

BMWED

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

JOURNAL



Volume 115 ■ Number 4

www.bmwe.org

August 2006

BMWED STRIKES CANADIAN NATIONAL RAILWAY

Message to Carrier is Clear - We Will Not Be Ignored!

On the morning of July 19, at 06:00, BMWED members and IBT volunteers from area Teamster Locals (Joint Council 42) established picket lines at no fewer than twelve work-site locations of the Canadian National Railway (CN) in Ohio, Michigan, and Indiana. The strike targeted CN properties of the former Grand Trunk Western (GTW), Detroit Toledo & Ironton (DT&I), and Detroit Toledo & Shore Line (DT&SL) Railroads. This action followed a lawsuit filed against the CN in the U.S. District Court for the Northern District of Ohio (Toledo) two days earlier.

Both of the actions directed against the CN were in strong protest to CN's violations of the Railway Labor Act (RLA) in the longstanding dispute between the BMWED and the CN over changes in the current collective bargaining agreements on the former GTW, DT&I, and DT&SL portions of the CN.

The Railway Labor Act, a law in effect since 1926, requires that CN exert every reasonable effort to make an agreement, to settle the dispute, and to bargain with the BMWED in good faith. The RLA also requires that CN *meet and confer* with the BMWED, as the representative of CN's maintenance of way employees. The CN refused our repeated request for meetings.

After the National Mediation Board (NMB) declined to schedule meetings between the parties, the BMWED sought to meet directly with CN. *Again, the CN refused to respond to any of our written requests to them to hold direct negotiations.* On July 17, the BMWED filed a lawsuit against the CN to enforce the Railway Labor Act.

CN's actions just prior to the March mediation sessions contributed greatly to the striking of their properties. It was at that time that the CN suddenly took a giant negotiating step backward by



Strike Hits CN Rail Yard Operations - Pontiac, Michigan.

submitting new proposals that would decimate longstanding employee rights on the GTW, DT&I, and DT&SL properties. Among other things, CN proposed to eliminate existing seniority rights, give CN a free hand in contracting-out

all maintenance of way work, allow CN complete discretion in making work assignments, and impose unprecedented huge and annually increasing health insurance contributions. But when CN See **Strikes** on Page 3

Say Hello to the Men of the A&O

BMWED Extends a Hearty Welcome to Its Newest Brothers

On the evening of August 2nd, in a restaurant a few miles outside of Buckhanna, West Virginia, a small group of men who work to repair and maintain the 150 mile stretch of tracks operated by the Appalachian and Ohio (A&O) Railroad proudly celebrated a new beginning. Their new beginning.

After carefully listening to a presen-

Buckley, seven Trackmen and one Signalman voted unanimously to ratify a five year agreement which the BMWED had negotiated on their behalf. It is their first. In doing so, they ended a year and a half long period of uncertainty, the amount of time most of them have been employed at the A&O. Additionally, they will now enjoy immediate wage increases and equalization,

"Around these parts, if you're not working in a coal mine or for a railroad, you're not living,"

—Dustin Huffman
A&O Railroad

tation by Allied Eastern Federation General Chairman Randall Brassell, accompanied by Vice General Chairmen David Lopez and Len

work schedule stabilization, and many other basic workplace rules which many of us too often take for granted See **A&O** on Page 3



Left to Right—Front Row: Randall Brassell, Mark Barbour, Bryan Mallett, Wes Workman, Noah Shaver. Middle Row: James Conrad, George Patrick, Len Buckley. Back Row: David Lopez, Dustin Huffman, Ben Mooney, Jimmy Henegar.



Sometimes it Takes a Four Letter Word to be Heard . . .

“VOTE” is Rail Labor’s Most Powerful Word - Part 1 of 2

In the Sept/Oct edition of the *Journal*, we will publish Part 2 of this Article. It clearly defines the issues that are of great concern to America’s Railroad Families. We also anticipate providing you with a complete list of labor-friendly congressional candidates for your consideration. Please look for them.

ABOUT THIS ELECTION CYCLE

During the next two months, there is going to be a flurry of election activity. “Campaign Information Overload,” in other words. This is called a mid-term election cycle (no presidential candidates on ballot). Every seat in the House of Representatives (435) and one third of the Senate seats (33) are up for election.

First there are the **Primary Elections** (various dates), to sort out the initial sets of candidates for each of the parties, and then the **General Election** is held on **November 7, 2006**, to decide who will sit in each of these seats for the next two years (House) or six years (Senate), respectively.

WHAT TO DO NOW

Register to Vote - You can’t vote if you’re not registered at your current home address. Make sure you’re correctly registered. The amount of time you have to get registered prior to voting in a Primary Election or in the General Election varies from state to state. Find out what rules apply to you. Again, if you’re not sure if you are currently registered to vote, please contact the office that handles voter registration in your county or state. You don’t want to be turned away from the polls on election day because of a registration error. *Think about it.*

Help Family Members Register - If you do nothing more than assure that your spouses and voting age children are registered to vote, you’ve done something very big.

Consider these estimates. The BMWED is about thirty one thousand members strong. If every registered BMWED *family member* votes on November 7, we will have given over one hundred thousand votes of sup-

port to our cause. If each of us reaches out to our parents, sisters, brothers, uncles, and aunts, we are very likely to double or quadruple that figure. It’s all about helping people understand what’s at stake for the family as a whole. An injury to one is an injury to all. *Think about it.*

Request an Absentee Ballot - Once you’ve confirmed that you’re correctly registered to vote, if there is any possibility that you will be away from home on an election day, request to vote by Absentee Ballot. Again, the laws regarding this option vary from state to state. Some actually allow weekend voting. *Think about it.*

Talk About It - Ask the people you work with in the other crafts if they’re registered to vote. If not, tell them how easy it is (see Help below). *Think about it.*

HELP FOR YOU

Register Online - The BMWED webpage at www.bmwed.org has a link to a **Project Vote Smart** (PVS) web page. Look for the Project Vote Smart button on the left-hand side of the screen. PVS is a non-profit non-partisan organization dedicated to helping voters receive accurate election information. The link we have established from our home page takes you directly to a PVS page which requests that you select your State of residence. Once you’ve done that, all of the information you need to know about your State’s Primary and General elections, including how and where to register for them, will be shown. Request for Absentee Ballot information is shown on the same page.

Candidate Information - PVS has detailed information of every candidate running for a seat in Congress during this election cycle. This will be extremely helpful to you if you and your family plan to vote in your State’s Primary Election. You can access their web site’s home page by going to www.vote-smart.com and searching for individual candidate information on your own.

Telephone Assistance - If you’re not near a computer or you do not have internet access at home, the folks at PVS can help. Call their toll-free “Voters Research Hotline” at **1-888-868-3762** and they will answer any questions you have about your States election requirements and/or the candidates running for office.

Finally, remember this. As proud members of America’s “Working Class,” we know the difference between right and wrong and we have a long and proud history of fighting for what is right. We know what it takes to fight and we know what it takes to win!

Registering to Vote gives each of us in line a couple of tickets to fight in the Boxing Ring of American Democracy! A ticket for **one** punch in the Preliminaries and a ticket for **one** punch in the Final Round. That adds up to **two** punches for every voting-age member of every BMWED family. Together, We Can Win This Fight! *Register to VOTE and be part of the 2006 Victory Celebration.*

VOTE . . . The most powerful four-letter word the Democratic World has ever known!

ELECTION SUPERVISOR’S REPORT TO BMWED MEMBERS

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campaign button poses a safety hazard while working around machinery or equipment. In July, we upheld a members’ right to wear campaign buttons while on the clock in a setting where the member was not interacting with the public and where employees had a pre-existing right to wear such items. *In re Misich*, 2006 ESD 323 (July 8, 2006), *affirmed*, 06 EAM 56 (July 21, 2006).

If you believe an employer, an union officer, or union member is interfering with your political rights or retaliating against you because you have expressed your political views on the IBT International office election, you have the right to file a protest under Article XIII, § 2 of the *Rules*. A protest must be filed within two (2) days of when you became aware of the interference or retaliation. You may also contact OES in Washington D.C., or contact your Regional Director for infor-

mation on your right to be free from interference or retaliation.

Publication Review Advisory - Union publications such as monthly newsletters, magazines and websites are paid for with members’ dues money. The *Rules* and federal labor law prohibit using a union publication to *endorse, support, or attack* a candidate for IBT international union office. To guard against such violations, all union publications distributed between August 2006 and November 2006 must be submitted to OES for review before publication. All local unions and lodges have been informed of this procedure (the *Publication Review Advisory* is also posted at www.ibtvote.org). For more information about the policy, or if you suspect a violation, contact OES at 888-IBT-2006 or

ElectionSupervisor@IBTvote.Org.

Richard W. Mark
Election Supervisor

BMWED Division

JOURNAL CONTENTS

August, 2006 ■ BMWED DIVISION JOURNAL ■ VOLUME 115 ■ NUMBER 4
The BMWED Journal is the official news publication of the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters




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

ATTENTION POSTMASTER:
Send address changes to BMWED, 20300 Civic Center Drive, Suite 320, Southfield, Michigan 48076-4169.
Subscription Price: U.S. and Canada—\$20.00 (U.S.) per year, in advance.

www.bmwed.org

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BMWED Legislative Issues – 109th Congress

Amtrak FY 2007 Appropriations

On June 6 the House Appropriations Committee approved HR 5576, the FY 2007 Transportation-Treasury-HUD (TTHUD) Appropriations bill, in which funding for Amtrak remained at \$900 million, widely regarded as a shutdown level.

During debate on the House floor Rep. Steven LaTourette (R-OH) and Rep. James Oberstar (D-MN) offered an amendment to HR 5576 to increase funding for Amtrak to \$1.114 billion, an increase of \$214 million. The amendment was adopted by a vote of 266-158. On June 14 the \$139.6 billion TTHUD fiscal 2007 spending bill (HR 5576) passed by a 406-22 vote.

The Senate Appropriations TTHUD Subcommittee approved by voice vote a \$140.9 billion fiscal 2007 spending bill (HR 5576) on July 19. The Subcommittee boosted Amtrak funding to \$1.4 billion for FY 2007, and adopted an amendment by Sen. Patty Murray (D-WA) that removed a damaging provision authored by Sen. Kit Bond (R-MO) which would have bypassed the collective bargaining process and arbitrarily eliminated all work rules, and all restrictions on contracting out. The Senate's Amtrak funding is about \$500 million more than the White House requested.

Rail Hazmat Safety

Railroads Subcommittee Chairman LaTourette held an oversight hearing on June 13 on the transportation of hazardous materials by rail. The hearing addressed several issues, including: routing requirement for rail hazmat shipments; current federal rail hazmat requirements; compulsory legal duty to transport; liability exposure; and pre-emption of state tort liability law.

Tom Pontolillo, BLET's Director of Regulatory Affairs represented the Teamster Rail conference and testified

Say Hello to the Men of the A&O

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these days.

While all men said that the Four Rivers Holding Company, the company who operates (leases) this segment of railroad from the CSX, isn't a bad company to work for, the men have always lacked a sense of job security. This issue, job security, was ranked as the top concern of all present when asked what the driving factor was in bringing them to this moment.

In a part of the country which has seen a continued decline in Union employment opportunities over the past decade, working for a railroad offers one of the only real chances for knowing what "earning a living" means to these mostly twenty-something young men and their families. "Around these parts, if you're not working in a coal

mine or for a railroad, you're not living," said Dustin Huffman, who has a family member working for a Class 1 railroad. As a matter of fact, nearly every one of the men has family working on one railroad or another somewhere in the region.

Rail Security

Sen. Joe Biden (D-DE) lost his bid to boost funding by \$1.1 billion for rail security in the fiscal 2007 Homeland Security appropriations bill. The amendment would have provided \$670 million for improvements to rail tunnels in the Northeast Corridor; \$250 million for general security upgrades for freight rail operators; \$65 million for Amtrak, including \$25 million to hire 200 new security officers and boost the pay for current officers by 25 percent; and \$100 million for research and development.

National Transportation Safety Board

The Senate Commerce Committee approved by a 22-0 vote S 3679, to reauthorize for 2 years the National Transportation Safety Board at \$163.9 million. The Committee also approved the nomination of Mark V. Rosenker as NTSB Chairman.

Railroad Retirement Disability

The House Transportation and Infrastructure Committee approved and reported out the Railroad Retirement Disability Act of 2006 (HR 5483) on July 21. The bill would increase to \$700 a month the earnings limitation for disability benefits under the Railroad Retirement Act. Current law limits the outside earnings of a railroad worker drawing disability benefits to \$400 per month, or \$4,800 annually.

The bill has bipartisan support and should move to the Speaker's calendar for House floor action. It is expected to pass.

Because of their insider knowledge of the industry, they knew exactly what they were getting into when they began their employment in the maintenance department of the A&O. They also knew what was missing from it. Now, with much credit and thanks going the Officers of the Allied Eastern Federation and BMWED organizers Tim McCall and Mark Barbour, that has been corrected. Welcome Aboard and Congratulations to our new brothers at the A&O.

When this news reached the men and women on the picket lines, they were encouraged that a victory would be achieved, having expected the court to be sympathetic to the railroad's request for a TRO, as it had been so often in the past.

Railroad Retirement Technical Improvement Act

The 2001 Railroad Retirement and Survivors' Improvement Act (PL 107-90) required the Railroad Retirement Board to contract with a private firm for disbursing the Tier II benefits. However, it was discovered that using a private entity would actually cost more than using the U.S. Treasury. According to the Congressional Budget Office, the Railroad Retirement Board currently pays \$800,000 to the Treasury as reimbursement for disbursing the benefits, several times less than the estimated cost of a private firm.

On July 25 the House passed HR 5074, a bill that removes the requirement permanently, and maintains use of the U.S. Treasury as the disbursement agency for Tier II railroad retirement benefits.

2006 Emergency Supplemental Spending Measure (CSX Railroad Relocation)

The proposed relocation of a CSX line in Mississippi that was supported

by Senators Cochran (R-MS) and Trent Lott (R-MS), and derided by critics as pork barrel spending, intended primarily for Mississippi's economic development rather than hurricane relief was cut from the \$94.5 billion Emergency Supplemental bill in conference. It would have cost \$700 million.

National Mediation Board

The Senate Appropriations Committee approved \$12,500,000 for fiscal year 2007 for the National Mediation Board in its Fiscal 2007 Labor-HHS-Education Appropriations bill (S 3708) on July 20.

It takes NMB arbiters 30 months on average to resolve a case, and funding for arbitration cases routinely runs out several months before the end of the fiscal year. Rail Labor urged Senate Appropriators to include additional funding to alleviate the backlog of cases. Senate Appropriators specified that \$750,000 is to specifically address the backlog of cases. The next step is to get the additional funding included in the House version of the appropriation.

BMWED Strikes Canadian National Railway

Continued from Page 1

then refused to meet, and essentially ignored its duty to bargain, a strike was initiated in an effort to force the CN to work to resolve the dispute.

The CN's response was predictable. Within hours of the initiation of the strike, it was reported that the CN was calling employees of all crafts at their homes and threatening their jobs, should they fail to report for duty. During these phone calls, as with the conversations management held with employees still on CN property, they were falsely claiming that the strike was illegal.

Additionally, the CN sought to bring an immediate halt to the strike with a Temporary Restraining Order (TRO) through a district court judge in Chicago, Illinois. The judge there, however, *declined* to act on the CN's motion and told the railroad that they must take the matter up in a Toledo, Ohio court, where the BMWED lawsuit had been previously filed.

When this news reached the men and women on the picket lines, they were encouraged that a victory would be achieved, having expected the court to be sympathetic to the railroad's request for a TRO, as it had been so often in the past.

CN's next attempt to break the strike would come later that same day, when they appeared in United States District Court for the Northern District of Ohio, in Toledo. In a decision supporting our right to strike the CN properties, the judge *denied* CN's

request for a TRO against us.

With a favorable court ruling and with information coming from within the CN that the railroad's operations were in a serious state of disruption, a great sense of accomplishment rapidly spread through the troops on the picket lines and to those working behind the scenes of the organization. **The BMWED had achieved its main objective . . . To get the attention of the CN's management and say to them that *we will not be ignored.***

Then, in the early morning hours of July 20, a message came down from BMWED President Simpson stating that CN management had been in contact with him and that they had agreed to meet with us on the following day for negotiations, with the understanding that, though the strike would be suspended, the court case would proceed as filed.

As this Journal goes to print, it can be reported to you that talks between the CN and the BMWED have resumed and that the process is once again taking place as prescribed by the Railway Labor Act.

The hard work and sacrifice of those railroad men and women who stood tall in support of our effort and made this strike against the CN a success, are to be thanked and congratulated for a job well done. *A special Thank You goes out to the members of IBT Joint Council 42, for their assistance on the picket lines.*



Freddie N. Simpson

PRESIDENT'S PERSPECTIVE

Election season is fast approaching, and the outcome will directly impact railroad employees, National Bargaining, Amtrak, and the future of our union and our nation. There are actually two important elections pending: The mid-term Congressional elections and the elections for IBT International officers.

First, let me touch upon the Congressional elections this November. As you may have read elsewhere in this edition of the Journal, railroad employees have a lot at stake in this mid-term election. The entire House of Representatives and 33 Senate seats are up for election. As we head into this election, the Republican Party holds a majority in the House of

Representatives and in the Senate. And of course, the Republican Party also controls the White House.

With control of the House, the Senate and the White House under a Republican majority, the railroad companies and their lobbyists have tried to leverage this political alignment to roll the BMWED and the rest of Rail Labor at the bargaining table. With their political ducks all lined up in the Congress and at the White House, the carriers have had little incentive to bargaining fairly with its employees. You have the ability and opportunity to change this dynamic in the upcoming mid-term elections.

Since January 2005, the carriers have shown little interest in resolving this round at the bargaining table. What the carriers have shown an interest in is cutting your job, reducing your compensation, contracting out your work, increasing your health care costs, and imposing draconian work rules upon the remaining workforce. What the carriers have also shown an interest in is leveraging their political connections to gain impasse and bringing in their political allies to impose a carrier-friendly settlement upon BMWED and all of Rail Labor.

Several times since January 2005 the carriers have attempted to have a bargaining impasse declared by the National Mediation Board (whose members are appointed by the White House) in order to push our collective bargaining issues in front of a President Bush Emergency Board whose recommendations could

then be imposed against our will by a carrier-friendly Congress. From the carriers' perspective, the Republican Party's control of the House, Senate, and White House is the "perfect storm." From Rail Labor's viewpoint, it is the perfect nightmare.

Thankfully, BMWED and the Rail Labor Bargaining Coalition have so far been able to thwart the carriers' every effort to take advantage of their "perfect storm," but we can't expect to ride out this storm forever. Without a change in the political landscape of the Congress during the upcoming mid-term elections, the carriers will become even bolder in their attempts to involve the government in our collective bargaining. We can remember all too well the disaster that befell us the last time Congress got involved in imposing a collective bargaining settlement: **PEB 219**. The stakes are just too high, and the costs are just too great, for us not to take matters into our own hands.

The two most important things a member of the BMWED can do to protect his or her job and livelihood is to register and vote in the upcoming mid-term elections. If we can gain a few "friendly" seats in the Congress, we can change the entire dynamic of this round of negotiations. If the carriers lose control of their majority in Congress, they may actually have to come to the table prepared to bargain rather than seeking impasse and Congressional imposition of "Carrier

See **Perspective** on Page 7

Message from Teamsters General President Jim Hoffa

Rail Security and Rail Corporations' Bottom Line

The Department of Homeland Security recently revised their rules for air travel, yet not a word was said about rail travel. Certainly airline travel has been a high profile type of target since 9/11 and we have benefited from the stringent security rules and preventative measures taken by law enforcement officers. In addition, the undercover police work that goes on everyday, evidenced by the thwarting of the recent airline plot, makes a difference. But, why is rail security still neglected?

Passengers can still board an Amtrak train or commuter rail system anywhere in the country and not have their bags inspected, not need to remove their shoes and not have to be screened by a metal detector. Most baggage on the rails is within easy reach of passengers during their entire trip. All this, plus the fact that rails carry five-times as many passengers as the airlines.

The big reason for the lack of security on the rails is big business. In 2004 Big Rail spent \$6 million on contribu-

tions to politicians. Governor Schwarzenegger of California vetoed a rail security bill that was supported by both state houses because he, "...didn't believe in it." Not coincidentally the governor had recently received campaign contributions from Union Pacific and Burlington Northern Santa Fe. After he vetoed the bill, UP donated more money. Schwarzenegger took \$35,000 from rail corporations. This seems like a lot, but he could have held out for more.

Nothing but the bottom line is more important to Big Rail. They don't want to be forced to train employees on safety and security rules and they don't want to hire more rail police. Security training can be expensive, but apparently their bottom line is more important than the security and safety of their employees and the public. During national negotiations with the rail carriers we have seen a similar posturing. The rail carriers are constantly insisting that they need to cut the number of employees operating a locomotive and that they want to hire more subcontractors for maintenance of way projects.

Our position is that more rail crew members will better ensure the safety of the locomotive and its cargo. The government and the public would never consider allowing a single pilot to fly a plane, so why should it be any different to run a train with at least two, or more, crew members? And, the maintenance of our track, switch and rail tunnel systems should be exclusively entrusted to maintenance of way members. The hiring of subcontractors to perform union work opens up the rails for possible tampering and inconsistent standards of work.

More and more legislators are writing rail security bills for submission to their states. Cities from Atlanta to Cincinnati to Fresno to Houston are waking up to the dangers posed by unsecured rail yards, the scant presence of rail police, haz mat rail cargo and lack of safety plans. Just as state legislatures are taking up the rail security issue, we will continue our support of federal officials who do the same.

We will continue to fight so that all rail employees have safety training in order to protect themselves and the



public for harm. Big Rail may believe that the safety of their employees and the public are secondary concerns when it comes to profits, but we believe that our members, those on the rails everyday, the true eyes and ears of the rails, are the most valuable assets the rails can have.

Fraternally,
James P. Hoffa
Teamsters General President



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CSX Transportation, Incorporated
Former—Seaboard System Railroad,
Incorporated
Cinchfield Railroad Company
MacArthur Bridge
Manufacturers Railway Company
Norfolk and Portsmouth Belt Line Railroad
Company
Norfolk Southern Corporation
Former—Des Moines Union Railway
Company
Interstate Railroad Company
Norfolk & Western Railway
Company
Southern Railway Company
Wabash Railroad Company
Northeast Illinois Railroad Corporation
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Terminal Railroad Association of St. Louis

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CSX Transportation Incorporated
Former—Seaboard System Railroad
Louisville & Nashville Railroad
Seaboard Coast Line Railroad
Atlantic Coast Line Railroad
Columbia, Newberry and Laurens
Railroad
Atlanta and West Point—The
Western Railway of Alabama
Georgia Railroad (including
Augusta and Summerville
Railroad)
Atlanta Joint Terminals
Atlanta & Saint Andrews Bay Railway
Winston-Salem Southbound Railway

High Point, Thomasville and Union Railroad
Baltimore Ohio Chicago Terminal
Baltimore & Ohio Railroad
Chesapeake & Ohio Railway
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Minneapolis & St. Louis Railway Company
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Amtrak (Boston MBTA Commuter District)

Amtrak (Kalamazoo, Michigan, to Michigan City, Indiana Facilities)
Consolidated Rail Corporation Shared Assets (Detroit, New Jersey, Philadelphia)
CSX Transportation, Inc.
Former—Consolidated Rail Lines (NYC) Pittsburgh & Lake Erie Railroad

Grand Trunk Rail System
Guilford Transportation Industries (Springfield Terminal Railway Company) Boston and Maine Corporation
Indiana Harbor Belt Railroad Company
Monongahela Connecting Railroad Company
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Chicago, Central & Pacific Railroad Company
Columbus & Greenville Railway Company
Gateway Western Railway,
Illinois Central Railroad
Meridian & Bigbee Railroad Company
MidSouth Rail Corporation
Mississippi Export Railroad
Northeast Illinois Railroad Corporation
Paducah-Louisville Railway
Southern Pacific, Chicago, St. Louis Corporation
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Arkansas Western Railway Company
Ashley, Drew & Northern Railway Company
Fort Smith & Van Buren Railway Company
Houston Belt & Terminal Railway Company
Kansas City Southern Railway Company
Louisiana & Arkansas Railway Company
Milwaukee-Kansas City Southern Joint Agency
Port Terminal Railroad Association (Houston Union Pacific System
Former—Abilene & Southern Railway Company
Fort Worth Belt Railway Company
Kansas, Oklahoma & Gulf Railway Company
Missouri-Illinois Railroad Company
Missouri Pacific Railroad Company



New Orleans & Lower Coast
Railroad Company
Union Terminal Railway Company
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Rock Island and Pacific Railroad
Company and Fort Worth and
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Colorado & Wyoming Railway Company
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Railroad Company
Norfolk Southern Corporation
Former—Akron, Canton & Youngstown
Railroad Company
Lorain & West Virginia Railway
Company
New York, Chicago & St. Louis
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Bangor and Aroostook Railroad Company
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Former—Consolidated Rail Corporation
Former—New York Connecting Railroad
Penn Central—New York, New
Haven and Hartford Railroad
Company
Delaware & Hudson Railway Company
Guilford Transportation Industries
(Springfield Terminal Railway Company),
Main Central Railroad Company,
Portland Terminal Company
Lamoille Valley Railroad Company
Montreal, Maine & Atlantic Railroad
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Northwestern Pacific Railroad Company
Petaluma and Santa Rosa Railroad Company
San Diego & Arizona Eastern Transportation
Company
Sierra Railroad Company
Southern Pacific Transportation Company,
Western Lines
Former—Pacific Lines
Stockton Terminal & Eastern Railroad
Tucson, Cornelia and Gila Bend Railroad
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Ironton Railroad Company, the
Lehigh Valley Railroad Company
Penn Central-Pennsylvania
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Humble, TX 77338

W. G. FOEHR

First Vice Chairman
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Humble, TX 77338

VACANT

Second Vice Chairman

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Former—Seaboard System Railroad,
Incorporated
Durham and Southern Railway
Company
Norfolk Southern Corporation
Seaboard Coast Line Railroad Company
Former—Piedmont and Northern Railway
Company
Southern Railway Company
Former—Alabama Great Southern Railroad
Company
Atlantic and East Carolina
Railway Company
Central of Georgia Railroad
Company
Chattanooga Traction Company
Cincinnati, New Orleans and
Texas Pacific Railway Company
Georgia Northern Railway
Georgia Southern and Florida
Railway Company
Kentucky & Indiana Terminal
Railroad Company
Live Oak, Perry and South
Georgia Railway Company
Louisiana Southern Railway
Company
New Orleans Terminal Company
Norfolk, Franklin and Danville
Railway Company
Tennessee, Alabama & Georgia
Railway Company
Tennessee Railway Company
Valdosta Southern Railroad
VAE Nortrak - Birmingham, AL Plant

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Galveston, Houston and Henderson Railroad
Company
Galveston Wharves
Missouri-Kansas-Texas Railroad Company
Texas City Terminal Railway Company

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SYSTEM DIVISION**

(888) 875-2693 or
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(307) 787-7058 or
(307) 787-7059
Fax: (307) 787-3100

Ogden Union Railway and Depot Company
Portland Terminal Railroad Company
South Omaha Terminal Railway Company
Union Pacific System
Former—Mount Hood Railway Company
Union Pacific Railroad
Yakima Valley Transportation Company
VAE Nortrak - Cheyenne, WY Plant

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Vice Chairman
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Kristina Delgado
P.O. Box 1761
Casper, WY 82602
(307) 234-6510



**Effective January 1, 2005, following the BMWED merger with the International Brotherhood of Teamsters (IBT)
We became the Brotherhood of Maintenance of Way Employees Division (BMWED) Of the IBT**

Our National Division (formerly Grand Lodge) Headquarters will remain in Southfield, Michigan at the same address:

Brotherhood of Maintenance of Way Employees Division
20300 Civic Center Drive, Suite 320, Southfield, Michigan 48076-4169

In addition, please note: Our telephone, extensions, fax numbers and email addresses will remain the same:

248-948-1010 • 248-948-7150 (fax)





SECRETARY-TREASURER'S REPORT



Perry K. Geller, Sr.

Whose side are they on? That's the question every single working man and woman needs to consider as they head to the polls this November to elect Congressmen, Senators, and Governors. "Whose side are they on?" is the most important question you can ask yourself in determining how you will vote in the upcoming election.

Are the politicians who cynically attempted to tie an increase in the minimum wage to a huge estate tax cut for millionaires on your side? While advocates within the Democratic Party moved to raise the minimum wage for millions of Americans to help lift them out of poverty, the Republican majority held that effort hostage in an attempt to provide 8,200 of the wealthiest estates in America with an average tax break of \$1.3

million. Rather than allowing a vote on a "clean" bill to raise the minimum wage, the Republican Party leadership poisoned the bill by attaching massive estate tax breaks for the wealthy onto the bill. Needless to say, the minimum wage bill, with its massive estate tax cuts attached, did not pass. Democrats were forced to vote against the combined bill because the Republican estate tax cut would blow a \$753 billion hole in the federal budget, and working people would pay the price through funding shortfalls and cuts to Medicaid, Medicare, food stamps, veterans programs, unemployment benefits, and other social programs. As workers and wage earners, we must consider the continued Republican cuts to social programs and their push for more tax cuts for the wealthy. Ask yourself, "Whose side are they on?"

Or we can look to recent anti-labor Amtrak legislation that was offered up by Senator Kit Bond (R-MO) in mid-July which would have essentially stripped the Rail Unions at Amtrak of the right to collective bargain an agreement. Bond's amendment attempted to force BMWED and the other rail unions at Amtrak to reach an agreement by October 1, 2007 which, by his legislation, would "require such employees to make reasonable contributions to health benefit costs and permit work rule reforms that achieve measurable operations productivity improvements. Such work rule reforms must, without limitation, include provisions that reduce crew consist requirements, eliminate scope of work and job specifications restrictions, increase scheduling flexibility and eliminate restrictions on contracting out work by Amtrak." Following a flurry of irate calls from active and retired rail union members, a unified lobbying effort by all of Rail Labor, and the support of our friends such as Senators Murray (D-WA) and Byrd (D-WV), the Bond bill was ultimately stripped from the bill. However, when you see lawmakers like Senator Bond sponsor and/or support such egregious anti-worker legislation, you must ask yourself, "Whose side are they on?"

United Auto Workers from 1946 to 1970, may have best articulated the link between the fate of working people and politics when he said, "There's a direct relationship between the ballot box and the bread box, and what the union fights for and wins at the bargaining table can be taken away in the legislative halls."

Samuel Gompers, the first President of the American Federation of Labor (1889-1924) also had a way with words about the fate of working people and politics. In an Election

Day speech, Gompers encouraged workers heading to the polls to, "Reward our friends and punish our enemies."

Brothers and Sisters, as you head to the polls in November, remember the link between the ballot box and the bread box. Remember that what we win at the bargaining table can be taken away in legislation. And remember to reward our friends and punish our enemies. When you mark your ballot, ask yourself, "Whose side are they on?"

General President Candidates Forum

The Rules for the 2005-2006 IBT International Union Delegate and Officer Election ("Rules") require the Election Supervisor to conduct at least one candidate forum for all candidates nominated for the office of General President. The Rules allow a candidate nominated for the office of General President running on a slate with a candidate nominated for the office of General Secretary-Treasurer to designate the General Secretary-Treasurer candidate to appear as his representative at the forum.

The press deadline for this magazine is before the planned date for the Candidate Forum, but the magazine will arrive at your address after that planned date. This notice provides information available about the forum at press-time.

Who is Participating? The Candidate Forum participants will be General President Candidate Tom Leedham and General Secretary-Treasurer Candidate C. Thomas Keegel. General President Candidate James P. Hoffa exercised his right to designate the General Secretary-Treasurer candidate on his slate as his representative to appear at the forum.

Where and When? The one-hour Candidate Forum is planned for August 25, 2006, at the Jack Morton Auditorium of George Washington University, Washington, D.C.

Journalists and IBT Members Will Pose the Questions. The General President candidates were each given 40 tickets to the forum to distribute to IBT members, family, and friends. In one segment of the forum, candidates will answer questions submitted by IBT members. The rest of the questions will be posed by a panel of journalists invited by the Election Supervisor.

HOW CAN I SEE IT?

1. You can view a video of the Candidate Forum – the whole event or portions of it – on the internet. The forum is available to be viewed at www.teamsters.org and at www.ibtvote.org from a computer with internet access.

2. DVD's of the forum have been distributed to every Local Union, and you can borrow a copy there. Copies of the DVD have also been made available to the candidates to distribute.

3. Call the Election Supervisor's Office – 888-IBT-2006 – and request a copy; you will be sent one free of charge.

Is There a Transcript to Read? We plan to prepare a transcript of the Candidate Forum. You will be able to get a copy of the transcript at www.ibtvote.org or by calling the Election Supervisor's Office.

Richard W. Mark
Election Supervisor

Centenarians

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

Jesus Aguas

A Berwyn, Illinois resident, Brother Aguas celebrated his 100th birthday on July 5, 2006. He last worked for the Chicago West Pullman & Southern Railroad Company, where he retired as a laborer.

Deadie Bell

A Chattanooga, Tennessee resident, Brother Bell celebrated his 100th birthday on July 16, 2006. He last worked on the Southern Railway System, where he retired as a track laborer.

The BMWED extends sincere best wishes to all of our retired centenarians. Happy Birthday!

Unfortunately, the list of anti-worker, anti-labor, anti-civil liberty activities by the current majority goes on and on. Whether the issue is raising the minimum wage, Amtrak funding, labor law reform, pension and retirement security, affordable health care, quality education, exportation of American jobs, weakening of environmental laws, windfall profits for big oil, domestic spying, nuclear proliferation, insider trading, government corruption, or the anti-worker activities of the National Labor Relations Board and the National Mediation Board, workers have to ask themselves, "Whose side are they on?"

Walter Ruther, President of the



ROLL OF HONOR

60 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Roscoe Barnes	C&EI	0041	1946
Theodore Cavadeas	C&NW	0721	1946
John De Simone	N E	1718	1945
Antonio Fortes	N E	0228	1943
Victor Frossard	C&NW	0721	1946
Robert H. Jerdo	N E	1323	1949
Robert A. Maystadt	C&NW	0692	1946
Generoso Molinario	N E	0228	1943
Philip Oliver	N E	1551	1941
Joseph Paone	N E	1551	1942
Frank Roman	N E	1551	1940
Albert J. Spencer	N E	0228	1941
John E. Weitzel	N E	1368	1946
John C. West	N E	1743	1944

50 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Marty Cole	N E	1743	1947
Malcolm B. Elder	N E	1743	1952
George W. Hibbert	N E	1743	1949
Carroll W. Kelley	N E	0633	1950
Edwin Mulligan	SEAB	2067	1957
Joseph A. Payette	N E	0228	1948
Weston F. Smithwick	N E	0633	1951
Waldo M. Tarbell	N E	0633	1952
Alex Van Guilder	N E	1743	1952

40 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Roger L. Bobby	BURNOR	2825	1966
Albert Conti	N E	0228	1959
Charles B. Fink	N E	1323	1962
Stephen P. Keniston	N E	0602	1965
Clarence R. Knight	C&NW	2854	1966
Frank Marchionne	N E	0090	1966

DEATH BENEFITS

Report of Claims Paid during May thru June, 2006

NAME	LODGE NUMBER	SYSTEM	NAME	LODGE NUMBER	SYSTEM
WILFORD C. BARNETT	1300	AEF	LEVERNE E. THOMAS	0166	CRSF
SAM ORING	0514	MO PAC	EDGAR W. FRANK	3011	PENN
HAROLD D. CHRISTNER	0711	PENN	CLARENCE J. BAKER	1923	CRSF
RAYMOND N. GRABOSKY SR.	1049	AEF	ERWIN P. KOEHNHECKE	0036	CMSTPP
ARCHIE W. BEVINS	0613	ASF	LUIS M. JIMENEZ	1302	BURL
JOSE O. TRUJILLO	0204	MT&PLS	HAROLD A. ENGWELL	1055	BURNOR
RAINER PORTER	0660	SOU	ADOLPH F. GERARDI	1162	AEF
WILBIE SWIFT	1210	ICGF	DONALD R. KEFFER	1997	NPW&LE
LAWRENCE M. DAVIS	0230	BURL			
FRANK J. LENARD	1997	NPW&LE			
EDDIE NEWKIRK	2161	AEF			
CHARLES MLCAK	1099	SW FED			
RICHARD J. UCHYTL	0381	C&NW			

Douglas D. Reynolds	C&NW	0381	1966
Salvatore Sarrica	N E	0228	1961
Gary A. Swift	N E	1368	1965

30 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
*** 30 YEAR MERIT AWARDS ***			
Richard E. Albert	N E	1368	1973
Charles T. Allen	N E	0228	1975
Joseph Alves Jr	N E	0228	1975
Charles J. Amaru	N E	0228	1975
Charles L. Amheiser	AEF	1432	1976
Francis J. Baker	N E	1323	1967
Michael S. Besette	N E	0228	1975
Normand A. Boulais	N E	0228	1975
James H. Bragg	N E	0633	1973
Michael L. Brankman	N E	1323	1975
Gary O. Brockman	C&NW	1148	1976
Robert L. Brown	N E	1368	1975
Thomas G. Brown	AEF	1432	1974
Albert Bruscini	N E	0228	1975
Ronald A. Bucknam	N E	0633	1971
Ray E. Burgess	N E	0228	1975
Thomas E. Butcher	AEF	1432	1975
John T. Callahan	N E	1632	1967
Raymond E. Callahan	N E	1368	1973
William J. Campbell Jr	AEF	1432	1973
Leo P. Caron	N E	0633	1972
Michael B. Carter	N E	0228	1975
Martin E. Cole III	N E	1743	1973
Robert C. Colley	AEF	1432	1974
Edward C. Conrow	N E	1368	1968
Harry E. Cousins Jr	N E	1718	1975
Darryl Crossman	N E	1323	1970
Ronald D'amato	N E	1718	1975
Edward P. Daly	N E	0228	1975
Michael D. Davis	C&NW	0381	1976
John Demianovich	N E	1551	1974
Nelson L. Deprey	N E	0633	1973
Stewart B. Dickey	N E	0228	1975
Barry J. Diggs	N E	1718	1975
Larry W. Diller	MO PAC	1365	1976
Michael Dooriss	N E	0228	1975
Ray F. Douglass	N E	0633	1969
Thomas R. Dow	N E	0228	1975
Boyd W. Drew	N E	0228	1976
Robert S. Drew	N E	0228	1976
Ernest M. Dunder	AEF	1432	1968
James R. Dupee	AEF	1432	1971
Raymond R. Dussault	N E	0228	1975
Richard A. Eby	AEF	1432	1973
George W. Edwards	N E	1551	1968
Stephen J. Falzone	N E	0228	1975
James P. Fay Jr	N E	0228	1975
David G. Ferguson	AEF	1432	1975
James R. Fletcher	N E	0633	1973
John N. Forster III	N E	1743	1975
Jess Foster	AEF	1432	1976
Fred C. Gallant	N E	0602	1969
Bruce Gardner	N E	1551	1974
Max F. Garner	UN PAC	0874	1976
Steven A. Gibbons	N E	1718	1975
Patrick A. Gibson	C&NW	1788	1976
Ronald J. Gordon	N E	1743	1975
Stephen H. Grant	N E	0633	1974
William G. Grass	N E	0633	1970
Thomas B. Griffith	AEF	1432	1969
Phillip D. Grosbeck	AEF	1432	1976
Paul C. Hake	PENN	3018	1976
John R. Harrington	N E	0228	1975
Edward J. Hawver	N E	1368	1974
Eric L. Hayward	N E	0602	1972

Robert J. Henry	N E	0633	1972
Willie J. Henry	N E	1718	1974
John R. Hetrick	AEF	1432	1975
David Higgins	N E	0228	1976
Gerard Hobbs	N E	1551	1974
Keith Hoffman	N E	1718	1976
Jakob Hoffmann	N E	1632	1975
Isiah Holmes	N E	0228	1975
Erick E. House	N E	1368	1971
John E. Hurlburt Jr	N E	1368	1975
Stuart A. Hurlburt Jr	N E	1368	1971
Gary M. Hutchings	N E	1632	1975
Richard A. Inclima	N E	1718	1975
Forrest P. Johannsen	AEF	1432	1974
Bernard L. Jordan	N E	0633	1969
Wayne A. Joyce	N E	0633	1971
Robert E. Kane	N E	1368	1969
Albert L. Kelley	UN PAC	0874	1976
Alex Kelley	N E	0602	1974
Wellington L. Kempfer	AEF	1432	1971
Jerome E. Kimball	AEF	1432	1974
James Knepp	AEF	1432	1971
Lloyd L. Konkel	C&NW	2853	1976
David B. Kortright	AEF	1432	1974
Daniel Kovaleski	N E	1551	1975
Victor F. Krebs	AEF	1432	1974
Dennis R. Kurseth	C&NW	1847	1976
David M. La Pointe	N E	0633	1973
Duane L. Lattimer	N E	1632	1974
William A. Lyker	N E	1368	1973
Bruce W. Mac Kenzie	N E	0228	1975
John R. Marenholz	N E	1718	1975
Andrew P. Markley III	N E	1368	1971
Ralph E. Marsh Jr	N E	0090	1976
Giuseppe Martignetti	N E	0228	1971
Terry L. Maschino	N E	0633	1971
Stephen Maslona	N E	0228	1976
Hayward S. Mason	N E	1368	1974
Howard C. Mathe	C&NW	1125	1976
Joseph C. Mattie	N E	1718	1974
John H. Maxwell	N E	0602	1974
Edgar B. Mc Creadie	N E	0228	1976
Michael F. Mc Gill	N E	1718	1976
John F. Mc Mahon Jr	N E	0228	1976
Brian J. Mc Nerney	N E	1718	1975
William L. Mc Vay Jr	N E	0228	1975
William A. Meehan	N E	0228	1975
Arthur R. Melville	N E	1632	1975
Francis J. Michaud Sr	N E	0633	1969
Donald P. Miller	N E	1323	1975
John H. Moelder	N E	1632	1974
Michael Montecalvo	AEF	1432	1974
Dennis G. Mossman	N E	0228	1968
Frank E. Mossman	N E	0228	1975
Richard Mullen	N E	1551	1974
Thomas Mulrooney	N E	1718	1968
Joseph F. Nadeau	N E	1718	1976
Dennis D. Nelson	N E	0633	1969
Daniel T. O Connell	N E	0228	1976
John R. O Donnell	N E	1718	1975
Steve A. O Hara	BURL	0788	1976
David G. Ogilvy	AEF	1432	1975
Larry J. Ohtola	AEF	1432	1974
Alfred O. Olson	N E	0228	1971
Marlo D. Olson	N E	0228	1975
Charles D. Pahls	AEF	1432	1974
Richard D. Pahls	AEF	1432	1973
John R. Pangle	AEF	1432	1974
Milton E. Parker	N E	0228	1975
Robert Penzone	N E	1551	1976
Joseph R. Perry	N E	1368	1973
Donald Peterka	N E	1551	1976
Warren G. Peterson	AEF	1432	1975
Willie L. Pierce	N E	0228	1975
Gregory E. Pope	AEF	1432	1976
Charles M. Popovich Jr	AEF	1432	1975
Kevin Quinlivan	N E	1632	1975
John A. Radzikowski	N E	1368	1974
Barry Raye	N E	0633	1974
Robert Ridgell	N E	0602	1968
Glenn D. Sanborn	N E	0633	1968
Earl A. Sawyer	N E	1323	1973
William P. Schmidt	N E	0090	1976
David F. Scott	N E	0633	1972
Bernard M. Shannon Jr	C&NW	1935	1976
Daniel C. Sheldon	N E	1743	1973
Paul M. Slater	C&NW	0519	1976
Michael A. Smietana	UN PAC	0874	1976
Daniel F. Smith	AEF	1432	1976
Frederick E. Smith	AEF	1432	1974
Harold L. Smith	N E	1718	1974
Nelson R. Smith	N E	1743	1975
Ralph L. Smith	N E	0228	1976
Ordway W. Snowdeal	N E	0633	1974
Peter E. Sokolosky	N E	1718	1975
William A. Sowinski	AEF	1432	1973
Paul L. Spisak	N E	1632	1974
Richard L. Steele	N E	0602	1974
Paul W. Stolpner	N E	0228	1967
David H. Stover	N E	0633	1974
Roland E. Taylor	N E	0633	1972
Andrew J. Thomas	N E	1551	1976
John P. Tracy	N E	0633	1974
Donald F. Turner	N E	1323	1976
David R. Vander Maelen	N E	1718	1976
Richard J. Vanderpool	N E	1551	1974
Paul Waterman	N E	0228	1976
Joseph W. Weiss	AEF	1432	1976
Ronald W. Wetsell	N E	1368	1974

David J. Wilson	N E	0228	1976
David Wood	N E	1368	1968
Darrell E. Zimmerman	SP ATL	1137	1976

20 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Dale R. Alger	N E	1323	1984
Joseph L. Allen	N E	0228	1977
Brian W. Allmendinger	N E	1368	1977
Thomas Aurilio	N E	1743	1980
Roger T. Burgh	N E	1718	1977
James Butler	N E	0228	1977
Todd P. Byrd	N E	1718	1983
Gary J. Cartwright	N E	0228	1980
Kevin M. Chase	N E	0228	1984
Edward J. Clarke III	N E	1551	1985
Persivla Collins	N E	1718	1979
Dennis F. Court	N E	0228	1977
Brad S. Delamater	N E	1632	1985
Todd L. Delamater	N E	1551	1985
William R. Douglas	N E	1718	1978
Peter S. Dworak	N E	1718	1977
John T. Early	N E	1718	1977
Timothy C. Foley III	N E	0228	1977
Joseph R. Gellcock	N E	1718	1977
Daniel E. Golden	N E	1743	1985
Norman Gomes	N E	0228	1977
Joseph C. Hafford	N E	0633	1977
Richard Hamilton	N E	1718	1977
Jerry B. Hammond	N E	1368	1979
James D. Hayden	N E	0228	1979
David C. Huard	N E	0633	1977
James B. Hurlburt Sr	N E	1368	1977
Jeff Jackson	N E	1743	1984
Peter M. Jerdo	N E	1323	1985
Gary W. Lawyer	N E	1368	1979
Christopher J. Loughan	N E	1323	1981
Theodore J. Maduri	N E	1368	1984
Alfred R. Mandarelli	N E	0228	1983
Stephen V. Marcucci	N E	1718	1979
Walter R. Mauzaka	N E	1718	1977
William D. Miller	N E	1632	1985
James N. Nelson	N E	1718	1979
B. D. Ott	ICGF	1393	1986
Stephen Paprocki	N E	1718	1977
Joseph A. Patriarca	N E	0228	1977
Kenneth Patriarca	N E	0228	1978
John E. Pepin	N E	0228	1977
Louis A. Perez Jr	N E	1718	1977
Henry J. Quinn	N E	0228	1984
John Rich	N E	1743	1979
J. S. Righton	N E	1718	1980
Amado Rodriguez Jr	N E	1718	1979
Donald F. Slater Jr	N E	0228	1977
James Staggers	N E	1718	1977
Frank Terrone	N E	1718	1978
Robert H. Vainio	N E	0633	1979
Kevin B. Wetsell	N E	1368	1979
Alpheus Wilkinson Jr	N E	1718	1977
Thaddeus A. Williams	AEF	1432	1981
Edward A. Woodruff	N E	1323	1982
Roger S. Wright	N E	1743	1980

10 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Michael J. Alexandre	N E	1718	1994
Ernest Anderson	N E	2957	1994</



Around the Brotherhood

James G. Cureton	N E	0602	1991
Joshua Danis	N E	0228	1993
Michael Demers	N E	0228	1995
Edward F. Derrick	N E	2957	1994
William J. Dew	N E	0228	1994
Pasquale J. Di Buccio	N E	1718	1988
John W. Earle Jr	N E	0228	1995
Dean M. Emery	N E	0602	1995
Saul Estrada	N E	0228	1994
James M. Foley	N E	0228	1994
Edward L. Foreman Jr	N E	1718	1994
Kenneth J. Gardner	N E	2957	1994
David K. Garver	AEF	1432	1994
Edward A. Goedel	N E	2957	1994
John E. Henderson	N E	2957	1994
Steve Hewitt	N E	1632	1991
David W. Hill	N E	1718	1994
Walter W. Hoerning III	N E	1743	1991
Edward R. Holleran	N E	1632	1991
John M. Hughes	N E	1718	1994
Gary A. Hull	N E	2957	1994
Peter N. Hutchins	N E	2957	1994
Jeffrey R. Keable	N E	1323	1994
Kurt A. Kendrick	N E	0602	1993
Steven H. Knott	N E	0228	1992
Christoph S. Kobierowski	N E	1718	1993
Steven C. Landers	N E	0228	1991
William R. Lanfair	N E	2957	1994
Michael B. Lowry	N E	2957	1994
Rafael Lozada	N E	2957	1994
Richard S. Mallette	N E	0228	1993
Paul A. Martin	N E	1718	1995
Steven J. Mc Cormick	N E	0228	1993
Jason Melsheimer	C&NW	0410	1996
Archie Mosley	N E	1323	1991
David M. O Connor	N E	0228	1995
William Parise Jr	N E	0228	1994
Brian L. Peck	N E	2957	1994
Wallace R. Pelkey	N E	1323	1991
Richard S. Principato	N E	0633	1994
Brent C. Randall Jr	N E	0633	1993
William A. Raposa	N E	0228	1991
Daryl E. Reynolds	N E	2957	1994
John R. Ricci	N E	0228	1995
Michael P. Ricci	N E	0228	1995
Steven R. Richard	N E	0633	1994
Renato G. Rufo	N E	0228	1990
Leslie G. Sarman	UM PAC	08741996	
John A. Scaltro	N E	0228	1993
Charles F. Schoenlein	N E	2957	1994
Randall B. Slack	N E	1718	1994
Eric S. Smeaton	N E	0228	1995
Jeffrey B. Smith	N E	0228	1993
Nicholas Stevens	N E	2957	1994
Jess M. Stockigt	N E	2957	1994
Richard F. Stockigt	N E	2957	1994
Steven C. Stone	N E	2957	1995
David E. Therrien	N E	1743	1991
Thomas L. Thorne	N E	2957	1994
Bruce L. Threath	C&EI	0063	1996
Warren D. Tillmon	C&EI	0063	1996
Armin J. Torres	N E	2957	1994
Anthony T. Trabucco	N E	0228	1994
Robert P. Upton	N E	0228	1995
David Vermeulen	N E	1743	1991
Andrew L. Wetherell	N E	0228	1990
Donald G. Wilson Jr	N E	2957	1994

Rail Conference Convention Elects Officers

The Rail Conference of the International Brotherhood of Teamsters held its inaugural convention in Las Vegas on June 23 following the completion of BMWED and BLET national conventions earlier that week. The primary purpose of the Rail Conference Convention is to elect Rail Conference Officers and review/amend the conference bylaws.

During the convention, delegates voted on changes to the Rail Conference bylaws which set the groundwork for the BLET and BMWED to work together more closely. The delegates also elected Officers of the Rail Conference for the next four year term. The results of the election are as follows:

- Ed Rodziewicz, First Vice President of the BLET, was elected President of the Rail Conference;
- Bill Walpert, National Secretary-Treasurer of the BLET, was elected Vice President of the Rail Conference; and
- Perry Geller, National Secretary-Treasurer of the BMWED, was elected Secretary-Treasurer of the Rail Conference.

All three officers were elected unanimously.

The Rail Conference functions as a coordinating body on behalf of Teamster-represented employees within the Rail Industry in the United States.

BMWED President Freddie Simpson Nominated by IBT Convention

BMWED President Freddie N. Simpson was nominated by the delegates to the IBT Convention for the position of International Vice President At-Large. Under the terms of the Teamster Constitution, International Officers are nominated from the floor at the Teamster's Convention. Nominated candidates must receive 5% of the Delegate vote in order to have their names appear on the ballot which will be mailed to all 1.4 million members of the IBT. There are seven Vice President At-Large positions within the IBT. Fifteen nominees for the seven

at-large offices of the Teamsters International.

At the Teamsters 27th International Convention held in June 2006, Teamster delegates, including 47 delegates from the BMWED, nominated candidates for IBT International office. There are contested elections for the offices of IBT General President, General Secretary-Treasurer, Vice President at-large, and Vice President for the Central, Eastern, and Southern regions. IBT ballots for contested International offices will be mailed to

Vice President At-Large positions will appear on the ballot, along with all other nominees running in contested elections. Ballots will be mailed to the IBT membership on October 6, 2006, and the ballot count will begin on November 14, 2006 until completed.

Members are encouraged to participate in this important ballot election. For further information regarding the Teamster International Officer elections, please see the Election Supervisor's report in this edition of the Journal or visit the Election Supervisor's web site at www.ibtvote.org.

Roadway Workers Subject to FRA Operational Efficiency Tests

The BMWED Safety Department has received a number of inquiries from members about so-called operational efficiency testing of M/W employees. Operational efficiency testing generally entails observations and testing by company management or FRA officials to determine the extent of compliance with operating rules, time tables, and special instructions.

For Roadway Workers, operational tests often include an "obstruction test" where a FRA or management official intentionally places an obstruction on the track to determine if a machine operator is operating his equipment at a speed which allows the operator to stop his/her movement within "half the range of vision" or as otherwise required under the carriers' operating rules.

Failure to "pass" an operational efficiency test can result in discipline, disqualification, and/or remedial training. All BMWED members are subject to operational efficiency testing on any and all operating rules, including but not limited to, operation of on-track equipment, track occupancy authorities, bridge worker fall protection, and roadway worker on-track safety. Strict compliance with all carrier operating and safety rules is an absolute necessity for "passing" operational efficiency tests.

Operational efficiency testing has been a requirement of federal safety law since 1974 and is applicable to all

the membership on October 6, 2006. The ballot count will begin on November 14, 2006 and will continue day-to-day until completed. For additional information about the Teamster International Officer elections, please see the Election Supervisor's Report and related materials in this edition of the Journal.

How your vote is your own personal business. But please participate and vote in these upcoming elections. It is vitally important to you, your family and your future.

railroad crafts subject to the carrier's operating rules. The federal law requiring railroads to conduct operational efficiency testing is found in 49 CFR Part 217.9, *Program of operational tests and inspections; record-keeping*.

FRA Denies BMWED Petition for Reconsideration on Locomotive Sanitation

On July 6, 2006, nearly 4 years after BMWED filed its petition for reconsideration with FRA, the agency has denied BMWED's petition to "prohibit railroad conveyances (i.e., on-board locomotive toilets) from discharging live organisms along the railroad right-of-way; to require on-board toilets to be maintained in accordance with the manufacturer's recommended maintenance procedures; and for FRA to conduct annual random statistical sampling of discharged effluent assure the systems are working properly and that no live organisms are being discharged onto the track."

In its response to BMWED, FRA stated, "FRA does not believe it is appropriate to implement the additional requirements which you recommend. Based on the information available to FRA at this time, FRA has determined that it is not appropriate to impose a strict prohibition on discharge from Microphor® toilet systems."

FRA does admit that some testing conducted by FRA "resulted in effluent that did contain significant levels of pathogens." FRA went on to say, "However, when sampled over time even these levels diminished significantly as the contact with the disinfectant chlorine had its desired effect."

The letter of denial also stated, "FRA concludes from this study that the change in language cited above, that the Microphor® toilet systems must be "operated as intended," and if so operated will result in effluent that will not contain pathogens at levels that will cause illnesses among BMWED members." FRA's denial letter further notes that "FRA inspectors will continue to note the conditions of these toilets and work with the railroads to promote appropriate maintenance of this system."

As this issue of the Journal went to press, BMWED was still reviewing the denial of our petition and considering our next steps to stop this disgusting and unhealthy practice of discharging effluent along the right of way. Any member who believes they have experienced illness or disease from contact with effluent discharged from passenger trains or locomotives should write to the BMWED Safety Department, 10 G Street, N.E., Suite 460, Washington, DC 20002 or via email at Ricki@bmwewash.org.

PERSPECTIVE

Continued from Page 4

friendly" PEB recommendations.

As you are already aware, almost everything that affects railroads and railroad employees has its origins in Washington, D.C. Therefore, your vote in this mid-term election is extremely important to the outcome of this bargaining round and the future of our craft. Yes, you can make a difference and, yes, your vote counts. Please register and vote. It's the most important thing you can do for yourself, for your family, for your coworkers, and for the future of our craft and our nation.

There is also another election impacting BMWED members this coming fall. As members of the International Brotherhood of Teamsters, all BMWED members in good standing will receive a ballot to vote for International Teamster Officers. BMWED members will join all 1.4 million IBT members in casting ballots for all contested regional and



ELECTION SUPERVISOR'S REPORT TO BMWED MEMBERS

The Rank-and-File Vote for IBT International Officers – Starting in October 2006, each and every IBT member, including members of the newly merged Brotherhood of Maintenance of Way Employees, will receive a mail ballot to cast votes for the IBT International officers. Voting for International officers is every member's democratic right and responsibility: it is your union. Every member has the opportunity to campaign in support of, or opposition to, any candidate in the election. Every member has the right to receive campaign presentations and information. **Advise your General Chairman or local lodge of any changes to your mailing address immediately so that you will receive a mail ballot at your current address in time to allow you to participate in this important election.**

Every member has the right to vote their own ballot in secret. It is a serious violation of the *Rules* for someone to solicit, mark, or mail another member's ballot. For examples, protest rulings issued in two different delegate elections found that ballots had been collected in violation of the *Rules*. Go to www.ibtvote.org to read 2006 ESD 316 and 2006 ESD 278 and see what sanctions were issued in those cases.

Dates for Ballot Mailing and Ballot Counting – I announced dates for the ballot mailing and ballot count in earlier issues of the BMWED Journal. Those dates are now changed slightly.

Due to the postal service holiday schedules in the United States and Canada, ballots will now be mailed



to IBT members on October 6, 2006. The ballot count will start on November 14, 2006, and will continue day-to-day until completion.

The ballot count site is in Alexandria Virginia. All candidates and their designated observers are permitted to observe all phases of the ballot counting process. Additional information about balloting and the

count will be published in coming issues of the BMWED Journal, and on www.ibtvote.org.

Candidate Forum – The *Rules* require the two Candidates for the office of General President – James P. Hoffa and Tom Leedham (or, if they choose, the General Secretary Treasurer running on their respective slates) – to participate in a Candidate

Forum. At this writing, the forum is scheduled for August 25, 2006 in Washington, DC. The forum plan calls for the candidates to answer questions posed by a panel of journalists, and by IBT members. You should be able to view a recording of the forum or read a transcript of it, at www.ibtvote.org or www.teamsters.org. For further details on the Candidate Forum refer to the separate announcement in this Journal.

Political and Campaigning Rights of IBT Members – The *Rules* protect the rights of all IBT members to support or oppose any candidate and it is unlawful for the International or any local union to subject any member to retaliation for exercising political rights. Candidates have the right to display campaign literature on local union campaign literature tables or local union bulletin boards and members may put campaign bumper stickers and signs on their personal cars (but not on union-supplied cars, or employers' vehicles). Candidates and IBT members have the right to distribute campaign literature to IBT members entering and exiting employee parking lots at employer locations. This right extends to all employee parking lots where IBT members, including members of the BMWED, work, not just the candidate's local union jurisdiction. IBT members may also wear campaign buttons at work, if any type of buttons or pins have been worn by employees in the past, unless at the time they are wearing a campaign button they are also wearing a company uniform *and* interacting with the public, or if wearing the cam-

See **Supervisor** on Page 2



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