

# ***BMW NEWS RELEASE***

## **Brotherhood of Maintenance of Way Employes**

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## **AMTRAK FORCES LABOR STRIKE OVER CONTRACTING OUT**

**December 3, 2003, Southfield, MI** — Today the Brotherhood of Maintenance of Way Employes (BMWE) initiated a strike against AMTRAK in response to AMTRAK's unlawful contracting-out of track maintenance and repair work at AMTRAK's facility at Beech Grove, Indiana.

The withdrawal of services, initiated by the BMWE, came about as the direct result of AMTRAK's heightened contravention of its collective bargaining agreement with its employees represented by the BMWE. Basic track maintenance work such as tie installation, surfacing and replacing short sections of rail at AMTRAK's Beech Grove maintenance facility has historically and unquestionably, been performed by workers represented by the BMWE.

The Collective Bargaining Agreement between AMTRAK and the BMWE specifically provides that prior to any contracting-out of work AMTRAK shall provide written notification to the union not less than fifteen (15) days in advance and that, when requested, a good faith attempt would ensue to reach an understanding between AMTRAK and the BMWE concerning any proposed contracting-out of work. At the Beech Grove facility, AMTRAK not only ignored the 15 day advance notice provision of the agreement, they failed to make any attempt at good faith bargaining concerning this matter.

"By contracting-out the basic track maintenance work at Beech Grove without providing 15 days advance notice or engaging in good-faith discussions, AMTRAK has not only violated provisions of their Collective Bargaining Agreement with us, they have violated the law by unilaterally changing and repudiating the lawful agreement between the parties" stated Perry K. Geller, Sr., General Chairman of the BMWE's Consolidated Rail System Federation (CRSF) who represents the maintenance workers at the AMTRAK facility at Beech Grove, Indiana.

Despite BMWE efforts to persuade AMTRAK to cease the contracting-out of its work and bargain in good faith, "AMTRAK has persisted with its use of contractors choosing to ignore its obligations under our Collective Bargaining Agreement thereby forcing us to exercise self help through the withdrawal of our services. We hope that AMTRAK's response to this action is a cessation of its unlawful activity and that we can resolve this matter satisfactorily, through good faith bargaining, as provided by the terms of our agreement and the law" said Geller.

BMWE represents approximately 40,000 workers in the United States and Canada who build, maintain, inspect and repair the tracks, bridges, and related railroad infrastructure throughout North America.

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