

# BMWED

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

# JOURNAL



Volume 120 ■ Number 5

www.bmwe.org

September/December, 2011

## COOLING OFF PERIOD EXTENDED

# BMWED Rejects Presidential Emergency Board Recommendations – Bargaining Continues

On December 1, 2011 the BMWED reached agreement with the National Carriers' Conference Committee (NCCC) for a 60-day extension of what was meant to be the final mandatory 30-day cooling off period, in order to continue bargaining.

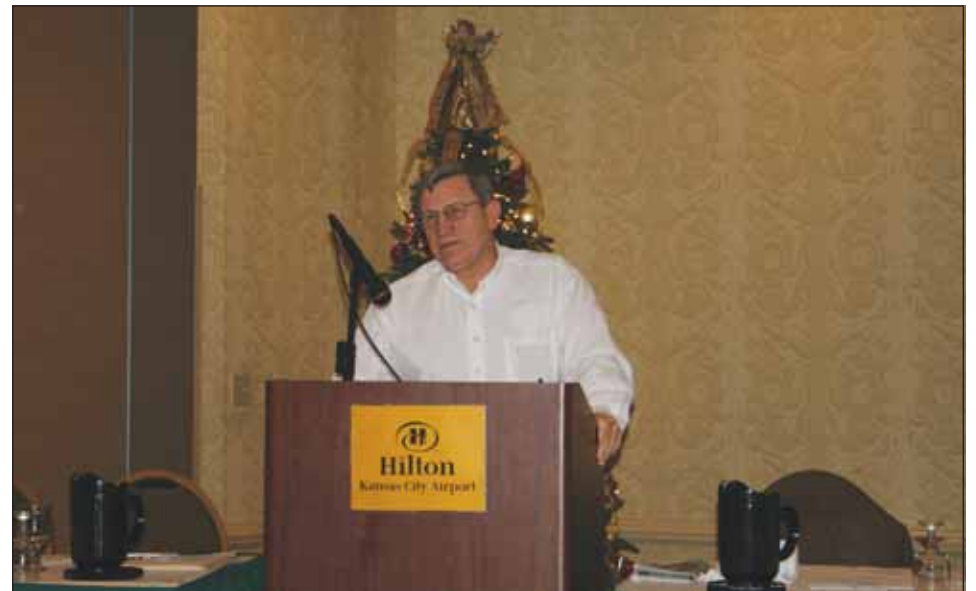
The BMWED, along with ten other unions, including the rest of the Rail Labor Bargaining Coalition (RLBC), was released from mediation on September 6, 2011, and pursuant to Section 5 of the Railway Labor Act, was issued a mandatory 30-day cooling off period. In order to avert a strike or lock-out prior to the expiration of that cooling off period, a five-

member Presidential Emergency Board (PEB 243) was appointed by President Barack Obama.

Prior to the PEB hearings, the BMWED, along with the RLBC, joined forces with the other rail coalition led by the Transportation Communications International Union (TCU) for the purpose of presenting a unified case before the Board.

PEB 243 convened beginning October 13, 2011 and heard arguments from both the rail unions and the National Carriers' Conference Committee (NCCC), who represent the freight railroads participating in national bargaining.

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President Simpson addresses BMWED National Association members concerning PEB 243.



## BMWED President Simpson Reelected IBT International Vice President

On November 18, 2011, after the ballots had been counted, BMWED President Simpson, and the entire Hoffa-Hall slate won their election to International office by a wide margin. BMWED President Freddie Simpson will continue to serve in his capacity as a Teamster International Vice President.

Five hundred and ninety-seven local unions in the United States and Canada, including the BMWED and BLET, voted in the Teamsters Union International Officers election. The Office of the Election Supervisor announced that the margin of victory was large enough that there will be no need to resolve any challenged ballots.

"The members of this great International Union have spoken and they chose the proven leadership of General President Jim Hoffa," President Simpson said. "I'm proud to have the honor of serving another term with General President Hoffa, General Secretary-Treasurer Ken Hall, and the entire slate of Teamster officers. I look forward to continuing the fight for stronger wages and benefits for our members, and a living wage for all Americans."

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## FRA ISSUES NEW CAMP CAR SAFETY AND HEALTH REGULATIONS Final Rule Reflects BMWED's Sustained Effort to Improve Camp Car Conditions

On October 31, 2011, the Federal Railroad Administration (FRA) issued new regulations which will vastly improve conditions of camp cars used to house rail employees. The new regulations are the result of BMWED's sustained, decades-long effort to improve camp car conditions for BMWED members. The

Final Rule incorporates numerous recommendations proffered by the BMWED in our written comments to rulemaking docket.

The often cramped and unsanitary sleeping and eating quarters installed in former freight rail cars or trailers will now have to comply with

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## Cooling Off Period

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The report and recommendations of PEB 243 were released on November 5, 2011, and commenced the final, mandatory cooling off period. Those recommendations made by the PEB, ignored the factual evidence presented by the rail unions, and with minor incremental changes, followed the voluntary agreement reached by the United Transportation Union and the NCCC.

The BMWED craft-specific issues were referred back to "local handling" and contains no method to compel an agreement. In other words, the PEB made no attempt to resolve those issues, including

"away-from-home expenses."

BMWED has reluctantly agreed to accept the recommendations of PEB 243, provided the carriers agree to a reasonable adjustment to "away from home expenses." Without an increase, BMWED members will be coping with increased meal and travel costs without an adjustment for more than 15 years.

BMWED President Freddie Simpson offered, "I said at the beginning of this process that the BMWED would not leave the bargaining table without making improvements in away from home expenses and living conditions for traveling employees."

On November 22, 2011, President Simpson advised the

NCCC that the BMWED intended to extend the cooling off period scheduled to end on December 6, 2011 until February 10, 2011, in order to further negotiations with the rail carriers, and spare the country and our members a national rail strike during the holiday season.

In a response to the BMWED's intention to extend the cooling off period, the NCCC advised they would agree to an extension as long as the other two remaining crafts without tentative agreements would also agree to an extension. Those crafts, the Brotherhood of Locomotive Engineers and Trainmen (BLET), and the American Train Dispatchers Association (ATDA), both rejected that offer.

However, on December 1, 2011, both the BLET and the ATDA reached tentative agreements that they felt could be sent to their members for ratification, prompting the NCCC to agree to an extension of the cooling off period with the BMWED.

"The BMWED did not take this action because it was afraid to strike. We took this action because we believe it gives our members the best opportunity to resolve the expense issue quickly and fairly, steer clear from an interruption to commerce and avoid a wage loss to our members and other union members who would honor our picket lines," said BMWED President Simpson.

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## FRA

Continued from Page 1

the rules issued by the FRA, including requirements for potable hot and cold water in all showers and sinks; requirements for testing, disinfecting and maintaining water supply systems; an increase in minimum square footage of living space from 50 to 80 square feet per occupant; a maximum of 4 occupants per camp car or trailer; one toilet, sink and shower for the first two persons

occupying a car with an additional toilet, sink and shower for each third or fourth person; improved sanitation and sewage disposal requirements; improved food handling and storage requirements; a maximum temperature of 75 degrees Fahrenheit during hot weather and a minimum of 68 degrees during cold weather; prohibitions against the use of multi-level bunk beds; a suitable lockable locker for each occupant's personal belonging; restrictions against noise under the control of

the railroad exceeding 55 dB(A); and restrictions against locating camp cars in the immediate vicinity of switching and humping of placarded rail cars carrying hazardous materials. In camp cars where occupants cook, live and sleep, a minimum of 120 square feet of floor space per occupant must be provided.

Additionally, the new regulations require water supplied to the cars to meet the EPA National Primary Drinking Water Standards for potable water; compliance with electrical safety standards; minimum lighting requirements; vermin and pest control; first aid kits; smoke alarms; carbon monoxide detectors; fire extinguishers; a means to notify occupants of impending weather threats such as thunderstorms, hurricanes, tornados, floods, etc.; and the posting of emergency evacuation information and directions and contact information for the nearest medical facility. Unless otherwise provided by a collective bargaining agreement, clean linens, soap, hand towels or hand dryers, and an individual shower towel must also be provided.

Under the new rules, a railroad shall, within 24 hours of receiving a good faith notice from a camp car occupant or an employee labor organization, correct each non-complying condition on the camp car or cease use of the camp car as sleeping quarters. In the event that such a condition affects the safety or health of an occupant, such as, but not limited to, water, cooling, heating, or eating facilities, sanitation issues related to food storage, food handling or sewage disposal, vermin or pest infestation, or electrical hazards, the railroad must immediately upon notice provide alternative arrangements for housing and providing food until the condition adverse to the safety or health of the occupant(s) is corrected.

The Norfolk Southern Railroad is the only Class I railroad in the

country still utilizing camp cars. All other Class I railroads have abandoned camp cars in favor of utilizing hotels to house BMWED members working away from home.

"Our members who maintain and build track and related infrastructure for Norfolk Southern should see significant and sustained improvements in camp car conditions" said Fred Simpson, President of the Brotherhood of Maintenance of Way Employees Division and Teamsters International Vice President. "I've experienced the cramped and unsanitary conditions inside railroad camp cars. I challenge Norfolk Southern to act as the upstanding corporate thoroughbreds they profess to be and maintain their camp cars over and above these minimum standards set by the Federal Government."

President Simpson said, "This final rule reflects a sustained, decades-long effort by the BMWED to improve camp car conditions for BMWED members. I am pleased that FRA has promulgated minimum health and safety standards so BMWED members on Norfolk Southern will finally have a safer and more healthful place to sleep after a hard day's work. I want to thank our National Division and System Officers, BMWED's Safety and Legislative Departments, and our membership for helping bring an end to the most egregious conditions and abuses historically associated with camp cars. I also want to publically thank the Federal Railroad Administration for promulgating this important regulation to protect the safety and health of railroad employees assigned to camp cars."

The Final Rule becomes effective on December 30, 2011. The new rule can be found at:

<http://www.federalregister.gov/articles/2011/10/31/2011-27818/safety-and-health-requirements-related-to-camp-cars>

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**SEPTEMBER/DECEMBER, 2011 ■ BMWED DIVISION JOURNAL ■ VOLUME 120 ■ NUMBER 5**  
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 1049-3021/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.bmwed.org](http://www.bmwed.org)

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**Freddie N. Simpson**

# PRESIDENT'S PERSPECTIVE



**S**addled with a disappointing report, and recommendations from Presidential Emergency Board 243 (PEB), we have been mobilizing and working very hard to overcome those recommendations. As if imposing

on us the UTU insurance give-backs weren't bad enough, the PEB, in their infinite wisdom, referred "away-from-home expenses" back to "local handling." In other words, they did nothing to correct the inequity of the current expense allowances and rolled over for the freight railroads.

I have said since the end of the last bargaining round that BMWED would not leave the bargaining table without having advanced the away-from-home expense issue. Fifteen years is too long to go without an increase in expenses. Everyone, including the railroads, knows that travel and meal expenses have gone up dramatically since the last increase, and allowances should be increased accord-

ingly. Otherwise, our members required to work away-from-home end up subsidizing the railroads. Our members are the backbone of this industry, and the industry is reaping record profits while our members struggle to keep up with a rising and unstable economy.

This issue affects thousands of our members, many of whom have no other alternative other than to work away-from-home.

With the situation moving forward with a strike or lock-out pending, and the real threat that Congress would simply impose the Presidential Emergency Board's unreasonable recommendations, I had advised the carriers of my intent to extend the cooling off period until February 10, 2012. This

commitment was made with the prospect of accomplishing two things; provide an opportunity for hard bargaining over away-from-home expenses without the issue going on into perpetuity, and given the fragile state of the economy, spare the nation a rail strike during the busy holiday season while still retaining our right to self-help. The carriers responded with an offer of agreement to extend the cooling off period until February 8, 2012, with a mutual understanding that we would make a good faith effort to resolve our bargaining dispute on a voluntary and expeditious basis, provided that all three remaining crafts (BMWED, BLET and ATDA) agree to the extension. I was notified on November 29 by the

Presidents of both the Brotherhood of Locomotive Engineers and Trainmen, and the American Train Dispatchers Association, that they would not agree to the extension of the cooling off period.

On December 1, 2011, both the BLET and the ATDA reached a deal with the carriers that they are attempting to ratify, prompting the National Carriers' Conference Committee to agree to an extension with the BMWED. Accordingly, we will continue to press for a voluntary resolution to our issue of

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## BMWED Job Opening

The Brotherhood is seeking applicants to fill the position of Assistant to the President State Legislative Affairs.

This position will work under the direction of the President, and the National Legislative Director, in the Washington, DC office. Responsibilities will include overseeing and coordinating legislative issues on the state and local level, and coordinating state and local efforts by State Legislative Directors. The ideal candidate must have strong organizational, administrative, and writing skills, including computer and keyboarding skills, strong oral and written communications skills, and the ability to articulate BMWED positions on a number of issues as directed by the President and

the Department Directors. The candidate must be a self starter with the ability to handle multiple tasks in a fast paced and high intensity work environment. The candidate must have excellent interpersonal skills and the ability to represent BMWED before the membership, the public, and the various agencies/entities with which the BMWED interacts. Experience in employee protective issues, legislation, and railroad safety is desirable.

Starting salary commensurate with skills and includes a full benefits package. The position will be headquartered in the Washington, DC office.

If you are a BMWED member and desire to be considered for this position, please provide a detailed resume that includes the following

information:

- Railroad employment history.
- BMWED offices and positions held.
- A brief description of your experience in any of the following areas: employee protection, legislation, and railroad safety.
- Writing samples.
- Level of computer skills (Word/Word Perfect).

Interested applicants should send their resume to:

Freddie Simpson, President  
C/O Job Openings  
BMWED  
20300 Civic Center Drive  
Suite 320  
Southfield, MI 48076-4169



## Daniel Yack Joins BMWED Staff

Daniel Yack joined the BMWED staff on July 1, 2011, filling the position of Staff Assistant, Information Systems.

Daniel works in the Secretary-Treasurer's Department in Southfield, Michigan, where his duties include help desk support, equipment troubleshooting and maintenance, and website support. He is also responsible for preparation of new equipment, repairing faulty equipment, and is responsible for design, layout, and maintenance of the BMWED website.

Daniel came to the BMWED from Alliance Inspection Management where he worked as an Assistant Administrator. He holds a Bachelor of Arts in business from Davenport University where he majored in computer information.

## LOCAL LODGES

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





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Dave Tanner



Vice President of  
Southwest Region  
Roger Sanchez



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**Wishing You and Your Family  
A Happy Holiday Season**



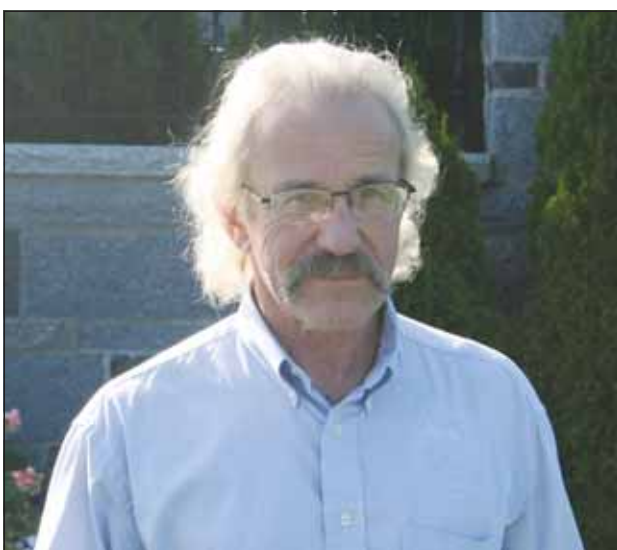
# Joseph J. Kraljic Retires

BMWED Legislative/Organizing Regional Assistant Joe Kraljic retired effective November 30, 2011. Brother Kraljic retires after 37 years of service.

Brother Kraljic began his railroad career in 1974 with the Burlington Northern Railroad in Minneapolis, Minnesota, as a Track Repairman. He also held seniority as a Truck Driver, Machine Operator, Foreman, and Track Inspector.

Brother Kraljic was elected to the position of South Dakota Assistant State Legislative Director in 1984 and then to the Director position in 1989. He served as the State Director until President Simpson appointed him to the position of Regional Legislative Coordinator for the Northwest Region. His responsibilities were later expanded when he was appointed Legislative/Organizing Regional Assistant.

President Simpson offered, "Joe has been an asset to the BMWED for his entire career and we wish him the best in his retirement."



Brother Kraljic and his wife Maggy plan to remain in Sioux Falls, SD, where he plans to stay active in politics.

## WE WANT TO HEAR FROM YOU

If you have a special hobby or talent, hold public office, or have a story you would like to share, we would like to hear from you. Share your story with our BMWED Brothers and Sisters in the BMWED Journal.

Please send us your pictures and brief details along with a name, address and telephone number.

You may email, or send by U.S. Mail

to

[Rbrassell1@aol.com](mailto:Rbrassell1@aol.com)

Or,

BMWED Journal  
c/o Randall Brassell  
242 West Main Street #394  
Hendersonville, TN 37075

"Today in a America, unions have a secure place in our industrial life. Only a handful of reactionaries harbor the ugly thought of breaking unions and depriving working men and women of the right to join the union of their choice. I have no use for those—regardless of their political party—who hold some vain and foolish dream of spinning the clock back to the days when organized labor was huddled, almost as a helpless mass."

President Dwight D. Eisenhower

## A New Director of Government Affairs Appointed

Charlie Hogue assumed the Director of Government Affairs position effective with the retirement of Leon Fenhaus on November 1, 2011. He previously served as a Vice Chairman for the Unified System Division.

Brother Hogue has served the BMWED in a number of different capacities including Local Lodge Chairman. He served as a convention delegate to the past four consecutive BMWED Conventions and has also served as a delegate to the IBT International Convention. He was assigned to the Bylaws Committee at the last BMWED National Convention.

Brother Hogue started his career with the Portland Terminal Railroad Company where he worked in a number of different positions.

His political experience includes a term as Mayor of Lyman, Wyoming, and a ten-year stint on a local legislative committee for the United Steelworkers of America. He served on the NPT Employees Federal Credit Union Board and the Uinta County Joint Powers Board. He also served as Board of Directors Commissioner for Skyline Hospital in White Salmon, Washington.

As well, Brother Hogue spent time working in the Washington, DC office prior to assuming the Director's position.

President Freddie Simpson offered, "I have known Charlie for some time and have every confidence he will do a fine job as our new Director of Government Affairs. I look forward to having Charlie on our team."



## Centenarians

"Happy Birthday" wishes to the following BMWED retirees who recently celebrated their 100th birthday:

### Aaron Holmes

A Valdosta, Georgia resident, Brother Holmes celebrated his 100th birthday on October 4, 2011. Brother Holmes retired from his position as an Extra Gang Laborer with Southern Railway in 1976.

### Alphonso Hudson

A Madison, Florida resident, Brother Hudson celebrated his 100th birthday on October 27, 2011. Brother Hudson retired from his position as a Laborer with the Georgia and Florida Railway in 1976.

### Rosendo Lopez

A Compton, California resident, Brother Lopez celebrated his 100th birthday on October 19, 2011. Brother Lopez retired from his position as a Laborer with the Southern Pacific Transportation Company in 1976.

The BMWED extends its sincere best wishes to these retirees. Happy Birthday!

# A Vice President Speaks

## Corporations Are People Give Me a Break



Henry Wise  
BMWED  
Vice President,  
Northeast Region

On January 21, 2010, the U. S. Supreme Court's five conservative Justices ruled that corporations are people. In its 5-4 decision the court ruled in favor of a right-wing conservative group, Citizens United, who had been barred from running ads for a movie attacking Hillary Clinton during the 2008 Presidential campaigns.

Without going into great detail, the result of the decision, simply stated, now allows corporations to funnel unlimited money into political campaigns, sometimes under the cloak of secrecy. In fairness, it should be stated that the ruling also included unions. But, does anyone believe unions have the same purchasing power as big corporations? Of course not.

You may wonder why I write about a two-

year old ruling. The damage from the ruling is reaching its apex. For the past two years, corporations have been free to spend as much as they wish in order to influence politicians and legislation. The impact has been obvious.

The Koch Brothers (Koch Industries) and other corporate interests have managed to influence the political process in such a way that has left us with a number of governors and law makers that have made it their mission to destroy unions and the middle class while working to eliminate any sensible regulation on industry. Of course, the talking points are, reduce corporate taxes, eliminate regulations on corporations, and through their benevolence they will respond by creating thousands of jobs. So far, the only sign of job creation by these corporations has been in foreign sweat shops.

How crazy is it that corporations that are spread across the globe, and have no allegiance to any one country are treated as American citizens with all the individual rights that entails?

If corporations are people why are they not held to the same legal standard as individuals? There are too many instances when corporations have caused death and destruction only to go unpunished or simply pay a fine. A prime example of this was the Union Carbide Bhopal

Disaster which resulted in the deaths of 3,787 people and was completely brought to closure by a \$470 million settlement. If a real person caused the death of another person through his or her careless actions they would, at a minimum, be charged with manslaughter. Yet, corporations continue to cause harm to people and the environment with little or no accountability.

Without political change in this country, I see no hope to reverse the damage done by this ruling. In my opinion, the only hope is that regular Americans will wake up and vote in their own interest. In order to do that they have to stop buying the right wing garbage being spewed by certain individuals on AM radio and certain TV fake news channels.

There appears to be a trend in the right direction. A number of state law makers have been recalled after initiating and supporting anti-worker legislation, and the fact that Ohio's bill to strip public sector workers of bargaining rights was repealed by an overwhelming margin, are positive signs. But, corporate funded politicians in Congress are still pushing ahead with a number of union busting measures aimed at further weakening workers' rights.

I read somewhere, "Human beings are people; corporations are legal fictions." Human beings still have the power of the vote and can make a difference. But, it requires each of us to make a commitment and make our voices heard.

# Standing Together



James P. Hoffa, General President,  
International Brotherhood of Teamsters

Corporations with money to burn and the politicians they own are attacking our right to collectively bargain. Collective bargaining

works—it works for the companies, the employees and for America. Collective bargaining rights make a decent, middle-class life possible for millions of U.S. workers—the kind of life where health care is affordable, we have a solid roof over our heads and where we have food on the table. But many corporations and elected officials are hell-bent on taking bargaining rights away. And it isn't just organized labor they're attacking.

I've been saying it for months now: A war is being waged against American workers. The economic survival we once took for granted is less and less certain. The dangers of plant closures, unemployment, indebtedness and medical catastrophe loom closer even as our standard of living slowly erodes.

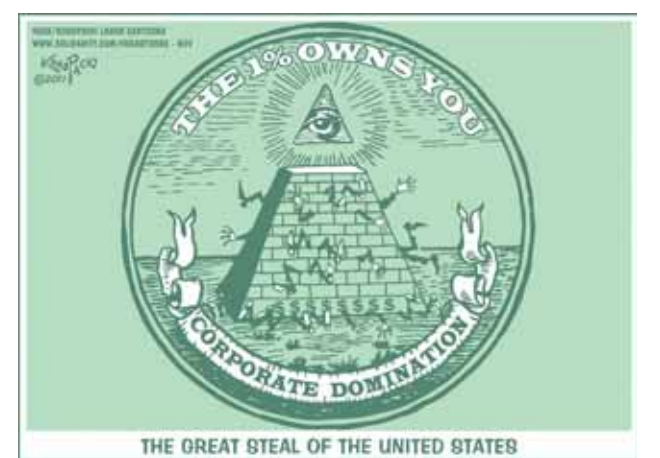
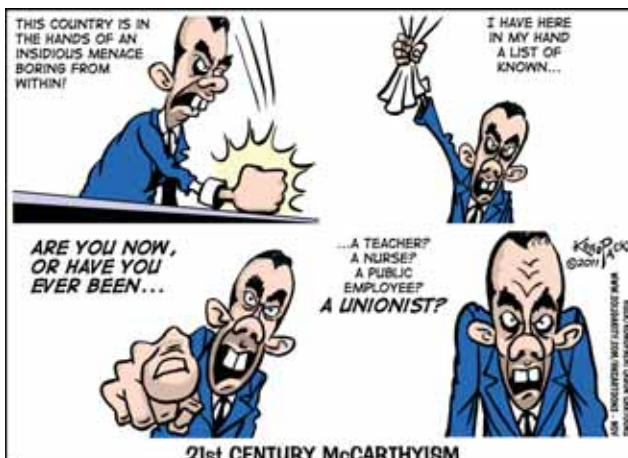
Workers have always had to stand together and fight for a fair wage, health benefits and

retirement with dignity. And that's why labor unions fit right in with the protesters who are occupying Wall Street and dozens of other cities.

Today, the 99 percent are taking militant, nonviolent direct action in Lower Manhattan. They're camped out in front of Los Angeles City Hall and the Chicago Federal Reserve Bank and in Boston's Financial District. And, I am proud to see that members of our Rail Conference, both Brotherhood of Maintenance of Way Employees and Brotherhood of Locomotive Engineers and Trainmen, have been out standing tall with other union members and activists.

We must demand action to get our country back on track. The crisis we have with jobs isn't a Republican problem or a Democratic problem. It is time for both sides to come together to help put Americans back to work for the good of our country.

Fraternally,  
James P. Hoffa





Perry K. Geller, Sr.

# SECRETARY-TREASURER'S REPORT

**P**lenty of questions have arisen regarding the emerging phenomenon known as Occupy Wall Street. Does the movement help or hurt the cause of organized labor? What is the purpose of the Occupy movement and how is it similar and different from the purpose of Organized Labor?

What is the purpose of the Occupy movement and how is it similar and different from the purpose of Organized Labor? Are we natural allies with similar goals, or are we on completely different trajectories?

The answers to these questions are not easily understood due to the short history of the Occupy movement, the lack of a coordinated and identifiable leadership within the movement, mixed messages regarding its goals, its questionable sustainability over the long term, and its inability to restrain a small minority of the radical "fringe" who have sullied the image of the movement by resorting to violence and vandalism rather than adopting the movement's ideals of peaceful protest and resistance.

However, these challenges aside, the Occupy movement is making an important social and political impact and it continues to grow. What motivates the Occupy movement is not dissimilar to what motivates Organized Labor: a desire to reverse the growing gap in income inequality, a desire for good jobs with living wages and benefits, and a desire to preserve the middle class and the American dream.

It is not a coincidence that the majority of Occupiers are young

adults. Nationwide, the unemployment rate is stuck at a stubborn nine percent. However, the employment rate for young adults age 16-29 is only 55 percent, meaning that 45 percent of this age group is currently not employed. Recent college graduates, many saddled with the crushing debt of student loans, cannot find work in virtually any field, let alone their field of study. And those without college degrees are even worse off due to the slump in construction jobs and the continued export of American manufacturing jobs. Adding to the problem for young Americans is a financial/banking system that has severely curtailed lending and increased the cost of credit for those who need it most.

Today, nearly 6 million Americans age 25-34 currently live with their parents due to the lack of jobs and no opportunity for upward mobility. But it's not only students and other young adults that are affected by the jobs crisis. Recently, hundreds of Afghanistan and Iraq war veterans across the nation have joined the Occupy movement to protest the lack of jobs and opportunity for returning war veterans.

The Occupy movement refers to themselves as the 99 percent. This is because the top one percent of the wealthiest American house-

holds control a disproportionate amount of our nation's wealth. Whether or not you empathize with the Occupy movement, BMWED members, and all rail workers, are economically among the 99 percent struggling to make ends meet in a nation increasingly made up of haves and have-nots. From an economic standpoint, we have a lot in common with the students, senior citizens, and veterans who are protesting as part of the Occupy movement.

While the rich get richer and corporations hoard cash, the poverty rate in the U.S. continues to rise. According to the recent Census Bureau Report titled "Income, Poverty, and Health Insurance Coverage in the U.S.:2010," the number of American's living in poverty rose for the third year in a row. According to the report, the poverty rate in the U.S. is now over 15 percent. Real median household income declined by 2.3 percent between 2009 and 2010, and the number of Americans without health insurance is now almost 50 million.

As working people, Labor can empathize with the economic issues of the Occupy protesters. Organized Labor has been fighting these battles on behalf of the middle class for over 100 years. We have been able to sustain this fight

because we are organized, because we have democratically elected leadership, and because we have structure and the financial and organizational support of our membership. The longevity of our movement, or any movement, is rooted in organization. Organization is what allows us to make and implement strategic plans. Organization is what gives us the ability to educate and mobilize our membership in support of working family values. And organization is what has allowed us to sustain and be part of the union movement since our founding as a Brotherhood in 1887.

Yes, I have been inspired by the tenacity and "people power" demonstrated by those participating in the Occupy protests. The issues of the Labor movement and Occupy movement overlap quite a bit and we seem to have a number of issues in common. But tenacity and people power alone are not enough to sustain the Occupy movement over the long haul. They will need organization and structure to survive over the long haul.

Of course, I wish the Occupy movement well. The best advice I can offer the Occupy movement is also Labor's rallying cry: Organize, Organize, Organize.

## President's Perspective

Continued from Page 3

away-from-home expenses, but have not relinquished any legal right to self-help should that become necessary.

Extending the cooling off period for 60 days will allow our members to enjoy the Christmas and New Year holidays as a time of peace at home with their families, without being concerned about a pending strike or some other action interfering with time that should be spent with friends and family.

This issue was not resolved in

the last round of bargaining and our members cannot wait five more years. The railroads can avoid any future disruption to service by coming to the table prepared to bargain fairly. Not to resolve this issue would only mean a discordant and strained relationship going forward. As it has been all along, my hope is that we can reach a peaceful resolution to this issue.

The hard work put into this effort by the BMWED Bargaining Committee and staff, coupled with the support of the membership, has brought us to this point. I have no

doubt that, with your support, we will reach a fair resolution of this issue.

We can win this battle. We must continue to show unity, not only within our craft, but also with our brothers and sisters within the other rail crafts. We are on the right side, and the honorable side of this issue. No one should have to pay their employer for the privilege of coming to work.

Bargaining will continue, and membership support and input is very important to the process. Stay in tune to how things are progressing and attend your local union

meetings, watch our website at [www.bmwe.org](http://www.bmwe.org), and while visiting our website sign up for "BMWED News Alerts."

Frederick Douglas once said, "If there is no struggle, there can be no progress." The BMWED has struggled forward for the past 125 years and the progress is evident. We will continue to move forward.

Stay safe and enjoy your holidays. I wish every BMWED member and family my sincerest wish for a very happy Christmas, and a healthy and prosperous New Year.



## Cooling Off Period

Continued from Page 2

"We have conceded no legal rights by our actions. We have merely postponed the date we will consider ourselves able to exercise self-help, if that is the correct and necessary course of action.

"We will continue to demand that the railroads bargain over these issues, and bargain fairly. It is

unbelievable that in a time when the railroads are making exorbitant profits, they would not want to provide the very people producing those incredible profits with a reasonable allowance without requiring them to supplement their own expenses. Our members who work away from home, and away from their families, should not have to pay to go to work each day."

Bargaining will continue during

the extension of the cooling off period. If an agreement is not reached by the end of that period, BMWED will review the status and progress of those negotiations and decide whether negotiations should continue.

Meanwhile, attend local union meetings, watch the BMWED website, and if you are not receiving "BMWED News Alerts," sign up at [www.bmwe.org](http://www.bmwe.org).



## Leon R. Fenhaus Retires

BMWED Director of Government Affairs Leon Fenhaus retired effective September 30, 2011, leaving behind a career that spanned nearly 40 years.

Brother Fenhaus has served the membership of the BMWED in one capacity or another for the past 35 years. He started his railroad career on the Chicago & North Western Railroad in June, 1972, as a Trackman, and was promoted to Track Foreman and Track Inspector. His railroad career lasted until April, 1984, when he began serving as a full-time union officer following an election by the members in September 1983.

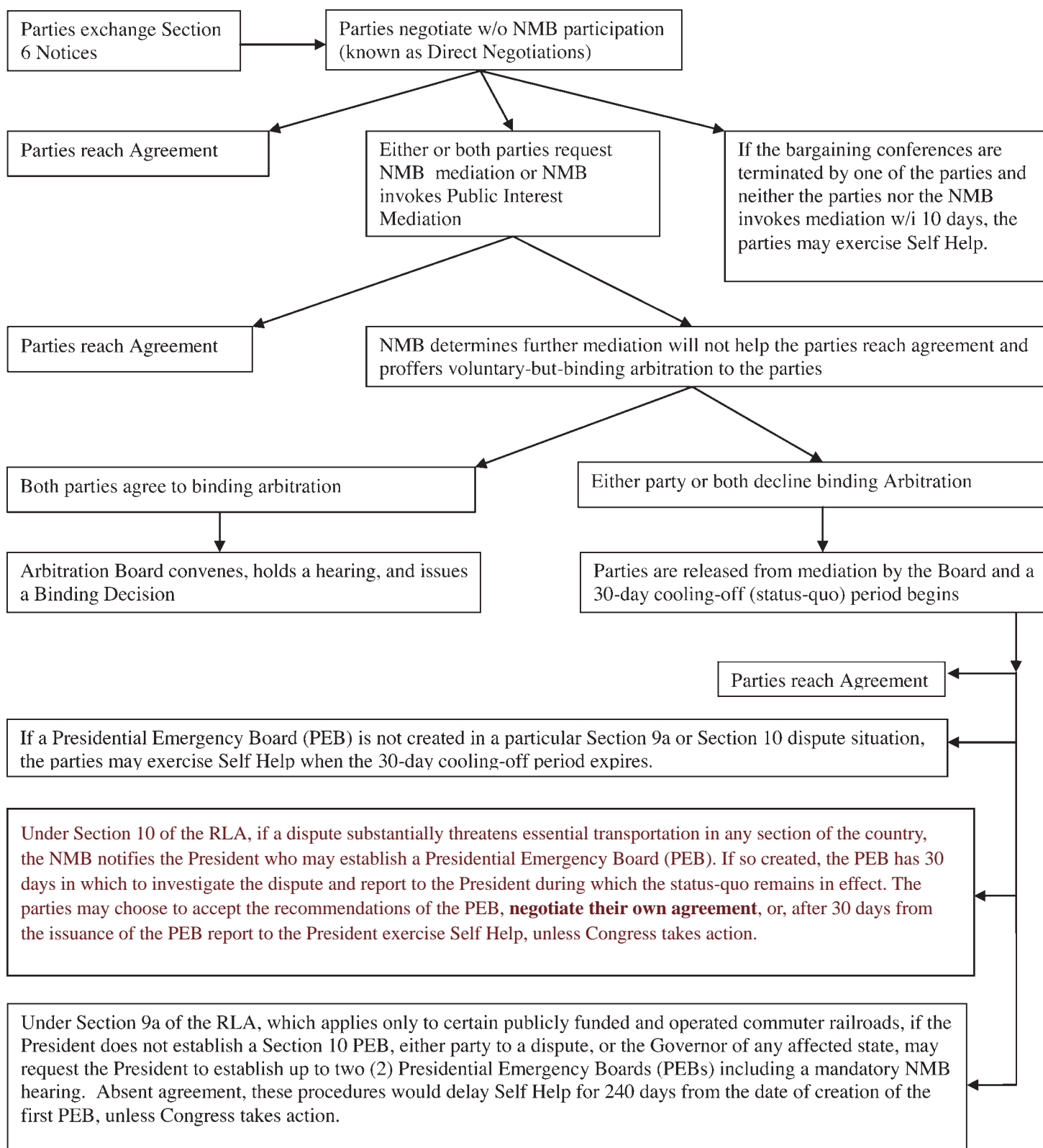
At different times during Brother Fenhaus's career with the railroad he also served the BMWED as the South Dakota Assistant State Legislative Director. He also served as Secretary - Treasurer, and President for Local Lodge 960, chartered in Rapid City, SD. Lodge 960 later consolidated with Lodge 1071, chartered in Lusk, Wyoming. He was elected to the C&NW System Executive Board in 1977, and his first full-time position came in 1984, after being elected to serve as a Vice Chairman. He was elected C&NW General Chairman in September, 1988, and was then elected to serve as Vice President for the Northwest Region from September, 2002 until 2008. In 2008 President Simpson named him to fill the position of Assistant to the President. He held that position briefly and was then appointed Director of Government Affairs in 2009.

"Leon has served this Brotherhood well in every position he has held," said President Simpson. "His talents, and his loyalty to our members will be missed by all. The contributions he has made to this union over the past four decades are immeasurable. I know I speak for all of the BMWED in wishing him a long and happy retirement."

Brother Fenhaus will spend his retirement at his home in Rapid City, South Dakota with his wife Cheryl. He plans to spend much more time with Cheryl, their three children and eight grandchildren when he is not gardening or spending time hunting or fishing.

## Collective Bargaining Process under the Railway Labor Act (RLA)

March 17, 2010



## Change of Address Request

Please remember to notify your System Division/Federation and/or the National Division of any change to your address or telephone number. It is vital that this information be kept current. Railroad employers do not always provide this information to the BMWED.

# ROLL OF HONOR

## 10 year MERIT AWARD

Sam Acosta	USD-W	1517	2000
Nicolas Aguilera	AF-SW	1058	2001
M D Ahlberg	ICGF	0017	2000
Vicente J Alamo	USD-W	0968	1997
Nathaniel E Allen	USD-W	1054	2001
Kevin A Allen	USD-W	0941	1995
Frank T Allred	USD-W	1348	2001
Max Alvarez	USD-W	0779	1995
Clarence Arclesse Jr	AF-SW	1058	2001
Ricardo Arevalo	USD-W	1227	2001
Gilbert R Atcity	USD-W	0779	1997
Del G Ball	USD-W	0508	2001
Chad J Barron	AF-SW	2762	2001
Johnie R Blanchett	USD-NW	1847	2001
Mario P Brito	USD-W	1862	2001
Deemar Calliston	USD-W	1709	1997
Gary D Carden	AF-SW	0601	2001
Tony D Cardwell	USD-W	1054	2001
Roberto Carrero	USD-W	1002	1998
Nathan A Casteel	AF-SW	0965	2001
Matthew Charley	USD-W	0508	2001
Santos Chavez Jr	USD-NW	1152	2001
Eric S Chouquer	USD-W	1020	2001
John W Clark	USD-W	1709	1995
Scott J Clay	USD-NW	1152	2001
Bennie K Claybourn	ICGF	0017	2001
D D Cordova	USD-W	1516	1996
Justin Cordova	USD-W	0779	1999
Adam G Cutshall	USD-W	0779	2000
Marlin R Danford	AF-SW	1025	2001
William A Dennison	USD-W	0968	2000
Austin A Dill	AF-SW	1137	2001
Orrin B Dotson	USD-W	1020	2001
Paul D Duffey	USD-W	1517	1995
Ruben J Duran	USD-W	1227	2001
Larry L Fairchild	USD-NW	0377	2001
Jeremy J Fitzwater	USD-W	0686	2000
Michael G Fordham	USD-W	0779	1997
David B Foster	USD-W	0779	1997
David D Fredericks	USD-NW	1152	2001
Joseph F Frustaci Jr	USD-NW	0377	2001
Harvey J Gabardi	USD-W	0779	1997
Arthur C Gallegos	USD-W	0941	2000
Gabriel Garcia	USD-W	1020	1996
Bradley A Givens	USD-W	0227	2001
Larry S Glover	AF-SW	2762	2001
Aaron S Goldenstein	ICGF	0017	2000
Samuel Gomez Jr	AF-SW	2754	2001
Enrique T Gonzales	USD-W	0941	1993
Brandon K Gorrell	USD-W	0757	2001
Samuel X Grant	USD-W	0779	2000
Keith W Guiles	AF-SW	1365	2001
Reyes Guzman Jr	AF-SW	2754	2001
Ryan M Hager	USD-W	0757	2001
Rodney D Harris	USD-W	1216	2001
Vernon L Harrison	AF-SW	1058	2001
Wilbert E Haywood Jr	AF-SW	1058	2001
Albert J Herrera	USD-W	0779	1995
Robert S Highberger	USD-W	1517	1997
Russell L Hill	USD-W	0227	2001
Randall L Hoff	USD-W	0833	1995
Clyde H Holmes	USD-W	1054	2001
Conley Holmes	AF-SW	0514	2001
Cameron C Hoppes	USD-W	0473	1997
Troy H Horrocks	USD-W	1709	1997
Jerric J Hudson	AF-SW	1058	2001
Michael J Hunsaker	USD-W	1709	1995
Matt N Hunsaker	USD-W	0968	1997
Jason E James	USD-W	0779	1997
Roland L Jesse Jr	USD-NW	0342	2001

Christopher J Jimenez	USD-W	0968	1999
Leonard O Johns Jr	AF-SW	1058	2001
Roderick L Johnson	AF-SW	0601	2001
Billy A Jones	USD-W	0875	2001
Anthony Jones	USD-W	0875	1999
Michael E Jones	AF-SW	0450	2001
Harry Joseph	AF-SW	1058	2001
Michael R Josphe	AF-SW	1058	2001
John M Kemple	USD-W	1709	1995
Michel J Kerwood	USD-W	0941	2000
Thomas W Kleinert	USD-W	1133	1995
Virgil F Lacy	ICGF	0017	2000
William E Leroy	AF-SW	1058	2001
Eric M Litters	AF-SW	0450	2001
Thomas W Long Jr	AF-SE	2167	2001
Robert E Love	USD-W	0875	1998
Troy B Lungren	USD-W	0833	1995
Thomas Mailbooy	USD-W	0968	1998
Gustavo Marquez	USD-W	0216	2001
Nathan Martinez	USD-W	0875	1998
Max M Mc Crosky	USD-W	1020	2001
Jeremiah I Mc Glasson	USD-W	0833	1995
Javier A Melendez	USD-W	0941	1996
Gary D Melton	AF-SW	2729	2001
Johnny O Milisits	AF-SW	1137	2001
Benji D Moore	AF-SW	0450	2001
Chad A Morehouse	USD-NW	1847	1996
Dwayne Morris	AF-SE	1745	2001
Daniel J Murphy	USD-NW	1757	2001
Jeffery D Nelson	AF-SE	2163	2001
Kenny J Owens	AF-SW	0996	2001
Gregory A Peck	AF-SW	0688	2001
Dewey E Perdue II	USD-NW	0381	2001
C D Perea	USD-W	0941	1995
Curry K Pitre	AF-SW	1058	2001
Shawn F Pollock	USD-W	1517	2000
Jason A Posegate	USD-W	0508	2001
Jeffrey Q Powell	USD-W	1709	2000
James A Reh	USD-NW	1152	2001
Armando L Rivera	AF-SW	0675	2001
John Robertson	USD-W	1709	1998
Claude K Robins	USD-W	0407	2001
Lance A Rodgers	USD-NW	1847	2001
Jacob R Rollins	USD-W	1020	2001
Victor H Salgado	USD-NW	0377	2001
Ruben J Sanchez	USD-W	0968	2000
Gerald C Sanchez	USD-W	1516	1995
Bonifacio G Sanchez	USD-W	0779	1995
Gregory S Seasword	USD-W	1516	2001
Mark A Shine	B&LE	1115	1998
Elton J Singletary	AF-SE	2161	2001
Sean W Smith	USD-W	0941	1999
Dell W Snow	USD-W	1709	1998
Troy L Staat	USD-W	1517	1997
Doug A Stover	USD-W	0779	1997
Wilfrido L Tapia	USD-W	1709	1994
Matthew R Taylor	USD-W	0779	1997
Chad Theobald	USD-W	1709	1998
Johnny Thibodeaux	AF-SW	1058	2001
C Thomas	USD-W	0968	1998
Johnny M Thomas	AF-SW	1058	2001
Johnny L Thompson Jr	USD-W	0227	2001
Travis Tom	USD-W	0968	1999
Everett W Tonyan III	USD-NW	2853	2001
Jason W Traywick	AF-SE	1643	2001
John R Tripp II	USD-W	0508	1997
Nick J Turpin	USD-W	0779	2000
Jeremy L Vaverka	USD-NW	0381	2001
Roberto G Verdugo	USD-W	0227	2001
S A Viator	AF-SW	1058	2001
Damian K Walker	AF-SW	1058	2001
Tedd C Weddle	USD-W	0779	1997
Rogers P Williams	AF-SW	0564	2001
Michael J Winchester Jr	AF-SW	0450	2001
Elgin W Woodley	USD-W	0508	2001
Fernando V Zavala	USD-W	0968	1999

## 20 year MERIT AWARD

Martin R Acosta	USD-W	0875	1991
Jeffrey P Allen	USD-W	0779	1990
Ivan R Alto	USD-NW	1879	1991

Wilfred B Alvarez	USD-W	1402	1991
Javier A Arellano	USD-NW	1152	1991
Cuauhtemo C Arteaga	USD-W	0875	1991
Ivan D Ballard	AF-SW	2762	1991
Lorenzo Barrios	USD-W	0875	1987
Shane A Beachler	USD-W	1216	1991
Timothy Begay	USD-W	1020	1991
Roger L Begay	USD-W	1020	1991
Roger Bekay	USD-W	1020	1991
Lorenzo Bekay	USD-W	1020	1991
Gary R Bennett	USD-W	1020	1991
Jefferson Bob	USD-W	1020	1991
Philip D Cardinal	USD-W	1227	1991
Jose Centeno	USD-W	0779	1990
William Y Cisco	USD-W	1020	1991
Emery C Curtis	AF-SW	2921	1991
George E Damian	USD-W	0941	1990
Hershal J Deputy III	USD-W	0941	1984
Fernando Edgar	USD-W	1862	1991
Donald R Elliott	USD-W	1133	1991
Luis J Estrada	USD-NW	1152	1991
Aaron R Fincher	AF-SW	0564	1991
Joseph S Flores	USD-W	0875	1991
D T Gonzales	USD-W	0941	1990
Benson Gordo	USD-W	1020	1991
Vernon J Groo	USD-W	0968	1990
Saul Gutierrez	USD-W	0941	1990
Joel W Hepler	USD-NW	1152	1991
Mark C Herring	USD-NW	1152	1991
Dan Hoskie	USD-W	1020	1991
Donald Hoskie	USD-W	1020	1991
Eduardo H Islas	USD-W	1381	1991
Jimmie James	USD-NW	0377	1991
obertson P James	USD-W	1020	1991
Kodell A Jenkins	USD-W	0875	1991
James D Jerry	AF-SW	0564	1991
Wallace John	USD-W	1002	1991
R F Lange	AF-SW	1012	1991
Keith D Lounsbury	USD-W	1227	1991
Glen A Love	AF-SW	2762	1991
Paul E Maestas	USD-W	1517	1989
Jose A Magana	USD-W	0968	1990
Ronald J Manley	USD-W	1133	1991
David R Marin	USD-NW	1847	1990
Dirk W May	USD-W	1020	1991
James J Mc Caslin Jr	USD-W	1381	1991
Reuben F Mike	USD-W	1020	1991
Harrison Mike	USD-W	1020	1991
Jimmy Mike	USD-W	1020	1991
James R Morris	USD-W	0686	1991
Michael T Morrison	USD-W	1381	1991
Mark T Mueller	AF-SW	2762	1991
Armando E Nunez	USD-W	0875	1991
Porfirio Olivas	USD-W	0941	1991
Dale P Overholt	USD-W	0779	1990
Anthony L Paul	USD-W	1381	1991
Timothy A Pena	USD-W	1020	1991
Nicolas O Rivas	USD-W	1227	1991
Larry Robbins	USD-W	1020	1991
Jackie Robertson	AF-SW	1176	1991
Phillip L Robinson	USD-W	0686	1991
Sylvester Sandoval	USD-W	1020	1991
James M Saukerson	USD-W	0686	1991
Fredrich Schlickbernd	USD-W	0899	1991
Michael S Schmidt	AF-SW	0564	1991
Douglas D Schrolller	USD-W	1133	1991
Anthony L Serrano	USD-W	0779	1990
Enrique Soriano	USD-W	0085	1986
Ricardo Sosa	USD-W	1020	1991
Jordan B Stewart	USD-W	1020	1991
Terry L Strong	USD-W	1381	1991
Daniel K Suemnick	USD-W	1381	1991
Victor M Tejeda	USD-W	0227	1991
Leo D Torres	USD-W	1002	1989
E Torrez	USD-W	0941	1989
Kirt Trathen	USD-W	1709	1984
Delamar L Tripp	USD-W	1227	1991
Geno A Valadez	USD-W	1246	1991
Juan C Valle	USD-W	0875	1991
Socorro J Vasquez	USD-W	0968	1990
Javier G Vazquez	USD-NW	1152	1991
Richard C Vossberg	ICGF	0626	1986
Glenn W Wagon	USD-W	1246	1991
Howard L Westbrook	USD-W	0686	1991
Steven M Williams	USD-W	0899	1991
Demetrius O White	USD-NW	0377	1991
Edison D Yazzie	USD-W	1020	1991

## 30 year MERIT AWARD

Jorge Aguirre	USD-W	0941	1980
Jesus Alamo	USD-W	0779	1979
Phillip S Albarado	AF-SW	1176	1981
Lynn T Albert	AF-SW	1048	1981
George H Alcantar	USD-NW	1152	1981
Jose A Almanza	USD-W	0941	1979
Alejandro Almanza	USD-W	0941	1977
Alfredo Alvarado	USD-W	0686	1981
Abelardo A Aragon	USD-W	0941	1981
David Archuleta	USD-W	0968	1978
Robert D Archuleta	USD-W	0968	1976
Feliciano Arellano	USD-W	1348	1981
Brian D Asselin	USD-NW	1046	1981
Garth P Badura	USD-W	0968	1979
Salvador Baeza	USD-W	0941	1981
Leonard Bailey	USD-NW	0377	1981
Richard L Ballengee	AF-SE	0130	1981
Danny A Barber	USD-W	0779	1978
Roy A Barela	USD-W	0941	1979
David S Barnes	PENN	3018	1978
Kevin L Barnhart	AF-SW	0965	1981
Mike A Barone	USD-W	1517	1973
Guillermo V Barriga	USD-W	1501	1981
Carl F Bauer Jr	AF-SE	1300	1981
Michael T Becerra	AF-SW	1365	1981
Harrison Begay	USD-W	1020	1981
Ray Begay	USD-W	0227	1981
Taylor Belingachee	USD-W	0227	1981
Kevin R Bellinski	PENN	3018	1975
Vernon J Benally	USD-W	0899	1981
Robert Berard	USD-W	0941	1977
William H Berger	PENN	3018	1978
Gregory C Billington	AF-SW	1365	1981
Jeffery D Blankenship	USD-W	1020	1981
Gene Boatman	USD-W	1516	1973
Michael Bonham	USD-NW	1788	1981
Rickey Booqua	USD-W	0779	1975
Darnell C Bragg	USD-NW	0377	1981
Hayes Brown Jr	AF-SW	2286	1981
Lawrence R Brubaker	PENN	3018	1978
Murray E Bryars	AF-SE	0916	1981
Harold R Buch	AF-SW	1365	1981
David M Buchanan	USD-W	1381	1981
Phillip P Burbidge	USD-W	0968	1979
Robert A Butlerfield	USD-W	0968	1978
Frank G Cady	USD-W	0779	1978
Robert Camacho Jr	AF-SW	1025	1981
Jesus C Canchola	USD-W	0085	1981
Daniel Cano	USD-W	0779	1980
Frank A Casados	USD-W	0941	1974
Tom S Chapa	USD-W	0508	1981
Hal Chatwin	USD-W	1020	1981
Maurilio C Chaves	USD-W	1501	1980
Ernest Chavez	USD-W	1517	1976
Sam W Chee	USD-W	0508	1981
Kelly B Christensen	USD-W	0968	1980
Gregory T Clark	USD-W	1227	1981
Larry K Clark	AF-SW	1540	1972
Michael D Closson	PENN	3018	1975
John D Coast	PENN	3018	1976
Steve G Comstock	ICGF	0626	1981
Christoph C Cooper	PENN	3018	1979
Vernon R Cooper Jr	AF-SE	1643	1982
Bobby Cordova	USD-W	0779	1975
Jose E Cordova	USD-W	1517	1974
Joe L Cordova	USD-W	0941	1977
Bradley S Cox	AF-SE	0460	1981
Gary Cranford	AF-SE	1028	1981
Willie Cummings Jr	AF-SE	1643	1982
Michael J Currans			

## ROLL OF HONOR

Continued from Page 8

Jose L Martinez	USD-W	0779	1976
Ray G Martinez	USD-W	0968	1980
Jose H Martinez	USD-W	0833	1975
J E Mathis	AF-SE	2163	1981
Clarence Matthews Jr	AF-SW	1048	1981
Mark G Mattingly	AF-SW	0965	1981
David S Mc Creight	USD-W	1517	1976
Roger L Mc Donald	USD-W	0968	1975
Mike D Mc Quitty	USD-W	0833	1973
Ralph E Meadows	AF-SE	0130	1981
Robert A Medrano	USD-W	0833	1976
Thomas J Melesh	USD-W	0508	1981
Manny F Mendez	USD-W	0508	1981
Tony G Mendieta	USD-W	1517	1978
Melvin L Middleton	PENN	3018	1980
Juan Molina	USD-W	0899	1981
Manuel Montano	USD-W	0941	1978
Joey I Montoya	USD-W	1501	1975
Timothy L Moore	USD-W	1517	1979
Jose P Morales	USD-W	1517	1978
Lorenzo B Moreno	USD-W	1517	1980
Charles M Morgan	USD-W	1517	1974
James L Morris	PENN	3018	1976
Robert S Mostek	USD-W	0473	1981
Mark L Murphy	USD-W	1516	1979
Michael J Nelson	USD-W	0968	1978
Samuel Nixon Jr	PENN	3018	1976
Jose I Ordaz	USD-W	0941	1981
Douglas J Orender	USD-W	0473	1981
John A Parker	AF-SE	0130	1981
Keith J Peeks	USD-W	1133	1979
Bobby L Pendill	USD-W	0779	1976
Claude E Phellps III	AF-SE	1643	1982
Leroy A Pino	USD-W	0686	1981
Ralph H Prijatel Jr	USD-W	1517	1974
Fermin E Quintana	USD-W	1501	1975
Fred A Quintana	USD-W	0833	1979
David S Rae	AF-SE	0153	1981
Benito Ramon	USD-NW	2853	1981
Roger M Ring	PENN	3018	1975
Harry C Rittenhouse	PENN	3018	1979
Acension Rodriguez	USD-W	0941	1981
Pedro Rodriguez	USD-W	0941	1981
Scott N Ross	USD-W	1517	1979
Daniel T Rubio	USD-W	0941	1973
Thomas E Ruble	USD-W	1517	1977
Douglas C Rudat	USD-W	0473	1981
Lorenzo D Ruvalcaba	USD-W	0968	1974
Richard G Salazar	USD-W	0833	1975
Leobardo O Sanchez	USD-W	0779	1977
Charles W Sather	USD-W	1020	1981
Armando D Saucedo	USD-W	1227	1981
Donald R Schielder	AF-SW	1100	1981
Eric J Shemek	USD-W	0473	1981
Robert W Sires Jr	USD-W	0833	1978
Robert B Smalley	PENN	3018	1978
Daniel E Smith	USD-W	1517	1979
Tim R Smith	USD-W	1517	1981
Timothy L Snider	AF-SE	1064	1981
Keith K Spaulding	PENN	3018	1975
Chris M Spychalski	USD-W	0508	1981
Tim A Stanley	PENN	3018	1977
Owen J Steil	USD-NW	1879	1974
David G Stock	USD-W	1054	1981
Gary D Sugino	USD-W	0968	1979
Gumaro A Sustaita	USD-W	1227	1981
Alexander Teller	USD-W	1227	1981
Wayne D Thomas	USD-NW	1788	1981
Kenneth R Thrush	PENN	3018	1975
Jerry W Tom	USD-W	1020	1981
Ronnie D Toney	AF-SE	0130	1981
Paul J Trappe	AF-SE	0885	1981
Terry L Treat	USD-W	0968	1973
Jose F Trevino	USD-W	0779	1977
James C Trujillo	USD-W	1517	1980
Timothy J Valencia	USD-W	0779	1975
Gregorio E Vasquez	USD-W	0941	1976
Jim A Vigil	USD-W	0779	1979
Gabriel M Villarreal	USD-W	0968	1977
Alan L Waldschmidt	USD-W	0779	1978
Roy S Ward	USD-W	0779	1979
Dwight N White	AF-SW	1011	1981
Michael L Williams	AF-SE	1028	1981
Barry L Williamson	PENN	3018	1974
Chad F Winn	USD-W	1227	1974
Robert R Wood	USD-W	0134	1981

Craig Woods	AF-SE	1064	1981
Roger D Wright	AF-SE	0153	1981
Gene A Wright	SOU	0627	1981
William C Wright	USD-W	0508	1981
Dennis R Wyckoff	USD-W	0779	1977
Dale L Yamutewa	USD-W	0779	1978
Charles R Yoast	USD-W	1381	1977
Randy D Yoder	USD-W	1020	1981
Steven G Zartman	AF-SW	1353	1981
George Zinn	AF-SE	1064	1981
Austin Zuniga	USD-W	0941	1978



Paul M Archuleta	USD-W	1501	1968
Leland K Banks	USD-W	1020	1971
Perry Barnhill	AF-SE	1857	1971
Michael Braithwait	USD-NW	1071	1971
Kent L Bushman	USD-NW	1152	1969
Paul K Chamberlain	USD-W	1020	1970
Raymond L Cooper Jr	USD-W	0941	1971
Robert H Cross	AF-SE	0665	1971
J S Cruz	USD-W	0922	1971
Dennis L Cunard	USD-NW	1788	1970
Richard De La Rosa	USD-W	1196	1968
Kenneth Dermer	AF-SE	0424	1971
Douglas Dewald	USD-W	1133	1971
Ernesto R Espinoza	USD-W	1862	1967
Randy J Fetters	USD-W	1381	1970
Larry D Fowler	AF-SW	1025	1971
Earl H Galik	AF-SE	1049	1971
Arturo S Garcia	USD-W	1246	1972
Rafael V Garcia	USD-W	0922	1971
Librado T Gonzalez	USD-W	0875	1971
Erwin E Hammond	AF-SW	1025	1971
Everett W Harless Jr	ASF	0568	1971
Michael D Hayes	AF-SE	1063	1971
Mario M Heredia	USD-W	0407	1971
Robert A Herrman	USD-W	1216	1971
Thomas L Holleman	USD-W	0922	1971
Terry Hoffman	USD-NW	0343	1971
E T Holder	AF-SE	0682	1971
Ronnie K Huntley	USD-NW	1788	1969
Stuart A Hurlburt Jr	N E	1368	1971
Harvey R Johnson	USD-NW	1152	1971
Horace B Jones	USD-W	1227	1970
Milton I Karnick	USD-NW	1879	1971
Russell R Knipfel	USD-NW	1757	1970
John Kutschchenko	AF-SE	1509	1971
Joseph V Larsen	USD-W	1402	1971
James E Leffel	CRSF	1056	1971
Arthur Levering	AF-SE	0695	1971
Salvador R Lopez	USD-W	0922	1968
Kenneth R Lowry	AF-SE	1049	1971
Nicolas Lucero	USD-W	1517	1970
Lawrence Mack	AF-SE	0025	1971
Tony R Matlock	ICGF	0017	1971
Andrew P Markley III	N E	1368	1971
Robert A Mary	USD-NW	1757	1971
Terry L Mau	USD-W	1133	1970
James P Mc Cormick	USD-NW	1879	1970
David Meyer	USD-NW	1788	1969
Jonnie A Meyer	USD-W	1216	1970
John W Moeck	AF-SW	0688	1971
Lupe S Monarrez	USD-W	0407	1971
Fred Moore	AF-SE	2619	1971
Stanley Morris	AF-SW	2286	1971
Ted J Munch	AF-SW	1048	1971
Terry J Murray	USD-W	1227	1971
Thomas Nicholas	AF-SE	0061	1971
Vincent E O Toole	USD-W	1133	1970
Donald R Parthemer	USD-W	1133	1971
Joseph O Porter	USD-W	0899	1969
Orlando Rea Jr	AF-SE	0993	1971
Edward F Ribbing	AF-SW	0601	1971
Jose G Rivera	USD-W	0875	1971
Joaquin Salcido Jr	USD-W	0922	1966
Barry L Sarver	AF-SE	1028	1971
John R Sawvell	USD-NW	1152	1971
Vearline L Scarbrough	USD-W	1196	1971
Daniel G Seeberger	USD-W	1133	1970
Daryl L Shughart	USD-W	1216	1971
Leonard J Stohs Jr	USD-W	1133	1971

Carles W Street	ICGF	0017	1971
Roy G Walter Jr	USD-W	1054	1971
Dennis D White	USD-W	1133	1971



Amos Archuleta	USD-W	0968	1954
Jesus J Castillo	USD-W	1862	1953
Paul Cruz	USD-W	1516	1953
Robert E Gosser	USD-W	1054	1956
Roy L Hackwell	USD-W	1709	1957
Andrew M Hartley	USD-W	0968	1953
Joel D Herzog	USD-W	0922	1961
Kenneth E Hilbert	USD-W	0922	1961
Richard L Landers	USD-W	1517	1953
Jose M Lopez	USD-W	0875	1953
Juan E Miranda	USD-W	0922	1961
John Obregon	USD-NW	1879	1962
Clyde C Olson	USD-W	1348	1953
Jessie Patton	USD-W	1196	1955
Donald R Pisarczyk	USD-W	1517	1956
Leonard L Richie	USD-W	0941	1953
Juan P Sanchez	USD-W	0968	1953
Henry Schultz	USD-W	0922	1960
James Sewell	AF-SW	1021	1953
Rogelio Suarez	AF-SW	1021	1953
Tomas R Trejo	USD-W	1709	1958
Joe E Valdez	USD-W	0968	1959



Jose Alvarado	AF-SW	0366	1950
Vernon C Brightwell	AF-SW	0601	1944
Ernest Broussard	AF-SW	1048	1950
Wallace J Broussard	AF-SW	1048	1948
Winston L Broussard	AF-SW	1048	1946
Gurves Citizen	AF-SW	0944	1945
O T Cranford	AF-SW	0601	1949
E V De Hayos	AF-SW	1012	1947
George E Dyer	AF-SW	0601	1947
Robert L Ehlers	AF-SW	0996	1947
Ygnacio B Gonzales	AF-SW	2754	1935
Alvis E Gossett	AF-SW	0944	1946
Jack Gray	AF-SW	0564	1942
Daniel G James	AF-SW	0564	1943
Leroy C Jenson	BURNOR	1280	1943
Joseph E Kestner	AF-SW	0450	1949
Luther T Kuykendall	AF-SW	0601	1948
Jack N Lowther	AF-SW	1025	1942
Hardy L Mc Cue	AF-SW	0688	1947
George J Mc Inturff	AF-SW	0601	1947
Phillip Moore	AF-SW	1012	1948
Everett B Perrien	AF-SW	0944	1948
Marcelo L Torres	AF-SW	0675	1946
Santiago Villasenor	AF-SW	0366	1951
Marshall A Walker	AF-SW	0564	1943
Melvin M Wiechmann	AF-SW	0688	1947

## 2012 Railroad Retirement Benefit Increases

Most railroad retirement annuities, like Social Security benefits, are scheduled to increase in January, 2012 on the basis of the rise in the Consumer Price Index (CPI) from the third quarter of 2008, the last year a cost-of-living adjustment was determined, to the corresponding period of the current year.

Cost-of-living increases are calculated in both the tier I and tier II benefits included in a railroad retirement annuity. Tier I benefits, like Social Security benefits, will increase by 3.6 percent, which is the percentage of the CPI rise.

Tier II benefits will increase by 1.2 percent, which is 32.5 percent of the CPI rise. The vested dual benefit payments and supplemental annuities also paid by the Railroad Retirement Board are not adjusted for the CPI rise.

In January, 2012, the average regular railroad retirement employee annuity will increase \$64 a month to \$2,308 and the average of combined benefits for an employee and spouse will increase \$89 a month to \$3,293.

For those aged widow(er)s eligible for an increase, the average annuity will increase \$38 a month to \$1,203. However, widow(er)s whose annuities are being paid under the Railroad Retirement and Survivors' Improvement Act of 2001 will not receive annual cost-of-living adjustments until their annuity amount is exceeded by the amount that would have been paid under prior law, counting all interim cost-of-living increases otherwise payable. Some 35 percent of the widow(er)s on the Board's rolls are being paid under the 2001 law.

If a railroad retirement or survivor annuitant also receives a Social Security or other government benefit, such as a public service pension or another railroad retirement annuity, the increased tier I benefit is reduced by the increased government benefit. However, tier II cost-of-living increases are not reduced by increases in other government benefits. If a widow(er) whose annuity is being paid under the 2001 law is also entitled to an increased government benefit, her or his railroad retirement survivor annuity may decrease.

However, the total amount of the combined railroad retirement widow(er)'s annuity and other government benefits will not be less than the total payable before the cost-of-living increase and before any increase in Medicare premium deductions.

For most beneficiaries covered by Medicare, the standard Part B premium generally deducted from monthly benefits is expected to increase from the 2011 amount, with the Centers for Medicare & Medicaid Services expected to announce the 2012 premium amounts in the coming weeks.

In late December the Railroad Retirement Board will mail notices to all annuitants providing a breakdown of the annuity rates payable to them in January 2012.

### LOCAL LODGES SEND US YOUR PICTURES

If your local lodge has a special event that you would like covered, or you would just like to see your local lodge members in the Journal, send us a picture with a brief description of the meeting or event. The details should include your name, telephone number, local lodge number and system division/federation. The picture – along with the details – may be sent by e-mail or U.S. mail to the following addresses:

[Rbrassell1@aol.com](mailto:Rbrassell1@aol.com) or  
 BMWED Journal, c/o Randall Brassell  
 242 West Main Street, #394  
 Hendersonville, TN 37075



# Around the Brotherhood

## BMWED Offers OSHA Training Course

A group of BMWED officers and appointees participated in an OSHA Standards course held November 17 and 18, 2011, in Gallatin, Tennessee. The course was offered through a program at Volunteer State Community College by the BMWED. The course is provided through the OSHA Outreach Training Program and is a 10-hour general industry course. Upon completion, the participants are provided with an OSHA card verifying completion of the course.



Left to right – Staci Gilbert, Tony Cardwell, Nate Trawick, Dave Scoville, Brian Rumler, Russell Farmer, Charlie Miller, Gary Marquart, Richard Principato, Tim McCall, Ricardo Canchola, Andrew Shelton, Larry Phillips and Roger Sanchez.

## BMWED Advanced Officer Educational Program Continues

The BMWED held its second two-week-long officer training program October 16 - 28, 2011, at Volunteer State Community College near Nashville, Tennessee. The program offers a number of subjects that are geared toward enhancing representational skills.

The next program will commence January 8, and conclude on January 20, 2011.



BMWED Advanced Officer Educational participants.

## Local Lodge 409 Holds Annual Picnic

Allied Federation Local Lodge 409 held its annual picnic and meeting in Lansing, Michigan on June 10, 2011. General Chairman Dennis Albers and Vice Chairman Larry Phillips were on hand to join in the festivities and address the members.



Local Lodge 409 members and guests take time out for a photo.



Local Lodge 409 retirees left to right sitting: E. Gamboa, P. Figeroa, Ed McCormack and Leo Lazard. Standing left to right: Allied General Chairman Dennis Albers, F. Rocha, Louie Gonzalez and Allied Vice Chairman Larry Phillips.

## Phillip Cornacchia Wins Award

Consolidated Rail System Federation Local Lodge 882 member, Phillip Cornacchia was recently named Oneida County Senior Citizen of the Year. Brother Cornacchia is 95 years old and resides in Utica, New York. He is a lifetime member of the BMWED and still attends all of his local lodge meetings.

Congratulations Brother Cornacchia!



Continued on Page 14





# Democrat, Republican, Independent Voter Education

Big Business spends big money in Washington to influence members of Congress and push their anti-worker plans. They outspend working families on politics by more than 15-1.

Through grassroots political action and aggressive lobbying on Capitol Hill and in State Houses and City Halls across America, the BMWED and Teamsters have stopped some of the worst attacks on working people.

But Big Business is pushing their agenda harder than ever. That means we have to fight back stronger than ever. And we have to move forward with our own programs, like improving job safety, fighting for affordable childcare, and stopping abuses by corporate health providers and insurance companies.

You can take a stand for working families by contributing to DRIVE – the Teamsters’ political action committee. BMWED dues

dollars cannot be directed toward these activities and DRIVE depends on voluntary contributions. But, your contribution will support grassroots action by BMWED and Teamster families to stand up to Big Business interests.

And your membership to DRIVE will help elect political candidates who care about working people. Contributions to DRIVE support a wide range of activities:

- Keeping members and their families informed on the key issues that affect our future, including voter guides that show the records of our Senators and Representatives in Congress.
- Rallies, news conferences, advertisements, and phone banks to build support on issues of concern to working people.
- Voter registration, and financial support for political candidates who will stand up for working families. DRIVE is non-partisan and independent from any political party.

If you ever doubt the impact of political decisions on the lives of railroad workers and their families, here are four important reasons why you should think again...and why DRIVE is so important.

- The Railway Labor Act
- The Railroad Retirement System
- The Railway Unemployment System Insurance Act
- The Federal Employers’ Liability Act

DRIVE contribution forms can be accessed at the BMWED website at [www.bmwed.org](http://www.bmwed.org), or by contacting the BMWED National Legislative Department.



“Employers and employees alike have learned that in union there is strength, that a coordination of individual effort mean an elimination of waste, a bettering of living conditions, and is in fact, the father of prosperity.”

*Governor Franklin D. Roosevelt (D-N.Y., 1929-1932), in address before the New York Women’s Trade Union League, 6/18/29*

“It is time all Americans realized that the place of labor is side by side with the businessman and with the farmer, and not one degree lower.”

*President Harry S. Truman (1945-1953), 1948*

## UNITED STATES POSTAL SERVICE® Statement of Ownership, Management, and Circulation (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 13 OCT 2011	
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, Ste 320, Southfield, MI 48076-4169				Contact Person Randall E Brassell Telephone (include area code) 615-521-1097	
8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer) 20300 Civic Center Drive, Ste 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 Employes Division of the IBT 20300 Civic Center Drive, Ste 320, Southfield, MI 48076-4169					
Editor (Name and complete mailing address) Freddie N. Simpson, President & Editor, BMWED-IBT, 20300 Civic Center Drive, Ste 320, Southfield, MI 48076-4169					
Managing Editor (Name and complete mailing address) Randall E. Brassell, Associate Editor, BMWED-IBT, 25 Louisiana Avenue, NW, 7th Floor, 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 Brotherhood of Maintenance of Way Employes Division of the IBT		Complete Mailing Address 20300 Civic Center Dr, Ste 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 2011	
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 (Net press run)		38,000	37,526
b. Paid Circulation (By Mail and Outside the Mail)	(1) Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	37,350	37,350
	(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))		37,350	37,350
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)		37,526	37,526
g. Copies not Distributed (See Instructions to Publishers #4 (page #3))			
h. Total (Sum of 15f and g)		37,526	37,526
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 <u>SEP/OCT 2011</u> 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 13 OCT 2011

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).



# FRA Issues Regulations for Concrete Crossties and Fasteners

## *BMWED input helps shape the Final Rule*

On April 1, 2011, FRA issued new rules governing concrete ties and fasteners for FRA Track Classes 1 – 5. The new rules establish a 1/2-inch limit for rail seat abrasion (RSA), and limits for concrete crosstie pad wear limits, missing or broken rail fasteners, loss of fastener toeload pressure, improper fastener configuration, and excessive lateral rail movement. FRA has also added a requirement for railroads to conduct automated inspection of concrete ties to detect rail seat abrasion. Prior to issuance of the Final Rule, there was no federal criterion for evaluating the condition and effectiveness of concrete ties in Class 1-5 track.

BMWED's Department of Safety represented the Brotherhood in this rulemaking under the auspices of the Rail Safety Advisory Committee (RSAC). RSAC is a federally chartered advisory committee which provides a forum for developing consensus-based recommendations to the FRA Administrator on rulemakings and other safety program issues.

Upon review of the Final Rule issued April, 1 2011, BMWED filed a Petition for Reconsideration in accordance with the provisions of 49 CFR § 211.29. BMWED's petition was based upon a belief that failure

of the Final Rule to, (1) require persons fully qualified under § 213.7 and whose territories are subject to automated inspections be provided with a copy of the exception report for rail seat deterioration; and (2) failure to compensate for the 1/8 of an inch calibration variance allowed for automated inspection equipment, was both unreasonable and not in the public interest.

FRA has acknowledged that concrete tie rail seat deterioration may not be readily evident in a normal visual track inspection prior to track failure under load. FRA stated in the preamble to the Final Rule "that it would be a best practice for the track owner to ensure that the person responsible for performing the frequency inspections required by § 213.233 be provided a copy of the exception report, as all field-verified exceptions are subject to all of FRA's Track Safety Standards."

Nevertheless, the Final Rule published on April 1st did not require that the automated inspection exception report be provided to, or made readily available to, individuals responsible for conducting track inspection and restoration and renewal under traffic conditions. As a result, BMWED filed its petition to amend the rule to

require automated inspection reports be provided or made readily available to qualified 213.7 track inspectors. BMWED argued that the automated inspection data would assist track inspectors in locating and monitoring "near but not yet FRA-condemnable RSA conditions" in between automated inspection cycles. The condemnable limit for RSA is 1/2-inch under the new regulation.

On September 9, 2011, in response to BMWED's petition, FRA amended the Final Rule, effective November 8, 2011, in two significant ways. First, FRA amended the rule to explicitly require that railroads make automated inspection reports available to all relevant § 213.7 persons whose territory is subject to the automated inspection provisions of the rule. And second, FRA amended the rule to require that automated inspection equipment must note all locations indicating rail seat deterioration of 3/8 of an inch and greater on the exception report. This requirement is intended to compensate for the 1/8 of an inch of variance allowed for in the calibration of automated inspection equipment.

"History has proven that our track inspectors are held responsible for derailments on concrete ties due to rail seat abrasion," said

Rick Inclima, BMWED Director of Safety.

"If carriers are required by regulation to conduct automated inspections for RSA under FRA rules, it only makes sense that copies of those reports be made available to BMWED track inspectors. If the automated inspection equipment has a 1/8-inch calibration variance, safety dictates that the exception report must indicate when rail seat deterioration is detected within 1/8-inch of the condemnable limit," Inclima said.

"Not only does this help track inspectors protect the railroad from derailments; it also gives track inspectors additional information and tools to protect their jobs and their livelihoods. The track inspector is most often used as a scapegoat for track-caused derailments, so our goal was to ensure that BMWED track inspectors have access to all relevant information about the location and severity of rail seat abrasion on their territories," said Inclima.

The April 1, 2011 File Rule can be viewed at: <http://edocket.access.gpo.gov/2011/pdf/2011-7666.pdf>, and the September 9, 2011 amendments to the rule at: <http://www.gpo.gov/fdsys/pkg/FR-2011-09-09/pdf/2011-23133.pdf>.

## An Old Gandy Passed Away

A poem by Arley M. Bischoff

An old gandy passed away, and as I stood solemn at his grave,  
I remembered how the railroad, had worked him like a — slave!

I recalled how he was treated, it was oft — like he was dirt!  
He never missed a day of work, though his aching back would hurt.

And no one really gave a damn, how much steel this gandy laid,  
or the ties he hand dug in, and tamped tight with a spade.

Yes — as I began to reminisce, the age of steam meandered by,  
along with things this man endured, swinging pick and spiking tie.

How sweat profusely dripped, lifting rail and ties with tong.  
It was a six day work week, the day — ten hours long.

How he suffered in the winter, he wore but tattered clothes.  
His hands were always numb, his feet felt like they were froze.

He swept the switch points clean, during the blizzard's storm.  
There was no such thing as wind chill, no one cared if he was warm.

Forced to eat his lunch in misery, in the snow and in the rain.  
His railroad home — a boxcar, but he never did complain.

Oh — the switches he helped lay — he shoveled tons of ballast.  
He often smelled of creosote, his hands were rough and callused.

He kept the track bolts tight, he did swing a spike mall hard,  
as he labored on the extra gangs, from Spokane to Appleyard.

I doubt if even God could count, the spikes this man has driven,  
just so he could feed his family, eking out a meager livin'.

This old timer couldn't sign his name, he could barely read.  
But he never failed to pay his dues, he was a rare and special breed.

His customs, his religion, they were different, it was said.  
He spoke with heavy accent, still, like mine, his blood flowed — red!

This old G. N. gandy was a brother, Italian, Filipino, Greek,  
from Wenatchee or — Odessa, or perhaps from — Wilson Creek.

Yes, because of men like him, the track was smooth and straight.  
Trains ran at their normal track speed, and they were seldom late.

St. Peter handed him a halo, he passed this life's grueling test,  
for the lowly gandy is, the kind of man — that God loves — best!

*Arley Bischoff has been a BMWED lifetime member for more than 50 years. He is a member of Local Lodge 104 and resides in Harrington, Washington.*







# DEATH BENEFIT DEPARTMENT

## REPORT OF DEATH BENEFIT CLAIMS PAID DURING JULY AND AUGUST, 2011

NAME	CITY/STATE	LODGE/SYSTEM/RR	D.O.D.
JOHN BRATTA JR.	TALLMADGE, OH	3018 PENN/LIFE	06/16/11
WILLIAM M. CARTER	BOWLING GREEN, VA	0338 AF/LIFE	08/12/11
WILLIAM CATO JR.	FRESNO, CA	2419 ATSFF/LIFE	06/09/11
DOMENIC ESPOSITO	FAIRLAWN, OH	1432 AF/LIFE	07/05/11
NADIER FOSTER	OKMULGEE, OK	1251 ATSFF/LIFE	07/12/11
JESUS FUENTES	LAREDO, TX	0366 AF/LIFE	01/17/02
BRAULIO U. GARCIA	ROCK SPRINGS, WY	0918 USD/LIFE	06/25/11
LORENZO GARCIA	CHENOA, IL	0694 ICGF/LIFE	03/26/11
WALTER J. HAYDE	ST PAUL, MN	0144 BURNOR/LIFE	07/19/11
GLEN M. JOHNSON	OSKALOOSA, IA	0342 USD/LIFE	06/25/11
ERNIE S. LATTIN	GREAT FALLS, MT	0735 BURNOR/LIFE	04/11/11
CLAIR W. MC WHIRTER	HERMITAGE, PA	3007 PENN/LIFE	06/23/11
R. L. NICHOLS	TEMPLE, TX	2410 ATSFF/LIFE	07/16/11
CHARLES E. RIDGE	SULLIVAN, IN	1063 AF/LIFE	06/08/11
SIDNEY UCHYTI	BELLE PLAINE, IA	0381 USD/LIFE	06/17/11

PAID JULY 1, 2011 TO AUGUST 31, 2011 .....	\$ 7,500.00
AMOUNT PREVIOUSLY PAID .....	\$45,363,307.75
TOTAL AMOUNT PAID TO DATE .....	\$45,370,807.75
NUMBER OF CLAIMS PAID - 15	

## REPORT OF DEATH NOTICES RECEIVED DURING JULY AND AUGUST 2011

CRAIG J. AASEN	SOIUX CITY, IA	1788 USD/UP	06/30/11
LARRY P. BENNER	ROCKFORD, IL	1302 BURL/BNSF	08/23/11
CHARLES CORDELL	LA RUE, OH	1900 CRSF/CSXT	07/26/11
MARK A. DEMERANVILLE	GERING, NE	0961 BURL/BNSF	07/23/11
RICHARD D. GRAFF	MARSHALLTOWN, IA	0381 USD/UP	07/28/11
LYNN O. KUNKEL	LINCOLN, NE	1320 BURL/BNSF	07/01/11
THOMAS J. PRESTON	MOHAWK, NY	0882 CRSF/CSXT	08/12/11
BENITO S. SANCHEZ	COUNCIL BLUFFS, IA	0216 USD/UP	05/01/11
BARTON E. SMOOT	ROYAL, IA	0519 USD/UP	03/09/11
MIKE B. SNYDER	CASPER, WY	1292 BURL/BNSF	05/16/11
DANNY K. WINNER	CORNING, OH	3080 PENN/NS	07/10/11

## REPORT OF DEATH BENEFIT CLAIMS PAID DURING SEPTEMBER AND OCTOBER, 2011

NAME	CITY/STATE	LODGE/SYSTEM/RR	D.O.D.
DOMINGO J. ALEMAN	FRESNO, CA	2419 ATSFF/LIFE	07/08/11
EMMITT W. BALDWIN	PAMPLIN, VA	0572 ASF/LIFE	05/10/11
THURMOND COCKRELL	SALUDA, SC	1618 SOU/LIFE	09/15/11
RUEL M. DANIEL	WASKOM, TX	0564 AF/LIFE	09/20/11
KENNETH W. GILLMORE	NAMPA, ID	1381 USD/LIFE	08/24/11
JOHN J. JAUCH	PUEBLO, CO	1517 USD/LIFE	03/11/11
MILO H. LARSON	JACOBSON, MN	0706 BURNOR/LIFE	10/07/11
MIKE MADRID	SPRINGER, NM	2415 ATSFF/LIFE	08/13/11
JOSE C. MAES	BOISE, ID	0918 USD/LIFE	02/17/11
JAMES D. STARLING	SALTERS, SC	0563 AF/LIFE	08/10/11
NORMAN J. STOUT	HAMBURG, PA	2780 CRSF/LIFE	10/04/05
RALPH J. WISE	PICKRELL, NE	0473 USD/LIFE	08/22/11
ANDREW ZERA	LIGONIER, PA	3008 PENN/LIFE	08/25/11

PAID SEPTEMBER 1, 2011 TO OCTOBER 31, 2011 .....	\$ 6,500.00
AMOUNT PREVIOUSLY PAID .....	\$45,370,807.75
TOTAL AMOUNT PAID TO DATE .....	\$45,377,307.75
NUMBER OF CLAIMS PAID - 13	

## REPORT OF DEATH NOTICES RECEIVED DURING SEPTEMBER AND OCTOBER 2011

MICHAEL R BOZEK	MORRISVILLE, PA	3014 PENN/NRPC	07/06/11
STEVEN G. CLAYTON	PALMYRA, MO	2621 BURL/BNSF	08/16/11
ELMER C. HULSE	WAKARUSA, KS	1216 USD/UP	08/28/11
JOHN D. MERRELL	CROYDON, PA	3014 PENN/NRPC	09/30/11
TIM R. PRUDOM	MARQUETTE, MI	1489 MIDW/LSI	10/04/11
FILIP QUATTROCCHI	N. ARLINGTON, NJ	2905 CRSD/NJT	09/14/11
BRENT T. TYRRELL	GARRETSON, SD	0908 BURNOR/BMWE	09/11/11

**APPLICATION DEADLINE**  
**JAN. 31, 2012, FOR \$150,000**  
**IN AWARDS**

## Apply Now for a Union Plus Scholarship

Washington, DC— Applications are now open for the 2012 Union Plus Scholarship Program, which provides \$150,000 in scholarships to union members, their spouses and dependants.

To apply, visit [UnionPlus.org/Education](http://UnionPlus.org/Education). This year's application is entirely online—allowing students to complete their application over time and save their responses. The application deadline is January 31, 2012.

### 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. There is no requirement to have participated in any Union Plus program in order to apply.

Since 1991, Union Plus has distributed more than \$3.2 million in scholarships to working families.

In addition to the Union Plus Scholarships, the following benefits help union families afford higher education:

- Scholarships to help union members and leaders finish their degrees with an affordable, flexible and convenient online program at the National Labor College.

- Discounts of 15 percent to 60 percent on college and graduate school test preparation courses from The Princeton Review. Includes classroom, online and private tutoring for the SAT®, ACT®, GMAT®, LSAT®, GRE® and MCAT® as well as college affordability and admissions online courses. Visit [UnionPlus.org/CollegePrep](http://UnionPlus.org/CollegePrep) or call 1-888-243-7737.

Visit [UnionPlus.org/Education](http://UnionPlus.org/Education) for applications and benefit eligibility.

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TELL YOUR CONGRESSIONAL LEADERS TO FUND AMTRAK

# BMWED Legislative Issues – 112th Congress



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## AMTRAK NATIONAL FACTS

The name "Amtrak" is the blending of the words "America" and "track." It is properly used in documents with only the first letter capitalized. The railroad is also known as the National Railroad Passenger Corporation.

## HISTORICAL BACKGROUND ON AMTRAK

• Amtrak was created by Congress in 1970 to take over the passenger rail services previously required to be operated by private freight railroad companies in the United States. Those companies showed they had operated the services at a net loss of millions of dollars for many years.

• More than half of the rail passenger routes operated by the freight railroad companies were eliminated when Amtrak began service on May 1, 1971.

## BASIC AMTRAK FACTS

• During FY 2010 (October 2009 – September 2010), Amtrak welcomed aboard more than 28.7 million passengers, the largest annual total in Amtrak's history. An average of more than 78,000 passengers rides more than 300 Amtrak trains per day.

• Amtrak operates a nationwide rail network, serving more than 500 destinations in 46 states and three Canadian provinces on more than 21,200 miles of routes, with more than 20,000 employees. It is the nation's only high speed intercity passenger rail provider, operating nearly 60% of its trains at top speeds in excess of 90 mph/145 kph.

• In FY 2010, Amtrak earned approximately \$2.51 billion in revenue and incurred approximately \$3.74 billion in expense. No country in the world operates a passenger rail system without some form of public support for capital costs and/or operating expenses. In

2009, the most recent year for which data for other railroads is available, Amtrak's farebox recovery (percentage of operating costs covered by revenues generated by passenger fares) was the highest reported for any U.S. passenger railroad.

• In 2010, an average of more than 862,000 people every weekday depended on commuter rail services that used Amtrak-owned infrastructure, dispatching, shared operations, or rode commuter trains operated by Amtrak under contracts with local or regional agencies.

• Amtrak's Northeast Corridor (NEC) is the busiest railroad in North America, with more than 2,200 trains operating over some portion of the Washington-Boston route each day. More than a quarter of a million riders use the NEC on every weekday, generating more than 4.9 million daily passenger miles.

• If included among U.S. airlines in 2008, Amtrak would rank 8th in the number of passengers served. On average, there are nearly twice as many passengers on an Amtrak train than there are on a domestic airline flight.

• The Boston-New York-Washington portion of the Northeast Corridor carried 10,375,209 passengers in FY 2010 on Acela Express, Regional Service or other trains. Three other corridors had ridership that topped one million or more: Pacific Surfliner Service (San Diego-Los Angeles-San Luis Obispo, 2,613,604), Capitol Corridor Service (San Jose-Oakland-Sacramento-Auburn, 1,580,619) and the Keystone Corridor Service (Harrisburg-Philadelphia-New York City, 1,296,838).

Five other corridors had ridership in excess of a half-million passengers:

- Empire Service (New York-Albany-Niagara Falls): 981,241
- San Joaquin service (Oakland-Sacramento-Bakersfield): 977,834
- Amtrak Cascades service (Eugene-Portland-Seattle-Vancouver, B.C.): 836,499
- Hiawatha Service (Chicago-Milwaukee): 783,060
- Lincoln Service (Chicago-St. Louis): 572,424
- Amtrak operates 15 long distance trains on a national network of routes ranging in length from 764 to 2,438 miles.
- These trains provide the only Amtrak service in 23 states and at

nearly half of the stations they serve.

• They are the only intercity passenger transportation service in an increasing number of communities.

• Amtrak-owned equipment includes Amfleet®, Superliner®, Viewliner® and other railroad passenger cars totaling 1,518, plus 459 locomotives, 80 Auto Train® vehicle carriers and 101 baggage cars.

• Amtrak-operated state-owned equipment includes 140 railroad passenger cars and 22 locomotives.

• Amtrak-owned property includes 363 miles of the 456-mile Northeast Corridor connecting Washington, Philadelphia, New York and Boston, the busiest passenger line in the country, with trains regularly reaching speeds of 125-150 mph/201-224 kph; a 60.5-mile track segment from New Haven, Conn., to Springfield, Mass.; 104 miles of up to 110 mph/177 kph track in Pennsylvania between Philadelphia and Harrisburg, the first new high-speed corridor in the 21st century; a 95-mile segment of 95 mph/153 kph (soon to be 110 mph/177 kph) track in Michigan that uses the first high-speed positive train control system in revenue service outside the NEC.

Amtrak is the only railroad in North America to maintain right of way for service at speeds in excess of 100 mph, and its engineering forces maintain more than 350 route-miles of track for 100+ mph service.

• Amtrak has 17 tunnels consisting of 29.7 miles of track and 1,186 bridges consisting of 42.5 miles of track.

• Amtrak owns three heavy maintenance facilities in Wilmington and Bear, Del., and Beech Grove, Ind., as well as other maintenance facilities in Washington, DC; New York City, Rensselaer and Niagara Falls, NY; Boston; Hialeah, Fla.; Chicago; New Orleans; Los Angeles; Oakland; and Seattle.

• Seventy percent of the miles traveled by Amtrak trains are on tracks owned by other railroads. Known as "host railroads," they range from large publicly traded companies based in the U.S. or Canada, to state and local government agencies and small businesses. Amtrak pays these host railroads for use of their track and other resources required to operate Amtrak trains, with incentives for on-time dispatching. Those payments were for more than 26 million train miles (one train mile = a mile of track usage by each train)

in FY 2010 and totaled more than \$136.9 million.

The six largest host railroads for Amtrak trains are:

- BNSF Railway, 6.8 million train miles
- Union Pacific Railroad, 6.19 million train miles
- CSX Transportation, 5.90 million train miles
- Norfolk Southern Railway, 2.49 million train miles
- Canadian National Railway, 1.46 million train miles
- Metro North Railroad, 1.34 million train miles

## STATE SUPPORT FOR AMTRAK

Fifteen states contract with Amtrak for the operation of trains that supplement the national Amtrak network by extending the reach of passenger rail services or provide additional frequencies on Amtrak routes. State and regional agencies pay most of the operating costs of these services, not covered by farebox revenues. Continued operation of these state-supported routes is subject to annual contracts and state Legislative appropriations, along with Amtrak financial participation. In addition to operating funds, many of these states also provide funds for infrastructure or other capital improvements to Amtrak routes in their states.

## AMTRAK SUPPORT TO STATES

In the state of Maryland alone, Amtrak employs 2,264 residents with total wages in excess of \$162 million dollars annually. These are wages spent back into the state's economy. In addition, Amtrak spends approximately \$45 to \$46 million dollars purchasing goods and services within the state of Maryland.

More money spent back into the state's economy. This is just one of the many states within our nation that Amtrak invests in.

## UNION JOBS

Amtrak employs approximately 17,000 employees belonging to 13 rail labor organizations. These employees contribute into our national railroad retirement plan which accounts for about 12% of all new money contributed into our railroad retirement. This is but one of the critical reasons showing us that Amtrak needs be funded appropriately.

## BMWED Legislative Issues

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## BMWED Legislative Issues

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### DRIVE

Every day at every level of government, politicians make decisions that affect you, your family and your job. Everything we fight for as a union can be taken away in an instant by a politician.

DRIVE is a political action fund built by and for members of the BMWED. One of the most effective programs of its kind in the United States, DRIVE—or Democrat, Republican, Independent Voter Education—spends funds strategically, contributing to the campaigns of public officials who stand up for workers basic union rights.

DRIVE dollars contributed by BMWED members like you go to defeat politicians who disrespect and trample on the rights and needs of workers like you.

Making a difference in day-to-day politics requires significant resources to lobby legislators to make sure they cast votes that help BMWED members and their families. It takes money to ensure that government agencies have the information necessary to properly administer existing laws and regulations and bargaining rights such as overtime, safety as well as a myriad of other issues we face every day.

JOIN DRIVE TODAY—CALL US AT 202-508-6445 TO MAKE A REAL DIFFERENCE!

High-Speed Rail—U. S. Secretary LaHood and Illinois Officials break ground on Chicago High-Speed Rail Project

Secretary LaHood was joined by Illinois Governor Pat Quinn, U.S. Senator Dick Durbin, U.S. Congressmen Bobby Rush and Dan Lipinski, Chicago Mayor Rahm Emanuel and other state and local elected officials, as well as business, labor and civic leaders.

"Projects like this one are exactly why President Obama has made transportation such a big part of the American Jobs Act," said Secretary LaHood. "We have workers on site today, American factories producing new supplies, and when the project is completed, people and goods will move more quickly and easily through the Midwest, making the region a better place to start a business or hire new workers."

The \$133 million construction project is funded through a \$126 million grant from the U.S. Department of Transportation's high-speed intercity passenger rail program, with a \$6.6 million contribution from Governor Quinn's Illinois "Jobs Now!" construction program. This marks the start of the second major

construction project in the Midwest, as work is also under way on the Chicago-St. Louis High-Speed Rail Corridor.

Workers will build a bridge to carry 78 daily North-South Metra Rock Island commuter trains and approximately 60 East-West intercity passenger and freight trains that operate on the Norfolk Southern corridor.

The new bridge will allow all trains to pass through without conflict and is designed to allow for additional tracks to be added to both corridors to accommodate future growth.

"The Englewood Flyover will make life easier for tens of thousands of commuters every day and put people to work immediately," Governor Pat Quinn said.

"This vital project will eliminate a problem spot and set the stage for future passenger rail growth while boosting Illinois' position at the economic engine of the Midwest.

Nearly two years ago, many of us gathered here to announce \$133 million in funding—including \$126 million through the American Recovery and Reinvestment Act—to begin rebuilding the rail system right here on the South Side of Chicago. When the Englewood Flyover project is complete, freight and passenger train will move more efficiently, saving time and money. But, more importantly, as a result of this federal funding, the hard hit construction industry in the Chicago metro area will see 1,500 jobs—good-paying jobs that can't be outsourced."

"If we are going to continue growing our economy, we need more projects like this one, not fewer, which is why the American Jobs Act is so important," Senator Dick Durbin said.

"The potential construction jobs and contracts from The Flyover arrive right on time for residents and business owners in the First Congressional District," said Congressman Bobby Rush.

"For years people living and working in this neighborhood have endured the smoke and noise from idling trains in their community. I am working hard to make sure that women and minorities have every opportunity to work and obtain contracts and to participate as we lay the groundwork for high speed rail that will carry our community, city, nation and economy forward."

"Every day, nearly 1,300 trains pass through Chicago-making it one of the busiest rail hubs in the United States," said Chicago Mayor Rahm Emanuel. "CREATE will invest in critically needed improvements to increase the efficiency of passenger

and freight rail infrastructure, enhance the quality of life for residents and ensure Chicago remains a competitive destination for travel and trade."

"There aren't many projects that deliver this kind of bang for the buck," Congressman Dan Lipinski said. "As a linchpin of the CREATE rail modernization project, it's critical to modernizing our aging rail system, preserving our status as America's transportation hub, and boosting long-term job creation in northeastern Illinois. Having obtained the initial \$100 million for CREATE back in 2005, I'm very glad we're finally breaking ground."

Since the 1990s, Midwestern states have planned an intercity passenger train network that connects the 40 largest cities in the Midwest with over 60 roundtrips from downtown Chicago each day. The Englewood project will benefit passengers traveling along an improved corridor from Detroit, which has been awarded several grants for construction projects to increase speeds to 110 mph. Travelers from Cleveland, Indianapolis and Cincinnati will also see fewer delays thanks to the new bridge. The project is part of the Chicago Region Environmental and Transportation Efficiency Program (CREATE), a public-private partnership between the state, city and railroads aimed at untangling Chicago's infamously snarled railroads where conflicts cause delays across all modes of travel.

A strict "Buy America" requirement ensures U.S. manufacturers and workers receive the maximum economic benefits from this federal investment. The project will boost domestic manufacturing of railway supplies. According to Railway Supply Institute, Illinois railway suppliers account for over \$4.5 billion in sales each year, more than any other state in the nation. U.S. DOT previously announced a \$782 million investment for a fleet of next-generation American-made trains to operate across the Midwest and in California.

Thirty-two states across the U.S. and the District of Columbia are currently laying the foundation for passenger rail corridors to link Americans with faster and more energy-efficient travel options. To date, U.S. DOT has invested \$10.1 billion to put America on track towards providing new and expanded rail access to communities and improving the reliability, speed, and frequency of existing service.

### STATE ISSUES

**Wisconsin**—As we witnessed earlier this year, organized labor and

its allies recalled 2 Republican state senators who supported Governor Walker's anti-worker legislative agenda, including the elimination of collective bargaining, in historic fashion. Despite more than \$30 million spent on the right in some of the most conservative districts in the country, two new Democrats are now Senators, and the Republican majority in the Senate is a slim one-seat margin. Meanwhile, efforts to possibly recall Walker are gaining steam, as the state part collects signatures.

**Ohio**—Following the passage of Senate Bill 5, which eliminates collective bargaining, unions and their allies filed a Citizen's Veto of the bill, which will now face voters this November. If a majority of voters vote NO on Issue 2 (SB-5), the bill would be wiped off the state's statutes. To get the bill on the November ballot, organizers were required to collect nearly 300,000 signatures. In response, 1.3 million signatures were submitted, including more than 20,000 Teamster signatures. Issue 2 opponents (our side) hold a steady lead in polls, but the influx of right-wing money will make the November election extremely tight. The Teamsters have 15 Lost Timers working with members to encourage them to vote NO on Issue 2. (*Since the Journal went to press, the election has been held and the voters soundly rejected the anti-labor bill.*)

**Michigan**—The Teamsters are facing a number of threats in Lansing from right-wing politicians, including the looming battle over Right-to-Work (for Less). Additionally, a Right-to-Work bill aimed specifically at the Michigan Education Association is also gaining ground as well as a bill to prohibit communications of union activities at the work place. Earlier this year, the right wing passed an Emergency Financial Manager bill which allows the state to declare that cities are in financial emergencies and appoint officials to eliminate collective bargaining agreements. In response, unions and their allies are working on a constitutional amendment to protect collective bargaining in the state as well as recalls of the worst of state legislators.

**Indiana**—Earlier this year, House Democrats left the state for nearly five weeks to protest Republican efforts to pass Right-to-Work (for Less) legislation. While the Democrats' efforts succeeded this year, a host of hearings on Right-to-Work have been held and supporters of the anti-worker legislation will be making a major push to pass the bill in 2012.



# IHB Decision To Use BMWED For Project Pays Off

Earlier this year, the Indiana Harbor Belt Railroad, headquartered in Hammond, Indiana, considered using railroad contractors to build a yard expansion at their Gibson Yard. After discussions with Consolidated Rail System Federation General Chairman T. J. Nemeth, and Vice Chairman Jeffrey Bainter, IHB management decided to utilize their own BMWED employees to perform the work without any participation by contractors. This work involved the building of four new tracks, each having an average length of 7524 feet. The existing tracks now have a total capacity of 1,298 auto racks, which was extended by an additional 316 auto racks. Included with these tracks was the installation of 26 turnouts (switches), 14 of these being cross-overs giving the yard maximum flexibility in the way the cars can be handled.

The track work was completed along with a "New Service" roadway extending from McCook Avenue to Columbia Avenue approximately 9,320 feet in length by 24 feet wide. In addition, was the installation of 425 feet of new storm drains, and, the relocation of four signals. Also, before any of this work could be accomplished, approximately one million cubic yards of dirt and debris had to be redistributed to different areas of the yard. Over 30,000 man hours of work was put into this project.

To no one's surprise, the BMWED completed the track expansions ahead of schedule and \$2 million dollars under budget.

CRSF Vice Chairman Jeff Bainter offered, "We had no doubt that our highly skilled and professional members would succeed. After all, that's what we have been doing for the past 125 years."

The Indiana Harbor Belt Railroad is a Class III railroad that comprises 320 miles of track in the Chicago area. The IHB Gibson Yard is probably the largest auto-switching operation in the United States.



Gibson Yard before (above) and after.



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