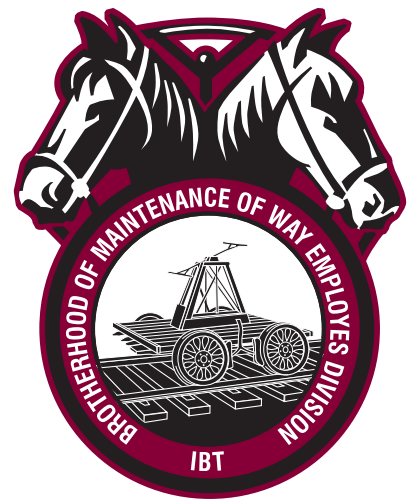


BMWED

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

JOURNAL



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November/December 2005

Brotherhood Delivers Hurricane Relief to Gulf Coast Members *Unprecedented Effort Provides Aid and Assistance*

In the three months following Hurricane Katrina's devastating attack on the Gulf Coast, Brother Tim McCall, BMWED's Director of Organizing, has been a very busy man.

Following President Simpson's emergency session with the National Division Executive Board in the early days of September, Brother McCall was given the daunting task of coordinating the BMWED's Disaster Relief effort in the region, where over five hundred members and their families were affected by the storm.

An initial ground team, comprised of National Division Officers and Staff, System Federation Officers, State Legislative Directors, and BMWED retirees, was promptly assembled and dispatched to the region on September 10. Their objectives were to locate every member, assist them in communicating with loved ones and employers, assure that each one had found adequate temporary shelter, quickly distribute BMWED emergency aid to qualifying members, and help those in need with their applications for IBT Disaster Relief, American Red Cross, and FEMA funds.

In the days that followed, two and three man teams fanned out from Gulf

Shores, Alabama to key locations across the tri-state area of Alabama, Mississippi, and Louisiana.

Along the way, as local members, in addition to members who had been brought in from all over the country to help rebuild the railroad lines, were interviewed, the stories behind "the story" began to emerge. As one team member said, "The scope of this disaster can be seen in the eyes and on the faces of the members who are working here (New Orleans) to rebuild the railroads. You can tell, just by looking at them, that they have seen things that no one should ever have to see."

And yet, these proud and dedicated members returned to work each day, every shift, to struggle through another long day or night to rebuild the railroad. They knew that they were helping to make a difference in the lives of the people who live here and depend on the jobs and services these rail lines provide. Brother McCall said, "To me, these men are the real heroes and, as a member of this Brotherhood, it makes me proud to be able to stand here with them."

Brother Steve Gill, of Bay St. Louis, Mississippi, exemplifies the pride and dedication of BMWED members in the



BMWED Disaster Relief Team with Teamster Genral President Hoffa and BMWED President Simpson.

storm-ravaged region. Brother Gill and his family had returned home to find everything they owned destroyed by the storm. Brother Gill told of the buildings on his land having been consumed by a twenty foot wall of salt water which devastated everything in its wake.

Brother Gill, like too many other citizens in the affected areas, described how his home owner's and flood insurance companies were already denying his claims, insisting that the damage was covered under the other's policy. In spite of these difficulties, Brother Gill tried to keep things in perspective. Gill said, "I may have lost all of my possessions, but I didn't lose anything that was truly important to me. My wife, my children, and my grandchildren are all OK. They are the ones that mean the most to me. I've got my health and I'm going to work every day. As for the insurance companies, I'll let them battle it out in court. As for me, I already have everything I need to be happy." Following this, Brother Gill thanked the team and the members of BMWED for their concern and assistance. Then, with a determined smile on his face, he headed off to his job as a bridge tender.

As the mission progressed, the ground team was joined in Gulf Port,

Louisiana by Teamster's General President Hoffa and BMWED President Simpson to view, first hand, the devastation in the region and assist with the membership relief efforts.

Just as the relief effort was really coming together, the region was struck by yet another storm, Hurricane Rita. Brother McCall was given the task of expanding the relief efforts to include portions of western Louisiana and eastern Texas and an estimated additional two hundred members. Suddenly, towns like Lake Charles, Louisiana, which had been a safe and secure command center for the ground teams, became disaster sites.

It was in Lake Charles where Brother McCall recalls experiencing one of many emotionally uplifting moments. "While I was there, taking applications and providing BMWED-sponsored aid, I overheard a group of five BMWED brothers make a pact with each other. The commitment each gave to the others was that they would combine their efforts, as a team of five, to help one another clean up their property and rebuild their homes, one at a time." This "Habitat for Humanity" type of approach to their rebuilding efforts shows how the union ideal of "an injury

See Relief on Page 9



Homes and debris foul CSX tracks in Waveland, MS.



BMWED Member Killed in Adjacent Track Incident

Brotherhood Files Petition for Emergency Order at FRA

On October 5, 2005, Brother William F. Halte, Jr. of Rapid City, SD was struck and killed by a west-bound train passing his work crew on the adjacent #1 main line track near Laramie, WY. Brother Halte was 55 years old with 28 years of service. At the time of his death he was a tamper operator for the Union Pacific Railroad. He was a member of Union Pacific System Division Local 0899.

Our thoughts and prayers go out to his family, friends, and loved ones whose lives were touched by his short time on this earth. He will be missed by all who knew him.

Brotherhood Petitions FRA for Mandatory Adjacent Track Protection

In response to the tragic death of Brother Halte, BMWED filed a Petition for Emergency Order requesting the Federal Railroad Administration to "address the critical safety issue of adjacent track protection" by issuance of an Emergency Order mandating that "all roadway work groups be provided with train approach warning" to protect

against adjacent track movements. Specifically, BMWED requested an Emergency Order to amend Section 214.335(c) of the Roadway Worker Protection regulations as follows:

Section 214.335(c): Roadway work groups ~~engaged in large-scale maintenance or construction~~ shall be provided with train approach warning in accordance with §214.329 for movements on adjacent tracks that are not included within working limits and **each time trains are cleared through working limits on an adjacent track by the Employee in Charge.** (Proposed new language in bold; proposed deleted language struck through.)

President Freddie Simpson filed the October 7, 2005 petition with FRA Administrator Joseph H. Boardman, stating, "This tragic accident is hauntingly similar to several other adjacent track fatalities which have occurred since promulgation of the Roadway Worker Regulations in 1997." Simpson pointed out that this was the third time since 1999 that the BMWED filed a Petition for Emergency Order

to "rectify the life-threatening deficiencies in the application of Roadway Worker Protection as it relates to adjacent track protection." BMWED filed similar petitions on December 21, 1999 and November 7, 2003 after three other BMWED members were struck by trains in separate incidents on August 4, 1999, November 9, 1999, and October 30, 2003.

In his letter to Administrator Boardman, Simpson said, "It is clear to BMWED that, in the current operational environment, safety has taken a back seat to productivity and profits. It is clear to BMWED that the provisions of Roadway Worker Protection, when applied in conjunction with carrier operating rules, are insufficient to prevent the continuing carnage from adjacent track movements. And it is clear to

BMWED that the industry continues its refusal to voluntarily address this long standing safety problem. The abysmal record of adjacent track protection within the industry, particularly on GCOR roads, requires immediate steps to put an end to preventable death and injury."

BMWED will report to the membership, via the Journal, FRA's determination granting or denying our Petition. In a parallel effort, BMWED has proposed similar language to the carriers as a basis for a consensus recommendation to the FRA. As of this writing, the carriers have outright rejected BMWED's proposal to provide a minimum 15 seconds advance warning, via watchman/lookout, to protect all roadway workers from movements on adjacent tracks.

High Alert:

Workers Warn of Security Gaps on the Nation's Railroads

On September 29, 2005, the Teamsters Rail Conference released its report entitled "High Alert: Workers Warn of Security Gaps on the Nation's Railroads." The report provides the only known worker-generated study of day-to-day security measures in place on U.S. railroads. Rail workers' experience on the frontlines reveals that rail carriers have done little to improve security in the face of a clear and present danger.

Completed by members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) and the Brotherhood of Maintenance of Way Employees Division (BMWED) employed on the nation's Class I, regional, short-line and commuter railroads, the workers' survey responses reveal a disturbing picture.

Rail workers evaluated safety and security measures in place on any one workday during the survey period. Members from 46 states and employed by 34 railroads (more than two-thirds of the responses regarding the nation's top four carriers), completed 4,034 surveys.

Despite warnings from the FBI that the rail network is a likely target of al Qaeda, workers' responses reveal a network where security efforts have largely been left to the discretion of rail corporations, whose primary interests appear to be guarding profit margins – not people. In the wake of 9/11 and more recent bombing attacks in Madrid and London, the nation's elected officials and law enforcement agencies are only beginning to understand the vulnerability of the nation's rail network to terrorism.

In the Safe Rails/Secure America Survey, part of a broader effort to

strengthen safety and improve security along the nation's 230,000 miles of track, workers report:

- A disturbing lack of security along the railroad tracks and in rail yards across the country;
- Rail corporations' growing dependence on remote control technology to replace experienced engineers, the "eyes and ears" in the event of a crisis – even when freight trains are carrying hazardous materials;
- Minimal security training for employees who have been warned that they could be the target of a terrorist attack; and
- A startling disinterest by rail corporations in improving security along the rails at points of vulnerability, including locomotives, tracks, bridges and tunnels.

High Alert: Workers Warn of Security Gaps on the Nation's Railroads provides basic, common-sense recommendations for ensuring that the employees who work on the nation's railroads and the residents who live near them are indeed safe and secure.

President Simpson thanked all the members of BMWED and BLET for their participation in the survey. "I want to thank the membership for their active participation in this effort. Without their input, this report could not have been developed. Congress has taken notice to what the workers on the front lines have to say about the state of safety and security on our nation's railroads. This report is primary evidence that more must be done to protect America's rail network and railroad employees from security threats." A copy of the report is posted on the BMWED webpage at www.bmwe.org.

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Around the Brotherhood

FRA issues Emergency Order Governing Hand-Thrown Switches

Citing a number of recent high profile train accidents in non-signalized "dark territory," FRA issued Emergency Order No. 24 requiring special handling, instructions, and testing on railroad operating rules pertaining to hand-operated main line switches.

Emergency Order 24 is applicable to all railroads and their employees, including employees of a contractor to a railroad, who operate hand-thrown main line switches in non-signalized territory and those who dispatch non-signal territory. The Order mandates that each employee "shall be instructed on this Emergency Order and the railroad's operating rules relating to the operation of hand-thrown main line switches in non-signalized territory." The subject matter of the instruction required by FRA include: The operation of main line switches; the position of main line switches; restoring main track switches to their normal position; securing (locking) main line switches; correspondence of switch targets to switch position, clearing the limits of main track authority; job briefings; and Switch Position Awareness Forms (SPAF).

Under the Order, no employee is permitted to operate or verify the position of a hand-operated main track switch in non-signalized territory unless that person is qualified on the railroad's operating rules relating to switch operations. Employees are held individually responsible for the proper operation of switches and restoration back to normal position after use.

Employees must visually ensure that hand-operated main track switches are properly lined for the intended route, that the switch points fit properly, and that the switch target, if so equipped, corresponds with the switch position.

Before releasing track authority, the Order requires employees to report the position of all switches handled to the train dispatcher. Employees must also record such switch positions on a SPAF. The SPAF must be retained for a period of 5 days and made available to representative of FRA upon request. FRA has clarified for BMWED that an employee responsible for on-track safety, e.g., an Employee in Charge (EIC), may complete and maintain the SPAF for all employees working under the jurisdiction of the EIC.

"While we applaud the FRA for taking action, this is but a baby step in the right direction," said John Murphy, Director of the Teamster's Rail Conference. "This is a stop-gap measure at best that fails to address the root cause of these preventable accidents. Until the FRA affirmatively addresses the inherent deficiencies of non-monitored switches in dark territory, and the issues of crew fatigue, work/rest schedules, manpower shortages and operating rule deficiencies,

the problem will not be solved. FRA can not fix these problems by imposing exorbitant civil penalties against rail workers. The fix requires amendments to the carriers' operating rules and work rules which are the root cause of virtually all dark-territory accidents."

Under FRA regulations, violation of Emergency Order 24 subjects the person committing the violation to civil penalties of up to \$27,000.00. Emergency Order 24 was published in the October 24, 2005 edition of the Federal Register under Docket No. FRA 2005-22796, Notice # 1.

Nortrak-Birmingham Members Receive Training

On October 18 & 19, BMWED and IBT conducted joint training for Nortrak-Birmingham shop stewards and bargaining committee members in Fultondale, AL. The training addressed issues such as the rights of members under the National Labor Relations Act, the rights and responsibilities of shop stewards, and collective bargaining under the Act. The two day program was run twice each day to accommodate both day shift and night shift workers employed at the plant.

Southern System Federation General Chairman Gary Cox and BMWED Organizer Tim McCall spearheaded the organizing drive at Nortrak-Birmingham. The Birmingham plant is the second Nortrak facility organized by the BMWED. The Nortrak-Birmingham members formed Southern System Federation Lodge 2934 upon certification of the representation election by the National Labor Relations Board (NLRB).

When asked why the members chose BMWED, Shop Steward Marvin Goldsby, Jr. pointed to unfair treatment, disciplinary issues, and the need for better wages and benefits as some of the issues that lead to the 75% margin of victory in the NLRB certified election. "I'm glad we are Teamsters. The IBT/BMWED really stepped up to the plate and has stood with us the whole way. Now, we will work together towards a first contract and begin the next chapter in our future at Nortrak as strong and proud union members."

VAE Nortrak operates plants in Cheyenne, WY, Birmingham, AL, and at other North American locations. Nortrak manufactures and fabricates railroad track components and supplies including switch points, stock rails, frogs, switch plates, guard rails, track and switch panels, etc. These prefabricated track components are then sold to the North American railroad industry.

Approximately 100 members employed at the Birmingham plants make up the bargaining unit organized by the BMWED/IBT. The bargaining unit certified by the National Labor Relations Board includes "All full-time and regular part-time hourly paid pro-

duction and maintenance, shipping and receiving, and lead employees working at the Tarrant, AL and Irondale, AL facilities, but excluding quality control employees, supervisors, office clericals, guards, professionals, and all other salaried employees."

FRA Issues CWR Rules

On November 2, 2005 FRA issues an Interim Final Rule amending the Federal Track Safety Standards to "improve the inspection of rail joints in continuous welded rail (CWR)." The interim final rule requires track owners to develop and implement a procedure for the detailed inspection of rail joint in CWR and also requires track owners to keep records of those inspections.

The rule became effective on December 2, 2005 and will require railroads to conduct periodic and special on-foot inspections of CWR rail joints. The joint inspections will not be limited only to the identification of joint bar cracks but, rather, the inspections must also address other conditions that can lead to joint bar cracks. Thus, track owners will be required to inspect all safety-critical aspects of joints, including any indications of potential failure of the joint itself; any indication of potential failure of any components of the joint (e.g., rails, bolts, supporting crossties, and track fasteners); and the track itself in the vicinity of the joint including the effectiveness of rail anchors or other devices for restraint of longitudinal movement of the rail. In requiring such comprehensive joint inspections, FRA stated, "In doing this, railroads will address the root of the problem - i.e., preventing cracks from developing - rather than merely reacting to cracks after they have developed."

At the time of this writing, the BMWED Department of Safety was reviewing the Interim Final Rule and will submit comments to the docket on various aspects of the rule. The Interim Final Rule may be viewed at the FRA website at www.fra.dot.gov or by reviewing the November 2, 2005 edition of the Federal Register, Docket No. FRA 2005-22522.

Amtrak Fires President Gunn

Amtrak's Board fired President David Gunn on November 9, 2005 nearly a week after a Government Accountability Office (GAO) investigation revealed management problems with the rail service. David Hughes, Amtrak's Chief Engineer was named acting president and chief executive until a permanent replacement is found.

Amtrak's Board is appointed by the President of the United States. President Bush appointed all current Board members. President Bush has zero-funded Amtrak in his fiscal year 2006 budget and many believe Gunn's firing was based upon his opposition to Bush's plan to split off the Northeast

Corridor into a separate subsidiary.

According to the Washington Post, "Gunn described the administration's plan as being designed by policy wonks and politicians." Gunn said that "The administration intends to dismantle the railroad, and that they (the administration) have a very different vision for the place. Zero funding, bankruptcy and break it up."

As this edition of the Journal went to print, lawmakers settled on \$1.31 billion for Amtrak for fiscal year 2006, roughly splitting the difference between the Amtrak figures in the Senate and House versions. It was reported that lawmakers were still negotiating provisions related to the operation of the railroad.

Rail Conference Exposition

On October 25, 2005 the BMWED's Safety and Communication departments proudly participated in the 2nd annual Locomotive Engineers Exposition at Union Station in Washington, DC.

The exposition allowed railroad employees of all crafts to come into the station and collect information from representatives of the Teamsters Rail Conference (BMWED/BLET), Amtrak Management, the Moody Law Firm (FELA), the Department of Transportation, the Railroad Retirement Board, Amtrak's Employee Assistance agencies, the American Cancer Society, BR&CF, LE&CMPA, Allstate, the Vanguard group, and others.

Over 250 railroad employees attended this year's event. The basic goals of the exposition were to enhance cooperation and understanding between members of the Teamster's Rail Conference and provide participants an opportunity to network and share information on industry trends, operational practices, safety, health, family welfare, and regulatory issues affecting rail union members.

The chief organizer of this informational event was BLET Brother Herbert Harris, Chairman of the D.C. Legislative Board. "It far exceeded our expectations," said Harris, "and everyone, regardless of craft or affiliation, benefited from the event. We are looking forward to making next year's exposition, with continued BMWED participation, even bigger and better than this year's."

T&I Railroad Subcommittee Slams Amtrak Board

On November 15, 2005, Danny Gates, BMWED Director of Government Affairs, and numerous other members of the Teamsters Rail Conference, attended a hearing of the Subcommittee on Railroads of the House Transportation and Infrastructure Committee regarding the Amtrak Board's firing of Amtrak President David L. Gunn on November 9th.

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PRESIDENT'S PERSPECTIVE



Freddie N. Simpson

As 2005 comes to a close, I want to take this opportunity to reflect on some of the major events of the past year, and some of the major decisions we have made together as a Brotherhood to protect Maintenance of Way Employees from an unrelenting assault by management and its allies in the Bush Administration.

The inauguration of President Bush for a second term on January 20, 2005 was, by far, the most significant event affecting American working families now and into the immediate future. The pro-business, anti-labor policies of the Bush Administration are at the heart of the growing economic disparity between the

haves and the have-nots, the outsourcing of good jobs, the rapid disappearance of the hourly-wage middle class, and unbridled corporate greed. In today's environment, the struggles of Organized Labor are the struggles of all working people, and; as Organized Labor goes, so goes the hopes and dreams of working America. The BMWED, as part of the Teamsters, has joined in the historic "Change to Win" coalition to reverse these ominous trends. The core motivation of "Change to Win" is that unions must organize the unorganized to increase Labor's clout both politically and economically.

As you know, BMWED has been in national negotiations with the "Big Four" Class I carriers – CSX, NS, BNSF and UP — since January 1, 2005. To date, the carriers have not made any movement, or expressed any desire, to reach a voluntary good-faith agreement that recognizes the substantial contributions of its unionized workforce to the record profits being made by these carriers. Rather, the carriers continue to put off any real negotiations and continue to seek the replacement of the very people that have generated their record corporate profits.

The railroads continue their attempts to divide and whipsaw Rail Labor, and they continue to demand unwarranted concessions from workers of all rail crafts. It is abundantly clear that the carriers' chief negotiator, Bob Allen, is pushing to implement the carriers' pre-conceived strategy of using their political connections to force government intervention through a Bush-appointed Emergency Board as an end-game to avoid meaningful negotiations.

BMWED has not been blind to the carriers' disingenuous strategy of using "bought and paid for" political connections to divide Rail Labor and politically leverage severe hardships upon their skilled and dedicated workforce. I am proud of the fact that the membership of BMWED anticipated these carrier-inspired attacks and made the difficult decisions necessary to strengthen our ability to fight back against this onslaught of carrier greed.

On January 1, 2005, by a historic vote of the membership of our great union, we became members of the International Brotherhood of Teamsters. Together with our Brothers and Sisters from the Brotherhood of Locomotive Engineers and Trainmen, we have strengthened our position at the bargaining table and in the halls of Congress by joining together in the Teamster's Rail Conference. The Rail Conference continues to be a driving force in Rail Labor's united effort against the carriers' vicious attack on our standards of living in this round of bargaining.

Seven rail unions have formally joined together in the Rail Labor Bargaining Coalition (RLBC) for this round of national bargaining. The RLBC continues to stand united in the face of every effort by the National Carriers' Conference Committee, the carriers' bargaining coalition, to break the RLBC and force the rail unions into a "race to the bottom." The RLBC continues to receive unwavering support from the Teamster's International and their various departments. We have, and will continue, to utilize the substantial political and organizational clout

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Message from Teamsters General President Jim Hoffa

Organizing Our Priorities

Hurricanes Katrina, Rita and Wilma not only ravaged our country, they also exposed the scandal of our nation's poverty.

The tragedy in New Orleans was shameful: Needy Americans without adequate food or medicine. Unsanitary living conditions. Underprivileged citizens unable to access medical care. A federal government that was unresponsive to the plight of our nation's poor. And that was before the storm hit.

Ever since Ronald Reagan, so-called "big government" has been demonized. Tax cuts for the wealthy and a free ride for corporations are religion in Washington. Workers dealing with disappearing jobs, declining wages, no health insurance and a paycheck-to-paycheck existence get pushed aside because they don't contribute big money to political campaigns.

In the wake of the worst disaster in our nation's history, some questions

need to be asked and answered. Do we want a political system that rewards only the wealthy and neglects the working poor? Is it good for America to have the divide between the upper and lower classes grow greater every year? Why is national health care treated as a budget issue instead of a matter of human dignity?

Standing Together

Teamsters from across the country are rebuilding track, operating trains, driving trucks and delivering supplies as part of the hurricane relief effort. Others are donating money, food, clothing and volunteering their time. America is at its best when its citizens pull together during times of crisis and despair. And Teamsters have always answered the call when their nation needed them most.

The desire for respect and dignity never changes. As long as working people are underpaid, overworked or otherwise mistreated, there will be a



need for a union. I believe the dignity of American workers cannot be exported, privatized or downsized. And I don't believe the government should set up barriers to discourage working Americans from joining a union and improving their lives.

What the government and the peo-

ple of our great country need is to be better organized. Government needs to better organize its priorities—including its emergency management. And working people need organized labor like never before.

Jim Hoffa
Teamsters General President





SECRETARY-TREASURER'S REPORT



Perry K. Geller, Sr.

In an annual battle no less sure than the changing of leaves in autumn, the recurrent battle for Amtrak funding has pitted Amtrak's Congressional supporters against the ideologues in the Bush White House and on the Amtrak Board who seek the railroad's demise.

President Bush and his cabinet advisors have long sought to kill Amtrak and the nation's only national passenger rail system. They have tried every conceivable political maneuver, including proposing zero funding for Amtrak in 2006. Zero funding would result in the immediate cessation of Amtrak service, and a sell-off of its assets, including the heavily traveled Northeast Corridor between Washington, DC and Boston, MA.

But thankfully, the Congress seems to have a different take on Amtrak. Many in Congress see Amtrak as a vital public service and a key component in our nation's transportation network. They rightly see Amtrak as a viable alternative to high fuel prices and over-congested highways. As such, there are several competing House and Senate bills to fund Amtrak for fiscal year 2006 and perhaps beyond. These various funding proposals are adamantly opposed by the Bush Administration and its allies.

Caught in the middle of this ongoing battle for Amtrak's survival are the proud men and women who make the railroad run. Approximately 2,000 BMWED members show up to work every day to build, inspect, and repair the tracks, bridges, buildings, and overhead electric catenary system in the Northeast Corridor. These members work around the clock in harsh conditions to assure the safety of Amtrak passengers and the reliability of Amtrak service. And yet, it is these very workers who are targeted by the

Amtrak Board and the White House as scapegoats for poor management and insufficient funding of the railroad.

Then there is the problem of the Amtrak Board, which is really little more than a political sham and an extension of the White House's reach. All current members of the Board have been appointed by President Bush. The Board's marching orders from the White House are plain and simple: Kill Amtrak from within. In mid-November, the Amtrak Board fired Amtrak President David Gunn because he voiced opposition to the Board's plan to break up Amtrak. Gunn, who during his tenure as president demonstrated no desire to negotiate fairly with the unions, was nonetheless the only member of the current Amtrak Board with any railroad experience whatsoever. The rest of the Board is made up political hacks; lawyers, bankers, and former CEO's whose only qualifications appear to be their staunch support for President Bush and his agenda to kill Amtrak and break the unions representing Amtrak workers.

Amtrak's long-suffering workforce has not been idle in the fight to protect their jobs and the transportation mode chosen by over 25 million Americans per year. The members of the Teamsters Rail Conference — BMWED and Brotherhood of Locomotive Engineers and Trainmen (BLET) — along with other rail union members nationwide, have made thousands of calls to the White House and the Congress voicing consternation with the administration's proposals to kill this vital passenger rail service. I encourage every member to continue to call your lawmakers and ask them for a strong and long-term commitment to Amtrak and its dedicated workforce. Your efforts really do make a difference in the fight to save Amtrak, Railroad Retirement, and the jobs of 20,000 Amtrak employees.

Teamster Rail Conference members from the BMWED and the BLET have also taken the fight for Amtrak to the stations and platforms where Amtrak service is threatened with shutdown. During the week of November 14, members of the

Teamster's Rail Conference leafleted Amtrak passengers and area commuters in Newark, NJ, Philadelphia, PA, Boston, MA, and Washington, DC advising passengers that "A service disruption may be in your future." Amtrak dispatches commuter trains which use the Northeast Corridor, and BMWED's Amtrak members maintain the tracks shared by Amtrak and commuter trains in the Corridor. Therefore, a shutdown of Amtrak will likely result in a shutdown of commuter service, stranding millions of rail commuters along the nation's busy Northeast Corridor.

The leaflets advise passengers how "The Bush Administration, certain congressional representatives, Amtrak's President, and Amtrak's Board Chairman want to dismantle the Amtrak system." The leaflets also explain to passengers how Amtrak "refuses to deal fairly with Amtrak employees who have not had a contract in six years." Amtrak passengers and supporters are also asked to "contact their congressional leaders See **Report** on Page 8

Railroad Retirement Benefit Increase

Most railroad retirement annuities, like social security benefits, are scheduled to increase in January 2006 on the basis of the rise in the Consumer Price Index (CPI) during the 12 months preceding October 2005.

Cost-of-living increases are calculated in both the tier I and tier II benefits included in a railroad retirement annuity. Tier I benefits, like social security benefits, will increase by 4.1 percent, which is the percentage of the CPI rise. Tier II benefits will increase by 1.3 percent, which is 32.5 percent of the CPI rise. The vested dual benefit payments and supplemental annuities also paid by the Railroad Retirement Board are not

adjusted for the CPI rise.

In January 2006, the average regular railroad retirement employee annuity will increase \$55 a month to \$1,788 and the average of combined benefits for an employee and spouse will increase \$76 a month to \$2,501. For those aged widow(er)s eligible for an increase, the average annuity will increase \$33 a month to \$938. However, widow(er)s whose annuities are being paid under the Railroad Retirement and Survivors' Improvement Act of 2001 will not receive annual cost-of-living adjustments until their annuity amount is exceeded by the amount that would have been paid under prior law, count-

ing all interim cost-of-living increases otherwise payable. Almost 33 percent of the widow(er)s on the Board's rolls are being paid under the 2001 law.

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

vivor annuity may decrease.

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

For those beneficiaries covered by Medicare, the basic Part B premium generally deducted from monthly benefits increases from \$78.20 to \$88.50 in 2006.

In late December the Railroad Retirement Board will mail notices to all annuitants providing a breakdown of the annuity rates payable to them in January 2006.



ELECTION SUPERVISOR'S SECOND REPORT TO THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION

FINAL ELECTION RULES ISSUED

NOMINATIONS AND ELECTIONS FOR IBT CONVENTION DELEGATES BEGIN IN JANUARY 2006

KNOW YOUR RIGHTS

Final Election Rules Issued: The US District Court in New York approved the final Election Rules on November 9, 2005. The Proposed Rules have been in effect since May 1, 2005. Contact the Election Supervisor's office to get your copy of the final Election Rules, or download the Election Rules in pdf format www.ibtvote.org.

System Federation Plans: BMWED System Federations have submitted plans for the nomination of delegates and alternate delegates to the 27th International Convention in June 2006. The Office of the Election Supervisor has received 23 System Federation ("SF") plans to date and is reviewing them for compliance and completeness. As plans are approved, the Election Supervisor's website, www.ibtvote.org, will post a master calendar for every delegate election listing the date, time and place of nomination meetings, the ballot mailing date, and the date, time and place of ballot counting. The website schedule will also state, after each nomination meeting, whether a SF will have a contested election for delegate.

Check your mail for notice of your SF's nomination meeting. You will receive it as a separate piece of regular first-class mail or, in some areas, the notice may be published in the newsletter of your SF or local lodge. If you have not received a notice of a nomination meeting by mid-February, contact your SF. You can also find out the date, time and place of your SF's nomination meeting by looking for the Plan Summary posted on bulletin boards or by going to www.ibtvote.org, clicking on the "Delegate Elections" button, and then clicking on the master list of dates, times and places.

The nomination period for IBT Convention delegates and alternate delegates runs from January 1 through March 10, 2006, and the period for elections runs from February 20 through April 30, 2006.

Basic Rule For Nominations: All eligible members have the right to run for IBT convention delegate, alternate delegate and IBT international office. For the convention delegate position, you can attend your SF's meeting in person to nominate or be nominated, or you can submit nominations, seconds and candidate acceptances in writing. You can even attend in person and submit written nomination materials. In the past, candidates have made

sure they were nominated and seconded by several members to reduce the chances that they will be ruled ineligible, based on a nominator's or seconder's ineligibility.

BMWED members must be members in good standing and must also have one (1) month of continuous good standing, the month prior to the month of nomination, to run for delegate or alternate delegate. BMWED members who want to run for IBT international office must be members in good standing and must have five (5) months of continuous good standing, from January through May, 2006 in order to be eligible to be a candidate.

If you are considering running as a delegate or alternate candidate from your SF, or you intend to nominate or second a candidate, you may ask the Election Supervisor's office to review your membership dues records to determine whether you meet the eligibility standards for a candidate or nominator or seconder (see *2006 Rules*, Art. VI, § 4[a]). An eligibility request must be made in writing. If you would like the determination in advance of the nomination meeting please submit your request at least ten (10) days before the meeting. As soon as an eligibility determination is made, the Office of the Election Supervisor will forward the determination to the requester, and anyone dissatisfied with the determination may file a protest. A copy will not be forwarded to the requester's SF or any other entity. There is no requirement to check eligibility in advance, but doing that may eliminate or reduce protests after the nomination meeting.

Nominations By Writing: The *2006 Rules* allow all IBT members to submit nominations, seconds and acceptances in writing. Article II of the *2006 Rules* contains specific instructions on what to include to have a valid written nomination, second or acceptance. A written nomination or second must be submitted to your SF no later than 5:00 p.m. on the day **before** the date of the nomination meeting.

Candidate Acceptance: A nominated candidate may accept a nomination in person at the meeting, but the *2006 Rules* do not require in-person acceptances: a candidate can also accept a nomination in writing. To do that, the candidate must submit a signed acceptance to the SF General Chairman before the meeting or instruct a person who will attend the meeting to submit it to the individual conducting the nomination process **before** the close of nomi-

nations. Written nominations, seconds and acceptances can be delivered in person, by mail, by express delivery, or by fax transmission as long as they are received by the deadlines stated above.

Political and Campaigning Rights: All union members have the right to campaign actively for delegate and alternate delegate candidates and candidates for IBT international office, without fear of reprisal or retaliation. Eligible members have the right to run as a delegate or international officer candidate, even if they do not now hold any union office. Candidates have the right to communicate freely with members about their candidacy and to distribute campaign literature and information. A candidate for delegate or alternate delegate has the following rights.

1) The right to obtain copies of worksites list where all members of the SF work.

2) The right to request that campaign literature be mailed to all or a portion of the SF's membership, using the SF's current mailing list. The candidate must pay for the cost of the mailing, and the SF can require payment in advance.

3) The right to inspect and make notes from the collective bargaining agreements covering SF members.

4) The right to request the local lodges within your SF display your campaign literature on literature tables during monthly lodge meetings.

5) The right to purchase space for candidate campaign literature in a SF newspaper or newsletter (if the SF has allowed paid advertising in the newspaper or newsletter).

6) The right to inspect, once within thirty (30) days of the delegate election, a membership list of all SF members eligible to participate in the election.

For more detailed information about your political and campaigning rights and additional rights you may have if you choose to run for IBT international office, refer to Article VII of the *2006 Rules*.

Up to-date information for both the Election Supervisor's headquarters and the Regional Directors may be found at www.ibtvote.org.

Richard W. Mark
Election Supervisor

Blame the Local Chairman

By W. A. Gilbert,
Chairman, District No. 6
M-K-T System Division

If your district's on the bum;
Blame the Local Chairman.
If your members will not come;
Blame the Local Chairman.
Don't take hold and do your part;
Don't help give the thing a start.
Show 'em all that you are smart;
Blame the Local Chairman.

If the programs are a frost;
Blame the Local Chairman.
Don't help put the thing across;
Blame the Local Chairman.
If things don't go as you like;
Threaten to go on strike.
Don't help, for the love of Mike;
Blame the Local chairman.

When you get a bill for dues;
Blame the Local Chairman.
When you're asked to help - refuse;
Blame the Local Chairman.
Let him do it - he gets paid;
Why should he be seeking aid?
That is why his job is made;
Blame the Local Chairman.

Excerpt from *BMWE Journal* -
February 1939

Centenarians

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

Emilio Rodriguez

A Houston, Texas resident, Brother Rodriguez celebrated his 100th birthday on September 25, 2005. He last worked for the Texas & New Orleans Railroad, where he retired as a Laborer.

Gerritt DeYoung

A West Chicago, Illinois resident, Brother DeYoung celebrated his 100th birthday on October 1, 2005. He last worked on the Chicago, Rock Island & Pacific Railroad, where he retired as a B&B Carpenter.

Wendell S. Cummings

A North Aurora, Illinois resident, Brother Cummings celebrated his 100th birthday on October 22, 2005. He last worked on the Chicago, Burlington Northern Railway, where he retired as a Section Laborer.

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

BMWED ISSUES CONVENTION CALL

National Division Convention Set for June 19, 2006

The National Division mailed the official notice of Convention Call to all Local Lodge Secretary-Treasurers on November 4, 2005. The letter advises that, "In accordance with Article I, Section 5, of the Brotherhood of Maintenance of Way Employees Division Bylaws, the First Regular National Division Convention of our Brotherhood will convene at the Flamingo Hotel, Las Vegas, Nevada, at 9:00 a.m., Monday, June 19, 2006, 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 and to act upon such other business as may properly come before the Convention."

Representation at Convention

In accordance with the provision of Article XVIII, Section 14, Paragraph 1 of the National Division Bylaws, "Each Local Lodge in good standing shall be entitled to be represented at the National Division Convention by a delegate or alternate, or a delegate ex officio as set forth in the second paragraph of this Section. However, in the event a Local Lodge elects not to send its own member or delegate ex officio to the National Division Convention, two or more Local Lodges may elect to be represented by a delegate and alternate of another Local Lodge in the BMWED. No delegate may represent more than five hundred (500) members at the National Division Convention unless such members are all members of one Local Lodge. A delegate or alternate to the National Division Convention may represent as many Lodges as may elect him if the total membership so represented does not exceed five hundred (500) members."

Eligibility to Run for Delegate and Alternate

Article XVIII, Section 14, Paragraph 3, of the National Division Bylaws sets forth the eligibility requirements to run for delegate and alternate to the National Division Convention:

"All National Division Convention delegates or alternates shall be members in good standing of some Local Lodge in good standing with the National Division, and shall meet the eligibility requirements as set forth in paragraph 4.9 of the Merger Agreement, and be a member in good standing to May 1 of the Convention year."

Retired Local Lodge Secretary-Treasurers holding such office under the provisions of paragraph 4.11 of the merger agreement are not eligible to run for delegate or alternate delegate. Retired state legislative directors holding such office, and all other BMWED retirees (i.e., those not "actively employed at the craft" as required

under Article II, Section 4(a)(1) of the IBT Constitution), are also not eligible to run for delegate or alternate delegate.

Conduct of Delegate and Alternate Election

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. All members in good standing of the Local Lodge must be given at least fifteen (15) days advance notice in writing at their last known addresses of the date, time and place at which elections shall be held. The National Division Secretary-Treasurer must 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. The alternate will take the place of the delegate in case the delegate is unable to serve.

Only members in good standing are entitled to vote in the election of a delegate or alternate to the National Division Convention. Retired Local Lodge Secretary-Treasurers holding such office and paying full dues under the provisions of paragraph 4.11 of the merger agreement are also entitled to nominate, second, and vote in the election of delegate and alternate to the National Division Convention.

Retired members who are paying full dues, retiree dues of \$16.00 per year, or National Division dues to protect their death benefit, are not eligible to vote in Lodge elections. Members who have secured a Withdrawal Card after leaving the service of the railroad, being promoted to an official and/or excepted position with the railroad or transferring to another craft, or who are considered an agency or objector fee payer, are not eligible to participate in the election of a delegate or alternate to the National Division Convention even if they are paying full dues.

Credentials will be issued to all Local Lodge Secretary-Treasurers prior to January 1, 2006. Delegates and Alternate Delegates must be elected by secret ballot. This is a requirement of both the BMWED bylaws and the Labor-Management Reporting and Disclosure Act of 1959, and must be adhered to.

Article XVIII, Section 6, Paragraph 3, of the National Division Bylaws provides that five (5) members in good standing constitute a quorum for the purpose of transacting Lodge business. Thus, if there are not five (5) members in good standing present at the Lodge meeting which has been designated to elect a delegate and alternate to the National Division Convention, it will be necessary to reschedule the election due to the fact that a quorum was not

present.

Delegate Voting Strength

In accordance with Article XVIII, Section 14, Paragraph 7 of the National Division Bylaws, "Representative votes for each delegate shall be determined in accordance with National Division records twenty (20) days prior to the opening of the Convention, and shall reflect all members in good standing as of May 1 of that year. No votes shall be added and no duplicate credentials shall be accepted after twenty (20) days prior to the opening of the Convention," i.e., May 30, 2006.

Bylaw Amendment

Article XX, Section 1, of the National Division Bylaws, provides that all proposals to alter or amend the National Division Bylaws which are printed in the BMWED JOURNAL thirty (30) days before the day the Convention begins, may be enacted by a majority vote of the delegates assembled at the National Division Convention. Therefore,

Around the Brotherhood Continued from Page 3

Amtrak was represented in the standing-room-only hearing room by D. Laney and J. Rosen, who are two of the four board members (three positions are as yet unfilled by President Bush) and the interim President of Amtrak, D. Hughes. Mr. Gunn was also present. Amtrak board members Sosa and Hall refused the committee's request to attend.

Following the opening statements by all of the committee members present, in which only one member showed favor for the Board's decision, the witnesses (Laney, Rosen, Hughes, and Gunn) were sworn in and the committee began their individual inquiries into the Board's "irresponsible behavior."

One by one, the committee members openly showed their disappointment for the board's action by grilling Laney and Rosen regarding Gunn's surprising dismissal. Laney and Rosen, all the while, refused to answer direct questions with direct answers. Representative Corrine Brown (D-FL) remarked, "It's impossible to get a straight answer from you guys. All you lawyers (Laney/Rosen) can give is lawyer answers. You don't know how to say Yes or No to a direct question." Only Representative Mica (R-FL) used his time to show support for the Board and for its execution (implied) of President Bush's plan to dismantle Amtrak.

Representative Robert Menendez (D-NJ) expressed what appeared to be the feeling of the vast majority of the committee members present in his statement in which he says, "Mr. Laney, Mr. Rosen, I'll be very blunt here: I don't trust you. And, I don't think this Congress can trust you. . . . It has

to comply with this requirement, all proposed amendments to the National Division Bylaws that are to be published in the BMWED JOURNAL must reach the National Division not later than March 30, 2006. In the case of proposed amendments to the National Division Bylaws which are not published in the BMWED JOURNAL, the approval of three-fourths of the delegates is necessary for their adoption.

All proposals to amend the National Division Bylaws and all resolutions should be mailed to the National Division President.

A copy of the official Convention Call was sent to all National Division and System Officers, National Division Appointees, State Legislative Directors and Local Lodge Presidents in the United States. These published excerpts of the Convention Call are intended to serve as official notice to all members of the BMWED. Any questions should be directed to your General Chairman or your Local Lodge Secretary-Treasurer.

become abundantly clear that this Board's lack of experience in running a railroad is matched only by its lack of commitment to preserving rail service for both the intercity and commuter riders who depend on it."

Following the hearing, Director Gates commented, "This hearing was long overdue. It should have happened during Bush's first term. Amtrak's board has been out-of-sync with this Congress' view of the direction they want to take with passenger service in this country, and particularly in the Northeast Corridor."

Senate passes Pension Reform Legislation

On November 16, 2005 the Senate passed S. 1783, "The Pension Security and Transparency Act of 2005." The bill contains two provisions that amend the Railroad Retirement Act.

Section 902 amends section 2 of the RRA to permit a divorced spouse to become entitled to an annuity without regard to the entitlement of the railroad employee.

Section 903 amends section 5 of the RRA to add language which would provide that a portion of the employee's tier II component awarded to a former spouse pursuant to a property award will continue to be paid to the former spouse after the death of the railroad employee.

The measure is now going to the House for consideration. The House, however has been moving its own pension reform legislation, H.R. 2830, "The Pension Reform Bill," which does not contain these provisions.

The James R. Hoffa Memorial Scholarship Fund

BMWED Dependents Eligible to apply for 2006-07 Program Year

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

Application Deadline for the 2006-2007 JRH Memorial Scholarship Fund is March 31, 2006

One hundred scholarships will be awarded this program year. Applicants compete in one of the five geographic regions where the Teamster parent's local union is located.

Thirty-one of the awards total \$10,000 each. These four-year scholarships are disbursed at the rate of \$2,500 per year and are renewable annually. Sixty-nine of the awards are one-time \$1,000 grants. These scholarships are disbursed to the college or university at the beginning of the recipient's freshman year.

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

Students

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

Applicants to the program must graduate from high school during the 2005—2006 academic year. Students participating in a concurrent enrollment program, where they are attending college courses prior to completion of their high school requirements, must apply the year before they begin full-time college course work. Canadian students may apply during junior or senior matriculation year, but not both.

Teamster Parent

The applicant's Teamster parent must have been a member in good

standing during the 12 consecutive months preceding the application deadline of March 31, 2006. In addition, the Teamster parent must not have been a Teamster officer or employee during this period.

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

If the Teamster member has deposited a withdrawal card during the 12 months preceding the application deadline, he or she must have been a dues-paying member for 12 consecutive months prior to taking the withdrawal card. During both periods, the member must not have been a Teamster officer or employee and must have been a member in good standing. In cases of automatic withdrawal, the same rules apply.

If the Teamster member has transferred from one Teamster local to another during the 12 months preceding the application deadline, both memberships will be added together to obtain the required 12-month period. If there is a lapse between memberships, the procedure outline in Paragraph 3 will apply. The member must not have been an employee or an officer of either local union and must have been a member in good standing during those 12 months.

A son, daughter or grandchild of a laid-off Teamster member who has been issued an honorable withdrawal card during the three years preceding the application deadline is eligible to apply to the program. However, if the member has secured employment not covered by a Teamster contract or if during the 12 consecutive months prior to the layoff the member was a Teamster officer or employee or was suspended from local union member-

ship, the student is not eligible to apply.

Application Procedure

Applications are available from all Teamster local unions and from the Scholarship Fund. In addition, applications can be downloaded from the Teamster website (www.teamster.org).

BMWED applicants should complete the application and forward it to the Teamster parent's System Division/Federation.

The Secretary-Treasurer will complete a section of the application and forward it to the Scholarship Fund.

The Scholarship Fund must receive the application by March 31, 2006. Any applications that have not been sent from the union office will be returned to the applicant.

Application Requirements

The Academic Record *(This section is to be completed by the applicant's guidance counselor.)*

The application process requires an official copy of the student's high school transcript bearing the official school seal.

The transcript must also contain the student's rank in his or her high school class. If the class rank cannot be provided, then the student is required to submit the scores of three ATP Achievement Tests. Two of the Achievement Tests must be English Composition and Mathematics Level I or II. The third Achievement Test must be in either history or science.

ACT or SAT Scores

The applicant must submit the results from at least one of these two tests. In deciding which test to take, the applicant should consult the school he or she plans to attend. The ACT or SAT Scores must be attached or included in the high school transcript. Home-schooled students must submit SAT II scores.

Make sure you send the completed

application to your System Division/Federation.

Do not send the application directly to the Scholarship Fund or send any I.R.S. statements or W-2 forms. The Scholarship Fund will not accept these documents.

If an applicant needs additional assistance, please contact the Scholarship Fund at this address:

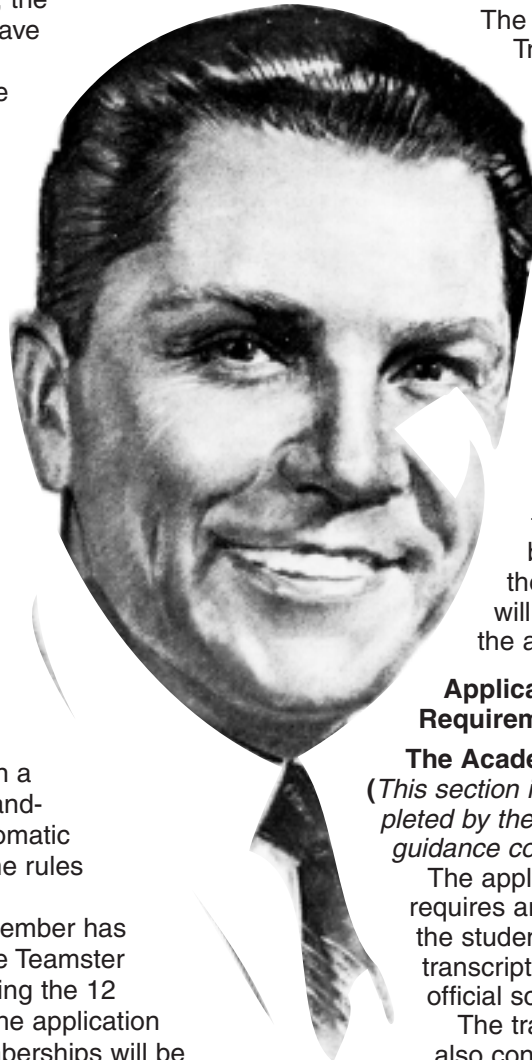
James R. Hoffa
Memorial Scholarship Fund
25 Louisiana Avenue, NW
Washington, DC 20001
Phone: (202) 624-8735
E-Mail: scholarship@teamster.org

REPORT Continued from Page 5

and tell them to fully fund our national passenger railroad and to make Amtrak management deal fairly with its dedicated unionized employees." It is estimated that well over 50,000 leaflets were distributed at the four stations targeted in mid-November. These public awareness efforts have been strongly supported by other Teamster members, the National Division, and the Teamster's International Union.

Six years without a contract is unconscionable, and we lay blame directly with the Bush Administration and the National Mediation Board for the delay. Amtrak members build and maintain a rail infrastructure which supports passenger train speeds up to 150 MPH, yet their efforts go unrewarded. They have sacrificed greatly to keep the railroad running against all odds, yet their efforts have been ignored. They have utilized their unsurpassed skills to assure safety and reliability, yet Amtrak management refuses to bargain in good faith.

It is time for the Bush Administration and the Amtrak Board to recognize the outstanding contributions of Amtrak employees. It is time for the Bush Administration and the Amtrak Board to come to the table and bargain in good faith. And it is time for the Bush Administration and the Amtrak Board to get off of their ideological bent and give the American public and Amtrak workers what they deserve: A world class passenger rail system which provides safe, fuel efficient transportation to the public, and secure well-paying jobs for those who make the railroad run.



2005 BMWED Scholarship Awarded to Brother John Nixon

BMWED is pleased to announce that the 2005 BMWED Scholarship has been awarded to Brother John R. Nixon, Local Lodge 203, Southern Pacific Atlantic Federation. Brother Nixon began his railroad career in 2004 as a Trackman on the Union Pacific Railroad. A life-long Texas resident, he quickly advanced to the positions of crane helper, truck driver, crane operator, 6-Ton truck operator, assistant foreman, and welder helper during his short but active career. He currently holds the position of Surfacing Gang Foremen.

Brother Nixon is enrolled in the degree program at the National Labor College at the George Meany Center in Silver Spring, MD. The National Labor College provides unionists the opportunity to earn a bachelor's degree in labor-related studies while

holding a full time job. He will begin his first semester in January 2006 and plans to major in Labor Safety and Health.

Brother Nixon was raised in a strong union household. His father was a Teamster driver for over 25 years and served as a shop steward at his terminal. Brother Nixon said, "I have seen first hand what the Union does for its members on the rail side as well for those outside the rail industry. Food, shelter and clothing were provided by my dad's hard work at a union company. I am proud to be union, and because of my dad's involvement in the union, I feel like I already have 25 years of experience with the Teamsters and the BMWED."

Brother Nixon first learned about the National Labor College degree program while attending the

Railworker's Hazardous Materials Training Program at the college this past summer. "I understand a more formal education will help me with the career goals I have set for myself," said Brother Nixon. "I love to be challenged and I get a great sense of satisfaction when I accomplish the goals I set for myself."

President Freddie Simpson congratulated Brother Nixon on his selection for the 2005 BMWED Scholarship. "Your recognition of the role of Organized Labor as a voice for working families is a tribute to your upbringing and your convictions. The Brotherhood has a long history of helping its members achieve the American Dream, and we are particularly proud to be able to assist you and your family with this scholarship award. On behalf of the officers and

members of the BMWED, please accept our sincere congratulations and best wishes for you academic success in all your educational endeavors," said Simpson.

Brother Nixon expressed his deep appreciation to the members of the BMWED and the Scholarship Committee for the award. "I want to thank the membership for this honor, and also wish to thank the selection committee for their confidence in me. I will use this educational opportunity to help my family, my union, and my coworkers. Thanks to everyone who played a part in giving me this great opportunity."

The BMWED Scholarship was established by the Delegates to the Brotherhood's 2002 Grand Lodge Convention to assist members and their dependents in pursuing labor-related studies.

Brotherhood Delivers Hurricane Relief to Gulf Coast Members Continued from Page 1

to one is an injury to all" had not been lost on these union Brothers.

"What did surprise me, were their ages," said McCall. "These men spoke of unity like seasoned military veterans, and yet all were in their twenties. It gave me hope, not only for the future of our Brotherhood, but for the future of our Nation. These young men, clearly, have what it takes to carry on the work of our Brotherhood, and that gives me comfort."

"Over all," said President Simpson, "it's been a very successful campaign. We've been received with appreciation and enthusiasm everywhere we've been. I know I've been changed by the whole experience. We've all helped each other in this effort. I would like to thank the National Division Officers and staff, and the System and Local Officers and staff of the Allied Eastern Federation, the Southern System Division, the AT&SF System

Federation, the Southern Pacific Atlantic Federation, the Frisco Federation, the Missouri Pacific Federation, and the Illinois Central Gulf Federation for their help and support in this effort. I would also like to thank the National Division DC office staff for their participation and support as well as the BMWED State Legislative Directors from Alabama, Mississippi, Louisiana, and Texas. My personal thanks also to Brothers Mac Fleming and Bill LaRue, who came out of retirement to join in the initial ground team's efforts."

Since its founding as a benevolent society by John Wilson in 1887, the BMWED has had a long and proud history of providing aid and assistance to its membership in times of need. Another chapter in that proud history was written by BMWED members and officers in response to the hardships caused by Hurricanes Katrina and Rita.



Alabama State Legislative Director Terry Franks provides BMWED relief information to members from the Terminal RR in Mobile, AL.



Katrina CSX Track damage in Waveland, MS.



Director of Organizing Tim McCall, second from right, discusses disaster relief aid with members in New Orleans.

BMWED Legislative Issues – 109th Congress

Amtrak FY 2006 Appropriations

On October 20 the Senate passed a \$141.6 billion fiscal 2006 Transportation-Treasury-Judiciary-HUD appropriations bill (H.R. 3058). The bill contains \$1.45 billion for Amtrak as approved by the Senate Appropriations Committee in July, and without the micro-managing sleeper-diner language. The bill now heads to conference with the House where a big point of contention will be how to fund Amtrak. The House bill appropriates \$1.18 billion for Amtrak.

Amtrak Reauthorization/Reform

Representatives of Amtrak, the Department of Transportation (DOT), the DOT Inspector General, the passenger railroad industry, rail labor and the private sector provided testimony on September 20 before the T&I Railroads Subcommittee on the need for Amtrak reform, and discussed proposals to restructure the passenger rail service. John Murphy, Director of the Teamsters Rail Conference, submitted testimony on behalf of BMWED and BLET, and joined with TCU President Bob Scardeletti who testified on behalf of the Rail Labor Division, AFL-CIO, in expressing opposition to the misguided efforts of the Administration and Amtrak to radically alter national rail

passenger service in the United States.

On September 22, two days after the above hearing, Amtrak's board of directors, made up entirely of Mr. Bush's appointees, voted to split the Northeast Corridor service into a separate subsidiary. According to news reports, the board's vote was never announced to the public, either in advance of or after it was held. News of the vote was first reported on October 12 in the newsletter of the United Rail Passenger Alliance of Jacksonville, FL, a group that favors expanding intercity passenger rail service and has been critical of Amtrak's management. The plan would require action by Congress.

BMWED supports the bipartisan bills, S. 1516, H.R. 1630 and H.R. 1631. S. 1516 would authorize Amtrak for six years, H.R. 1630 would reauthorize Amtrak for three years, at \$2 billion per year, and H.R. 1631 (RIDE-21) would provide \$60 billion in tax exempt & tax-credit bonds, federal loans and loan guarantees for high-speed rail and freight railroad infrastructure projects.

Due to the White House threat to veto the fiscal 2006 Transportation-Treasury-Housing bill (H.R. 3058) if lawmakers insist on keeping the bill's \$1.45 billion in funds for Amtrak without overhauling the system, Senator Lott offered S. 1516 as an

amendment to the Budget Reconciliation package (S. 1932) on November 3. The Senate approved the measure by a vote of 93-6. The \$12 billion bipartisan bill would reauthorize Amtrak through 2011. Of that sum, about \$3.3 billion would go toward operating the system, another \$6.3 billion would go toward grants to Amtrak and interested states for capital improvements, and \$1.6 billion would be authorized to pay back Amtrak's high-interest debt. The measure originally included a plan for the passenger rail service to use \$13 billion in bonds, but the language added to the budget bill does not include any suggestions on bonding.

Rail Security/Safety

During a Capitol Hill press conference on September 29, John Murphy, Director of the Teamsters Rail Conference, and Rick Inclima, BMWED Director of Education and Safety, released "High Alert: Workers Warn of Security Gaps on Nation's Railroads," a report based on more than 4,000 surveys completed by Class I, regional, short line and commuter railroad employees. Rail workers report that America's rail system is no better protected than before terrorist bombings in Madrid and London, despite repeated warnings from the Federal Bureau of Investigation (FBI) that trains are a like-

ly terrorist target. The report makes recommendations for a program administered by the Transportation Security Administration, and points to improvements that the rail industry can make.

Senate Commerce Committee Chairman Ted Stevens (R-AK) held a hearing on passenger and freight rail security on October 20. An AFL-CIO transportation labor leader told the committee that the lack of comprehensive, mandatory security training for rail workers is a disgrace, and that in spite of the Sept. 11 terrorist attacks and rail bombings in London and Madrid, little has been done. He endorsed major provisions in the Committee's pending rail security legislation (S. 1052), and criticized the rail industry's opposition to the provisions in S. 1052 mandating rigorous worker train programs. S. 1052 would reauthorize the Transportation Security Administration for three years at \$19.34 billion. The bill provides grants (through TSA) to Amtrak, freight railroads and others to address security needs; provides funding (through DOT) to upgrade railroad tunnels in New York, Baltimore and the District of Columbia; requires railroads to create a railroad workers security training program; and grants some enhanced whistleblower protections.

Important Information About Your Retiree UnitedHealthcare Coverage

Your current retiree health coverage is changing.

On January 1, 2006, Medicare's new prescription drug coverage will go into effect. As a result, your current plan, GA-23111 Plan D will no longer provide you with a prescription drug benefit as of that date. Only the prescription drug benefit will be discontinued from your plan; all other health benefits will remain unchanged.

Under GA-23111 Plan D, UnitedHealthcare worked with Medco Health Services to provide prescription drug services. With drug coverage under GA-23111 Plan D ending, UnitedHealthcare will no longer continue its relationship with Medco for GA-23111.

It is important to note that you may receive enrollment materials for a Medicare Part D prescription drug plan from Medco. We want you to be aware that Medco's plan is not the same as UnitedHealthcare's. If you want prescription drug coverage with UnitedHealthcare, you should return the United MedicareRx enrollment form.

Regardless of your choice for pre-

scription drug coverage, your medical and hospital benefits under GA-23111 will not be changed.

Your enrollment materials are coming soon.

You will receive enrollment materials from UnitedHealthcare within the next few weeks. If you do not receive our package, you can request one by calling our toll-free number at 1-888-556-7059 anytime from 8:00 a.m. to 8:00 p.m. EDT M-F and 8:00 a.m. to 5:00 p.m. Sat. (For those with a hearing impairment, TTY service is available at 1-877-730-4203).

You will be able to enroll in a UnitedHealthcare Medicare prescription drug plan.

UnitedHealthcare has been providing excellent, high quality service to railroad employees and retirees, and their dependents, for the past 50 years. We are pleased to continue that service now by offering you the opportunity to enroll in our Medicare-approved prescription drug plan, United MedicareRx. Your enrollment is not automatic; you must complete

and return the enrollment form which was sent to your home in October.

The United MedicareRx Plan was designed for you.

Here are some of the highlights of the United MedicareRx Medicare Prescription Drug Plan:

Co-payments as low as \$5 for generic drugs and \$28 for preferred brand name drugs.

Over 50,000 network pharmacies ready to serve you.

Convenient mail order service available.

Low monthly premium of \$23 to \$31 per person, depending on where you live.

New relationship with Walgreens and other national drug stores

For our Medicare Part D plans, UnitedHealthcare has established a new agreement with Walgreens Health Initiatives, which in turn has agreements with major national drug chains such as CVS, Rite Aid and others, in addition to Walgreens' retail pharmacies.

We look forward to continuing to

serve your prescription drug coverage needs!

If you have qualified for additional assistance for your Medicare Prescription Drug Plan costs, the amount of your premium and cost at the pharmacy will be less. Once you have enrolled in United MedicareRx, Medicare will tell us how much assistance you are receiving, and we will send you information on the amount you will pay. If you are not receiving this additional assistance, you should contact 1-800-MEDICARE (TTY/TDD users should call 1-877-486-2048), your State Medicaid Office, or the Social Security Administration at 1-800-772-1213 or at the toll-free TTY/TDD number, 1-800-325-0778, between 7 a.m. and 7 p.m., Monday through Friday, to see if you might qualify.

United MedicareRx is a Medicare Prescription Drug Plan (PDP) insured by United HealthCare Insurance Company or United HealthCare Insurance Company of New York for New York residents (together called "UnitedHealthcare"). As a PDP sponsor, UnitedHealthcare contracts with the Federal government.



UnitedHealthcare Announces Open Enrollment Under GA-23111

UnitedHealthcare has announced a special open enrollment under policy GA-23111. The open enrollment period will be held during the month of December, 2005. Enrollment is for Plan F only. Enrollments received during December will be for coverage starting January 1, 2006.

Enrollment is open to all eligible railroad retirees regardless of their state of health.

Plan F pays benefits in addition to Medicare, but does not include coverage for prescription drugs. The monthly premium for the plan is currently \$155 per month for each person enrolled.

Anyone who is interested in Plan F coverage can obtain a plan description and enrollment form by calling 1-800-809-0453.

A Reminder on Holiday Rules

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

The complete list of holidays is:

- Memorial Day
 - Fourth of July
 - Labor Day
 - Thanksgiving Day
 - Day after Thanksgiving
 - Christmas Eve (the day before Christmas is observed)
 - Christmas Day
 - New Year's Eve (the day before New Year's Eve is observed)
- For detailed information contact your General Chairman.
- New Year's Day
 - President's Day
 - Good Friday



We extend our sincere wishes to you for a safe and joyous holiday season!

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- Leon R. Fenhaus
- E. Richard Spears
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