: So we won't move on until we address the --

CO-CHAIRPERSON SANCHEZ: That's correct, Brother.

Motion's been made and seconded. Microphone 2.

DELEGATE SHAWN BAHRET, Lodge 3098, Columbia, PA: Shawn Bahret, Lodge 3098.

Just to clarify, when Brother Blankenship read this, he read this at 67.50. He went through the initial one, and we went through the normal process and then possibly amend it to 62 or whatever number is agreed on. We have to go through the normal -- or the initial process of what the paragraph says; correct?

CO-CHAIRPERSON SANCHEZ: The way it was proposed --

DELEGATE BAHRET: Because when I first heard it, I wasn't sure -- how if he read it 67.50 or 62.

CO-CHAIRPERSON SANCHEZ: Point of order, go to the microphone and state your point of order, Brother.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: I'd like for the delegate speaking to show that he is truly a delegate.

DELEGATE SHAWN BAHRET, Lodge 3098, Columbia, PA: My apologies.

CO-CHAIRPERSON SANCHEZ: Microphone 2.

DELEGATE BAHRET: So my question, was it initially read at 67.50 or 62 when you read through the paragraph?

COMMITTEE CHAIRPERSON BLANKENSHIP: I read it with 67.50.

CO-CHAIRPERSON SANCHEZ: He read it at 67.50. There's a motion on the floor that has a second to reduce it from \$67.50 to \$62. We haven't even voted on it yet. But there's a motion made and seconded and we need to vote on it.

Then the Brother had concerns about the other portion of the article, which right now we're just voting on the dollar amount. So the motion has been made and second to reduce it from \$67.50 to \$62.

All in favor, signify by saying aye.

All opposed?

UNIDENTIFIED DELEGATE: Point of order.

CO-CHAIRPERSON SANCHEZ: Let's go back, before we even vote, it's open for discussion. Is there any discussion on the motion made to amend Article V, Section 2(b) from \$67.50 to \$62?

Microphone Number 2.

DELEGATE ETHAN MACKEY, Local Lodge 0645, Fort Payne, AL: Sir, Ethan Mackey, Local 645.

If this 62 is an amendment and is voted on, there's no backing up; correct? Just for clarification, it's locked in. You could fool with the multiplier or however anything else is worded, but that 62 is locked in; is that right?

CO-CHAIRPERSON SANCHEZ: Once this figure is done, we're voting on this motion. If there's another motion to move the figure again, then we'll entertain it at that time.

Microphone Number 1.

DELEGATE DANA RAMBO, Local Lodge 0537, Winston-Salem, NC: Dana Rambo, Lodge 0537.

Before we discuss the 62, can we see the breakdown of exactly what it is? That way we know that that's the number we want. Can it be itemized like it was on the 67.50? I know you said we got to vote on it before we post it up. I'd rather see it before I vote on it.

CO-CHAIRPERSON SANCHEZ: Yes. We're going to post it for you, Brother Rambo. Ms. Carr?

EXECUTIVE ASSISTANT CARR: Okay. So with the projection at \$62, you're starting out with the same, obviously. Your investments and dividend stayed the same. Your officers stayed the same. Everything else stayed the same. The only difference is, obviously because your income is going to be less, you're going to end up being able to operate in the black for the first three years, and then you start to operate in the red year four.

With that said, you still end up with 245,000 more than what you started out with, but not by -- I mean, that's not much when you have to take into account you have a convention, too, that you have to fund.

So can you put the four-year up there?

So this kind of shows it over the four-year period at the 62.

And then just slowly scroll through.

Your expenses are going up by 3 percent every year.

Keep going.

That's where you start running into where your expenses are exceeding your income, in year four.

DELEGATE NATHAN FELKER, Local Lodge 0567, Knoxville, TN: So we could actually run in the black -- I'm sorry. Nathan Felker, Lodge 567.

That would get us to the next convention, or we could actually figure out how this union is going to run over the next four years to have a better idea of what our dues could be. Could it be revisited when the next convention comes up? Say, "Hey, we're paying too much. We need to look at it," which we'll see how that works out.

But at the same time, you can restructure our dues then, but that right there will get us to convention. Actually, get us to convention with two million extra dollars in our bank.

COMMITTEE CHAIRPERSON SWAIN: If projected, that's also not taking into account the cost associated with a system --

DELEGATE FELKER: How much does it cost to run a system federation?

COMMITTEE CHAIRPERSON SWAIN: A system of this size? I don't know exactly.

DELEGATE FELKER: Does she have the numbers? What is the average cost of --

EXECUTIVE ASSISTANT CARR: We were talking about, in there, roughly 200,000.

DELEGATE FELKER: 200,000. Is there any way our union could find a way to lower those numbers? Because we've got men at home that are going to go irate when we hand them

these numbers. If we can find ways to cut costs within the union in order to keep these rates low. Because if you do this, that zero percent you're going to see, well, zero people being there, you're going to go negatives. You're going to start losing your members. And if you ain't got members, you ain't got money.

COMMITTEE CHAIRPERSON SWAIN: The numbers are what the numbers are.

DELEGATE FELKER: But at the convention you're still going to be there with 2 million.

COMMITTEE CHAIRPERSON SWAIN: It was a change of \$5.50 per member, was a significant decrease. In the interest of listening to the delegates at this convention, that's why our committee reconvened. This is, in our opinion as a committee, in the best interests of this Federation moving forward, to be financially sound and move forward at least --

DELEGATE FELKER: But being -- the question I have, do you not see -- all right, be financially sound for the next four years, the convention. We have enough in the pot in order to get us to the next convention, to actually realize what it's going to cost to run this union.

COMMITTEE CHAIRPERSON SWAIN: It's not in the best interests of the union as per the --

DELEGATE FELKER: What's in the best interest for the men you represent? That's the question.

The union is the members; correct? So the members that are actually on the tracks working, they're going to go irate when we hand them this, I promise you. And there are a lot of them. He knows several that's going to quit as soon as they get this and we want to keep our brothers here.

COMMITTEE CHAIRPERSON SWAIN: As a Federation -- and I agree 100 percent. But as a Federation moving forward, to be financially sound as a Federation, it's irresponsible to

operate in the red, in the opinion of our committee. And this dues rate would also put a decrease by at least one System Federation that's currently in place now, it would put a significant dues decrease for them.

Unfortunately, that's the difference between varying dues rates in order to keep the Federation afloat and not run in the red on purpose which, in the committee's opinion, would be irresponsible. This is the lowest that the committee felt that we could go with the numbers provided.

CO-CHAIRPERSON SANCHEZ: Microphone 1.

DELEGATE ANDREW BATES, Local Lodge 0866, Buffalo, NY: Andrew Bates, 0866.

Potentially lowering that percentage from -- I'm sorry, the dues amount from 67 to 62 would potentially ease a burden of immediate dues increase for some of the guys we work with here. But I know procedurally this might not make sense, it's not the whole picture. Those numbers only are those numbers assuming we don't get another contract from the carriers and assuming someone else doesn't propose to amend that second multiplier figure. If that second multiplier figure is altered in another amendment, we could surpass that \$67 two years from now; we don't know. Unfortunately, those two things are tied together.

I do like and I do agree with lowering it to 62 initially is going to soften the hit now, but those numbers are only good assuming those other two variables are a constant, and they're not.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.



In all these projections, was there a step rate considered? Because when the former CRSF and the affiliated combined or merged, there was a step rate for the dues to be spread out over amount of time to where it wasn't a full slap in your face. Has that been considered?

CO-CHAIRPERSON SANCHEZ: It hasn't been considered at this time, Brother Modica. What you're asking, if there can be a dispensation; right? Because I believe that's how that was done, where it went in steps. Is that what you're asking for at this time?

DELEGATE MODICA: Yes.

CO-CHAIRPERSON SANCHEZ: At this time, it hasn't even been brought up on the floor.

DELEGATE MODICA: Is that something that could be considered?

CO-CHAIRPERSON SANCHEZ: Anything can be considered, depending on what the delegates' wishes are, Brother.

DELEGATE MODICA: Well, for the Finance Committee, is that something --

COMMITTEE CHAIRPERSON SWAIN: In the interest of the finances, these are the -- what the committee felt was the bare minimum numbers that could keep the Federation fiscally sound with the current representation in the bylaws. There wasn't a step rate considered, due to the fact that this was as low as the committee could comfortably go, given the projections from the four-year balance.

CO-CHAIRPERSON SANCHEZ: Microphone Number 2.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

So are we on the amendment -- point of order. Are we on the amendment now or we're discussing the pros and cons of the amendment to 62?

CO-CHAIRPERSON SANCHEZ: Yes, sir. We're on Article V, Section 2, paragraph (b) like in bravo on the amendment that has been moved and seconded as for discussion for lowering the dues from \$67.50 to \$62.

DELEGATE EVANSKI: All right. I speak in favor of the amendment to \$62. I think that the Salary and Finance Committee has given a good explanation.

I understand the frustration of some of the lower-paying dues members from the south. But in all due respect, the guys on the Northern end have a certain expectation of representation for which they pay for. And when the vote was made, we all knew that going into the voting booth, that if the Southern guys wanted to vote to join the Northern guys, that the union dues were going to be an issue. And those guys, now their dues are going to go down a little bit, but they're accustomed to paying it and they're accustomed to a certain set and expectation of representation which they pay for.

Now, to go in here now and try to lower dues on those guys and maybe go in and lower their quality of representation, in my opinion, is unfair. Thank you.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Corey Hayes, Lodge 636.

Would the Salary and Finance Committee agree to reconvene and consider a step rate adjustment of the dues amount?

CO-CHAIRPERSON SANCHEZ: That's out of order. We're on a motion right now, Brother Corey.

DELEGATE HAYES: Thank you.

CO-CHAIRPERSON SANCHEZ: Yes, sir.

Any more discussion? Any more discussion?

Okay. We're going to vote on the motion. The motion and second is lowering the dues from \$67.50 to \$62. All in favor, signify by saying aye.

All opposed, say no.

Motion's carried.

Now we're back on Article V, Section 2(b). I believe Brother here had another deal that he would like to amend on that.

DELEGATE NATHAN FELKER, Local Lodge 0567, Knoxville, TN: Nathan Felker, Lodge 567.

I'd like to amend -- Article V, Section 2, I'd like to strike the words after "rate of pay" where the quotations start, and put in "the average rate of pay for the Southern System agreement Laborer and N&W Wabash trackman" is to be the rate that that 1.1 is multiplied into. Instead of the -- you've got to delete the next sentence, sorry.

CO-CHAIRPERSON SANCHEZ: Do you have that written down, Brother?

Brother Zac Voegel, let me ask a question of you, if I may. Under that proposed, would that be in violation and in conflict with the IBT bylaws? Go to the mike, please, sir. She's putting up the language here.

DELEGATE STEPHEN JARMAN, Local Lodge 3061, Columbus, OH: Steven Jarman, Lodge 3061.

I move to suspend the rules so we can have Zac Voegel speak.

CO-CHAIRPERSON SANCHEZ: Motion's been made. Is there a second?

DELEGATE TOMMY LAWSON, JR., Local Lodge 3017, Bradford, OH: Tommy Lawson, Lodge Number 3017.

I second that motion.

CO-CHAIRPERSON SANCHEZ: All in favor of allowing Counsel Zac Voegel to speak and address the question, signify by saying aye.

All opposed?

Okay. She's getting it up on the board. I just want to be sure that we're not doing anything in conflict with the National Division Bylaws and the merger IBT bylaws. Because under the national bylaws, it's 2.2. Under the way it's written here it's 1.8.

GENERAL COUNSEL VOEGEL: That's for the national dues, the multiplier. They can do this for the system.

CO-CHAIRPERSON SANCHEZ: Okay. They're getting it up and then we can read it.

All right, here is the motion. It's "Effective April 1, 2022, the American Rail System Federation dues shall be a minimum of \$62.00 per month. Effective on January 1 of each year thereafter dues are adjusted to reflect 1.8 times the average straight time hourly rate of pay for the average rate of pay for the Southern Agreement Laborer and the N&W Wabash trackman. Said amounts shall be rounded to the nearest 25 cents, which additional sum shall be taken into consideration when calculating any dues increase for the following year."

Is there a second to the motion?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Lodge 2838.

I second that motion.

CO-CHAIRPERSON SANCHEZ: Motion's been made and seconded. Is there any discussion?

Just for point of clarification for me and maybe some of the other delegates, by using the trackman rate, that's the lowest rate of pay on both properties; right?

UNIDENTIFIED DELEGATE: Yes.

CO-CHAIRPERSON SANCHEZ: Okay. Microphone 2.

DELEGATE STEPHEN JARMAN, Local Lodge 3061, Columbus, OH: Steven Jarman, Lodge 3061.

I want to move we put parliamentary procedures back in place since Mr. Voegel had his chance to speak.

CO-CHAIRPERSON SANCHEZ: Who do you want to speak?

DELEGATE JARMAN: Don't we have to move to put it back into place? No? Oh, my bad.

CO-CHAIRPERSON SANCHEZ: We're good, Brother. Thank you.

Any discussion?

All right. We're on the motion to amend Article V, Section 2, paragraph (b), bravo, with the language up there on the board.

All in favor, signify by saying aye.

All opposed, say no.

Motion carried.

All right, we're back on Article V, Section 2(b), bravo. Is there any other discussion with the two amendments that have already been approved by the delegates?

Seeing none, then I consider it -- you've got a question on it?

DELEGATE DANA RAMBO, Local Lodge 0537, Winston-Salem, NC: I do. Dana Rambo, Lodge 0537.

On Section (b) on the effective date, I would like to see the date reflect on the contract. So if the contract gets approved in June, I don't think this should be approved until the contract is effective. Because, for one, trying to explain to everyone why our dues are going up without a contract is hard enough. If we have a contract in place, it will kind of justify the reasoning behind raising the dues a little bit.

CO-CHAIRPERSON SANCHEZ: You want to put that in the form of a motion, Brother?

DELEGATE RAMBO: I make a motion that we change the verbiage on Section (b) from April 1, 2022, to until when the new contract goes in effect.

CO-CHAIRPERSON SANCHEZ: Are you talking, Brother Rambo, effective on January 1 of each year thereafter, dues are adjusted?

DELEGATE RAMBO: No. Just the terminology for April 1, 2022.

CO-CHAIRPERSON SANCHEZ: To state effective --

DELEGATE RAMBO: Whatever the new contract, either -- whatever the terminology we have to use to put in place. Instead of April 1, a physical date, we need to have it to where, in my opinion, it would be a lot more easier to explain why we're raising union dues if we can justify by having a new contract in place.

CO-CHAIRPERSON SANCHEZ: We need to plug in some language there and then see if we can get a second for discussion. So you want to put "effective upon ratification"?

DELEGATE RAMBO: Correction. For the date, make it "on ratification of a new contract."

CO-CHAIRPERSON SANCHEZ: "Effective upon ratification of the new contract." Should we put "national contract"?

DELEGATE RAMBO: Correct.

CO-CHAIRPERSON SANCHEZ: So there's a motion made to amend Article V, Section (b) to remove the date April 1 of 2022, and state "Effective upon ratification of the new national contract."

Is there a second to the motion?

DELEGATE ETHAN MACKEY, Local Lodge 0645, Fort Payne, AL: Ethan Mackey, Local 645.

Second Dana Rambo's motion.

CO-CHAIRPERSON SANCHEZ: Motion has been moved and seconded. Is there any discussion?

PARLIAMENTARIAN SLAUGHTER: Mr. Chairman, I just want to make sure I understand it. I'm trying to write everything down that people say.

I've never seen bylaws that had no dues. I want to make certain, so the way this is worded, if a new contract's not ratified, the dues would be zero?

DELEGATE DANA RAMBO, Local Lodge 0537, Winston-Salem, NC: No, that's not what I was meaning.

PARLIAMENTARIAN SLAUGHTER: Okay.

DELEGATE RAMBO: Right now we have it going in effect April 1 of 2022; right? That's roughly a month from now. What I'm saying is, to make it -- I wouldn't say appealing because it's not going to be -- I mean, no one's going to be pleased with the dues going up on the Southern side. But I'm saying to make it easier to where we don't have that -- those disgruntled employees, instead of using the date April 1, can we put it to where it's upon ratification of the new union contract? That way we get a new union contract and the dues go up at that point?

CO-CHAIRPERSON SANCHEZ: Are you proposing, Brother, just so I understand, the dues will be at \$62; all right? April the 1st, if you don't have a ratification of a national contract, will the dues be \$62 or no dues?

DELEGATE RAMBO: The union dues stay the same until we get a new contract.

CO-CHAIRPERSON SANCHEZ: In other words, the proposal that you're making, just so I understand, is it will be at \$62. And upon ratification of the national contract, at that point in time, then you will look at the average, the 1.8 and so forth?

DELEGATE RAMBO: No. The \$62 per month for the American Rail System Federation dues that we're talking about, it was at 67.50, now it's at 62. Before it goes in effect, I'm saying can we have the terminology "upon ratification of the new contract," to where the dues -- we don't see the differences in dues until the new contract comes out.

CO-CHAIRPERSON SANCHEZ: Okay. I got you.

PARLIAMENTARIAN SLAUGHTER: Except, Mr. Chairman, the reason I'm having a little heartburn over here as a parliamentarian is, you are creating a new entity. There are no dues, there's zero dues. The only reason there will be any dues of any kind, because this is a new entity, is because something in these bylaws says there are going to be dues of \$62. So I just want to make certain you're not left with zero dues. Have to make sure the wording is right.

DELEGATE RAMBO: I see where you're going.

I'm just trying to -- when I go back to North Carolina and everybody's going to ask me, I've already gotten phone calls about it, I want to be able to explain the dues difference. And the first thing they're going to ask is, "Well, what about a contract?"



I'm not saying it's going to make them feel any better, but it would be a little bit more understanding if there was a way to start applying the \$62-a-month dues and it go in effect when we get the new contract.

CO-CHAIRPERSON SANCHEZ: Just as a point of clarification, Brother, I understand what you're saying. But what the parliamentarian has brought up, and that's the reason that these bylaws that we're trying to get adopted with the consent of the delegates here, they're new bylaws. So you're not referring to any deal, any other railroads or any other Federations or any other dues.

DELEGATE RAMBO: I got you.

CO-CHAIRPERSON SANCHEZ: So currently, there would be no dues under this proposal.

DELEGATE RAMBO: Okay.

CO-CHAIRPERSON SANCHEZ: Microphone Number 2.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Jack David, Lodge 301.

I think it's been covered between the parliamentarian and the chair. But under that proposal, and all due respect, there would be no dues paid to the Federation until we got a contract. And the purpose of us here uniting together as one Federation is to establish uniform dues to move forward for this Federation. So I stand against this proposal.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE DANA RAMBO, Local Lodge 0537, Winston-Salem, NC: Dana Rambo, 0537.

I apologize. I didn't even take that into account. I was only looking at the date and then when we made the changes on it.

CO-CHAIRPERSON SANCHEZ: Are you wanting to remove your --

DELEGATE RAMBO: I'm content. I remove it.

CO-CHAIRPERSON SANCHEZ: Okay. The second, remove it?

DELEGATE ETHAN MACKEY, Local Lodge 0645, Fort Payne, AL: Ethan Mackey, 645.

Yeah, remove it.

CO-CHAIRPERSON SANCHEZ: We're back on record with Article V, Section 2, paragraph (b) with the changes regarding the \$67.50 to \$62, and the other language that was put in there regarding the average rates of pay of trackmen between the Southern and NS. Is there any discussion?

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Brother Chair, Corey Hayes, 0636.

To the chair of the Salary and Finance Committee, thank you for your work thus far, from, you know, \$67 and we're down to 62. We appreciate the committee -- I appreciate the committee's diligent work.

I've noticed that, I would really like for the Salary and Finance Committee to consider reconvening and looking at step rate adjustments because of the difference in dues dollar pays from the different systems and federations that are coming and joining in this founding convention in this new system.

I would also like the Salary and Finance Committee to speak on the fact of what numbers, what projected numbers have been adjusted in the flowchart besides the input data of 67.50 and 62. What other numbers did the Salary and Finance Committee take into consideration in these flowcharts?

CO-CHAIRPERSON SANCHEZ: Brother Corey, if it's in the interest of the delegates, we can definitely ask the Finance Committee to reconvene and et cetera.

Microphone Number 1?

DELEGATE ANDREW BATES, Local Lodge 0866, Buffalo, NY: Andy Bates, 0866.

We've kind of already been down this path with previous comments. We can't -- what would we base a step rate off of? We would have to establish a new rate off of what people have been paid previously. I feel the Finance Committee has already done that work in establishing that rate at \$62. I think any further backtracking is just a waste of time.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Microphone Number 2.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551. Parliamentary inquiry.

On (b), right, we're speaking about adopting the bylaw, we've talked about it. If the brother wanted to bring up a step process, wouldn't he have to propose that as a new bylaw to say -- in this article, and he can go ahead and we can take a break and he can talk to the Finance Committee about that? But we're voting on whether \$62 should be a month. And if he wants to amend the bylaws with the step rate, wouldn't that come after we do the amendment for the 62?

CO-CHAIRPERSON SANCHEZ: Well, right now we're voting on the \$62, which is correct, which that's already been moved and seconded and approved. So now we're voting on Article 5, Section 2(b) in its entirety. So if he wants to amend the bylaws in that form and fashion, it needs to be done at this point in time.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Brother Chair, I move that we amend the current proposed Section (b) that is displayed on the board, I moved that we amend the dollar amount to reflect \$58 per month.

CO-CHAIRPERSON SANCHEZ: Okay. There's been a motion to amend the \$62 to \$58 a month. Is there is a second?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Local Lodge 2838.

I second that motion.

CO-CHAIRPERSON SANCHEZ: It's been moved and seconded to lower the dues amount from \$62 a month to \$58 a month. Any discussion?

Microphone Number 2.

DELEGATE DALE BOGART JR., Local Lodge 1632, Binghamton, NY: Dale Bogart, Lodge 1632.

Parliamentary inquiry. Didn't we already move and second and approve the \$62? And isn't that closed for amendment?

CO-CHAIRPERSON SANCHEZ: Yes, we did.

Brother Bogart, you're absolutely correct. But remember, I told everybody that if they want to move the numbers -- the delegates adopted the \$62. They could still make a motion to change it, which was the motion made and first and seconded, according to the parliamentarian.

DELEGATE BOGART: Okay. Thank you.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: And so to speak to my motion and just so everyone is clear, I am trying to encourage this body to find every dime,

nickel, and penny that we can find to keep in our members' pockets. This is not about the Southern, this is not about the N&W Wabash, this is not about the Penn Fed or anybody else. This is about trying to find real dollars that our members keep in their own pockets.

And so we have -- again, this has been very aggravating so far. But to the Salary and Finance Committee, I would ask that you would go back and consider -- the Salary and Finance Committee would reconvene and consider if there are savings that can be found in the current projections that we are basing this number off of.

And I would also challenge the delegation -- the delegates to consider how much money this new Federation needs in the bank to operate. We talked about spending more than we're taking in, but we would be sitting on \$3 million. I think that's an excessive amount to be sitting on. We can find a lower basement number to dwell in. So that's my concern.

CO-CHAIRPERSON SANCHEZ: If I may, Brother Corey Hayes, I think what I heard, and I don't know what the rest of the delegates heard, but the Salary Committee did go back and they came back with a recommendation of \$62 a month. That would be minimal. You would stay in the black for the first three years and then you would be operating in the red on the fourth year. That's my understanding.

We're talking on the motion and the first and second. I allow you to talk on your motion.

Microphone Number 2. I'm trying to get one for and one against, Brother.

DELEGATE MILO HILDEBRANDT, Local Lodge 2307, Cleveland, OH: Milo Hildebrandt, Local 2307.

I know this is a hard sell for the guys that got to go back and tell their members that their dues are going to increase. We've got to do what's right for this Federation. Sometimes you've got to make some hard choices.

I really think cutting this down this slim is not prudent. There's a lot of variables going into a new Federation that you cannot take in account. These are all just projections.

We've heard about people saying, "Well, if I go back to this, we're going to lose membership." Okay, you lose that membership, you have less money in the coffer. Eventually that cost is going to get passed on to the members that are left here.

I really think that if you cut this down so thin, that it's not prudent to this new Federation and our members. At some point we've got to come up with a number, and we've had a number that we've been recommended to by our Finance Committee. This is where they feel comfortable. This is kind of the bottom line.

If we keep cutting it, that's not prudent to the membership. I know it's a hard sell going back and telling somebody, "Hey, we're going to raise your dues.

"What about the contract?

"We ain't going to get nothing there. The company is dragging their feet."

I understand that. But at some point, we got to make the hard choices here as a membership. At some point, we got to come together on this. We can keep nitpicking at the price, at the rate we're going to increase these reflective rates on a laborer's rate and keep picking away at it. But at some point you're going to run in the negative.

So then what happens when that point comes and we're running in the negative before the next convention? How are you going to deal with that? You're going to have the Joint Protective Board come in here and vote to raise the dues before the convention, I think. I might be wrong on that. I don't know what vehicle's in place. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you.

Microphone Number 1.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: And so to clarify my previous remarks. We have as a body approved bylaws that set the raises for our officers. Effective April 1st, fiscal year one, when we as a National Division settle a new contract, our newly elected officers will realize a raise very, very quickly.

I'm asking the Salary and Finance Committee, other than the plug-in number of 67.50, 65, 62, what other -- did we look at any other numbers and say, "We could trim costs here, we could trim costs here," that would help reduce the number. So to the Salary and Finance Committee, I know a motion's on the floor.

CO-CHAIRPERSON SANCHEZ: Yes. Microphone Number 2.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

I'm speaking against the amendment to \$58. To repeat what Brother Milo said and Brother David said, the \$62, the Salary and Finance Committee went through it. They went back, they looked at it. Now we're cutting it -- we're just making numbers up. We're saying \$58, and that's not based on anything. That's just an arbitrary figure.

The Salary and Finance Committee went back, they ran the numbers, they got it down, they said we can do it for 62. Now we're just saying, "Well, we'll give you 58."

I think we've got to respect the Salary and Finance Committee, the work they've done. I know it's a tough sell, but it's important that we don't just arbitrarily start taking numbers away here. For that reason I'm against the amendment.

CO-CHAIRPERSON SANCHEZ: Microphone Number 2.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I currently serve on the Penn Federation Executive Board, and I see the finances as they go through and what it costs to do business.

I am against this motion for the basis of, according to the rates that the Finance Committee's already put out there, I see pay cuts for vice chairs going forward and general chair as it stands on some Federations that they're coming from. If we lower that figure even more, we're now asking people that are already taking a pay cut to take a pretty important job and represent membership, to do it for even more of a discount, and I think that is a bit disingenuous. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

I see nobody else at the microphone, so with that being said, we're going to take a vote on the motion to amend the \$62 to \$58. If you're in favor, signify by saying aye.

If you're opposed, say no.

Motion is defeated.

We're back on Article V, Section 2, paragraph (b). There were two amendments already approved by the delegates with a rate of \$62 per month, and then the rates of pay between the Northwestern NS and the Southern trackman rates, so that's already been done.

Is there any discussion on Article V, Section 2(b) like in bravo?

Seeing none, it's adopted.

Back to the committee report.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 2(c). Effective April 1, 2022, from the monthly System Federation dues, \$4.50 shall be reimbursed to the local lodges and an additional \$1.00 shall be applied to the Convention fund for the purpose of covering all related



expenses including reimbursement of travel, meals, lodging and wages incurred by delegates to System Federation Conventions and to defray expenses incurred by the delegates to attend Quadrennial National Division Conventions. The expense will be calculated according to the geographical location of the Convention site.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee report under Article V, Section(c). Is there any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 2(d). Former members of the Nickel Plate-Wheeling and Lake Erie Federation and the former Southern System Division will continue to participate in the Health Care Trust and will periodically have their dues adjusted to reflect the needs of the Trust.

Committee recommends.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article V, Section 2, paragraph (d) like in David. Is there any discussion?

Microphone Number 2.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I just wanted some clarification. Some of us are coming from a clarification that that's not a thing. Can someone explain what the trust is and what it covers? That's all.

CO-CHAIRPERSON SANCHEZ: Who is here with a trustee? I think we have one of the advisors here of the trustees. David, is that you? Sam?

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Lodge 1362.

I make a motion we suspend the rules and allow Brother Alexander to come and speak on the health trust.

CO-CHAIRPERSON SANCHEZ: A motion has been made to suspend the rules and allow Brother Sam Alexander to speak. Is there a second?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I second.

CO-CHAIRPERSON SANCHEZ: A motion has been made and seconded to allow Brother Sam Alexander to speak regarding the health care trust. All in favor, signify by saying aye.

All opposed?

Motion carried.

Brother Sam Alexander.

BROTHER SAM ALEXANDER: Roger, what's the questions about the trust, or you just want me to talk about the trust?

CO-CHAIRPERSON SANCHEZ: Well, I guess he wants a general synopsis of what it consists of, what it costs, how do you get in it, and et cetera.

BROTHER ALEXANDER: First of all, I want to say that I am not a trustee. I am a very happily retired general chairman.

We created the trust, along with the Allied Federation, back in 2007, I believe, and it was shortly thereafter joined by what was the Nickel Plate Federation at the time.

What the trust does -- and I am very passionate about this trust -- we essentially, in our dues structure, have passed the hat for \$12 a month, and we put it in a hat. We do not buy insurance, but we pay our members' medical bills. And we kind of increased it, but here's the qualifier for it.

If an employee of the railroad goes on occupational disability, he does not fall under Medicare. And let's say he's drawing, I don't know, \$3,000 a month but he has no insurance. We created the trust to pay his medical bills. That's what we've done.

There's over \$10 million in the trust. I know that there are at least three more individuals on the Southern side that will go on the trust this year. It seems to me it's a very small price to pay to give your Brother \$12 out of your pocket. I mean, that's what you're doing.

I'll talk more about it if you have more questions about it. But essentially, that's what we did.

I will tell you one other thing. Southern Benefits Administrators handles the account. Essentially what they do is, if a guy turns in a medical bill, they actually will negotiate that bill down before they pay it. You can't get much better than that what we're doing. They negotiate it down and pay the bill.

CO-CHAIRPERSON SANCHEZ: It was my understanding, Brother Sam, when you got into that, it had to be 100 percent or nothing; correct?

BROTHER ALEXANDER: Correct. It's no more than returning the \$4 to the lodge that the Southern does, or whatever amount y'all come up with here. You're sending \$12 to the trust.

If more of you wanted to join it, then you're going to have to talk to the trustees and that will be at a later date.

CO-CHAIRPERSON SANCHEZ: Thank you, sir.

Any other further discussion on Article V, Section (d) like in David?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 3. Federation dues established by action of the System Federation Convention may be increased in between Quadrennial Conventions by a majority vote of the Joint Protective Board, a quorum being present, or by majority vote of the Joint Protective Board by referendum ballot, as provided by for in Article XV, Section 4, paragraph 2 of the BMWED-IBT Bylaws.

Committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report under Article V, Section 3. Any discussion?

Hearing none, it's adopted.

*...Committee Chairperson Blankenship read the following:*

COMMITTEE CHAIRPERSON BLANKENSHIP: Section 4. Effective April 1, 2022 and thereafter, any member of the American Rail System Federation that is subject to discipline from their respective Carrier and issued such in the form of suspension and/or dismissal that would result in missed fees, assessment or required monthly dues, and during which the Federation is in pursuit of reinstatement with pay, shall be required to remit any such payment of lost revenues in the form of required dues, assessments and/or fees in the event that that member is fully reinstated and compensated, at minimum, for all Straight Time lost wages for all months such would have otherwise paid dues, assessment and/or fees due to the National Division, the

System Federation and Local Lodge during the period of discipline so served and such payments were missed.

Any such member who voluntarily opts to pay dues, assessments and/or fees at the non-working rate pursuant to Article XV, Section 3 of the BMWED National Division Bylaws during such suspension or dismissal who is fully reinstated subsequent thereto, with back pay as defined in the above paragraph of this Section, will not be required to pay the difference between what they paid at the non-working rate and the rate of full dues during such suspension or dismissal.

Any such members who are reinstated and do not collect lost wages to the level defined in this section, shall not be required to remit any otherwise lost dues, assessments and/or fees for the period of their suspension or dismissal.

Committee recommends adoption.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report, Article V, Section 4. Any discussion?

Hearing none, it's adopted.

All right, Brothers, just for the record, we have concluded going through all the bylaws and they were adopted with amended changes and et cetera.

At this point in time, I as the chair would like to entertain a motion to accept the American Rail System Federation Bylaws as amended and adopted in its entirety. Is there a motion?

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Jack David, Lodge 301. I make a motion to adopt the bylaws as amended and approved today.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile, Local 599.

I second that motion.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Any discussion? We're voting on a motion to accept the entirety of the bylaws as amended and changed in its entirety. All in favor, signify by saying aye.

All opposed?

They're adopted. Thank you, Brothers.

*(Applause)*

According to the rules, the next order of business at the conclusion and the adoption of the bylaws is to proceed with the elections. If y'all want to break for five minutes or so, or y'all want to go ahead and proceed? Under the agenda, we're scheduled to 6:30.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: I'd say take five.

CO-CHAIRPERSON SANCHEZ: Okay. Let's take five minutes, Brother, and then we'll get started on the elections.

*(A recess was taken between 5:45 p.m. and 5:52 p.m.)*

CO-CHAIRPERSON SANCHEZ: According to the agenda, the election of officers shall be a special order of business after the approval and adoption of the bylaws, and there's where we're at. So I've got a question for the delegates here.

If we start these elections, we have to conclude the elections in its entirety. Now, the convention set to go to 6:30. I don't think that's going to be done, in my opinion, by 6:30. So do y'all want to proceed until we get the elections done tonight, or would you rather wait until tomorrow?

So I will entertain a motion one way or another.

UNIDENTIFIED DELEGATE: I'd like to make a motion with respect to the long day and the 6:30 hard quit time, if we could maybe go to the Resolutions to finish up, and move the elections until tomorrow.

CO-CHAIRPERSON SANCHEZ: That would be in conflict with the rules at this point, Brother. You can make a motion and it takes two-thirds to amend it.

Is there a second?

DELEGATE ANDREW BATES, Local Lodge 0866, Buffalo, NY: Andrew Bates, 0226.

I make a motion to do the voting this evening.

UNIDENTIFIED DELEGATE: I'll second it.

CO-CHAIRPERSON SANCHEZ: The motion that was made was to go into Resolutions. Is there a second to go into Resolutions?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Local Lodge 2838.

I'll second that motion.

CO-CHAIRPERSON SANCHEZ: A motion has been made and seconded to suspend the regular order of business of the rules. It takes two-thirds of the vote. All in favor of going to the Resolutions, signify by saying aye.

All opposed?

That's pretty close, I can't tell either. Let's do a standing vote.

All in favor of going to the Resolutions, please stand.

I count 35 out of, we've got 68 delegates.

Will the nos please stand up?

That's not two-thirds, so the motion has failed.

David, you had something? Microphone Number 2.

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Local Lodge 1362.

I make a motion that we extend the 6:30 p.m. hard time and proceed with the elections until finished tonight.

CO-CHAIRPERSON SANCHEZ: Motion's been made to extend until 6:30 p.m. and start the election until conclusion. Is there a second?

DELEGATE ANDREW BATES, Local Lodge 0866, Buffalo, NY: Andrew Bates, 0866.

I second.

CO-CHAIRPERSON SANCHEZ: Okay. Motion's been made and seconded to extend the 6:30 p.m. quit time and proceed with the elections in its entirety. All in favor, signify by saying aye.

All opposed?

The ayes have it, Brothers.

### **ELECTION OF OFFICERS**

We're going to proceed with the election. I'm going to ask Ms. Hunt or either Sandy here to get the deal down. Mr. Slaughter has graciously volunteered to be the timekeeper for the speeches.

It is stated in there that a person that is nominated, we'll take the nomination first, then we'll confirm that that person nominated will accept that nomination. At that point in time, the nomination speeches shall be limited to three minutes for all nominations, for a seconding speech



shall be limited to two minutes, and no more than two seconding speeches shall be allowed per nomination.

How I would like to proceed, with y'all's concurrence, is we'll start with the general chairperson, then we'll move to the vice chairperson. We need to get three vice chairpersons from Region 1, three vice chairpersons from Region 2 and three vice chairpersons from Region 3. Whoever is elected as a general chairperson, if they come from Region 1, then you will only elect two more. If they come from Region 2, then you would only get two instead of the three, just for clarification. Okay?

Then we go into nine Executive Committee members: three from Region 1, three from Region 2, and three from Region 3.

When we do the vice chairperson, instead of doing all three at once, we're going to do one at a time. But there will be three.

Any questions?

All right. With that being said, the floor is now open for nominations for the general chairperson of the American Rail System Federation. The floor is open for nominations for general chairperson.

When you come to the mike, identify your name, lodge number, and who you are nominating. Thank you.

Microphone Number 1.

DELEGATE TERRY HART, Local Lodge 0571, Honaker, VA: Terry Hart, Local 571.

I nominate Johnny Long for general chairman.

CO-CHAIRPERSON SANCHEZ: Brother Johnny Long has been nominated.

Brother Johnny Long, do you accept the nomination?

BROTHER JOHNNY LONG: Johnny Long, Local 571. I would be honored to accept the nomination of general chairman.

CO-CHAIRPERSON SANCHEZ: Thank You, Brother Long.

Microphone Number 2.

DELEGATE DALE BOGART JR., Local Lodge 1632, Binghamton, NY: Dale Bogart, Lodge 1632.

I'd like to say that I'm proud and honored to stand here today and offer a second to the nomination of Brother Johnny Long as the first general chairperson of the Norfolk Southern Joint Protective Board. In my time of representing members on the Norfolk Southern and having the opportunity to work collaboratively with Brother Long and the officers of the Affiliated System first and at the Alliance System Federation, I stand confident in declaring that Brother Long has what it takes to lead this new Federation as a keystone of its foundation.

Brother Long has continually and consistently put in the long hours, answering calls from the membership, returning calls he's missed, and finding or providing answers to the issues our members deserve addressed. On many occasions, Brother Long handles the requirements and expectations of his position well after the end of the day, where he has been pulled away as a result of all-day investigations, meetings, or property visits. His commitment and dedication is not something he punches in and out for. It is a 24-hour/seven-day-a-week commitment Brother Long has to the members.

It is Brother Long's quality of holding the carrier's feet to the fire that frustrates the heck out of them. Brother Long's continual pursuit of getting answers from the carrier and holding them accountable is unwavering.

These qualities among others, combined with Brother Long's professionalism, ability to listen to the members, and care about their concerns and interests, define his character and are essential to being an effective leader. This is why I second Brother Long's nomination and support him for general chairman.

CO-CHAIRPERSON SANCHEZ: Thank you.

Just for point of clarification, Brother Hart, you nominated Brother Johnny Long. You have a right to speak for three minutes if you would like, before we got into the second.

DELEGATE TERRY HART, Local Lodge 0571, Honaker, VA: Well, I'm no speaker. But I've known Johnny for a long time, and there ain't a man here that would fight any harder for his fellow brothers than Mr. Long. He's always available. I mean, if you even got a question on a weekend, he'll pick up the phone, talk to you. If he don't got the answer, he will get back with you. It might not be what you want to hear, but he will get back with you.

That's something we need going forward, is a leader to tell you what's right, whether it's what you want to hear or whether it ain't. So like I said, I just want to appreciate what he has done in the past, and I think he will serve this union well in the future.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there any more nominations?

We need one more second because it says two seconds, up to two seconds.

Microphone Number 2.

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Lodge 1362.

I stand and rise to second the nomination of Johnny Long for general chairman.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there any more nominations?

Any more nominations?

Any more nominations?

Seeing none, hearing none, I declare Brother Johnny Long as the general chairperson of the American Rail System Federation by acclamation.

Congratulations.

*(Standing ovation)*

All right, the floor is now open for vice chairperson from Region 1. There's three positions.

What region are you from, Brother Long?

BROTHER JOHNNY LONG: Region 2.

CO-CHAIRPERSON SANCHEZ: So this will be 2.

So the floor is now open for vice chairperson from Region 1. Is there any nominations?

Microphone Number 1.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

I'd like to take the time right now to nominate Dale Bogart for a vice chairman position in Region 1.

CO-CHAIRPERSON SANCHEZ: Brother Dale Bogart, you've been nominated. Do you accept the nomination?

DELEGATE DALE BOGART, JR., Local Lodge 1632, Binghamton, NY: I do.

CO-CHAIRPERSON SANCHEZ: Brother Dale Bogart has stated that he does. Would you like to talk?

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: I sure would. You know, I had a lot of stuff written here and, you know, I've known Dale a long time. We've done a lot of union work together. So I'm just going to shoot from the heart here.

The first thing I can tell you is, there's no one with a more loyal membership group than Dale. His members love him. He does a great job, you know, his tenacity in everything he does shows.

He started off as a claim writer. He wrote tons of claims. He gets contracting out. He's won so much money for the members, he's protected so much work. I can't say enough good things about him.

Some of the things, some of his experience as a general chairman I think will be necessary and critical to having this new Federation, to transitioning to this new Federation. His experiences include a successful strike. He was the last general chairperson that helped lead a strike on CP Rail when they failed to pay our brothers and sisters. It lasted a half a day and they were successful.

He's been through an implementing agreement where, you know, that's how us CP members became a part of the Norfolk Southern Railway, so he has experience in that.

Again, he's a great claims writer. I think the figure was at close to \$5 million that the Federation has won in contracting out in other claims. You know, that's a staggering figure, especially when you consider, there's only 500 members in the Northeast System Federation. So that's quite a staggering figure.

Again, I'm honored to nominate Dale Bogart for vice chairman position. Thank you very much.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE DUSTIN HEISER, Local Lodge 0287, Wabash, IN: Dustin Heiser, Local 287.

I support Dale Bogart as vice chairman.

CO-CHAIRPERSON SANCHEZ: Is there another second?

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Sheldon Swain, Lodge 887.

I stand proudly to second the nomination and second for Brother Dale Bogart. I've worked with Dale for the entire time I've been a full-time system officer, and I will tell you, there is not many more people with the fight that Brother Bogart has in him. I have the utmost confidence that he will serve the members proudly in his capacity as a vice chairman for Region 1. So I therefore stand to second the nomination for Brother Dale Bogart.

CO-CHAIRPERSON SANCHEZ: Thank you.

Brother Dale Bogart, would you like to address the group?

I failed to do it with you are Brother Johnny Long. It was no disrespect.

If you want to, you're allowed to. If you cannot, it's your decision, Brother.

DELEGATE DALE BOGART, JR., Local Lodge 1632, Binghamton, NY: I'm confident with Brother Evanski's kind words and Brother Swain's and Brother Heiser's, so no need to address the group. Thank you.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

Are there any more nominations?

Are there any more nominations?

Hearing and seeing none, I declare Brother Dale Bogart elected as vice chairperson from Region 1 by acclamation.

Congratulations, Brother.

*(Standing ovation)*

All right. The floor is now open for nominations for vice chairperson from Region 1. Is there any nominations?

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile, Local 599.

I nominate Brother Corey Hayes.

CO-CHAIRPERSON SANCHEZ: Brother Corey Hayes has been nominated. Brother Corey Hayes, do you accept the nomination?

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: With humility and respect, Brother Chair, I do accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, sir.

Would you like to talk?

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: Good day, Brothers and Sisters. James Manspile, Local 599.

I stand here today, proud to nominate Brother Corey Hayes for the office of vice chairman. Corey will bring a level of representation that will be appreciated by the membership he serves. Corey's been exposed to the many aspects of the problems our membership experiences on the NS property. He has taken it upon himself to get educated on union workings, in turn to help further this brotherhood.

I heard Corey's name come across my ears a few years ago and had the opportunity to work with him briefly. With that experience, I saw the respect he was given by the men he worked with. It was a respect not demanded, but freely given by the men he worked with. Things such as this and Corey's absolute pursuit to move this union forward is why I'm standing before you today to nominate that great brother to the office of vice chairman. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE PATRICK T. JACKSON, Local Lodge 0586, Gate City, VA: Taylor Jackson, Local 0586.

I stand to second the nomination of Brother Corey Hayes for vice chairman. I've known Corey for seven years, two of which were as roommates on the DPG System surfacing gang. So when I say I know Corey, I know Corey well.

He is a family man, a Marine, and a union guy through to the core. He is a local lodge grievance chairman of 0636, the State of Kentucky legislative director for our brotherhood. He has lent himself to numerous causes for all membership: Get out the vote campaigns that fought for right to work; helped to get that grade crossing legislation enacted in the state of Kentucky for our trucks and machines on the rail; has gone door to door on numerous election campaigns to help our cause. Corey is of highest moral character and I can attest to his never-quit mentality. He is the best communicator I have met on NS property.

Corey realizes that we must use technology to fight the carrier in numerous means. I engage you, the delegation, to join me in electing Brother Corey Hayes as System vice chairperson.

CO-CHAIRPERSON SANCHEZ: Thank you. Any other secondings?



Microphone 2.

DELEGATE CLAY WILSON, Local Lodge 0542, Louisville, KY: Clay Wilson, 0542.

I second that.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother Wilson.

Are there any more nominations?

Microphone 2.

DELEGATE NORMAN PERRY, Local Lodge 0529, Selma, AL: Yeah. Norman Perry, Local 529. I nominate Marcus Hood as vice chairman.

CO-CHAIRPERSON SANCHEZ: Brother Marcus Hood, do you accept the nomination?

DELEGATE MARCUS HOOD, Local Lodge 0627, Vidalia, GA: Marcus Hood, Lodge 627. I proudly accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

I'm here to second the nomination of Marcus Hood. I've got to know Marcus over the past couple of years working together on some Southern stuff. I think he's a man of great character. I've enjoyed working with him. He shows a keen knowledge of the contract. He's a genuine guy and he brings a very unique cultural perspective that I think we need in this new System Federation. For that reason, I am honored to second the nomination for Marcus Hood.

CO-CHAIRPERSON SANCHEZ: Thank you.

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Lodge 1362.

I rise to second the nomination of Mr. Hood. I've known Marcus for 30 years. We'd done work together in Washington, D.C. Much like me, he's a man that tells it like it is. He doesn't

beat around the bush. If you're wrong, you're wrong, he tells you you're wrong. If you're right, you're right, and he'll fight for you. And I am honored to second Brother Hood.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Marcus Hood, would you want to address the group?

DELEGATE MARCUS HOOD, Local Lodge 0627, Vidalia, GA: Marcus Hood, Lodge 627.

I started with this brotherhood in 1985 under the leadership of Sam. I came up from the ranks, worked every job in my local. And then I was a legislative director for over eight years.

In 2004 I came aboard as an e-board member and continued to work. And then about 2010, I was voted in as a vice chairman of the Southern System Division, which proudly I hold the general chairman spot right now.

I'm humble, I work hard, and I'm easy to work with. But we've got a job to do, and I think I'm the man for it. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother Hood.

Brother Corey Hayes, did I offer you -- would you like to address the convention? I apologize. I'm going to get with it here in a minute.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: 2008, God answered a prayer of mine. I was a father. My daughter was born in 2007 and I prayed to my God, to my Lord and savior Jesus Christ, that he would give me a job that paid me \$50,000 a year. Back then I was young, I didn't understand the value of a dollar, obviously, or I'd have shot higher. Because I can proudly stand here and tell you that God answered my prayer by allowing me to find employment on the Norfolk Southern railroad.

Once I began my employment on the railroad, I looked around and I realized, not only did God answer my specific prayer, but God also gave me the opportunity to surround myself with the men and women that work on this railroad. And he also gave me the opportunity to engage in my local lodge and talk to the membership. And I realize the value, the representative value of this Brotherhood of Maintenance of Way. I'm very appreciative for the men that have stood before us and got us to where we're at.

Brothers, I want to participate as a vice chairman, as whatever in this organization, to maintain the level, to advance the level, and to exceed our expectations of the representation that we have on this railroad in the Brotherhood of Maintenance of Way.

I'm 100 percent prepared for this opportunity, and I'm appreciative that I would even be considered for this spot. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother Hayes.

Are there any more nominations?

Are there any more nominations?

Are there any more nominations?

Hearing none, I declare nomination closed.

I will ask Brother Hayes to appoint a teller.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: I'd like to appoint Brother Ricky Coleman.

CO-CHAIRPERSON SANCHEZ: Brother Ricky Coleman.

Brother Marcus Hood, would you appoint a teller?

DELEGATE MARCUS HOOD, Local Lodge 0627, Vidalia, GA: I appoint Tony Ingram.

CO-CHAIRPERSON SANCHEZ: Brother Tony Ingram.

Here's what we're going to do. We have these forms filled out, they should be filled out. You've got to give me a couple of minutes to get them over there so they can set up the voting booths. Then I'm going to ask the two tellers to go first and exercise their vote, so they can watch as the delegates exercise their votes. We'll do the same procedure we did earlier on the roll call; go with row one, two, and on down the line.

Microphone 1.

DELEGATE JUSTIN POOR, Local Lodge 1599, Springfield, IL: Justin Poor, Local 1599.

You have two spots open. We shouldn't have to have --

CO-CHAIRPERSON SANCHEZ: We've got one more to go. This will be the second spot for -- the second position for Region 1. There's a total of three. I mean, general chairperson, yeah. There's a total of three. Dale Bogart was nominated by acclamation. Brother Corey Hayes and Marcus Hood are running for the second one. And then once this election's over, we're going to open up the floor for nominations again from Region 1 for the third position, Brother.

DELEGATE POOR: Understood.

CO-CHAIRPERSON SANCHEZ: Why don't we ask the two tellers to go on back.

Sentinels, would you let us know when the polls are ready so we can start the voting process?

Let's go ahead and start with row one.

*...The delegates proceeded to vote.*

Row two.

Row number three.

Row number four.

Row number five.

Row number six.

If there are any delegates that haven't had a chance to vote, please feel free to head toward the polls at this time. Thank you.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: Will the convention come back to order?

I had the tellers count the votes and verify the votes.

With that being said, Brother Corey Hayes had 1,286 votes, Brother Marcus Hood had 1,174 votes. So Brother Hayes is elected as vice chairman from Region 1.

Congratulations.

*(Standing ovation)*

As a point to the convention delegates, you know, I said when we start this, we couldn't stop it. So we're on Region 1 right now. So I would like to say that we finish Region 1 and then we'll take a break, and I'm going to tell you why. Brother Kennedy has said that he has set up a reception for 6:30 to 8:30 with refreshments and hors d'oeuvres down in the Rathskeller here at the hotel. If we don't do it, we're still going to have to pay for it.

So with that being said, let's see if we can get the other -- the third position from Region 1 filled and then we could take a break --

PARLIAMENTARIAN SLAUGHTER: As we discussed, they could decide by a vote if they want to go to the reception or they want to just keep plowing ahead.

What I told the chair is, you can't break in the middle of an election, but there's nothing to stop you from breaking and continuing the elections tomorrow for like another set. That's

perfectly fine. You all would just have to take a vote to decide if you want to go to that event or you just want to keep plowing ahead.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile, Local 599. I make a motion we finish this set and call it an evening.

CO-CHAIRPERSON SANCHEZ: Is there a second?

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: Adam Schmitt, Local 3009.

I second Manspile's motion.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Motion has been made and seconded to finish filling the third position out of Region 1 and then adjourning until tomorrow morning.

Any discussion?

All in favor, signify by saying aye.

All opposed?

Okay. We're going to finish the third position in Region 1.

The floor is now open for nomination for the position of vice chairman from Region 1, the third and final position.

Microphone Number 1.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I'd like to nominate Michael Babb for vice chairman.

CO-CHAIRPERSON SANCHEZ: Brother Michael Babb, do you accept the nomination?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Local 2838.

I proudly, honorably accept the nomination of vice general chairman, Region 1.

CO-CHAIRPERSON SANCHEZ: Thank you.

DELEGATE NATHAN FELKER, Local Lodge 0567, Knoxville, TN: Nathan Felker, Lodge 567.

I'll second that nomination.

CO-CHAIRPERSON SANCHEZ: Just so you know, too, if y'all want to try to expedite this, it says you can take up to two seconds, but one is sufficient.

Would you like to talk, Brother Modica?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: I rise today to nominate Michael Babb as the candidate for the office of vice chairperson of the American Rail System Federation. Brother Babb has shown me to be a motivated, dependable, and hardworking member of the BMWED-IBT.

Since he and I first met, his sincere desire to work diligently in pursuit of proper resolve and remedy is very encouraging to see. Brother Babb cares about the membership and his focus is on the membership, and the membership has recognized his efforts and reaches out to him regularly for help.

Brothers and Sisters, I ask that you would consider supporting Brother Babb and elect him to serve the membership in the role of vice chairman in the American Rail System Federation.

CO-CHAIRPERSON SANCHEZ: Thank you.

DELEGATE NATHAN FELKER, Local Lodge 0567, Knoxville, TN: Nathan Felker, 567.

I'm here to second Babb's nomination. I've worked side by side with him for a long time out on the road on the NS1. I can tell you he's got some of the hardest drive I've dealt with of anybody out here. He would outwork me every day. At the same time, he's been stepping up here lately. He's helped out a lot on organizing the Southern side, on getting a Facebook page put together for us so we can get access to a lot of the information we've never had.

He's had amazing drive today to help get some of this stuff going. He's said more today than our Southern System Division officers have said up here, trying to help stuff out. I nominate him, and we'll go on from there.

CO-CHAIRPERSON SANCHEZ: Brother Babb, would you like to address the delegates?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: I stand here before y'all as going for vice general chairman. I don't have a written speech and I'm not good at speeches. You know, I'm a railroad worker, just like all y'all.

I stand here and I got a lot of hustle and a lot of drive. I stand here because I want change and I want change from what I have had in the past. I believe that, you know, I want to be part of it, because you can't complain about it until you're willing to step up to try to change it. I want to see us walk out of here with a solid foundation of leaders that's going to lead us in the right direction with this founding Federation. Thank you.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations? Microphone Number 2.



DELEGATE ETHAN MACKEY, Local Lodge 0645, Fort Payne, AL: Ethan Mackey, 645.

I nominate Patrick Barnes for another nomination there. He's got a lot of dedication. I was out on medical, having a real hard time getting all my paperwork filed, and they denied it. I mean, he came through with all that, clarified that. Call him any hours of the night. I'm sure he gets tired of me bugging him.

But that's my nomination. He's a good person. In the interest of everybody's stomach, I'll just cut it short there.

CO-CHAIRPERSON SANCHEZ: Brother Barnes, do you accept the nomination?

DELEGATE PATRICK BARNES, Local Lodge 0546, Rockwood, TN: Patrick Barnes, Local 546.

Yes, I honorably accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you. Would you like to talk on -- is there a second? We've got to have one second.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

I second the nomination of Patrick Barnes for vice general chairman, Region 1.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

The person nominating, would they like to speak?

Brother Barnes, would you like to address the delegates?

DELEGATE PATRICK BARNES, Local Lodge 0546, Rockwood, TN: Yes, very shortly.

It's been my honor and pleasure to serve the past year and a half as system chairman, Southern System. I just ask for your support and look forward to hopefully continuing on the path that I've started in the past year and a half. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you.

Microphone Number 2?

DELEGATE MARCUS HOOD, Local Lodge 0627, Vidalia, GA: Marcus Hood, Lodge 627.

I stand proud to second this nomination for a hardworking young man. I've worked with him the last two years. He has drive, determination, and what it takes to be a good leader in this union. Facebook and social media don't make you a great leader.

CO-CHAIRPERSON SANCHEZ: Thank you. Are there any more nominations?

Are there any more nominations?

Are there any more nominations?

Hearing and seeing none, I declare nominations closed.

Brother Barnes, would you appoint a teller?

DELEGATE PATRICK BARNES, Local Lodge 0546, Rockwood, TN: Patrick Barnes, 546.

Trapper Cory, teller, please.

CO-CHAIRPERSON SANCHEZ: Brother Michael Babb, would you appoint a teller?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, 2838.

I'll appoint Ethan Mackey.

CO-CHAIRPERSON SANCHEZ: Okay. Brother Kennedy is running the two names back over to the voting booth. We'll give him a couple of minutes and then we'll start with row

one and go down the line. Once we finish this, then it was a consensus of the committee, we're going to adjourn until 9 a.m. tomorrow morning.

One quick announcement before everybody leaves the room. There was some questions by some of the delegates, they were planning to check out tomorrow and they wanted to know if they could bring their luggage and put it up against the wall in the room. This is perfectly well and you're welcome to do so.

Let's go ahead and start with row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

If there are any delegates that have not yet voted, please proceed toward the voting polls.

Thank you.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: Will the convention come back to order? I guess everybody's in.

I do have the report of the voting for the vice chairperson from Region 1. It shows Brother Michael Babb had 870 votes and Brother Patrick Barnes had 1,590. So Brother Patrick Barnes was the winner, and that was verified by the tellers.

Congratulations.

*(Standing ovation)*

All right, Brothers, it's already been motioned and seconded. The convention is closed for today, to adjourn at 9 a.m. tomorrow. The reception is down in the Rathskeller at the lower level until 8:30. So go enjoy the rest of your day.

*(At 6:59 p.m., Wednesday, March 2, 2022, the Founding Convention of the Norfolk Southern Employer Joint Protective Board, Brotherhood of Maintenance of Way Employees Division, IBT, recessed, to reconvene at 9:00 a.m., Thursday, March 3, 2022.)*

**Day Two**  
**Founding Convention of the Norfolk Southern Employer Joint Protective Board**  
**March 3, 2022**

*The Founding Convention of the Norfolk Southern Employer Joint Protective Board, Brotherhood of Maintenance of Way Employees Division, IBT, was reconvened at 9:00 a.m., CO-CHAIRPERSON SANCHEZ presiding.*

**CALL TO ORDER**

CO-CHAIRPERSON SANCHEZ: Will the convention please come to order. Would you rise for the Pledge of Allegiance?

**PLEDGE OF ALLEGIANCE**

*...The delegates recited the Pledge of Allegiance.*

CO-CHAIRPERSON SANCHEZ: Could you please remain standing. Corey Hayes, would you please give the invocation?

**INVOCATION**  
**Chaplain Corey Hayes**

Father, God, I bow this morning to thank You for the blessings that You have given each of us. God, I thank You for Your mercy and grace that has been extended to us all. For this morning, I ask that You would be with us as we continue to do this important work as a newly formed federation, and God, I ask that You would guide us, that You would give us the wisdom, knowledge, and understanding, and patience necessary to make the right decisions for the members all the time.

God, I pray specifically this morning for those who hurt, for those who are sick and, God, for those who are standing in harm's way at this very hour. God, for the men and women of this

nation that are standing on foreign soil, I pray a special blessing that You would protect them and put Your arms of comfort around them and their families while they're away. God, I pray that You would bring those men and women back home safely. I pray for peace in our world.

God, I pray that You forgive me where I have failed You and, God, I pray that at last You would save us all. In Jesus' name. Amen.

*...The delegates responded, "Amen."*

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

A couple of announcements. Anyone that needs a shuttle right from the hotel to the airport, please go see Ms. Virginia at the valet as you come in the hotel, there on your left, as soon as possible so you can schedule your deal.

Did any brother lose a cell phone or leave a cell phone in the restaurant?

UNIDENTIFIED DELEGATE: I did, but I got it.

CO-CHAIRPERSON SANCHEZ: Also, somebody left some sunglasses in the voting. I don't know who these belong to, but they're up here.

Also, there will be no lunch today because it was hard to -- and I understand a lot of the delegates are going to be leaving, so there's no lunch being provided today, just as point of information.

## **ROLL CALL**

CO-CHAIRPERSON SANCHEZ: I'm going to go down the roll call here on the delegates.

Lodge 0034, Joseph Head.

DELEGATE JOSEPH HEAD, Local Lodge 0034, Huntingburg, IN: Yes.

CO-CHAIRPERSON SANCHEZ: 0076, Brandon George.

DELEGATE BRANDON GEORGE, Local Lodge 0076, Charleston, WV: Here.

CO-CHAIRPERSON SANCHEZ: 0224, Donald Patton.

DELEGATE DONALD PATTON, Local Lodge 0224, St. Louis, MO: Here.

CO-CHAIRPERSON SANCHEZ: 0226, Timothy R. Southerland.

DELEGATE TIMOTHY R. SOUTHERLAND, Local Lodge 0226, Decatur, IL: Here.

CO-CHAIRPERSON SANCHEZ: 0287, Dustin Heiser.

DELEGATE DUSTIN HEISER, Local Lodge 0287, Wabash, IN: Here.

CO-CHAIRPERSON SANCHEZ: 0301, Alliance, Jack David.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Here.

CO-CHAIRPERSON SANCHEZ: 0302, Trapper Cory.

DELEGATE TRAPPER CORY, Local Lodge 0302, New Albany, IN: Here.

CO-CHAIRPERSON SANCHEZ: 0400, Michael Ragard.

DELEGATE MICHAEL RAGARD, Local Lodge 0400, Easton, PA: Here.

CO-CHAIRPERSON SANCHEZ: 0427, Elmo Madden III.

DELEGATE ELMO MADDEN III, Local Lodge 0427, Detroit, MI: Here.

CO-CHAIRPERSON SANCHEZ: 0525, Bucky Davis.

DELEGATE BUCKY DAVIS, Local Lodge 0525, Asheville, NC: Here.

CO-CHAIRPERSON SANCHEZ: 0529, Norman Perry.

DELEGATE NORMAN PERRY, Local Lodge 0529, Selma, AL: Here.

CO-CHAIRPERSON SANCHEZ: 0532, Scott Kocher.

DELEGATE SCOTT KOCHER, Local Lodge 0532, Delaware, OH: Here.

CO-CHAIRPERSON SANCHEZ: 0536, Tory Myles.

DELEGATE TORY MYLES, Local Lodge 0536, Atlanta, GA: Here.

CO-CHAIRPERSON SANCHEZ: 0537, Dana Rambo.

DELEGATE DANA RAMBO, Local Lodge 0537, Winston-Salem, NC: Here.

CO-CHAIRPERSON SANCHEZ: 0542, Clay Wilson.

DELEGATE CLAY WILSON, Local Lodge 0542, Louisville, KY: Here.

CO-CHAIRPERSON SANCHEZ: 0546, Patrick Barnes.

DELEGATE PATRICK BARNES, Local Lodge 0546, Rockwood, TN: Here.

CO-CHAIRPERSON SANCHEZ: 0551, Jonathan Carr.

DELEGATE JONATHAN CARR, Local Lodge 0551, Bluefield, WV: Here.

CO-CHAIRPERSON SANCHEZ: 0567, Nathan Felker.

DELEGATE NATHAN FELKER, Local Lodge 0567, Knoxville, TN: Here.

CO-CHAIRPERSON SANCHEZ: 0568, Charles Price, Jr.

DELEGATE CHARLES PRICE, JR., Local Lodge 0568, Radford, VA: Here.

CO-CHAIRPERSON SANCHEZ: 0571, Terry Hart.

DELEGATE TERRY HART, Local Lodge 0571, Honaker, VA: Here.

CO-CHAIRPERSON SANCHEZ: 0580, Michael Montgomery.

DELEGATE MICHAEL MONTGOMERY, Local Lodge 0580, Portsmouth, OH: Here.

CO-CHAIRPERSON SANCHEZ: 0585, Rick Coleman.

DELEGATE RICKY COLEMAN, Local Lodge 0585, Birmingham, AL: Here.

CO-CHAIRPERSON SANCHEZ: 0586, Patrick Jackson.

DELEGATE PATRICK JACKSON, Local Lodge 0586, Gate City, VA: Here.

CO-CHAIRPERSON SANCHEZ: 0594, Shelby Adcock.

DELEGATE SHELBY ADCOCK, Local Lodge 0594, Norfolk, VA: Here.

CO-CHAIRPERSON SANCHEZ: 0599, James Manspile.



DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: Here.

CO-CHAIRPERSON SANCHEZ: 0619, Jeremy Cook.

DELEGATE JEREMY COOK, Local Lodge 0619, Valdosta, GA: Here.

CO-CHAIRPERSON SANCHEZ: 0627, Marcus Hood.

DELEGATE MARCUS HOOD, Local Lodge 0627, Vidalia, GA: Here.

CO-CHAIRPERSON SANCHEZ: 0636, Corey Hayes.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Here.

CO-CHAIRPERSON SANCHEZ: 0645, Ethan Mackey.

DELEGATE ETHAN MACKEY, Local Lodge 0645, Fort Payne, AL: Here.

CO-CHAIRPERSON SANCHEZ: 0660, David Kemp.

DELEGATE DAVID KEMP, Local Lodge 0660, Hattiesburg, MS: Here.

CO-CHAIRPERSON SANCHEZ: 0662, Aaron Walden.

DELEGATE AARON WALDEN, Local Lodge 0662, Brunswick, MO: Here.

CO-CHAIRPERSON SANCHEZ: 0804, Anthony Ingram.

DELEGATE ANTHONY INGRAM, Local Lodge 0804, Columbus, GA: Here.

CO-CHAIRPERSON SANCHEZ: 0808, Carlos Sampson.

DELEGATE CARLOS SAMPSON, Local Lodge 0808, Macon, GA: Here.

CO-CHAIRPERSON SANCHEZ: 0866, Andrew Bates.

DELEGATE ANDREW BATES, Local Lodge 0866, Buffalo, NY: Here.

CO-CHAIRPERSON SANCHEZ: 0887, Sheldon Swain.

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Here.

CO-CHAIRPERSON SANCHEZ: 0935, Mark Recker.

DELEGATE MARK RECKER, Local Lodge 0935, Lehigh, PA: Here.

CO-CHAIRPERSON SANCHEZ: 0991, Kenneth Eagle.

DELEGATE KENNETH EAGLE, Local Lodge 0991, Elkhart, IN: Here.

CO-CHAIRPERSON SANCHEZ: 1362, David Beal.

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: Here.

CO-CHAIRPERSON SANCHEZ: 1363, Chad Reading.

DELEGATE CHAD READING, Local Lodge 1363, Warsaw, IN: Here.

CO-CHAIRPERSON SANCHEZ: 1396, Logan Kaminski.

DELEGATE LOGAN KAMINSKI, Local Lodge 1396, Oak Harbor, OH: Here.

CO-CHAIRPERSON SANCHEZ: 1464, Kenneth Akers.

DELEGATE KENNETH AKERS, Local Lodge 1464, Louisa, KY: Here.

CO-CHAIRPERSON SANCHEZ: 1532, Thomas Modica II.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Here.

CO-CHAIRPERSON SANCHEZ: 1551, Kevin Evanski.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Here.

CO-CHAIRPERSON SANCHEZ: 1599, Justin Poor.

DELEGATE JUSTIN POOR, Local Lodge 1599, Springfield, IL: Here.

CO-CHAIRPERSON SANCHEZ: 1618, Lewis Williams.

DELEGATE LEWIS WILLIAMS, Local Lodge 1618, Columbia, SC: Here.

CO-CHAIRPERSON SANCHEZ: 1632, Dale Bogart, Jr.

DELEGATE DALE BOGART, JR., Local Lodge 1632, Binghamton, NY: Here.

CO-CHAIRPERSON SANCHEZ: 1664, Edward Metzger.

DELEGATE EDWARD METZGER, Local Lodge 1664, Toledo, OH: Here.

CO-CHAIRPERSON SANCHEZ: 1700, Richard Vallat, Jr.

DELEGATE RICHARD VALLAT, JR., Local Lodge 1700, Venice, IL: Here.

CO-CHAIRPERSON SANCHEZ: 1978, Jay Dearth, Jr.

DELEGATE JAY DEARTH, JR., Local Lodge 1978, Cincinnati, OH: Here.

CO-CHAIRPERSON SANCHEZ: 2003, Zachary Ryder.

DELEGATE ZACHARY RYDER, Local Lodge 2003, Keysville, VA: Here.

CO-CHAIRPERSON SANCHEZ: 2307, Milo Hildebrandt.

DELEGATE MILO HILDEBRANDT, Local Lodge 2307, Cleveland, OH: Here.

CO-CHAIRPERSON SANCHEZ: 2434, Samuel Peterman.

DELEGATE SAMUEL PETERMAN, Local Lodge 2434, Wheelersburg, OH: Here.

CO-CHAIRPERSON SANCHEZ: 2703, Ronnie Beebout, Jr.

(No response)

CO-CHAIRPERSON SANCHEZ: Lodge 2838, Michael Babb.

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Here.

CO-CHAIRPERSON SANCHEZ: 2957, Cory Edwards.

DELEGATE CORY EDWARDS, Local Lodge 2957, Honesdale, PA: Here.

CO-CHAIRPERSON SANCHEZ: 3002, Trent Russler.

DELEGATE TRENT RUSSLER, Local Lodge 3002, Huntingdon, PA: Here.

CO-CHAIRPERSON SANCHEZ: 3004, Stephen Kane.

DELEGATE STEPHEN KANE, Local Lodge 3004, Carnegie, PA: Here.

CO-CHAIRPERSON SANCHEZ: 3006, Christopher Dillinger.

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: Here.

CO-CHAIRPERSON SANCHEZ: 3008, Nicholas Baker.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Here.

CO-CHAIRPERSON SANCHEZ: 3009, Adam Schmitt.

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: Here.

CO-CHAIRPERSON SANCHEZ: 3017, Tommy Lawson, Jr.

DELEGATE TOMMY LAWSON, JR., Local Lodge 3017, Bradford, OH: Here.

CO-CHAIRPERSON SANCHEZ: 3047, Jonathan Hite.

DELEGATE JONATHAN HITE, Local Lodge 3047, Johnstown, PA: Here.

CO-CHAIRPERSON SANCHEZ: 3061, Stephen Jarman.

DELEGATE STEPHEN JARMAN, Local Lodge 3061, Columbus, OH: Here.

CO-CHAIRPERSON SANCHEZ: 3075, Steven Monteiro.

DELEGATE STEVEN MONTEIRO, Local Lodge 3075, Baltimore, MD: Here.

CO-CHAIRPERSON SANCHEZ: 3077, Bryan Miles.

DELEGATE BRYAN MILES, Local Lodge 3077, Harrington, DE: Here.

CO-CHAIRPERSON SANCHEZ: 3091, Timothy Yost.

DELEGATE TIMOTHY YOST, Local Lodge 3091, Sunbury, PA: Here.

CO-CHAIRPERSON SANCHEZ: 3094, Heath Vezza.

DELEGATE HEATH VEZZA, Local Lodge 3094, Conway, PA: Here.

CO-CHAIRPERSON SANCHEZ: 3098, Shawn Bahret.

DELEGATE SHAWN BAHRET, Local Lodge 3098, Columbia, PA: Here.

CO-CHAIRPERSON SANCHEZ: Microphone Number 1.

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Jack David, Lodge 301.

On behalf of delegate Ronnie Beebout, he wanted to inform everybody, he thinks he has the flu. He left yesterday early and he didn't want to come and expose everybody. So I just thought I'd tell you. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother David.

### **ELECTION OF OFFICERS (Resumed)**

CO-CHAIRPERSON SANCHEZ: We are back on the agenda with elections. We're on the vice chairperson from Region 2. Should be a total of three. But since Brother Johnny Long was elected as general chairperson, the delegates will only elect two positions there.

So I'm going to open up the floor now for nominations for vice chairperson from Region 2. Are there any nominations?

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Jack David, Lodge 301.

I'm here to nominate Dustin Heiser as vice chairman from Region 2.

I've been working with Dustin for, well, about a year now. He's really come along doing a great job and he'll be an asset to the new Federation. Thank you.

CO-CHAIRPERSON SANCHEZ: Brother Dustin Heiser, do you accept the nomination?

DELEGATE DUSTIN HEISER, Local Lodge 0287, Wabash, IN: I accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, sir.

Is there a second?

DELEGATE TIMOTHY R. SOUTHERLAND, Local Lodge 0226, Decatur, IL: Tim Southerland, Lodge 0226.

I second that motion.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Heiser, would you like to say anything?

DELEGATE DUSTIN HEISER, Local Lodge 0287, Wabash, IN: No.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

Any more nominations?

Any more nominations?

Hearing none, then I declare Brother Dustin Heiser winner by acclamation.

Congratulations, Brother.

*(Standing ovation)*

We need to fill another position as vice chairperson from Region 2. The floor is now open for nominations. Are there any nominations?

DELEGATE KENNETH AKERS, Local Lodge 1464, Louisa, KY: Ken Akers, 1464.

I want to nominate Justin Blankenship.

CO-CHAIRPERSON SANCHEZ: Brother, do you accept the nomination?

BROTHER JUSTIN BLANKENSHIP: Justin Blankenship, Local Lodge 1464.

I accept.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE SCOTT KOCHER, Local Lodge 0532, Delaware, OH: Scott Kocher, 0532.

I second that.

CO-CHAIRPERSON SANCHEZ: Thank you.

Brother Blankenship, do you want to say anything?

BROTHER JUSTIN BLANKENSHIP: No.

CO-CHAIRPERSON SANCHEZ: Okay. Are there any more nominations?

Any more nominations?

Any more nominations?

Hearing none, I declare Brother Justin Blankenship elected by acclamation.

Congratulations, Brother.

*(Standing ovation)*

All right. Moving on to Region 3. We've got to elect a total of four vice chairpersons. Two come from the South and two come from the Northeast; correct? So it's two from the former CRSF and two from the Pennsylvania Federation.

So we'll start with the first position from the CRSF Federation. The floor is now open for nominations. Are there any nominations?

DELEGATE MILO HILDEBRANDT, Local Lodge 2307, Cleveland, OH: Milo Hildebrandt, Local 2307.

I'd like to nominate David Beal.

I've worked with David since 1989 on the tie gangs. Back then, for us old head, it was pretty rough out there. He fought from them until now even for the guys that didn't want to stick up for themselves. He would still try to put in a word for them and try to get things for them that they didn't want to fight for, and that's the kind of leadership we need. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother David Beal, do you accept the nomination?

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: Yes, I accept.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE TRAPPER CORY, Local Lodge 0302, New Albany, IN: Trapper Cory, Lodge 302.

I second his candidacy.

CO-CHAIRPERSON SANCHEZ: Thank you.

Brother Beal, would you like to say anything?

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: No, sir.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

Any more nominations?

Any more nominations?

Hearing none, then I declare Brother David Beal winner by acclamation.

*(Standing ovation)*

The floor is now open for nominations for the second spot as vice chairperson coming from the former CRSF.

Are there any nominations?

DELEGATE ANDREW BATES, Local Lodge 0866, Buffalo, NY: Andrew Bates, Local 0866.

I'd like to nominate Sheldon Swain.

I worked with Brother Swain extensively early in my career on track and quickly saw that Sheldon was respected and well liked by his peers. Pretty easy to see why, if you know Brother Swain. He's intelligent, hardworking, levelheaded, and pretty objective person. Sheldon will bring all of those positive qualities and many others to a position working with his union brothers, I feel. And support for Brother Swain is one of the few things that the local brothers that I deal with can agree on.

CO-CHAIRPERSON SANCHEZ: Thank you.

Brother Swain, do you accept the nomination?

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Sheldon Swain, Lodge 0887.



I would gladly accept the nomination for vice chairperson.

CO-CHAIRPERSON SANCHEZ: Thank you. Is there a second?

DELEGATE DALE BOGART, JR., Local Lodge 1632, Binghamton, NY: Dale Bogart, Lodge 1632.

I stand here to second the nomination of Brother Sheldon Swain for vice chairman of the American Rail System Federation. Brother Sheldon and I shared some territories and worked together regularly, so I continually hold the privilege of watching him work for the members. Sheldon's commitment to his craft and working for the members is self-evident.

On some of the properties where the votes were taken to establish single JPBs that were part of Sheldon's territory, including ST and Keolis, those members strongly voted "no" on establishing their own JPBs. That "no" vote was driven by their desire to keep Sheldon as their rep, and their satisfaction of his ability in protecting and maintaining and enforcing their agreements.

Electing Sheldon Swain at this first JPB meeting of the American Rail System Federation is what's needed in building the winning team to take Norfolk Southern to the mat and hold them accountable when they attempt to inflict pain or injury on our members. For these reasons, I strongly second Brother Sheldon Swain's nomination and I support him as vice chairman.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Swain, do you want to address the group?

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: No, thank you.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

Are there any nor nominations?

Are there any more nominations?

Hearing none, then I declare Brother Swain winner by acclamation.

Congratulations.

*(Standing ovation)*

We have to elect two vice chairpersons from Region 3 from the former Penn. The floor is now open for nominations.

Are there any nominations?

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I'd like to nominate Heath Vezza for vice chairman of Region 3.

I've known Heath for several years, since working alongside him in the tracks. His dedication to the brothers and sisters under his coverage is beyond reproach. I think his commitment to the job and pride in forwarding the union cause drives my support of Heath Vezza, vice chairman, Region 3. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Vezza, do you accept the nomination?

DELEGATE HEATH VEZZA, Local Lodge 3094, Conway, PA: Yes, I gladly accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE STEPHEN KANE, Local Lodge 3004, Carnegie, PA: Steve Kane, 3004.

I second it. I worked with Heath since I got on the railroad. He's been a great union man and I trust him.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Heath Vezza, would you like to address the group?

DELEGATE HEATH VEZZA, Local Lodge 3094, Conway, PA: No, thanks.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

Are there any more nominations?

Are there any more nominations?

Hearing none, I declare Brother Heath Vezza winner of chairperson for Region 3 vice chairperson.

Congratulations, Brother.

*(Standing ovation)*

All right. We need to fill one more vice chairperson from Region 3 for the former Penn. Floor is now open for nominations.

Are there any nominations?

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: Chris Dillinger, 3006.

I'd like to nominate Brother Adam Schmitt as vice chairman for Region 3.

Dealing with the locals, both of us are presidents. I work with Adam a lot in communications, Zoom meetings, text message. Communicating back and forth, Adam is excellent. I think he'd do an excellent job at it.

He's worked DPG and line maintenance so he has a broad spectrum. He has the feelings of what actually DPG guys go through. A lot of guys forget that or a lot of guys don't even have that experience or have to go through that experience. Fortunate enough, I never had to. I mean, it was hard enough leaving the family coming here. I couldn't imagine how all you guys do it every week, going on the road.

Adam's a great guy, honest, a little blunt sometimes, just like myself, but I'd rather have the hard facts in front of me instead of someone pity-patting it. So we'll go with Adam Schmitt.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Schmitt, do you accept the nomination?

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: Yes, sir, I accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE JONATHAN HITE, Local Lodge 3047, Johnstown, PA: Jonathan Hite, 3047.

And I second the nomination for Adam Schmitt for vice chairman.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Schmitt, would you like to address the delegates?

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: I would.

Adam Schmitt, Local Lodge President, 3009, Altoona, Pennsylvania.

First I want to say I appreciate Brother Dillinger and Brother Hite speaking on my behalf. I appreciate all the relationships I have in this room. I appreciate all the conversations I've had over the course of the last two days with the fellows that I haven't met. Very happy to see in the resolutions that there is going to be representation going out into the field for the production gangs. Glad to see the turnout of guys on production. Because at the end of the day, I'm a DPG guy through and through.

With respect to Region 3, I understand these are geographically going to be in certain areas, but I think we need to get out in the field to these brothers in production as much as we

can. And the guys who are having sitting positions now, they do what they can, but I understand their hands are tied and they might get some more members under them moving forward.

With that being said, I am aware what it's going to take for this position. I understand the struggles we go through day to day. I'd like to say, if you get the opportunity to be in a position like this, to run for a position like this, Sunday night, you're the coolest guy at school. But come Monday morning when you take this position, you're the reason the time claim didn't get paid. And guys sitting in the position know that, and that's the uphill battle that we got to face.

I appreciate all the brothers and the sisters, a part of this federation who do what they can to make it great and make it where we're at. Regardless of how this election turns out, I swear to you guys that I will do everything I can in my power to continue to make this federation as good as it can be. I appreciate you guys. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

*(Applause)*

Are there any more nominations?

DELEGATE TRENT RUSSLER, Local Lodge 3002, Huntingdon, PA: Trent Russler, Lodge 3002.

I'd like to nominate Cody Walker as vice chairman for the American Rail System Federation, Region 3.

Through my time here with Cody, he has shown passion with union matters. He has been driven throughout his career here and has always been helpful when explaining and breaking down how things work to everyone around him. Guys look to him for information and he has always got a direct answer, good or bad, and gets you the answer.

He is a dedicated, passionate, organized person who will always fight for what's right. He will not be pushed around by the carrier, and I cannot stress that enough. I have worked side by side with him the past two years and I couldn't think a better person to represent my brothers and I. Thank you.

CO-CHAIRPERSON SANCHEZ: Brother, can you repeat the name for us? They couldn't hear it.

DELEGATE RUSSLER: Cody Walker.

CO-CHAIRPERSON SANCHEZ: Brother Walker, do you accept the nomination?

BROTHER CODY WALKER: Cody Walker, 3098.

I proudly accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE STEVEN MONTEIRO, Local Lodge 3075, Baltimore, MD: Steve Monteiro, Local 3075.

I second the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Would you like to address the delegates?

BROTHER WALKER: So I started my career 11 years ago, Harrisburg, Pennsylvania. Before that I attended Penn State University. I got a business management degree; my focus was HR.

I love this stuff, I love reading the rules, I love pushing the carrier. I feel as though right now we need change. There's a lack of communication in certain areas and a lack of

professionalism when it comes to trials and claims. Anybody that knows me, like Trent said, I'm a bulldog, competitive by nature. I don't like to take no for an answer.

So I stand here today to tell you that I think I have what it takes. I've got the determination and the drive, and I'm willing to put my name on the line for you guys to fight for what we need for. Thank you.

*(Applause)*

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Are there any more nominations?

DELEGATE MARK RECKER, Local Lodge 0935, Lehighton, PA: Mark Recker, Lodge 0935.

I would like to nominate Mike Ragard for vice chairperson.

I have known and worked alongside Brother Ragard for the past 13 years. During those 13 years, Brother Ragard has been vice chairperson for seven out of those 13 years. I can say without a doubt, the work that he has done as vice chairperson is second to none. Whether it's returning phone calls promptly even on weekends or pushing through claims in a timely manner, Brother Ragard will continue to lead this new organization in the right direction.

Continuing his hard work and dedication as vice chairperson, Brother Ragard is always looking out for our best interests. I can assure you that Brother Ragard will continue to do that moving forward. That is why I'm nominating Mike Ragard for vice chairperson, Region Number 3.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Mike Ragard, do you accept the nomination?

DELEGATE MICHAEL RAGARD, Local Lodge 0400, Easton, PA: Mike Ragard, Lodge 0400.

Proudly accept.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE HEATH VEZZA, Local Lodge 3094, Conway, PA: Heath Vezza, Lodge 3094.

I second the nomination for Mike Ragard, vice chairman.

CO-CHAIRPERSON SANCHEZ: Thank you.

DELEGATE VEZZA: I'd like to say that I've worked beside Mr. Ragard for about seven years now, and he's done a phenomenal job. He's also who you want with you when you've got to have it out with the carrier. They have a healthy fear of him. He's not afraid to say what he feels and not afraid to speak to -- speak and question authority or power. So my support goes to Mr. Ragard.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Are there any more nominations?

Any more nominations?

Any more nominations?

Then I declare nominations closed.

Brother Schmitt, would you appoint a teller?

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: I'd like to appoint Brother Lew Williams.

CO-CHAIRPERSON SANCHEZ: Brother Walker, would you like to appoint a teller?



DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: Brother, point of order?

CO-CHAIRPERSON SANCHEZ: Yes, sir.

DELEGATE BEAL: Brother Ragard was not given an opportunity to speak.

CO-CHAIRPERSON SANCHEZ: I apologize.

Brother Ragard, would you like to address the delegates? I apologize, Brother.

DELEGATE MICHAEL RAGARD, Local Lodge 0400, Easton, PA: Mike Ragard,  
Lodge 0400.

I've been doing this job about seven years now. I started under Jed Dodd. First thing he said to me was, is "We're going to see if you can sink or swim." Luckily, I've been able to keep my head above water over those seven years.

Although first day on the job, funny story, Jed said, "Be in my office. We're going to go down to national negotiations."

Two seconds later after I walked through the doors, dog bites me in the ass and he has to rush me to the hospital. So I'm sitting there bleeding all over the place, I wonder, you know, maybe termite welding wasn't so bad.

But it's been an absolute honor, pleasure and, you know, one of the honors of my life doing this job. So thank you.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

*(Applause)*

Brother Walker, would you like to appoint a teller?

BROTHER CODY WALKER: I'd like to appoint Sheldon Swain.

CO-CHAIRPERSON SANCHEZ: Brother Sheldon Swain.

Brother Mike Ragard, would you like to appoint a teller?

DELEGATE MICHAEL RAGARD, Local Lodge 0400, Easton, PA: Brother Kevin Evanski.

CO-CHAIRPERSON SANCHEZ: Brother Evanski, okay.

We're going to let the tellers go ahead and go and exercise their right to vote, and there are a total of three people running. If one of these three individuals doesn't receive the majority, then the bottom person will be dropped and then we'll do the election again, just for clarification for the delegates.

We're going to try to get it better organized today. Yesterday, because I can't see the voting place and I can't see how long the line was. So we're going to have them address Brother Weaver and let me know when to send the next row.

First row, row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: All right, Brothers. Will the convention please come back to order?

As stated by the Credential report yesterday, there were 68 lodges totaling 2,483 votes. To receive a majority of those votes, it would be 1,242 votes. Nobody received that amount. I

had the tellers verify the numbers that were handed to me by Chris. Adam Schmitt got 721 votes, Cody Walker got 628 votes, and Mike Ragard got 1,111 votes.

So we will do this once again. We'll drop Cody Walker because he is the bottom guy, and have another election. So it would be Brother Mike Ragard and Adam Schmitt.

Row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: All right, Brothers. Will the convention please come back to order?

The results are in for the position of chairperson from Region 3 from the Penn Fed. Adam Schmitt got 1,218 votes, and Brother Mike Ragard got 1,242 votes.

Congratulations, Brother Mike Ragard.

*(Standing ovation)*

Now moving on, we've got to get three executive committee members, three from Region 1, three from Region 2, and three from Region 3. So at this point in time, I'll open up the floor for nominations for one of the executive committee members from Region 1.

Are there any nominations?

DELEGATE PATRICK T. JACKSON, Local Lodge 0586, Gate City, VA: Taylor Jackson, Local 0586.

I stand to nominate Brother Michael Babb for e-board. I know Michael Babb to be an advocate for the working man and I know he has our best interests at heart. His dedication and savvy is an asset to this brotherhood. I would like to see him on my e-board.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Babb, do you accept nomination?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Local Lodge 2838.

I proudly accept the nomination of the e-board position.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I second the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Babb, would you like to address the delegates?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: No.

CO-CHAIRPERSON SANCHEZ: Are there any other nominations?

DELEGATE ETHAN MACKEY, Local Lodge 0645, Fort Payne, AL: Ethan Mackey, 645.

I nominate Trapper Cory. He's been on the road and on the street, the same as me. He knows it through and through. He'd be a good man for the job.

CO-CHAIRPERSON SANCHEZ: What was the name, Brother?

DELEGATE MACKEY: Trapper Cory.

CO-CHAIRPERSON SANCHEZ: Brother Cory, do you accept the nomination?

DELEGATE TRAPPER CORY, Local Lodge 0302, New Albany, IN: Yeah, I gladly accept.

CO-CHAIRPERSON SANCHEZ: Is there a second?

DELEGATE PATRICK BARNES, Local Lodge 0546, Rockwood, TN: Patrick Barnes, Local Lodge 546.

Second the nomination for Trapper Cory.

CO-CHAIRPERSON SANCHEZ: Are there any other nominations?

Any more nominations?

Brother Cory, would you like to address the delegates?

DELEGATE TRAPPER CORY, Local Lodge 0302, New Albany, IN: No.

CO-CHAIRPERSON SANCHEZ: Any more nominations? Said it three times. Hearing none, nominations are closed.

Brother Cory, would you appoint a teller?

DELEGATE TRAPPER CORY, Local Lodge 0302, New Albany, IN: Ethan Mackey.

Brother Babb, would you appoint a teller?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Adam Schmitt.

CO-CHAIRPERSON SANCHEZ: We're going to hand this in. Brother Kennedy is going to go down and get it set up. We'll let the tellers head that way.

Row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: All right, Brothers, the numbers have come in and they were verified by both of the tellers when it was landed to me. Michael Babb received 1,018 votes, and Trapper Cory received 1,442 votes.

So congratulations to Brother Trapper Cory.

*(Standing ovation)*

All right, the floor is now open for nominations for an executive committee member from Region 1. Are there any nominations?

DELEGATE TORY MYLES, Local Lodge 0536: Tory Myles, Lodge 0536.

I nominate Alvin Jones. He's a very good dude. He'll stand by you. Even when you need to go in there and talk to the carrier, he's right there standing by your side, just to be a witness and make sure they don't get over on you. So I nominate Alvin Jones.

CO-CHAIRPERSON SANCHEZ: Brother Jones, do you accept the nomination?

Brother Alvin Jones is not here, but I do have an email that was handed to me by Brother Corey Hayes saying "I, Alvin Jones, local chairman of Lodge 536, accept the nomination for the executive board. Unfortunately, I wasn't able to attend as an assigned delegate as I have unexpected family business. I say to you, Brothers and Sisters, that your vote for me won't go in vain. I vow to give 110 percent to my e-board duties. Some brothers here know me and can

contest [sic] that I'm a doer. I speak on behalf of my lodge that you won't be disappointed and I'm a true thinker. Thanks again, Corey Hayes and Tory Myles, for deeming me worthy to announce my candidacy."

I'm going to put this in the record.

DELEGATE COREY HAYES, Local Lodge 0536, Atlanta, GA: Corey Hayes, Lodge 536.

I second the nomination of Alvin Jones.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Are there any other nominations?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, 2838.

I nominate Lew Williams.

CO-CHAIRPERSON SANCHEZ: Brother Williams, do you accept the nomination?

DELEGATE LEWIS WILLIAMS, Local Lodge 1618, Columbia, SC: Lewis Williams, Lodge 1618.

I accept the nomination. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Jack David, Lodge 301.

I second the nomination for Lew Williams.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Williams, would you like to address the delegates?

DELEGATE LEWIS WILLIAMS, Local Lodge 1618, Columbia, SC: No.

CO-CHAIRPERSON SANCHEZ: Corey, you got anything else you want to say on behalf of Mr. Jones?

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: No.

CO-CHAIRPERSON SANCHEZ: All right. Are there any more nominations?

DELEGATE MARCUS HOOD, Local Lodge 0627, Vidalia, GA: Marcus Hood, Lodge 627.

I proudly nominate Ricky Coleman, presently an e-board member of the former Southern Division. He's been an officer in his local lodge for over 12 years and he's diligent in what he does.

CO-CHAIRPERSON SANCHEZ: Brother Coleman, do you accept the nomination?

DELEGATE RICKY COLEMAN, Local Lodge 0585, Birmingham, AL: Ricky Coleman, Lodge 0585.

I proudly accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brothers. Is there a second?

DELEGATE ETHAN MACKEY, Local Lodge 0645, Fort Payne, AL: Ethan Mackey, Local 645.

I second. He's well respected, very involved with his local lodge. All the guys he works with can't speak more highly of anybody.

CO-CHAIRPERSON SANCHEZ: Brother Coleman, would you like to address the delegates?

DELEGATE RICKY COLEMAN, Local Lodge 0585, Birmingham, AL: No.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

Are there any more nominations?



Any more nominations?

Hearing none, I declare nominations closed.

We have Brother Alvin Jones, Brother Lewis Williams, and Brother Ricky Coleman.

For Brother Jones, you want to appoint a teller?

DELEGATE TORY MYLES, Local Lodge 0536, Atlanta, GA: We'll appoint Carlos Sampson.

CO-CHAIRPERSON SANCHEZ: Brother Williams?

DELEGATE LEWIS WILLIAMS, Local Lodge 1818: Adam Schmitt.

CO-CHAIRPERSON SANCHEZ: Brother Coleman?

DELEGATE RICKY COLEMAN, Local Lodge 0585, Birmingham, AL: Norman Perry.

CO-CHAIRPERSON SANCHEZ: All right. We'll go ahead and let the tellers head that way so they can verify the voting and they can go ahead and exercise their right to vote.

Brother Kennedy is going to run the names over to Chris to get them in the computer.

We'll start here shortly.

Row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: All right, Brothers, will the convention come back to order?

I have the results. They were handed to me and they were verified by the tellers. Brother Alvin Jones got 426 votes, Brother Lewis Williams got 914 votes, and Brother Ricky Coleman got 1,120 votes, so there was not a majority. So Brother Jones will be dropped and we will run it again between Brothers Williams and Coleman.

So their two tellers can go ahead and head toward the polls.

Row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: Will the convention please come back to order?

All right, the results are in, verified by the tellers as it was handed to me. Brother Lewis Williams received 1,068 votes, Brother Ricky Coleman received 1,392 votes.

So congratulations to Brother Ricky Coleman.

*(Standing ovation)*

All right, the floor is now open for nominations for the last position as an executive committee member from Region 1. Are there any nominations?

DELEGATE PATRICK T. JACKSON, Local Lodge 0586, Gate City, VA: Taylor Jackson, Local 0586.

I nominate Michael Babb.

CO-CHAIRPERSON SANCHEZ: Brother Babb, do you accept the nomination?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Local Lodge 2838.

I accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I second the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you.

Brother Babb, would you like to address the delegates?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: No.

CO-CHAIRPERSON SANCHEZ: Just for point of dealing, when we appoint the tellers or whoever is nominated, please go to the microphone, because the lady cannot hear if you're not at the microphone and get the names. She went and asked the people that were nominated on the last round.

Are there any more nominations?

DELEGATE PATRICK BARNES, Local Lodge 0546, Rockwood, TN: Patrick Barnes, 546.

I nominate Tony Ingram.

CO-CHAIRPERSON SANCHEZ: Brother, do you accept?

DELEGATE ANTHONY INGRAM, Local Lodge 0804, Columbus, GA: Tony Ingram,  
Local Lodge 804.

I accept.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE MARCUS HOOD, Local Lodge 0627, Vidalia, GA: Yes, there is. Marcus  
Hood, Local Lodge 627.

I proudly second the nomination for Tony Ingram. Really a standup guy. Good union,  
strong man.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Would you like to address the --

DELEGATE ANTHONY INGRAM, Local Lodge 0804, Columbus, GA: No.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

Are there any more nominations?

Are there any more nominations?

Then I declare the nominations closed.

Brother Babb, would you appoint a teller? You have to go to the mike so she can --

DELEGATE MICHAEL BABB, Local Lodge 3828: Brother Trapper Cory.

CO-CHAIRPERSON SANCHEZ: Okay.

DELEGATE ANTHONY INGRAM, Local Lodge 0804, Columbus, GA: Brother  
Norman Perry.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

So the two tellers can go ahead and head that way.

Row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: All right, Brothers. Will the convention please come back to order?

The results were handed to me, it was verified by the tellers. Michael Babb received 975 votes, and Brother Anthony Ingram received 1,436 votes.

Congratulations, Brother Ingram.

*(Standing ovation)*

I know we haven't had a break since we started, it's about 11:00. Do y'all want to take a ten-minute break?

UNIDENTIFIED DELEGATE: Keep going.

CO-CHAIRPERSON SANCHEZ: Keep going, all right.

The floor is now open for nominations. We have to get three executive committee members from Region 2.

Are there any nominations for executive committee member from Region 2?

DELEGATE DUSTIN HEISER, Local Lodge 0287, Wabash, IN: Dustin Heiser, Local 287.

I nominate Tim Southerland. He's a great, outstanding union man and he cares about this brotherhood.

CO-CHAIRPERSON SANCHEZ: Brother Southerland, do you accept the nomination?

DELEGATE TIMOTHY R. SOUTHERLAND, Local Lodge 0226, Decatur, IL: Tim Southerland, Lodge 226.

Yes, I accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Jack David, Lodge 301.

I second the nomination for Tim Southerland. I've worked with Tim a lot. And he cares about all the members around him, not only his own local lodge, but all the members and he does a great job, I second the nomination. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Southerland, would you like to address the delegates?

DELEGATE TIMOTHY R. SOUTHERLAND, Local Lodge 0226, Decatur, IL: No.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

Are there any more nominations?

Are there any more nominations?

Hearing and seeing none, I declare Brother Southerland as the executive committee member from Region 2. Congratulations.

*(Standing ovation)*

The floor is open again for nominations for executive committee member from Region 2.

Are there any nominations?

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile, Local 599.

I nominate Kenneth Akers.

CO-CHAIRPERSON SANCHEZ: Brother, do you accept the nomination?

DELEGATE KENNETH AKERS, Local Lodge 1464, Louisa, KY: Yeah, I accept.

CO-CHAIRPERSON SANCHEZ: Is there is second?

DELEGATE SCOTT KOCHER, Local Lodge 0532, Delaware, OH: Scott Kocher, 0532.

I second that.

CO-CHAIRPERSON SANCHEZ: Thank you.

Are there any more nominations?

DELEGATE MARCUS HOOD, Local Lodge 0627, Vidalia, GA: I've got another second there, Roger.

CO-CHAIRPERSON SANCHEZ: Okay.

DELEGATE HOOD: Marcus Hood, Lodge 627.

I proud nominate Ken Akers, second his nomination. Fine, outstanding young man. We worked together 20 years ago. He's outspoken and he's bold, what he does and I'm proud of him. He's a good, outstanding union worker.

CO-CHAIRPERSON SANCHEZ: Thank you.

Are there any more nominations?

Are there any more nominations?

Are there any more nominations?

Hearing and seeing none, I declare the brother the winner by acclamation.

Congratulations.

*(Standing ovation)*

All right, the floor is now open for the last spot for executive committee member from Region 2. Are there any nominations?

DELEGATE TERRY HART, Local Lodge 0571, Honaker, VA: Terry Hart, Local 571.

I nominate James Manspile for the executive board.

CO-CHAIRPERSON SANCHEZ: Brother Manspile, do you accept the nomination?

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: Yes, sir, I accept it honorably.

CO-CHAIRPERSON SANCHEZ: Thank you.

Is there a second?

DELEGATE KENNETH AKERS, Local Lodge 1464, Louisa, KY: Ken Akers, 1464.

I second the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Manspile, would you like to address the delegates?

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: No.

CO-CHAIRPERSON SANCHEZ: Okay. Are there any more nominations?

Are there any more nominations?

Are there any more nominations?

Hearing and seeing none, I declare nominations closed and Brother Manspile the winner by acclamation. Congratulations.

*(Standing ovation)*



That's all three from there, so we're moving on to three from Region 3 for executive committee members. Are there any nominations?

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Local Lodge 1362.

I rise to nominate Milo Hildebrandt. Milo told you the stories about, we've been together since 1989. As you guys know on the gang, yeah, I stood up and I fought. But every time I looked behind me, there was nobody there. But there was always one guy that stood by me and behind me that I could count on. Not only did I engage in that fight with the carriers all those years, Milo engaged in it too. He's a hell of a union man and I proudly nominate him.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother, do you accept the nomination?

DELEGATE MILO HILDEBRANDT, Local Lodge 2307, Cleveland, OH: Milo Hildebrandt, 2307.

I proudly accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother. Is there a second?

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Sheldon Swain, Lodge 887.

I second the nomination for Brother Milo Hildebrandt. I've worked with Milo the last few years I've been an active vice chairman, and Milo's an outstanding union man, and I think he would serve the executive committee well.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Milo, would you like to address the delegates?

DELEGATE MILO HILDEBRANDT, Local Lodge 2307, Cleveland, OH: No.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

DELEGATE ADAM SCHMITT, Local Lodge 3009, Tyrone, PA: Adam Schmitt, Local Lodge 3009.

I move to nominate Brother Chris Dillinger as an e-board member, Region 3, please.

CO-CHAIRPERSON SANCHEZ: Brother Dillinger, do you accept the nomination?

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: Chris Dillinger, Local Lodge 3006.

I accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE JONATHAN HITE, Local Lodge 3047, Johnstown, PA: Jonathan Hite, 3047.

I second the nomination for Mr. Dillinger.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Dillinger, would you like to address the delegates?

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: No.

CO-CHAIRPERSON SANCHEZ: Okay. Are there any more nominations?

Are there any more nominations?

Are there any more nominations?

Hearing and seeing none, then I declare nominations closed.

Brother Dillinger, would you like to appoint a teller? And go to the mike so she can hear you, please.

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: I'll nominate Jon Hite.

CO-CHAIRPERSON SANCHEZ: Thank you.

Brother Hildebrandt?

DELEGATE MILO HILDEBRANDT, Local Lodge 2307, Cleveland, OH: Mike Montgomery.

CO-CHAIRPERSON SANCHEZ: Okay. The tellers can go ahead and head towards the polls. Brother Kennedy has taken the names in so they can get them in the computer.

We'll go ahead and release row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: All right, Sentinels, could you get the delegates back into the room?

All right, the convention will come back to order.

I've got the results handed to me, it was verified by both tellers. Brother Chris Dillinger received 929 votes, and Brother Milo Hildebrandt received 1,531 votes.

Congratulations, Brother.

*(Standing ovation)*

All right, the floor is now open for nominations for an executive committee member from Region 3. Are there any nominations?

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Sheldon Swain, Lodge 887.

I nominate Andrew Bates for a position to the executive committee.

I've known Andy for a long time, worked with him on the tracks, and he's a good union man. He attends all his local meetings. I think he'd be great for the executive committee for the Federation moving forward. So for those reasons, I nominate Andrew Bates.

CO-CHAIRPERSON SANCHEZ: Brother Bates, do you accept the nomination?

DELEGATE ANDREW BATES, Local Lodge 0866, Buffalo, NY: Andrew Bates, 0866.

I accept.

CO-CHAIRPERSON SANCHEZ: Is there a second?

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Lodge 1362.

I second the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Bates, would you like to address the delegates?

DELEGATE ANDREW BATES, Local Lodge 0866, Buffalo, NY: No.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Corey Hayes, Lodge 636.

I nominate Brother Tom Modica.

CO-CHAIRPERSON SANCHEZ: Brother Modica, do you accept the nomination?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Lodge 1532.

I accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, 2838.

I second the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you.

Brother Modica, would you like to address the delegates?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: No.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

DELEGATE TRENT RUSSLER, Local Lodge 3002, Huntingdon, PA: Trent Russler, 3002.

I'd like to nominate Cody Walker.

CO-CHAIRPERSON SANCHEZ: Brother, do you accept the nomination?

BROTHER CODY WALKER: Cody Walker, Local Lodge 3098.

I accept the nomination.

CO-CHAIRPERSON SANCHEZ: Is there a second?

DELEGATE SHAWN BAHRET, Local Lodge 3098, Columbia, PA: Shawn Bahret, 3098.

I second the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Do you want to address the delegates?

BROTHER CODY WALKER: No.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

Are there any more nominations?

Are there any more nominations?

Hearing and seeing none, I declare nominations closed.

Brother Bates, do you want to appoint a teller?

DELEGATE ANDREW BATES, Local Lodge 0866, Buffalo, NY: Sheldon Swain.

CO-CHAIRPERSON SANCHEZ: Brother Modica?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Kenny Eagle.

CO-CHAIRPERSON SANCHEZ: Brother Walker?

BROTHER CODY WALKER: I'll appoint Trent Russler as my teller.

CO-CHAIRPERSON SANCHEZ: Thank you. All right, the three tellers can go ahead and head towards the voting booth.

Row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: All right, Brothers? Will the convention please come back to order.

I had the results handed to me and they were verified by the three tellers in there. No one received a majority of the votes. Brother Andrew Bates received 1,135 votes, Brother Cody Walker received 560 votes, and Brother Tom Modica received 765. So we need to do this again, and Brother Cody Walker will be dropped.

So the two tellers for Bates and Modica, go ahead and head towards the voting.

Row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: All right, Brothers. Will the convention please come back to order?

I received the results of the last vote, and it was verified by both tellers. Andrew Bates received 1,635, and Brother Tom Modica received 825.

Congratulations, Brother Bates.

*(Standing ovation)*

Okay. The floor is now open for nominations for the last position, an executive committee member from Region 3. Are there any nominations?

DELEGATE TRENT RUSSLER, Local Lodge 3002, Huntingdon, PA: Trent Russler,  
Lodge 3002.

I nominate Cody Walker.

CO-CHAIRPERSON SANCHEZ: Brother Walker, do you accept the nomination?

BROTHER CODY WALKER: Cody Walker, 3098.

I accept.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE MICHAEL RAGARD, Local Lodge 0400, Easton, PA: Mike Ragard,  
Lodge 0400.

I want to second the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Walker, do you want to address the delegates?

BROTHER CODY WALKER: No.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

DELEGATE HEATH VEZZA, Local Lodge 3094, Conway, PA: Heath Vezza, Local  
Lodge 3094.

I nominate Nick Baker.

CO-CHAIRPERSON SANCHEZ: Brother Baker, do you accept the nomination?

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local  
3008.

I proudly accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.



Is there a second?

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Local Lodge 1362.

I stand here today to proudly second the nomination of Brother Baker. One thing that's come out of this convention is I've finally been able to put a face to the name. I've heard a lot of good things about him, even though I don't represent guys in that part of the country. He's an upstanding guy, good union man, and I proudly second his nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Baker, do you want to address the delegates?

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: No.

CO-CHAIRPERSON SANCHEZ: Are there any more nominations?

Any more nominations?

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

I nominate Chris Dillinger for executive committee.

CO-CHAIRPERSON SANCHEZ: Brother Dillinger, do you accept the nomination?

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: Chris Dillinger, Lodge 3006.

I accept the nomination.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE STEPHEN KANE, Local Lodge 3004, Carnegie, PA: Steve Kane, Local Lodge 3004.

I second it.

CO-CHAIRPERSON SANCHEZ: Thank you.

Brother Dillinger, do you want to address the delegates?

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: No.

CO-CHAIRPERSON SANCHEZ: All right. Are there any more nominations?

Are there any more nominations?

Are there any more nominations?

Then I declare nominations closed.

Brother Cory Walker, would you appoint a teller? Go to the mike so the lady can hear you.

BROTHER CODY WALKER: Cody Walker, 3098.

I'll appoint Mike Ragard as teller.

CO-CHAIRPERSON SANCHEZ: Thank you.

Brother Baker, do you want to appoint a teller?

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

I elect Heath Vezza.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Brother Dillinger, do you want to appoint a teller?

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: Chris Dillinger, Lodge 3006.

I'll nominate Kenneth Akers.

CO-CHAIRPERSON SANCHEZ: Okay. The tellers can go ahead and head towards the voting polls.

Row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: All right. Will the convention please come back to order?

None of the three received a majority of the votes. Brother Dillinger got 700, Brother Walker got 584, and Brother Baker got 1,176. So Brother Walker will be dropped, and we'll rerun it again between Brother Dillinger and Baker. The tellers decided they were just going to stay down there and wait, so they're going to vote first anyway.

*(Laughter)*

With that being said, row one.

*...The delegates proceeded to vote.*

Row two.

Row three.

Row four.

Row five.

Row six.

*...The delegates concluded voting.*

CO-CHAIRPERSON SANCHEZ: All right, the convention will come back to order, please.

I've got the voting results, verified by the tellers. Brother Dillinger received 964 votes and Brother Baker received 1,496 votes.

Congratulations, Brother Baker.

*(Standing ovation)*

Okay. That was all the positions for nominations and election.

It is lunchtime. Do y'all want to break for lunch? I think we've still got to deal with the report from the Resolutions and then guest remarks. Or do y'all want to continue? I'll leave it up to the delegates.

UNIDENTIFIED DELEGATE: Let's go.

CO-CHAIRPERSON SANCHEZ: You want to go ahead and continue? All right, no objection, then we will continue.

At this point in time, I'd like to bring up the Resolution Committee for their report.

### **REPORT OF THE RESOLUTIONS COMMITTEE**

COMMITTEE CHAIRPERSON HEISER: Good afternoon, Brothers. The resolutions you have in your book is incorrect. You guys didn't get the new copies. I'm going to have to read it off my email to be put up here on the board.

*...Committee Chairperson Heiser read the following:*

COMMITTEE CHAIRPERSON HEISER: Resolutions Committee Report, American Rail System Federation Founding Convention, Brotherhood of Maintenance of Way Employees

Division of the International Brotherhood of Teamsters, held in Louisville, Kentucky, on March 2nd and 3rd, 2022.

Chairperson: Dustin Heiser.

Committee members: Lewis Williams, Nicholas Baker, Marcus Hood, Tim Southerland, and Tony Ingram. The advisor was Jed Dodd and the support was Victoria Thurlow.

**Resolution No. 1**  
**BMWED National Division President Fred Simpson**

**Whereas**, our National Division, President Fred Simpson has displayed splendid leadership in handling the affairs of our Organization; and

**Whereas**, we fully recognize and appreciate his foresight while leading our Brotherhood; and

**Whereas**, Brother Simpson has demonstrated a passion to help the members of the American Rail System Federation; and

**Whereas**, this meeting of the American Rail System Federation assembled in Louisville, Kentucky on March 2 and 3, 2022, fully recognize and appreciate his service; and

**Therefore, Be It Resolved**, that the American Rail System Federation go on record to offer our sincere appreciation for Brother Simpson's dedication to the union movement.

**Resolution No. 2**  
**Resolution for Adopting Policies for American Rail System Federation**

**Whereas**, the newly formed American Rail System Federation representing BMWED members on the Norfolk Southern Railroad is being established by incorporating BMWED members from more than one (1) existing System Division or Federation; and

**Whereas**, each of the existing System Divisions or Federations have responsibilities and obligations; and

**Whereas**, the System Federation must assume those responsibilities and policies; and

**Whereas**, the Resolution Committee recommends adoption of the eleven (11) attached policies consisting of:

1. Attending Lodge Meetings Policy
2. Expense Reimbursement Approval and/or Fee Objector Program

3. Meal, Travel and Office Expenses
4. Home Basing of Officers
5. Property Policy
6. Vehicle Policy
7. Vacation Policy
8. Officer Illness or Injury
9. Active & Retired Officer Insurance Policy
10. Retired Officers Attending the American Rail System Federation Regular Conventions
11. Cell Phone/Internet Policy Addendum

By the delegates at this convention; and

**Whereas**, the policies are necessary for the operation of the American Rail System Federation and to comply with National Division policies; and therefore

**Be It Resolved**, that the delegates and the officers elected at the March 2 and 3, 2022 Convention of the American Rail System Federation will adhere to this Resolution; and furthermore

**Be It Further Resolved**, that the General Chairperson and the full-time officers will enforce the policies for the good of the American Rail System Federation of the members that they represent.

COMMITTEE CHAIRPERSON HEISER: Resolution 3. Seelbach Hilton Hotel.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Inquiry. Is this like the bylaws where we can make a motion or a suggestion?

CO-CHAIRPERSON SANCHEZ: No. These are just resolutions, Tom. They're not bylaws. What we'll do is let him go ahead and give the report and then we'll open it up for discussion, if you see something in there you want to do. And if not, we can probably try to get them all adopted at the same time.

DELEGATE MODICA: Okay.

*...Committee Chairperson Heiser read the following:*

**Resolution No. 3**  
**Seelbach Hilton Hotel**

**Whereas**, the Seelbach Hilton Hotel has provided excellent services and courtesy to all the Delegates, Joint Protective Board members, Executive Board members and guests of the American Rail System Federation; and

**Whereas**, we feel that this convention could not have been made possible without the excellent service and help from all the staff at the Seelbach Hilton Hotel; and

**Therefore, Be It Resolved**, that the American Rail System Federation go on record extending our sincere appreciation for all the hard work and outstanding service provided by the management and staff of the Seelbach Hilton Hotel and that a copy of this Resolution be furnished to the management of this hotel.

**Resolution No. 4**  
**United States Military**

**Whereas**, we currently have troops in harm's way in locations throughout the world; and

**Whereas**, many of our members have family and friends currently serving in harm's way or have already served; and

**Whereas**, we recognize our troops currently serving and those who served before them; and

**Therefore, Be It Resolved**, that the Delegates of the American Rail System Federation go on record supporting those men and women currently serving in the military and those who have served in the past.

**Resolution No. 5**  
**BMWED National Division Secretary Treasurer David Joynt**

**Whereas**, our National Division Secretary/Treasurer David Joynt has displayed splendid leadership in handling the affairs of our organization; and

**Whereas**, we fully recognize and appreciate his foresight while leading our Brotherhood; and

**Whereas**, Brother Joynt has demonstrated a passion to help the members of the American Rail System Federation; and

**Whereas**, this meeting of the American Rail System Federation assembled in Louisville, Kentucky on March 2 and 3, 2022, fully recognize and appreciate his service; and

**Therefore, Be It Resolved**, that the American Rail System Federation go on record to offer our sincere appreciation for Brother Joynt's dedication to the union movement.

**Resolution No. 6**  
**Vice President Roger Sanchez**

**Whereas**, our National Division Vice President Roger Sanchez has displayed superb leadership along with his noble efforts in handling affairs for our Organization; and

**Whereas**, we fully trust and appreciate his foresight while assisting our Brotherhood; and

**Whereas**, Brother Sanchez always makes time for all System Federation and helps in the day-to-day affairs; and

**Whereas**, Vice President Sanchez has attended numerous Local Lodge meetings with all System Federations; and

**Whereas**, this meeting of the American Rail System Federation assembled in Louisville, Kentucky on March 2 and 3, 2022, fully recognize and appreciate his service; and

**Therefore, Be It Resolved**, that the American Rail System Federation go on record to offer our sincere appreciation for Brother Sanchez's dedication to the union movement.

**Resolution No. 7**  
**Brother Peter Kennedy**

**Whereas**, our Director of Strategic Coordination and Research, Brother Peter Kennedy, has displayed leadership in handling affairs of our organization; and

**Whereas**, we fully realize and recognize his dedicated service with matters related to National Negotiations; and

**Whereas**, Brother Kennedy has displayed an untiring willingness to offer assistance for the members of all Federations; and

**Whereas**, this meeting of the American Rail System Federation assembled in Louisville, Kentucky on March 2 and 3, 2022, fully recognize and appreciate his service; and

**Therefore, Be It Resolved**, that the American Rail System Federation go on record to offer our sincere appreciation for Brother Kennedy's dedication to the union movement.



**Resolution No. 8**  
**Brother Robert Shanahan**

**Whereas**, Brother Robert Shanahan, Assistant to the President, has demonstrated outstanding cooperation in assisting the American Rail on claims being handled through arbitration; and

**Whereas**, Brother Shanahan has spent countless hours working with the American Rail System Federation in resolving hundreds of backlog claims; and

**Whereas**, this meeting of the American Rail System Federation assembled in Louisville, Kentucky on March 2 and 3, 2022, fully recognize and appreciate his service; and

**Therefore, Be It Resolved**, that this Body go on record in extending to him our sincere gratitude for his valuable assistance and advice in handling all claims.

**Resolution No. 9**  
**DPG Resolution**

**Whereas**, the members being away from home traveling, and often unable to attend local lodge meetings, the Organization will arrange to schedule at least one (1) “union meeting” to discuss matters generated to the specific gang, insuring that all gangs have at least one (1) meeting in a production season; and

**Whereas**, each DPG/Production Gang will appoint/elect a BMWED member in good standing to be the point of contact between their assigned gang and the Vice Chairman in the Region which the gang is currently working; and

**Whereas**, the purpose of each “contact” will be to report possible agreement violations, adverse working conditions, etc., to the Vice Chairman in the region in which the gang is working; and

**Whereas**, the “contact” will also advise of the working location of their perspective gang, and the Organization will keep an updated spreadsheet supplied to each federation officer with the relevant information listed on the spreadsheet; and

**Therefore, Be It Resolved**, that the Organization representative(s) will make a concerted effort upon availability to visit each gang working on the property nearest to their satellite working location, logging date, location, contacts made, any discussion, and any, “union meeting” held on a particular gang.

**Therefore, Be It Further Resolved**, when in-person meetings cannot be held, Zoom meetings will be allowed.

**Resolution No. 10**  
**Solidarity**

**Whereas**, Sandra Mattox, Susan Hunt, Victoria Thurlow, Angela Carr, Clark Ballew, Steve Vlahos, Jen Sibilsy and Amy Alexander has assisted the Chair and Co-Chair of the newly founded System Convention; and

**Whereas**, through their friendship and experience, the members of this Federation have benefited considerably; and

**Therefore, Be It Resolved**, that this Body recognizes these outstanding Sisters and Brothers by showing our gratitude in thanking them for their unwavering support.

**Resolution No. 11**  
**N&W Wabash and Southern Contracts in Print**

**Whereas**, a Collective Bargaining Agreement is the foundation of any bargaining unit; and

**Whereas**, members of a bargaining unit cannot be effective against the carrier's egregious contract violations if they do not own a copy of their Collective Bargaining Agreement and it is not up to date; and

**Whereas**, any member of a bargaining unit is entitled under federal law to a copy of their Collective Bargaining Agreement; and

**Whereas**, the last N&W Wabash contract book in print was in 1999 and the last N&W Wabash contract printing agreement was in the March 6, 1999 Implementing Agreement for Conrail transaction; and

**Whereas**, the last Southern contract book in print was in 1999 and Rule 72 printing schedule does not provide for updates; and

**Whereas**, there have been over 30 side letters, memorandums, and rule revisions not printed or distributed since 1999; and therefore be it

**Resolved**, that the American Rail System Federation will make every effort to update these outdated contract and printing agreements and to make sure every member under this agreement gets an updated version in print; and therefore

**Be It Further Resolved**, that the delegates of the American Rail System Federation founding convention request that a committee of officers and rank-and-file members be created to work on compiling the side letters, memorandums, and rule revisions and create a plan to distribute to the membership.

COMMITTEE CHAIRPERSON HEISER: Resolution Number 12. Resolution to Fight Contracting Out.

Can I get a drink of water real quick? I'm sorry.

That's better.

*...Committee Chairperson Heiser read the following:*

**Resolution No. 12**  
**Resolution to Fight Contracting Out**

**Whereas**, contracting out of BMWED work on NS is rampant, the work performed on NS by contractors is of lower quality to the work performed by BMWED members and often times needs to be fixed or reconstructed. Many contractors are imbedded on our DPG gangs and have been allowed to take over everyday tasks without being challenged by the members; and

**Whereas**, many former members and BMWED retirees have turned coat and are working for contractors on NS and do not pay into Railroad Retirement; and

**Whereas**, many side letters and memorandums have given up BMWED work and interpretation of these side letters and memorandums have been inconsistent and often times unclear between 4-5 federations; and

**Whereas**, without a clear unified strategy, we will continue to lose members and work; and therefore

**Be It Resolved**, that the American Rail System Federation will make every effort and take every opportunity to educate our membership on how to effectively fight against contracting out; and therefore

**Be It Further Resolved**, that the delegates of the American Rail System Federation founding convention request that the American Rail System Federation form an effective strategy that includes rank-and-file members to fight against the contracting of our jobs and also to reclaim the work we have lost and given away in the past; and therefore

**Be It Further Resolved**, that the American Rail System Federation assemble and consult with other labor experts who have successfully beaten back contracting in other industries that we may develop a successful strategy; and therefore

**Be It Further Resolved**, that the American Rail System Federation urge the BMWED National Division, the Teamster Rail Conference, and the IBT to pull their resources together and join us in this fight.

**Resolution No. 13**  
**Unity at the American Rail System Federation**

**Whereas**, there has been a dispute between the Systems and the National Division since June 2021; and

**Whereas**, the dispute was resolved in federal court; and

**Whereas**, the membership is tired of the continued infighting; and

**Therefore, Be It Resolved**, that the American Rail System Federation ask for the dispute to end and all resources and efforts be focused on our Agreement.

COMMITTEE CHAIRPERSON HEISER: That's it.

CO-CHAIRPERSON SANCHEZ: You heard the committee's report on Resolutions 1 through 13. Is there any discussion on any of the resolutions?

Microphone Number 1.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

So I'd like to discuss several of the resolutions that are commending certain people. Let me start by saying, Roger, I think you did a phenomenal job here yesterday and today; you've done a great job.

*(Applause)*

Peter Kennedy, he's done an amazing job putting this all together.

*(Applause)*

Outstanding; right? The ladies have done a marvelous job. Unfortunately, we see these resolutions politicized and publicated and put out for other reasons; right? I think that, when we look at it, the membership doesn't want to see us patting one another on the back on what a great job we did.

And I think wholeheartedly that it shows a disconnection from the membership. Because the membership, far and large, is not happy with their union right now. They are not. And we're going to put out resolutions on what a great job we did and how good we are -- you've done an excellent job, and Peter Kennedy works great, works hard, I know. He probably works 80 hours a week.

And so I stand against adopting resolutions that single out one person or whatnot. And today I instead would just say that, let's give them a hand of applause, because of the politicization of these resolutions. I make a motion that Resolutions 1, 5 be struck from the record. And I'll even let the other one stand. 1 and 5 I think should be -- I'd like to stand opposed to Resolutions 1 and 5.

And I hope in the future that we move on together, but over the past year, I cannot go back to my leadership and say I supported Resolutions Number 1 and Number 5.

And one last thing on Resolution Number 8. It's hard to -- and Rob does a phenomenal job in the Chicago office, he does a great job. He's amazing, he knows his claims and grievance work, and I'm not putting him down. But how do we have a resolution applauding someone for doing work for a federation that doesn't even exist yet? It says "has demonstrated outstanding cooperation in assisting the American Rail on claims and handling through" -- that hasn't even happened yet. It's not even established until April 1st.

So I think Resolutions 1, 5, and 8 should be stricken from the --

CO-CHAIRPERSON SANCHEZ: You want to amend your motion?

DELEGATE EVANSKI: Amend my motion to 1, 5, and 8 be struck from the record.

CO-CHAIRPERSON SANCHEZ: You heard the motion.

Is there a second?

DELEGATE CHRISTOPHER DILLINGER, Local Lodge 3006, Ashtabula, OH: Chris Dillinger, Lodge 3006.

I'll second his motion.

CO-CHAIRPERSON SANCHEZ: Thank you.

Any discussion?

DELEGATE JACK DAVID, Local Lodge 0301, Moberly, MO: Jack David, Lodge 301.

The resolutions are to show appreciation for work above and beyond the call of duty. All of the individuals mentioned in these resolutions have done just that. They weren't just doing their job that they were hired to do or elected to do; they went farther.

They worked to help us put this federation together, to provide the unity that we now are going to be able to experience. They put their whole hearts and souls in it. I'm talking about every one of them. We could not have put this federation together without the help of these individuals. And I think they deserve the recognition that is in the resolutions. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you.

Any more discussion?

Seeing none, we're back on the motion. The motion is to remove Resolutions 1, 5, and 8. All in favor, signify by saying aye.

All opposed, say no.

Okay. The ayes have it. It's adopted.

Microphone Number 2.

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Lodge 1362.

I want to speak about Resolution Number 9. There seems to be a typographical error. In the first paragraph it says "to discuss matters generated." That should be "germane to the specific gang."

CO-CHAIRPERSON SANCHEZ: Okay. Where are we at now, Dave?

DELEGATE BEAL: It's in the first paragraph there. It says "to discuss matters generated." That should read "germane to the specific gang."

SENIOR OFFICE MANAGER MATTOX: That?

DELEGATE BEAL: Yes.

SENIOR OFFICE MANAGER MATTOX: Should be what?

DELEGATE BEAL: Germane. It was a typo.

CO-CHAIRPERSON SANCHEZ: Resolutions Committee okay with that, or anybody have any problems of making that change?

Hearing none, then it's changed, Brother.

DELEGATE BEAL: All right. And Resolution Number 10, while we listed a lot of names here. I would like to make a motion that Chris Leidy and Dan Yack be added to that list of names.

CO-CHAIRPERSON SANCHEZ: And who else?

DELEGATE BEAL: Dan Yack.

That's all I have.

CO-CHAIRPERSON SANCHEZ: Any objection from the delegates?

Hearing and seeing none, then it's carried, it's changed.

Microphone Number 1.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

On Resolution 2, I would like to add a policy about handling of claims and grievances. I'll read it here.

All members wishing to file a grievance or claim, with the assistance of their Local Lodge Chairperson and grievance committee will do so in writing on the Official American Rail System Federation claim form or on the digital application, by emailing or mailing to their designated Vice Chairperson or General Chairperson.

All claims received by the General Chairperson and/or Vice Chairperson will be promptly acknowledged to the claimant and the claimant's Local Lodge Chairperson.

Claimants and their Local Lodge Chairperson will receive a duplicate copy on all claims and appeals as soon as they are filed, usage of the System Federation digital application will suffice.

Claimants and their Local Lodge Chairperson will be notified of all claim settlements, or denied claims and grievances, or those sent to arbitration. Claimants and their Local Lodge Chairperson will be notified and given details of the settlement, reason for denial, or arbitration outcome.

Usage of email, letter, or the digital application will suffice for communicating the handling of claims.

CO-CHAIRPERSON SANCHEZ: Do you have that in writing so she can put it up here so everybody can see it?

Is that the same language you proposed to the Constitution and Bylaws Committee?

DELEGATE MODICA: I do not believe so.



CO-CHAIRPERSON SANCHEZ: It is?

DELEGATE MODICA: I'm not sure.

CO-CHAIRPERSON SANCHEZ: Can I get the Bylaws chairperson back up?

You heard the motion by Brother Tom Modica to incorporate that in Resolution Number 12.

Is there a second?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Local Lodge 2838.

I second that motion.

CO-CHAIRPERSON SANCHEZ: Any discussion?

Microphone Number 2.

COMMITTEE CHAIRPERSON BLANKENSHIP: I'll touch on the subject. Mr. Modica presented it to us this morning. And some of the committee members didn't feel like they were comfortable giving their claims and stuff to their local chairman and things like that. They felt that they wanted to keep it personal. That's why we didn't adopt it this morning.

I just want to explain.

CO-CHAIRPERSON SANCHEZ: Any other discussion? Tom?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I'll actually speak on it.

All this is is a policy to show the members what's expected to file a claim and then all the way through arbitration. Years past, it's not clear, between four or five different federations, what

happens to claims. And all we're trying to do is get something written down so the members know what to do instead of just word of mouth ten different ways.

CO-CHAIRPERSON SANCHEZ: Thank you.

I will say, in conversing with the parliamentarian, there was concern that he just wanted to be sure, that if you put something in a resolution, it's not in conflict with the bylaws. The bylaws have already been adopted and et cetera. So if it is, it won't go. So that was the discussion we were having up here, just to let the delegates know.

Microphone Number 2.

DELEGATE DALE BOGART, JR., Local Lodge 1632, Binghamton, NY: Dale Bogart, Lodge 1632.

I'm not standing here to stand for or against it. I've got an inquiry, and you might have already answered that, Mr. Chairman. I mean, we're here to adopt the resolutions. Is this proper to be placing policies during the adoption of resolutions? I'm just trying to sort that out and figure out if that's proper.

CO-CHAIRPERSON SANCHEZ: Well, there was a motion made and seconded, so we opened it up for discussion. The committee gave why it was rejected and so forth. So at the end of the day, though, Brother, it's going to be the call of the delegates.

Microphone Number 1.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

So what I'm proposing is to edit Resolution 2 to show "Policy 12. Handling of claims grievances policy." Because we haven't had the policy committee. So if we get through all the

resolutions and we go to policies, we can't come back to the resolutions and edit again. So it's kind of, you know, a back-and-forth thing.

So I'm trying to edit the resolutions so it shows as policy, and that's why I brought up the actual policy so you guys can read it without just passing something you don't know what you're looking at.

CO-CHAIRPERSON SANCHEZ: I understand.

All right, a motion has been made and seconded. Any more discussion?

All in favor of the motion to add the language up there to Resolution 2 and the policy, all in favor of doing that, signify by saying aye.

All opposed, signify by saying no.

It's defeated, Brother.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Can I get a rising vote?

CO-CHAIRPERSON SANCHEZ: Beg your pardon?

DELEGATE MODICA: Tom Modica, Local 1532. Rising vote, standing vote?

CO-CHAIRPERSON SANCHEZ: You want a rising vote? Okay.

All in favor of the motion, please stand.

All right. All that oppose, please stand.

All right. Thank you, Brothers. I'll let the two sentinels back there add up the numbers.

34 no, 27 yes. The motion failed.

Thank you, Brother Rodriguez.

All right. So I think, do we have a Salary Committee?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Inquiry. Are we done with resolutions? Because I have two more.

CO-CHAIRPERSON SANCHEZ: Beg your pardon.

DELEGATE MODICA: I'd like to make a motion. I have two more resolutions that I can do separately.

CO-CHAIRPERSON SANCHEZ: You want to make a motion?

DELEGATE MODICA: Yes. I want to make a motion to add a Resolution 14, Bargaining Committee Resolution. It's not in your books.

*...Delegate Modica read the following:*

WHEREAS collective bargaining is the process in which working people, through their unions, negotiate contracts with their employers to determine their terms of employment and compensation.

WHEREAS Rank and File members have a right to collectively decide and be directly involved in the process that determines their employment and compensation.

WHEREAS the Unified System Division and Pennsylvania Federation have had success in involving their members in direct action, mobilization, and bargaining committees.

WHEREAS Rank and File Members in the IBT are included on local and national bargaining committees and have been historically successful as a result.

RESOLVED that the American Railway System Federation include the Rank and File in the decision-making process of all agreements, side letters and memorandums coming under the jurisdiction of the American Railway System Federation.

RESOLVED that the Federation will poll the members, in good standing on the agreements affected and provide the members with any amendments to their agreements.

CO-CHAIRPERSON SANCHEZ: Brother Tom, was that presented to the Resolution Committee?

DELEGATE MODICA: I believe so.

CO-CHAIRPERSON SANCHEZ: Does the Resolution Committee want to speak on that?

First, let's get a second. Is there a second on the motion?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Local Lodge 2838.

I second that motion.

CO-CHAIRPERSON SANCHEZ: Thank you.

Brother Dustin?

COMMITTEE CHAIRPERSON HEISER: The committee as a whole felt like -- Dustin Heiser, 287 -- that there would slow down the bargaining for the general chairman trying to come out and get the members to decide on their vote before the carrier has a chance to decide if they could circumvent the agreement. That's why we didn't adopt it.

CO-CHAIRPERSON SANCHEZ: Thank you, sir.

Microphone 1.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I'd like to speak on it.

This is a resolution, not a bylaw. We're not forcing you to do anything. We're just saying, let's be resolved and try to do this.

Members want to know about their contracts and they want to be included in helping to bargain it, or at least have a decision on what's going on with their contract.

CO-CHAIRPERSON SANCHEZ: Any more discussion?

Microphone Number 2.

DELEGATE DAVID BEAL, Local Lodge 1362, Muncie, IN: David Beal, Lodge 1362.

I rise against this, not because I don't think the membership should be involved, because they could. But the membership's involved here today and they were involved here yesterday electing officers to go in and negotiate on their behalf and defend their agreements and fight for their cause.

As most of the people in this room know who is a full-time officer, what's said in a room at a bargaining committee sitting at a table counts. And if you get a member in there that says something that's off or what we don't need said, it's no different than conferencing a claim. You say the wrong thing, you lose that claim.

It's important that we keep the people that we elected. You guys put your trust in us and you elected us, and I'm not trying to exclude you from it. And we can update you on it. But I just think this resolution is not a good, sound deal.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Any more discussion?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

This has nothing to do with claims. This is bargaining our contract, side letters, memorandums. The members have a right. You know, that's the last I'm going to say about it.

CO-CHAIRPERSON SANCHEZ: Any more discussion?

Microphone Number 1.

BROTHER JOHNNY LONG: Johnny Long, Local 571.

Just to speak on that, and with all due respect, you know, what experience I've had working with the carrier, you try to negotiate the best for your members that you possibly can. They're not always just willing to sit and wait on you to get back with them. If they have time to think about something, sometimes they'll take it off the bargaining table.

So I don't agree with this motion, and I just hope everybody understands that. Sometimes you have to pick the fruit when it's ripe. And if it sits there too long, you give them time, like I said, to think about it, it could hurt the membership. That's just my opinion. Thank you.

CO-CHAIRPERSON SANCHEZ: Thank you.

Any more discussion?

Seeing none, motion's been made and seconded to add the new resolution that's up on the screen. All in favor of adding the new resolution, please say aye.

All opposed, please say no.

The motion is defeated.

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I would like to add a Number 14, it would have been 15. Resolution in Opposition to Concessionary Bargaining.

*...Delegate Modica read the following:*

WHEREAS a central part of the BMWED's mission is to improve the wages and working conditions of its members; and

WHEREAS concessions won by railroad management have a corrosive effect on the members' confidence in themselves and their union; and

WHEREAS Maintenance of Way workers, when adequately internally organized, can and will repel any concessions flowing from management's corporate greed; and

BE IT RESOLVED that the American Railway System Federation founding convention Delegates hereby requests the Federation officers to resist any concessions demanded by NS management; and be it finally

BE IT FURTHER RESOLVED that the American Railway System Federation founding convention Delegates hereby request the Federation officers to prioritize the deep and comprehensive internal organizing of the membership.

CO-CHAIRPERSON SANCHEZ: You heard the motion. Is there a second?

DELEGATE MICHAEL BABB, Local Lodge 2838, Corinth, MS: Michael Babb, Lodge 2838.

I second that motion.

CO-CHAIRPERSON SANCHEZ: A motion has been made and a second. Any discussion? You want to talk on it, Brother Tom?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Sure. Again, this is a resolution, not a bylaw. We should -- it's a resolution, and being resolved to oppose concessionary bargaining.

CO-CHAIRPERSON SANCHEZ: Thank you.

Any more discussion? We're back on the motion to add this language up here as a new resolution.

All in favor, say aye.



All opposed, say no.

It has been defeated, Brother.

Any more discussion on the resolutions that were presented by the Resolutions Committee after they were amended?

Seeing none, then the remaining resolutions will be adopted.

Just to be sure, pointed out by the parliamentarian, everybody in favor of all of the resolutions, and that's with the removal of the 1, 5, 8.

Hearing no objection, then it's adopted.

Do we have a Salary Committee?

COMMITTEE CHAIRPERSON SWAIN: Brother Roger, Sheldon Swain, Lodge 887.

I was the chairman of the Salary and Finance Committee. The committee essentially gave the report yesterday for the Salary and Finances. And based off of that, that was adopted in Article V for the dues structure. If there are any further questions or discussion, the Salary and Finance Committee could answer those questions. But I believe the committee has given their full report.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

I'm just double-checking myself here. That brings us down to yesterday, which we never got around to addressing, was the remarks from the guests. So I'd like to start down on this end with President Simpson and come down the line. If y'all got any remarks or would like to address the convention, please step forward.

NATIONAL PRESIDENT SIMPSON: Do I need a motion from the delegates to come up there and speak or not?

CO-CHAIRPERSON SANCHEZ: Yes.

NATIONAL PRESIDENT SIMPSON: They may not want me to speak, Roger.

CO-CHAIRPERSON SANCHEZ: Do y'all want to hear from the guests if they desire to speak to the delegates?

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Sheldon Swain, Lodge 887.

I'd like to make a motion for a ten-minute recess, if I can, please.

CO-CHAIRPERSON SANCHEZ: Is there a second?

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

I second the motion for a 10-minute break.

CO-CHAIRPERSON SANCHEZ: All in favor?

All opposed?

It's carried.

*(A recess was taken between 1:01 p.m. and 1:13 p.m.)*

CO-CHAIRPERSON SANCHEZ: All right. There was a motion made, it hadn't seconded before our break. But with that being said, I've got a couple of announcements.

Number one is, there's some questions on the ES1. So I'd like Brother Kennedy and Johnny Long to come up and explain the ES1s and what the delegates need to do.

We'll let Ms. Hunt come up.

While he's doing that and is going to discuss with Brother Kennedy, Chairperson Johnny Long informed me that the group met during the day and came up with the following:

The first vice chairman will be Dale Bogart, Jr. Okay, second vice chairman will be Heath Vezza. The vice chairman/secretary-treasurer will be Justin Blankenship. And then the

vice chairmen will be David Beal, Sheldon Swain Dustin Heiser, Mike Ragard, Corey Hayes, and Patrick Barnes, just for information.

*(Applause)*

Also upon adjournment, when we get to adjournment, it's been requested that the Executive Committee meet immediately after adjournment and installation of officers.

Microphone Number 1.

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Yeah, I have an inquiry. The transcript of this convention, is there an intent or is there a rule when those would be provided to the delegates?

CO-CHAIRPERSON SANCHEZ: There is no rule. But I think that once the transcript is transcribed, then it will be furnished to the chairperson, and it will be made available as soon as possible to the delegates, Brother Hayes.

DELEGATE HAYES: Can I make the motion, Brother Chair, that once the chairperson receives the transcription of the proceedings here, that he will distribute them as soon as possible?

CO-CHAIRPERSON SANCHEZ: You have the right to make that motion, Brother.

DELEGATE HAYES: That's the motion I make.

CO-CHAIRPERSON SANCHEZ: You want to make that motion?

DELEGATE HAYES: Yes, sir.

CO-CHAIRPERSON SANCHEZ: Is there a second?

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Kevin Evanski, Lodge 1551.

I second the motion.

CO-CHAIRPERSON SANCHEZ: Motion has been made and seconded that, as soon as the transcript is made currently availability to the general chairperson, then it will be distributed to all the delegates attending the convention.

Any discussion?

Seeing none -- microphone 1.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: Actually, I'd want to get it electronically. Is that what we're talking about? Should we make a different -- I'd prefer to get it electronically; right?

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: Can I withdraw my motion?

CO-CHAIRPERSON SANCHEZ: You can withdraw your motion.

DELEGATE KEVIN EVANSKI, Local Lodge 1551, Scranton, PA: I'd like to make a motion to allow a distribution of the transcript after this to all the delegates via electronic mail.

CO-CHAIRPERSON SANCHEZ: Okay. Is there a second?

DELEGATE COREY HAYES, Local Lodge 0636, Somerset, KY: I second the motion.

CO-CHAIRPERSON SANCHEZ: State your full name for the record, Brother.

DELEGATE HAYES: Corey Hayes, Lodge 0636.

I second the motion.

CO-CHAIRPERSON SANCHEZ: Okay. Any discussion?

The motion is to send the transcript of the proceedings of this convention, as soon as it is available to the general chairperson, electronically to all the delegates in attendance. Any discussion?

All right, we're voting on the motion. All in favor of the motion, signify by saying aye.

All opposed?

Motion carried.

Brother Kennedy, Brother Johnny Long. And we also have Ms. Hunt.

BROTHER PETER KENNEDY: Peter Kennedy, National Division.

Susan Hunt is the person at National Division who will review the ES1s for any delegate that's attending solely on behalf of the local lodge. So whatever your arrangements are with your local lodge with regards to your daily wages, your travel expenses, your meals, your miles, you will obviously have to complete your ES1, submit it to your local lodge, I believe it's the secretary-treasurer; correct?

STAFF ASSISTANT SUSAN HUNT: It has to be signed by secretary-treasurer or president.

BROTHER KENNEDY: Or president, yes, for their review and approval, and then submit it to National Division, to Susan Hunt, for her review and processing.

For those members or delegates or guests that are also assigned as committee members, I would like for you to stay here afterwards and meet with me just up there, and we will discuss the handling of your ES1s. Those are handled in a different way. They end up coming to me and it's a similar process, but it doesn't go before your local lodge at that point.

I failed to have the foresight to bring enough ES1s of triplicate form here, so I apologize for that. But what we've done is printed front and back on these ES1s, the ES1 forms for each of you to have and you can complete. The only thing I would ask is that, when you do them, for your own personal benefit, is make copies of whatever you produce and submit for your own records as well as for your secretary-treasurer's records of your local lodge there.

CO-CHAIRPERSON SANCHEZ: Microphone 2.

BROTHER JOHNNY LONG: Just to reiterate as well. Just make sure, when you do send these in, that you have copies of all receipts, so that way there won't be any questions as to what you're wanting to be reimbursed. Thank you.

CO-CHAIRPERSON SANCHEZ: MS. Hunt, do you have anything else you'd like to add to that? Let me give you this microphone.

STAFF ASSISTANT SUSAN HUNT: I was just going to say, if you want to give it to me today, you can, if you have all your receipts in order and I'll take it back with me. And you can also email it to me, so either way, if you don't want to mail it in.

UNIDENTIFIED DELEGATE: What's your email address?

STAFF ASSISTANT HUNT: Shunt@bmwe.org. You can fax it as well.

UNIDENTIFIED DELEGATE: Repeat the email.

STAFF ASSISTANT HUNT: It's S Hunt, so shunt@bmwe.org.

DELEGATE NICHOLAS BAKER, Local Lodge 3008, Latrobe, PA: Nick Baker, Local 3008.

Just to clarify, if we're mailing hard copies, they'll go to you at Novi, Michigan, at the Grand Lodge; correct?

STAFF ASSISTANT HUNT: Yes.

DELEGATE BAKER: Okay. Thank you.

CO-CHAIRPERSON SANCHEZ: Any other questions?

Thank you, Ms. Hunt, Brother Kennedy, and Brother Johnny Long.

Now, the question was asked if the delegates wanted to hear from the invited guests if they desired to give remarks and address the convention.

You had made a motion. Do you still want to go with that motion?

UNIDENTIFIED DELEGATE: Which motion?

CO-CHAIRPERSON SANCHEZ: The motion was to allow the invited guests, if they desired, to address the convention.

Is there a second?

UNIDENTIFIED DELEGATE: Who made the motion?

DELEGATE THOMAS MODICA II, Local Lodge 1532, North Judson, IN: Tom Modica, Local 1532.

I second that.

CO-CHAIRPERSON SANCHEZ: Motion has been made and seconded to allow the invited guests to make remarks to the convention delegates if they so desire. Any discussion?

Microphone 2.

DELEGATE SHELDON SWAIN, Local Lodge 0887, Hornell, NY: Point of order, Brother Roger. I don't believe there was a motion made. You had requested to see if there would be a motion made, and then I made a motion to take a ten-minute recess.

So just as a review, I don't believe there was a motion made yet. I think we need to make a motion and then move forward with a second.

CO-CHAIRPERSON SANCHEZ: Okay. Is there a motion?

DELEGATE JAMES MANSPILE, Local Lodge 0599, Roanoke, VA: James Manspile, Local 599. I make a motion to allow the guests, if they choose, to address the delegates.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Is there a second?

DELEGATE KENNETH AKERS, Local Lodge 1464, Louisa, KY: Ken Akers, 1464.

I'll make a second.

CO-CHAIRPERSON SANCHEZ: Thank you, Brother.

Any discussion?

We're on the motion. All in favor for allowing invited guests to make remarks to the delegates at this founding convention, signify by saying aye.

All opposed, say no.

Motion carried.

So with that being said, I'm going to start on the right-hand side and go to President Simpson, and then come on down the line.

### **REMARKS FROM INVITED GUESTS**

#### **Freddie N. Simpson BMWED National President**

I don't believe that motion had two-thirds. I'm going to talk anyway.

Brothers and Sisters, thank you for inviting me here. This is a gathering that's been long overdue in this brotherhood. I know we've had some real struggles getting here. It's been a strong debate. We've had serious opposing opinions about getting to where we are today.

But regardless of those debates and those issues, we have gotten here. We have a single system joint protective board as of today, well, as of April 1st on the Norfolk Southern railroad, which is quite an accomplishment. I commend all the delegates here for the work they've done. They've listened, they've paid attention, they've debated, and they've settled and resolved issues. Not everyone here is going to be happy when they leave; some are going to be ecstatic.

But regardless, you're had a great convention, you've done great work, and you've served the members here this week in an honorable fashion.



Congratulations to all the officers who got elected. And for those that unfortunately didn't get enough votes to get elected here, don't give up, Brothers. Life is too short to give up on the membership. So I encourage you to stay engaged in the debate. You weren't a loser here. You were a winner because you participated in probably the most democratic System Federation convention that I've attended in this brotherhood in my career, and I've been around for 47 years. So it's a good day It's a good thing; you've done well.

I'm just going to do one thing. I know it's lunchtime and I don't think you want to hear from 15 folks talking for an hour. I know all the brothers and sisters want to hear where we're at on bargaining, and I'll update you on that alone and then leave it to others to talk about other things.

From the bargaining perspective, we're bargaining the same identical way we did the last time. Before I get to the end, we're not going to end it the same way we did last time, but we're going the same route we've done for the last three or four rounds of bargaining. Every general chairperson in the United States is an active participant on the bargaining committee. Unless they have problems, they attend every committee meeting. Decisions to move forward with issues, remove issues, or do anything with regard to the bargaining is made by that committee.

You might think I'm a dictator and a tyrant, but I've never run this organization that way. It's run by good, intelligent men and women that want a good outcome for the members.

So where we're at today, of course, we started bargaining a couple of years ago. We pushed as hard as we could -- well, we didn't push hard under the last president, but we pushed as hard as we could since the politics have changed in this country.

We knew we needed to push to be ready to try to get a release from the NMB. Because we all knew from the get-go, we're not getting a fair deal from the railroad industry. It's not

happening. They don't want to pay our members. They want to keep increasing the cost of healthcare, and they want to gut your work rules, and they want to treat us unfairly as they rob the nation of its cash and not share -- I don't mind if they rob the nation, but I'd hope they share a little more with us than they're trying to share.

So we have pushed hard as a committee to get to the point that we could ask for release. There are two bargaining coalitions in the rail industry. It's us and SMART mechanical in one, and all the rest of rail labor in the other one. And it would take me too long to explain why the BMW is not participating in that group.

But in a short fashion, I'll tell you that for two rounds, the Brotherhood of Maintenance of Way Employees was with large coalitions, and we got to the end of the process. At the end of the process, our sister union in the Teamsters stuck it in their back and we couldn't get our away-from-home expenses settled in an amicable way.

I don't know if you live like I do, but I live a little bit by that old saying, "Fool me once, shame on you. Fool me twice, shame on me."

So you know, the BMW cannot participate if people don't understand that probably 50 percent of our members work away from home. We've got to address their away-from-home expenses. Our members spend out of their pocket to make a living, to subsidize the railroad with just getting per diems and a little allotment for a motel room. We've had members sleep in the car. I don't want to go through all the problems.

But the only way to address that is under [award 298]. For the last two or three rounds, we've not been able to get there, because when we get to a point that the railroad says, "All right, we've settled the agreement. Now how do we deal with the away-from-home expenses?" Which is not part of wages, by the way. Wages are something you put in your pocket and take home.

When you have to take something back out of your pocket and spend it to work for the railroad, that's not a wage. It shouldn't be considered part of a wage package.

But when we tried to get to that point, our other sister unions started screaming bloody murder, because if we got anything for our expenses, they wanted it for their members too, even though they don't have the same issues we do. They don't have a problem with members living away from home and traveling thousands of miles to work. It's not the same thing.

So anyway, we cannot be in a bargaining coalition that doesn't understand that, that won't let us address our away-from-home expenses without raising a stink at the end of the process. Now, I don't say this much publicly because I don't want folks to know that rail labor doesn't have enough sense to get together and get their heads in the room and fight for the entire piece of the -- the whole pie and us divide it up, what's equitable among us.

That's what's happening today; it's been happening for decades. We simply can't be in that big coalition and expect to address our away-from-home expense issue at the bargaining table. Now, we may get forced there, but let me get back to where I was. It's hard to do this stuff in just a short period of time and give you an adequate context of what actually happens in rail labor.

So we have positioned ourself to get to a release hopefully before the midterms start. Because if we don't -- and I know some folks were passing Frank Wheeler's piece around about trying to get released in an election year and it ain't going to happen. Well, probably not what happened under a Republican administration. But we have a president now that will stand up in public and praise rail unions and what they've done for the last hundred years in this country by raising folks to the middle class.

Hopefully we can get the President, who appoints the National Mediation Board, to tell them to turn us loose. We are the first bargaining coalition to get to that point. The other bargaining coalition chose to stay in mediation -- they chose not to ask for mediation and stay behind us. That was their choice. I don't know why they made that choice, but they chose to stay behind us and not ask for mediation.

Well, they finally asked for mediation, and now they're at the point that they've had one meeting or two under mediation. That's why, if you've been watching the news, they sent probably -- they didn't tell me why they supported our request to be released. But the other bargaining coalition, which is every other rail union in the country, has written a letter saying they want us -- they support our request to be released from National Mediation Board. And they also say, "By the way, we're probably going to be in the same place pretty quickly because we can't get a deal either."

So we are positioned, hopefully by May or June, to get a release. And at that point, if we get out the door first and don't get trapped with ten other unions in an emergency board, we have a shot at maybe getting a favorable recommendation from a democratically appointed emergency board.

So that's where we're at today. I feel good about getting released. I can tell you this, I don't know if you want to put it in the public or not, but we are -- two weeks ago the Teamsters got us on the docket to meet with the White House staff, to get them up to speed on where we're at, what we're doing, and what we want the president to do soon.

So we're making progress. We're ahead of everyone else. And I have been and the committee has been working hard at bargaining while we were trying to get this federation created, even though folks thought we weren't bargaining.

So we've gotten that done. All I can suggest to you is, pay attention to politics, pay attention to your email. I know you guys and gals get tired of seeing all these emails we send out, blasts and stuff. You can't just expect something that excites you every time you see an email or a text message.

But what I can tell you, from now until we get an agreement, pay attention to the text and email process. If you're not signed up for emails and text messages about bargaining, go to your Federation's website, go to the National Division's website, go somewhere and sign up to be informed. Because if we can't agitate our members to engage in this process and let their politicians and congressmen and senators know in their home states that we're not going to sit on our asses and not fight for a good agreement, then we -- we can talk to them all day long. If the members aren't agitated and pushing us, pushing the process, we're done.

So I hope everyone in this room puts politics aside, puts their personal feelings about me or you or somebody else aside, and gets themselves out of bed every morning and at least look at the news, see what's going on. Check your emails, sign up for emails. I do want the members engaged in this process regardless of what anybody thinks. And I will do my best to engage every member in this union in a fight to get us an agreement.

Having said that, solidarity is the only thing that will save us, so you can either get on board with solidarity or we can continue fighting. I like to fight for things that's good for us. The members deserve better.

So thank you, and have a great week.

*(Applause)*

CO-CHAIRPERSON SANCHEZ: Thank you, President Simpson.

Brother Dodd?

**Jed Dodd**  
**BMWED Vice President At-Large**

First I want you to congratulate the new officers of this Federation, and it's a great step forward for the membership on Norfolk Southern that you've come together and organized one voice and one union to represent you.

Second, I'd like to tell you what I told your new Chairman Long out in the hallway. My desire is only to make Chairman Long and this System Federation successful. I would like to offer my support, my expertise, and my experience in any way you'd like to use it in order to advance the interests of this Federation and the officers on Norfolk Southern.

Second -- or third, I make a mistake when I don't write my stuff down because I ramble, and that's always a problem. And it's also a big problem to speak to a group of railroad workers before lunch. But I would like to flesh out a little bit about what President Simpson described and the process we're trying to move the contract forward.

I sit on the national bargaining committee and I see -- our biggest problem eventually will be to coalesce around the important issues facing the brotherhood. And I'd like to explain where I think those issues are and what we've been trying to fashion at the bargaining table.

For 40 years, railroad wages have barely kept pace with inflation, and sometimes they haven't kept pace with inflation. As a result, our buying power is actually less than it was, say, in 1976 as a result of inflation, unlike railroad profits that have far outstripped inflation.

And so you have a situation where, for instance, every man on Norfolk Southern makes a couple hundred thousand dollars a year for the boss, for the shareholders. The money that we produce, the value that we produce could pay for all our contract demands and still provide the shareholders with \$180,000 a year in profit per man on Norfolk Southern.

So obviously, we need to address the whole issue, particularly with the recent rise in inflation about the wages.

The other issue that I see facing us is, it's outrageous that our away-from-home employees actually pay to be away from home, that we subsidize the railroad with our travel and our meals and whatnot, and that needs to be addressed for our traveling gangs.

In addition, though, our seniority districts are so large anymore, that if you're not in a traveling gang, you're subsidizing -- you're headquartered away from home in terms, in order to hold a job. We have men that are living out of their cars now because, you know, they can't get an expense gang and they've got to hold a job. That is absolutely outrageous and it needs to be addressed. It needs to be addressed on a railroad that's making \$200,000 a man, per man, you know, every year.

Finally -- not finally, but then we get to the whole issue of sick days. We can argue all you want about this virus. If it's taught us nothing, it's the value of sick days. Up until now, we've been told that we have sick insurance and that if, after 30 days or after seven days, you can collect this benefit from sick benefits.

We now have a situation in which we can make a legitimate argument before a Biden emergency board that it's outrageous to expect us to go to work sick and that we need sick days in order to ensure that we're not going to work sick. And in addition to that, we need the sick benefit if we get really sick and have to be out a long time. We need both benefits. One or the other is not good enough.

So now we get to the issue of contracting out of work. We've got to address that. And their aggressive out-of-work strategies that they've increased out on the properties is hurting us. We need to ameliorate that.

But one important issue that we need to think about is that our membership loss on the property is as a result of some aggressive contracting out-of-work strategies, but it's primarily because of technology and the new method in which they are organizing work out on the property, the vast membership loss as a result of that.

And what we need to do is understand that we can't stop the technology from coming in and taking our jobs. But what we can do is address how we react to that technology and bargain over the effects of that technology on our jobs, and that requires guaranteed income for all the workers working under a collective bargaining agreement, whether they're working or not. And in addition to that, training and securing the new technology for the future.

What we need to do is stop running around with slogans about contractors and this and this and this and that, and start to think seriously about how to protect our income, how to protect us against inflation, how to secure the new work that's being defined for us with the new technology. I mean, they're inspecting tracks with drones now. That's not going away. And so we should be the drone operators. And the track inspectors that are going to lose their job as a result of this technology should have their income protected until they retire.

And the money exists on these railroad properties for that to occur. Whether the resolve exists in the rank and file and in the solidarity with the leadership as we fight for these issues, remains to be questioned.

I would submit to you that we have an opportunity here to actually negotiate a good contract that will protect this generation of railroad workers into the future, protect our incomes and our families. But we've got to stick together, we've got to stop with the bullshit, and get on with it. Thank you, Brothers.

*(Applause)*



CO-CHAIRPERSON SANCHEZ: Brother Bruce Glover.

**Bruce Glover**  
**BMWED Vice President of Northwest Region**

Without lollygagging around, Brothers and Sisters, I just want to thank you for the opportunity to be here. I enjoyed meeting you and working with you. I thank the delegates for that opportunity.

I also want you congratulate you on the founding single system and your convention, and congratulate the officers. You're one of now a few that will have one employer under one system. I wish there were more of them; it didn't turn out that way.

But if there's an example of why it's important that we have a single system, when I looked at your Resolution 12 that said outside contracting, a big nemesis of the brotherhood, Resolution Number 12 said four or five systems, four or five different interpretations of side letters not consistently applied. You'll now have one system, one interpretation, and hopefully that can improve your situation on outside contracting.

With that, I'll leave you -- I'd like to leave you with some words of an old, dear, late passed-down singer-songwriter friend of mine out of Minneapolis. I'll leave it for all of you.

Here's to the people that stand up and say no. Here's to the people that keep rocking that boat. I got a voice, I'm gonna holler. I'm going to stand up to the power. So keep on talking, keep on walking, keep on rocking that boat.

Thank you, Brothers and Sisters. God bless, and see you all in June.

*(Applause)*

CO-CHAIRPERSON SANCHEZ: Are there any other of the other invited guests that would like to address the delegates?

Brother Weaver.

**Matt Weaver**  
**BMWED Director of Internal Organizing**

I'll make it short and sweet. Congratulations Brothers and Sisters. You guys have made a tremendous change here. I'd like to congratulate you all. You've made a wonderful, tremendous change here. Moving forward you guys are all together.

I'd like to feed off what Freddie said. If there are members who aren't getting the emails and texts, that's my job. Spread my number; I'll get you plugged into updates for bargaining and current events. Let's get the information out there to the people.

We've got, over the last year and change, we've got over a thousand new members hired in that I see in the database. We're plugging them in. We want to make sure our members are knowledgeable, and we need to know the contract and the policies better than the boss.

Congratulations, you guys.

*(Applause)*

CO-CHAIRPERSON SANCHEZ: Anyone else?

Brother Seán, do you want to address the group?

**Seán Gerie**  
**BMWED Vice President of Northeast Region**

Thank you, Brother Roger.

Delegates, Brothers, friends, Brother Long and your officers, congratulations on a very successful convention.

I didn't come here for you guys to listen to me; I came here to listen to you. And I did, and I appreciate you having me here. Thank you very much. I'm not going to be the guy standing in the way of lunch. So you guys have a good day. Thank you again. I appreciate it.

*(Applause)*

CO-CHAIRPERSON SANCHEZ: All right. I'd like to take a minute of privilege, if I may, and I know everybody's hungry. But I think we'd like to -- I would like to personally recognize our court reporter, Janine, for doing an excellent job. I think she deserves a round of applause.

*(Standing ovation)*

I know y'all had a resolution there, but the staff has done a tremendous job. Angela Carr; we got Clark Ballew is here; Chris Leidy; Carey Dall; Matt Weaver, he spoke; Brother Rob Shanahan; Sandy Mattox; Susan Hunt; Victoria Thurlow; and our counsel Zac Voegel. We and I appreciate all that you have done for this convention.

I also want to thank the delegates for their endurance with me up here and allowing me to chair the first founding convention of the American Rail System Federation. I'm very proud to have been part of this, and it will be long remembered. It's something that I have felt and believed, that speaking with one voice and one group against the railroads, they cannot multiple or divide you.

So now you will be on sound footing, in my aspect. And I would also further like to also congratulate all the officers that were elected to this founding convention. Congratulations to each and every one of you.

In addition, I will still be around for a few more months. So if there's anything that I can do to assist, help in any form, fashion, or manner, my number is on the web page. I'm here at your disposal. I want to wish everybody a safe journey back home, be safe.

With that, I am going to close this convention -- Peter?

BROTHER PETER KENNEDY: The swearing of officers.

CO-CHAIRPERSON SANCHEZ: I'm going to get that before I close it.

I'm going to close the convention and, upon closing the convention, I'm going to ask all the officers that were elected to come up front and get sworn in. Also as a reminder, all your Executive Committee members are going to meet immediately after that.

Hearing none, the convention is closed at 1:52 p.m. Thank you, Brothers and Sisters. And a picture, we're going to get a picture, so put your bright side on. Convention is closed.

*(Standing ovation)*

I closed the convention but I failed to recognize Corin Rodriguez.

### **INSTALLATION OF OFFICERS**

I don't have enough of these, but I guess going to be a little bit longer version. We started using the one that's in the IBT Constitution and Bylaws. I'll pass these out and I'll hold on to one so I can read.

All right, Brothers, I didn't have a whole bunch of these but I did make a few copies.

"I, your name, do sincerely promise, upon my honor as a trade unionist and Teamsters, that I will faithfully use all of my energies and abilities to perform the duties of my office, for the ensuing term, as prescribed by the Constitution and Bylaws of this Union. As an officer of this great Union, I will, at all times, act solely in the interests of our members, devote the resources of our Union to furthering their needs and goals, work to maintain a Union that is free of corruption, to preserve and strengthen democratic principles in our Union, and to protect the members' interests in all dealings with employers. I will never forget that it is the members who put me here, and it is the members whom I will serve. I further promise that I will faithfully comply with and enforce the Constitution and Bylaws of the International Union and Bylaws of this Union, that I will, at all times, by example, promote harmony and preserve the dignity of this

Union. I also promise that at the close of my official term, I will promptly deliver any money or property of this Union in my possession to the successor in office."

And now, by the authority of the Bylaws of the Brotherhood of Maintenance of Way Employees Division, I declare your officers duly installed and authorized to enter upon the discharge of their several duties for the term for which they have been elected or until their successors have been elected and installed. Congratulations.

*(Standing ovation)*

*(At 1:58 p.m., Thursday, March 3, 2022, the Founding Convention of the Norfolk Southern Employer Joint Protective Board, Brotherhood of Maintenance of Way Employees Division, IBT, was adjourned sine die.)*

## ADDITIONAL DOCUMENTS

### *President Simpson's July 2, 2021 NS Convention Call*



#### **Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters**

Freddie N. Simpson  
*President*

David D. Joynt  
*Secretary-Treasurer*

July 2, 2021

#### **OFFICIAL NOTICE OF CONVENTION CALL TO ESTABLISH SINGLE JOINT PROTECTIVE BOARD FOR NORFOLK SOUTHERN RAILWAY EMPLOYER**

September 8 - 9, 2021

DoubleTree by Hilton Hotel Cincinnati Airport  
2826 Terminal Drive  
Hebron, KY 41048

Dear Brothers and Sisters of Norfolk Southern:

There are 3,500 members on Norfolk and Southern (NS) and under our present structure; the members are divided into four System Federations with different dues structures, each with their own bylaws and General Chairpersons. The job of the System Federations under our Bylaws is to enforce the collective bargaining agreements, negotiate agreements, and generally work to improve the working conditions of the members.

Thirty years ago the System Federations made sense with one System per major railroad but the changes in railroad management has made the current system ridiculous and it does not allow for the most effective representation possible. NS workers should pay for one General Chairperson and not four. NS workers should speak with one voice to management and not four. Correcting this problem will improve the representation of the membership by our Union.

Therefore, I am going to exercise my authority under Article XIX, Section 1 of the Bylaws of the Brotherhood of Maintenance of Way Division of the International Brotherhood of Teamsters and call for a founding Convention of all of the Local Lodges on NS to form a new single system to represent NS BMWED members. At this founding Convention, the delegates from the Local Lodges on NS will elect new officers and adopt new bylaws to organize all NS workers under a single banner. This will result in a more efficient use of dues and more strength when dealing with NS management. Dues money currently in the accounts of the current systems to which NS members belong will be transferred to the new system's account on a per capita basis.

41475 Gardenbrook Road  
Novi, MI 48375-1328  
Telephone 248.662.2660 Facsimile 248.662.2659  
[www.bmwe.org](http://www.bmwe.org)



The founding Convention will be presided over by Chairman Jack David and Co-Chairman Roger Sanchez, and will be held:

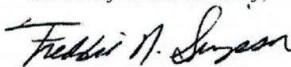
**September 8 - 9, 2021**  
**DoubleTree by Hilton Hotel Cincinnati Airport**  
**2826 Terminal Drive**  
**Hebron, KY 41048**

Each Local Lodge is entitled to send a delegate to this founding meeting. To be elected delegate you will need to have 24 months' continuous good standing and to be a member of the Local Lodge. All members in good standing of the Local Lodge will receive 15 days' notice of the time and place for this delegate election. The delegate election must be by secret ballot. Local Lodge Secretary Treasurers and Presidents will be sent information about how to conduct the election and credential forms to provide to the delegate to present to the founding convention. This is obviously a very important meeting which will formally establish the officers and bylaws for the new System Federation, however; if a delegate is not elected by a Local Lodge between now and September 8, 2021, that Local Lodge will not be represented when the new System Federation is formed but will be governed by the new System Federation. Note that **if your Local Lodge does not have adequate funds available to cover the cost of sending a delegate to the founding Convention, National Division will cover the expenditures your Local Lodge cannot cover, and withhold such funds from the quarterly dues remittance for your Local Lodge until the expenditures are recovered by National Division, as is consistent with the current practice at National Division.**

Please do not consider this as a criticism of the current System Federation officers representing NS workers. It has been my experience that all of them are dedicated to their work and work very hard to serve the membership. I would expect that many of the current officers will be running for office in the new System Federation on these merits. However, the current design of four systems is not efficient and does not provide the most effective representation possible for NS workers. The purpose of establishing this new single system for NS workers is to correct a flaw in our structure that has festered for a long time and is not the fault of any single individual. It does however need to be fixed without further delay.

Again, this is a very important meeting and we urge you to attend your Local Lodge's election for delegate for the purposes of establishing the new System Division or Federation.

Sincerely and fraternally,



Freddie N. Simpson  
 President

***Appointment Letters of Chairperson Jack David and Co-Chairperson Roger Sanchez***



**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION  
OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS**

Freddie N. Simpson  
*President*

David, D. Joynt  
*Secretary-Treasurer*

June 21, 2021

Mr. Jack E. David  
Vice Chairman (Member At Large)  
BMWED National Division  
300 Runyan Road  
Catlettsburg, KY 41129

Re: Appointment of Chairman of Norfolk Southern Railroad Protective Board

Dear Sir and Brother David:

I am writing to advise that effective immediately, I am hereby designating you as the Chairman of the founding Norfolk Southern Railroad Employer Joint Protective Board Convention, pursuant to the provisions of Article XIX, Section 1 of the Brotherhood of Maintenance of Way National Division Bylaws.

As Chairman, you are authorized and responsible for conducting the founding Convention of the Norfolk Southern Railroad Employer Joint Protective Board, to be held on September 8 & 9, 2021, which includes the formation and selection of Bylaws and Rules Committees Members and Advisors. The Committee Members must be selected from those Delegates or Alternates that are elected by their respective Local Lodge for the founding Norfolk Southern Railroad Employer Joint Protective Board, while National Division Officers and/or Staff should be selected to serve as Advisors, unless otherwise expressly authorized by me.

Please contact Executive Assistant to the President, Peter Kennedy should you require any assistance in coordinating Committee meetings, etc. Your dedication and service to the membership is most appreciated.

Faternally yours,

Freddie N. Simpson  
President

cc: National Division Officers  
Z. Vogel  
P. Kennedy

41475 Gardenbrook Road  
Novi, MI 48375-1328  
Telephone 248.662.2660 Facsimile 248.662.2659  
[www.bmwe.org](http://www.bmwe.org)





BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION  
OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

Freddie N. Simpson  
*President*

David. D. Joynt  
*Secretary-Treasurer*

June 21, 2021

Mr. Roger D. Sanchez  
Vice Chairman of South Region  
BMWED National Division  
P. O. Box 2250  
Porter, TX 77365

Re: Appointment of Co-Chairman of Norfolk Southern Railroad Joint Protective Board

Dear Sir and Brother Sanchez:

I am writing to advise that effective immediately, I am hereby designating you as the Co-Chairman of the founding Norfolk Southern Railroad Employer Joint Protective Board Convention, pursuant to the provisions of Article XIX, Section I of the Brotherhood of Maintenance of Way National Division Bylaws.

As Co-Chairman, you are authorized and responsible for assisting the Chairman in conducting the founding Convention of the Norfolk Southern Railroad Employer Joint Protective Board, to be held on September 8 & 9, 2021, which includes the formation and selection of Bylaws and Rules Committees Members and Advisors. The Committee Members must be selected from those Delegates or Alternates that are elected by their respective Local Lodge for the founding Norfolk Southern Railroad Employer Joint Protective Board, while National Division Officers and/or Staff should be selected to serve as Advisors, unless otherwise expressly authorized by me.

Please contact Executive Assistant to the President, Peter Kennedy should you require any assistance in coordinating Committee meetings, etc. Your dedication and service to the membership is most appreciated.

Fraternally yours,

Freddie N. Simpson  
President

cc: National Division Officers  
Z. Vogel  
P. Kennedy

41475 Gardenbrook Road  
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Telephone 248.662.2660 Facsimile 248.662.2659  
[www.bmwe.org](http://www.bmwe.org)

*Settlement Agreement and Consent Order dated December 7, 2021*

**Exhibit A**

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

\*\*\*\*\*

DENNIS R. ALBERS, et al.,	)	Case No. 4-21-cv-11834
	)	Hon. Matthew F. Leitman
Plaintiffs,	)	
	)	
vs.	)	
	)	
FREDDIE N. SIMPSON, et al.,	)	
	)	
Defendants.	)	

\*\*\*\*\*

**SETTLEMENT AGREEMENT AND  
CONSENT ORDER**

**PLAINTIFFS** Dennis R. Albers, Allied Federation, BMWED-IBT, Dale E. Bogart, Jr., Northeastern System Federation, BMWED-IBT, Tony D. Cardwell, Unified System Division, BMWED-IBT, Jeffery L. Fry, Atchison, Topeka & Santa Fe Frisco System Federation, BMWED-IBT, Staci R. Moody-Gilbert, Burlington System Division, BMWED-IBT, Jason E. Graham, Alliance System Federation, Patrick A. Charters, Chicago & Eastern Illinois System Division, BMWED-IBT, Michael A. Barrett, Commuter Railroad System Division, BMWED-IBT, Rolando Del Muro, Joliet and Eastern System Division, BMWED-IBT, Samuel J. Alexander, Southern System Division, BMWED-IBT, Joe Letizia, Wisconsin Central System Division, BMWED-IBT, Matthew Neis, and Bessemer & Lake Erie System

Division, BMWED-IBT, by their undersigned attorneys, and **DEFENDANTS** Freddie N. Simpson, David D. Joynt, Bruce G. Glover, Roger D. Sanchez, Louis R. Below, Jed Dodd, Jack E. David, and David L. Carroll, individually and in their official capacities as officers of the remaining Defendant, BMWED-IBT, by their undersigned counsel, hereby enter into to this Settlement Agreement and Consent Order and, in so doing, stipulate and agree as follows:

**WHEREAS**, Defendant BMWED-IBT is an unincorporated labor association and division of the International Brotherhood of Teamsters that consists of three structural components, namely: (1) a National Division; (2) various System Federations and Divisions; and (3) Local Lodges, affiliated with specific System Federations or System Divisions;

**WHEREAS**, the individually named Plaintiffs in this action are the elected General Chairpersons of twelve (12) of the fourteen (14) BMWED-IBT System Federations and System Divisions, all twelve of which are also Plaintiffs in this action and, as set forth in the following chart, are led by the following Plaintiff Chairpersons:

<b>Plaintiff Chairpersons</b>	<b>Plaintiff BMWED-IBT System Federations and System Divisions</b>
Dennis R. Albers	Allied Federation
Dale E. Bogart	Northeastern System Federation
Tony D. Cardwell	Unified System Division
Jeffery L. Fry	Atchison, Topeka & Santa Fe Frisco System Federation
Staci R. Moody-Gilbert	Burlington System Division

Jason E. Graham	Alliance System Division, BMWED-IBT
Patrick A. Charters	Chicago & Eastern Illinois System Division
Michael A. Barrett	Commuter Railroad System Division
Rolando Del Muro	Joliet and Eastern System Division
Samuel J. Alexander	Southern System Division
Joe Letizia	Wisconsin Central System Division
Matthew Neis	Bessemer & Lake Erie System Division

**WHEREAS**, this action commenced on August 6, 2021 upon the filing of a Verified Complaint against the Defendants, which pleading was amended on August 25, 2021, upon the filing of a First Amended Verified Complaint, wherein the Plaintiffs sought damages as well as temporary, preliminary and permanent injunctive relief for alleged violations of the Labor Management Reporting and Disclosure Act, 29 U.S.C. §§ 401 (“LMRDA”), *et al.*, alleged breaches of fiduciary duty, as proscribed by Titles I and V, respectively, of the LMRDA, alleged breaches of contract in violation of Section 301 of the Labor Management Relations Act of 1947, *as amended*, 29 U.S.C. § 185, and alleged violations of Michigan common law relating to breach of contract and breach of fiduciary duty, all in connection with Defendants’ announced plan to hold “founding conventions” in the Fall, 2021 to replace existing BMWED system federations and divisions and establish new, employer-specific, joint protective boards that, in turn, would establish new, employer-specific system federations and divisions that would represent the BMWED members working for the respective carriers associated with them;

**WHEREAS**, Defendants filed a motion to dismiss (ECF No. 20);

**WHEREAS**, following the commencement of an evidentiary hearing on Plaintiffs' motion for temporary and injunctive relief, the Parties reached an agreement settling this action on October 8, 2021, the key terms of which the Parties' counsel read into the record in open court and are incorporated herein by reference, and which the Parties agreed to memorialize in this formal Settlement Agreement and Consent Order;

**WHEREAS**, without acquiescing to each other's respective legal positions and arguments on the merits, and without waiving their respective legal positions and arguments on the merits, the Plaintiffs and Defendants wish to resolve this action;

**WHEREAS**, by their signatures and those of their respective counsel, the Parties affirm that they have entered into the above-referenced October 8, 2021 settlement, as clarified on December 3, 2021, and now enter into this formal Settlement Agreement and Consent Order with full authority to do so;

**NOW THEREFORE**, the Parties agree as follows:

**Part I**  
**Membership Votes**

As set forth below, the American Arbitration Association ("AAA") shall administer and conduct votes among the specific groups of the BMWED-IBT membership to ascertain their desires whether to replace the structure of their current System Federations/System Divisions through the establishment of new, yet-to-be

established, employer-specific System Federations and System Divisions, and an accompanying transfer of affected BMWED-IBT members to those new entities and, where necessary, to new or different Lodges that will be affiliated with them.

**A. Class I Railroad and Amtrak Membership Votes.** The American Arbitration Association (“AAA”) shall administer and conduct separate secret ballot votes among the BMWED-IBT membership employed by all Class I railroads, namely, BNSF, CP, CN, CSX, KCS, NS, and UP, as well as Amtrak (the “Big 8”) to ascertain the members’ desire in each employer group as to:

- (1) whether they wish to be represented by a new, yet-to-be-established, employer-specific System Federation/System Division and its affiliated Lodges, where each newly established System Federation/System Division would be governed by a newly established, employer-specific joint protective board and would represent the affected members transferred to them from their existing System Federation/System Division through their new, yet-to-be elected representatives; or
- (2) whether they wish to maintain their current representative structure through their existing System Federation/System Division and that System Federation’s/System Division’s affiliated Lodges.

The AAA shall mail to each BMWED-IBT member employed by a Class I railroad or Amtrak a ballot as provided in **Attachment 1**, which is expressly included as part of this Settlement Agreement and Consent Order.

**B. Conrail, Keolis and Metra Membership Votes.** The American Arbitration Association (“AAA”) shall administer and conduct separate secret ballot votes among the BMWED-IBT membership employed by Conrail, Keolis and Metra to ascertain the members’ desire in each employer group as to:

- (1) whether they wish to be represented by a new, yet-to-be-established, employer-specific System Federation/System Division and its affiliated Lodges, where each newly established System Federation/System Division would be governed by a newly established, employer-specific joint protective board and would represent the affected members transferred to them from their existing System Federation/System Division through their new, yet-to-be elected, representatives; or
- (2) whether they wish to maintain their current representative structure through their existing System Federation/System Division and that System Federation’s/System Division’s affiliated Lodges.

If a new System Division/System Federation is created pursuant to the vote in this Section B, there will be a 6 month ban on subsequent mergers.

The AAA shall mail to each BMWED-IBT member employed by the above 3 carriers a ballot as provided in **Attachment 2**, which is expressly included as part of this Settlement Agreement and Consent Order.

**C. Short Line Railroad Membership Vote.** BMWED-IBT members employed by short line railroads listed on Attachment 3 affiliated with and connected to the Class I railroads will be affected by the outcome of the votes conducted among the members who work for those railroads. This is because the number of BMWED-IBT members working for such short line railroads is too small to support the establishment of a separate or multi-employer short line System Federation or Division. The BMWED members employed by the Winston-Salem Southbound Railway and the Texas-Mexican Railway, respectively, will cast ballots in the votes among the CSX and KCS groups, respectively, as provided for in Part I.A, above. The AAA will administer and conduct secret ballot votes by the BMWED-IBT members employed by the short line railroads listed on Attachment 3. In this regard, the AAA will use and mail out the designated ballot to each BMWED-IBT member employed by such carrier. Those members' votes will be tallied in the aggregate with the others voting that particular Class I ballot based on the carrier railroad they work for in order to ascertain each affected member's desire:



- (1) whether they wish to be represented by the newly established System Federation/System Division, if established as provided for in Part I.A, above; or
- (2) whether they wish to maintain their existing representation through their existing System Federation/System Division and its affiliated Lodges.

**Attachment 3** is expressly included as part of this Settlement Agreement and Consent Order.

**D. Non-Railroad Members.** The BMWED-IBT not only represents members who work for various rail carriers, but also represents members who work for a non-rail carrier, namely, Voestapline Nortrak ("Nortrak"). Like the members employed by short line rail carriers, there is an insufficient number of members employed by Nortrak to sustain their own, separate, System Federation or System Division. Because the BMWED members who work for Nortrak are affected by the votes provided for in Part I.A, above, the AAA will administer and conduct a separate vote among the Nortrak members to ascertain:

- (1) whether they wish their bargaining unit to be assigned to and represented by a BMWED-IBT System Division/System Federation other than the one that currently represents them, namely, the Unified System Division; or

- (2) whether they wish to maintain their existing representation through their existing System Division, namely, the Unified System Division.

If a majority of the voting Nortrak bargaining unit members vote to maintain their representation through the Unified System Division, but the Unified System Division is dissolved or becomes functionally and financially unable to continue representing the Nortrak bargaining unit as a result of the votes provided for in Part I.A, above, then the BMWED-IBT National Division shall be responsible for assigning such representative services to another System Federation or System Division.

A copy of the ballot that will be mailed to the BMWED-IBT members employed by Nortrak is attached included in **Attachment 4**, which is expressly included as part of this Settlement Agreement and Consent Order.

**E. Voting Process Dates and Methods.** The Parties agree that the voting required by this Part I shall commence as follows:

- (1) the AAA shall mail out all Amtrak ballots on December 10, 2021 and will continue mailing out the remaining ballots on December 10, 2021 and on subsequent days until completed;
- (2) With respect to Amtrak only, all ballots must be returned no later than 10:00 a.m. ET, December 28, 2021 and the ballot count shall commence immediately thereafter and shall continue until completed and certified; and

- (3) all other ballots must be returned no later than 10:00 a.m. ET, January 31, 2022 and the ballot count shall commence immediately thereafter and shall continue until completed and certified.

AAA shall administer and conduct the secret voting required by this Part I in accordance with its rules and procedures. AAA shall mail ballots to the members indicated above. Members will have 3 secure methods of voting: (a) by postal mail; (b) by telephone; or (c) by internet. Plaintiffs, as a group, may designate 2 observers, and Defendants, as a group, may designate 2 observers, to be present to observe all steps of the AAA process.

The ballot package shall consist of: (1) the applicable ballot, itself; (2) AAA instructions; (3) the security envelope; (4) a prepaid return outer envelope; (5) one 8.5 inch by 11 inch piece of paper provided by Plaintiffs with their position; and (6) one 8.5 inch by 11 inch piece paper provided by Defendants with their position.

**F. Voting Determinations.** Each vote administered and conducted by the AAA pursuant to this Part I shall be decided by a majority of ballots cast by the involved members participating in each such vote. By way of emphasis, therefore:

- (1) the votes conducted with respect to each of the employer-specific groups identified above in Part I.A and Part I.B, respectively, namely, the votes in each of the above-named Class I railroad BMWED-IBT membership groups, the Amtrak membership group, the Conrail

membership group, the Keolis membership group, and the Metra membership group, shall be decided by a majority of the ballots cast by those respective membership groups (except that (a) those employed by the Winston-Salem Southbound Railway shall be included with the CSX group; (b) those employed by the Texas-Mexican Railway shall be included with the KCS group; and (c) those employed by carriers listed on Attachment 3 shall be included with the applicable Class I carrier group); and

- (2) The vote provided for in Part 1.D, above, shall be decided by a majority of the ballots cast by the Nortrak members.

**G. Voting Procedures.** The voting procedures, including procedures for requesting replacement ballots and ballot count observers, will be administered and conducted by the AAA consistent with and in accordance with that organization's election arbitration rules and procedures, provided that such rules and procedures are not in conflict with those of the BMWED-IBT National Division Bylaws.

**H. Costs and Expenses.** The BMWED-IBT National Division shall pay all costs and expenses related to the AAA's administration and conduct of the votes provided for in this Part I.

**I. Educational Activity and Protection of Free Speech Rights.** The Parties agree and recognize that all BMWED-IBT members, including elected officers, as

well as representatives and staff employees who are BMWED-IBT members, have free speech rights that will be respected. It is recognized that BMWED-IBT National Division staff members shall be permitted to engage in educational activities as paid staff employees, but shall not be permitted to engage in advocacy or campaign activity working as a paid employee of the BMWED-IBT during their normal working hours, and they shall not be reimbursed or otherwise compensated by the BMWED-IBT for engaging in any such activities.

**J. Availability of Mailing List of Eligible Voters to Mailing House.**

Defendant BMWED-IBT agrees to make available to a third-party mailing house the mailing list of eligible voters so that Plaintiffs, if they choose, can make reasonable requests to have Plaintiffs' campaign literature distributed by the mailing house to eligible voters at Plaintiffs' expense. The mailing list shall not be provided to Plaintiffs but shall be provided only to the third-party mailing house. The third-party mailing house shall return to Defendant BMWED-IBT the mailing list (and any and all copies) on or by January 31, 2022.

**Part II**  
**Moratorium Regarding "Founding Conventions"**

**A. Moratorium.** The conduct of the seven (7) "Founding Conventions" called for by the BMWED-IBT National President set to be conducted during the period October 25, 2021 through December 18, 2021, is hereby suspended, pending the completion and outcome of the votes provided for in Part I, above.

- (1) Any such founding conventions that may be required as a result of the votes provided for in Part I, above, shall be rescheduled to commence at a date reasonably following the completion and of those votes and certification of their outcome by the AAA as provided for in its rules and procedures.
- (2) The Parties agree that in the event the BMWED-IBT members involved in votes provided for in Part I, above, vote to not establish new System Federations/Divisions and instead vote to maintain their current representative structures, as provided in Part I, above, then the current BMWED-IBT National President and the current BMWED-IBT National Division officers agree to waive and not invoke the National President's claimed but disputed authority under Bylaws Article 19, §1 and all other provisions of the BMWED-IBT National Division Bylaws, and they shall neither call for nor conduct any founding convention or other meeting/forum for the purpose of establishing a new system federation/system division or new joint protective board to provide any administrative or other representative services with respect to that work group, and they shall not unilaterally establish nor take any steps related to any such unilateral establishment of a new system federation/system division or new joint protective provide to provide

any administrative or representative services with respect to that work group.


- (3) Nothing herein shall require or prevent the Lodges that, as of the date of this Settlement Agreement and Consent Order, have not conducted an election of founding convention delegates from initiating and conducting delegate elections for such founding convention while the voting process provided for in Part I, above, is being administered and conducted.
- (4) Delegates duly elected to participate in the founding conventions that were previously scheduled but now suspended shall maintain their status as delegates for such founding conventions if such founding conventions are required following the completion of the voting process provided for in Part I, above.

### **PART III** **Disposition of Underlying Legal Action**

Following execution of this Settlement Agreement and Consent Order by the Parties, the Parties shall jointly request approval of the Settlement Agreement and Consent Order by the Court. In so doing, the Parties shall jointly request that upon approval of this Settlement Agreement and Consent Order, the Court enter an Order granting a joint request by the Parties to dismiss this action with prejudice, pursuant to Rule 41(a)(2) of the Federal Rules of Procedure, which Order shall include the

Parties' Settlement Agreement and Consent Order, and which Order shall also provide that the Court retains jurisdiction to enforce the Settlement Agreement and Consent Order, consistent with the Supreme Court's decision in *Kokkonen v. Guardian Life Insurance Company of America*, 511 U.S. 375 (1994). Copies of the proposed joint request and the Proposed Order are attached hereto are included in this Settlement Agreement and Consent Order as **Attachment 5** and **Attachment 6**, respectively. Finally, the Parties agree that each side shall pay its respective fees, costs, and expenses related to the litigation of this action.

**AGREED:**

  
 \_\_\_\_\_  
 Dennis R. Albers on behalf of  
 Allied Federation, BMWED-IBT

Date: 12/07/2021

\_\_\_\_\_  
 Dale E. Bogart, Jr. on behalf of  
 Northeastern System Federation, BMWED-IBT

Date: \_\_\_\_\_

\_\_\_\_\_  
 Tony D. Cardwell on behalf of  
 Unified System Division, BMWED-IBT

Date: \_\_\_\_\_

\_\_\_\_\_  
 Jeffery L. Fry on behalf of  
 Atchison, Topeka & Santa Fe Frisco System  
 Federation, BMWED-IBT

Date: \_\_\_\_\_

\_\_\_\_\_  
 Staci R. Moody-Gilbert on behalf of  
 Burlington System Division, BMWED-IBT

Date: \_\_\_\_\_

*(All other signatures on file.)*



Jason E. Graham  
 Jason E. Graham on behalf of  
 Alliance System Federation

Date: 12-8-2021

\_\_\_\_\_  
 Patrick A. Charters on behalf of  
 Chicago & Eastern Illinois System Division,  
 BMWED-IBT

Date: \_\_\_\_\_

\_\_\_\_\_  
 Michael A. Barrett on behalf of  
 Commuter Railroad System Division,  
 BMWED-IBT

Date: \_\_\_\_\_

\_\_\_\_\_  
 Marcus Hood on behalf of  
 Southern System Division, BMWED-IBT

Date: \_\_\_\_\_

\_\_\_\_\_  
 Joe Letizia on behalf of  
 Wisconsin Central System Division, BMWED-IBT

Date: \_\_\_\_\_

\_\_\_\_\_  
 Rolando Del Muro on behalf of  
 Elgin, Joliet & Eastern System Division, BMWED-IBT

Date: \_\_\_\_\_

\_\_\_\_\_  
 Matthew Neis on behalf of  
 Bessemer & Lake Erie System Division, BMWED-IBT

Date: \_\_\_\_\_

\_\_\_\_\_  
 Freddie N. Simpson, individually and in his official capacity as an officer of the  
 BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION-IBT

Date: \_\_\_\_\_

\_\_\_\_\_  
 David D. Joynt, individually and in his official capacity as an officer of the  
 BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION-IBT

Date: \_\_\_\_\_

*(All other signatures on file.)*

Bruce G. Glover Date: December 7, 2021  
 Bruce G. Glover, individually and in his official capacity as an officer of the  
 BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION-IBT

R.D. Sanchez Date: December 7, 2021  
 Roger D. Sanchez, individually and in his official capacity as an officer of the  
 BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION-IBT

Louis R. Below Date: December 7, 2021  
 Louis R. Below, individually and in his official capacity as an officer of the  
 BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION-IBT

Jeff Dodd Date: December 7, 2021  
 Jeff Dodd, individually and in his official capacity as an officer of the  
 BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION-IBT

Jack E. David Date: December 7, 2021  
 Jack E. David, individually and in his official capacity as an officer of the  
 BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION-IBT

D.L. Carroll Date: December 7, 2021  
 David L. Carroll, individually and in his official capacity as an officer of the  
 BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION-IBT

by: Felix N. Lopez Date: December 7, 2021  
 BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION-IBT

## ATTACHMENT 1

[This ballot will be sent to members at: (1) BNSF; (2) CP; (3) CN; (4) CSX; (5) KCS; (6) NS; (7) UP; and (8) Amtrak. The blanks below will be filled in with the specific railroad above.  
See also attached appendix.]

**BALLOT****PLEASE VOTE**

(FOR ALL BMWED MEMBERS EMPLOYED BY \_\_\_\_\_).

**QUESTION**

Do you want to be represented by a new System Division/System Federation that would be established to represent all the members employed by \_\_\_\_\_, or do you want to continue to be represented by your existing System Division/System Federation?

**BALLOT**

(Please Mark Yes or No)

- ☐ Yes, I want to be represented by a new System Division/System Federation representing all the members employed by \_\_\_\_\_.
- ☐ No, I want to maintain my existing representation through my existing System Federation/System Division.

F.M.S.  
12/7/21

DRA 12/23/2021

## ATTACHMENT 3

The following short line railways will be sent the Amtrak ballot:

Canton Railway  
York Railway Company

The following short line railways will be sent the BNSF ballot:

Colorado & Wyoming  
Iowa Interstate  
Lake Superior & Ishpeming  
Montana Rail Link  
NICT  
Wichita Terminal Association

The following short line railways will be sent the CN ballot:

Bessemer and Lake Erie  
Elgin, Joliet & Eastern-Western  
Gary Railway  
Grand Trunk Western Railway  
Illinois Central Railway  
Paducah & Louisville Railway  
Wisconsin Central Lines

The following short line railways will be sent the CP ballot:

Delaware & Hudson Railway  
Dakota, Minnesota & Eastern Railway  
Soo Line Railway

The following short line railways will be sent the CSX ballot:

Connex  
Evansville Western Railway  
Florida East Coast  
Huron & Eastern  
Indiana Harbor Belt  
New Orleans Public Belt  
St. Lawrence & Atlantic Railway  
Springfield Terminal

The following short line railways will be sent the NS ballot:

New England Central Railroad  
New York Susquehanna & Western  
Norfolk & Southern

## ATTACHMENT 3

Terminal Railroad Association of St. Louis

The following short line railways will be sent the UP ballot:

Alton & Southern Railway  
Belt Railway Co. of Chicago  
Cedar Rapids & Iowa City Ry Co.  
Central California Traction Co.  
Escanaba & Lake Superior RR  
Louisiana & North West RR  
Mississippi Export RR  
Port Terminal RR Association  
Stockton Terminal & Eastern RR  
Terminal RR Alabama State Dock  
Transit American Services Inc.  
Utah Railway

## ATTACHMENT 4

**BALLOT****PLEASE VOTE**

*(FOR ALL BMWED MEMBERS EMPLOYED BY VOESTAPLINE NORTRAK)*

**QUESTION**

Do you want your bargaining unit to continue to be represented by the Unified System Division, or do you want your bargaining unit to be assigned to and represented by another BMWED-IBT System Federation/System Division?

**BALLOT**

*(Please Mark Yes or No)*

- ☐ Yes, I want my bargaining unit to be assigned to and represented by a BMWED-IBT System Federation/System Division other than the one that currently represents me, namely, the Unified System Division.
- ☐ No, I want to maintain my bargaining unit's representation through my existing System Federation/System Division, namely, the Unified System Division.

F.N. 5/2/21  
DPA 12/03/2021

Attachment 5

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

\*\*\*\*\*

DENNIS R. ALBERS, et al., )

)

Case No. 4-21-cv-11834

)

Hon. Matthew F. Leitman

Plaintiffs, )

)

vs. )

)

FREDDIE N. SIMPSON, et al., )

)

Defendants. )

\*\*\*\*\*

**JOINT MOTION TO DISMISS**

Pursuant to Federal Rule of Civil Procedure 41, Local Rule 41.1, and settlement by the parties, Plaintiffs, Dennis R. Albers, *et al.*, and Defendants, Freddie N. Simpson *et al.*, through the undersigned counsel, hereby move this Court to dismiss with prejudice Plaintiffs' Complaint, filed on August 6, 2021 and amended on August 25, 2021. ECF Nos. 1, 18.

On October 8, 2021, the parties reached an agreement to resolve the underlying dispute, and have subsequently executed the Settlement Agreement and Consent Order, which was approved by the Court on \_\_\_\_\_, 2021. ECF No. \_\_\_\_\_. Although the parties jointly request dismissal of this action, the parties jointly request that upon the Court's approval of the Settlement Agreement and Consent Order, the Court retain jurisdiction to enforce the Settlement Agreement and Consent

F.N.S. 12/3/21  
BRA 12/03/2021

Order, consistent with the Supreme Court's decision in *Kokkonen v. Guardian Life Insurance Company of America*, 511 U.S. 375 (1994). The parties further agree that each side shall pay its respective fees, costs, and expenses related to the litigation of this action.

Attached is a Proposed Order granting this Joint Motion.

Dated: December \_\_, 2021

Respectfully submitted,

/s/ \_\_\_\_\_  
Edward M. Gleason Jr. (D.C. 429325)  
BRANSTETTER, STRANCH & JENNINGS,  
PLLC  
1101 30<sup>th</sup> Street, N.W., Suite 500  
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Clement L. Tsao (OH 90105)  
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PLLC  
425 Walnut Street, Suite 2315  
Cincinnati, Ohio 45202  
Phone: 513.381.2224  
Email:

*Attorneys for Plaintiffs*

/s/ \_\_\_\_\_  
LISA M. SMITH (P46150)  
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McKNIGHT, CANZANO, SMITH,  
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WILLIAM W. OSBORNE, JR.  
OSBORNE LAW OFFICES, P.C.  
*Attorney for Defendant Union*  
1130 Connecticut Ave., N.W., Suite  
950  
Washington, D.C. 20036  
(202) 243-3200



Attachment 6

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

\*\*\*\*\*

DENNIS R. ALBERS, et al.,	)	Case No. 4-21-cv-11834
	)	Hon. Matthew F. Leitman
Plaintiffs,	)	
	)	
vs.	)	
	)	
FREDDIE N. SIMPSON, et al.,	)	
	)	
Defendants.	)	

\*\*\*\*\*

**PROPOSED ORDER**

Plaintiffs, Dennis R. Albers, *et al.*, and Defendants, Freddie N. Simpson *et al.*,  
Joint Motion to Dismiss with prejudice Plaintiffs' Complaint is hereby GRANTED.

Pursuant to the parties' request, the Court shall retain jurisdiction to enforce  
the Settlement Agreement and Consent Order, consistent with the Supreme Court's  
decision in *Kokkonen v. Guardian Life Insurance Company of America*, 511 U.S.  
375 (1994). Each party shall pay its respective fees, costs, and expenses related to  
the litigation of this action.

**IT IS SO ORDERED.**

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

Dated: \_\_\_\_\_, 2021

F.1/2 12/3/21

DRA 12/03/2021

**CERTIFICATE OF SERVICE**

I hereby certify that on December \_\_\_\_\_, 2021, the foregoing was filed with the Clerk of the Court using the ECF system which will send notification of such filing to all parties of record.

/s/ \_\_\_\_\_

F.N.S. 12/3/21  
LRA 12/03/2021

***American Arbitration Association Certification of Norfolk Southern Members Balloting  
Results Supporting Single System for Norfolk Southern Workers dated January 31, 2022***

**American Arbitration Association, Administrator**

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*In the Matter of*

**BROTHERHOOD OF MAINTENANCE OF WAY  
EMPLOYEES DIVISION (BMWED)**

*Referendum Election*

*Election No. 01 21 0017 4223*

---

**Certification of Results**

The American Arbitration Association, having been authorized by the Brotherhood of Maintenance of Way Employees Division (BMWED), conducted a Referendum Election for employees of Norfolk Southern, BNSF, Canadian Pacific, Canadian National, CSX, KCS, Union Pacific, Conrail, Keolis, METRA, and Nortrak on January 31, 2022 by mail ballot, internet and telephone.

Both the mail ballots and voting instructions for internet and telephone voting were mailed to all members of the various Railroads on December 10, 13, and 14, 2021. The internet and telephone voting opened on December 10, 2021 and the deadline for all voting, including mail ballots ended at 4:59 pm on January 31, 2022 at which time the voting systems were deactivated. The downloading and tabulation of votes were checked against the ballots received by mail and votes were then counted in the presence of observers. Secrecy of the votes were maintained at all times.

I hereby certify the results as appended hereto.



---

Kenneth Egger  
National Vice President – Elections

Dated: January 31, 2022

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION (BMWED)  
CERTIFICATION OF RESULTS**

**NORFOLK & SOUTHERN**

*Do you want to be represented by a new System Division/System Federation that would be established to represent all the Members employed by NORFOLK SOUTHERN, or do you want to continue to be represented by your existing System Division System Federation?*

	<u>Internet/telephone</u>	<u>Mail ballot</u>	<u>Total</u>
Yes, I want to be represented by a new System Division System Federation representing all the Members employed by NORFOLK SOUTHERN.	156	306	462
No, I want to maintain my existing representation through my existing System Federation System Division.	97	241	338

**BNSF**

*Do you want to be represented by a new System Division/System Federation that would be established to represent all the Members employed by BNSF, or do you want to continue to be represented by your existing System Division System Federation?*

	<u>Internet/telephone</u>	<u>Mail ballot</u>	<u>Total</u>
Yes, I want to be represented by a new System Division System Federation representing all the Members employed by BNSF.	193	340	533
No, I want to maintain my existing representation through my existing System Federation System Division.	431	894	1325

**CANADIAN PACIFIC**

*Do you want to be represented by a new System Division/System Federation that would be established to represent all the Members employed by CANADIAN PACIFIC, or do you want to continue to be represented by your existing System Division System Federation?*

	<u>Internet/telephone</u>	<u>Mail ballot</u>	<u>Total</u>
Yes, I want to be represented by a new System Division System Federation representing all the Members employed by CANADIAN PACIFIC.	17	64	81
No, I want to maintain my existing representation through my existing System Federation System Division.	49	161	210

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION (BMWED)  
CERTIFICATION OF RESULTS**

**CANADIAN NATIONAL**

*Do you want to be represented by a new System Division/System Federation that would be established to represent all the Members employed by CANADIAN NATIONAL, or do you want to continue to be represented by your existing System Division System Federation?*

	<u>Internet/telephone</u>	<u>Mail ballot</u>	<u>Total</u>
Yes, I want to be represented by a new System Division System Federation representing all the Members employed by CANADIAN NATIONAL.	14	37	51
No, I want to maintain my existing representation through my existing System Federation System Division.	80	306	386

**CSX**

*Do you want to be represented by a new System Division/System Federation that would be established to represent all the Members employed by CSX, or do you want to continue to be represented by your existing System Division System Federation?*

	<u>Internet/telephone</u>	<u>Mail ballot</u>	<u>Total</u>
Yes, I want to be represented by a new System Division System Federation representing all the Members employed by CSX.	118	208	326
No, I want to maintain my existing representation through my existing System Federation System Division.	228	500	728

**KCS**

*Do you want to be represented by a new System Division/System Federation that would be established to represent all the Members employed by KCS, or do you want to continue to be represented by your existing System Division System Federation?*

	<u>Internet/telephone</u>	<u>Mail ballot</u>	<u>Total</u>
Yes, I want to be represented by a new System Division System Federation representing all the Members employed by KCS.	2	6	8
No, I want to maintain my existing representation through my existing System Federation System Division.	11	24	35

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION (BMWED)  
CERTIFICATION OF RESULTS**

**UNION PACIFIC**

*Do you want to be represented by a new System Division/System Federation that would be established to represent all the Members employed by UNION PACIFIC, or do you want to continue to be represented by your existing System Division System Federation?*

	<u>Internet/telephone</u>	<u>Mail ballot</u>	<u>Total</u>
Yes, I want to be represented by a new System Division System Federation representing all the Members employed by UNION PACIFIC.	126	314	440
No, I want to maintain my existing representation through my existing System Federation System Division.	249	600	849

**CONRAIL**

*Do you want to be represented by a new System Division/System Federation that would be established to represent all the Members employed by CONRAIL, or do you want to continue to be represented by your existing System Division System Federation?*

	<u>Internet/telephone</u>	<u>Mail ballot</u>	<u>Total</u>
Yes, I want to be represented by a new System Division System Federation representing all the Members employed by CONRAIL. I understand that if the new System Division/System Federation is created, there will be a 6 month ban on subsequent mergers.	18	6	24
No, I want to maintain my existing representation through my existing System Federation System Division.	4	2	6

**KEOLIS**

*Do you want to be represented by a new System Division/System Federation that would be established to represent all the Members employed by KEOLIS, or do you want to continue to be represented by your existing System Division System Federation?*

	<u>Internet/telephone</u>	<u>Mail ballot</u>	<u>Total</u>
Yes, I want to be represented by a new System Division System Federation representing all the Members employed by KEOLIS. I understand that if the new System Division/System Federation is created, there will be a 6 month ban on subsequent mergers.	4	11	15
No, I want to maintain my existing representation through my existing System Federation System Division.	6	45	51

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION (BMWED)  
CERTIFICATION OF RESULTS**

**METRA**

*Do you want to be represented by a new System Division/System Federation that would be established to represent all the Members employed by METRA, or do you want to continue to be represented by your existing System Division System Federation?*

	<u>Internet/telephone</u>	<u>Mail ballot</u>	<u>Total</u>
<b>Yes</b> , I want to be represented by a new System Division System Federation representing all the Members employed by METRA. I understand that if the new System Division/System Federation is created, there will be a 6 month ban on subsequent mergers.	31	38	69
<b>No</b> , I want to maintain my existing representation through my existing System Federation System Division.	14	19	33

**NORTRAK**

*Do you want your bargaining unit to continue to be represented by the Unified System Division, or do you want your bargaining unit to be assigned to and represented by another BMWED-IBT System Federation/Stem Division?*

	<u>Internet/telephone</u>	<u>Mail ballot</u>	<u>Total</u>
<b>Yes</b> , I want my bargaining unit to be assigned to and represented by a BMWED-IBT System Federation/System Division other than the one that currently represents me, namely, the Unified System Division.	0	0	0
<b>No</b> , I want to maintain my bargaining unit's representation through my existing System/Federation/System Division, namely, the Unified System Division.	0	1	1