

BMWED

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

JOURNAL



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BMWED SYSTEM FEDERATIONS ANNOUNCE MERGER

Unified System Division and Pacific Federation Join Ranks

The Executive Boards of the Unified System Division and the Pacific Federation recently approved a merger between the two federations that took effect April 1, 2010. The newly created federation will retain the name, Unified System Division.

The Unified System Division will now represent more than 5,000 BMWED members. The former Pacific Federation headquarters in Sacramento, California will be closed and will consolidate with the Unified System Federation office in Lyman, Wyoming.

Wayne Morrow will continue to head the Unified System Division as General Chairman and offered, "This is a testament to the commitment to our membership of all those involved in making this merger happen. The action taken today increases our strength and unity, the two main ingredients needed for an effective

and viable union."

Former Pacific Federation General Chairman Louis Below worked closely with General Chairman Morrow and their committees to construct new bylaws that would allow for a smooth transition of the two system Federations into one. Brother Below will remain with the newly merged division as a Vice Chairman. Former Pacific Federation Vice Chairman Ricardo Canchola will also be retained as a Vice Chairman with the Unified System Division.

The Unified System Division represents members employed at Union Pacific Railroad, Amtrak, a number of short line railroads and at the Cheyenne, Wyoming Nortrak Plant.

"I would like to extend my congratulations to the officers and members of both the Unified System Division and the former Pacific Federation," said BMWED

National Division President Freddie Simpson. "The leadership on both sides of this merger have illustrated that once again their focus and concern is limited to what's best for the BMWED membership."

Western Region Vice President David Tanner offered, "If anyone doubts the benefits of mergers they don't have to look very far. Since the merger with the former Chicago & North Western System Federation and now the Pacific Federation, the Unified members have a competent and hard working General Chairman, a group of great officers, and now two very experienced former General Chairmen in Brothers Louis Below and Kent Bushman. Aside from the obvious benefits that come from mergers, we sometimes forget the benefit and value of having experienced and knowledgeable officers and what they bring to the membership."



Former Pacific Federation General Chairman Louis Below (left) and Unified System Division General Chairman Wayne Morrow give the recent merger a thumbs up.

Huron & Eastern Railway Employees Vote in Favor of Union

H&E Employees Overwhelmingly Approve BMWED Representation

The Allied Federation, headquartered in Hendersonville, TN, scored a major victory on February 17, 2010, when employees of the Huron & Eastern Railway Company voted in favor of union representation. After the votes had been counted, an overwhelming majority of Huron & Eastern employees chose to be represented by the Allied Federation which already represents more than 7,000 members of the BMWED/IBT.

The Allied Federation is no newcomer to organizing. This is the fourth successful campaign conducted by the Allied Federation in conjunction with the National Division Organizing Department in recent years.

BMWED/IBT Organizer Tim McCall, who headed the organizing drive offered, "Allied Federation Vice Chairman Len Buckley deserves a lot of credit for the hard work and efforts he put into this campaign. Also, the Huron & Eastern employees are to be congratulated for showing great dedi-

cation and focus throughout the organizing drive.

They wanted to be represented by the Allied Federation and their efforts and support, and finally their vote, illustrated that point."

"The employees at Huron & Eastern knew the value of our union and worked hard to accomplish recognition. We're glad to add the employees at Huron & Eastern to our membership and look forward to securing their first union contract," said Allied Federation General Chairman Dennis Albers.

The Huron & Eastern Railway, owned and operated by Rail America, operates in the Lower Peninsula of Michigan. They are headquartered in Vassar, Michigan with their main junction located in Saginaw.

A number of the Huron & Eastern employees are previous employees of CSX and were members of the Allied Federation before being short-lined to Michigan Central which later became part of Huron & Eastern.

The H&E members will establish a new Local Lodge in Richville, Michigan. BMWED Vice President Randy Cook and Allied Federation Vice Chairman Len Buckley met with the new members on March 13th and conducted Local Lodge Officer elections. Two former Allied Federation members, Dale Haefele and David Kuehnle were elected as Local Lodge

President and Vice President, respectively. Chad Hines will serve as the Secretary-Treasurer for the new lodge.

"We are now looking forward to sitting down with management in order to begin negotiations. Our members at H&E deserve a good first contract and we expect to deliver," said BMWED Vice President Randy Cook.



Members hold their first meeting and elect new officers.



RLBC and NCCC Continue Talks

The Rail Labor Bargaining Coalition continued talks concerning the national freight railroad contract as they met again with the National Carriers' Conference Committee in Washington, DC, March 15 - 16, 2010.

While talks surrounding healthcare continue to remain a major focus, discussions on BMWED craft specific issues were also a focus of the recent meetings. Meetings have focused on establishing bargaining procedures

and a general review of each side's collective bargaining demands.

Meetings are scheduled to resume beginning April 28, 2010 in Washington, DC. Items on the agenda include a proposal from the Carriers regarding health insurance and a BMWED presentation regarding expense reimbursement for employees working away from home. Additional updates will be published in the *Journal* as we expect bargaining to become more intense over the next few months.



The BMWED Bargaining Committee hold an evening planning session at the IBT building in Washington during national bargaining sessions.

BMWED Efforts Preserve Strong Whistleblower Protection for Rail Workers

After months of effort and engagement with the Occupational Safety and Health Administration/Department of Labor (OSHA), BMWED's substantial efforts recently paved the way for strong whistleblower protection for BMWED members and all railroad workers nationwide.

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

Since the whistleblower law went into effect, rail carriers have routinely raised a facile defense to Section 20109 whistleblower complaints, falsely claiming that a rail employee's grievance filed under the terms of the collective bargaining agreement became an "election of remedies" barring the filing of a complaint under Section 20109. After many months of intensive engagement by BMWED, OSHA/DOL has rejected the carriers' facile defense, effectively opening the door to genuine whistleblower protec-

tion for railroad workers as the Congress intended.

"This is a significant victory for BMWED and all of Rail Labor," said BMWED President Freddie N. Simpson. "The National Division Officers fully understood what was at stake, and our Executive Board approved the expenditure of funds necessary to take on this significant fight. The substantial efforts of our National Division Officers, BMWED legal counsel, and our legislative and safety departments have delivered this victory for BMWED and all of Rail Labor," said President Simpson.

Whistleblower complaints must be filed within 180 days after an employee becomes aware of retaliatory action. Railroads found to have violated a rail workers' rights under Section 20109 may be ordered by OSHA/DOL to reinstate a dismissed employee, provide back pay, restore seniority and benefits, and provide other such relief to make an employee whole. In addition, railroad carriers can be ordered to pay punitive damages not to exceed \$250,000 for violation of the law.

"Thanks to the efforts of the BMWED, the tide has finally turned and railroads will now be held liable for their unlawful retaliation against rail employees. Railroads will no longer be able to retaliate against railroad employees who report injuries and safety violations with impunity. This is a substantial victory for all of rail labor and every railroad worker nationwide, and I am proud that BMWED led the way to this important victory," President Simpson said.

BMWED Division JOURNAL CONTENTS

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BMWED System Federations Announce Merger	1	Candidates Announce For National Division Office	4-5
Huron & Eastern Railway Employees Vote In Favor of Union	1	President's Perspective	6
RLBC and NCCC Continue Talks	2	Message from Teamsters	6
BMWED Efforts Preserve Strong Whistleblower Protection for Rail Workers	2	General President Jim Hoffa	6
United Behavioral Health (UBH) 'Point of Entry' Pilot Project Announcing a 'Pilot Program' from United Behavioral Health (UBH)	2	Secretary-Treasurer's Report	7
Around the Brotherhood	3	A Vice President Speaks	7
		Proposed Amendments to the BMWED Bylaws	8-9
		Roll of Honor	10
		Brian W. Hubbard Deceased	11
		Death Benefits	11
		BMWED Legislative Issues – 111th Congress	12



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United Behavioral Health (UBH) 'Point of Entry' Pilot Project Announcing a 'Pilot Program' from United Behavioral Health (UBH)

United Behavioral Health (UBH) to begin testing a "Point of Entry" Pilot Program.

Beginning in April 2010 and continuing through June, 2010, the Point of Entry program will be available for participants covered under the Railroad Employees National Health and Welfare Plan or the National Railway Carriers/United Transportation Union Plan sponsored by the National Freight Railroads.

The program is designed to provide an enhanced level of service for eligible Railroad members and/or their eligible dependents who call UBH to access mental health services. The objective of the program is to provide services immediately upon calling when they are likely to be needed most. This sup-

port may help eligible members and/or eligible dependents better manage their situation in the long run, and provide a foundation for faster, more complete resolution of issues.

When calling UBH, members will be given the option to have immediate telephonic coaching/counseling, which will not count against available outpatient visits. In addition, there is no co-pay for these immediate telephonic services. If an individual requires face-to-face services after having the telephonic session, the counselor can authorize the services.

The pilot project is for members contacting the dedicated UBH railroad team in Atlanta. If you have any questions, please feel free to contact UBH at 1-866-850-6212.

Around the Brotherhood

Lodge 992 Holds Quarterly Meeting

Allied Federation Local Lodge 992 held its regular quarterly meeting near Birmingham, Alabama on Saturday, March 6, 2010. During the meeting AF Vice Chairman Andrew Shelton updated the members on current issues affecting the BMWED.

During the meeting the membership elected Local Lodge President Brad Gibbs to represent them as their Delegate to the BMWED Second Regular National Division Convention. Local Lodge Vice President Steven Gattis was elected to serve as the Alternate Delegate.



Local Lodge President Brad Gibbs pictured front row far right and Local Lodge Vice President Steve Gattis pictured front row far left.

Lodge 2408 Elects Delegate to National Convention

Atchison, Topeka & Santa Fe Frisco System Federation Local Lodge 2408 held its regular quarterly meeting Saturday, April 10, 2010 in historic Guthrie, Oklahoma. During the meeting a Delegate and Alternate Delegate were elected to attend the

BMWED Second Regular Convention to be held in Las Vegas, Nevada in June.

Scott Lemmon was elected to represent Lodge 2408 as their Delegate and Lacy Demry was elected to serve as Alternate Delegate.



Left to right: Scott Lemmon, Lacy Demry, Michael Ryan, Sergio Murillo, Dennis Gruntmeir, Secretary -Treasurer Mark Cochran and President Gary Criner.

Lodge 469 Celebrates Manuel Zavala's Retirement

Illinois Central Gulf Federation Local Lodge 469 held its regular quarterly meeting in Blue Island, Illinois on February 19, 2010. During the meeting ICG First Vice Chairman/Secretary Treasurer Tim Petty presented a retirement award to Brother Manuel Zavala.

Brother Zavala retired from Metra in January, 2010 with 42 years of service. Beginning his career on the former Rock Island Railroad, he had

worked as a Trackman, Machine Operator, Foreman, and Track Inspector.

During the meeting, Lodge 469 also elected their Delegate and Alternate Delegate to the Second Regular BMWED Convention. Secretary-Treasurer Eric Ewing was elected to serve as Delegate with Local Chairman Guillermo Ponce as the Alternate.



Manual Zavala Sr., right, pictured with Tim Petty.

Lodge 818 holds Quarterly Meeting

Allied Federation Local Lodge 818 held its regular quarterly meeting in Henderson, KY, Saturday, April 10, 2010. BMWED Legislative/Organizing Regional

Assistant Mark McCarty and Allied Federation Vice Chairman Andrew Shelton were both on hand and made presentations to those in attendance.



Pictured left to right front row: Wayne Neisz, Charley Pace, E. B. Free, Sam Murphy; Left to right back row: Andrew Shelton, Gary Seib, Chris Brown, Mark McCarty. See Brotherhood on Page 11

Candidates Announce For National Division Office

Freddie N. Simpson

I am honored to be announcing my candidacy for reelection to the office of National Division President.

It has been both humbling and a pleasure serving as your President.



Freddie N. Simpson

Working closely with your National Division Officers, I believe we have set our union on a steady and positive course.

My constant focus has been to continue building a

stronger and more powerful voice for you, our members. Merging with the International Brotherhood of Teamsters, building stronger ties with sister unions and continuing to see that we operate within our budget are just a few of the things your National Division Officers have collectively accomplished during my tenure as your President.

I believe the future of our union depends on how well we prepare the next generation. Given the opportunity, I would like to continue to focus on membership education. I am convinced that preparing the next generation to lead is the best insurance we can buy to protect our future. With the continued support of your current National Division Officers we will be assured of a successful transition into the future.

Having been a proud member of the BMWED for more than 36 years, I have served our union at the local, system/federation and national level and currently serve as both your BMWED National Division President and IBT International Vice President.

I thank you all for your past support and ask that you honor me once again with the opportunity to continue as your President.

Randy Cook

First, let me thank each of you for allowing me to be your representative as Vice President Southeast Region. I again, humbly ask for your support as I seek reelection to that



Randy Cook

position for another term.

For the past eight and a half years I have worked diligently with the other National Division Officers in order to gain your trust. I believe I have the experi-

ence necessary to continue representing you in the manner you deserve. As Vice President I can con-

tinue to draw on the experience I gained in my past positions as Local Chairman, Local Secretary-Treasurer, System Federation Vice Chairman, General Chairman and Vice President.

I have experience in negotiating first contracts with newly organized railroads as well as updates to existing agreements with railroads that are already under collective bargaining agreements and have participated in national negotiations. I have written and guided claims and grievances through every stage of the process, including arbitration. I have served on a number of committees and since our merger with the IBT have served as a member of the IBT Rail Conference Policy Committee. I have met with and lobbied national politicians on your behalf. And, have a good working relationship with the national division and federation officers and have a reputation as a hard worker.

As a strong unionist, I believe our members earn every penny they get and deserve even more, and if reelected, I pledge to you that I will continue to fight for the BMWED.

David Tanner

It is my privilege and honor to be requesting your support as I seek reelection to the position of Vice President Western Region.

While the success of any organization may depend upon those selected to fill leadership positions, that success depends on an ability to listen to and receive direction from those being served. For the last four years



Dave Tanner

your leadership has listened to you and followed your direction. At the end of the last round of national bargaining, with your direction, we found ourselves with the best agreement in several decades. We didn't get everything we sought, but did make substantial gains while holding the line on healthcare costs. We are now entering another round of bargaining and again the membership has given us direction. I am confident that, with your support, we will again be successful.

I began my career as a Trackman and worked almost every position in our craft. I have served our union in almost every elected position available, from Local Lodge Officer and a number of System Federation positions, to the position I currently hold.

For the last four years we have seen more unity within this Organization than ever before. That is

because the leadership you have chosen works together with one vision for the membership. We must continue to move forward, unite, educate, mobilize and encourage participation by all of our members.

Thank you for allowing me to serve as your Vice President and I ask for your continued support.

David D. Joynt

Please allow me to thank each of you for the opportunity to serve as your Vice President of the Northwest Region for the past two years. I seek your support for reelection to this position at the 2010 BMWED National Division Convention. It truly has been an honor serving as a BMWED Vice President for the last two



David D. Joynt

years and serving with a group of officers who care about this Organization and its future.

I have been a member of the BMWED for 36 years and have 22 years of experience as a full-time System Officer and 6 years as a National Division Executive Board Member. This experience has served me well during the past two years as your Vice President, working with the various System/Federations and the many Carriers represented by the Northwest Region. The current officers work very well together and have shown the ability to get things done and to move this Brotherhood forward. I am asking you for the opportunity to continue working with these individuals over the next four years as we continue to make improvements for the BMWED membership and as we prepare for a transition to a new generation of officers over the next decade.

Together we have made great progress and I am asking for your support in my bid to continue as your Vice President. I ask that you allow me the opportunity to continue to serve this Brotherhood and to continue working to accomplish our unfinished goals.

Change of Address Request

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

Perry K. Geller

It is my extreme honor to be requesting your support again as I announce my candidacy for reelection to the position of National Division Secretary-Treasurer of the BMWED.



Perry K. Geller, Sr.

Over the past few years your union has undertaken a number of expensive but necessary costs but, working together with President Simpson and your National Division

Officers, I am proud to say that we are still on a solid financial footing. If reelected, I intend to continue to protect your resources but will spare no expense necessary to protect the welfare of you, our members.

I have been fortunate to have served the BMWED in almost every capacity available, including the Local Lodge, System Federation and National Division level. I currently serve as your IBT Rail Conference Secretary-Treasurer, as well.

My experience includes every facet of membership representation. As a System Officer I represented membership on several different freight railroads and Amtrak. I was tasked with negotiating, updating agreements and seeing that they were adhered to by the railroads. I have served as a member of the National Division Executive Board and am no stranger to the art of making tough decisions. As your Secretary-Treasurer I have managed and protected your funds through one of the toughest economies in the history of our country.

Given the opportunity and your support, I pledge to you that I will continue to work closely with your President and other National Division Officers to provide you with the best representation and service possible.

Henry W. Wise, Jr.

I am announcing my candidacy for reelection as Vice President from the Northeast Region of the BMWED/IBT. The election will be held at the BMWED Second Regular



Henry W. Wise, Jr.

Convention in June 2010, and I again humbly ask for your support and the privilege to serve you as Vice President.

I believe, and I hope you agree, that your National

Division Officers should work together

for the common good of our members. Throughout my past tenure in office I have worked closely with the other National Division Officers. Working side by side with your current leadership, I have supported President Simpson's ten-year plan designed to insure a smooth transition to our next generation by involving and educating our membership.

Your very livelihoods continue to be under attack by a regressive, anti-union rail industry. It is my sincere belief that a unified and mobilized membership, combined with an experienced and committed leadership, will ultimately prevail in defeating those who intend to destroy what, together, we have worked so hard to achieve.

My record clearly demonstrates that I am an independent thinker and am guided only by the collective will and welfare of our membership. You can be assured that, with your support, I will stand by my convictions and continue to represent your interests.

I deeply appreciate your past support and humbly ask you to support my reelection. You have my word that I will continue to serve the membership to the very best of my ability. Thank you.

Roger D. Sanchez

I am announcing my candidacy for reelection as Vice President for the Southwest Region of the BMWED/IBT and respectfully ask for your support.



Roger Sanchez

I began my career on the Southern Pacific in 1974 as a machine operator. During my early career I served as Local Lodge President, Vice President, District Chairman,

Secretary-Treasurer and Assistant Texas State Legislative Director.

During my 36 years with the BMWED I also served the SP Atlantic Federation as Chairman of the Executive Board, Assistant General Chairman and General Chairman. I have served as your National Division Vice President since 2006 and currently serve as the BMWED Human Rights Commissioner.

Since our last convention in 2006 the BMWED has taken positive steps to insure that the membership will be represented by a strong union with a viable future. I am happy to be part of this process and have worked closely with the other National Division Officers over the past four years to chart the right course for our union.

I understand that in order to move into the future we have to understand the past and recognize the need to listen to the voice of the membership in order to represent all of our members equally and fairly.

I appreciate your trust and for allow-

ing me to serve as your Vice President. Again, I ask for your support as I seek reelection to serve the interests of the entire membership as your Vice President from the Southwest Region.

Paul R. Beard

I am respectfully requesting your support as I seek reelection to the position of National Division Executive Board Member for the Northeast Region at the BMWED Second Regular Convention in June.



Paul R. Beard

The experience I have gained over the past 36 years as a Local Lodge Officer, Federation Officer and Executive Board Member have

well prepared me for the tasks required of this position. I have served as Local Chairman for Local Lodge 1362, and Executive Board Member, Secretary-Treasurer, Vice Chairman and General Chairman for the Nickel Plate – Wheeling and Lake Erie Federation. I have also served the National Division on a number of committees including the merger committee responsible for forging our union together with the Teamsters.

As your current Executive Board Member from the Northeast Region I have worked closely with your National Division Officers to make sure that the membership's interest comes first. The current group of officers have worked well together and managed to keep our Brotherhood strong and financially healthy. Every decision I have made has been made only after seriously considering the impact it would have on each of you and your families. And I can say that every one of your officers have weighed those decisions with the same thoughtful deliberation. Given the opportunity to continue working together I am confident we will continue moving our union forward.

I earnestly ask that you give me your support by allowing me to continue as your Executive Board Member from the Northeast Region.

Gary L. Cox

I am honored to be announcing my candidacy for reelection to the position of National Division Executive Board Member from the BMWED Southeast Region.



Gary L. Cox

I was hired by the Southern Railway Company nearly 30 years ago and have been an active member of this Brotherhood ever since. I

have served our union in one capacity or another nearly as long as I have been a member. I served as Secretary-Treasurer and Local Chairman for Lodge 585 prior to being elected to the position of Assistant Chairman Secretary-Treasurer for the Southern System Division in 1989. I currently serve as General Chairman for the Southern System Division, a position I have held for almost 20 years. And, I have served as a member of the National Division Executive Board for eight years.

Over the past eight years I have worked closely with your National Division Officers in an effort to assure that our union remains strong, and focused on the well-being of our members. I believe your current officers have the experience and knowledge to continue moving your union forward. If I am given the honor of continuing as your Executive Board Member I will continue to work with your leadership to make secure the future of our Organization.

I would like to take this opportunity to thank you all for allowing me to serve on your Executive Board for the last two terms and humbly ask for your support as I seek reelection to another term.

Wayne Morrow

I am pleased to announce my candidacy for reelection to the position of Executive Board Member from the BMWED Western Region. Our BMWED Second Regular Convention will be held in Las Vegas, Nevada in June and I respectfully ask for your support.



Wayne Morrow

I was elected to fill a vacancy on the Executive Board last June when Executive Board Member Mark Hemphill retired. Should the Delegates gathered in Las Vegas honor me by allowing me to remain in this position, I pledge to work extremely hard to protect the interest of each member.

Over the past year I have worked with your National Division Officers making sure that every decision made was for the betterment of our entire membership. And I can report that all of your National Division Officers are in unison when it comes to the welfare of our members.

As a fourth generation railroader and unionist I believe that I have the experience necessary to understand the direction our members want us to travel. I have been a member of the BMWED for 36 years and served my Local Lodge as Local Chairman prior to being elected to serve as a Federation Vice Chairman. I currently serve as the General Chairman for the Unified System Division.

Should you allow me the opportunity to continue as your Executive Board Member from the Western Region, I promise that I will continue to work closely with your National Division Officers to protect and preserve your rights as BMWED members.

Bill R. Palmer

Our Convention and elections will be held in Las Vegas, Nevada beginning June 23rd. It is at this time that I ask for your consideration as I stand for reelection to the BMWED National



Bill R. Palmer

Division Executive Board from the Southwest Region.

I began my career with the Missouri Pacific Railroad in 1980 and have been a member of Lodge 688 ever

since. I began working for the union as a full-time officer in 1986 and became the General Chairman in 1994. I held the position of General Chairman for the Missouri Pacific System Federation for thirteen years before stepping back to the First Vice Chairman position in order to affect a federation merger in 2007, and continue in that position today.

I am currently the Chairman of the Executive Board and have been a member of the Board for almost a decade. I believe this, coupled with almost 25 years as a union officer, gives me a unique perspective on our past and where we need to go as a Brotherhood.

I am proud to say that all of the National Division Officers I have served with have clearly illustrated their loyalty to our membership. Together we have focused on making the BMWED even stronger and more viable. I would consider it an honor if I were allowed to continue as your Executive Board Member for another term.

Thank you for your past support and please continue to place your faith in me as I seek reelection.

Mark S. Wimmer

It has been an honor to serve as your Executive Board Member from the Northwest Region for the past two years. I intend to stand for reelection at the BMWED Second Regular



Mark S. Wimmer

Convention to be held in Las Vegas, Nevada in June and I humbly ask for your support.

I have been privileged to serve you in this capacity with a group of very dedicated and

hard working officers. I would like the See **Candidates** on Page 9



Freddie N. Simpson

PRESIDENT'S PERSPECTIVE

At 9:00 AM on June 21, 2010, a strike of the gavel will mark the official opening of the Second Regular Convention of the Brotherhood of Maintenance of Way Division of the International Brotherhood of Teamsters. Since January, Local Lodges across the United States have held meetings to elect their delegates and alternate delegates to convention. Approximately 500 Local Lodge Delegates have been elected by secret ballot vote of the membership. These delegates will soon be laying down their tools and traveling to Las Vegas, NV to represent their Lodge and its members at the Second Regular Convention of the BMWED National Division.

Convention Delegates are the direct representatives of the membership of their Local Lodge. As such, the Local Lodge Delegate is the most important participant at convention and the person who carries the voice and vote of the Local Lodge in all matters properly coming before the convention. Being a Brotherhood delegate is an awesome and time-honored responsibility, and every elected delegate and alternate delegate should be both proud and humbled by the confidence of the members' vote. Under the BMWED Bylaws, delegates to convention carry the weighted vote of their Lodge; meaning they will cast one vote for every member in good standing of the membership they represent.

Every four years, Local Lodge Delegates from across the United States convene in regular convention for the purpose of reviewing the work and accomplishments of the Brotherhood; to consider legislation for the benefit and advancement of the membership; to amend the National Division Bylaws; to elect officers; to review and adopt reports of committees; to act upon resolutions; and to address any other business that may properly come before the convention.

All proposed amendments to the BMWED Bylaws which were submitted prior to the deadline are published in this edition of the *Journal*. In accordance with Article XX of the National Division Bylaws, proposed bylaw amendments published in the *Journal* may be enacted by a majority vote of the delegates assembled at the National Division Convention. In the case of any proposed amendments to the National Division Bylaws which have not been submitted in time to be published in the *Journal*, Article XX requires approval by three-fourths of convention delegates for their adoption.

As a matter of history, the founding convention of our Brotherhood was held in

July, 1887. With the exception of the convention held in 1891, there is no definite record of the dates and places of conventions held prior to 1893. However, Brotherhood conventions are believed to have been held annually from 1887 until 1896. From 1896 to 1914, Brotherhood conventions were held biannually. Thereafter, they were held triennially, except for two special conventions in 1918. At the 1958 convention, delegates voted to hold regular conventions every 4 years and the Brotherhood continues on a quadrennial schedule to this day.

As you read this column, hundreds of Local Lodge Delegates are preparing to travel to convention from all corners of our great nation. They will soon gather in session to voice their opinions, lend their expertise, and express their views and opinions about the present and future course of the BMWED. This is how the laws of our Brotherhood have been written and the course of our collective futures charted over the past 123 years. Our predecessors — the tens of thousands of officers and delegates who have kept our union moving forward since our founding convention in 1887 — have brought us this far, through good times and bad, and through all types of struggle and adversity. It is this proud legacy and history that the elected delegates to the Second Regular National Division Convention are entrusted with to lead our Brotherhood forward.

The general theme of the upcoming Second Regular National Division Convention is "transitioning our Brotherhood to the future." I have every confidence in our elected delegates to collectively chart the future course of our great union, promote the interests of its members and their families, and build upon the work of our forefathers and the progress we have made as a Brotherhood since 1887.

Message from Teamsters General President Jim Hoffa

Job Creation

The message from Massachusetts is clear: Voters want their elected representatives to find ways to create more jobs.

I believe Scott Brown won the Senate race in Massachusetts because of 20 percent unemployment among blue-collar workers. That was the same message Congress heard. Lawmakers are considering legislation to generate jobs. The final bill will probably include tax credits, spending on roads, railways and bridges, help for the unemployed and financial assistance to the states.

Such efforts will surely help in the short run. The Senate could also boost employment for the next two years by passing a bill that authorizes spending by the Federal Aviation Administration. About 250,000 people would be put to work over two years modernizing our air transportation system.

Support for Working Families

In the long run, though, lawmakers need to tackle several major tasks to get our economy moving. They have to restore our manufacturing base and protect pensions to save jobs.

It isn't just the assembly line workers thrown out of work when a factory shuts down. It's the plant manager's accountant, the workers' kids' teachers, the maintenance of way workers that maintain the track near the factory and the waitress at the restaurant outside the factory gates.

We must put an end to policies that encourage job creation overseas at the expense of working families here. Tax dollars spent to encourage industries such as clean energy should be restricted to U.S. companies when possible.

"Buy American"

But multinationals and their front groups will fight tooth and nail against

"Buy America" policies for government spending. They'll claim such policies will cost jobs. They don't say those jobs are in China, South Korea and Spain.

Take, for example, stimulus money to encourage the renewable energy industry. ABC News and the Investigative Reporting Workshop found that 80 percent of \$1 billion in grants for wind energy went to foreign-owned companies. That's unacceptable.

Reps. Earl Pomeroy and Pat Tiberi have introduced a bill that will go a long way to stabilizing our pension plans. The Preserve Benefits and Jobs Act will help many Americans keep their pensions—and many more keep their jobs. It's a good start to get working Americans back on the path to recovery.

Fraternally,
James P. Hoffa,
Teamsters General President





Perry K. Geller, Sr.

SECRETARY-TREASURER'S REPORT

With unemployment still hovering at nearly ten percent we continue to hear lawmakers, pundits, and workers ask, "Where are all the jobs?" and "When are we going to address unemployment and put Americans back to work?" When most Americans ask these questions, they need look no further than in their driveways, in their closets, and in their daily lives in order to answer these questions.

For some unknown reason, many Americans fail to connect the dots between their shopping habits and job creation in the American economy. We loudly decry the lack of "good American jobs" while we simultaneously

fail to support U.S. job creation by purchasing American produced goods. Just look around your neighborhood and count the number of foreign made vehicles, or walk through an apparel store and try to find American made shoes or clothing. And how many Americans are happily shopping Wal-Mart and oblivious to the massive trade imbalance between the U.S. and the rest of the world?

Recently, as I walked through a parking lot near Washington, DC, I counted the number of U.S. and foreign nameplate vehicles parked there. I randomly picked a row of vehicles and started counting as I walked. When I got to the end of the row, I counted twenty-seven foreign nameplate vehicles and only nine American nameplate vehicles. Is it any wonder why the American economic recovery is not producing jobs at a faster pace? It is no wonder to me, and it should be no wonder to you or any other American citizen. When seventy-five percent of the cars and trucks in my experiment turn out to be non-American nameplates, it is pretty easy to see why our jobs market has not picked up steam.

I challenge every BMWED member, and every American for that matter, to try the same experiment and see if you come up with similar results. I suspect that in the vast majority of cases, you will see a similar trend. Americans' attitude towards how and where we shop is in need of a serious makeover if we are to strengthen our economy and create American jobs for American workers. We cannot continue to turn a blind eye to the direct cause and effect of purchasing imported products over domestically made products. If we do not stimulate demand by purchasing American made goods, we are doing our economy and future job growth a grave disservice that will continue to have severe ramifications for years to come. As Americans, we must support domestic job growth by putting our money where our mouths are and looking for the "made in the USA" label, preferably "union made" in the USA.

As BMWED members, we are encouraged by the Obama Administration's focus on expanding rail capacity and developing high-speed passenger rail in the United States. We support even greater investment in high-speed passenger rail as a generator of good union jobs right here at home. Our railroad tracks and bridges obviously cannot be moved out of the country, and the BMWED is committed to fighting for every available maintenance-of-way job.

The work of building and maintaining America's high-speed rail network, and the manufacturing of steel rails, passenger coaches and high-speed locomotives, must remain the dominion of our country. We must resist going down a path that will make us dependent upon foreign manufacturing and foreign produced materials for our emerging high-speed rail needs. We must start on the ground floor by focusing our nation's resources to develop a strong U.S.-based capacity to supply and sustain American high-speed rail. High-speed rail funds — your tax dollars and mine — must be invested domestically to revive our manufacturing base and produce new train sets in America, with American steel and American made components, produced and assembled by American workers.

America largely abandoned the manufacture of passenger coaches and railroad components decades ago. We remain overly-reliant upon the importation of train sets and passenger coaches from Japan, Europe, and Canada. Now, the Chinese government is moving aggressively to gain market share in our emerging high-speed rail markets. All of these countries see an opportunity to create jobs for their own economies to the detriment of the American economy and the American worker. The task of building the next generation of passenger rail must be performed by American workers in America. The United States has a real opportunity to rebuild its manufacturing capacity

to produce American made trains and related components. And the United States has an opportunity to put Americans back to work and tap the skills and prowess of the American worker to build and maintain our next generation of passenger rail equipment and rail lines. Such will create good American jobs and create an environmentally friendly mode of transportation that will reduce our dependence on foreign oil, expand our manufacturing base, and reduce

airport and highway congestion and pollution.

The United States is at a crossroad that could mark the revival of U.S. manufacturing and technology. Unlike my recent experience walking through the parking lot, I hope for the sake of our country and its workers that ten years from now our rail yards and terminals will be filled with high-speed locomotives, train sets, rails and technologies that proudly display "Made in the U.S.A."

A Vice President Speaks

BMWED In Transition

Transition - you will likely hear that word pretty often over the next couple of months. The BMWED Second Regular Convention will be held in Las Vegas, Nevada in June and the theme will be "*Transition to the Future*".

It has been nearly three years since President Simpson brought all of your National Division Officers and staff together to work on an issue that he felt was of utmost importance. "Build a plan that assures our membership that they will have a strong and vibrant union going into the future," was the message. President Simpson and your National Division Officers knew that the age demographic is such that over the next ten years an entirely new generation would be taking over the leadership of our union. Consequently, a plan was created that assures a smooth transition for our union as the older generation of officers and staff retire and a new generation move to the forefront. And one major theme came out of those meetings - educate.

If you ask any of your older union leaders what preparation was given for their position with the union his or her most likely response might be "none." I think it is fair to say most are self educated in the techniques needed to adequately represent our



David Tanner and his father Harold

membership. However, it would be unfair not to recognize that there have been some educational opportunities provided along the way. This kind of history should not be repeated and that is why your union is actively encouraging our younger members to participate and take advantage of the educationals in union leadership that are being provided by your National Division and some of the System Federations. We must continue to encourage and educate our future leadership for the sake of our own survival.

See **Vice President** on Page 11

Proposed Amendments to the BMWED Bylaws

2010 PROPOSAL NO. 1

SUBMITTED BY
NATIONAL DIVISION

ARTICLE I, SECTION 4, PARAGRAPH 1, BE AMENDED TO READ:

Sec. 4. The National Division Officers shall be members of a BMWED lodge and shall be nominated and elected at the regular quadrennial Conventions of the National Division by a representative majority vote of the duly accredited delegates elected by secret ballot. In the event balloting results in no candidate winning a majority vote (a number greater than half of the total possible votes), the candidate garnering the fewest votes shall be dropped from the ballot, and a run-off ballot will be conducted. If there is only one nominee for an office, there shall be no ballot for that position, and the nominee will be declared elected. The five (5) Vice Presidents and the five (5) members of the Executive Board shall be from a System Division or Federation in his respective region and shall be nominated by delegates from his respective region. National Division Officers shall serve for a term of four (4) years unless removed by death, resignation or for cause, and shall be eligible for re-election. They shall be installed during the session of the National Division Convention in which they are elected, their installation and term of office to be effective commencing September 1 following election except in the case of filling an unexpired term, when such Officer shall take charge of his office immediately upon being elected and he shall serve for the remainder of the term; provided, however, that the term of office of any temporary National Division Officer will expire immediately upon the election and installation of his successor. Any vacancy in such office, temporary or permanent in nature, shall be filled in accordance with the terms of these Bylaws.

2010 PROPOSAL NO. 2

SUBMITTED BY
NATIONAL DIVISION

ARTICLE I, SECTION 5, PARAGRAPH 1, BE AMENDED TO READ:

Sec. 5. The National Division shall convene in regular Convention in the month of June, on the third Wednesday of the month, quadrennially, at a time ~~and date~~ and in such city as may be determined by the National Division President and National Division Secretary-Treasurer jointly, with the approval of the National Division Executive Board.

PROPOSAL NO. 3

SUBMITTED BY
NATIONAL DIVISION

ARTICLE I, ADD SECTION 13, BE AMENDED TO READ:

Sec. 13. Only the elected officers of the National Division are authorized to be its agents for service of process. The officers and employees of subordinate bodies are not authorized to be agents of the National Division for service of process under any circumstances.

2010 PROPOSAL NO. 4

SUBMITTED BY
NATIONAL DIVISION

ARTICLE III, SECTION 2, BE AMENDED TO READ:

Sec. 2. He shall decide all questions pertaining to the interpretation or meaning of any clause or Section of these Bylaws as well as all controversies which may be appealed from System Divisions, Federations or Local Lodges and shall promptly forward his decision in writing to the System Division, Federation or Local Lodge from which the appeal is taken. Appeals from the decisions of the President may be appealed by either party to the National Division Appeal Board, which shall consist of all National Division Officers. Such appeals shall be filed with the National Division Secretary-Treasurer within sixty (60) days after receipt of the President's decision. The Secretary-Treasurer shall refer the appeal to the National Division Appeal Board, except for those members who may be directly involved in the case under consideration. The National Division Appeal Board will report their decision to the National Division President and the appellant. Further appeal of the decision of the Appeal Board shall be handled in accordance with the applicable provisions of the IBT Constitution, subject to the terms of the Merger Agreement.

2010 PROPOSAL NO. 5

SUBMITTED BY
NATIONAL DIVISION

ARTICLE III, SECTION 4, PARAGRAPH 2, BE AMENDED TO READ:

All consultants hired by the President, and their fees and/or salaries must be approved by the National Division Executive Board prior to any services being rendered, except in cases of emergency.

2010 PROPOSAL NO. 6

SUBMITTED BY
NATIONAL DIVISION

ARTICLE V, SECTION 10, BE AMENDED TO READ:

Sec. 10. He shall employ ~~such traveling~~ auditors as may, in his judgment, be necessary to carry on the ~~field~~ auditing work; such ~~traveling~~ auditors to be entirely responsible to him under his jurisdiction. To qualify for appointment, such auditors shall meet the same requirements as those prescribed in Section 4 of Article I for eligibility to National Division office.

2010 PROPOSAL NO. 7

SUBMITTED BY
UNIFIED SYSTEM DIVISION
GENERAL CHAIRMAN WAYNE MORROW
ARTICLE VII, SECTION 1,
PARAGRAPHS 1 AND 2, BE
ADMENDED TO READ:

Sec. 1. For the faithful performance of his duties, each **full-time**, elective National Division Officer shall receive an annual salary ~~as follows:~~ adjusted for all subsequent general wage increases under National Agreements, applicable to BMWED; provided, however, that if any appointed department head's salary as of June 1, 2010 exceeds the Vice Presidents' rate, the Vice Presidents' rate will be equalized upward to such rate, and the President and Secretary-Treasurer's salaries will be adjusted to maintain the relative difference in the salaries of the three offices as of June 1, 2010.
President: \$119,656.78;*
Secretary-Treasurer: \$99,670.65;*
Vice President: \$83,038.43.*
*Note: Rate reflects adjustment adopted at 44th BMWED Grand Lodge Convention.

Each **full-time**, elective National Division Officer's salary and each National Division Appointee's salary shall be adjusted periodically so as to reflect all general wage increases including cost-of-living adjustments as provided for under National Agreements applicable to the membership of the BMWED. All such increases shall be applied in the same manner and on the same dates as provided for under subsequent National Agreements. ~~In instances where percentage increases are granted, the National Division Officers' increases will be equal to that amount based on a Vice President's salary.~~ The periodic adjustment of Appointee salaries does not limit the authority of the National Division Officers to adjust Appointee salaries as they deem appropriate.

2010 PROPOSAL NO. 8

SUBMITTED BY RICK KEARNEY
LODGE 2933

ARTICLE XV, SECTION 2 PARAGRAPHS 1 AND 4, BE AMENDED TO READ:

Sec. 2. Initiations ~~fees~~ for new members hired where a standard contract is in place shall be \$100.00, the entire amount of which will be collected in every instance. Initiation fees for new members hired where a non standard contract is in place or for non-rail contracts, shall be \$20.00, the entire amount of which will be collected in every instance. No portions of this fee to be returned to applicant or any dispensation granted doing away with same except on roads, portions of the roads, or employers where there is no organization, where the BMWED has become depleted, where dual organizations hold contract or where the BMWED is being seriously threatened by new organizations. The National Division President with the approval of the Executive Board, may issue dispensations temporarily eliminating the initiation fee.

Distribution of the initiation fees shall be made as follows:

(a) When applications are written by a National Division Organizer or Representative, or by a System Division or Federation Officer or representatives \$25.00 25 per cent of the initiation fee shall revert to the General Fund of the National Division, with ~~\$25.00 25 per cent~~ reverting to the System Division or Federation treasury and ~~\$50.00 50 per cent~~ reverting to the Local Lodge treasury where the member is assigned.
(b) ~~When applications are written by a System Division or Federation Officer or representatives, \$25.00 of the initiation fee shall revert to the System Division or Federation, with \$25.00 reverting to the National Division and \$50.00 to the Local Lodge treasury where the member is assigned.~~

(c) ~~b~~ When applications are written by Local Lodge representatives, ~~\$25.00 25 per cent~~ of the initiation fee shall revert to the Local Lodge treasury, with ~~\$25.00 25 per cent~~ reverting to the National Division and ~~\$25.00 25 per cent~~ reverting to the System Division or Federation treasury and ~~\$25.00 25 per cent~~ to the Local Lodge to where the member is assigned.

(d) ~~c~~ With regard to the percentage of any initiation fee due under Article X, Section 3(a) of the IBT Constitution, 50 percent shall be paid from the System Division/Federation's allocated portion and 50 percent shall be paid from the National Division's allocated portion of the initiation fee.

2010 PROPOSAL 9**SUBMITTED BY
NATIONAL DIVISION****ARTICLE XV, Sec. 3,
PARAGRAPH 3, ADD NEW
PARAGRAPH 4, BE AMENDED TO
READ:**

Provided, however, that ~~for retired members the~~ notwithstanding a rail carrier's classification as Class II or III, where the average weighted straight-time hourly rate on such property falls within the range of hourly rates of standard contracts, National Division dues shall be that applicable to members working under standard contracts. National Division dues ~~for retired members~~ shall be \$16.00 per member per year payable in the amount of \$4.00 per quarter.

The National Division President may temporarily waive these dues obligations on new-organized properties with the approval of the National Division Officers. Such waiver will not continue beyond the effective date of the first collective bargaining agreement.

2010 PROPOSAL NO. 10**SUBMITTED BY
NATIONAL DIVISION****ARTICLE XV, SECTION 3,
ADD PARAGRAPH 10, TO READ:**

Newly merged or consolidated System Divisions or Federations may temporarily preserve their pre-merger or pre-consolidation dues structures, and those of their respective affiliated lodges, provided that they be gradually equalized in accordance with a plan approved by the National Division President and Executive Board.

2010 PROPOSAL NO. 11**SUBMITTED BY NORTHWEST
REGION ASSOCIATION****ARTICLE XVI, SECTION 4,
BE AMENDED TO READ:**

Sec. 4. Any member who has 50 years of continuous membership in the BMWED shall receive a life membership and appropriate merit awards, upon request. Retirees who have less than 50 years of membership with the BMWED and wish to become a life member may request to purchase a life membership in the BMWED. The cost for a life membership will be determined by the number of years needed to equal 50 ~~calendar~~ calendar years of membership multiplied by 80% of the current retiree dues rate. Dues payments in the last year of membership will fulfill the dues requirement for that year. Life members shall continue to have all of the rights and benefits afforded a full dues-paying retired member in accordance with the provisions of these Bylaws, subject to the terms of the Merger Agreement.

2010 PROPOSAL NO. 12**SUBMITTED BY
NATIONAL DIVISION****ARTICLE XVI, SECTION 4,
BE AMENDED TO READ:**

Sec. 4. Any member who has 50 years of continuous membership in the BMWED shall receive a life membership and appropriate merit awards, upon request. Retirees who have less than 50 years of membership with the BMWED and wish to become a life member may request to purchase a life membership in the BMWED. The cost for a life membership will be determined by the number of years needed to equal 50 years of membership multiplied by ~~80%~~ 70% of the current retiree dues rate. Life members shall continue to have all of the rights and benefits afforded a full dues-paying retired member in accordance with the provisions of these Bylaws, subject to the terms of the Merger Agreement

2010 PROPOSAL NO. 13**SUBMITTED BY BMWED
COMMITTEE ON DIVERSITY****ARTICLE XVII, SECTION 6,
PARAGRAPH 2, BE AMENDED TO
READ:**

It shall be the duty of every member to pay all dues and assessments promptly; to attend the meetings of his Local Lodge regularly unless prevented by sickness or other just cause; to comply with and assist in enforcing provisions of these Bylaws and other laws, rules and regulations of the BMWED; to see that these Bylaws are not violated; to recognize any member in good standing as a Brother and ~~to never speak falsely against or vilify the character of a member~~ knowingly harm a fellow member; to never discriminate against a fellow worker on account of race, color, religion, sex, age, physical disability, or national origin; to refrain from any conduct that would interfere with the Union's performance of its legal or contractual obligations; and at all times to bear true and faithful allegiance to the BMWED and his Local Union.

2010 PROPOSAL NO. 14**SUBMITTED BY
NATIONAL DIVISION****ARTICLE XVIII, SECTION 5,
BE AMENDED TO READ:**

Sec. 5. Provisions Governing Local Lodge Assessments. Assessments may be levied by Local Lodges for special purposes upon a two-thirds vote ~~of all its members voting~~ by secret ballot in accordance with the procedures governing increases in Local Lodge dues set forth in Article XV of these Bylaws, provided, however, that all members of the Local Lodge have been notified by mail of such proposed assessment no less than thirty (30) days previous to the

vote of its membership, provided, further, that such assessments shall become effective only after approval of the National Division President.

2010 PROPOSAL NO. 15**SUBMITTED BY
NATIONAL DIVISION****ARTICLE XVIII, SECTION 14,
PARAGRAPH 4, BE AMENDED TO
READ:**

Local Lodges shall elect delegates and alternates to the National Division Convention at a meeting held on or after January 1 of the year in which the Convention convenes. Provided, however, that Local Lodges that do not ordinarily meet between January 1 and May 1 may conduct such elections during the second half of the year prior to the year in which the Convention convenes. All members in good standing of the Local Lodge will be given at least fifteen (15) days advance notice in writing at their last known addresses of the date, time and place at which election shall be held. The National Division Secretary-Treasurer will be advised of the results of such elections in ample time for this information to be recorded at the National Division. All expenses of said delegates shall be paid by Local Lodge or Lodges represented.

2010 PROPOSAL NO. 16**SUBMITTED BY
NATIONAL DIVISION****ARTICLE XVIII, SECTION 14
PARAGRAPH 7, BE AMENDED TO
READ:**

Credentials shall be issued to the Secretary-Treasurers of Local Lodges prior to January 1 of the year of the National Division Convention. ~~Credentials must be signed by the Secretary-Treasurer of the Local Lodge. In the event that the office of the Local Lodge Secretary-Treasurer is vacant or the Local Lodge Secretary-Treasurer is elected as a Delegate or Alternate Delegate the President of the Local Lodge would sign the credential. Credentials must be signed by an elected officer of that Local Lodge. In the event that there is not a Local Lodge Officer present, a System Division or Federation Officer may sign the credential.~~ Original credentials shall be given to the duly elected delegates. Duplicate credentials shall be forwarded to the National Division Secretary-Treasurer's office as soon as possible after the election of the delegates.

2010 PROPOSAL NO. 17**SUBMITTED BY
NATIONAL DIVISION****ARTICLE XIX, SECTION 14,
PARAGRAPH 1, BE AMENDED TO
READ:**

Sec. 14. National and Regional Associations. National and Regional

Associations, ~~as may be decided by the National Division Officers, General Chairmen, Vice Chairmen, Assistant Chairmen and Secretary-Treasurers of System Divisions or Federations, or others of comparable title,~~ are hereby created for the purpose of protecting and promoting the collective bargaining and legislative interests of BMWED through the exchange of information, experience and views among and between their members, and for such other purposes consistent with promoting their members' effective performance of their respective duties.

2010 PROPOSAL NO. 18**SUBMITTED BY
NATIONAL DIVISION****ARTICLE XV, SECTION 3, ADD
PARAGRAPH 10, BE AMENDED TO
READ:**

Any member who wishes to maintain full good standing during periods of unemployment or sickness may pay dues at the applicable Non-Working rate. The Non-Working rate shall equal the sum of the then current applicable IBT and Rail Conference per capita remittances, plus one dollar each to National Division, his System Division or Federation, and his Local Lodge. Dues timely paid at the Non-Working rate shall supersede any System Division or Federation or Local Lodge rate of dues and assessments set by action of their governing bodies. Members paying Non-Working dues will be counted in National Division's per capita remittances to the International Union.

Candidates

Continued from page 5

opportunity to continue serving you in this capacity and commit to you that, if given that opportunity, every decision I make on your behalf will be done with the entire membership's best interest in mind.

I believe I have the experience necessary in order to serve your interest. I began my railroad career as a Hostler on the Green Bay & Western Railroad prior to hiring onto the Milwaukee Road as a Track Repairman. My experience includes Local Lodge Chairman, Federation Executive Board Member and Assistant General Chairman. I have served as the General Chairman for the former Chicago, Milwaukee, St. Paul & Pacific System Federation and now the Midwest System Federation for the past 22 years. I have also served on a number of committees for our Brotherhood including the BMWED Merger Committee responsible for our merger with the Teamsters in 2004.

Please allow me to continue to serve your interest as the Executive Board Member from the Northwest Region. Given that opportunity, I will serve you to the best of my ability.

ROLL OF HONOR

60 year

MERIT AWARDS

NAME	SYSTEM	LODGE NUMBER	MEMBER SINCE
Frank Aloï	CRSF	0891	1946
Nickolas Bartolomeo	CRSF	0891	1935
Kenneth W. Boward	ICGF	0694	1946
Franklin L. Depperman	ICGF	0694	1947
Fred Featherly	CRSF	0891	1947
Paul C. Gambel	ICGF	0694	1946
Perry M. Mc Kay	ICGF	0694	1943
Adolfo S. Palermo	PENN	3023	1937
Raymond A. Reedy	PENN	3023	1942
Richard E. Savage	AF-SW	0965	1950
Melvin H. Wingard	PENN	3023	1941

40 year

MERIT AWARDS

NAME	SYSTEM	LODGE NUMBER	MEMBER SINCE
Gary L. Alexander	AF-SW	1540	1969
Andrew A. Anderson	MIDW	1965	1969
Charles W. Carver	CRSF	1562	1964
Nicolas A. De Luca	PENN	3023	1968
Gary L. Dettlinger	MIDW	1965	1968
David V. Dickman	MIDW	2643	1969
Ronald Furner Sr	CRSF	0891	1969
Kenneth J. Klover	MIDW	0420	1969
David J. Knoll	MIDW	1903	1969
Ernest J. Long	PENN	3023	1969
Marlin G. Miller	MIDW	1498	1969
Charles E. Odlle	ASF	0571	1969
Richard G. Ogden Jr	PENN	3023	1969
Clarence L. Radake	ASF	0224	1971
Walter C. Rentz	MIDW	1965	1969
Enrique Rodriguez	ICGF	0694	1968
Ronald H. Sather	MIDW	0420	1969
Pat W. Stevenson	MIDW	1965	1969
James A. Stiltner	ASF	0571	1969

30 year

MERIT AWARDS

NAME	SYSTEM	LODGE NUMBER	MEMBER SINCE
Mark A. Abercrombie	MIDW	1490	1978
James P. Acker	CRSF	0891	1978
Robert Ali	CRSD	2907	1979
Robert S. Anderson	MIDW	1662	1979
Jesus R. Andrade	MIDW	0042	1979
Jesse E. Antillon	USD-W	0899	1979
Charles A. Antonites	ICGF	0017	1979
Todd R. Armstrong	PENN	3023	1975
Michael R. Arnold	MIDW	2857	1978
Stewart W. Baker	MIDW	2643	1979
Jeffrey Bakos	PENN	3023	1975
Leonel M. Barrios	USD-NW	2853	1979
Randy J. Bartels	MIDW	0331	1979
Richard F. Barten	MIDW	1490	1979
Ralph A. Beard	ASF	0571	1979
Dennis G. Benson	MIDW	1490	1979
John M. Berg	USD-NW	0721	1980
Rogelio Bermejo	USD-W	1227	1980
Jeffrey T. Blandford	ICGF	0017	1979
James J. Bossola	PENN	3023	1974
Gary T. Branigan	CRSF	0891	1975
David Breeding	USD-W	1133	1980
Gary L. Buse	MIDW	1488	1977
Jeffrey A. Campbell	PENN	3023	1977
Bruce H. Carlson Sr	CRSD	2907	1976
Mark T. Carter	USD-W	0918	1979

Phillip W. Cave	MIDW	0036	1979
Paul S. Chapman	CRSF	1562	1975
Patrick W. Clark	MIDW	1965	1979
J. L. Clements	SOU	0627	1980
Charles N. Coffman Jr	CRSF	1562	1975
Walter G. Collins	CRSF	0891	1976
Jerry L. Comperatore	PENN	3023	1971
Elijah E. Coney	SOU	0627	1980
Raymond D. Crawford	CRSF	1562	1977
Robert E. Croston	MIDW	0099	1979
Earl Dawson Jr	USD-NW	0377	1979
Steve De Jarlais	MIDW	1906	1979
Michael De Meno	PENN	3023	1977
Joseph M. Decock	PENN	3023	1977
Jeffery P. Delap	MIDW	1965	1979
Mario R. Dellano	ICGF	0694	1975
Thomas A. Dezzutti	PENN	3023	1977
Daniel J. Domin	PENN	3023	1978
Larry A. Duncan	USD-W	0874	1979
David A. Duso	CRSF	0891	1977
Michael F. Dutton	USD-W	1227	1979
Robert D. Eck	USD-W	1402	1979
James Engebregtsen	MIDW	1488	1978
William Erhard	CRSD	2907	1976
Lester Evans Jr	AF-SW	0564	1980
Holland Ewing	MIDW	2857	1978
Edward J. Fantuzzo	PENN	3023	1977
John L. Fedde	USD-NW	1071	1979
Edward J. Fisher III	PENN	3023	1975
Michael J. Fitzgerald	USD-NW	1879	1979
Frank P. Galazkiewicz	USD-NW	0377	1979
Jerry K. Gauger	USD-NW	1046	1979
Roberto M. Gavina	MIDW	2857	1978
Fred R. Gayness	ASF	0571	1978
Tim A. Geminetti	PENN	3023	1979
James W. Gerard	PENN	3023	1976
Randall A. Gibbon	PENN	3023	1975
Teddy D. Goodell	CRSF	0891	1975
Thomas R. Grabko	CRSD	2907	1979
James A. Griss	USD-W	0899	1976
John P. Hadley III	CRSD	2907	1973
Rory G. Haner	USD-NW	1788	1979
Clifford F. Harness Jr	CRSF	1562	1974
Emmett A. Heisz Jr	MIDW	1965	1978
Timothy A. Hensley	CRSF	1562	1977
James R. Hess	MIDW	0099	1978
Kent M. Higel	USD-W	1133	1979
Charles R. Hill	CRSF	1562	1974
Alan K. Hofer	MIDW	1965	1979
Joseph R. Hornick	PENN	3023	1975
Henry N. Horton	MIDW	0099	1979
Tommy L. Hubbard	ICGF	0694	1977
Deland O. Humpherys	USD-W	0369	1975
Ignacio Ibarra Sr	USD-NW	0591	1979
Carl L. Immel	CRSF	1562	1975
William S. Immel	CRSF	1562	1977
Ronald K. James	ASF	0571	1978
Ken L. Jenkins	USD-W	0899	1979
James F. Jick	MIDW	1965	1979
Dennis G. Johnson	USD-NW	0377	1979
Loran D. Johnson	MIDW	1965	1979
Richard L. Johnson	ASF	0571	1979
William F. Keane	CRSD	2907	1973
David A. Kelley	USD-W	0899	1979
James B. Knoll	USD-W	0686	1979
Laurence E. Kowalski	PENN	3023	1975
Daniel M. Krause	MIDW	1552	1979
William J. Kress	USD-NW	0377	1979
Chris A. Langer	MIDW	0928	1979
Melvin Lee	USD-W	1216	1979
Matthew D. Leiberton	PENN	3023	1976
Douglas E. Losey	CRSF	1562	1972
Steven K. Lund	MIDW	0420	1978
Thomas P. Maher	CRSF	1562	1976
Fernando M. Manriquez	MIDW	0036	1979
James H. Martin	PENN	3023	1978
Rodolfo G. Martin	USD-W	0941	1979
Juan G. Martinez	MIDW	0042	1979
Manuel Martinez	USD-NW	0377	1979
Eugene P. Mashak	MIDW	1965	1978
Timothy Mc Call	AF-SW	1100	1980
Russell D. Mc Cormick II	CRSF	1562	1976
Michael S. Mc Donald	CRSF	1562	1974
Michael J. Mc Guire	USD-W	0799	1980
Mark A. Mehl	MIDW	1498	1978
Jack W. Miller	USD-W	1381	1979
Evan M. Murdock	CRSF	0891	1976
Mark W. Nelson	MIDW	0420	1978
Stephen C. Nelson	USD-W	1402	1979
Brian M. Olson	MIDW	1965	1979
Dennis N. Ott	MIDW	2643	1979
Myles A. Pasley	USD-W	0686	1980
Donald W. Pelino	PENN	3023	1975
Glen R. Perry	PENN	3023	1975
Wade Petersen	MIDW	1906	1979
Clinton L. Pettway	CRSF	0891	1976
Gary D. Pittser	USD-W	0874	1979
Richard D. Price	CRSF	1562	1977
Bradley S. Prose	MIDW	0928	1979
Bryan M. Putze	PENN	3023	1977
Leeman P. Reed	CRSF	0891	1974
Anthony M. Reil	CRSD	2910	1979
Ricky E. Ribet	PENN	3023	1978
Jesse Rivera	AF-SW	0675	1980
Timothy N. Roberts	USD-W	0874	1979
Arthur B. Roney Jr	PENN	3023	1975
Ronald G. Ross	AF-SW	0996	1980
Chris A. Rozewicz	PENN	3023	1976
Teodoro J. Rueda	MIDW	0099	1978

Kendrick G. Rushey	CRSF	0891	1978
Walter W. Sabot	PENN	3023	1974
Michael A. Sakaluk	PENN	3023	1974
Michael K. Schmitz	USD-W	1133	1979
Frank C. Schweiger	CRSD	2907	1978
Joseph R. Sheridan	CRSD	2907	1976
Keith A. Shisler	MIDW	0099	1978
Gerald D. Shotkoski	USD-W	0473	1979
Terrell Simmons	SOU	0627	1980
Carl L. Sims	ICGF	0017	1978
Dennis R. Sinclair	CRSD	2910	1979
James E. Slike	PENN	3023	1978
Robert B. Smith	PENN	3023	1971
Alan T. Smoot	ASF	1700	1978
Patrick J. Somers	PENN	3023	1976
Boyd J. Stewart	MIDW	2643	1979
Ray A. Street	ICGF	0017	1977
Leonard J. Sublinsky	PENN	3023	1975
Randy L. Sundquist	MIDW	0036	1979
Lynn S. Tendrup	MIDW	1662	1978
Bruce Teuber	CRSD	2907	1978
James W. Thacker	ASF	0571	1978
K. L. Thompson	PENN	3023	1975
Merle C. Trousil	MIDW	1488	1979
Paul C. Tusing	PENN	3023	1971
Mark Vetteson	MIDW	1490	1977
Willie Vickers	ASF	1700	1978
Charles A. Viers	ASF	0571	1978
Charlie Walker Jr	SOU	0627	1980
Thomas D. Watson	MIDW	1965	1979
Keith P. Weaver	USD-NW	0342	1979
Louis G. Weber Jr	CRSD	2907	1971
Michael K. Whitaker	USD-NW	0377	1980
Daniel M. Wicks	CRSD	2907	1975
Steven L. Wolf	ASF	1700	1981
L. R. Wood	SOU	0585	1980
Michael G. Ylosvai	PENN	3023	1977
Vallie D. Young	CRSF	1562	1977
Eugene C. Zimmerman	MIDW	1965	1979
David R. Zimmermann	MIDW	1906	1979

20 year

MERIT AWARDS

NAME	SYSTEM	LODGE NUMBER	MEMBER SINCE
Napoleon Anderson	CRSD	2910	1989
Michael Banom	CRSD	2907	1987
Thomas B. Barber	CRSD	2910	1989
Willis F. Bartley	ASF	0571	1989
Thomas E. Beaudry	MIDW	1489	1989
Denise D. Bechly	MIDW	0331	1989
Michael M. Becker	MIDW	1965	1989
Kenneth B. Bennett	MIDW	2643	1989
William R. Bennett	CRSD	2910	1989
Jeffrey J. Bergstrom	MIDW	1965	1988
David G. Betts	MIDW	2643	1989
Thomas Betzale	CRSD	2910	1988
Brian Bischer	CRSD	2907	1982
Jeffrey S. Bowman	ASF	0571	1989
Dennis R. Brown	CRSD	2910	1989
William J. Browne	MIDW	1965	1989
James K. Buccine	CRSD	2907	1983
Kenneth Bynes	SOU	0627	1990
William J. Calvin Jr	MIDW	0099	1989
Christopher C. Campisi	CRSD	2907	1986
Terry L. Carr	AF-SW	0522	1990
Brian Conklin	CRSD	2907	1988
William R. Costello	CRSD	2910	1988
Gregory P. Duffy	MIDW	1965	1988
Tracy E. Estes	AF-SW	1025	1990
Richard B. Fechner	MIDW	1965	1989
Johnny J. Felder	CRSD	2910	1989
Jesus M. Flores	MIDW	0042	1988
Sam L. Foreman	SOU	0627	1990
Jose A. Galvan	MIDW	0042	1988
Mario L. Gavina	MIDW	0042	1988
Allen E. Godshalk	CRSD	2907	1988
Daniel J. Groleau	MIDW	1965	1989
Eric W. Halpern	MIDW	0331	1988
Harry W. Harbord	CRSD	2910	1989
Stuart B. Haynes	CRSD	2907	1987
Marvin L. Hildreth	USD-NW	1788	1989
Bruce M. Howe	MIDW	1965	1989
Jeffrey L. Hulse	CRSD	2907	1987
Marion Jamison	CRSD	2907	1983
Michael Kane	CRSD	2910	1989
Michael R. Kerkela	MIDW	1489	1989
Brian P. Kiser	ASF	0571	1989
Ronald E. Knor	ICGF	0469	1989
Frederick E. Kriefall	MIDW	0099	1988
Rodney L. Lafitte	AF-SW	0564	1990
Stevie R. Lane	SOU	0619	1990
Shawn C. Lawrence	MIDW	0036	1989
Trinidad A. Lopez	MIDW	0042	1988
Terry M. Lundy Jr	AF-SW	0564	1990
Joseph R. Luongo	CRSD	2910	1987
T. C. Mackey	SOU	0627	1990
John A. Mc Carthy	CRSD	2910	1989
James F. Mc Hale	CRSD	2910	1989
Norman E. Mc Nichols	CRSD	2910	1989

Sean M. Mc Quitty	USD-NW	0410	1989
A. R. Melero	ICGF	0694	1988
Dale S. Mesick	MIDW	2643	1989
John C. Meyer	MIDW	1965	1989
Siegfried Moses	CRSD	2907	1987
Timothy P. Murphy	CRSD	2910	1989
Domenic J. Nardini	CRSD	2910	1987
Scott Niemi	MIDW	1489	1989
Joacquin Ochoa	MIDW	2857	1989
Alfonso P. Palencia	MIDW	0042	1988
Antonino Polizzi	CRSD	2907	1987
John H. Powell	MIDW	1965	1988
L. B. Price	ASF	0571	1989
Michael D. Primich	CRSD	2907	1988
Robin D. Ragan	AF-SW	1025	1990
Albert Rambert	CRSD	2910	1989
Larry M. Rasanen Jr	MIDW	1489	1989
Clitus D. Rasnake	ASF	0571	1989
Dallas W. Rasnake	ASF	0571	1989
Randall D. Rasnake	ASF	0571	1988
Robert N. Rathbun	AF-SW	1025	1990
Mario Reeves	ICGF	0694	1990
Raul V. Reveles	MIDW	0042	1988
Andre M. Ridley	CRSD	2910	1987
Brian J. Riley	CRSD	2910	1989
Joseph F. Roberts	CRSD	2910	1987
Claude H. Robinette	CRSD	2910	19

Brian W. Hubbard Deceased

The BMWED is saddened by the recent death of Brother Brian Hubbard who passed away March 3, 2010. Born November 26, 1955, and a resident of Cleveland, Ohio, Brian was 54 years old.

Brother Hubbard suffered from lung cancer believed to have developed from the many years he was exposed to the hazards of silica dust while employed as a Ballast Regulator Operator.

Brother Hubbard began his railroad career on the former Penn Central Railroad on February 9, 1976, spent most of his career with Conrail, and later CSX Railroad. He was an active member of Consolidated Rail System Federation Local Lodge 1657 and held a number of offices in his Lodge. During his career, he served as a member of the Auditing Committee, Vice President and Chairman of the Grievance Committee.

Brian was a motorcycle enthusiast and particularly enjoyed riding his Harley.

"Brian and I have been close friends since the day we started work together on the Penn Central," said National Division Secretary Treasurer



Perry Geller. "Brian was bigger than life and well liked and respected by both rail management and his co-workers."

Friend and former co-worker, CRSF First Vice Chairman T. J. Nemeth offered, "Brian's passing will leave a huge hole in the hearts of his many friends, including mine. My thoughts of Brian will always be of him sitting on his Harley with a big smile on his face."

Brother Hubbard leaves behind his wife Laura, three children; Jasmine Smithers, Ian Hubbard and Brian Brooks; grandchildren, Alexis, Jake, Brett and Luke.

Around the Brotherhood Continued from page 3

CRSF Lodges 1629 and 1504 Merge

On February 12, 2010 Consolidated Rail System Federation Local Lodges 1629 and 1504 met in Battle Creek, Michigan for the purpose of merging the Lodges. The merger was approved by a unanimous vote of those in attendance. Dwayne Watkins was elected to serve as President and Local Chairman, and Mark Hunkins will

serve as Secretary - Treasurer. U.S. Congressman Mark Schauer, who represents the 7th District of Michigan was on hand to speak to those attending. Also present was CRSF First Vice Chairman and BMWED Ohio State Legislative Director T. J. Nemeth, Assistant General Chairman Rich McLean and BMWED State Legislative Director Archie Lhamon.



Pictured left to right: CRSF First Vice Chairman and BMWED Ohio Legislative Director T. J. Nemeth, U.S. Congressman Mark Schauer and BMWED State Legislative Director Archie Lhamon.

A Vice President Speaks Continued from page 7

During convention our theme, *Transition to the Future*, will play a very prominent role. This will probably be evident to those in attendance just by looking into the faces of those attending. For many, maybe most, it will be their last convention and there will almost certainly be a lot of fresh new faces.

Like many of our delegates, my thoughts will naturally drift toward memories of those who encouraged my participation and helped instill that pride in me that I have for this Brotherhood. For me it will be a number of older railroaders who brought me along and taught me a lot, not just about railroading but also about how important it is to participate and keep our union strong. But mostly, I will be thinking about a number of my family members, railroaders themselves.

What transition means to me is the way my parents Harold and Mary Tanner passed along to me, and my brother, their appreciation for the BMWED. My father, Harold, like his father Walter, worked as a Section Laborer and Foreman for the Union Pacific Railroad. He also served as Secretary-Treasurer of BMWED Local Lodge 918 for nearly two decades. My mother, Mary, worked as a railroad Telegrapher and Operator and had her own appreciation for railroad tradition as well as an appreciation for what the BMWED has meant to our family. Transition to me is when my father was preparing for retirement and my brother Terry, a Track Inspector, was elected to fill that position as our Local Lodge Secretary-Treasurer. That appreciation we all felt for the BMWED intensified when



Mary Tanner hands up a message to a passing freight train, circa 1945.

we lost Terry in a railroad accident in 1985.

Most of us have our own personal stories about someone who helped guide our future in one way or another. As we lay the groundwork this summer for the direction of our union over the next four years, I hope our senior members there and at home will share their stories and seriously think about how we move our union forward. And to our younger members I ask that you soak up the knowledge around you, become active, get involved and support our union.

David Tanner
Vice President Western Region

ROLL OF HONOR Continued from page 10

Eric E. Mathson	USD-W	0686	1999	Duane E. Rud	MIDW	1490	1998
Steve J. Mc Carthy	MIDW	0099	1994	Ryan Runnels	MIDW	1903	1999
Nathan M. Mc Intyre	ICGF	0694	2000	Gerardo Salazar	ICGF	0694	2000
Jeffrey D. Meadows	ICGF	0017	1997	Wade Y. Sams	MIDW	2920	1999
Richard C. Molanare Jr	CRSF	0891	1999	Greg A. Schroeder	ICGF	0694	2000
Anthony L. Moore	ICGF	0694	1997	Frank C. Schweiger	USD-NW	1788	1999
Scott M. Murphy	CRSD	2907	1996	S. W. Smith	ICGF	0017	1999
Michael S. Nance	ICGF	0694	1997	Scott Spickard	MIDW	1903	1999
Anthony L. Nietfeld	USD-W	1133	1998	Mark A. Steuernagel	MIDW	0099	1998
Felipe L. Ochoa	MIDW	2857	1999	Allen C. Suarez Jr	ICGF	0694	1998
Roberto Ochoa Jr	MIDW	2857	1999	William E. Swartwood	USD-W	0473	1999
Armando Palacios	MIDW	2857	1999	L. R. Thetford	ICGF	0017	1997
James A. Prater	ICGF	0017	1997	Kurt D. Thompson	MIDW	2920	1999
William T. Price	MIDW	0099	1999	Johnny D. Tucker	ICGF	0017	1997
Nick Pross	MIDW	2920	1999	Frank Turi	CRSD	2907	1996
Eddie J. Rawls	MIDW	0099	1999	John M. Wathen III	CRSD	2907	1995
Juan F. Rea	MIDW	0042	1994	Dewon M. Westbrooks	MIDW	2857	1999
Chris T. Rentz	MIDW	1965	1998	Tony R. Williams	MIDW	2920	1999
Bradley D. Rexine	MIDW	1481	1998	Danny C. Wolford II	ASF	0571	1998
Anthony Riccio	CRSD	2907	1999	Loren D. Wood	USD-W	0473	1999
Scott D. Rich	ICGF	0694	1997	Harold W. Woodruff	MIDW	1489	1999
Jermaine Robinson	ICGF	0694	1999	Rick A. Wulf	USD-NW	0692	1999
Patrick J. Robinson	MIDW	2920	1999	Samuel S. Zavala	MIDW	2857	1999
Edward N. Rogers	ICGF	0694	1998	Manuel S. Zavala Jr	MIDW	2857	1999

DEATH BENEFITS

Report of Claims Paid during Jan./Feb., 2010

NAME	LODGE NUMBER	SYSTEM	NAME	LODGE NUMBER	SYSTEM
HERBERT H. ANTON	0159	BURNOR/LIFE	RUDOLPH C. OLSON	1481	MIDW/LIFE
DEWARD C. BESHEARS	1054	PACFED/LIFE	REUBEN PFENNING	0306	BURNOR/LIFE
MELVIE C. BRAMMER	3061	PENN/LIFE	EDWIN R. POWELL	0893	MIDW/LIFE
PAUL CORDRAY	2402	ATSFF/LIFE	JAMES A. PRINGLE	0918	USD/LIFE
GEORGE DE VRIES	1393	ICGF/LIFE	JOSE F. RAMIREZ	2412	ATSFF/LIFE
ANDREW FELIX	1071	USD/LIFE	HINTON W. THORSON	0249	BURNOR/LIFE
WALTER S. FISCHER	0518	ATSFF/LIFE	THOMAS F. VANCE	0652	ICGF/LIFE
FRANCIS P. HOLTON	0580	ASF/LIFE			
ELMER C. HOUSER	1923	CRSF/LIFE			
JOHN N. KEYS	0498	AF/LIFE			
OREN L. MC LEAN	1763	BURNOR/LIFE			
ALLEN C. MOHLER	1923	CRSF/LIFE			
			PAID JAN. 1, 2010 TO FEB. 28, 2010	\$	9,500.00
			AMOUNT PREVIOUSLY PAID		\$45,285,307.75
			TOTAL AMOUNT PAID TO DATE		\$45,294,807.75
			NUMBER OF CLAIMS PAID - 19		

Report of Death Notices during Jan./Feb., 2010

NAME	LODGE NUMBER	SYSTEM	NAME	LODGE NUMBER	SYSTEM
PAUL R. EVANS JR.	1532	CRSF/NS	JAMES D. KOHLTFARBER	0369	USD/UP
JOSEPH W. HALL	1980	CRSF/NRPC	RUBEN PLASCENCIA	1834	PACFED/UP
MARTIN E. HULL	2402	ATSFF/BNSF	DAVID E. WILSON	2402	ATSFF/BNSF
RYAN A. KING	0694	ICGF/IC			

BMWED Legislative Issues – 111th Congress

HealthCare Reform

Before its two-week recess in March, the U.S. Congress passed the historic health insurance reform legislation. The House passed the Senate's Patient Protection and Affordable Care Act (H.R. 3590) by a vote of 219-212 on March 21, 2010. Soon after this vote, the House passed the Health Care and Education Affordability Reconciliation Act of 2010 (H.R. 4872) by a vote of 221-211. The reconciliation bill made changes to the Senate bill which included exempting all Americans from the 40 percent excise tax on high-cost insurance plans until January 1, 2018. At that time, the tax will be placed on plans over \$10,200 for individuals and on plans over \$27,500 for families. Dental and vision benefits will be exempt from inclusion in the cost.

On March 23, 2010, President Obama signed the Patient Protection and Affordable Care Act into law. And two days later, on March 25, the U.S. Senate passed the reconciliation bill by a vote of 56-43. The Senate only required a simple majority rather than the usual 60 votes needed to prevent a filibuster because the bill was considered under budget reconciliation rules. On March 30, 2010, President Obama signed the reconciliation bill into law.

Much of the reform legislation will not take effect until 2013. However, a number of the provisions take effect this year, such as requiring health plans that offer dependent coverage for children to make it available to age 26; creating a temporary reinsurance program to help companies that provide early retiree health benefits for people ages 55 – 64; forbidding insurance companies from excluding coverage for children because of pre-existing conditions; prohibiting insurance companies from cancelling policies when a person gets sick; providing a \$250 rebate for all Medicare Part D enrollees who enter the "donut hole;" giving immediate access to coverage for people with pre-existing conditions; and eliminating

lifetime and annual coverage limits.

Rail Safety

In 2004 and 2005, the Teamster Rail Conference surveyed thousands of members of the BLEET and the BMWED in order to gain insight into the day-to-day realities of security preparedness on our nation's railroads from the perspective of front line workers. The results were published in September 2005 in a report entitled "High Alert: Workers Warn of Security Gaps on Nation's Railroads."

In late 2008 and 2009 the Rail Conference, in conjunction with the IBT Capital Strategies Department, conducted a follow-up to the original study by once again surveying BLEET and BMWED members by asking identical questions to determine if, in the intervening five years, effective steps have been taken to address the security gaps revealed in the 2005 report. The 7,280 surveys completed by the members evaluated the safety and security measures in place on any one workday during the survey period.

The Teamsters Rail Conference has compiled the newly found results in a report that highlights those findings. The new report is titled "High Alert Safe Rails/Secure America 2." The results continue to warn of alarming and dangerous security gaps on our nation's railroads.

On April 15, 2010, representatives from the IBT, the Teamster Rail Conference, the BMWED and the BLEET, met with representatives of the Association of American Railroads (AAR) and security representatives of the seven (7) Class I railroads, and a representative from Amtrak to brief

them on the results of the "High Alert 2" survey.

On April 22, 2010, copies of the report were distributed to the office of the Secretary of Transportation Ray LaHood; and, senior officials of the Federal Railroad Administration and the Transportation Security Administration. A meeting was requested with these agencies so that they too can receive the same presentation as the carriers.

During the week of April 26, 2010, Legislative Directors Steve Stearn (MD) and Gregory Marston (VA) delivered copies of the "High Alert 2" report

to leadership and staff of the Senate Committee on Homeland Security and Governmental Affairs, the Senate Committee of Commerce, Science and Transportation; and, to the House Committee on Homeland Security and the House Committee on Transportation and Infrastructure. The Teamster Rail Conference made an offer to present members of these committees with a briefing on the report at their requests.

STB Reauthorization Act of 2009

Although no major action has occurred since mid-December 2009 on the reauthorization bill (S 2889) this bill is still a high priority for the Senate Commerce, Science and Transportation Committee (SCC) that has already approved a major overhaul of the Surface Transportation Board (STB). S. 2889 would update federal rail transportation policy to reflect changes in the industry occurring since the Staggers Railroad Act of 1980, which was responsible for deregulating much of the industry.

The bill calls for more competitiveness and closely deals with shipper's concerns about covetous pricing and practices. Additionally, this legislation would allow the STB to become a fully independent agency and would no longer have to be under the Department of Transportation's jurisdiction. The STB would then be allowed to investigate rail practices on its own initiative, a reversal from current practices, which allow investigations only after a formal complaint. The board would expand from three to five members; direct the STB Office of Public Assistance, Governmental Affairs, and Compliance to assist shippers with complaints about railroad service and rates; and create a "Rail Customer Advocate" to help rail customers resolve service and rate issues.

This measure allows for certain rate and practice disputes to be resolved by an arbitrator, and it would expand access to expedited review for complaints over rates charged by large railroad companies.

As of March 2010, the SCC continued to meet with Sen. Herb Kohl's (D-Wis.) staff on the still-to-be-inserted antitrust provision. Rail and shipper advocates also continued negotiations on some of the remaining points where controversy still exists, including how passage of this bill would affect all future decisions and precedents. The House has not yet taken a position on this bill.

According to Progressive Railroading, carriers now have some options that they did not have one year ago.

High-Speed Rail

The Federal Railroad Administration (FRA) announced on March 31, 2010 that it would begin accepting state applications for \$115 million in planning and construction project funds for high-speed intercity passenger rail. Applications and proposals are due back by May 19. Selection announcements will be made during the summer.



Director of Government Affairs
Leon Fenhaus



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