



DAILY NEWS UPDATES
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STRIKE AVERTED... FOR NOW

OBAMA APPOINTS PEB 243 TO INVESTIGATE BLET CONTRACT DISPUTE

On October 6, President Barack Obama established Emergency Board (PEB) No. 243 to investigate and make recommendations for settlement of the current disputes between the Rail Labor Bargaining Coalition (RLBC) and five other unions, and the National Carriers Conference Committee (NCCC). The Brotherhood of Locomotive Engineers and Trainmen (BLET) is one of the 6 unions that comprise the RLBC.

The PEB was empanelled effective October 7, 2011, just hours before the BLET and its members would have gone on a national strike.

In total, the 11 rail labor unions involved in the dispute represent 75 percent of all rail workers in the United States who work for major Class 1 railroads.

The five-member PEB now has 30 days to investigate the dispute and make recommendations to President Obama regarding a settlement of the contract disputes. There is another mandatory 30-day cooling off period that follows.

PEB 243 will conduct hearings in Washington, D.C., beginning

on October 13 and they are expected to last until October 20.

If the PEB recommendations fail to lead to a voluntary settlement, then the parties would be free to engage in self-help once again at the expiration of the second 30-day cooling off period, which would be December 6, 2011.

It is possible for Congress to intervene and legislatively mandate a settlement. If this is done, Congress typically would take the recommendations of the PEB and write them into law.

President Obama appointed the following individuals to the PEB: Ira F. Jaffe, Chair; Roberta Golick, Member; Joshua M. Javits, Member; Gil Vernon, Member; and Arnold M. Zack, Member.

The ongoing dispute over wages and health care benefits dates to early 2009 when negotiations began between the BLET and NCCC for a new collective bargaining agreement.

The Railway Labor Act (RLA) governs contract negotiations between the parties. The appointment of the PEB comes at the close of the mandatory 30-day cooling off period, a step in the RLA process that began on Sep-



Strike Update: BLET National President Dennis Pierce discusses strike possibilities with BLET members during the Southwestern Convention Meeting (SWCM) in El Paso on September 20.

tember 6, 2011. That's when the National Mediation Board (NMB) released the BLET and the 10 other RLBC unions from mediation with the rail carriers.

At the expiration of the cooling off period, either party could have engaged in self-help: a strike by labor or a lock-out by management, at 12:01 a.m. EDT on Friday, October 7. To that end, the BLET conducted a strike authorization vote that concluded

on October 3. An overwhelming 97 percent of BLET members voted in favor of the strike.

In his message sending the Executive Order to all General Chairmen, President Pierce said, "I know that you were all prepared to assist the National Division in leading our members in a job action had it been necessary and legal. Please remember that the attached Executive Order effectively bars us from

any form of self help until December 6, 2011. During the next 60 days, it is imperative that we continue our effort to strengthen our networks and remain vigilant to the fact that we may face circumstances similar to today's on December 6th.

"I speak for all of us here at the National Division in passing on our thanks for everyone's continued support in our efforts to bring this bargaining round to a successful conclusion."

The RLBC is comprised of: Teamsters Rail Conference members BLET and the Brotherhood of Maintenance of Way Employees Division; the Brotherhood of Railroad Signalmen; International Brotherhood of Boilermakers; National Conference of Firemen and Oilers of the Service Employees International Union; and the Sheet Metal Workers International Association.

The Brotherhood of Locomotive Engineers and Trainmen represents 55,000 professional locomotive engineers and trainmen throughout the United States. The BLET is the founding member of the Rail Conference, International Brotherhood of Teamsters. @@

PRESIDENT OBAMA'S EXECUTIVE ORDER IS AVAILABLE HERE: WWW.BLE-T.ORG/PR/PDF/PEB_EXECUTIVE_ORDER.PDF

BLET opens 76th annual SWCM

Strike a hot topic of discussion at convention

The BLET's 76th annual Southwestern Convention Meeting (SWCM) opened in El Paso, Texas, on September 20 with nearly 200 BLET members and officers in attendance.

BLET National President Dennis Pierce delivered the keynote address, giving members a brief update regarding the national strike authorization vote currently underway as a result of the impasse reached during the latest round of collective bargaining.

"The railroads' demands that our membership give concessions on health and welfare benefits when railroads are making record profits is just one more example of the war being waged against the working men and women of this country. Our members can count on one thing throughout this process," President Pierce said. "We will fight with every tool we have to protect the compensation and benefits that we have fought for decades to win."

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Color Guard: Presentation of the flags during opening ceremonies of the 76th annual SWCM in El Paso, Texas.

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BLET PRESIDENT'S MESSAGE BY DENNIS R. PIERCE

THANKS FOR JOINING THE FIGHT

This month's BLET Newsletter devotes primary coverage to our ongoing and yet to be resolved dispute with the National Carrier's Conference Committee over the current round of bargaining. As you all know, the deadline for us to have the right to exercise self help came perilously close to lapsing before President Obama signed an Executive Order on October 6th appointing a Presidential Emergency Board to hear the dispute and issue recommendations. Like all of you, the National Division was prepared to exercise self help in the form of a strike, but the Executive Order triggered additional steps of the Railway Labor Act delaying our right to do so.

Although the Carriers have given us little choice but to exercise self help when and where permissible to settle our dispute, all members should understand any decision as serious as this one must not be taken lightly. That is why it was important to poll the members on the involved railroads to determine their decision on the question of striking. As Chairman of BLET National Wage Committee, my primary objective is to reach a voluntary settlement in this bargaining round. The other members of our Team, First Vice President Lee Pruitt, Vice President Willard Knight, and General Chairmen Jim Louis, Tony Smith and Pat Williams were all in agreement on this objective. In fact, the members of the National Wage Committee have each participated in on property negotiations that led to voluntary agreements, and more importantly, to voluntary agreements that the membership have ratified. So we certainly have a team in place that can get the job done.

That has not been possible to this point, and for that reason, I asked all members to vote "Yes" on the strike authorization question, so the National Division could move forward with a clear



Just practicing: Members of the BLET's Strike Committee in Buffalo, N.Y., were ready with picket signs in the event that President Obama did not establish a President Emergency Board on October 6. These Brothers are members of the BLET's Conrail (SAA/CSX-Northern District) General Committee of Adjustment. **From left:** Tom Fay, Vice Local Chairman, Div. 382; Rich Bartela, Secretary-Treasurer, Div. 382; Greg Lund, Secretary-Treasurer, NY State Legislative Board and Conrail GCA, and Div. 421 Legislative Rep; Chris Eleccko, Vice Local Chairman and Sec.-Treas., Div. 421; Bill Nasca, Local Chairman, Div. 421 and Alternate Sec.-Treas., Conrail GCA; Pat Driscoll, Local Chairman, Div. 382, and Vice General Chairman, Conrail GCA; Mike McCrory, Vice President, Div. 382; and John Millerski, member, Div. 382. Thanks to these and the countless Brothers and Sisters who stood ready for action.

mandate. The vote also sent a message to all watching that BLET's democratic principles, which place important decision making power in the membership's hands, truly do work.

I am proud to say that we received an overwhelming response in that polling. Ninety-seven percent (97%) of those who took the time to participate voted to strike. As in any quest for voter turnout, I must thank those of you who are part of your property's Mobilization Network. This BLET network is perhaps the strongest in all of rail labor and the level of participation that BLET achieves on important issues is due in large part to your grass roots efforts to encourage your Brothers and Sisters to vote. I have often said that unionism is not a spectator sport, and I am very proud of our membership for taking the time to participate in this important vote at this even more critical point in time.

There are many reasons we are at impasse with the Carriers, in this bargaining round, and I



Strike Posters: The BLET National Division mailed thousands of picket signs to members during the last week of September.

would like to touch on just of few of them again. As you know by now, working class Americans have been under a relentless attack in the workplace for some time now. The Carrier's demands for concessions in our Health and Welfare benefits are no different. That is painfully obvious when you consider that the Carriers have never argued an inability to pay for our insurance benefits. Quite the opposite, the Carriers are making record profits. Their push for concessions is for one reason, to

increase those profits at the expense of the working class employees that BLET and the other Coalition unions represent.

This shameful push by the Carriers to make what is yours theirs comes at a time when working class Americans are under attack across the board. It started with the public sector workers, with States and municipalities using budget shortfalls to justify reducing salaries and benefits for state and city employees. Although the Carriers cannot make the same argument,

they are piggybacking on the same mentality. They insist that the employees go backwards financially, for the sole purpose of advancing their own profits. It is apparent to me that BLET and the Rail Labor Bargaining Coalition (RLBC) could have reached a voluntary settlement in this round if not for the Carrier's refusal to drop its disgraceful demand for concessions, but that has yet to happen.

I have stated since becoming BLET National President that I would not agree to the Carrier's demands for concessions, and that is why I felt compelled to ask for a yes vote on the question of striking. Now that the membership has spoken loud and clear, you can trust that BLET's position in this battle will not waiver. Although no one can predict the final outcome in this fight, to preserve our standard of living and way of life, I can guarantee you that BLET and the Teamsters Rail Conference will continue to put every ounce of our energy into the fight. For now, that energy is going into making our case to Presidential Emergency Board 243.

In the meantime, please work even harder to make your Mobilization Networks and Strike Committees stronger. Again, while our first choice is to reach a voluntary settlement, no such settlement will be reached if it includes the concessions that the Carrier's demand. If no settlement is reached or an agreement is not imposed by December 6, 2011, then BLET and the other involved rail unions will again reach the point where self help may be legal and — more importantly — necessary. I trust that you will all stand with me in union, if we reach that point, where yet again your support and participation will be vital to our success.

Fraternally,

DENNIS R. PIERCE
BLET NATIONAL PRESIDENT

“Carriers have never argued an inability to pay for our insurance benefits. Quite the opposite, the Carriers are making record profits. Their push for concessions is for one reason, to increase those profits at the expense of the working class employees that BLET and the other Coalition unions represent.”

BLET NATIONAL DIVISION ELECTRONIC COMMUNICATIONS POLICY

Official communications between BLET members and the National Division require a hard copy of the correspondence, bearing a signature, being received by the National President to be considered an “official communication.” This is to provide that the actual question(s) are addressed, and ensures that when official

interpretations are made they have reference to a specific request and can be used in future correspondence.

The volume of e-mails received makes it impossible for the National President to answer all unofficial communications. Therefore, it is the policy of the BLET that e-mails addressed to the National President will be reviewed and forwarded to

the appropriate officer or staff for a timely response; however, an e-mail message is not considered an official communication.

Moreover, anonymous e-mails and e-mails that do not provide sufficient information concerning the sender to enable National Division staff to confirm the sender's membership status will not receive any reply or acknowledgement. This poli-

cy is intended to allow the National President to be aware of the opinions and suggestions of the membership, while at the same time providing a timely response to the member's unofficial communication, if a response is necessary, without needlessly expending limited BLET resources.

ADOPTED AT CLEVELAND, OHIO ON JULY 22, 2010. ©



GENERAL PRESIDENT'S MESSAGE BY JAMES P. HOFFA

FIGHTING BACK TO REBUILD AMERICA

Itold a Labor Day crowd in Detroit that there's a war on workers – a war we didn't start, but one we intend to fight.

No one disagrees with me that a sustained, coordinated attack on workers is being waged here in the United States. They might disagree with me about a few other things, but not with that.

Rich corporations are outsourcing the jobs of long-time workers or demanding concessions as never before – just because they think they can. Corporate-backed politicians give lip service to shared sacrifice even as they balance their budgets on the backs of working families. Public sector jobs are being cut, collective bargain-

ing rights attacked and essential services slashed – sometimes to pay for corporate tax breaks.

But we're fighting back. That's what Teamsters do – we stand up for what is right.

Teamsters have marched in California, collected signatures in Ohio, rallied in the streets of New York, gone to court in Florida, stormed the Statehouse in Wisconsin, walked picket lines around the country and even driven a copy of a Maine labor mural to an art exhibit in Maryland.

This fight is about the economy, it's about jobs and it's about rebuilding America. As I said recently, we all have to vote in order to take anti-worker politicians out of office.

The jobs crisis is an American problem. It isn't President Obama's problem and it isn't a Republican or Democratic problem. All Americans need to come together to create good jobs for the good of our economy and the good of our great country.

I stand by my criticism of elected officials who are out to destroy the middle class. I will never apologize for standing up for my fellow Teamsters and all American workers.

Fraternally,

James P. Hoffa

JAMES P. HOFFA
TEAMSTERS GENERAL
PRESIDENT



66 Rich corporations are outsourcing the jobs of long-time workers or demanding concessions as never before – just because they think they can. 99

Kearsing reelected Legislative Board Chairman in New York

David Kearsing was reelected by acclamation to his first full term as Chairman of the New York State Legislative Board at quadrennial meeting in Long Island, N.Y., July 31-August 1, 2011.

Brother Kearsing is a member of BLET Division 46. He began serving as Chairman in July of 2010, filling the office vacated by Chairman James P. Louis. Brother Kearsing was elected to the office of 1st Vice Chairman in 2007.

Also reelected by acclamation during the meeting were: 1st Vice Chairman John Brodnick, Division 382; Secretary-Treasurer Greg Lund, Division 421; and Alternate Secretary-Treasurer James Libruk Jr., Division 867. Ryan McGovern, Division 11, was elected by acclamation to his first term as 2nd Vice Chairman.

BLET National President Dennis Pierce and Vice President & National Legislative Representative John Tolman addressed the assembled delegates on behalf of the BLET National Division.

"Congratulations to Brother Kearsing and all members of the New York State Legislative Board," President Pierce said. "I know they will continue doing an excellent job of representing the members in the proud state of New York."

Additional BLET guests included: Jim Louis, Conrail/CSXT Northern District General Chairman; Matt Kronyak, New Jersey State Legislative Board Chairman; Ken Kertesz, Pennsylvania



BLET officers, delegates and guests attending the quadrennial meeting of the New York State Legislative Board in Long Island, N.Y., August 1, 2011.

State Legislative Board Chairman; Vince Verna, Director of Regulatory Affairs; and Ken Kroeger, Special Representative and Coordinator of the Education and Training Department. Representing the BLET Auxiliary was Sereena Hogan, National Vice President/National Legislative Representative.

"It was an honor to have President Pierce here as well as the numer-

ous guests from throughout the Brotherhood and Auxiliary," Chairman Kearsing said. "I am grateful to the delegates for their support and look forward to working with the officers of the New York State Legislative Board."

Members elected to serve on the Executive Board include: David Stutz, Division 382; Bill Fleischman, Division 752; James Libruk, Division 867; Bri-

an Burns, Division 87; and Jeremie Carhart, Division 169.

Members elected to serve on the Audit Committee were: James Libruk, Division 867; Bill Fleischman, Division 752; and Jeremie Carhart, Division 169.

The New York State Legislative Board represents approximately 1,200 members throughout New York, including both freight and passenger lines. ©©

BLET recognizes 10th anniversary of 9-11 at EUMA convention in Long Island

The BLET's 73rd annual Eastern Union Meeting Association (EUMA) kicked off in Long Island on August 3 with a solemn memorial service to mark the 10-year anniversary of the September 11 terrorist attacks.

During the convention's opening ceremony, a memorial wreath was placed at the front of the convention hall and BLET members held a moment of silence to commemorate those who lost their lives on 9-11.

In spite of the bravery shown by union workers on that tragic day, the country's attitude towards unions has changed over the past 10 years — and not for the better.

"Union police officers and firefighters who gave their lives in the line of duty on 9-11 were considered heroes," BLET National President Dennis R. Pierce said. "Today, unfortunately, unions and union members are under attack in a national War on Workers."

During his opening remarks, President Pierce discussed legislation in Wisconsin, Ohio and other states to destroy unions by stripping away their members' collective bargaining rights. While these attacks by extremist politicians have been harmful to unions, workers have risen to the occasion and become more active than they have in decades.

"These attacks have brought people together to fight for their rights," President Pierce said. "We cannot match the financial clout of these huge corporate entities, but our persistence, dedication and political activity can help to make up for it."

His words were echoed by U.S. Representative Carolyn McCarthy (D-N.Y.), the convention's keynote speaker.

She shared a message of unity and political activism in the face of attacks against unions.

"We are Americans and we are proud of the work we do," she said. "When you go back home, please continue the fight. Continue to organize and talk to your member of Congress."

EUMA Chairman Mark Kenny (Amtrak General Chairman) opened the convention and welcomed everyone to Long Island. The members of BLET Division 269 hosted the 73rd annual EUMA, with Brother Jim Brown acting

as Arrangements Committee Chairman, and Scott Decker and John Bove acting as Arrangements Committee Co-Chairmen.

Also during opening ceremonies, BLET members heard presentations by Anita Caruso, BLET Auxiliary National President; and Margo Storsteen, BLET Division 57 and BLET Representative on the Teamsters Human Rights Commission.

During the closed meeting that followed, BLET members enjoyed a presentation by Teamsters International Vice President John Murphy, who serves as Director of the Teamsters Rail Conference. Members also heard a detailed report from National President Pierce, as well as updates from First Vice President Lee Pruitt, National Secretary-Treasurer Bill Walpert, Vice President & National Legislative Representative John Tolman, Vice President Mike Twombly, Vice President Gil Gore, Vice President Cole Davis, and Vice President Steve Bruno.

It was announced during the closed meeting that the 2012 EUMA will be held in Atlantic City, N.J., August 19-24, 2012, to be hosted by Matt Kronyak and the members of BLET Division 235. EUMA delegates also voted to hold the 2013 EUMA in Baltimore, Md., to be hosted by Fred Cox and the members of BLET Division 52.

While opening ceremonies were held on August 3, the convention began with workshops on August 2. Members participated in a workshop for Legislative Representatives, conducted by Ohio State Legislative Board Chairman Tim Hanely, and a hazardous materials training workshop conducted by Carl W. Fields, Coordinator of the BLET Safety Task Force. Many members also attended a workshop regarding the Federal Railroad Administration's new passenger rail Hours of Service regulations.

Additional workshops were held on August 5 and 6, and included training for BLET Secretary-Treasurers, Local Chairman, and a workshop regarding the BLET's Mobilization Network. @@

ADDITIONAL PHOTOS FROM THE 2011 EUMA ARE AVAILABLE HERE: WWW.FLICKR.COM/PHOTOS/BLETUNION/SETS



BLET concludes 71st annual IWC in San Luis Obispo, Calif.

Nearly 200 members and officers of the Brotherhood of Locomotive Engineers and Trainmen kicked off a week of educational meetings on August 23 during opening ceremonies of the 71st annual International Western Convention (IWC), in San Luis Obispo, Calif.

The meeting began with a ceremony to remember the BLET Brothers and Sisters who have given their lives in the performance of their duties. Tim Smith, Chairman of the California State Legislative Board, delivered the invocation and listed the names of BLET members who died during on-duty accidents

over the past 12 months.

BLET National President Dennis Pierce delivered the keynote address, focusing on the recent attacks against organized labor and updating the members on the status of national negotiations.

"Railroads are trying to piggy back on what's happening to government workers," President Pierce said. "While state governments are having trouble making ends meet, the railroads cannot make that argument. They came out of the recession with a profit."

Members also heard presentations by Mike Collins, Railroad Retirement Board; Anita Caruso, National President, BLET Auxiliary; and Sereena Hogan, Na-

tional Vice President, BLET Auxiliary.

IWC Secretary-Treasurer Jim Lance (Division 228, Pocatello, Idaho) opened the convention and welcomed everyone to California on behalf of Arrangements Chairman Mike Galvani and the members of Division 664.

The afternoon concluded with a closed meeting for BLET members, who heard detailed reports from National President Pierce; First Vice President Lee Pruitt; National Secretary-Treasurer Bill Walpert; National Vice President & National Legislative Representative John Tolman; National Vice President Mike Priester; and National Vice President Cole Davis.

Members took advantage of numerous educational workshops throughout the remainder of the week. There was a Secretary-Treasurer workshop; Local Chairman/Mock Investigation workshop; Legislative Representative workshop; two Mobilization workshops; Hazardous materials workshop; and a Trustees workshop.


It was also announced that next year's IWC will be in Billings, Mont., July 29-August 2, 2012. ©

ADDITIONAL PHOTOS FROM THE 2011 IWC ARE AVAILABLE HERE:
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76TH ANNUAL SWCM

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Larry and Becky Schneider are serving as arrangements chairs for the meeting with support from the members of BLET Division 192 (El Paso) and El Paso Area Auxiliary 591. Brother Schneider, President and Legislative Representative of Division 192, opened the convention and welcomed everyone to El Paso.

He also introduced guest speakers State Representative Joe Pickett, District 79; and Karl McElhaney, Congressional aide to U.S. Representative Silvestre Reyes (D-Texas).

Additional speakers included Anita Caruso, National President of the BLET Auxiliary; and Tim Smith, Chairman of the California State Legislative Board. Brother Smith led the assembled group in prayer to open the meeting, and later introduced a video about the history of the BLET and its importance to the livelihood of all members throughout the United States.

The afternoon session on September 20 concluded with a closed meeting for BLET members, who heard detailed reports from National President Pierce; First Vice President Lee Pruitt; National Secretary-Treasurer Bill Walpert; National Vice President & National Legislative Representative John Tolman; National Vice President Mike Twombly; National Vice President Gil Gore; and National Vice President Cole Davis.

Members participated in numerous educational workshops on September 21. There was a Secretary-Treasurer workshop; Local Chairman workshop; Legislative Representative workshop; and Health & Welfare workshop. Representatives from the Railroad Retirement Board and Federal Railroad Administration made presentations, and there was also a Post Traumatic Stress Disorder presentation. On Monday, September 19, numerous members participated in an event recorder/electronic evidence reading workshop and a mobilization workshop.

The 77th annual SWCM will be held in Galveston, Texas, September 9-13, 2012. @@

ADDITIONAL PHOTOS FROM THE 2011 SWCM ARE AVAILABLE HERE: WWW.FLICKR.COM/PHOTOS/BLETUNION/SETS



2011

Calendar & Events

October 21, 2011 U.S. Railroad Retirement Board Informational Conferences PITTSBURGH, PA., AND STEVENS POINT, WISC.

The Railroad Retirement Board offers free informational conferences to BLET officers throughout the year. Registration begins at 8 a.m. The program begins at 8:30 a.m. and ends at 12:30 p.m. In Pittsburgh at the Greater PA regional Council of Carpenters Union Hall, 650 Ridge Road. In Stevens Point at the Ramada Inn, 1501 North Point Drive.

October 28, 2011 U.S. Railroad Retirement Board Informational Conferences LITTLE ROCK, ARK., AND PHILADELPHIA, PA.

Registration begins at 8 a.m. The program begins at 8:30 a.m. and ends at 12:30 p.m. In Little Rock at the Comfort Inn & Suites, 707 Interstate 30, Cash/Campbell Banquet Room. In Philadelphia at the Sheet Metal Workers Local 19 Union Hall, 1301 S. Columbus Blvd.

November 4, 2011 U.S. Railroad Retirement Board Informational Conferences HOUSTON, TEXAS, AND MESA, ARIZ.

Registration begins at 8 a.m. The program begins at 8:30 a.m. and ends at 12:30 p.m. In Houston at the Hilton University of Houston, 4800 Calhoun. In Mesa at the Hampton Inn, 1563 S. Gilbert Rd. (U.S. 60 & Gilbert Rd.).

November 18, 2011 U.S. Railroad Retirement Board Informational Conference METAIRIE, LA.

Registration begins at 8 a.m. The program begins at 8:30 a.m. and ends at 12:30 p.m. At the Four Points by Sheraton, 6401 Veterans Memorial Blvd.

December 2, 2011 U.S. Railroad Retirement Board Informational Conference TAMPA, FLA.

Registration begins at 8 a.m. The program begins at 8:30 a.m. and ends at 12:30 p.m. At the Embassy Suites, 3705 Spectrum Blvd.

PLAN AHEAD FOR 2012!

JUNE 24-29, 2012 85th annual Southeastern Meeting Association WALT DISNEY WORLD, ORLANDO, FLA.

Chairman Earl Karper (Division 35) and Vice Chairman Mike Tanner (Division 769) are hosting the 2012 SMA at Disney. For details, visit www.sma2012.com.

JULY 29-AUGUST 1, 2012 72nd annual International Western Convention BILLINGS, MONT.

AUGUST 19-24, 2012 74th annual Eastern Union Meeting Association ATLANTIC CITY, N.J.

SEPTEMBER 9-13, 2012 77th annual Southwestern Convention Meeting GALVESTON, TEXAS

In the Line of Duty

TODD BURCKHARD

BLET MEMBER TODD BURCKHARD, 35, was killed in the line of duty on August 19 when the crew van he was riding in was involved in a collision near Frazer, Mont.

Brother Burckhard was a BNSF locomotive engineer and member of BLET Division 695 in Minot, N.D. He first joined the Brotherhood on November 1, 2010. He had about seven years of railroad experience.

Also killed in the accident was BNSF conductor Blaine Mack, 56, who had more than 36 years of service with the railroad.

The crew van driver, a contractor, was hospitalized for minor injuries. The crew

van was traveling westbound on Highway 2 when it was struck by an eastbound pickup truck operating in the westbound lane of traffic.

"This tragedy is an example of the risks our members face each and every day in crew van transportation," BLET National President Dennis Pierce said. "Our deepest sympathies go out to the Burckhard family, particularly Brother Todd's wife and two young children. This tragedy has deeply touched our BLET family in Minot and I want them to know that they are in our thoughts and prayers as well."

Brother Burckhard is survived by his wife, Corrie; children Marty and Matt-

son; parents David and Peggy Burckhard; grandparents; and several brothers and sisters.

Instead of flowers, the family asks that memorials be sent to an educational fund for Brother Burckhard's children, c/o their mother, Corrie Burckhard, 1510-12th St. SE, Minot, ND 58701.

Tragically, Brother Burckhard is the sixth BLET member killed in the line of duty thus far in 2011 (Stanley L. Watts, February 8, 2011; Thomas J. Kenney, March 23, 2011; Tom Anderson, April 17, 2011; Christopher L. Carter, May 1, 2011; and James G. Hadden, May 24, 2011). ©©

Obituaries

BLET MEMBER ROGER PEACE PASSES AWAY

LONG-TIME BLET MEMBER ROGER PEACE of BLET Division 598 (Greenville, S.C.) passed away at his home following a long illness on August 3, 2011.

Brother Peace, 59, served as Local Chairman of BLET Division 598 for several years. He was also a charter member of the BLET Locomotive Cab Committee on CSXT, and his work helped improve the working conditions for count-

less locomotive engineers and trainmen. He was the BLET's Florence Division Safety Coordinator for SENSE.

"The Brotherhood lost a good man and a dedicated Brother who will be remembered for his commitment to safety," BLET National President Dennis Pierce said. "I extend deepest sympathies to Brother Peace's family and friends."

Brother Peace is survived by his wife, Karen, and two sons: Justin (wife Christie) and Lee (wife Kari). He is also survived by his grandson Jiles, the great love and pride of his life.

Brother Peace hired out in 1973 as a fireman on the Seaboard Coast Line and earned promotion to locomotive engineer a short time later. He first joined the Brotherhood on October 1, 1973. ©©

BLET FEES OBJECTOR POLICY

1. EMPLOYEES RIGHTS

a. Any employee covered by a union or agency shop agreement in the United States has the legal right to be or remain a nonmember of the Union. Nonmembers have the legal right (1) to object to paying for Union activities not related to collective bargaining, contract administration and grievance adjustment, and to obtain a reduction in fees for such activities; (2) to be given sufficient information to intelligently decide whether to object; and (3) to be apprised of internal Union procedures for filing objections. Employees who choose to object have the right to be apprised of the percentage of the reduction, the basis for the calculation, and the right to challenge these figures.

b. To the extent permitted by law, nonmembers may not participate in Union elections as a voter or as a candidate; attend Union meetings; serve as delegates to the Convention, or participate in the selection of such delegates; or participate in the process by which collective bargaining agreements are ratified.

2. PUBLICATION OF POLICY

The fees objector policy shall be published annually in the BLET's newsletter in the month preceding the objection notice period and mailed annually to each objector. It shall also be provided to each new employee when s/he first becomes subject to a union shop agreement.

3. MAKING OBJECTION KNOWN

Objecting nonmembers shall provide notice of objection by notifying the National Secretary-Treasurer of the objection by first-class mail postmarked during the month of November preceding the calendar year to which s/he objects, or within (30) days after s/he first be-

gins paying fees and receiving notices of these procedures. The objection shall contain the objector's current home address. Nonmembers wishing to continue their objection from year to year must renew their objection each year as specified in this paragraph. Objections may only be made by individual employees. No petition objections will be honored.

4. MAJOR CATEGORIES OF CHARGEABLE EXPENSES

All objectors shall pay their fair share of expenses germane to collective bargaining including:

- a. All expenses concerning the negotiation of agreements, practices and working conditions;
- b. All expenses concerning the administration of agreements, practices and working conditions, including grievance handling, all activities related to arbitration, and discussion with employees in the craft or class (or bargaining unit) or employer representatives regarding working conditions, benefits and contract rights;
- c. Conversion expenses and other union internal governance and management expenses;
- d. Social activities and union business meeting expenses;
- e. Publication expenses to the extent coverage is related to chargeable activities;
- f. Expenses of litigation related to collective bargaining, contract administration and internal governance;
- g. Expenses for legislative and administrative agency activities to effectuate collective bargaining agreements;
- h. All expenses for the education and training of officers and staff intended to prepare the participants to better perform chargeable activities;
- i. All costs of strikes and other lawful economic actions.

5. DETERMINATION OF CHARGEABLE SHARE

The BLET shall perform an independent audit of the records of the National Division. The BLET shall determine the percentage of expenditures that fall within the categories specified in Section 4. The amount of expenditures that fall within Section 4 shall be the basis for calculating the reduced fees that must be paid by the objector. The auditing firm conducting the annual audit of the BLET National Division shall give an opinion concerning the adequacy of the escrow amounts maintained pursuant to Section 10, and later will verify the existence and the audits of money in any escrow account.

6. REPORT OF CHARGEABLE SHARE AND BASIS OF ITS CALCULATION

The BLET shall report the determination no later than September 30. This report shall include an analysis of the major categories of union expenses that are chargeable and nonchargeable. A copy of the report shall be sent to all nonmembers whose timely objections have not been revoked.

7. CHALLENGE PROCEDURE

Each person entitled to receive the BLET's report may challenge the validity of the calculations by filing an appeal with the National Secretary-Treasurer. Such appeal must be made by sending a letter to the National Secretary-Treasurer postmarked no later than October 31.

8. ARBITRATION OF CHALLENGES

a. After the close of appeals period, the National Secretary-Treasurer shall provide a list of appellants to the American Arbitration Association (AAA). All

appeals shall be consolidated. The AAA shall appoint an arbitrator pursuant to its Rules for Impartial Determination of Union Fees. The AAA shall inform the National Secretary-Treasurer and the appellant(s) of the arbitrator selected.

b. The arbitration shall commence by December 1 or as soon thereafter as the AAA can schedule the arbitration. The arbitrator shall have control over all procedural matters affecting the arbitration in order to fulfill the need for an informed and expeditious arbitration.

c. Each party to the arbitration shall bear their own costs. The appellants shall have the option of paying a pro-rata portion of the arbitrator's fees and expenses. The balance of such fees and expenses shall be paid by the BLET.

d. A court reporter shall make a transcript of all proceedings before the arbitrator. This transcript shall be the official record of the proceedings and may be purchased by the appellants. If appellants do not purchase a copy of the transcript, a copy shall be available for inspection at the National Division during normal business hours.

e. Appellants may, at their expense, be represented by counsel or other representative of choice. Appellants need not appear at the hearing and shall be permitted to file written statements with the arbitrator instead of appearing. Such statement shall be filed no later than fifteen (15) days after the transcript becomes available, but in no case more than thirty (30) days after the hearing closes.

f. Fourteen (14) days prior to the start of the first hearing, appellants shall be provided with a list of all exhibits intended to be introduced at the hearing and a list of all witnesses intended to be called, except for exhibits and witnesses that may be introduced for rebuttal. On written request

from an appellant, copies of exhibits (or in case of voluminous exhibits, summaries thereof) shall be provided to them. Additionally, copies of exhibits shall be available for inspection and copying at the hearing.

g. The National Division shall have the burden of establishing that the reduced fees set forth in the report are lawful.

h. If the arbitrator shall determine that more than one day of hearings is necessary, hearings all be scheduled to continue from day to day until completed. The parties to the appeal shall have the right to file a brief within fifteen (15) days after the transcript of the hearing is available, but in no case no more than thirty (30) days after the hearing closes. The arbitrator shall issue a decision within forty-five (45) days after the submission of post-hearing briefs or within such other reasonable period as is consistent with the rules established by the AAA.

i. The arbitrator shall give full consideration to the legal requirements limiting the amounts that objectors may be charged, and shall set forth in the decision the legal and arithmetic basis for such decision.

9. PAYMENT OF REDUCED FEES

Objectors shall pay reduced monthly fees based on the most recent report pending determination of the objection year's chargeable ratio.

10. ESCROW OF DISPUTED FUNDS

All monthly fees paid by objectors shall be placed in an interest-bearing escrow account pending final determination of the chargeable share. Escrowed funds shall be disbursed to objectors and the Union upon issuance of the arbitrator's decision or fifteen (15) days after the conclusion of the appeal period if there are no challenges to the determination.



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Photo of the Month: September 2011

V O T E

FOR THE ELECTION OF INTERNATIONAL UNION OFFICERS



BALLOTS MAILED OCTOBER 2011

**Faulkner elected
Chairman of Tennessee
State Legislative Board**

Barry J. Faulker was elected by acclamation to serve as Chairman of the Tennessee State Legislative Board at the quadrennial meeting in Nashville, Tenn., September 6-9, 2011.

Brother Faulkner is a CSX locomotive engineer and member of BLET Division 41 (Nashville, Tenn.). He also serves his Division as Secretary-Treasurer and Legislative Representative. He joined the Brotherhood on August 1, 1978, and has held continuous membership ever since. He is also the mayor of Cross Plains, Tenn., the town where he lives.

Rusty Jones, BLET Division 239 (Knoxville, Tenn.), was reelected by acclamation to continue serving as Secretary-Treasurer. Elected by acclamation to their first terms were: 1st Vice Chairman J. Doug Ford, Division 239 (Knoxville, Tenn.); 2nd Vice Chairman Justin Wilcox, Division 781 (Erwin, Tenn.); and Alternate Secretary-Treasurer Jason Lane, Division 205 (Chattanooga, Tenn.).

Chairman Faulkner fills the office vacated by Brother J.T. Little, who is retiring.

National President Dennis R. Pierce addressed the assembled delegates in Nashville and discussed various issues of importance on the national level, including contract negotiations.

"I congratulate Brother Faulkner and all members of the Tennessee State Legislative Board," President Pierce said. "I have every confidence they will do an excellent job of representing our members in the proud state of Tennessee. Also, I extend thanks to outgoing Chairman J.T. Little for his many years of dedication to the Brotherhood. I wish him all the best during his hard-earned retirement."

National Secretary-Treasurer Bill Walpert and Vice President & National Legislative Representative John Tolman also addressed the group.

Fellow State Legislative Board Chairmen Terry Todd (Arkansas) and Paul Piekarski (Illinois) also attended the meeting.

The delegates were honored by the attendance of special guests Paul Wingo and Don Moates, both retired National Vice Presidents of the BLET.

Larry James, BLET System Liaison CSXT and SENSE Safety Coordinator, was also in attendance.

Additional special guests included Tennessee State Senator Joe Haynes, Tennessee Democratic Party Vice Chairman Elisa Parker, and Tennessee State Representative and Tennessee AFL-CIO President Gary Moore.

Nine new Legislative Reps were trained the day before the quadrennial meeting's official open of business, successfully completing a workshop conducted by Ken Kroeger, Coordinator of the BLET Education & Training Department. ©

Advisory Board June 2011 Activity

In accordance with the BLET Bylaws, summaries of BLET Advisory Board members' activities are published monthly:

NATIONAL PRESIDENT DENNIS R. PIERCE: National Division Office, Cleveland; General supervision of BLET activities; General office duties; Correspondence and telephone communications; Supervision of Office Administration; General Supervision of Special Representatives; President, Teamsters Rail Conference; Policy Committee, Teamsters Rail Conference; AAR luncheon, Washington, D.C.; Rail Labor Bargaining Coalition (RLBC) mtg., Wash, DC; Southeastern Meeting Association (SMA), Asheville, N.C.; 2011 International Brotherhood of Teamsters convention, Las Vegas, Nevada; Teamsters General Executive Board, Las Vegas.

FIRST VICE PRESIDENT E.L. "LEE" PRUITT: National Duties include but not limited to: Director, Passenger Dept.; Shortline Organizing Dept.; Trainmen's Dept.; National Publications Committee; National Legislative Board; Teamsters Rail Conference Policy Committee; PRAC; and National Negotiations; UPRR on-property negotiations, Omaha, Neb.; 2011 SMA, Asheville, N.C.; 2011 IBT convention, Las Vegas.

NATIONAL SECRETARY-TREASURER WILLIAM C. WALPERT: General supervision of accounting dept., records dept., online services dept., tax compliance dept.; Education & Training Dept.; Internal Organizing, Mobilizing & Strategic Planning Dept.; Safety Task Force; Meetings with vendors and financial institutions; Publications Committee; Teamsters Rail Conference Policy Committee; DLC mtg., San Francisco; CN/WC GCA mtg. and Local Chairman workshop, Green Bay; NRRIT mtg., Washington, D.C.; CSX-N/Conrail Shared Assets GCA mtg., Buffalo; NASLBC mtg., Kansas City, Mo.

VICE PRESIDENT & NATIONAL LEGISLATIVE REPRESENTATIVE JOHN P. TOLMAN: Assigned to BLET Washington, DC office; BLET Security Officer; General office duties, telephone, correspondence communications; Coordinate content of NLO website; Meeting on planning of Teamsters 2011 Sates Mtg., Wash. DC; SMA, Asheville, N.C.; 2011 IBT convention, Legislative Committee, Las Vegas; Various receptions for U.S. Representatives, Wash., DC.

VICE PRESIDENT MARCUS J. RUEF: Vice Chairman, full NRAB; Labor Member, 1st Division; Labor Member, National Mediation Board Arbitration Advisory Forum; Director of Arbitration Dept; Assigned to Illinois Central; Wisconsin Central; Grand Trunk Western; Duluth Missabe & Iron Range; Elgin, Joliet & Eastern; Indiana Harbor Belt; and Belt Railway of Chicago; Visit Division 520, EJE, Chicago; Assist GC Hobbs w/ rules issues, EJE, Chicago; Assist GC Kaulins, BRC, Chicago; Assist GC Reynolds w/ grievance mediation, WC; Mediation of NRAB cases at NMB, WC, Wash., DC; IC agreement talks, Chicago; Vacation; NMB arbitration advisory forum mtg., Wash., DC; Assist GC Reynolds prepare for Sec. 4, WC, Green Bay, Wisc.; Section 4 mtgs., WC, Duluth, Minn.; Assist GC Hobbs, GRR, Chicago; Assist GC Kaulins, BRC, Chicago; Mtg. w/ Steve Powers to discuss NRAB administrative matters, Chicago.

VICE PRESIDENT MIKE TWOMBLY: Assigned to all Union Pacific GCAs (Eastern District, Northern Region (former C&NW), Western Lines (Pacific Harbor Lines), Western Region (Portland & Western, Eastern Idaho), Central Region, Southern Region (New Orleans & Gulf Coast); Tacoma Belt RR; Utah RR; and Longview Portland & Northern and Longview Switching; UPRR on-property negotiations, Omaha; DMIR contract mediation, Wash., DC; Montreal Maine and Atlantic ratification mtg., Houlton, Maine; SMA, Asheville, N.C.; DMIR-WC-DWP New York Dock, Section 4 negotiations, Duluth, Minn.; Utah Railway contract ratification mtgs., South Jordan and Provo, Utah.

VICE PRESIDENT WILLARD E. KNIGHT: Assigned to: All Norfolk Southern General Committees; Wheeling & Lake Erie; Chicago, Fort Wayne & Eastern; New York, Susquehanna & Western; New England Central; Connecticut Southern; Western New York & Pennsylvania; Indiana & Ohio; Ohio Central; PLB 6667 w/ GC Linsey, Boston, Mass.; Ohio Central negotiations, Columbus, Ohio; PLB 7159 w/ GC Overton, VGC Thompson, VGC Wallace, Norfolk, Va.; PLB 7238 w/ GC Peek, Norfolk, Va.; SMA, Asheville, N.C.; NS 401-K mtg., Asheville, N.C.; Chicago, Fort Wayne & Eastern negotiations /w GC Linsey, Pittsburgh, Pa.; SBA 1063, Litchfield, S.C.; Ohio Central negotiations w/ GC Martin, Rochester, N.Y.; General office duties, filing, correspondence, telephone calls, etc.

VICE PRESIDENT GIL GORE: Assigned to all CSX; Union Pacific-Southern Region GCA special assignment; Conference call w/ GC Louis, CSXT, day off issues; DRC resolution issues, CSXT; General office duties, paperwork, correspondence, telephone calls, etc.; Work on Article 5 perfect attendance stock award GCs, CSXT; SMA, Asheville, N.C.; Vacation; CSXT Northern District GCA mtg., Buffalo, N.Y.; PLB7380, Finamore, Schieman, New York, NY; Proposal for IRR negotiations; Review Article 5 and DRC issues w/ General Chairmen, CSX.

VICE PRESIDENT MICHAEL D. PRIESTER: Assigned to all BNSF (former ATSF, former C&S, CRI&P, FWD, former STL-SF, BNSF/MRL), Panhandle Northern, Missouri & North Arkansas, Montana Rail Link, Austin Western RR, Great Western; General office duties, telephone, correspondence communications, etc.; BNSF/Santa Fe summit w/ VGC Holdcraft, Houston; MNA contract negotiations w/ GC Gibbons, Las Vegas; CP Rail GCA mtg. w/ GC Semenek, Las Vegas; Mtg. w/ carrier & GC Wilson, MRL, Missoula, Mont.; 2011 IBT convention, Las Vegas.

VICE PRESIDENT COLE W. DAVIS: to Kansas City Southern (MidSouth Rail, SouthRail, Gateway Western, Illinois & Midland), Texas Mexican Rwy.; CP Rail System/US (Indiana Southern, Iowa, Chicago & Eastern, Dakota, Minnesota & Eastern); Springfield Terminal (St. Lawrence & Atlantic, Montreal, Maine & Atlantic, Delaware & Hudson), Cedar River, Louisville & Indiana, Huron & Eastern; Work on KCS contract, assist GC Parker; Work on DM&E contract; Work on Mid South agreement, assist GC Whitchurch; Work w/ GC Sam Parker, SBA, KCS; Work on Tex Mex issues, assist GC Rodriguez; SMA, Asheville, N.C.; Represent GC Hartill at mtg., Clarksville, Ind.; CP Rail GCA mtg. w/ GC Semenek, Las Vegas; Mtg. w/ I&M RR and GC Whitchurch, Springfield, Ill.

VICE PRESIDENT STEPHEN J. BRUNO: Assigned to various Rail Safety Advisory Committees (RSAC); Regulatory duties as assigned by the President; Amtrak; Long Island Rail Road; New York & Atlantic; Metro North; New Jersey Transit; PATH; SEPTA; Metra; Union Railroad; Birmingham Southern; Director of Regulatory Affairs interviews, Wash, DC; Assist GC Dixon, Septa; Response to PLB 1157, URR conference call, Philadelphia; Dark territory regulatory issues; SOFA regulatory issues, Wash, DC; Mtg. w/ Amtrak Board, re: funding and privatization issues, Wash, DC; NASLBC mtg., Kansas City, Mo.; PLB 7484, UP-West GC Hannah and VGC Eustler, San Francisco; On Track America (industry group) conference call; General office duties, filing, telephone and email communications w/ members, correspondence, paperwork, etc.