

# BMWED

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION  
Of The International Brotherhood Of Teamsters

## JOURNAL



Volume 119 ■ Number 6

www.bmwe.org

November/December 2010

## REAL PROTECTION FOR RAIL WORKERS

*Anti-retaliation laws are now providing effective protection for whistle-blowing railroad workers.*

It is a story all too familiar to rail workers. The track welder simply requested a lookout while performing work on adjacent tracks and asked for tools to make the field weld process safer. His employer, the Union Pacific Railroad, responded to his requests by abolishing the welder position he held for years in Beverly, Iowa. As a result of his request to the UP to provide a safer work environment, the worker had to drive an extra 131 miles every day to commute to work, leaving him away from his family for extended periods of time and adding to his worker fatigue. What makes this story "news" is that the BMWED worker involved refused to accept the same-old, same-old retaliatory conduct of the UP. Instead, he filed a claim with OSHA under a new law, 49 U.S.C. §20109, a statute that prohibits railroads from retaliating against their employees. After completing the required administrative investigatory steps, OSHA ordered the UP to reassign the worker to his former position, reimburse him for travel expenses, and pay compensatory damages associated with bringing the claim against the UP. There are an increasing number of similar results based on rail workers complaints to OSHA using this law.

New Jersey Transit found a worker guilty of violating company rules that resulted in the death of a co-worker. But that worker refused to accept the carrier's discipline and brought a §20109 retaliation claim. OSHA found in favor of the worker and ordered full back pay and make-whole remedies. In addition, it ordered New Jersey Transit to pay \$5,000 for pain and suffering, \$50,000 for the damage to his credit when held out of service during a suspension, \$12,000 for the loss of the car of the worker which was repossessed by the finance company, \$346,000 for the loss of the workers home which was foreclosed by the lender, \$75,000 in punitive damages, plus attorney's fees.

In Seattle, a worker stepped off a rail car and injured her ankle. When she reported her injury to Amtrak, her employer, they subjected her to disci-

pline. She filed a complaint with OSHA and was awarded full back pay, \$60,000 in compensatory and \$100,000 punitive damages, plus attorney's fees, and Amtrak was ordered to post notices that it promised not to engage in such conduct in the future.

OSHA found Metro-North guilty of a violation of §20109 when it retaliated against a maintenance of way worker who reported an injury, and ordered full make-whole remedies along with \$5,000 for the lost opportunity for transfer or promotion, \$5,000 for the inconvenience of and the mental anguish arising from Respondent's intimidation and harassment of Complainant following the reporting of his occupational injury, and punitive damages in the amount of \$75,000. Another Metro-North case produced a similar award of damages.

**The bottom line:** The results of the initial §20109 cases are confirming the effectiveness of the railroad worker protection that Congress enacted.

### How does §20109 work ?

It is pretty simple. Railroads can no longer retaliate against a worker for requesting a safer work situation or even refusing to work where he believes that it is too dangerous.

Railroads can no longer retaliate against a worker for reporting an injury, for seeking medical treatment, and refuse or delay providing prompt medical care at the nearest hospital. And if the railroad notifies the worker he is being charged with a rule violation related to those events and schedules an investigation, the railroad is violating §20109 if one of its reasons is retaliation, even if it has "pure" motives in addition to its improper one.

To be covered by §20109 you must have engaged in "protected conduct" such as requesting proper or better tools, better lookouts, compliance with safety regulations, medical care, or required reporting of injuries and accidents. This is the essence of "whistle-



Members of the BMWED Western Region Association listen intently as new whistleblower regulations are explained.

blowing". There is, however, no such thing as a secret whistleblower. You must actually voice your request or concern to the railroad, to the FRA, to federal or state government, to your Congressman.

What are typical railroad violations of this law? If you have what appears to be a non-life threatening injury and the railroad asks you to go home, take an aspirin, and see how you feel before you seek medical care or report the injury, that is a violation of §20109.

### What do I do if I think I have a claim?

If you think you have been victimized by a railroad for trying to be safe, for reporting safety violations, or for reporting injuries or incidents, you need to get help from the BMWED and/or a designated BMWED FELA attorney.

BMWED President Freddie Simpson and BMWED Safety Director, Rick Inclima, are leading rail labor's efforts to make §20109 effective for all rail workers. The BMWED is working directly with the highest level of DOL/OSHA officials and attorneys to ensure that the statute and its related regulations and interpretations are providing the worker protection Congress sought. BMWED is coordinating training for FRA, OSHA, union leaders, and FELA lawyers.

Make sure that when you contact your union representative, that you already have written out a complete statement of what occurred and provide them with the names and contact information for witnesses, copies of documents, and a timeline of what occurred. If you have trouble doing that, your union representative will help you. The BMWED will help you verify the facts of the situation. You will be directed to contact Charlie Collins, a lawyer who has been in the forefront of §20109 cases with the BMWED who is specially retained by the BMWED to help you on these cases.

However, if you have been injured and already have a FELA attorney, Collins and the BMWED will work with that attorney to properly protect your rights under §20109. The BMWED has spent considerable effort to train BMWED Designated Legal Counsel so that they know what to do in these specialized cases. However, regardless of who you call on your own, make sure that the attorney is experienced and knowledgeable about §20109 and is willing to cooperate with the BMWED concerning your RLA Section 3 rights. This coordination is critical and you, along with the BMWED, needs to avoid having unqualified attorneys giving poor advice which could compromise not only your rights, but those of others through a result which could lead to bad precedents.

**See Special Insert  
Injured - Know Your Rights**



# NATIONAL BARGAINING UPDATE

Representatives of the Rail Labor Bargaining Coalition (RLBC), which includes Teamster Rail Conference members BMWED and BLET, and the National Carriers' Conference Committee (NCCC) met on November 3 and 4, 2010 to continue bargaining over their respective Section 6 notices. The current focus of bargaining concerns issues related to the health insurance benefits members and their families receive under the July 1, 2007 National Agreement. While discussions continue, no definitive agreements were made on any health insurance issues.

The RLBC and NCCC have additional bargaining sessions scheduled for December 2, 2010, January 6 and 7, and February 9 and 10, 2011. At press time, neither party had invoked the services of the National Mediation Board (NMB) as both sides remain hopeful of reaching a voluntary agreement without government intervention.

While the RLBC remains in private bargaining with the NCCC, the bargaining coalition comprised of TCU,

IAM, IBEW, TWU and ATDA are engaged in bargaining under the supervision of the NMB. Health insurance issues comprise a large part of those talks as well.

The remaining union, the UTU, also remains outside of the mediation process.

Under the Railway Labor Act (RLA), Section 6 notices are resolved one of three ways. First, through voluntary negotiations and agreements. Second, through mediation conducted by the NMB. Finally, through self-help after the parties have been released from mediation by the NMB. A strike cannot occur until the NMB has released the parties from mediation and they have observed a 30 day "cooling off" period. While the TCU coalition already has entered mediation, there is no assurance that the TCU coalition will obtain a release either before the RLBC or UTU if those organizations also enter mediation.

For breaking news on bargaining, please check [www.bmwe.org](http://www.bmwe.org) on a regular basis.

# Important Medicare Announcement for Eligible BMWED Members and Retirees

Individuals age 65+ filled an average of 31.2 prescriptions in 2009 (Kaiser State Health Facts, SDI Health, L.L.C.: Special Data Request, 2010)

Prescription drug prices, as measured by the Consumer Price Index, have grown 32.4% from 2000 to 2009 (Prescription Drug Trends, Kaiser Family Foundation, May 2010)

If you are a BMWED/IBT retiree, spouse or dependent of a BMWED/IBT retiree and entitled to Medicare Part A and/or enrolled in Medicare Part B, you are eligible for the TEAMStar Medicare Part D Prescription Drug Program (PDP). You are entitled to this program regardless of your health history or the drugs you are currently taking.

The TEAMStar Medicare Part D Prescription Drug Program is a voluntary Medicare Part D Prescription Drug Program that meets the federal government requirements for creditable coverage. It is not available to the general public and is designed to help Medicare eligible BMWED/IBT members, retirees and their spouses reduce their prescription drug costs and insure them against high prescription drug expenses in the future. This program was introduced in 2006 and thousands of Teamster retirees have chosen to enroll during the program's first five years.

The enrollment period for TEAMStar Medicare Part D Prescription Drug Program is open now and runs from November 15, 2010 until December 31, 2010. We hope you will take advantage of this affordable prescription drug plan which enables BMWED/IBT members to save as much money as possible.

You can get more detailed information and also register for the program at [www.teamstarpard.com](http://www.teamstarpard.com) or call 1-866-524-4173.

## Open Enrollment Period Begins November 15, 2010!



The International Brotherhood of Teamsters is proud to announce the open enrollment period for the TEAMStar Medicare Part D Program. This annual open enrollment period will begin on November 15, 2010 and end on December 31, 2010.

Teamster retirees and spouses who are currently enrolled in Medicare Parts A and/or B qualify for TEAMStar Medicare Part D coverage. If you didn't receive an enrollment packet or need another one, please call us and we will send you one. Don't wait! The open enrollment period is for a limited time.

### Enjoy the following TEAMStar Part D Program benefits:

- Competitive group rates – not available to the general public
- Comprehensive drug coverage and pharmacy network
- Coverage options – two affordable plans to choose from; one offers coverage through the "donut hole"
- No annual deductible – plan begins paying immediately



To get additional information or an enrollment packet, visit our website at [www.teamstarpard.com/pdp](http://www.teamstarpard.com/pdp) or call 1-866-524-4173.

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NOV./DEC. 2010 ■ BMWED DIVISION JOURNAL ■ VOLUME 119 ■ NUMBER 6

The BMWED Journal is the official news publication of the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters

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The BMWED Journal (ISSN 1049-3921 /USPS 067640) is published bi-monthly-6 times annually at 20300 Civic Center Drive, Suite 320, Southfield, Michigan 48076-4169. Periodicals postage paid at Southfield, Michigan and additional mailing offices.

### ATTENTION POSTMASTER:

Send address changes to BMWED, 20300 Civic Center Drive, Suite 320, Southfield, Michigan 48076-4169.

Subscription Price: U.S. and Canada—\$20.00 (U.S.) per year, in advance.

[www.bmwe.org](http://www.bmwe.org)

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## U.S. Railroad Retirement Board Reminds Customers About Availability of Toll-Free Services

The U.S. Railroad Retirement Board (RRB) is reminding its customers about the benefits of using its nationwide toll-free telephone number to obtain a wide variety of information and services. Since the number, 1-877-772-5772, was first available in late 2008, it has handled almost 2.5 million calls from railroad employees, retirees and their family members.

One of the main benefits is that the number allows individuals to contact the RRB field office which services their area by dialing a single toll-free number from anywhere in the country. The system can also route calls to nearby offices during emergency situations and peak workload periods.

In addition, the number offers options for self-service through automated menus, such as obtaining written confirmation of benefit amounts, duplicate tax statements and replacement Medicare cards.

The toll-free number was phased in starting in November 2008, with all 53 of the agency's field offices covered by the new system in February 2009.

This system replaced a previous toll-free number, called the "RRB Help-Line," that had been established in

1996. The previous toll-free number had a more limited range of services available through a series of automated menus and prompts and did not allow a person to connect with an RRB representative.

Shortly after the new 1-877-772-5772 number became available, the RRB started playing a recording on the older "Help-Line" directing callers to the new number. This message ran for a year, and the old number was then discontinued.

Since then, the RRB has replaced references to the old number, which had the traditional "800" toll-free prefix, in its publications and on its web site. However, it has come to the agency's attention that some customers may have outdated publications that still contain references to the old number.

In most instances, callers dialing the old number will simply receive a recorded message that the number is not available or has been disconnected. However, it is possible in some areas that the old number has been reassigned to another entity. Anyone wishing to obtain assistance from the RRB should only call the new toll-free number of 1-877-772-5772.

# Around the Brotherhood

## Unified System Division Holds Convention

The Unified System Division met in Scottsdale, Arizona, October 25 - 29. The USD held election of officers and set the future course of the USD. Following the Convention, those in attendance were presented with an officer educational.

This was the last Convention that will be attended by a number of retiring USD officers, including Kent Bushman, Bill Jorde and Joe Dean. Bill and Joe will retire December 31. Both Kent and wife Harriet will retire from the Brotherhood March 1.



USD newly elected and reelected officers.



USD first term Vice Chairmen, left to right, Tony Cardwell, Brian Rumler, Mike Gekas and Galen Owen.

## BMWED Women's Committee Team with Students to Aid Service Men and Women

On October 23, 2010, the BMWED Women's Committee teamed with students and staff from Morton Elementary School in Hastings, Nebraska to make care packages for service men and women currently serving in Iraq and Afghanistan. The group made forty packages that were filled with beef jerky, sunflower seeds, high energy trail mix, poptarts, cookies, playing cards, Halloween candy, and pictures

colored by the students from Morton Elementary.

The funding for the package contents and shipping were proceeds from the BMWED Women's Committee/Morton Elementary School raffle ticket sales earlier this year. The prizes that were raffled off were a \$500.00 Visa gift card, \$250.00 Visa gift card, \$100.00 Visa gift card, and a GPS navigation system. The group sold approximately 1600 tickets.



Women's Committee members and students.

## BMWED Continues Local Chairman/Secretary-Treasurer Education

October 19 - 21, the BMWED held educational classes in Minneapolis, Minnesota. The first part of the week was reserved for officers who conduct discipline hearings and was attended by a number of System Federation officers. The

rest of the week was set aside for Local Lodge Secretary-Treasurer and Local Chairman training. The local officer training focused on their duties and responsibilities as local lodge officers and general union administration.



National Division Officers discuss training with Arbitrator Gerald Wallin. Pictured left to right, Gerald Wallin, BMWED Vice President David Joynt, BMWED Assistant to the President Steve Powers and BMWED Vice President David Tanner.



BMWED Vice President David Tanner instructing Local Chairmen.

## Allied Federation Local Lodge 2162 Welcomes President Simpson

Allied Federation Local Lodge 2162 held its regular quarterly meeting in Starke, Florida on Saturday, November 6. BMWED President Freddie Simpson was invited to attend

and was asked to address the members. President Simpson presented an update on national bargaining and discussed a number of important issues with those in attendance.



AF Local Lodge 2162 members and guests.

See Brotherhood on Page 4



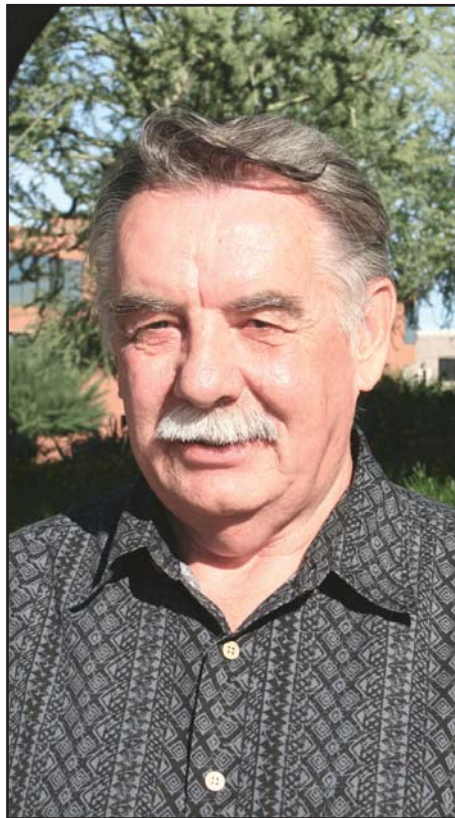
## Unified System Division Vice Chairman D. Joe Dean Retires

On December 31, 2010, Joe Dean will retire and cap a career that has spanned more than 40 years. Friends and co-workers honored Joe recently with a retirement celebration during the recent Unified System Division's Joint Protective Board meetings.

Prior to the start of his railroad career, Joe spent two tours in Vietnam with the U. S. Navy Construction Battalion as a "Seabee". After his military service, he began his railroad career with the Union Pacific Railroad on October 1, 1970 in the Bridge and Building Department. But, as luck would have it, he was furloughed shortly after being hired. He went back to Union Pacific in April, 1971, as a Section Man in Wahsatch, Utah. During his 30 years with Union Pacific he worked mostly as a District Truck Driver but also held other positions at various times.

Brother Dean served Local Lodge 918 (*Castle Rock Lodge*) as Secretary-Treasurer from 1989 until 2008, and also served a dual role as Local Chairman from 2003 until 2008. In 2000 Joe was appointed System Representative for the Union Pacific System Division and served in that capacity, as needed, until he was elected to the position of Vice Chairman in 2005. He was reelected in 2006 when the Union Pacific System Federation merged with the Chicago & Northwestern System Division to form the Unified System Division.

Joe and his wife Bette have been



Joe Dean

married for 20 years and share two sons, three daughters and four grandchildren. They will spend retirement at their home in Evanston, Wyoming.

Joe says he will spend some time working on his home, and that he and Bette will probably do some traveling.

The BMWED wishes Joe and Bette a long, healthy and happy retirement.

## Medicare Premiums for 2011

The Centers for Medicare & Medicaid Services has announced that the standard monthly Part B premium will be \$115.40 in 2011. However, most Medicare beneficiaries will not see an increase in their monthly Part B premiums because of a "hold-harmless" provision in current law. Monthly premiums for beneficiaries protected by this provision will continue to be \$96.40 or \$110.50, the same monthly amount that they paid in 2010.

Some beneficiaries will pay the new standard monthly premium of \$115.40 in 2011. These beneficiaries are not subject to the "hold-harmless" provision because they are new Medicare Part B enrollees during the year, they do not have their Part B premiums withheld from railroad retirement or social security benefit payments, or they are subject to the income-related additional premium amount (as explained below).

The Part B monthly premiums for some beneficiaries will increase again in 2011, depending on an individual's or married couple's modified adjusted gross income. The total monthly Part B premiums including income-related adjustments for 2011 will be \$161.50, \$230.70, \$299.90, or \$369.10, depending on the extent to which an individual beneficiary's modified adjusted gross income exceeds \$85,000 (or a married couple's income exceeds \$170,000), with the highest premium rates only paid by beneficiaries whose incomes are over \$214,000 (or \$428,000 for a married couple). The Centers for Medicare & Medi-

caid Services estimate that about 5 percent of Medicare beneficiaries with Part B will pay higher premiums in 2011 based on their incomes.

Beneficiaries in Medicare Part D prescription drug coverage plans pay premiums that vary from plan to plan. Beginning in 2011, the Affordable Care Act requires Part D beneficiaries whose modified adjusted gross income exceeds the same thresholds that apply to higher-income Part B beneficiaries to pay a monthly adjustment amount. These beneficiaries will pay the regular plan premium to their Part D plan and will pay the income-related adjustment to Medicare. The adjustment amounts range from \$12.00 to \$69.10.

The Social Security Administration (SSA) is responsible for all income-related monthly adjustment amount determinations. To make the determinations, SSA uses the most recent tax return information available from the IRS. For 2011, in most cases that will be the beneficiary's 2009 tax return information. If that information is not available, SSA will use information from the 2008 tax return.

Those railroad retirement and social security Medicare beneficiaries affected by the 2011 Part B and D income-related premiums will receive a notice from SSA by December 2010. The notice will include an explanation of the circumstances where a beneficiary may request a new determination. Persons who have questions or would like to request a new determination should contact SSA **after** receiving their notice.

## No Railroad Retirement Benefit Increase Again in 2011; Retiree Earnings Limits Remain the Same

Railroad retirement annuities, like social security benefits, will not increase in January 2011 as there was no increase in the Consumer Price Index (CPI) from the third quarter of last year to the corresponding period of the current year.

Also, because there is no cost-of-living adjustment (COLA), social security law prohibits an increase in the amounts social security and railroad retirement beneficiaries subject to earnings restrictions can earn in 2011 without having their benefits reduced.

For those under full retirement age throughout 2011, the exempt earnings amount remains at \$14,160. For beneficiaries attaining full retirement age in 2011, the exempt earnings amount, for the months before the month full retirement age is attained, remains at \$37,680 in 2011.

For employee and spouse annuitants, full retirement age ranges

from age 65 for those born before 1938 to age 67 for those born in 1960 or later. For survivor annuitants, full retirement age ranges from age 65 for those born before 1940 to age 67 for those born in 1962 or later.

Special work restrictions continue to be applicable to disability annuitants. In 2011, the monthly disability earnings limit will also stay at the previous year's amount of \$780.

Regardless of age and/or earnings, no railroad retirement annuity is payable for any month in which an annuitant (retired employee, spouse or survivor) works for a railroad employer or railroad union.

The Department of Health and Human Services has not yet announced if there will be any Medicare premium changes for 2011. Information about Medicare changes for 2011, when available, will be found at [www.medicare.gov](http://www.medicare.gov).

## Claims for Railroad Sickness Benefits Available Online

The U.S. Railroad Retirement Board (RRB) has announced that railroad workers can now file biweekly claims for railroad sickness benefits online.

Employees can access this new service by visiting the RRB's website at [www.rrb.gov](http://www.rrb.gov) and clicking "Benefit Online Services." This new feature, along with existing ones, requires a secure Internet Services Account for each individual. First-time users will need to request a Password Request Code (PRC), which they will receive by regular mail in 7 to 10 days. Once employees have an established online account, they will be able to file biweekly claims for sickness benefits, as well as conduct other business with the RRB over the Internet. Employees who have already established online accounts do not need to do so again.

Railroad employees who miss work due to illness or injury will still have to file a paper form that serves as their initial application for sickness benefits. Once the application is received,

they will continue to receive paper-based claim forms, generally for specific 2-week periods, by regular mail. However, they now have the option of filing the claims online in order to expedite processing and payment.

The RRB implemented a similar system for unemployment benefits in 2004. These services are part of the agency's plan to expand access to information and allow the railroad public to conduct its business with the agency in the most convenient manner possible. Individuals who do not wish to use online services can still call, visit or write one of the RRB's field offices.

Most RRB offices are open to the public from 9:00 a.m. to 3:30 p.m., Monday through Friday, except on Federal holidays. Individuals can be connected with their servicing field office or obtain its address by calling the agency's toll-free telephone number, 1-877-772-5772, which also provides a variety of automated services. Field office addresses can also be found on the RRB website.



Freddie N. Simpson

# PRESIDENT'S PERSPECTIVE

**A**s the year comes to a close and we look forward to the year ahead, it is important that we look at some of the events and accomplishments of 2010 to help chart the course for 2011. There have been a number of initiatives undertaken and efforts begun this past year that will have an impact on us all going into the future. Obviously, there is not enough room to mention them all, but we should at least recognize a few.

We began the year after serving our bargaining demands on the nation's railroads as part of the Rail Labor Bargaining Coalition (RLBC) and held our first negotiating sessions with the National Carriers'

Conference Committee (NCCC) on January 13, 2010. The RLBC, which is made up of six national rail unions, worked before and I have no doubt it will prove to be successful once again. We continue to meet with the carriers on a regular basis and will persist until we reach an outcome that satisfies the coalition's and your demands. *See bargaining update on page 2.*

On February 27, 2010, the BMWED announced a very important victory concerning rail workers' rights under the Federal Rail Safety Act (FRSA), 49 U.S.C. Section 20109. On August 3, 2007, Section 20109 was amended by *The Implementing Recommendations of the 9/11 Commission Act* to transfer authority for rail carrier whistleblower protection to OSHA. The law provides railroad workers with rights and remedies against unlawful carrier retaliation for reporting injuries and violations of federal laws and regulations related to railroad safety and security. In addition, the intent of the whistleblower law is to protect rail workers from retaliation for reporting hazardous safety or security conditions, refusing to work under certain conditions, or refusing to authorize the use of any safety- or security-related equipment, track or structure.

When the whistleblower law went into effect, rail carriers routinely raised a facile defense to Section 20109 whistleblower complaints, falsely claiming that a rail employee's grievance filed under the terms of the collective bargaining agreement became an "election of remedies" barring the filing of a complaint under Section 20109. Based upon that facile defense, OSHA/DOL initially adopted a policy which forced rail workers to forfeit their contractual rights in order to pursue a whistleblower complaint under Section 20109. However, after many months of intensive engagement by BMWED, OSHA/DOL reversed its policy, effectively opening the door to genuine whistleblower protection for railroad workers as the Congress intended.

The substantial efforts of our National Division Officers, BMWED legal counsel, and our legislative and safety departments delivered this victory for BMWED and all of Rail Labor. *See front page article.*

We have seen many who have served in BMWED leadership roles retire this past year and a new generation of leaders begin to assume their roles. In keeping with our commitment to prepare a new generation of BMWED leaders, the BMWED has placed a lot of focus on education again this year.

The BMWED has held numerous local chairman and secretary-treasurer seminars all across the country. The Brotherhood has also spent substantial resources on training system federation and local lodge officers on discipline hearing procedures, all in an attempt to provide our members with continued excellent representation. In keeping with our slogan, *Transition to the Future*, we are preparing the next generation of union leaders.

Our Organizing Department has had a number of organizing successes again this year. Working in conjunction with the system or division federations, several hundred new members have chosen to join our ranks. We will continue to focus on organizing in the coming year and look forward to providing those benefits our new members expect.

We have also seen a number of system federations and local lodges merge this year. Those officers that sacrificed leadership positions, or those that accepted new responsibilities in order to affect these mergers and ensure the future of their lodge or system, deserve our recognition and appreciation. Some circumstances can require mergers in order to continue a certain level of service for the membership, and those who recognize and act on those needs illustrate a selfless commitment to the labor movement and to our members.

See **Perspective** on Page 11

## Message from Teamsters General President Jim Hoffa

### The Four-Letter Word We Want To Hear From Congress: J-O-B-S

**M**embers of the 112th Congress have their work cut out for them if they don't want to meet the same fate as many members of the 111th Congress. They've got to do something to create jobs.

The official unemployment rate is 9.6 percent, but the underemployment rate is higher at 17.1 percent, according to the Labor Department.

Here are two things Congress can do to restore good-paying jobs in America: reform trade policy and modernize our infrastructure.

The decline of our manufacturing base is alarming. We must stop sending jobs and factories to countries with cheaper labor costs and lower environmental standards. But to do this, we need to fix our trade policy and review existing trade agreements.

Public Citizen concluded that House Democrats who campaigned on fair trade for open seats or in competitive races were three times more likely to win than Democrats who ran against fair trade. Only 37 candidates ran in support of more North American Free Trade Agreements — and about half of them lost.

So the time may be ripe to pass a trade reform bill introduced by Rep. Mike Michaud, D-Maine, and Sen. Sherrod Brown, D-Ohio. The TRADE Act requires that workers' rights be protected and that citizens' rights take precedence over foreign investors' rights.

An important point about the TRADE Act is that it would prevent future trade deals from forbidding "Buy American" policies.

According to a poll by Greenberg Quinlan Rosser, a majority of voters

supported the message "We are committed to 'made in America,' working to support small businesses, American companies and new American industries."

Finally, Congress can pass another jobs program by appropriating money to modernize our infrastructure. This time, though, Congress should be sure to include "Buy American" and "Hire American" provisions for infrastructure projects. We know there could be plenty to work on with the proposed High Speed Rail projects and other infrastructure improvements in the works.

Whatever the 112th Congress ends up doing, it had better do something to create jobs. Otherwise, many of its members will be looking for a new one two years from now.

Fraternally,  
James P. Hoffa  
Teamsters General President





# SECRETARY-TREASURER'S REPORT



Perry K. Geller, Sr.

**L**ast year, BMWED and five other rail unions formed the Rail Labor Bargaining Coalition (RLBC) and submitted Section 6 notices to the carriers' outlining our contract demands. We are currently engaged in bargaining with the National Carriers Conference Committee (NCCC) – the railroads' national bargaining coalition – over wages, hours, and working conditions for RLBC members in national handling.

While national bargaining in the railroad industry has always run at a snail's pace due to the carriers' reluctance to share their profits with those who toil day and night to generate them, the national economic

recession is being used by the NCCC as a smokescreen to seek concessions from Rail Labor at the bargaining table. They mistakenly claim that our demands for wage increases, maintenance of health care benefits and increases in away-from-home expenses are not reasonable in view of the "national economy." Well, the RLBC is not bargaining with the "national economy." We are bargaining with the "railroad economy," and the railroad economy is looking pretty darn good.

The fact of the matter is that the railroads are making historic profits, even as the rest of economy as a whole continues its slow climb out of the worst economic crisis seen in our lifetimes. The carriers pretend to believe that their record profits are the result of their managerial skills rather than facing the inconvenient truth that these historic profits are generated by the productivity and skill of their unionized workforce. You can be sure that your negotiating team and the RLBC know these record profits are being generated by you, and you can be equally sure that we will not let the carriers ignore this simple truth at the bargaining table.

Thus far, the main thrust of the carriers' bargaining strategy has been to attack your health and welfare benefits. NCCC negotiators are claiming your benefits are "too rich" and they are demanding benefit cuts, increases in cost-sharing, and larger co-pays. Interestingly, the carriers are not arguing that they can't afford to maintain or improve your health and welfare package. In the face of record profits, such an economic argument just doesn't hold up. So rather than cry poor, they are openly admitting that they can afford to pay but just don't want to. They are unashamedly demanding benefit cuts and increased cost-shifting as a means to fill their already bulging pockets.

Just how fat are their pockets? In 2009, the "big four" Class I railroads (BNSF, CSX, NS and UP) had net

profits of nearly \$5.25 billion, after wage and benefit costs have been paid! They surpassed that amount in the first nine months of 2010, with net profits for the 2-year period projected to exceed \$13 billion!

Even since just last year — a very profitable year by all accounts — railroad profits have risen dramatically and the industry continues to be the darlings of Wall Street. CSX's third quarter profits in 2010 have risen 43 percent over the same period last year. Union Pacific's third quarter profits soared by 51 percent, and Norfolk Southern's rose by 47 percent. BNSF's profits and prospects have been so attractive that Warren Buffett bought the entire company and no longer reports quarterly earnings because it is now a privately held corporation. All the other Class I railroads, including Canadian National, Canadian Pacific, and Kansas City Southern also saw robust growth and profits.

BMWED members deserve a fair share of these enormous profits, and we intend to stay at the bargaining table until the carriers recognize and reward the contributions of our members. Our demands for a fair and equitable settlement are just, our resolve is strong, and our unity is unwavering. The economic wealth of the industry has been generated by the sweat of your brow and the skill of your trade. We have every intention to see to it that your contributions are recognized and rewarded at the bargaining table. Together, with your support and solidarity, we shall prevail.

### Sign Up to Receive BMWED Email Updates

To sign up to become a BMWED E-activist and receive regular BMWED updates sent directly to your email address go to [www.bmwed.org](http://www.bmwed.org). It will only take a minute and you will receive updates important to you as a BMWED member and Teamster.

## A Vice President Speaks

### A Change is Coming

On November 2nd voters went to the polls and changed the face of American politics. Republicans took a clean sweep in the house and made gains in the Senate. What does this mean for labor and how will the change in balance of power affect working men and women?

Most pundits agree that the Republicans made huge gains because of the high unemployment rate and big government spending. Apparently, the Republicans' constant negative drumbeat and ability to just say no, had the effect they wanted. It appears few voters remembered that the Democrats inherited both problems after the Republicans, under the leadership of President George W. Bush and Vice President Dick Cheney, ran up a huge debt and practically destroyed our economy.

Would it have made a difference if the Democrats had done a better job of defending their policies rather than running from them? Shouldn't they have been proud of the legislation passed in an effort to rebuild our economy and their efforts to make sure we don't get in this mess again? We will probably never know. Since the Obama administration came into office, the Republicans have opposed every piece of progressive legislation introduced by the Democrats, including imposing any regulations on Wall Street, big oil, or credit card companies. In less than two years, the Democrats under the Obama administration have passed bills protecting consumers, provided stimulus to the economy that has slowed the loss of jobs and taken a huge step in correcting the healthcare crisis. No one seems to understand that the bailouts did work and that the money is being repaid. Whether we liked it or not, the fact is, it saved jobs, secured savings and pensions for millions of



Henry Wise

Americans, and restored our banking system. The car industry loans, coupled with the "Cash for Clunkers" program, saved thousands of jobs and restored the American car industry. Looking closer to home, the rail industry has flourished under the Democrats. Intermodal traffic in October was up 14.0% from October 2009 and the weekly average for intermodal units in October was the highest it has been since October 2007. The weekly average for carloads in October was up 8.7% and at its highest since October 2008.

Few are aware of the lesser known accomplishments, tax cuts for 95% of working families, increased funding for veteran issues, revamping the student loan program, Fair Pay Act and SCHIP (expanded healthcare coverage for 4 million more low income children), just to name a few. All of which was done without support from the Republican party.

What can we expect from the Republicans? Considering the fact  
See **Vice President** on Page 11



# Union Plus Scholarship Applications Now Available

## *Application deadline Jan. 31, 2011, for \$150,000 in awards*

**Washington, DC**— Applications are available for the 2011 Union Plus Scholarship Program, which provides \$150,000 in scholarships to union members, their spouses and dependants.

To download the application, visit [UnionPlus.org/Scholarships](http://UnionPlus.org/Scholarships). Or, send a postcard with your name, return address, telephone number and international union name to: Union Plus Education Foundation, c/o Union Privilege, P.O. Box 34800, Washington,

DC 20043-4800. The application deadline is January 31, 2011.

Union members, their spouses and dependent children are eligible to apply for scholarships. You do not need to participate in a Union Plus program in order to be eligible.

Since 1992, the Union Plus Scholarship program has provided more than \$2.8 million to help fulfill the educational dreams of students across the nation. Union Plus Scholarship awards are presented

annually.

In 2010, 121 students were awarded a total of \$150,000 in scholarships from the Union Plus Scholarship program, which is offered through the Union Plus Education Foundation with funding from HSBC, the issuer of the Union Plus Credit Card.

### **How the Scholarship Program Works**

In addition to demonstrating academic ability, applicants are required to

submit essays of no more than 500 words describing their career goals, detailing their relationship with the union movement and explaining why they are deserving of a union scholarship.

Individuals must be accepted into an accredited college or university, community college or recognized technical or trade school at the time the award is issued. Graduate school students are also eligible for Union Plus Scholarships.

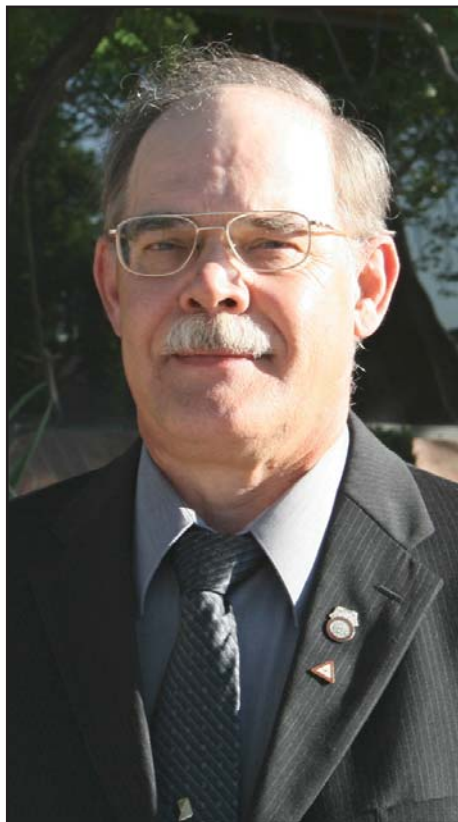
## Unified System Division Vice Chairman William C. "Bill" Jorde Retires

**B**ill Jorde will retire from his position with the Unified System Division on December 31, 2010. Bill has enjoyed a 42-year career as a railroader and a union representative. Friends and co-workers honored Bill recently with a retirement celebration during the recent Unified System Division's Joint Protective Board meetings.

Following a family tradition that dates back to the beginning of the Chicago and North Western Railroad, Brother Jorde began his railroad career while still in high school at the age of 17. He hired on with the Chicago Great Western Railroad on June 7, 1968 as a Bridge Operator. Both of Bill's parents and his brother worked for the railroad at the time. Bill is believed to be the last Chicago Great Western Railroad employee to reach retirement.

Bill served in his capacity as a Bridge Operator until 1975 when he left to serve a brief stint as a submission writer for the BMW Research Department in Chicago, IL. He then returned to his railroad position until he was elected Vice Chairman for the Chicago & Northwestern System Division in October 1976. He was elected General Chairman in 1978 and held that position until 1983 when he went back to the railroad in the Bridge and Building Department.

He spent the next eleven years working in a variety of railroad positions at Chicago & Northwestern Railroad, including Machine Operator and B&B Carpenter. In 1994 he was elected Assistant Chairman/Secretary-Treasurer for the Chicago & Northwestern System Division. He served in that capacity until the Chicago & Northwestern System Division merged with the Union Pacific System Division in 2006 and formed the Unified System Division. Bill was elected to serve as Vice Chairman for the newly formed System.



**Bill Jorde**

Over the years, Brother Jorde has served the Brotherhood in a variety of other positions including Local Lodge President and Local Chairman for Local Lodge 1444, Minnesota BMW State Legislative Director, and Interim General Chairman.

Brother Jorde's wife of 36 years, Rosann, still works for Union Pacific Railroad as a Bridge Tender in St. Paul, MN on the same bridge that Bill once operated. His son-in-law also works as a Bridge Tender for Union Pacific Railroad.

Bill, who resides in South St. Paul, plans to spend his retirement fishing, traveling and just enjoying his family. He and Rosann have two daughters, Jennifer and Michelle, and six grandchildren.

The BMWED wishes Bill and his family a long, healthy and happy retirement.

### Welcome to the Party



## A Reminder on Holiday Rules

If you are a furloughed employee of a railroad covered by the U.S. National Agreement with at least 60 days of seniority or 60 calendar days of continuous service preceding a covered holiday, and if you had compensation paid by the carrier credited to 11 or more of the 30 calendar days immediately preceding the holiday, you may be entitled to pay for that holiday even though you are furloughed.

The complete list of holidays is:

- New Year's Day
- President's Day
- Good Friday

- Memorial Day
- Fourth of July
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve (the day before Christmas is observed)
- Christmas Day
- New Year's Eve (the day before New Year's Day is observed)

For detailed information contact your General Chairman.

# The James R. Hoffa Memorial Scholarship Fund

## BMW Division Dependents Eligible to Apply for 2011/2012 Program Year

James R. Hoffa became a Teamster member in 1934 and served as General President for 14 years, and, in recognition of his tireless service to the Union and its members, was named General President Emeritus for life. In November 1999, General Secretary-Treasurer C. Thomas Keegel presented a resolution to establish the new scholarship fund to the General Executive Board. Thus began the James R. Hoffa Memorial Scholarship Fund.

One hundred scholarships will be awarded this program year. Applicants compete in one of the five geographic regions where the Teamster parent's local union is located. Thirty-one of the awards total \$10,000 each. These four-year scholarships are disbursed at the rate of \$2,500 per year and are renewable annually. Sixty-nine of the awards are one-time \$1,000 grants. These scholarships are disbursed to the college or university at the beginning of the recipient's freshman year.

An impartial committee of university

admissions and financial aid directors selects recipients based on academic achievement, SAT/ACT scores, character, potential and financial need. Eligibility requirements and application procedures are the same for all awards. The Fund considers all applicants without regard to race, religion, gender, disability, or any other legally protected status.

The children and grandchildren of BMW Division members are eligible to apply for the 2011/2012 James R. Hoffa Memorial Scholarship. This year's program is open to high school seniors graduating during the 2010/2011 academic year who plan to attend an accredited four-year college or university. Students participating in a concurrent enrollment program, where they are attending college courses prior to completion of their high school requirements, must apply the year before they begin full-time college course work.

### GUIDELINES

**The Scholarship Fund has established some guidelines to be used by students when deciding whether**

### or not to apply to this program.

Applicants should: Rank in the top 15 percent of his/her high school class; have, or expect to have, excellent SAT or ACT scores; and demonstrate financial need. *Due to the highly competitive nature of the program and the large number of applicants, students should carefully consider these three criteria points before submitting an application.*

### ELIGIBILITY

The applicant must be a son, daughter or grandchild of a Teamster (BMWED) member. Financial dependents (i.e., stepchildren and wards) of Teamster members are eligible if the member contributes in excess of 50% of the applicant's financial support and if the applicant is a financial dependent of the member for federal income tax purposes.

The applicant's Teamster parent/grandparent must have been a member in good standing during the 12 consecutive months preceding the application deadline of March 31, 2011. In addition, the Teamster parent/grandparent must

not have been a full-time elected officer during this period. If the applicant's Teamster parent/grandparent is retired or deceased, he or she must have been a member in good standing for the 12 consecutive months preceding his or her retirement or death. Furthermore, the member must not have been a full-time elected officer during the 12-month period stated above.

Applications (English/Spanish/French), detailed instructions, and eligibility information can be downloaded from the Teamster's website at [www.teamster.org](http://www.teamster.org) under Members > Scholarships > Hoffa Fund, or by contacting the office of your System General Chairman, the BMW Division Department of Education at (202) 508-6444, or the Scholarship Fund office in Washington, DC.

BMW Division applicants should complete the application and forward it to the Teamster parent's/grandparent's BMW Division System Division/Federation. The Secretary-Treasurer of the BMW Division System Division/Federation will complete the application. See **Scholarship** on Page 11

UNITED STATES POSTAL SERVICE® (All Periodicals Publications Except Requester Publications)	
1. Publication Title BMWED Journal	2. Publication Number 1 0 4 9 _ 3 9 2 1
3. Filing Date 8 OCT 2010	4. Issue Frequency Bi-Monthly
5. Number of Issues Published Annually 6	6. Annual Subscription Price \$20.00
7. Complete Mailing Address of Known Office of Publication (Not printer) (Street, city, county, state, and ZIP+4®) 20300 Civic Center Drive, Suite 320, Southfield, MI 48076-4169	
8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer) 20300 Civic Center Drive, Suite 320, Southfield, MI 48076-4169	
9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank)	
Publisher (Name and complete mailing address) Brotherhood of Maintenance of Way Employees Division-IBT, 20300 Civic Center Drive, Suite 320, Southfield, MI 48076-4169	
Editor (Name and complete mailing address) Freddie N. Simpson, President & Editor, BMWED-IBT, 20300 Civic Center Drive, Suite 320, Southfield, MI 48076-4169	
Managing Editor (Name and complete mailing address) Randall E Brassell, Associate Editor, BMWED-IBT, 25 Louisiana Avenue, NW 7th FLR Washington, DC 20001-2130	
10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)	
Full Name	Complete Mailing Address
Brotherhood of Maintenance of Way Employees Division-IBT	20300 Civic Center Drive, Suite 320, Southfield, MI 48076-4169
11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box <input checked="" type="checkbox"/> None	
Full Name	Complete Mailing Address
12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one) The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes: <input checked="" type="checkbox"/> Has Not Changed During Preceding 12 Months <input type="checkbox"/> Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)	

13. Publication Title BMWED Journal	14. Issue Date for Circulation Data Below SEPT/OCT 2010	
15. Extent and Nature of Circulation	Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (Not press run)	39,949	35,918
(1) Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	35,742	35,742
b. Paid Circulation (By Mail and Outside the Mail)		
(2) Mailed In-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)		
(3) Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS®		
(4) Paid Distribution by Other Classes of Mail Through the USPS (e.g. First-Class Mail®)		
c. Total Paid Distribution (Sum of 15b (1), (2), (3), and (4))	35,742	35,742
d. Free or Nominal Rate Distribution (By Mail and Outside the Mail)		
(1) Free or Nominal Rate Outside-County Copies included on PS Form 3541	176	176
(2) Free or Nominal Rate In-County Copies included on PS Form 3541		
(3) Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g. First-Class Mail)		
(4) Free or Nominal Rate Distribution Outside the Mail (Carriers or other means)		
e. Total Free or Nominal Rate Distribution (Sum of 15d (1), (2), (3) and (4))	176	176
f. Total Distribution (Sum of 15c and 15e)	35,918	35,918
g. Copies not Distributed (See Instructions to Publishers #4 (page #3))		
h. Total (Sum of 15f and g)	35,918	35,918
i. Percent Paid (15c divided by 15f times 100)		
16. Publication of Statement of Ownership <input checked="" type="checkbox"/> If the publication is a general publication, publication of this statement is required. Will be printed in the SEP/OCT 2010 issue of this publication. <input type="checkbox"/> Publication not required.		
17. Signature and Title of Editor, Publisher, Business Manager, or Owner Randall E Brassell, Associate Editor		Date 10/08/2010
I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).		

# ROLL OF HONOR

## 60 year

### MERIT AWARDS

NAME	SYSTEM	LODGE NUMBER	MEMBER SINCE
James W Carbaugh	ASF	0571	1950
Francis A Cronin	USD-W	1381	1950
Uriah Holmes	PENN	3014	1949
George C Krebs	PENN	3014	1942
Anthony P La Gana	PENN	3014	1943
Martin O Ludwig	USD-W	1227	1950
Blas Medina Jr	USD-W	0686	1950
Joseph A Paiz	USD-W	0686	1950
Howard E Richards	USD-W	1216	1950
Frank J Sock	USD-W	0473	1950
Richard H Steiner	PENN	3014	1949

## 50 year

### MERIT AWARDS

NAME	SYSTEM	LODGE NUMBER	MEMBER SINCE
Richard W Gray	USD-NW	0700	1960
Gordon E Keach	USD-NW	1125	1960
Robert O Painter	SW FED	0345	1960

## 40 year

### MERIT AWARDS

NAME	SYSTEM	LODGE NUMBER	MEMBER SINCE
Steven D Burns	CRSF	1595	1970
Raul M Chavez	USD-W	0922	1970
Roger L Mashek	USD-W	0899	1970
Gary L Robinson	ICGF	1067	1970
Salvador G Sandoval	USD-W	1196	1970
Mario R Vazquez	USD-W	1348	1970
Arturo L Villalpando	USD-W	1196	1970
Stanley W Waldeier	USD-NW	1097	1969
Jimmy B Whiddon	SOU	0619	1970

## 30 year

### MERIT AWARDS

NAME	SYSTEM	LODGE NUMBER	MEMBER SINCE
Gary L Aasa	USD-W	1402	1980
Landon D Adams	AF-SW	0996	1980
Andre Antonio	AF-SW	2921	1980
Martin V Arambula	USD-W	0134	1980
Wayne G Baker	PENN	3014	1977
Gary A Baland	USD-W	1246	1979
Brian S Balls	USD-W	1227	1980
Earl Barth	PENN	3014	1977
Michael A Battistini	PENN	3014	1976
Danny Bauer	USD-W	0899	1977
Glenn R Bennett	PENN	3014	1977
Vincent A Bennett	PENN	3014	1978
George L Bishop III	USD-NW	0381	1980
Brian J Bogarde	PENN	3014	1980
Dean L Bowen	USD-W	1402	1980
Francis T Boyle	PENN	3014	1976
Matthe Boyle	PENN	3014	1977
Michael R Bozek	PENN	3014	1977
Larry J Brown	USD-NW	1152	1980
Marvin Brown Jr	PENN	3014	1977

Scott V Burns	USD-W	1246	1973
Dennis Cadman Jr	AF-SW	2921	1980
Robert Calla	PENN	3014	1977
Joseph A Caputo	PENN	3014	1980
Ronald J Cheslock	PENN	3014	1977
David R Choyce	PENN	3014	1977
Leslie D Christensen	USD-W	1227	1980
Steven Clark	PENN	3014	1976
Jerry M Clay	USD-W	1133	1980
Ronald A Corduan	PENN	3014	1977
Keith F Davies	PENN	3014	1975
Henry Demouchet	AF-SW	1048	1980
Anthony R Di Angelo	PENN	3014	1980
William A Dooling	PENN	3014	1975
James W Doran Jr	PENN	3014	1977
Francisco S Duarte	USD-NW	0377	1980
William G Dussette Jr	AF-SW	1011	1980
David Eckerle	AF-SW	1353	1980
Tanner V England	ASF	0224	1980
Thomas A Evans	PENN	3014	1977
James A Flag	USD-W	1381	1980
John Fonsemorti	PENN	3014	1977
August Francesco	PENN	3014	1975
Rafael Franco	USD-W	0216	1980
Raymond Gallina	PENN	3014	1977
William Gibson III	PENN	3014	1977
Dan A Gilmore	PENN	3014	1977
William V Gilmore	USD-W	0918	1980
Stephan A Glenn	USD-W	1381	1980
Wayne E Godshall	PENN	3014	1976
Harry W Goldsmith	AF-SW	1193	1980
Arthur Gonzales	USD-W	1381	1980
Donald E Goudy Jr	AF-SW	1011	1980
Brandon P Grimes	PENN	3014	1975
Denny Grinillo	USD-W	0899	1980
Ranie J Guenther	USD-W	0914	1974
Francisco R Guerra	PENN	3014	1975
Frank J Guld	PENN	3014	1977
Richard L Harrison	PENN	3014	1975
Ricky L Harrison	USD-NW	0410	1980
Mark R Hillman	PENN	3014	1977
Gerald D Hodges	PENN	3014	1975
Luther B Holmes	PENN	3014	1975
Charles O Hubbard	PENN	3014	1976
James B Hurlburt Sr	N E	1368	1977
Seth J Inman	AF-SW	0965	1980
Robert J Jahnke	USD-NW	2853	1980
John J Jankowski	PENN	3014	1977
Fernando D Jasso	USD-NW	0377	1980
Raymond P Jemison	AF-SW	1100	1980
Delbert L Johnson	USD-W	0686	1980
Dale Jorgensen	USD-W	1246	1980
James Keeler	PENN	3014	1977
Richard M Kendall	USD-W	1227	1980
Roy E King	USD-NW	0377	1980
Charles B King	AF-SW	0601	1980
James L Kirk Jr	USD-W	0757	1980
Reymundo Lara	USD-W	0686	1980
Mark W Larsen	USD-NW	1097	1980
Clifford Law	PENN	3014	1974
William F Lawrence	PENN	3014	1977
Milton L Lee	USD-W	0508	1980
Michael V Leonetti	PENN	3014	1977
Kenneth J Lockett	PENN	3014	1980
Ruben R Lomeli	USD-NW	0377	1980
Alcides Loran Jr	PENN	3014	1978
Jacob J Marlin	PENN	3014	1976
Jason J Martinez	USD-W	1020	1980
Daniel J Matthews	PENN	3014	1980
Dennis R Matthews	SOU	0536	1980
William D Mc Clendon	PENN	3014	1977
William J Mc Kenna	PENN	3014	1977
John D Merrell	PENN	3014	1980
Randall W Meyer	USD-NW	0343	1980
John A Mihalco	PENN	3014	1975
Edward J Mininchelli	PENN	3014	1975
James D Moats	USD-W	0899	1980
John A Morgan IV	PENN	3014	1975
Robert J Mura	PENN	3014	1977
Michael T Murphy	PENN	3014	1977
Edward Nazario	PENN	3014	1976
Jesus B Olivas	USD-W	0941	1980
Aurelio Orozco	USD-NW	0377	1980
Wayne T Pearson	PENN	3014	1976
Robert A Perriero	PENN	3014	1976
John J Pieczynski	PENN	3014	1975
Mike Pimentel	USD-NW	0377	1980
Greg A Pino	USD-W	0686	1980
George W Pope	AF-SW	1193	1980
Peter F Quinn	PENN	3014	1976
Guadalupe Ramirez	USD-W	0899	1980
Rolando C Ramos	USD-W	1096	1979
Richard Ratchford	PENN	3014	1976
Theodore Reddick	PENN	3014	1976
Richard J Riley	PENN	3014	1975
Lyle E Ring	USD-NW	1788	1980
Lorenzo Roan	USD-W	0134	1980
William G Roscoe	PENN	3014	1977
Tony G Rossetto	USD-W	1054	1980
Jeffrey J Saathoff	USD-NW	1152	1980
Curtis L Samhammer	PENN	3014	1976
Meliton Sandoval Jr	USD-W	0899	1980
Richard N Schneider	PENN	3014	1978
Howard W Scott	ASF	0571	1980
Robert K Shaw	PENN	3014	1977
Elmer E Shorty	USD-W	0134	1980
Mitchell D Sullivan	PENN	3014	1975
Richard E Tamasi	PENN	3014	1976
Robert T Taylor	USD-NW	2853	1980

Jesse J Thomas	AF-SW	1012	1980
Henry Thomas	AF-SW	1176	1980
William H Thompson	USD-W	1246	1980
Neil T Touvell	MT&PLS	1082	1976
Manuel Vega	PENN	3014	1979
Larry K Voet	USD-W	1133	1980
Bill Wakefield	USD-NW	1046	1980
David J Weigelt	USD-NW	1788	1980
Calvin L White	PENN	3014	1977
Lawrence N Wiles III	PENN	3014	1976
Alan L Williams	PENN	3014	1976
Samuel H Wilson	PENN	3014	1976
Brian K Wolford	USD-W	1020	1980
Thomas J Zagarski	PENN	3014	1977
Robert P Zdance	PENN	3014	1978

## 20 year

### MERIT AWARDS

NAME	SYSTEM	LODGE NUMBER	MEMBER SINCE
Gene A Anirina Sr	PENN	3014	1990
Harold Austin	PENN	3014	1989
Darry Bahe	USD-W	1020	1990
Carlos G Barron	USD-W	0686	1990
Oliver D Becenti	USD-W	1227	1990
Harrison J Begay	USD-W	0918	1990
M Ben	USD-W	1020	1990
Michael S Ben	USD-W	1020	1990
Emerson Benally	USD-W	1020	1990
Emmanuel M Benally	USD-W	1020	1990
Jose L Bermejo	USD-W	1227	1990
Joseph Brown Sr	PENN	3014	1990
Luz V Cano	USD-W	1002	1990
Alfonso Q Castillo Jr	USD-W	0227	1984
Heriberto M Chavez	USD-W	1227	1990
Edison Chee	USD-W	1020	1990
Albert R Chiquito	USD-W	1020	1990
Patrick Clark	PENN	3014	1990
Tim C Clemens	USD-W	1196	1986
Borome Closel	PENN	3014	1990
David V Coy Jr	USD-NW	1152	1990
Kevin R Crowley	USD-W	1002	1990
Todd L Deidel	USD-W	0899	1990
Robert A Fitzpatrick	USD-W	1227	1990
Herminio R Flores	USD-W	0227	1984
Ron P Frascell	PENN	3014	1983
Keah B Gussie	USD-W	1227	1990
Martin Gutierrez	USD-W	1402	1990
Pedro Higuera	PENN	3014	1990
Scott A Hogan	USD-W	1216	1990
Daniel A Hornung	PENN	3014	1984
Emery Jacquez	USD-W	1227	1990
Jerry J John	USD-W	1020	1990
J E Johnson	SOU	0619	1990
Edward P Joseph	USD-W	1133	1990
James P Keenan	PENN	3014	1990
Tom D Kralle	PENN	3014	1983
David Lapahe	USD-W	1020	1990
Denton A Leash III	PENN	3014	1988
Jesus A Lujan	USD-W	0918	1990
Joe Marier Jr	PENN	3014	1982
John S Matthews	PENN	3014	1983
Charles E Mc Gill Jr	PENN	3014	1983
Paul W Molin	USD-W	0922	1986
Martin Morales	USD-W	1227	1990
Nelson Morgan	USD-W	1020	1990
Ernie Morrison	USD-W	0874	1990
R L Musselwhite	SOU	0619	1989
Marc R Niccum	USD-W	0922	1986
Kenneth Norberto	USD-W	1020	1990
Mark A Ortegon	USD-W	1227	1990
Anthony L Ortiz	USD-W	0686	1990
John Pikulak	PENN	3014	1983
Joseph A Pollack	PENN	3014	1983
Elias M Ray	USD-NW	1152	1990
Michelle C Russo	USD-W	0922	1989
Bulmaro Saldana	USD-W	1402	1990
Jackson Sandoval	USD-W	1020	1990
Gary A Saunders	USD-W	0874	1990
Mark S Supak	PENN	3014	1983
Douglas C Surface	AF-SW	1365	1990
Leon Taylor	USD-W	1020	1990
Alvin J Tom	USD-W	1020	1990

Oscar Torres	USD-W	1402	1990
Alfredson Tsosie	USD-W	1020	1990
Wilson Tsosie	USD-W	1020	1990
Moses T Valadez	USD-W	0407	1984
Anthony P Vigil	USD-W	0686	1990
Christopher K Walker	PENN	3014	1982
John T Waller	AF-SW	1715	1990
Roger P Yazzie	USD-W	1020	1990
BENSON Yazzie	USD-W	1020	1990
James B Yazzie Jr	AF-SW	2921	1990

## 10 year

### MERIT AWARDS

NAME	SYSTEM	LODGE NUMBER	MEMBER SINCE
Douglas R Adkins	USD-W	0216	2000
Fernando I Aguiar	PENN	3014	1997
Salvador Aguiar Jr	USD-W	1002	2000
Joshua S Anderson	ICGF	0694	2000
Anthony Arratia	USD-W	0407	2000
Adalberto Ayala	USD-NW	0377	2000
Jeremy S Bailey	USD-W	0941	2000
Depas C Bee	USD-W	1020	2000
Kenneth W Bell	USD-W	1402	2000
Jason M Berding	USD-NW	1757	2000
Jerry L Blankenfeld	USD-W	0216	2000
Jason L Bob	USD-W	1020	2000
Timothy J Bowers	PENN	3014	1995
Keith M Bradley	PENN	3014	1997
Richard E Brown	USD-W	0325	2000
David J Bruckner	USD-W	0686	2000
Emerson Cadman	USD-W	1020	2000
John D Chandler	USD-W	0874	2000
Tony Chappo	USD-W	1020	2000
M Chee	USD-W	1020	2000
Corey D Choate	USD-W	1227	2000
John K Clark	PENN	3014	1998
Timothy R Claycamp	USD-W	1133	2000
Chris R Conway	USD-W	1216	2000
Michael C Corcoran	USD-NW	0377	2000
William A Cudney	USD-W	0918	2000
Patrick T Custy	USD-W	0899	2000
James M Davis	USD-NW	1097	2000
Mark R Dayton	USD-W	1402	2000
William L De Jesus	PENN	3014	1995
Amos O Dean III	PENN	3014	1995
James R Delp	USD-W	0473	2000
Ben A Deutscher	USD-W	1216	2000
Joseph R Digiorgio	PENN	3014	1998
Alexander Dixon Jr	PENN	3014	1998
Valentino Dominguez	USD-W	1020	2000
Jeremy J Dugan	USD-NW	1935	2000
Dalberta Dunn	PENN	3014	1997
Luther Evans	USD-W	0508	2000
Jeremy E Farrell	USD-W	0473	2000
Brad A Forney	USD-W	0473	2000
Randall J Forstenhauser	PENN	3014	1997
Ryan D Foth	USD-NW	1148	2000
Christopher Francisco	USD-W	1020	2000
Jessie Garcia	USD-W	0508	2000
Kirk C Garvin	PENN	3014	1997
Ryan S Georges	USD-W	0686	2000</

## ROLL OF HONOR Continued from page 10

Tomie Long	USD-W	1020	2000	Mark H Reardon	PENN	3014	1998
Ancelmo Lopez	USD-W	0686	2000	Rebecca A Redfield	USD-W	0686	2000
Vassily Lyashko	PENN	3014	1998	Mark A Reed	USD-W	0216	2000
John R Madden	USD-W	1216	2000	Santiago Reyes	USD-W	0473	2000
Robert D Madrid	USD-W	0918	2000	Ismael Rivera	PENN	3014	1998
Daniel C Magana	USD-W	0918	2000	Jose A Rodriguez	USD-NW	0377	2000
Mark J Magnett	USD-W	1216	2000	Russell Ruiz	USD-W	0686	1996
Andrew D Makstaller	USD-NW	0437	2000	Joseph A Schebal	PENN	3014	1998
Robert P Manlove	MT&PLS	0014	1998	Jason P Schlund	USD-W	0473	2000
Louis A Mansuetti	USD-W	0874	2000	Jem J Sentman	USD-W	1096	2000
Cody A Mashek	USD-W	0899	2000	Ernest Shuler Jr	PENN	3014	1997
Jeremy W Mc Cloud	USD-W	0899	2000	John J Shumaker	USD-NW	0342	2000
Jedediah C Mc Coy	USD-NW	1152	2000	DANIEL K Slim	USD-W	1020	2000
Dennis M Mc Field	USD-NW	0377	2000	Gary D Smith	USD-NW	0377	2000
Michael P Mc Kenna	PENN	3014	1999	Lamont Smith Jr	USD-W	1020	2000
John B Miller	USD-W	0216	2000	Parker L Spurling	USD-W	0473	2000
Timothy J Miller	USD-W	0799	2000	Aaron M Stenen	USD-NW	1879	2000
Marty Q Misk	USD-W	0473	2000	Ervin L Taff	USD-NW	1097	2000
Daniel Molloy	PENN	3014	1994	James A Thavenet	USD-W	1133	2000
Anthony T Montoya	USD-W	0918	2000	Anthony L Trotta	USD-W	1862	2000
Robert W Moore	USD-W	1227	2000	Stacy T Trujillo	USD-W	1862	2000
Gino J Morgan	USD-W	1020	2000	Franklin Tsosie III	USD-W	0508	2000
Jeffrey R Mulford	PENN	3014	1998	Hoskey Tsosie Jr	USD-W	1862	1997
Paul J Olson	USD-W	1133	2000	Robert M Vialpando	USD-W	0686	2000
Dustin G Owen	USD-NW	1097	2000	James K Vitale	PENN	3014	1997
Galen E Owen	USD-NW	1097	2000	Kevin M Warders	USD-W	1216	2000
Daniel M Perez	USD-W	0508	2000	Matthew P Welch	USD-W	0899	2000
Fernando A Perez	USD-W	1002	2000	Milton H Whittaker	PENN	3014	1997
Sherman A Pittman	PENN	3014	1997	Gregory K Wilson	USD-W	0407	1997
Leon B Poulsen	USD-W	0918	2000	Donovan L Wolfe	PENN	3014	1998
Robert A Powers Sr	USD-W	0227	1997	Aaron Yazzie	USD-W	1020	2000
Roldan Preciado	USD-NW	0377	2000	Frank J Yazzie	USD-W	1020	2000
Jerry D Prockish	USD-W	1216	2000	Antonio Zamano	USD-W	0875	2000
Ernest M Quijada	USD-W	0227	2000	Lenny T Zvonik	USD-W	1216	2000
Ronald A Read Jr	USD-W	0899	1998				

## Scholarship Continued from page 9

plete a required section of the application and forward it to the Scholarship Fund. *The Fund administrators recommend submitting completed applications to the System Secretary-Treasurer two weeks prior to the application deadline.*

### DEADLINE

**The Scholarship Fund must receive the application by March 31, 2011.** Any applications that have not been sent from the union office will be returned to the applicant. Specific questions or requests for assistance regarding the James R.

Hoffa Memorial Scholarship program should be addressed to:

James R. Hoffa  
Memorial Scholarship Fund  
25 Louisiana Avenue, NW  
Washington, DC 20001  
Phone: (202) 624-8735  
E-Mail: [scholarship@teamster.org](mailto:scholarship@teamster.org)

*J.R.H.M.S.F. 2011/2012 promotional posters and brochures are available for distribution from the BMWED Division's Department of Education and the Scholarship Fund's offices, located in Washington, DC.*

## Son of BMWED Member Killed in Afghanistan

Corporal Chad Young, son of BMWED member Jerry C. Young, was killed in Kandahar Province on November 3. Corporal Young, age 25, was killed by an improvised explosive device while driving a truck, volunteering to fill in for an injured buddy. Chad graduated from Chatham-Glenwood High School in 2003. He joined the U. S. Army in 2004 and spent his first tour in Korea. He was on his second tour of duty in Afghanistan. He served as a combat engineer with the 863rd Engineer Battalion, and spent part of his deployment in a special route-clearing vehicle called a Husky, that would travel in front of a convoy and detonate and defuse land mines, explosives or other obstructions in the road.

Chad was interred at Camp Butler National Cemetery in Springfield, Illinois and is survived by his parents Jerry and Brett, his sister Katie, brother Steven Baptist and girlfriend Maria Millburg.

Jerry Young is a member of Burlington System Division, Local Lodge 788. He has been a member of



**Corporal Chad Young**

the BMWED for 34 years and has spent most of that time working on Welding or Tie Gangs for BNSF Railway.

Our thoughts will be with Jerry, Brett and their family as they mourn their loss. Chad's ultimate sacrifice will be in our hearts and minds as we think about all of those still serving in harm's way.

## PERSPECTIVE Continued from page 6

The highlight of the past year had to be the BMWED Second Regular National Division Convention. In June, nearly 500 delegates from all over the country attended in order to represent the interest of their respective members and to set our union's course for the next four years. Extraordinary unity was prevalent throughout the hall as delegates, both young and old, participated by casting their vote on the many issues that came before the body. There is no doubt that each and every delegate in attendance took their responsibility seriously. When the convention closed the body had reelected all twelve of the National Division officers by acclamation. I know all of those officers left the Convention, as did I, with a renewed sense of purpose and the will to continue moving the BMWED forward.

It has been a productive year but it is now time to turn to the new year and focus on the future. The Thanksgiving holidays have passed. Christmas is upon us and the New Year lies ahead. For most of us, this time of year is a time of reflection and a time to set our course for the year ahead. It is also a time when many of us find a little extra compassion for our fellow man and dig a little

## Vice President Continued from page 7

that if there were any moderate Republicans left, the Tea Party has now pushed them to the side and what remains is a group that has moved even more to the extreme right. Certainly they will attempt to repeal much of what has been accomplished for working men and women. We can expect that they will favor corporations and bankers, and Social Security, Medicare and other social programs will be under attack. Every gain made by the Democrats, including appointments that directly impact labor, are now in jeopardy. Fortunately, the Democrats still retain the Senate and President Obama has veto power. But the government will be divided, and history tells us that

deeper in order to help those less fortunate. No doubt, many of our local lodges will find a way to contribute to someone in need during the holidays as will many throughout our organization. It is also a time when we tend to give more to charitable organizations and tout the virtues of those organizations, as well we should. However, it has always struck me as odd that many of the people that extol the virtue of charitable organizations will not think twice about excoriating the labor movement, in my view, the most benevolent of organizations.

Unions have improved the lives of millions of people, lifting many from poverty and providing them the ability to receive fair and just treatment from their employers. Unions have played a major role in changing labor laws and practices that allowed for children in the work place and discrimination against women and minorities. We have a proud history of helping those in need of help and should be proud of our history. As we move into the new year, we should continue to work together to preserve that proud history.

I would like to take this opportunity to wish every BMWED family a happy holiday season and a happy New Year.

any legislation that will be passed will slant more to the right.

It is time to circle the wagons. We must join ranks and get more involved in our political system. Sometimes that just means paying attention to the issues and not listening to the rhetoric from the far right, and if you are not already contributing to your union's Political Action Committee, you should consider donating to D.R.I.V.E. If we want a strong middle class in this country, and if we want working men and women to thrive, we have to get more involved. We have another political bite at the apple in two years and we must start working toward that goal today.

Henry Wise  
BMWED Vice President

## DEATH BENEFITS

### Report of Claims Paid during Sept.-Oct., 2010

NAME	LODGE NUMBER	SYSTEM	NAME	LODGE NUMBER	SYSTEM
BENNY A. BRUHLING	0893	MIDW/LIFE	FELIX RECEK SR.	0216	USD/LIFE
JUAN CERVANTES	0918	USD/LIFE	HARRY M. REIS	0407	USD/LIFE
ALVIN E. GRAF	0303	BURNOR/LIFE	ALLEN E. REED	3084	PENN/LIFE
HERMAN K. HERSCH	1556	AF/LIFE	KEITH E. SHANNAHAN	1599	ASF/LIFE
ODIS KELLEY	2286	AF/LIFE			
RUSSELL G. KERNS SR.	1028	AF/LIFE			
WILLIAM G. MERCIER	0320	BURNOR/LIFE	PAID SEPT. 1, 2010 TO OCT. 31, 2010		\$ 6,500.00
CARMELO M. MILITELLO	0482	CRSF/LIFE	AMOUNT PREVIOUSLY PAID		\$45,323,807.75
ALFRED PHERIGO	1055	BURNOR/LIFE	TOTAL AMOUNT PAID TO DATE.		\$45,330,307.75
			NUMBER OF CLAIMS PAID - 13		

### Report of Death Notices during Sept.-Oct., 2010

NAME	LODGE NUMBER	SYSTEM
GARY L. HOUK	0508	USD/UP
J. E. RAY	0537	SOU/NS
ROBERT ALI	2907	CRSD/NJT
NORMAN L. HICKS	2907	CRSD/NJT
FRANCIS S. WELSHONSE	3002	PENN/NS

Please notify the BMWED National Division of the passing of any retired BMWED members. Call: (248) 948-1010, extension 636.

# BMWED National Division Officers and Executive Board



Vice President of Western Region  
Dave Tanner



Vice President of Southwest Region  
Roger Sanchez



Vice President of Southeast Region  
Randy Cook



Vice President of Northeast Region  
Henry W. Wise, Jr.



Vice President of Northwest Region  
David D. Joynt



National Division President  
Freddie N. Simpson



National Division Secretary-Treasurer  
Perry K. Geller, Sr.



Bill R. Palmer,  
Chairman  
Executive Board



Gary L. Cox,  
Secretary  
Executive Board



Paul R. Beard,  
Member  
Executive Board



Mark S. Wimmer,  
Member  
Executive Board



Wayne E. Morrow,  
Member  
Executive Board



Brotherhood of Maintenance of Way Employees Division  
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Suite 320  
Southfield, Michigan 48076-4169



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