

# BMWED

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

## JOURNAL



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July/August 2009

## Atchison, Topeka & Santa Fe and Frisco Federation Merge

### *Richard C. Sandlin Will Head New Federation*

The governing bodies of the Atchison, Topeka & Santa Fe System Federation and the Frisco Federation of the Brotherhood of Maintenance of Way Employees Division convened June 25, 2009 in Tulsa, Oklahoma and finalized a merger between the two federations.

The name of the newly-formed federation will be the Atchison, Topeka & Santa Fe Frisco System Federation. The AT&SFF System Federation will now represent more than 3,000 members of the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters from coast to coast who are employed

by BNSF and a number of short line railroads. The new federation will continue to maintain offices in Newton, Kansas and Tulsa, Oklahoma.

Former Frisco Federation General Chairman Richard Sandlin was elected to head the new federation and offered, "Our officers and board members worked hard to make this happen because of a deep belief that the best way to represent our members is through strength and unity. I am humbled by the faith placed in me to lead this new federation and look forward to working with the new officers in order to earn the trust of our newly combined membership."

Former AT & SF System Federation General Chairman Mark Hemphill retired June 30, 2009 after a long career in service to the BMWED both as a federation officer and as a member of the National Division Executive Board. "After a long hard look at the benefits of merging our federations

Rick and I came to the same conclusion – our members will be much better served with a larger, more efficient organization," said Brother Hemphill. "It has taken a lot of preparation and hard work but the end result is that our members will be better served."

See **Merge** on Page 19



Officers and friends of the new Atchison, Topeka & Santa Fe, Frisco System Federation.



AT&SF General Chairman Mark Hemphill (left) and Frisco System General Chairman Rick Sandlin (right) congratulate each other on the successful merger.

## BMWED, Union Pacific Announce Pilot Safety Program

### *M of W Safety Coach Positions Established*

The Brotherhood of Maintenance of Way Employees Division and the Union Pacific Railroad announced a new pilot safety program agreement on July 13, 2009. The intent of the agreement is to encourage BMWED-represented employees to report close calls and personal injuries without fear of discipline.

Union Pacific and the BMWED Unified System Division, Pacific Federation and Mountain & Plains Federation entered into an agreement on June 1, 2009, designed to encourage a safer work environment by providing alternatives to discipline, while providing a more comprehensive analysis of inci-

dents and injuries. This agreement will require the full cooperation of those employees involved in an accident in exchange for the right to opt out of the current discipline process. The agreement has a six-month implementation period and will take effect Dec. 1, 2009.

The new agreement establishes seven full-time Maintenance of Way Safety Coach positions. The new Safety Coaches will be assigned to promote safety awareness and safe work practices on UP's high density "Red X" territory from Granger, Wyoming east through Omaha to Chicago and the Denver Service Unit.

See **Pilot Safety** on Page 19



BMWED and UP meet to discuss the new Safety Agreement. Left to right: UP Director of Track Maintenance Bobby Odom, UP Chief Engineer for Safety Bill Roe, BMWED Director of Safety Rick Inclima, BMWED Western Region Vice President Dave Tanner, BMWED National Division President Freddie Simpson and UP General Director of Labor Relations Wayne Naro.



# RRB Pays Initial Extended Unemployment Benefits

## *Authorized by Recovery Act Legislation*

The U.S. Railroad Retirement Board (RRB) began paying temporary extended unemployment benefits on June 30 authorized by the American Recovery and Reinvestment Act of 2009 (ARRA). The ARRA authorized the tempo-

rary extended benefits to employees who received regular unemployment benefits for days between July 1, 2008, and June 30, 2009. The RRB has been notifying eligible individuals of their new rights to extended benefits as they become eligible and will continue to do so through December 2009.

On June 30, the RRB issued direct deposit payments or checks to all eligible employees who had previously filed unemployment claims that had days denied due to exhaustion of benefits. The RRB also released to each eligible employee a notice of his or her ARRA extended benefit period and any additional claims to be filed now. Employees may file these claims securely online at [www.rrb.gov](http://www.rrb.gov) or mail them to the RRB office serving their area.

Railroad workers who previously were not eligible for extended unemployment benefits because they did not have 10 years of service may be eligible for benefits of up to 65 days within an extended period consisting

of 7 consecutive 2-week registration periods.

Railroad workers who previously were eligible for extended unemployment benefits of up to 65 days may now be eligible for benefits of up to 130 days within an extended period consisting of 13 consecutive 2-week registration periods.

The ARRA provided an appropriation of \$20 million to pay these additional extended unemployment bene-

fits under the Railroad Unemployment Insurance Act. The latest date that an extended benefit period under the ARRA provisions may begin is December 31, 2009, with payments stopping when the \$20 million has been expended.

Railroad workers can obtain more information about the ARRA benefits by checking the "RRB Recovery Act Information Page" on the RRB's website at [www.rrb.gov](http://www.rrb.gov).

### NOTICE

#### Article XV, Section 8 - Transfer Refunds

**Sec. 8.** Refunds of monthly dues, fees and assessments for those who transfer outside the jurisdiction of BMWED will only be allowed for the months following the month the applicable General Chairman involved receives a written request and/or a valid revocation of the Dues Deduction Agreement wage assignment authorization. A notice pertaining to the Brotherhood's dues refund Bylaws provision will be published semi-annually in the Secretary-Treasurer Report of the Journal or its successor publication.

## FINANCIAL ASSISTANCE AVAILABLE FOR FAMILIES OF DECEASED RAILWAY EMPLOYEES

The John Edgar Thomson Foundation, established in 1882 and endowed by the will of Mr. Thomson, third President of the Pennsylvania Railroad, offers limited financial assistance to daughters of a deceased parent. The parent, regardless of gender, must have been in the employ of any railroad in the United States at the time of death, although the cause need not be work related. Also, the employee must have been considered actively employed by the railroad even though on disability or sick leave at the time of death. Whatever grant is awarded usually serves to benefit all members of the family. Eligibility is dependent upon the daughter and the surviving parent remaining unmarried and meeting certain other criteria.

The monthly allowance made under

the grant may cover the period from infancy to age 18; under certain circumstances to age 22, to assist grantees who are pursuing higher educational goals. The Foundation also offers special health care benefits.

The funding of the work of the Foundation is completely independent of any railroad. It neither solicits nor receives funds from the public. Further information and applications may be obtained by writing to:

Sheila Cohen, Director  
The John Edgar Thomson Foundation  
201 South Eighteenth Street,  
Suite 318  
Philadelphia, Pennsylvania 19103  
Telephone (215) 545-6083  
(800) 888-1278  
Fax (215) 545-5102  
E-mail: [sjethomson@aol.com](mailto:sjethomson@aol.com)

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### July/Aug. 2009 ■ BMWED DIVISION JOURNAL ■ VOLUME 118 ■ NUMBER 4

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### Centenarians

"Happy Birthday" wishes to the following BMWED retirees who recently celebrated their 100<sup>th</sup> birthday:

#### Lawrence G. Caldwell

A Galesburg, Illinois resident, Brother Caldwell celebrated his 100<sup>th</sup> birthday on June 2, 2009. He last worked for the Burlington Northern Railroad as a Truck Driver.

#### Fleicito M. Ramos

A Barceloneta, Puerto Rico resident, Brother Ramos celebrated his 100<sup>th</sup> birthday on June 10, 2009. He last worked for the Lake Terminal Railroad Company as a Track Worker.

#### Benjamin F. Williams

A Soper, Oklahoma resident, Brother Williams celebrated his 100<sup>th</sup> birthday on July 8, 2009. He last worked for the St. Louis San Francisco Railway Company as a Bridge and Building Carpenter.

#### Nicholas Bartolomeo

A Phoenix, New York resident, Brother Bartolomeo celebrated his 100<sup>th</sup> birthday on July 22, 2009. He last worked for the Penn Central Railroad as a Track Worker.

#### William J. Geberth

A Harwich, Massachusetts resident, Brother Geberth celebrated his 100<sup>th</sup> birthday on July 29, 2009. He last worked for the Penn Central Railroad as a Carpenter.

The BMWED extends its sincere best wishes. Happy Birthday!

# LEGAL AID PROGRAM LIST

## Lifetime Membership Change

Here is an updated list of the approved attorneys in the Brotherhood of Maintenance of Way Employees Division's Legal Aid Program who can be called on for advice and assistance when needed in case of on-the-job personal injury or death.

Brotherhood of Maintenance of Way Employees Division members who are injured on the job, or the dependents of members killed as a result of such injuries, should ascertain their rights and protections under the Federal Employers' Liability Act (FELA) before attempting any settlement with a railroad company.

Under the Legal Aid Program, in case of personal injury or death while employed on a railroad, a Brotherhood of Maintenance of Way Employees Division member or his family has access to competent legal counsel in making claims under the FELA.

The Brotherhood of Maintenance of Way Employees Division-approved legal aid attorneys are well qualified to handle cases under the FELA.

**Blunt & Slocumb, Ltd.**  
60 Edwardsville Professional Park  
P. O. Box 373  
Edwardsville, IL 62025  
TELEPHONE: (618) 656-7744  
FAX: 618-656-7849  
TOLL FREE  
NATIONAL: (800) 323-5538  
[www.bluntlaw.com](http://www.bluntlaw.com)

**The Crow Law Firm**  
700 "E" Street  
Sacramento, CA 95814  
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[www.tenlaw.com](http://www.tenlaw.com)

On June 3, 2009 members of the Northwest Regional Association met to conduct their normal business and to discuss issues pertaining to the good and welfare of the Brotherhood. The Northwest Regional Association is predominantly made up of BMWED officers assigned within that region.

During the meetings a motion was made and approved unanimously to recommend to the President a more liberal interpretation of Article XVI, Section 4, of the Brotherhood's Bylaws. The intent of the motion was to encourage and allow more participation by BMWED retirees by making retiree membership more economical. The motion as presented is as follows;

*"National Division Life Membership purchase is to be calculated on whole years. Any dues payment in the first or last calendar year of membership would qualify. Those calendar years in the deduction of membership years from the required 50."*

Article XVI, Section 4, reads as follows;

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

President Simpson commended the Northwest Regional Association on their motion and said, "I agree with the motion and will adopt the suggested more liberal interpretation of the Bylaws as pertains to this issue. It is my view that Life Membership rules should be liberally construed, so as to encourage continued connections between veteran members and the union. In the absence of language requiring the current administrative practices, I interpret the Bylaw provision as permitting the more liberal application and it will be administered accordingly."

President Simpson also advised that the new language would be provided to the pre-convention Bylaws Committee to be presented to the delegates at the Second Regular National Division Convention in June 2010 so that the delegates will have an opportunity to ratify or reject the liberalized Life Membership program.

Anyone wishing to purchase a lifetime membership upon retirement is encouraged to contact their union representative or the Secretary - Treasurer's Department at (248) 948-1010.

## Why Choose A BMWED-Designated FELA Attorney?

In this day of specialization, most lawyers, like most doctors and other professionals, tend to specialize. If you have tax problems, you go to a lawyer who knows the tax laws. If you have family matters to be handled, you go to a lawyer who knows the laws about wills, estates, probate, divorce, etc. That is why, if you're injured on the railroad, you need to go to a lawyer who knows the Federal Employers' Liability Act (FELA).

FELA became law in 1908. Under FELA, an injured railroad employee or his/her family survivors have the right to recover damages in court (state or federal). They have the right to a jury trial which can award damages based upon the railroad's negligence that resulted in the employee's injury or death.

Choosing a BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION-designated FELA attorney is important because, as one court case stated, "injured workers or their families often fall prey ... to persuasive claims adjusters eager to gain a quick and cheap settlement for their railroad employers, or to a lawyer either not competent to try these lawsuits against the able railroad counsel or too willing to settle a case for a quick dollar."

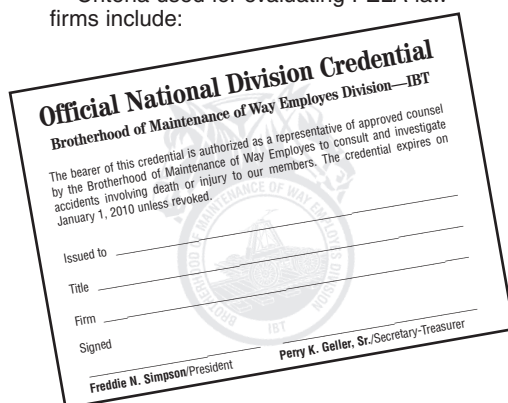
Since most people don't deal with lawyers except in a time of need, the BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION has a long-standing policy of evaluating FELA law firms. Using established guidelines, the BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION chooses the best to be on its approved or designated list which is printed twice yearly in the BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION *Journal*.

Criteria used for evaluating FELA law firms include:

- Must have an established record of successful litigation experience.
- Must furnish National Division with a summary of cases handled (insofar as such disclosure is consistent with "attorney-client" privilege).
- Must charge a contingency fee of no more than 25 percent.
- Must give injured members free advice in connection with their injury and render free assistance to them in related matters.

Because the BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION recognizes the importance of competent and fair legal counsel for its members, it regularly monitors the activities of the law firms on its list and makes changes when needed.

If you do not have a copy of the approved list of attorneys when you need it, just call your system division or federation office and they will give you names and other necessary information. In addition, all approved attorneys are issued official BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION credentials each year. If an attorney contacts you, be sure to ask for his credential.



# Around the Brotherhood

## Local Lodge Meeting

Allied Federation Local Lodge 2163 held its quarterly meeting Friday, July 17, 2009 in Waycross, Georgia. Allied

Federation Vice Chairman Russell Farmer attended and made a presentation to the group.



Lodge 2163, Waycross, GA

## Jimmie Sears Retires

Allied Federation Joint Protective Board Member Jimmie Sears will retire August 31, 2009 after a 32 year railroad career. Jimmie served on the Allied Federation Joint Protective Board and served as Secretary

Treasurer for Lodge 698.

The federation honored Jimmie with a plaque, which was presented by Allied Federation General Chairman Dennis Albers at the quarterly union meeting.



Members of Local Lodge 698. Jimmy Sears center with General Chairman Dennis Albers to his left.

## Teamsters Black Caucus Meets in New Orleans

Members of the International Brotherhood of Teamsters Black Caucus held its annual conference in New Orleans, Louisiana the week of August 10, 2009. The BMWED was well represented by a delegation from

around the country. The delegates heard from a variety of speakers and attended educational workshops throughout the week. Included in the BMWED delegation was the BMWED Diversity Committee.



BMWED Diversity Committee front row left to right: Darryl BeGaye, Kristy Delgado, Ramiro Ramirez, Eddy Beza. Back row, left to right: Frank Coleman, Tim Hoffman Andrew Shelton.

## CSX General Chairmen Hold Annual Meeting

The CSX General Chairman's Association meeting was held in Pawleys Island, South Carolina on June 17 and 18, 2009. Union

Representatives from the various crafts held their annual meeting in order to discuss and work together on issues that affect rail labor.



Left to right: CRSF General Chairman Bradley Winter, AF Vice Chairman Len Buckley, AF General Chairman Dennis Albers, AF Vice Chairman Roy Griffith and AF First Vice Chairman/Secretary-Treasurer Terry Miracle.

## Local Lodge Meeting

Allied Federation Local Lodge 1643 held its quarterly meeting Saturday, July 18, 2009 in Thomson, Georgia. Allied Federation Vice

Chairman Russell Farmer attended the meeting and made a presentation to the group.



Lodge 1643, Thomson, GA.

## Railroaders 2 - Alligators 0

George Loveland and Mark Semande are both members of Burlington System Division Federation Local Lodge 798 and work for BNSF. They are not just co-workers, they are also cousins and best friends. George lives in Ellisville, Illinois just a few miles away from Mark in London Mills, Illinois. They recently went on vacation together with their respective families to Colorado. The high point of their trip was the opportunity to

wrestle with an alligator. That's right, Colorado, not Florida. Why wrestle an alligator you say - because they could.

The alligators were brought onto a tilapia farm to eat the rejected dead and rotten fish carcasses and kept in a pond created by a warm spring. The farm soon learned they could make more money off of the alligators than they could the tilapia.



Mark Semande



George Loveland



### CSX Furloughed Employees Transfer to BMWED

Furloughed employees from other crafts, including the BLET, UTU and the TCU, recently transferred into the CSX Engineering Department and

the BMWED/IBT. They began their initial two-week training at the CSX training facility in Atlanta, GA on July 6, 2009.



New BMWED members pictured with Allied Federation Vice Chairman Russell Farmer, second from left, back row, and flanked by CSX Trainers, Estes Ivory (left) and Lester Linsey (right).

### National Labor College Hosts First Annual Trainers Exchange

BMWED Hazardous Materials Trainers, along with Trainers from other crafts, attended the First Annual Trainers Exchange in conjunction with additional advanced hazardous materials training the week of August 3, 2009. The educational was conducted at the National Labor College in Silver Spring,

MD. The group attended the Trainers Exchange on the first two days and heard from a variety of speakers from the college, rail unions and the U. S. Department of Transportation. The remainder of the week was dedicated to additional class room training including advanced training techniques.



BMWED group from left to right, front row: Randy Brassell, B. J. Griego, Rick Inclima, Bill Fletcher, Greg Martinez and Kevin Womelsdorf. Standing, left to right: Roger Snider, Mark Semande, Darryl BeGaye, Narciso Acosta, Chuck Barger, David Beal, Randall Schreck, Matt Weaver, George Loveland, Chuck Jarnigan, Roy Morrison and Floyd Morton.



BMWED Hazardous Materials Trainer Darryl BeGaye standing next to his illustration of the new logo for the Trainers Exchange.

### Lodge Holds Annual Picnic

Burlington System Division Federation Local Lodge 783 held its annual picnic on Saturday, July 11, 2009. The Lodge sets

aside a day each year for a picnic in order to include children and spouses of members in union fellowship.



Lodge members Chris Woodside, Ed Allen, George Garbo, George Loveland, Rodney Burr, Glen Loveland, Bill Kitch, Mark Semande, Dan Bressler and Vice General Chairman Don Willing with family and friends.

### Commuter Railroad System Division Holds Convention

The Commuter Rail System Division recently held its regular convention in Philadelphia, Pennsylvania. Brother Sean Gerie was elected to the post of General Chairman and will be heading up the CRSD effective September 1, 2009.

Outgoing General Chairman William "Bill" Capik will be retiring. We extend our best wishes to Brother Capik on his much deserved retirement and our congratulations to Brother Gerie on his new position.



CRSD Officers, left to right: Executive Board Member Joseph Lynn, Vice Chairman Steven Hoffman, Vice Chairman Michael Barrett, retiring General Chairman Bill Capik, Executive Board Member Kevin Riley and newly elected General Chairman Sean Gerie.



BMWED Executive Assistant to the Secretary Treasurer Ron Columbus takes a minute during a break to speak with local lodge secretaries. Left to right: BURL Local Lodge 1214 Secretary - Treasurer Staci Moody-Gilbert, BURL Local Lodge 1108 Secretary - Treasurer Patrick Sherlock and Ron Columbus. See Brotherhood on Page 17





# P R E S I D E N T ' S P E R S P E C T I V E



Freddie N. Simpson

**S**ummer may be winding down, but that does not mean the BMWED is standing still. There has been a lot of activity around the Brotherhood this summer, both external and internal, that will directly impact our membership and their future. We have seen passage of the most far-reaching rail safety bill in our lifetimes, the Railroad Safety Improvement Act (RSIA) of 2008, which will impact the future of railroads and rail employees for years to come. We have witnessed the first eight months of President Obama's first term and have joined the fight for universal health care, passage of the Employee Free Choice Act (EFCA),

and the development of High Speed Rail. We continue the fight to strengthen rail employee whistleblower rights and put an end to harassment and intimidation for reporting injuries and accidents. We continue our efforts to improve Roadway Worker Protection and provide a safe and secure place of employment for our members nationwide. We are developing a bargaining strategy for the next round of contract negotiations which begin anew in January 2010. And we are transforming our union internally through voluntary mergers of BMWED system federations/divisions and through a systematic effort to educate and develop the current and future leadership of our union.

The RSIA of 2008 will profoundly change the railroad industry in ways both big and small. Chief among the provisions of the bill is the Congressional mandate to implement Positive Train Control (PTC) on all passenger routes and all Class I railroads that carry five million gross tons of traffic and placarded materials which are Toxic Inhalation Hazards (TIH). PTC systems mandated under the RSIA must be installed by 2015 and be designed to effectively perform the following four core functions: (1) prevent train-to-train collisions; (2) prevent over-speed derailments; (3) protect roadway workers operating within the limits of their authority, and; (4) prevent trains from moving over an incorrectly lined switch. Implementing PTC will present many technological challenges to the industry and its employees who must learn to operate within the confines of this new technology. BMWED and five other rail unions jointly participated in this expedited rulemaking, presented oral testimony at the PTC public hearing on August 13<sup>th</sup>, and filed joint written comments to the PTC regulatory docket.

As discussed further in the Secretary-Treasurer's Report, universal health care for all Americans is a key component of President Obama's vision for the future. While members of the BMWED enjoy quality, union-negotiated health insurance coverage, more than 47 million American's have no health insurance whatsoever and many more are woefully underinsured. Moreover, BMWED members — like any other Americans who lose their jobs or are off duty for extended periods due to illness or injury — run the real risk of losing their health insurance coverage. This is a problem that has the potential to affect every single American and the solution has to be national in scope.

And speaking of health, there is nothing more detrimental to the health and safety of BMWED members than the risk of being struck by trains and on-track equip-

ment. BMWED is continuing its every effort to improve Roadway Worker Protection nationwide. We are working hard to improve on-track safety and preserve the hard fought consensus to improve adjacent track protection. The Federal Railroad Administration's (FRA) Office of Chief Counsel has taken liberties with the consensus language agreed to between BMWED and the railroads to improve adjacent track protection. We have beaten back this effort once but have reason to believe that the Office of Chief Counsel is continuing its efforts to water down the safety protections agreed to by consensus between labor and management. Roadway worker protection is too important to leave in the hands of career lawyers who never worked a day on the ballast and have little understanding of the safety risks associated with earning a living on the tracks. BMWED is keeping a close eye on this important safety issue and will use every means at our disposal to preserve the consensus-based principles agreed to by labor and management for improving adjacent track protection.

Internally, we continue to witness a transformation in the structure of the BMWED. Over the past twelve months we have witnessed three more voluntary mergers between BMWED system federations/divisions which are intended to strengthen the union, improve coordination between system federations/divisions, eliminate duplicative services, reduce costs, and improve representation for the membership. These recent voluntary mergers include the Allied Federation and the Southern Pacific Atlantic Federation representing approximately 7,000 members; the Atchison, Topeka & Santa Fe System Federation and the Frisco Federation representing approximately 3,000 members; and the Chicago, Milwaukee, St. Paul and Pacific Federation and the Soo Line Federation representing approximately 700 members.

Finally, we are currently engaged in discussions with a number of our sister rail unions in an effort to form bargaining coalitions as we enter the next round of contract negotiations in January 2010. The last round of negotiations proved that meaningful coalitions work to unify and strengthen rail labor and help thwart the carrier's strategy of divide and conquer. I am cautiously optimistic that we can again achieve one or more bargaining coalitions within rail labor and present a united front at the negotiating table in the 2010 round. Of course, rail labor is only as strong as its collective membership and we will need every rail worker standing with us throughout these upcoming negotiations. United we stand is not just a slogan; it is the way we get things done.

## Message from Teamsters General President Jim Hoffa



**C**ongress is finally beginning to grapple with a way to give all U.S. citizens access to affordable health insurance. Unions support universal coverage like a large majority of Americans.

Almost 15 years have gone by since lawmakers considered comprehensive reform to our nation's health care system with the goal of making sure every American can access health care. How to pay for health care reform was the problem then — and it's the problem now.

Sen. Max Baucus (D-Mont.), the

powerful chairman of the Finance Committee, is suggesting an enormous new tax on employer-sponsored health insurance.

Such a tax would raise hundreds of billions of dollars. That tax revenue would help pay for a public government-sponsored plan for individuals and families.

For those who have employer-provided coverage, creating a "public" plan is a sensible way to make health insurance available to people who can't get it through their employer and don't qualify for Medicaid or Medicare. But a

tax hike on health benefits to pay for health care reform is a bitter, bitter pill for middle-class wage-earners to swallow.

Sen. John McCain (R-Ariz.) made the mistake of floating the idea during his presidential campaign. Candidate Barack Obama lashed out with a television commercial calling it "the largest middle-class tax increase in history." Obama's opposition to taxing employer-based health insurance was a big reason the Teamsters supported him for president.

See Hoffa on Page 18





# SECRETARY-TREASURER'S REPORT



Perry K. Geller, Sr.

**H**health care reform is one of the most important issues facing our nation today. Unfortunately, however, rather than debating this issue for the purpose of finding viable solutions to this national crisis, the health care debate is being drowned out by big money special interests who are blissfully happy with the status quo. Across the country, conservative groups inundate town hall meetings with protesters whose sole purpose is to disrupt the public debate on health care. These conservative groups are cheered on by their Republican backers who want to derail much needed healthcare reform without having to be accountable to the 47 million Americans, including 8.7

million children, without health insurance and the millions more at risk of losing their coverage.

No one in this country, whether Republican or Democrat, rich or poor, employed or unemployed, union or non-union, will benefit from the status quo on health care. Using scare tactics to divide Americans, cloud the real issues, and stifle honest debate regarding the need for healthcare reform is disingenuous, dishonest, and detrimental to our nation's needs. Contrary to the rhetoric, the various healthcare reform proposals being considered will not result in a government takeover of the health care system. Healthcare reform will not, as the fear mongers contend, further ration healthcare, deny cancer victims treatment, euthanize the elderly, or replace our democratic system of government with socialism.

All legitimate reform plans currently under consideration maintain employer-based coverage and health insurance purchased from private insurance companies as the cornerstone of coverage. Individuals and small businesses will be able to participate in cooperatives which will allow them to use their "group" power to negotiate insurance premiums at a lower rate than they can get individually. Lower income Americans — who might not be able to afford private health insurance even at a discounted "group" rate — would likely be eligible for government assistance to help purchase such insurance.

Some argue that subsidizing health care for the poor and uninsured is un-American and is nothing more than socialized medicine. This argument belies the fact that every American taxpayer is already subsidizing health care through Medicaid and Medicare. Additionally, the insurance premiums paid by employers and the cost sharing and co-pays paid by employees include hidden surcharges related to providing

health care to the uninsured. When someone without health insurance goes to the emergency room for care or is admitted to the hospital for treatment, the hospital does not simply absorb that uninsured expense. The hospital's costs for caring for the uninsured are reflected in the price they charge for caring for the insured.

The reality is that premiums for employer-provided family health insurance coverage include about \$1,000 annually towards the cost of healthcare for the uninsured. Thus, you and I are already subsidizing health care for those without insurance. Today, the average annual premium for family health insurance coverage is over \$12,000.00 and, with the number of uninsured expected to rise considerably under the status quo, the cost of family health insurance is expected to double by 2016 unless we do something to fix our broken healthcare system.

It is a fact that America spends more on health care than many other developed countries, but we still die younger. U.S. health care spending totaled \$2 trillion in 2005, representing 16 percent of the U.S. gross domestic product (GDP). Health care spending accounted for 11.6 percent of the GDP in Switzerland, 10.7 percent in Germany, 9.8 percent in Canada and 11.1 percent in France. (*Kaiser Family Foundation*)

While Americans are spending more on health care, pharmaceutical and health insurance companies are pulling in huge profits. Pharmaceutical manufacturers made up the second most profitable U.S. industry in 2006, with profits of 19.6 percent, compared with 6.3 percent for all Fortune 500 companies. (*Kaiser Family Foundation*) And the insurance industry increased its profits from \$1.3 billion in 2002 to \$15.39 billion in 2006, a 1,084 percent increase in five years!

We simply cannot afford to turn our

backs on healthcare reform. Every 30 seconds, someone in this country files for medical bankruptcy. Soon there will be over 50 million Americans without coverage and the health insurance of millions more will be at risk. Our system is broken and is in need of repair. Doing nothing is not an option.

It is time for lawmakers who oppose healthcare reform to stop protecting the profits of insurance and pharmaceutical companies. It is time to put the needs of the American people first, end the shameful scare tactics, engage in honest debate, and reform our health care system. To do anything less is simply un-American.

## A Vice President Speaks

**I**don't know about anyone else but I have had enough of all the union bashing that has been going around for the past months. Those same folks that oppose the Employee Free Choice Act, or unions in general, can't get their facts straight. It seems that if you are a member of a union that builds cars, or for that matter, work in any industry (ours included), you are the scourge of society and the reason for all of our economic woes. Nonsense!



Let's set the record straight. Union members contribute to a vibrant economy in a number of ways and help set production standards that fuel the economy's growth. Industries that are forced to pay a living wage and provide adequate benefits are forced to concentrate on innovation rather than how to turn a short term profit by paying the lowest wages and overworking employees. There is also less turnover in a union shop. A steady, dedicated workforce creates a more skilled and productive employee which helps generate earnings for the company or corporation. If we are to believe management, productivity leads to more earnings which creates expansion in the work place. Then it just makes sense that a worker making a decent wage has more to con-

tribute to the economy. Of course the anti-labor crowd will argue that unions force jobs overseas because unionized shops can't compete with foreign low wages.

It is true that starting in the 1970's unionized plants suffered from global competition. However, take a look at the Southern States where right to work laws rule and unionization is at the lowest. Manufacturing jobs have all but disappeared and those same employers who argued to keep unions out rewarded their employees by packing up and moving out of the country.

Why one even needs to defend the labor movement is beyond my imagination. Who doesn't want a fair wage, decent healthcare and a safe and dignified workplace with structured seniority rules and reasonable benefits? Even those who work in a non-union environment benefit from unionization. It is a fact that the higher the union density in an industry or region the higher the wage for non-union workers as well. The non-union employers are forced to compete for the best workers and wage equity also leads to a more level playing field for employers to compete on for business. Many of the non-union businesses raise the wages and increase the benefits of their employees simply as an exercise of "union avoidance" but the result is the same, better wages and benefits for the non-union employee.

See **Vice President** on Page 14



# BMWED/IBT Family Member Awarded Union Plus Scholarship

The BMWED wishes to congratulate Charles Adam Hansler on becoming this year's BMWED recipient of the Union Plus Scholarship Award. Charles is the son of BMWED Pennsylvania Vice Chairperson Charles "Charlie" W. Hansler. The following was taken from the Union Plus news release;

**Washington, DC**—The 18th Annual Union Plus Scholarship Awards have just been announced, and a Brotherhood of Maintenance of Way Employees Division/Teamsters

(BMWED/IBT) family member is among the recipients.

**Charles Adam Hansler of Andreas, PA**, whose father Charles William Hansler is a member of BMWED/IBT Local 0935, has been awarded a \$500 scholarship.

Charles Adam Hansler's father has been a union member, and union representative, since before his son was born. Young Charles, whose mother also is a union member, remembers his father would go to "mysterious" meetings, but he didn't come to appreciate the union, or his father's

role in it, until he was older and asked his father directly about his business. "He told me that, as a union rep, he looks out for the guys who work on the railroad, to make sure the company recognizes their rights as union members. From then on, I became interested in labor unions and their history." But Charles isn't stopping with studying the past. "I hope to become a journalist one day," he says, "and let people know that labor unions are a vital part of American society."

This year \$200,000 in Union Plus scholarships is being awarded to 133 students representing 41 unions. Their accomplishments are impressive, their stories are inspiring and their backgrounds are incredibly diverse. However, they all are united by their connection to the union movement.

More than 4,200 applications were received from students representing 49 states, Canada and the U.S. Virgin Islands.

Union Plus Scholarship awards are granted to students attending a two-year college, four-year college, graduate school or a recognized technical or trade school. Since starting the program in 1991, Union Plus has awarded \$2.8 million in education funding to 1,813 union members, spouses and



Charles Adam Hansler

dependent children. Recipients are selected based on academic ability, social awareness, financial need and appreciation of labor.

Please visit [UnionPlus.org/Scholarships](http://UnionPlus.org/Scholarships) for information on eligibility and to apply for next year's scholarships.

## BMWED Northwest Regional Legislative Coordinator Joe Kraljic Posts Letter to Editor

Joe Kraljic serves the BMWED as the South Dakota State Legislative Director and is the BMWED National Division Legislative Department's Northwest Regional Coordinator. His letter to the Editor concerning the Employee Free Choice Act was printed in *Sioux Falls, South Dakota's Argus Leader* on June 14, 2009.



### Letters:

#### Unions improved lives of all

Joseph J. Kraljic  
Sioux Falls

**W**hy are big corporate interests so afraid of their workers?

In a recent *Argus Leader*, the U.S. Chamber of Commerce had a full-page ad opposing the Employee Free Choice Act. It is flying people to Washington, D.C., to lobby against their employees' right to join together to negotiate a contract.

These are the same companies that insist on a contract with their suppliers, their landlords and their customers. Of course, top management has contracts that detail salary, benefits, stock options and severance. But somehow it's dangerous for them to deal with their employees the same way.

The idea that workers are forced into a union is laughable. I speak from personal experience as someone who has done organizing. We never go into a workplace to help employees unless we get multiple requests from a number of workers. We never go to an election unless we have at least 70 percent of those eligible sign a card for an election. We know companies and their hired anti-union "consultants" will successfully frighten and threaten a substantial number of workers to back out.

Now these corporations want me to believe they are defending me from the evil unions that forced

me to take vacation and holidays, health insurance, pay raises and due process before discipline or firing. Forgive me for doubting their sincerity.

When close to a third of American workers were in a union, we had the most dramatic and sustained increase in the standard of living in world history. America's economic and military strength dominated the globe. And everyone - workers, managers, farmers, businesses and communities - prospered together. Union contracts set the standard that improved conditions for all workers.

We workers understand that our livelihoods depend on well-organized, healthy and profitable employers. Corporations should realize the same is true of people who produce what they sell.

## Mark E. Hemphill Retires

**M**ark Hemphill retired effective June 30, 2009, after a long career with the Brotherhood of Maintenance of Way Employees Division, leaving his posts as General



Chairman for the Atchison, Topeka & Santa Fe System Federation and National Division Executive Board Member.

Brother Hemphill began his career in the Track Department of the Atchison, Topeka & Santa Fe Railroad as a Track Repairman on April 23, 1973 after attending Kansas State Teachers College. Mark worked his way through the ranks as a Student Foreman, Foreman and Track Supervisor. He left railroad service in 1988 to become a full-time System Representative.

His union career began as Secretary Treasurer for the AT&SF Local Lodge 2406, located in Dodge City, Kansas. He was later elected to the Joint Protective Board in 1986 and served in that capacity until he was elected to serve as Assistant General Chairman in 1988. In 1990 he was elected to the General Chairman position and served in that position until retirement.

Brother Hemphill was elected to

serve on the National Division Executive Board in 2006, a position he held until his recent retirement. For the past three years he has shared his time as General Chairman with the National Division, helping guide policy and set course for the future of the BMWED.

Brother Hemphill's final act as General Chairman of the AT&SF System Federation was to lead his federation through a merger with the Frisco Federation. "Throughout his entire career Brother Hemphill has worked to improve the lives of our members," offered National Division President Freddie Simpson. "The merger of the AT&SF and the Frisco is a tribute to Mark's determination to do just that - build a stronger organization for the benefit of the guys we represent. I congratulate Mark on his retirement and join all of our members in thanking him for all the years he has worked so tirelessly both as General Chairman and as a member of the National Division Executive Board."

Brother Hemphill and his wife Verda plan to spend retirement in Newton, Kansas where Mark plans to do a lot more bird hunting. Mark and Verda have a daughter, Sherry who is about to make them the proud grandparents of twins.

The BMWED extends its best wishes for a long and happy retirement to Brother Hemphill and his family.

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# PFC. George V. West - Personal Friend of the Colonel

*One thing that most older railroaders have in common is that they almost certainly started their careers with railroaders who were veterans of World War II. Each has a story about the older guy that "cubbed" them into the position they were hired to fill. Railroaders hiring in today are having those same experiences with men and women who may have served in different wars and conflicts. As the torch is passed to a younger generation, it is important to remember and value the previous generation and encourage the next to appreciate the idea that patriotism and the labor movement are not polar opposites like some would have us believe. On the contrary, union members have been instrumental in building and protecting this country for more than a century. George West is one of those union members.*

This year George West will miss much of his annual reunion with his World War II army buddies from the 80th Division. His wife Helen is ill so he will not attend the entire reunion. The reunion is being held in Pittsburgh near his home so, with the help of his son, he will attend some of the meetings. This will be just the second time he has missed any portion of his reunion since the end of the war. This is no small matter with Brother West. He has been the Public Relations Officer for the 80th Division Veterans Association for many years.

Brother West is a decorated World War II veteran, has been a member of the BMWED for more than 60 years and is one of those special individuals referred to by retired anchorman and author Tom Brokaw as the "Greatest Generation." That description aptly suits Brother West for a number of reasons.

Like so many in railroad service at the time, Brother West left his position to enter the U. S. Army on October 6,

1942. He was sent to Camp Forrest near Tullahoma, Tennessee for infantry training and was almost immediately sent to Europe. Assigned to General Patton's 80th Infantry Division, Third Army, 20 year old PFC. George West landed in South Hampton, England at the beginning of winter. While serving in Europe, he participated in four major battles across Europe. Little did he know that he would be involved in the worst battle of the war. The "**Battle of the Bulge**," or the "**Ardennes Offensive**" was the biggest and bloodiest battle during the war with more than 800,000 men committed and 19,000 killed. More than 75,000 troops were killed, wounded or taken prisoners during the battle. The surprise German offensive lasted for 13 months before being broken by the allied forces.

While he served the military in several capacities, his main function was as a messenger. He described himself as a "Runner", charged with carrying messages, maps and reports from one point to another. In his words, "The main thing I had to remember was not to forget the password - that could get you into big trouble."

The Army's 80th Division and Brother West fought their way through France, Luxembourg, Germany and Austria and participated in four separate battles across Europe including the **Battle for Luxembourg**. Brother West describes how it was around this time that he was sent into a barn to retrieve straw from a loft. When he picked up the straw, he said "it felt too heavy and turned out to be a German soldier's boot." The German wearing that boot was immediately taken prisoner. On another occasion he and a runner from another company were told to deliver a message to the top of a mountain that, according to the Major, had been cleared of Germans. When they reached the top Brother West spotted two Germans manning

the observation post. Fortunately, he spotted the Germans first and they took them prisoner. Brother West said, "We took them back down to the town and entered a cafe where a Tank Officer was located. After we arrived the telephone rang and the tank officer went to answer. I warned him that he shouldn't answer until the third ring. While he didn't like me telling him what to do, afterwards he thanked me for reminding him."

Brother West also described the snow and the cold and reluctantly spoke of the lack of equipment and supplies; "During the Battle of Luxembourg we wrapped our rifles with white bandages, covered our uniforms and helmets with white sheets and white washed the trucks and jeeps so we could blend in. At one point, the only thing that saved us was that the Panzer units were circling us so close they couldn't fire their guns without risking shooting themselves."

Brother West says he left the army on January 30, 1946, the same rank as when he entered service - George West, PFC., "Personal Friend of the Colonel." He was awarded the American Theater Service Medal, EAME Theater Medal with four bronze stars (representing four battles), Victory Medal and Good Conduct Medal.

Brother West has not forgotten his experiences during the war and still serves as the Public Relations Officer

for the *Eightieth Division Veterans Association*. At the age of 87 he is still active and has been responsible for publishing notices and planning functions and annual reunions.

Several years ago he returned to Europe with a group of veterans and friends and they spent 10 days retracing their steps. Brother West says that one of the things that struck him on his return to Luxembourg was that during the war the terrain was much different - there were trees and shrubs and a much different terrain - now that is all gone and replaced with open fields. While in Luxembourg, he was invited to the Mayor's home for dinner. According to Brother West, "I couldn't put my glass down because if I did I had to drink another glass of wine."

Prior to entering the Army, George West started his railroad career in 1941 as a Trackman and soon became a Bridge Watchman for the former Pennsylvania Railroad. After serving in the war he returned to the railroad in 1946 and worked as an Assistant Track Foreman, Track Foreman and Track Inspector. He also worked as a Camp Car Cook for 15 years before returning to a position as a Track Inspector. Brother West retired in 1983 from his position as a Track Foreman in Carnegie, Pennsylvania.

Brother West is a retired member of Pennsylvania Federation Local Lodge See **West** on Page 17

## John J. Lattanzio Deceased

The BMWED is sad to announce the death of Brother John J. Lattanzio who passed away Friday, June 19, 2009 at the age of 90. Brother Lattanzio was born June 24, 1918 and was a resident of Hyde Park, Massachusetts. He previously served the BMWED as General Chairman of the Northeastern System Federation until the time of his retirement in 1985.

Having entered service on the former NY, NH & Hartford Railroad Company as a Trackman on April 17, 1935, he later held the positions of Rail Inspector, Truck Driver, Motor Patrol Operator, Division Power Machine Operator and Track Foreman.

Brother Lattanzio was a member of Lodge 86 and later Northeastern System Federation Lodge 228. He was a member of the BMWED for 72 years and awarded a life-time membership. Brother Lattanzio first began his service to the BMWED as a Committeeman for the former New Haven System Division in October, 1939. He had a long career in service to the BMWED and was elected to a number of positions; Local Chairman and Joint Protective Board Member (1956), Vice General Chairman/Secretary-Treasurer (1974)

and General Chairman (1978). His career spanned 51 years.

Brother Lattanzio was married to Aurora Caruso who preceded him in death. He is survived by two daughters, Joanne O'Brien and Aurora Bastable and three sons, John Jr., Robert and Vincent. He has 13 grandchildren and nine great grandchildren.

When informed of Brother Lattanzio's passing Former National Division Secretary Treasurer Bill LaRue said, "John was a rare representative whose heart was always in the work he did. He believed in the work of the Brotherhood and cared for the membership as though it was his own family. Until retirement, John left little time for himself."

"Brother Lattanzio served our members in one capacity or another for half a century and helped to set the standard of representation for our members that we still attempt to maintain," offered National Division President Freddie Simpson. "Brother Lattanzio is fondly remembered by those who worked with him, as well as those he represented. He will be sadly missed."

The BMWED extends its deepest condolences to Brother Lattanzio's family.



George West (right) with son Marty .

# 2009 Scholarship Announcement; Enrollment Now Open

## *BMWED members and their dependents encouraged to apply*

Pursuant to BMWED Resolution # 43 adopted by the 2006 Convention, two annual scholarships in the amount of \$2,000.00 each will be awarded in November to BMWED members or eligible dependents, with preference given to applicants enrolled or scheduled to enroll in an accredited college or university in the pursuit of labor-related studies. The annual scholarship award is designed to encourage and recognize the achievements of BMWED members and their dependents, and to assist them in obtaining a college education.

President Simpson stated, "I am proud of our delegates and their willingness to help educate BMWED members and their families as a means to advance Labor's agenda and protect the rights of working people. The BMWED Scholarship program is intended to assist members and dependents in achieving their educational goals. This is an especially important benefit to BMWED families in light of the escalating cost of higher education. For many working families, the cost of a college education has become largely unaffordable. The BMWED scholarship is intended to help educate the future leaders of our nation and our unions, and will serve to strengthen the recognition of Organized Labor's continuing contri-

butions to our society and the preservation of the middle class."

### ELIGIBILITY:

Applicant must be: (1) a dependent of a BMWED member in good standing who is a high school senior enrolled or planning to enroll in an accredited college or university, or a full-time undergraduate or graduate student enrolled at an accredited college or university; or, (2) a BMWED member in good standing enrolled as an undergraduate or graduate student at an accredited college or university.

**Preference will be given to applicants pursuing the study of labor-related subjects or pursuing a degree in labor-related subjects.**

### APPLICATION PROCEDURE:

To apply for the BMWED scholarship, an applicant must meet all the eligibility requirements and submit via mail the following: (1) A completed application form (available on line at [www.bmwe.org](http://www.bmwe.org)); (2) Most recent academic transcript (if applicable); (3) College entrance examination, i.e., ACT and/or SAT scores (if applicable); (4) A list of extra-curricular, community service and/or union activities; (5) A statement of 300 words or less written by the applicant outlining his or her employment history and career

goals; and, (6) A statement of 300 words or less written by the applicant explaining how the BMWED has impacted his or her life.

### SELECTION CRITERIA:

Three (3) applications verified to meet all necessary criteria will be selected by random draw from the pool of applications received by the close of business on October 30, 2009. The selected applications will be copied and distributed to the BMWED Vice Presidents who will independently review and rank each application on a scale of 1 - 3, with 3 being the highest ranking and 1 being the lowest ranking. The two applicants garnering the highest aggregate rankings will receive notice of the scholarship award in November. Any tie in ranking score will be decided by the National Division President based upon his final review of the tied applications.

The BMWED Scholarship award check will be made out directly to the college or university where the award recipients are enrolled or accepted for enrollment. Upon notification of the award, it will be necessary for the recipients to furnish the National Division President with information to facilitate the issuance of each award check payable to the accredited college or university where the appli-

cants are accepted or enrolled.

Application materials must be submitted by mail and be received by BMWED at the address below no later than the close of business **October 30<sup>th</sup>**. Faxed or emailed applications will not be accepted. Please submit to:

BMWED Scholarship  
Attn: Greg Kreie  
International Brotherhood  
of Teamsters  
25 Louisiana Ave., NW, 7<sup>th</sup> Floor  
Washington, DC 20001

Application forms and a complete description of application procedures and eligibility requirements can be downloaded from the Brotherhood's website at [www.bmwe.org](http://www.bmwe.org). Any questions regarding the BMWED Scholarship or the application procedures may be forwarded via e-mail to BMWED's Education Director at [Gkreie@bmwewash.org](mailto:Gkreie@bmwewash.org) or by calling 202-508-6444.

(Note: Pursuant to Teamster policy, delivery of any package or mail by non-union carriers will not be accepted by the Teamster's shipping/receiving department. Therefore, to assure delivery please mail through the United States Postal Service [USPS] or United Parcel Service [UPS].)

## Amtrak Operation Redblock "Youth in the Workplace Program"

Amtrak has recently complimented its Redblock Program with a substance abuse prevention effort directly targeting young employees 18-29 years old. This selective intervention approach, Youth in the Workplace (YIW), component of Operation Redblock is in response to the increased likelihood of substance abuse related problems experienced by this population at large. It targets the entire subgroup regardless of the degree of risk of any individual within the group. Research has shown, as cited by Pacific Institute of Research and Evaluation (*Transitioning Youth into Long-haul Transportation Industry Employment*), that people under age 25 who are working full - or part-time report the highest rates of alcohol use and heavy drinking. Studies have also consistently demonstrated that a larger number of work hours are also associated with these higher levels of use.

Without data establishing specific causes, the Youth in the Workplace program combines the theoretical framework of Risk and Protective Factors, Developmental Assets and Resiliency as its approach to understanding and building positive relationships with this population. During

the 2 day PREVENT training experience the young adults identify for themselves various risk factors associated within areas of their lifestyle; alcohol, tobacco and other drug (ATOD) use, relationships, communication skills, finances and stress management. The 'stages of change' model facilitates the self assessment of where they are in the process, what changes they may need to make, how they have managed change in the past and what resources they may need to reach their personal goals and aspirations.

The training is enhanced with the peer to peer interaction of shared experience and individual resolutions in a confidential environment. Additionally, developmental assets and resiliency are promoted within the context of the mentorship program. PREVENT participants are encouraged to participate in the aspects of the program which pairs them with dedicated Operation Redblock members whom continue with them on their personalized journey with on going support aimed to promote accountability, professional discovery, health and wellbeing. Continued implementation of this youth in the workplace effort fully compliments

the existing indicated interventions of Operation Redblock.

Anyone interested in becoming an Operation Redblock YIW mentor is truly welcomed. Mentors complete at a minimum the 2 day Operation Redblock training which addresses confidentiality, access to resources, peer to peer interventions, active listening skills and boundaries. In addition, each mentor has a personal orientation and inter-

### A Vice President Speaks Continued from Page 5

So while only 7% of the workforce may be organized, unions affect far more workers than this indicates.

It is also no coincidence that as the union membership has declined the middle class in America is also disappearing at a comparable rate. As the number of organized workers has decreased, the buying power and strength of the middle class has also been reduced.

Sometimes we simply overlook the fact that although unions have improved the standard of living for millions of Americans, it has also had a huge impact on social justice. Many of the benefits that children, seniors and minorities enjoy are a direct

view with the program administrator. For more information contact LeNora Black, PREVENT Administrator at 202-906-3829 (office) 202-631-6474 (cell phone) or e-mail [Lenora.Black@amtrak.com](mailto:Lenora.Black@amtrak.com).

Both the Consolidated Rail System Federation and the Pacific Federation participate in the Amtrak Operation Redblock Program by agreement with Amtrak.

result of the impact unions have had on legislation over the years. The most obvious being the union's involvement in pushing for racial equality. Yes, union members are reflective of our society and there were racial problems within Labor but that doesn't negate the fact that Labor has been deeply involved in the push for racial equality.

I am proud to be union and proud to be a part of an organization that has a singular goal of improving the lives of working men and women.

When you hear anyone attacking our union, speak up and set the record straight.

David D. Joynt,  
Vice President Northwest Region

# Race Car Driver Joshua A. Galvin

Josh Galvin likes fast cars and knows how to get around the track. Josh and his number 18, modified Chevy Monte Carlo, are a familiar site around the NASCAR sanctioned, Speedbowl race track. When he is not at work for Amtrak, he can most likely be found at the Waterford, Connecticut race track.

After winning last year's "Double down Shoot-out" he started 2009 by winning the season opener and the "Budweiser Modified Nationals". Josh started his racing career in the Super X Division (street car) seven years ago but moved up to the modified stock car, Sportsman Division in 2005. He is currently ranked in the top ten in his division in the points rating.

Josh said he got interested in racing when a friend of his became involved with the sport. His involvement in racing continues to expand and he hopes to enter races at the Thompson, Connecticut race track soon.

Josh said, "Racing is an expensive

proposition but I'm fortunate in that my dad built my motor and does the maintenance on the car. He also does all of the technical research to make sure we stay up to date on anything pertaining to racing or maintaining the car." Josh's dad, Jeff Galvin, is the lead technician for the local Mercedes Benz dealer.

Aside from racing, Josh works for Amtrak in the Bridge and Building Department. He started out as a B&B Mechanic on June 11, 2008 and was recently promoted to a foreman position. He is a member of Northeast System Federation, Local Lodge 4121 in New London, Connecticut.

Josh and his fiancé, Amie Crisman, plan to marry next year. Between the two they have three children; Josh's twin 4 year old girls, Grace and Jaisey and Amie's 4 year old son Isaiah.

The BMWED is proud to have Josh Galvin counted among its ranks and wish him the best of luck, on the track and off.



Josh Galvin behind the wheel of car number 18.

## 2009-2010 Rail Workers Hazmat Training Programs

The BMWED Departments of Education and Safety, in cooperation with the National Labor College/George Meany Center, is pleased to announce the scheduling of five, 5-day Hazardous Materials Transportation/Chemical Emergency Response Training Programs to be held during 2009-2010 at the National Labor College/George Meany Center in Silver Spring, MD. The programs are scheduled as follows:

2009	2010
October 25-30, 2009	March 21-26, 2010
November 1-6, 2009	April 25-30, 2010
May 2-7, 2010	

This training, eligible for three academic credits from the National Labor College, will address the criteria for First Responder Awareness and Operations Level training under OSHA 1910.120, and the requirements of the Department of Transportation (DOT) Hazardous Materials Regulations. In addition, participants completing the course will also receive OSHA-10 Certification, the "basic safety training" certified by OSHA. Training includes advanced classroom instruction, small group activities, intensive hands-on drills, and a simulated hazmat response in full safety gear.

The Rail Workers Hazardous Materials Training Program is funded by a federal grant from the National Institute of Environmental Health Sciences (NIEHS) and also sponsored in part by funding from the North American Railway Foundation (NARF). Participants selected to

attend will be provided with transportation, room and board. In addition, participants who are unable to receive regular pay through the railroad to attend training will be eligible to receive a stipend of \$550.00 upon completion of the course.

Members interested in applying for any one of these programs can register on line at [www.hazmatgmc.org](http://www.hazmatgmc.org) under "course schedule." Applications can also be downloaded from the BMWED web-site at [www.bmwed.org](http://www.bmwed.org). Applications will also be available through your General Chairman's office or by calling the National Division Department of Education at 202-508-6444. When filling out the application, please identify the program date(s) in your order of preference. All interested members are encouraged to apply and each applicant will be given equal consideration in the selection process.

Members selected to attend will be notified directly by phone, letter and/or e-mail approximately 6 weeks prior to the start of each session. Each successful applicant will be responsible for arranging time off duty to attend. Due to the large number of anticipated applicants, only those members selected will be notified.

For further information regarding the Rail Workers' Hazmat Program, including on-line awareness training, on-line registration, the hazmat photo gallery, and various safety resource links, please visit the program's bilingual (Spanish and English) web site at [www.hazmatgmc.org](http://www.hazmatgmc.org).



Josh Galvin with fiancée Amie Crisman.

### Change of Address Request

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

# BMWED Labor Alliance for Brotherhood of Rail Meet in Memphis, TN

**E**ddy Pete Beza was recently appointed to the BMWED National Division Diversity Committee



to replace Brother Herman Dixon who passed away recently. The following is a report from Brother Beza to his local lodge and is worth sharing with all BMWED members;

Dear Brothers and Sisters,

It is with great honor to inform you that I have been appointed to the BMWED National Division Diversity Committee by BMWED President Freddie Simpson. The position that I was appointed to was previously held by Brother Herman Dixon. Many of you may not have known him, but may remember hearing about brother Dixon passing away while operating his machine and suffering a heart attack. I have had the pleasure of working with Herman. His mentoring and guidance motivated me to pursue a bigger role within our union. His knowledge of union affairs and experience will be greatly missed, and I can only endeavor to follow in his foot steps.

I recently attended my first convention as a member of the Diversity Committee in Memphis, TN. The Labor Alliance Convention was informative, and I will do my best to convey all the information to you. Topics that were of great concern at the convention were 1) healthcare benefits being taxed, 2) union financial stability, 3) cost expenses of training local and national level union positions, 4) high speed railway, 5) national bargaining agreement, 6) union member involvement, and 7) information about life and job protection insurance and railroad retirement.

## BMWED Welcomes New Members to National Division Headquarters

The BMWED recently filled two vacant positions in the Brotherhood's Southfield, Michigan office.

Christopher Leidy was brought on board to fill the position of Programmer/Systems Analyst. He comes to the



BMWED from the Takata Corporation where he held the position of Senior Systems Developer for fourteen years. He graduated from Eastern Michigan State College with a Bachelor Degree in Business

Administration with a focus on business computing systems. He received his Masters from the University of Phoenix in Computer Science.

Christopher and wife Daneen live in the Detroit area with their two children Austin and Madelyn.

BMWED President Simpson expressed his concern about the government's intentions to tax our healthcare benefits that would help finance a national healthcare coverage for everyone. The companies that are considered to have "Cadillac" healthcare plans would be taxed. Our healthcare premiums would double and our contributions would become taxable income. This taxation on our healthcare plans would not improve benefits to our members or their families. You should have received a mail pamphlet about this proposal and our union president's letter of disapproval to President Obama. Included in the pamphlet is a template that members can use to write our Senator/Representative. I strongly suggest that we write our elected government officials to voice our concerns as to the distress it would cause our brothers/sisters and their families if this bill is passed.

BMWED Secretary-Treasurer Perry Geller informed the convention that with these financial hard times our union did endure a small loss, but we are in a good stable status. He noted that many of our brothers/sisters have been retiring within our union leadership and workforce ranks, so mentoring and guidance by our older union members should be encouraged. He also informed the convention that the funds used to retrain our local and national level union membership was costly but well invested.

Many speakers touched on the subject of a high speed railway. Many states have taken interest in these programs, but be assured that our union leadership has been lobbying to secure that our members work and maintain these programs, and not contractors.

A few speakers discussed the up and coming collective bargaining

agreement and informed us that all union federations including transportation unions, are trying to work together for our next contract. They expressed concerns on union member involvement, such as surveys not being completed and returned, older union members retiring and not passing on their knowledge and experience, and younger union members not being involved in the union. The last presentations of the convention included speakers from a life and job protection insurance company and the Railroad Retirement Board. Both presentations had too much information to properly inform you; therefore I have requested information from both to better inform you at our next union meeting.

On a personal note, I was surprised to have been the youngest member in this convention. I had the pleasure of meeting other brothers/sisters from other railroads within our great railroad community, such as BNSF, CN, CSX, and UP. These brothers and sisters whom hold prominent positions within their railroads and federations also expressed their concerns about union member involvement. I had mentioned to them that I had written a letter to the members within my lodge as a request for them to get involved, and that many

of you did contact me making inquiries about meetings and various grievances. Hopefully some of these brothers/sisters may take my suggestion and convey information about union matters the way I have.

The union is strong, but it will become stronger with your help. BMWED President Simpson has taken the first step for our union's future, and now it is our obligation to support him by writing our elected government officials and show our disapproval of this taxation on our healthcare plan. It is imperative that we complete and mail the surveys back. To my older lodge members, please teach the younger union members your job and how the union works, for they will be your legacy and the next to carry the torch for you. For the younger lodge members, take the time to listen and learn from the experienced members, for they have greatly sacrificed for our gain. **Get involved in your union, for its sole existence is for you and your families. Hope to see you at our next meeting.**

Eddy Pete Beza  
BMWED National  
Diversity Committeeman  
Local Chairman,  
Allied Federation Lodge #44



## Wayne Morrow Elected to National Division Executive Board

On June 3, 2009, Unified System Division General Chairman Wayne Morrow was elected to the BMWED National Division Executive Board. The election was held during a meeting of the National Division Officers. Brother Morrow was elected to replace retiring Board Member Mark Hemphill.

Brother Morrow brings his rich union background and his railroad experience to his new position. He began his career with the Union Pacific Railroad on July 5, 1974 as a Trackman at Wahsatch, Utah. He was soon promoted to Track Inspector then spent a number of years working as a Track Foreman prior to becoming a full-time union officer.

He is proud to be a fourth generation railroader. His father, William A. Morrow worked as a B&B Foreman for Union Pacific 30 years prior to his retirement in 1983. His grandfather Ernest Sundberg also worked for UP and retired as a Signal Maintainer and a member of the Brotherhood of Railway Signalmen. His great grandfather John Sundberg, a Swedish

immigrant, worked for UP as a Section Foreman. And, his great grandfather, Matthew Morrow worked for the Union Pacific Coal Company and was a local officer for the United Mine Workers.

Wayne started his union career as Local Chairman for the Union Pacific System Division Local Lodge 918 in 1982. He was elected to the position of Assistant Chairman in 1997 and held that position until July 2006 when he was elected to the position of General Chairman. He was elected General Chairman again three months later to head the new Unified System Division after the Union Pacific System Division merged with the Chicago & Northwestern Federation.

"Brother Morrow will make a great addition to the National Division Executive Board," said BMWED National Division President Freddie Simpson. "Wayne's level - headed approach to solving problems and his ability to get things done has convinced his peers that he is just the man for the job. We will miss Mark



Hemphill as he enjoys his retirement but look forward to working more closely with Brother Wayne."

Western Region Vice President Dave Tanner offered, "Wayne and I have been friends for a number of years and I know he has the capacity to serve the members well in his new position on the Board and will continue to do a great job as General Chairman."

## West Continued from Page 13

3004 and served that lodge for many years as the Secretary - Treasurer.

George and his wife Helen have been married for 62 years and have two sons, Martin A. West and George E. West. He still enjoys working for his Veteran's Association, is a member of the Masonic Lodge and works his garden. His son Martin is also retired from the railroad.

Martin "Marty" West worked for Conrail and its predecessors for 26 years before retiring in 2000 due to disability. He worked as a Track Foreman on the Pittsburgh Division in Conway, Pennsylvania.

A large number of BMWED members have served our country throughout our history and BMWED members are currently serving in Iraq and Afghanistan. Too often we forget their sacrifices and the hardships they and their families suffer. We say thanks to all those who have served and are currently serving in the armed forces to protect the freedoms and privileges we have in this great country.

We extend our best wishes and our sincerest gratitude to Brother West for sharing part of his story and extend our wishes for a complete recovery to his wife Helen.

## Katie Fruzynski Rejoins Washington Staff

Katie Fruzynski was hired recently to join the BMWED staff in the Washington, DC office. Katie worked for the Brotherhood for a short period last year. Due to the recent opening, the BMWED was able to offer Katie a full-time position.

Katie is originally from Sonoma, California. She was introduced to the DC area when she attended American University in Washington. She graduated with a Bachelor of Arts degree in International business.

After her stint with the BMWED last summer she moved to Paris, France where she has lived for the past ten months. There she perfected her French and taught English to French high school students. Now returning to DC, Katie has been lucky enough to rejoin the Washington office of the BMWED.

"We are glad to have Katie back with us full-time," said National



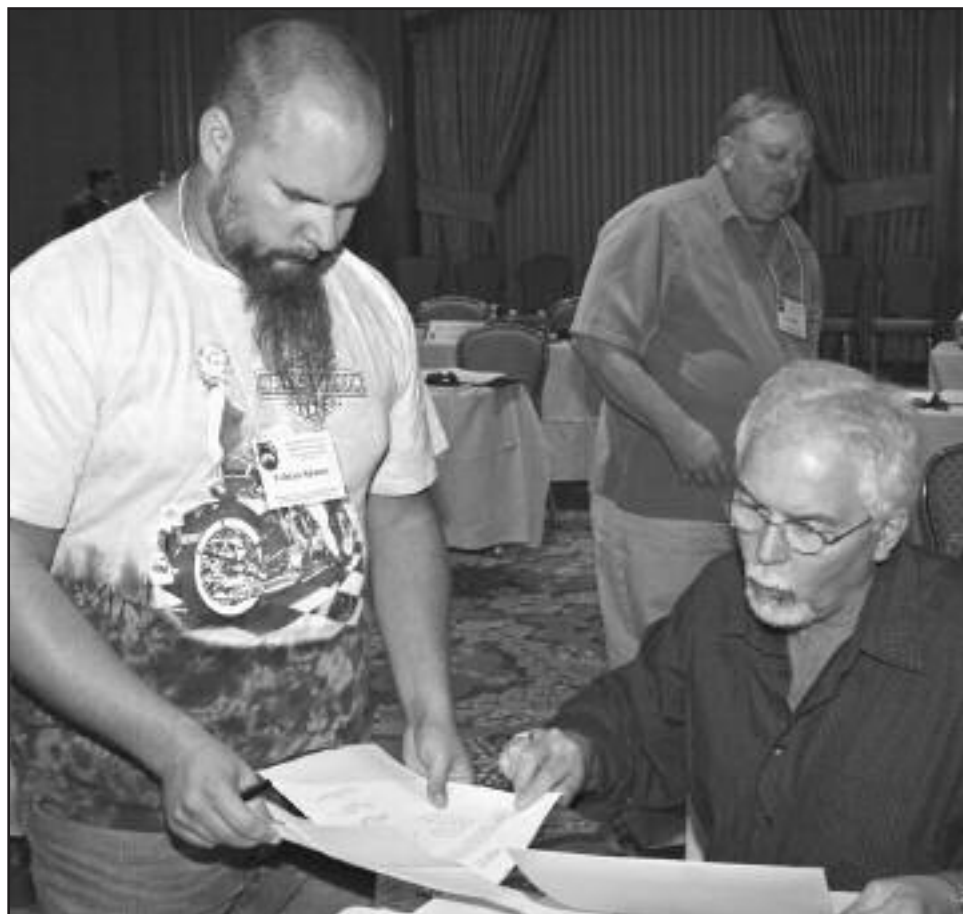
Division President Freddie Simpson. "I believe she will make an excellent addition to our Washington staff."

## Around the Brotherhood Continued from Page 5

### BMWED Holds Local Chairman/Secretary-Treasurer Seminar

In its continuing focus on education, the National Division held another in a series of seminars. A number of speakers and instructors provided training on a variety of

subjects intended to enhance the skills of local lodge officers. The recent seminar was held in Salt Lake City, Utah on August 13 and 14, 2009.



BMWED Staff Assistant Government Reporting Services Steve Mocher discusses a point with Burlington System Division Local Lodge 961 Secretary - Treasurer Tobias Adams (standing).

## LOCAL LODGES SEND US YOUR PICTURES

If your local lodge would like to share highlights of a special event, or you would just like to see your local lodge members in the *Journal*, send us a picture with a brief description of the meeting or event. The details should include your name, telephone number, local lodge number and system division or federation.

The picture along with the details may be sent by email or U. S. Mail to the following:

[Rbrassell1@aol.com](mailto:Rbrassell1@aol.com)

or

BMWED Journal  
c/o Randall Brassell  
242 West Main Street, #394  
Hendersonville, TN 37075

# ROLL OF HONOR

## 60 year

M E R I T A W A R D S

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
C. B. Hedges	BURL	0798	1947
Ralph Johnson	PENN	3063	1937
Steve C. Martinez	ICGF	0469	1952
Walter A. Pfeifferle	BURL	0798	1947
Cecil A. Schmidt	BURL	0798	1941
Milton L. Spangler	BURL	0798	1941
James A. St Clair	BURL	0798	1943

## 50 year

M E R I T A W A R D S

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Ronald Roewer	USD-NW	2853	1959
Ray S. St Clair	BURL	0798	1956
John J. Yates	BURL	0798	1955

## 40 year

M E R I T A W A R D S

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Kenneth A. Bridgeman	BURL	1832	1967
Myrvle L. Duvall	AF-SE	1064	1968
James Lawrence	BURL	0798	1962
Cornelio Montoya Jr	USD-W	0918	1966
Kenneth W. Rainey	ICGF	0469	1963
Manuel Zavala	ICGF	0469	1968

## 30 year

M E R I T A W A R D S

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Kevin Adams	PENN	3063	1977
Gale D. Adwell	BURL	0798	1970
Juan T. Alcantar	ICGF	0469	1976
Jose R. Alvarez	ICGF	0469	1977
Luis O. Alvarez	ICGF	0469	1977
Dave A. Anders	BURL	0798	1973
Dave A. Anders	BURL	0798	1973
Harold J. Arnold Jr	BURL	0798	1978
Martin A. Arteaga	BURL	0798	1976
David C. Ashby	BURL	1832	1977
David K. Ashenfelder	AF-SE	1064	1977
Paul E. Barker	AF-SE	1064	1974
George N. Bell	PENN	3063	1975
Louis R. Below	PACFED	0914	1977
John T. Bokoskie	USD-W	0899	1979
Dana D. Booth	AF-SE	1064	1975
Harold W. Boyce	AF-SE	1064	1970
Francis J. Brown	PENN	3063	1974
Lionel W. Brown	USD-W	0899	1978
William J. Buckland	CRSF	0201	1976
J. J. Burciaga	BURL	0798	1973
Paul E. Burse	USD-W	0216	1979
Roy Byers	USD-W	0686	1978
Roger G. Carter	BURL	0798	1976

Joseph E. Castaldi	PENN	3063	1976
Gregg A. Clay	BURL	0798	1974
Steven G. Clewell	BURL	0798	1977
John Coffman	AF-SE	1064	1977
Dennis L. Cohagan	BURL	0798	1975
Eric D. Corril	USD-W	0216	1978
Tommy E. Davis	AF-SE	1064	1977
Miguel Diaz	ICGF	0469	1979
Joseph Ellul	ICGF	0469	1979
John E. Feuerer	PENN	3063	1975
Dwight L. Foutch	BURL	0798	1975
Rodger W. Freeman	BURL	0798	1973
Amos Fulford	ICGF	0469	1979
Donald E. Farrow	BURL	0798	1973
Robyn L. Gerdes	BURL	0798	1977
Ward G. Grade Jr	BURL	1832	1977
Jeffrey Griffin	PENN	3063	1974
Michael J. Hagarty	PENN	3063	1975
Michael J. Hagarty	PENN	3063	1975
Mark S. Hartman	BURL	0798	1976
James F. Hays	BURL	0798	1976
Pedro G. Herrera	BURL	0798	1976
Matthew S. Hooker	CRSF	1980	2007
John J. Hopkins	PENN	3063	1974
Dale R. Hopping	BURL	0798	1976
Ernest R. Hulstrom	BURL	0798	1978
Saul R. Interial	BURL	0798	1976
Marshall L. Jackson	BURL	0798	1977
Roger H. Johnson	PENN	3063	1977
Stephen G. Johnson	BURL	0798	1976
Lynn N. Jones	ICGF	0469	1978
David R. Keever	BURL	0798	1977
Lester L. Lafferty	AF-SE	1064	1979
Gregg M. Lannholm	BURL	0798	1979
Daniel J. Lauer	PENN	3063	1974
Carmon K. Loui	BURL	0798	1975
Arthur G. Mac Bain	PENN	3063	1976
Patrick R. Mac Neill	PENN	3063	1976
Roger L. Mc Dermott	USD-W	0899	1979
Bobby G. Mc Elhenney	ICGF	0616	1978
Dennis L. Mc Kee	BURL	0798	1976
Michael A. Medina	BURL	0798	1976
Alfredo Melesio	ICGF	0469	1970
Abraham G. Mendoza	BURL	0798	1975
Carl E. Miller	PENN	3063	1975
Steven E. Miller	BURL	0798	1976
Saul Z. Montoya	ICGF	0469	1977
Hayward L. Moore	PENN	3063	1976
Howard C. Muchow	BURL	0798	1976
Robert L. Myers	BURL	0798	1975
Stephen W. Nelson	BURL	0798	1973
Alberto H. Nevarez	BURL	0798	1975
William D. Oehlert	BURL	0798	1975
Johnny Oeth III	BURL	0798	1977
Michael A. Paris	BURL	1832	1977
Jeffrey R. Pearce	BURL	0798	1978
Leland W. Pendergrass	BURL	0798	1974
Dallas L. Petersen	BURL	0798	1972
John J. Petroski	USD-W	0686	1979
Tim P. Petty	ICGF	0469	1971
Gary E. Pherigo	BURL	0798	1976
Dewey R. Prescott	BURL	0798	1974
Karl Prince	ICGF	0469	1980
Antonio A. Puentes	ICGF	0469	1973
Hilario U. Quiroga	ICGF	0469	1977
Arturo T. Ramirez	BURL	0798	1976
Ramon T. Ramirez	BURL	0798	1978
Robert D. Reams	BURL	0798	1978
Terry W. Renwick	BURL	0798	1976
Transito Reyes	ICGF	0469	1975
James D. Reynolds	BURL	0798	1976
Mark W. Roberts	USD-W	1020	1979
Victor Rodriguez	BURL	0798	1976
David D. Rogers	BURL	1832	1977
Trinidad Rojas	ICGF	0469	1977
Robert Romo	BURL	0798	1975
Robert D. Rorick	PENN	3063	1975
Alvin L. Rushing	BURL	0798	1977
Michael W. Rushing	USD-W	0686	1979
David A. Sabo	PENN	3063	1975
Robert D. Showalter	BURL	0798	1974
John H. Smith	ICGF	0469	1979
Charles G. Stevenson	ICGF	0469	1978
Nieves G. Tovar	ICGF	0469	1978
Carl S. Turner	BURL	0798	1976
James W. Wells	BURL	0798	1977
Keith L. Williams	USD-W	0899	1978
Thomas H. Wilson	BURL	0798	1972
Kirk A. Wunderlich	PENN	3063	1976
Benny R. Wylie	USD-W	0686	1978

## 20 year

M E R I T A W A R D S

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Miguel M. Aguilera	ICGF	0469	1980
Lorenzo T. Alcantar	ICGF	0469	1982
William J. Barcus	ICGF	0469	1988
Roger F. Beckman	AF-SE	1064	1981

Cornell Burton	ICGF	0469	1979
David R. Butler	ICGF	0469	1980
Ricardo C. Canchola	PACFED	0227	1984
Artemio Cervantes	ICGF	0469	1987
Anthony Chorak	ICGF	0469	1989
Curtis R. Clary	AF-SE	1064	1981
Eldon D. Cunningham	BURL	0798	1980
Kenneth R. Dearing	ICGF	0469	1982
Okey C. Delaney III	AF-SE	1064	1982
Sheldon W. Engle	ICGF	0469	1981
Kenneth Ford	ICGF	0469	1981
Le Roy R. Frank	ICGF	0469	1988
Donald S. Galligan	ICGF	0469	1989
Michael O. Gillette	BURL	0798	1980
Jose J. Jauregui	ICGF	0469	1988
Juventino Lara	ICGF	0469	1987
Daniel C. Linstrot	ICGF	0469	1987
Jorge C. Ortiz	ICGF	0469	1988
Manual M. Palacios	ICGF	0469	1987
Guillermo Palomo	ICGF	0469	1988
Abel L. Pantoja	ICGF	0469	1982
Miguel Perez	ICGF	0469	1987
Donald J. Petrie	ICGF	0469	1989
Juan J. Rivera	ICGF	0469	1981
Juan M. Rosales	ICGF	0469	1987
Randy A. Rutledge	BURL	0798	1983
Frank Smith	ICGF	0469	1988
William V. Szendzial	ICGF	0469	1988
Fidel G. Tejeda	ICGF	0469	1988
Rick C. Van Meter	ICGF	0469	1986
Thomas E. Young	ICGF	0469	1988
Richard D. Younge	BURL	0798	1981

## 10 year

M E R I T A W A R D S

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Carlos P. Andrews	USD-W	1216	1998
Doug W. Bertelsen	BURL	0798	1990
Scott A. Bradley	BURL	1832	1998
James F. Breckenridge	BURL	0798	1990
Douglas L. Bryant	ICGF	0469	1992
John L. Byrnes	BURL	0798	1995
Rodger L. Coon	BURL	0798	1992
John C. Cromer	BURL	0798	1995
Anthony M. Cruciani	ICGF	0469	1995
Scott R. Curley	BURL	0798	1996
Martin W. Devito	ICGF	0469	1995
Daniel Estrada	ICGF	0469	1996
Michael A. Folden	USD-W	0134	1998
Seth K. Frazee	USD-W	0941	1998
Robert M. Freeny	ICGF	0469	1992
Nelson Guitron	ICGF	0469	1997
Larry C. Harper	ICGF	0469	1992
Robert J. Hoerner	ICGF	0469	1995
Maurice Jackson	C&EI	0063	1997
Nathan L. Johnson	BURL	0798	1993
Delbert L. Jones	ICGF	0469	1998
Kurt A. Kroner	ICGF	0469	1989
Marty B. Lopez	USD-W	1216	1998
Brian L. Lowery	BURL	0798	1992
David J. Mahoney	BURL	0798	1994
Jose Medina	ICGF	0469	1996
Lester L. Miller	BURL	0798	1990
Hector A. Munoz	ICGF	0469	1995
Kecia D. Pugh	BURL	0798	1993
Bradley W. Ralston	BURL	0798	1994
Scott D. Ralston	BURL	0798	1990
Jose L. Ramirez	ICGF	0469	1993
Darin A. Ringo	ICGF	0469	1995
Griffin Ringo	ICGF	0469	1992
Phillip J. Rodriguez	ICGF	0469	1990
Martin W. Seiboldt	BURL	0798	1990
Derek C. Shoemaker	C&EI	1003	1998
James E. Smith Jr	BURL	0798	1990

Todd N. Sorensen	PACFED	1834	1998
Leonard E. Stockdale	BURL	0798	1996
Gary E. Tinsley	ICGF	0469	1998
Carlos Torres	ICGF	0469	1992
Michael C. Ward	BURL	0798	1990
Mark D. White	C&EI	0041	1998
Ted E. Wisniewski	ICGF	0469	1996
Roland G. Yelm	BURL	0798	1990

## Hoffa Continued from Page 6

For all those reasons, it seems extremely unlikely that a tax on employer-sponsored health insurance will ever become a reality. Or, let us hope.

If it did, it would destroy employer-sponsored health insurance.

We know Members of Congress can be creative when they need to find revenue offsets. Let them use that creativity just as they did for Wall Street to prevent another tax on those of us who live on Main Street.

Eliminating subsidies and preferences for the wealthiest Americans would go a long way to pay for the health care reform this country so desperately needs.

President Obama is suggesting a limit on itemized deductions for the 3 million wealthiest people in this country. That would raise about \$270 billion over 10 years.

Let's make health care reform cover the uninsured but not penalize hard-working American families and individuals who have employer-sponsored plans. For those who claim this is class warfare, I'd say it's been going on for quite a while and it's time for that to change. Middle-class families — the backbone of this country — deserve better.

—James P. Hoffa,  
Teamsters General President

## We Want To Hear From You

If you have a special hobby or talent, hold public office, or you would like to share your hunting or fishing stories, we would like to hear from you. Share your story with our BMWED Brothers and Sisters in the BMWED Journal.

Please send us your pictures with brief details along with a name, address and telephone number. You may email, or send by U.S. Mail to the following:

Rbrassell1@aol.com  
or

BMWED Journal  
c/o Randall Brassell  
242 West Main Street, #394  
Hendersonville, TN 37075

## DEATH BENEFITS

### Report of Claims Paid during May thru June, 2009

NAME	LODGE NUMBER	SYSTEM	NAME	LODGE NUMBER	SYSTEM
JAMES D. BENTON	2042	SEAB	WILLIAM J. RANALLO	0042	MIDW
EMRY P. BROWN	1193	AF	RICHARD C. ROLLINS	0091	BURNOR
WILLARD W. CRAIG	0230	BURL	PHILLIP RUSS JR.	0702	AF
ORLANDO DE STEFANO	0305	CRSF	JOHN L. STURDIVANT	2033	FRISCO
CHARLEY FORMANEK	0381	USD	JUAN J. VICHARELLI	1563	AF
MAURICE FUJIWARA	1763	BURNOR	VIRGIL R. YOUNG	1353	AF
DONALD H. GOODHUE	0159	BURNOR			
ALFREDO MIRAGLIA	2905	CRSD			
KENNETH O'DELL	1003	C&EI	PAID MAY 1, 2009 TO JUNE 30, 2009	\$	8,500.00
FLOYD R. PIERCE	0364	BURNOR	AMOUNT PREVIOUSLY PAID		\$45,249,807.75
DENSIL W. POLEN	0034	SOU	TOTAL AMOUNT PAID TO DATE		\$45,258,307.75
			NUMBER OF CLAIMS PAID - 17		

## Pilot Safety Program Continued from Page 1

The new agreement also includes provisions intended to enhance training and provide a method for requesting training in areas associated with their specific job. Other provisions include the Safety Analysis Process (SAP) that will, under certain circumstances, allow employees involved in an accident, injury or incident to avoid discipline by participating in the "SAP" program.

"The BMWED looks forward to working with UP to get this program in full swing. An agreement designed to reduce injuries and accidents – while providing a method that allows our members an alternative to discipline – is a win-win situation for both UP and the BMWED," said BMWED National Division President Freddie

Simpson.

"At UP, we believe safety is best achieved by employees who are motivated to work safely themselves and who also share responsibility for their coworkers' safety," said David Connell, vice president-Engineering. "Although rule compliance is the foundation of workplace safety, we believe this pilot program will take us beyond rule compliance to more of a team approach to identify and eliminate risk. We welcome this partnership with the BMWED."

Copies of the Agreement have been mailed to all affected UP employees.

If the two-year program proves to be a success as expected, it may be extended and expanded to other UP properties.

## Merge Continued from Page 1

"I would like to extend my congratulations to the officers and members of both the Frisco and the AT&SF Federations," said BMWED National Division President Freddie Simpson. "AT&SF General Chairman Mark Hemphill and Frisco General Chairman Rick Sandlin have illustrated once again that the leadership of this union places their membership's interest first. Both federations have done a great job representing their members and I expect that working

together they can achieve even more."

Other officers elected to serve the new federation were:

John B. Garrard - Vice General Chairman/Secretary Treasurer  
Dana R. Sconyers - Assistant General Chairman  
Gary W. Marquart - Assistant General Chairman  
Brian T. Poston - Assistant General Chairman  
Randy S. Lunow - Assistant General Chairman

## BMWED Legislative Issues

State Legislative Directors and Assistant Directors arrived in Washington, DC to attend a four-day training session conducted by the BMWED Legislative and Education Departments. The training was held at the IBT headquarters with additional assistance from the IBT Department of Training and Development. Thirteen different presenters representing IBT, BLET, BMWED, Change to Win, Outside Counsel, Congressional Staff, and the National Labor College addressed a wide range of topics. The training included an afternoon contacting members of the House and Senate where the SLDs urged no taxation of employer provided healthcare benefits and sought support for the Employee Free Choice Act.

The Teamster State Legislative Meeting conducted by the IBT Department of Field and Political Action provided a second training opportunity on July 19 and 20, 2009 in Philadelphia, Pennsylvania. More than ninety participants, including twenty-four (24) BMWED State Legislative Directors, IBT State Lobbyists, and BLET State Legislative Board Chairmen took part in this training. Twenty presenters provided valuable information relating to a variety of legislative issues at the State and Federal level.

The National Council of State Legislatures convened its annual conference on July 20 affording the SLDs an additional opportunity to attend a number of educational sessions the remainder of the week. The NCSL also enabled the attendees to interact

Continued from Page 20

with members of their State Legislatures and those of the neighboring states in a non-legislative setting. Due to the success of this meeting and conference, the Teamsters Department of Field & Political Action is anticipating repeating the training in 2010.

### Democratic, Republican, Independent, Voter Education (D.R.I.V.E.)

D.R.I.V.E. is the Political Action Committee (PAC) for the International Brotherhood of Teamsters. Membership to DRIVE helps to elect political candidates who care about working people. As of July 1, 2009, the BMWED had 31,900 dues paying members. Of these, only 2,854 have volunteered to contribute to DRIVE through monthly payroll deductions. The overwhelming number of these contributors are 50 years of age or older and every month some of these contributors retire. In order to increase the overall numbers, it is imperative that non-contributing members sign up in numbers greater than the rate of attrition. The Legislative Department continues to emphasize and promote voluntary D.R.I.V.E. participation by direct appeal and the distribution of authorization cards to System and Local Lodge officers. 94 members have joined DRIVE in the first 6 months of 2009. Please consider becoming a member of DRIVE by contacting your respective officer or the Washington, D.C. office at 202.508.6445 and requesting and filling out an authorization form.

## Roland Gene Davis Retires

Gene Davis will retire August 17, 2009, exactly 39 years from the day he was hired in on the Atchison, Topeka & Santa Fe Railroad. He will be leaving his post as a System Representative for the Atchison, Topeka & Santa Fe Frisco System Federation after a long career with the Brotherhood of Maintenance of Way Employees Division.



Brother Davis began his career in the Track Department of the Atchison, Topeka & Santa Fe Railroad as a Trackman on August 17, 1970 and was promoted to Ditcher Engineer - Heavy Equipment Operator / a position he held for 27 years.

His union career began as a Local Chairman and Joint Protective Board Member for the AT&SF Local Lodge 2402, located in Marceline, Missouri in 1982. He held that position until 2006. He was elected to the Execu-

tive Board for the AT&SF Federation in 1991 and served on the Board until 1997 at which time he was elected to the position of Assistant General Chairman. Gene served in that capacity until the merger of the AT&SF and the Frisco Federations took place in June of this year and has served since as a Federation Officer.

"Brother Davis has worked tirelessly for this Brotherhood over the years and deserves a rest," said National Division President Freddie Simpson. "While we all hate to see Gene leave we are happy that he will have more time to relax and enjoy retirement. I wish Gene a long and happy retirement."

Brother Davis will spend his retirement at his home in Newton, Kansas. Gene says he will be doing a lot of hunting, fishing, camping and target shooting. He also enjoys carpentry, mechanic work and doing welding art.

The BMWED wishes to extend its best wishes for a long and happy retirement to Brother Davis.

## D.R.I.V.E. Award Recipients Honored

Awards were bestowed on those that have made a special effort to support the Teamster Political Action Committee (PAC) throughout the past year. The awards for special contributors to the Democratic, Republican, Independent, Voter Education (D.R.I.V.E.) have traditionally been awarded during the annual national division officers meeting and this year was no exception. The awards were bestowed as follows;

Local Lodge with the highest percentage of members contributing - Affiliated System Federation Lodge 1306

Local Lodge with the highest dollar amount per capita - Unified System Division Lodge 799

Local Lodge with the highest amount contributed - Allied Federation Lodge 1365

Highest contributing retiree - Roger Bobby, Burlington Northern System Federation

State with the highest dollar amount per capita - South Dakota (State

Legislative Director, Joe Kraljic)

State with the highest percentage of members contributing - Minnesota (State Legislative Director, Mike DeRosa)

System with the highest percentage of members contributing - Atchison, Topeka and Santa Fe Frisco System Federation (General Chairman, Mark Hemphill)

Highest contributing System - Unified System Division (General Chairman, Wayne Morrow)

Highest contributing Region - Northwestern Region (Tom Cartwright)

System with the highest dollar amount per capita - Midwest System Division (General Chairman, Mark Wimmer)

Highest contributing union officer - Malcolm Davison, Allied Federation

Highest Contributing member - Gregory Kreie, Atchison, Topeka and Santa Fe Frisco System Federation

Congratulations to all of those receiving recognition.



Left to right: Gregory Kreie, Tom Cartwright, Wayne Morrow, Malcolm Davison, Gene Bell, Mark Wimmer, Mark Hemphill.

# BMWED Legislative Issues – 111th Congress

## Health Care Reform

This is the number one issue for President Obama, the Administration, Congress and America. Providing health care coverage for every citizen requires cost savings and additional sources of funding. Unfortunately, Senator Max Baucus (D) Montana and Chairman of the Senate Finance Committee has proposed taxing the value of employer-sponsored health plans. Such a proposal will affect union and non-union employees including BMWED and the rest of rail labor. In response to Senator Baucus' proposal, the BMWED has engaged in alerting and educating the membership, President Obama and the Members of Congress as to why this is a very bad idea.

The BMWED joined 30 sister unions signing onto letters addressed to all of the Members of Congress (House and Senate) opposing any proposal that would pay for reform by altering the tax treatment of employer-sponsored health plans. President Simpson made a direct appeal to President Obama by letter dated June 16, 2009 reminding him of his campaign position that affordable and accessible health care "... should never be purchased with tax increases on the middle class. ..." A direct mailing was sent the same day to all BMWED members asking you to contact your respective members of Congress to oppose this tax proposal should it come to vote. Taxing health plans has been an on again, off again subject of debate with no indication the idea is dead. On July 21, additional letters were sent by President Simpson to the Chairman and Ranking Member of the Senate Finance and Health, Education, Labor and Pension Committee further outlining BMWED's position. The referenced letters have been posted on the BMWED's website ([www.bmwed.org](http://www.bmwed.org)).

As we prepare to go to press, the House is preparing to begin its summer recess and will not consider its measure until September; and, Democratic leaders try to sort out deep policy differences between moderates and liberals. In the Senate Finance Committee, a bipartisan group of six senators continues to negotiate their bill and the Committee is not expected to hold a markup prior to beginning the Senate recess on August 8. The recess will provide BMWED members with the opportunity to meet personally with their Congressional delegation while they are in their home districts. You are encouraged to speak out for health care reform and against subjecting your health plan to taxation.

## High-Speed Rail

We reported in the last issue of the *Journal* that the FRA was conducting a series of workshops related to the distribution of the \$8 billion in grant funds provided by the American Recovery and Reinvestment Act. In response to those workshops, the FRA has received 278 pre-application requests totaling \$103 billion. Action on these applications will take place later this year.

President Obama's 2010 budget request included \$1 billion in funding for HSR. The House response was to increase this request to \$4 billion. The

legislation is now awaiting Senate action where some Senate Republicans, including Senator John McCain (R) Arizona, have opposed proposals to boost funding for passenger rail projects, contending that passenger rail service should be privatized.



Director of Government Affairs  
Leon Fenhaus

## Railroad Anti-Trust Enforcement Act

The U.S. House Judiciary Subcommittee on Courts and Competition Policy passed H.R. 233, the Railroad Antitrust Enforcement Act of 2009 on July 30, 2009. The bill now moves on to the full committee. The companion bill, S. 146, was jointly withdrawn by

Senator Jay Rockefeller IV (D) West Virginia and Senator Herb Kohl (D) Wisconsin on June 1, prior to a cloture petition that was scheduled for June 2, 2009. Rockefeller and Kohl have vowed to work together to include the repeal of railroad antitrust exemptions through proposed legislation currently being crafted by the Senate Commerce Committee. BMWED has taken no further action since requesting a "No" vote on the anticipated cloture vote that was scheduled in June.

## Employee Free Choice Act

No Congressional action has occurred since S. 560 and H.R. 1409 were introduced in March. A number of Union Presidents, including IBT

General President James Hoffa, met with President Obama in July where he reaffirmed his commitment to the passage of Employee Free Choice. The President requested that he first be given the opportunity to finish health care reform which would permit him to focus on EFCA.

On July 17, 2009, a New York Times article reported a compromise deal involving six labor friendly senators was reached that included the withdrawal of the card check provision. The truth of the matter is that the meeting which was scheduled and "reported" on by the NYT was cancelled. A deal was not reached and the article is full of speculation. At this time, no "deal" has been reached which alters the goals of EFCA.

## Departmental Meetings

In an effort to introduce the BMWED to the staff of the various agencies critical to the livelihood and working conditions of the membership, representatives of the BMWED and the BLET jointly met with National Mediation Board members Linda Puchala and Harry Hoglander, Secretary of Transportation Ray LaHood, Federal Railroad Administration (FRA) Administrator Joe Szabo, FRA Deputy Administrator Karen Rae, FRA Associate Administrator of Safety Jo Strang, and other FRA staff members. The BMWED additionally met with U.S. Department of Labor's Director of Enforcement Programs, Mr. Richard E. Fairfax and Mr. Michael Shanker, Investigation and Compliance Specialist Directorate of Enforcement Programs, U.S. Department of Labor Occupational, Safety and Health Administration.

## State Legislative Director Training

On June 15, 2009, twenty-eight (28) See **Legislative** on Page 19



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