

BMWED

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

JOURNAL



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BMWED Federations Announce Merger *NPW&LE and CRSF Unite*

On September 11, 2009 the governing bodies of the Consolidated Rail System Federation and the Nickel Plate – Wheeling & Lake Erie Federation, of the Brotherhood of Maintenance of Way Employees Division convened in Oregon, Ohio and finalized a merger between the two federations. The newly merged federation will retain the name, Consolidated Rail System Federation. The merger will become effective January 1, 2010.

The Consolidated Rail System Federation will now represent more than 2200 BMWED members and will

continue to maintain an office in Port Clinton, Ohio.

CRSF General Chairman Bradley Winter was elected to head the newly merged and reorganized federation and offered, "This took a lot of work and planning by both sides but fortunately, our officers, Paul and his folks were willing to work together to insure that our members continue to get first-rate representation. Working together we can assure our members that their federation will remain strong and will continue to be a forceful guardian of their rights in the workplace."

Former NPW&LE General Chairman Paul Beard will continue to serve the CRSF as Vice Chairman. "We are proud to continue a tradition of looking out for our members," said Beard. "The BMWED led the way when it merged with the Teamsters and did it because it was the right thing to do for our members - this merger was the right thing for our federations."

"The BMWED is on the move and looking toward the future," said BMWED National Division President Freddie Simpson. "Once again our officers have illustrated the

kind of leadership that the membership can be proud of. Brad Winter, Paul Beard and their officers have placed the interest of their members first. The great representation that their respective members have received in the past will continue two-fold."

The Consolidated Rail System Federation represents maintenance of way workers who are employed by CSX, NS, Amtrak, CN/Grand Trunk, Conrail, Springfield Terminal, MBCR and the St. Lawrence & Atlantic Railroads from the coast of Maine, west to St. Louis, MO.



BMWED Secretary-Treasurer Perry Geller swears in newly elected Board Members.



BMWED Secretary-Treasurer Perry Geller swears in newly elected officers.

BMWED and CSX Reach Agreement Concerning Contracting Out *Second Agreement covers Bridge and Building Work*

The BMWED signed a new agreement with CSX Railroad designed to reduce the amount of contracting out of bridge and building work and to increase the number of B&B jobs. The agreement also settles outstanding related B&B claims and became effective September 1, 2009.

This is the second such agreement reached with CSX. On May 23, 2007 the BMWED signed a similar agreement that covered work assigned to the track and welding departments.

The new agreement is intended to specify what work can, or cannot be contracted out and specifies the parameters by which the process works. The agreement is also designed to increase the amount of work now done by the B&B Department while eliminat-

ing the need for many of the claims and grievances now being filed concerning contracting out and provides for specific additional employment and new positions in the B&B Department well above and beyond the level of attrition.

Like the previous agreement, it contains a number of rule changes including the establishment of what is referred to as Zone Gangs, as well as a new B&B Structural Welder classification.

Allied Federation General Chairman Dennis Albers said, "We are proud of what the BMWED bargaining unit was able to accomplish. This new agreement is the culmination of the hard work that began a decade ago when former General Chairmen Freddie Simpson, Perry Geller and Randy Cook See CSX on Page 10



Allied Federation General Chairman Dennis Albers discusses the new CSX agreement with President Simpson and Secretary-Treasurer Geller.



Union Plus/BMWED Scholarships Keep Staffer on Track

Nearing Degree from National Labor College

The following article was contributed by Jennifer Dorr, Communications Manager for Union Privilege;

Though he's still only 25 years old, Lodge 0466 member and BMWED Arbitration Department employee Peter Kennedy has known for many years that he wanted to spend his life in the labor movement.

Scholarships from the BMWED and Union Plus are preparing him to better serve that movement by helping to finance his studies at the National Labor College (NLC) in Silver Spring, MD.

Kennedy received \$6,112 in scholarships from Union Plus covering tuition, fees, room and board for three courses this summer and four this fall.

"The Union Plus Scholarship was a godsend for me," Kennedy says. "I'm so grateful both to BMWED and to Union Plus for helping me to continue my college education."

BMWED helped him greatly with a \$2,000 scholarship earlier in the year. Through Kennedy's hard work and the financial assistance BMWED and

Union Plus provided, Kennedy is close to reaching his goal: a June 2010 graduation with a degree in *Political Economy and Union Administration and Leadership*.

Being the son of an Indiana State Teachers Association member and grandson of a Chicago Teamster gave Kennedy living examples of the difference unions can make.

"I saw so much inequality in the country and a lot of good people being done wrong by employers and I knew I wanted to be part of doing something about it," says Kennedy of what drew him to be interested in unions.

While still a teenager, Kennedy began working for CSX and became a member of Lodge 0466. Not far out of his teens, he was elected Lodge 0466 Secretary-Treasurer. After serving more than three years in that job, he was appointed as a staff assistant with the BMWED Arbitration Department in Chicago last year. Kennedy moved to Hammond, IN, to be close to his new job researching and preparing arbitration submissions.

In what turned out to be a life-changing experience, the union sent him back east to the NLC last year to take *Arbitration Level I*.

"I fell in love with the NLC and knew that I wanted to earn my college degree there to help me have more to contribute to the BMWED and the labor movement," Kennedy says. Though most of the students on campus are much older, that bothers neither him nor his classmates. "Everyone agrees that the labor movement needs new blood for the future."

Kennedy believes that his studies have made him much better at his job. "I have a much broader understanding of how the economy, industry and the labor movement function," he adds.

While seeking information about the scholarship, Kennedy discovered the wide range of Union Plus discounts and benefit programs to help union members and their families. He quickly found out about—and utilized—the Legal Services Program to save money while solving a financial dispute back in his home town of Walkerton, IN.

BMWED members have access to that and a wide range of other Union Plus benefits from rental car, tire, flower, AT&T and vacation discounts to mortgages and credit cards with special union features and protections. For a full listing of all the benefits available, visit UnionPlus.org

The Union Plus National Labor College Scholarship Program has provided more than \$176,000 in scholarships to some 147 recipients since it was created in 2002. The NLC is the nation's only accredited college exclusively dedicated to the education of union members, leaders and staff. It offers a unique program that is tailored for full-time working men and women. For information about the



Scholarship winner Peter Kennedy on the campus of the National Labor College in Silver Spring, MD.

NLC's degree programs and courses, visit NLC.edu

"I am very proud of what Brother Peter Kennedy is doing and grateful for the role both Union Plus and the National Labor College are playing in his life," summed up BMWED National Division President Freddie N. Simpson. "It's good for him, for our union and for the labor movement as a whole."

BMWED Division JOURNAL CONTENTS

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BMWED Federations		Secretary-Treasurer's Report	7
Announce Merger	1	A Vice President Speaks	7
BMWED and CSX Reach Agreement Concerning Contracting Out	1	Former Milwaukee Road Employees Celebrate Centennial	8
Union Plus/BMWED Scholarships Keep Staffer on Track	2	Thomas A. "Tommy" Nall Retires	8
Midwest System Federation Ratifies Agreement With IAIS Railroad	2	Union Staff Position Available	8
Around the Brotherhood	3	Maintenance of Way Women Form BMWED Women's Committee	9
BMWED Issues Convention Call	4	William L. "Bill" Capik Retires	9
Marathon Man	5	Roll of Honor	10
President's Perspective	6	Death Benefits	10
Message from Teamsters		Centenarians	11
General President Jim Hoffa	6	BMWED Legislative Issues - 111th Congress	12



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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
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Hendersonville, TN 37075

Midwest System Federation Ratifies Agreement With IAIS Railroad

The Brotherhood of Maintenance of Way Employees/IBT, Midwest System Federation membership finalized ratification of its Tentative Agreement with the Iowa Interstate Railroad. The tentative agreement had been reached on September 8, 2009. On October 9, 2009, at the close of the business day, the vote was counted and the Agreement was ratified by an overwhelming margin.

The five (5) year contract provides for annual wage increases and a number of improvements in

work rules. The Agreement also requires that Iowa Interstate Railroad enroll its BMWED employees in GA - 23000 and GA - 46000, the National Health and Welfare Plan (including dental and vision).

"It's been a struggle to get to this point. Our members recognized the value in this contract and illustrated that with their vote," said Midwest System Federation General Chairman Mark Wimmer. "The patience and support of our members at Iowa Interstate has finally paid off."



Around the Brotherhood

Northwest Region Association Holds Annual Meeting

The Northwest Region Association held its annual meeting in San Antonio, Texas September 16 – 18, 2009. The BMWED Federations from the Northwest Region met in order to share ideas on how to better

serve their collective memberships and to promote cooperation between federations. Also, the officers attending had an opportunity to hear from speakers on issues that affect the BMWED.



BMWED National Division President Freddie Simpson addresses the Northwest Region Association.

Local Lodge 450 Holds Quarterly Meeting

Allied Federation Local Lodge 450 held its quarterly meeting at Sullivan's Banquet Center in Poplar Bluff, Missouri on August 29, 2009. Lodge President Ron Dawson

presided over the meeting and General Chairman Dennis Albers addressed the members. Secretary Treasurer Gregory Hawkins submitted this photograph.



Local Lodge 450 Members and family. General Chairman Dennis Albers, far right.

UP Safety Coaches Receive Training

Under the new pilot safety program between UP and the BMWED, seven Maintenance of Way employees were recently promoted to the position of

Maintenance of Way Safety Coach. UP began their training in Omaha, Nebraska the week of August 31, 2009.



Union Pacific/BMWED Safety Coaches.

Willy Cummings and Sons

Allied Federation Local Lodge 1643 member Willy Cummings Jr. is passing the railroad torch to not one, but three sons. Willy and all

three of his sons, Requite, Daiquiri and Willy Cummings III work in the Track Department for CSX Railroad.



The Cummings pose for a picture at the depot near Thomson, GA.

Allied Federation holds Executive Board Meeting

The Allied Federation held its annual Executive Board Meeting in Hendersonville, TN on September 15, 2009. The purpose of the meeting

was to review the federation finances and to have discussions concerning the good and welfare of the federation.

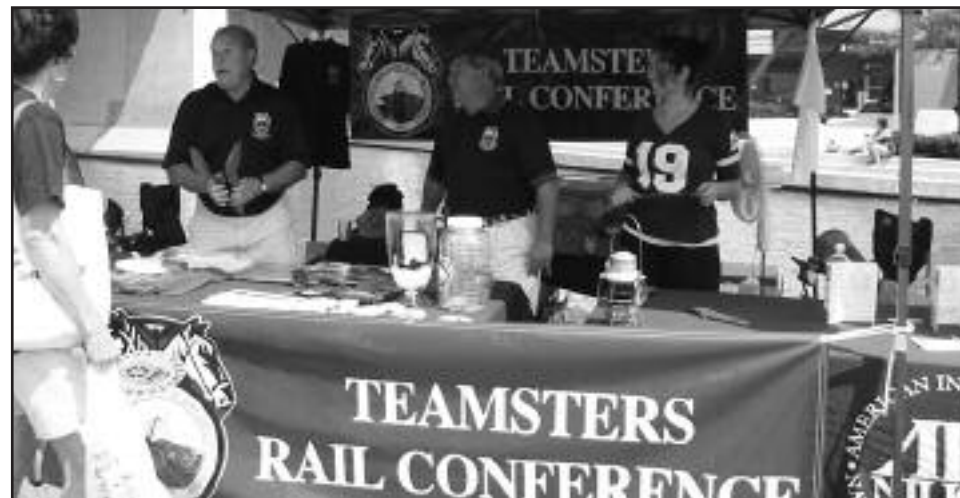


Allied Federation full-time officers and Executive Board members.

Southern System Division Host Labor Day Picnic

The officers of the Southern System Division sponsored a booth again this year at the Knoxville Labor Day Picnic, hosted by Teamster Local 519. The event was held at the World's Fair Park in Knoxville, TN on Labor Day, September 7, 2009.

Sponsors of the event provided free food and drinks, passed out an assortment of free gifts and provided games and face paintings for the children. There were about 2000 people who attended the event this year.



Pictured left to right: SSD General Chairman Gary Cox, SSD Assistant Chairman/Secretary-Treasurer Mike Sellers and Randi Cadmus of American Income Life Insurance Company pass out items to picnic attendees.

See Brotherhood on Page 11



BMWED ISSUES CONVENTION CALL

National Division Convention Set for June 21, 2010

The National Division will mail out the official notice of Convention Call to all Local Lodge Secretary-Treasurers on November 4, 2009. The letter reads as follows;

The purpose of this letter is to advise you that, in accordance with Article I, Section 5, of the Brotherhood of Maintenance of Way Employes Division's Bylaws, the Second Regular National Division Convention of our Brotherhood will convene at the Bally's Hotel & Casino, Las Vegas, Nevada, at 9:00 a.m., Monday, June 21, 2010, for the purpose of reviewing the work and accomplishments of the Brotherhood, to consider legislation for the benefit and advancement of the membership, to amend the National Division Bylaws, to elect officers and to act upon such other business as may properly come before the Convention.

REPRESENTATION

Your attention is directed to Article XVIII, Section 14, Paragraph 1, of the National Division Bylaws, which provides, in pertinent part, that:

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

EX OFFICIO DELEGATES

Article XVIII, Section 14, Paragraph 2, of the National Division Bylaws governs the selection of ex officio delegates to the National Division Convention and provides, in pertinent part, as follows:

"All delegates and alternates to National Division Conventions must be elected by secret ballot vote of the members in good standing of the Local Lodge by which they are accredited to the Convention; provided, however, that National Division Officers shall be delegates ex officio at all National Division Conventions as set forth in Article I, Section 6, if they are not elected as a delegate by

a Local Lodge; and provided, further, that if a General Chairman or elective full time System Division or Federation Officer is not elected as a delegate by a Local Lodge, such General Chairman or such System Division or Federation Officer when designated by the General Chairman will, by virtue of his election to such office, be a delegate ex officio at all National Division Conventions (at no expense to the National Division) and accorded the same rights and privileges enjoyed by National Division Officers who are delegates ex officio as set forth in Article I, Section 6. When National Division Officers or General Chairmen or full time System Division or Federation Officers are delegates ex officio at National Division Conventions, such Officers will be entitled to cast one vote in all matters before the National Division Convention except election of National Division Officers."

Article II, Section 4 of the IBT Constitution and Article XVIII, Section 14, Paragraph 3, of the National Division Bylaws set forth the eligibility requirements to run for delegate and alternate to the National Division Convention.

Article II, Section 4(a)(1) of the IBT Constitution states, in part:

"To be eligible for election to any office in a Local Union, a member must be in continuous good standing in the Local Union in which he is a member and in which he is seeking office, and actively employed at the craft within the jurisdiction of such Local Union, for a period of twenty-four (24) consecutive months prior to the month of nomination for said office, and must be eligible to hold the office if elected."

Article XVIII, Section 14, Paragraph 3, of the National Division Bylaws states, in part:

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

Therefore, anyone who seeks to be nominated and elected delegate or alternate delegate to the National Division Convention must be in "continuous good standing" for a period of twenty-four (24) consecutive months prior to the month of nomination, and thereafter maintain member in good standing status to May 1, 2010. In general, "continuous good standing" means the timely payment of dues for each of the 24 months prior to the month of nomination with no late or

missing payments during the applicable 24 month period. For newly chartered Local Lodges which have been in existence for less than 24 months, the provisions of Article II, Section 4(b) of the IBT Constitution shall apply.

Retired Local Lodge Secretary-Treasurers holding such office under the provisions of paragraph 4.11 of the merger agreement are not eligible to run for delegate or alternate delegate. Retired state legislative directors holding such office, and all other BMWED retirees (i.e., those not "actively employed at the craft" as required under Article II, Section 4(a)(1) of the IBT Constitution), are also not eligible to run for delegate or alternate delegate.

ELECTION OF DELEGATES AND ALTERNATE DELEGATES

Article XVIII, Section 14, Paragraphs 2, 3, 4 and 5, of the National Division Bylaws, sets forth the procedures by which delegates and alternates to the National Division Convention are elected:

"All delegates and alternates to National Division Conventions must be elected by secret ballot vote of the members in good standing of the Local Lodge by which they are accredited to the Convention; provided, however, that National Division Officers shall be delegates ex officio at all National Division Conventions as set forth in Article I, Section 6, if they are not elected as a delegate by a Local Lodge; and provided, further, that if a General Chairman or elective full time System Division or Federation Officer is not elected as a delegate by a Local Lodge, such General Chairman or such System Division or Federation Officer when designated by the General Chairman will, by virtue of his election to such office, be a delegate ex officio at all National Division Conventions (at no expense to the National Division) and accorded the same rights and privileges enjoyed by National Division Officers who are delegates ex officio as set forth in Article I, Section 6. When National Division Officers or General Chairmen or full time System Division or Federation Officers are delegates ex officio at National Division Conventions, such Officers will be entitled to cast one vote in all matters before the National Division Convention except election of National Division Officers."

"All National Division Convention delegates or alternates shall be members in good standing of some Local Lodge in good standing with the National Division, and shall meet the eligibility requirements as set forth in paragraph 4.9 of the Merger

Agreement, and be a member in good standing to May 1 of the Convention year."

"Local Lodges shall elect delegates and alternates to the National Division Convention at a meeting held on or after January 1 of the year in which the Convention convenes. All members in good standing of the Local Lodge will be given at least fifteen (15) days advance notice in writing at their last known addresses of the date, time and place at which election shall be held. The National Division Secretary-Treasurer will be advised of the results of such elections in ample time for this information to be recorded at the National Division. All expenses of said delegates shall be paid by Local Lodge or Lodges represented."

"The alternate will take the place of the delegate in case the delegate is unable to serve." Article XVIII, Section 14, Paragraph 6, of the National Division Bylaws describes the manner in which Credentials will be issued to delegates and alternates to the National Division Convention:

"Credentials shall be issued to the Secretary-Treasurers of Local Lodges prior to January 1 of the year of the National Division Convention. Credentials must be signed by the Secretary-Treasurer of the Local Lodge. In the event that the office of the Local Lodge Secretary-Treasurer is vacant or the Local Lodge Secretary-Treasurer is elected as a Delegate or Alternate Delegate the President of the Local Lodge would sign the credential. Original credentials shall be given to the duly elected delegates. Duplicate credentials shall be forwarded to the National Division Secretary-Treasurer's office as soon as possible after the election of the delegates."

DELEGATE VOTING STRENGTH

Article XVIII, Section 14, Paragraph 7, of the National Division Bylaws prescribes the method by which delegate voting strength will be determined:

"Representative votes for each delegate shall be determined in accordance with National Division records twenty (20) days prior to the opening of the Convention, and shall reflect all members in good standing as of May 1 of that year. No votes shall be added and no duplicate credentials shall be accepted after twenty (20) days prior to the opening of the Convention.

PROHIBITION AGAINST THE TRANSFER OF VOTES OR CREDENTIALS

You should be advised that the transfer of votes between delegates

Continued on Page 5

will **not** be permitted at the 2010 National Division Convention and that under Article XVIII, Section 14, Paragraph 1, of the National Division Bylaws, no delegate may represent more than five hundred (500) members unless the members are all members of one Local Lodge. Only members in good standing are counted in arriving at a Lodge's voting strength.

Therefore, care should be exercised in those instances where a member is elected as a delegate representing more than one Local Lodge with combined membership in excess of five hundred (500). Any delegate present at the Convention who was elected as the delegate for more than one Local Lodge will be required to register as the delegate for all such Lodges and will **not** be permitted to transfer his/her credential to an alternate for such Local Lodge(s), even though the alternate is in attendance and the delegate may be carrying in excess of five hundred (500) votes.

ELIGIBILITY REQUIREMENTS TO VOTE IN LODGE ELECTIONS

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

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

FIFTEEN-DAY ADVANCE WRITTEN NOTICE REQUIRED

The National Division Bylaws requires that advance written notice by mail to the membership be given of the holding of a meeting for the purpose of nominating and electing delegates and alternates to the National Division Convention at least fifteen (15) days prior to the date of their nomination and election. In calculating the 15-day period, the day the cards are mailed is not counted, but the day of the meeting is counted.

The "Notice of Meeting Card" (Form F-86) must be mailed to all members who are eligible to participate in the election at their last known address. The posting of meeting notices on bulletin boards, tool sheds, etc., or

their distribution to members of gangs at the work site, does not satisfy the notice requirements.

If you will provide the National Division or your System office with advance notice of the date of your meeting, we will furnish you with address labels or Notice of Meeting Cards with pre-printed addresses. Prior to mailing, you should check the addresses against your current membership records to insure that all members receive a notice of the meeting, since it may be necessary to hand-address cards for members for whom addresses were not furnished. Addresses for those members who are deceased or individuals who are no longer members of the Brotherhood should be discarded. Article XVIII, Section 6, Paragraph 3, of the National Division Bylaws provides that five (5) members in good standing constitute a quorum for the purpose of transacting Lodge business. Thus, if there are not five (5) members in good standing present at your Lodge meeting which has been designated to elect a delegate and alternate to the National Division Convention, it will be necessary to reschedule the election due to the fact that a quorum was not present.

SECRET BALLOT ELECTION

Your attention is again called to Article XVIII, Section 14, Paragraph 2, of the National Division Bylaws, wherein all delegates and alternates **must** be elected by secret ballot. This is also a requirement of the Labor-Management Reporting and Disclosure Act of 1959, and must be adhered to.

MAILING OF CREDENTIALS

Credentials will be issued and mailed from the National Division in sufficient time to be in the hands of Local Lodge Secretary-Treasurers prior to January 1 of the year of the National Division Convention, in accordance with Article XVIII, Section 14.

Early election by the Local Lodges of delegates and alternates is requested in order that the duplicate credentials are received by the National Division Secretary-Treasurer from the Lodge Secretary-Treasurers, twenty (20) days prior to Convention (June 1, 2010), in accordance with Article XVIII, Section 14, Paragraph 7, for the completion of National Division records.

PROPOSALS TO AMEND THE CONSTITUTION

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

this requirement, all proposed amendments to the National Division Bylaws that are to be published in the *BMWED JOURNAL* must reach the National Division not later than March 30, 2010. In the case of proposed amendments to the National Division Bylaws which are not published in the *BMWED JOURNAL*, the approval of three-fourths of the delegates is necessary for their adoption.

It is not necessary that resolutions other than those proposing to alter or amend the National Division Bylaws be printed in the *BMWED JOURNAL*. However, such resolutions should be submitted in advance in order that the

Resolution Committee can consider them before the Convention convenes and submit a report to the Convention.

All proposals to amend the National Division Bylaws and all resolutions that are to be considered by the Resolution Committee should be mailed to the National Division President.

Copies of this Convention Call were sent to all National Division and System Officers, National Division Appointees, State Legislative Directors and Local Lodge Presidents in the United States and is intended to serve as official notice to all members of the Brotherhood.

Marathon Man

When most of us think about a 26 mile jaunt, we think of a 30 or 40 minute car ride, but not John Radzikowski. He competes in the most grueling of all track events, the marathon. John is a BMWED member from Amherst, New York and he does it for fun and to help raise money for the Leukemia & Lymphoma Society.

At 62, John can cover the 26.2 mile marathon in a little more than 5 hours. His first marathon was the San Diego Rock & Roll Marathon which he finished in less than 5 hours.

When he is in training for a run he starts each day by running 4 miles and on the week-end days does 10 miles in the hills. He will train for three months prior to a race. John's hard work has earned him a spot as a candidate to carry one of the torches for the next Winter Olympics.

He began running at the age of 51 after being inspired by a friend to run for the Leukemia & Lymphoma Society. He has been running in marathons ever since.

John has had a number of accomplishments just in the last year. His conquests have included; Ing, New York Marathon in 5 hours and 42 minutes, Niagara Falls International Half Marathon (Canada) in 2 hours and 35 minutes, the Adirondack Marathon Distance Festival in Amherst, New York in 5 hours and 29 minutes and the Buffalo Half Marathon in Buffalo, New York in 2 hours and 32 minutes. He has also competed in a number of events around New York including the 5 kilometer, 8 kilometer and the 15 kilometer road race.

John says he enjoys representing a good cause like the Leukemia & Lymphoma Society and continues to represent them in events as well as performing volunteer work.

He began his railroad career on the Delaware & Hudson Railroad on July 11, 1974 as a Trackman.



John Radzikowski

He has worked a number of positions including Track Supervisor, Assistant Track Foreman and B&B Mechanic. John offered, "I'm proud to be a BMWED member and proud to be a part of the Northeastern System Federation."

"We're proud of John and his accomplishments. When a railroader can work in the maintenance of way for more than 35 years and still run a marathon that's a pretty incredible feat," said Northeastern System Federation General Chairman Stuart Hurlburt.

The BMWED is proud of John Radzikowski for not only his longevity and stamina but also for his commitment to a good cause. John has generously given his time and great effort and is proof once again that the BMWED is saturated with a wide variety of talented individuals. We wish him good luck in his next marathon and hope to see him with a torch in his hand.



Freddie N. Simpson

PRESIDENT'S PERSPECTIVE

Five years ago, the September/October 2004 *Journal* announced that the Grand Lodge Officers voted unanimously to send the proposed merger agreement between the BMW and the International Brotherhood of Teamsters (IBT) to the membership for a ratification vote. Shortly thereafter, a copy of the Merger Agreement, amended BMW Bylaws, Teamster Bylaws, and a referendum ballot was mailed to every member in good standing for a vote. I actively supported the merger and lobbied for its passage because I, like many of you, believed that merging with one of the largest and strongest transportation unions in

North America would help bring strength, unity, and progress to BMW and all of Rail Labor.

Of course, BMW had sought out a suitable merger partner for several years, and we had our share of internal discussions and disagreements regarding the right fit for BMW. Our proposed merger with IBT was no different in that respect. There was a lot of internal discussion and deliberation among the officers and members concerning the proposed merger and its potential impact on BMW members and Rail Labor as a whole.

On October 27, 2004, the ballots were counted with seventy-six percent (76%) of BMW members voting to approve our merger with the International Brotherhood of Teamsters. The merger became effective on January 1, 2005, and on that date the BMWED officially became the Brotherhood of Maintenance of Way Employees Division of the Teamster Rail Conference. Ratification of the merger with IBT demonstrated our members' determination to strengthen and improve our position both within Rail Labor and within Organized Labor. Together with the Brotherhood of Locomotive Engineers and Trainmen (BLET), who also merged with the Teamsters in 2004, the merger united over 40 percent of Rail Labor (approximately 75,000 members) under the umbrella of the Teamster Rail Conference.

Looking back over the past five years, I am pleased to say that the decision made by the membership in October 2004 was absolutely the right decision. Our merger with the Teamsters has been a resounding success for the membership and for the Brotherhood. Within weeks of ratification, with the help and assistance of the Teamsters, seven rail unions joined together and created the Rail Labor Bargaining Coalition to coordinate the 2005 round of collective bargaining. This was the first time in over two decades that Rail Labor joined together in a formal bargaining coalition, and the results of that effort speak for themselves with a five year deal that included retroactive wages, a 17 percent wage increase, no work rule changes, and a cap on employee health care contributions. A similar agreement was reached in 2008 with Amtrak after a protracted eight year struggle.

In addition to our success at the bargaining table, the merger was instrumental in our efforts to beat back the Bush Administration's 2005 proposal to impose a "user fee" on members who progress claims and grievances to the National

Railroad Adjustment Board. With the support of the Teamsters and the Rail Conference, we succeeded in saving Amtrak from President Bush's several attempts to eliminate Amtrak subsidies and abandon passenger rail in the United States. Since the merger, we organized new members on a number of shortline railroads and railroad suppliers, delivered disaster relief funds to members victimized by hurricanes and other natural disasters, and provided scholarship opportunities to BMWED families through the James R. Hoffa Memorial Scholarship Fund. In addition, we have won important court cases preserving our members' rights under the Family Medical Leave Act and have secured legislative funding to address the backlog of cases at the National Railroad Adjustment Board. Our Brotherhood is financially sound and the merger has allowed us to save dues dollars by taking advantage of economies of scale and handling more projects "in house" with the assistance of specialized staff within IBT.

While we have undoubtedly made progress over the past 5 years, none of our past success can guarantee our future progress. We have many challenges facing our Brotherhood and we will need the strength of the Teamsters, the solidarity of our members and officers, and the unity of Rail Labor to continue to make gains for the membership. The next round of negotiations is set to begin in earnest in January 2010, so we have our work cut out for us. We also continue our efforts to secure safety improvements, address quality of work life issues, and strengthen protections against carrier harassment and intimidation for reporting injuries and safety concerns. We are working closely with the Obama Administration and the Federal Railroad Administration to promote high-speed rail and secure new work opportunities for BMWED members. And we are continuing our efforts to fight contracting out, strengthen Railroad Retirement, and educate and mentor the next generation of BMWED officers at the Local, System, and National Division level.

Looking back over the past 5 years and the progress that has been made, I am optimistic about our future. I congratulate the membership for their vision and foresight on this 5 year anniversary of our merger with the Teamsters. While significant challenges lie ahead, I look forward to fighting alongside you and all BMWED members to preserve our hard-fought gains and to secure new gains moving forward.

Message from Teamsters General President Jim Hoffa



Health Insurance Reform

Summer is over and Congress is back to work on health insurance reform.

The shouting has died down and it's time to get back to the urgent business of reforming health insurance.

Most Teamsters have excellent health insurance. But that coverage is getting more expensive.

Recently, President Obama cleared up some misconceptions about health care reform in his speech to Congress. He emphasized that health

insurance reform will not reduce Medicare benefits. Nor will it affect your existing benefits in any way.

Health insurance reform won't extend coverage to undocumented immigrants.

Health insurance reform wouldn't create government "death panels" to ration care. Federal bureaucrats won't have access to Americans' bank accounts or their personal health care records. Health insurance reform won't target Americans based on political beliefs.

There is also confusion about the

so-called "public option." The public option would be an affordable, publicly financed health insurance plan that individuals could buy into voluntarily.

No Teamster would ever have to give up his or her existing coverage if a public plan came into being.

Some think a public option is essential to health insurance reform. They say Congress must include a public option as part of any deal to get reform passed.

The absence of a public option is
See **Hoffa** on Page 11



Perry K. Geller, Sr.

SECRETARY-TREASURER'S REPORT

We have heard a lot of fear mongering and outrageous statements about reforming health care. Among the more outrageous statements are the falsehoods that health care reform means pulling the plug on grandma, death panels to kill off the ill, a forced transition from democracy to socialism, and bankruptcy of the health insurance industry.

Where does such nonsense come from? I think it comes largely from the political right wing and the extremist media they control. Every member and citizen needs to reach their own conclusions regarding the need to reform health care based upon fact rather than rhetoric. The fact is that the cost of

health care is projected to double by 2016 unless we do something. Scare tactics, lies, distortions, and negative advertising should not be the driving force for shaping public perception regarding this most important subject. However, it appears that such tactics are indeed shaping the debate in a way that hurts ordinary Americans and paralyzes political leaders trying to address the significant problem of health care in the United States.

The nonsense that health care reform means death panels and killing off grandma and grandpa would be funny if it weren't so disingenuous. The truth is that several bills include a provision to offer senior citizens access to professional medical counselors to provide information, upon request, concerning living wills and a patient's advance medical directives in the event they become incapacitated. No family member should be put in the position of having to guess what their loved ones' wishes are with regard to end of life care. And no person potentially facing a serious medical crisis should be put in a position to make such serious decisions without knowing and understanding all their options.

And what about the so-called public option for providing health care? Why are people so afraid of this option when every other industrialized nation, including many of our country's biggest competitors in the world market, have some kind of public option for providing their citizens with universal health care? The fear mongers say, "If there was a public option people would flock to it just like Medicare." If this statement is true, doesn't it really mean that American citizens want a public option and would use it if it was available?

Americans clearly have nothing to fear from the public option. The only ones that really have reason to fear the public option are the insurance companies who now hold an absolute monopoly on health care and are making billions of dollars per year off

the sick and injured. A public option will not lead to socialism or communism as the fear mongers are so fond of claiming. Nor will the public option lead to bankruptcy of the health insurance industry. Publicly funded universities coexist side-by-side with private colleges and universities; just as private insurers will coexist side-by-side with a public option for health care. A public option will end the insurance industry's current medical care monopoly, thereby providing Americans with a health care option which will require the insurance companies to compete for health care premiums. Such competition will lead to better healthcare and slow the precipitous increase in health care costs into the future.

One of the most ironic cries of those who oppose the public option is "Keep the government out of my Medicare!" This is the most absurd thing I have ever heard. Medicare is government provided healthcare, and if the government removed itself from Medicare, Medicare would cease to exist. Medicare is a publicly-funded insurance program which provides health insurance coverage to people aged 65 and older. Virtually all retirees over 65, including BMWED retirees, are covered by Medicare. Medicaid is another publicly-funded program which provides medical coverage to poor families and individuals with limited resources. And the Veterans Health Administration is a third publicly funded healthcare program established to meet the needs of our nation's military veterans. If such publicly-funded options are good enough for some Americans, why isn't a public option available to the rest of us? Remember, a public option is just that; an option. If someone does not want the option, they don't have to exercise the option.

Everywhere I go, I have been preaching that Medicare, Medicaid, Social Security, Unemployment Insurance and other similar programs have benefitted America and the

working class for decades. Everyone of us has benefited from one or more of these programs or has family members who have directly benefited. Every one of these programs was supported by the Democratic Party, and each of these successful programs was opposed by the Republican Party using the same

scare tactics and misinformation that we are seeing today in the health care debate.

In 1932, President Franklin D. Roosevelt said, "The only thing we have to fear is fear itself." Let's not allow fear to drive the debate on health care and stifle much needed reform.

A Vice President Speaks

In my capacity as BMWED Southwest Region Vice President I spend every waking moment thinking about issues that affect the members that I have been elected to serve. However, having been appointed as the BMWED Director for the IBT Human Rights Commission, I also



have the added responsibility of placing an extra focus on issues that affect BMWED women and minorities. I am encouraged by some recent events but worried by others.

Two events that I thought might not happen in my life-time have occurred.

After winning the Democratic Primary against a popular and powerful woman, Hillary Rodham Clinton, the first African-American to win a presidential primary went on to become the first to be elected President of the United States. Barak Obama not only won against a tough opponent in John McCain, but did so with more than twice the electoral votes.

History was again made this year when Sonia Sotomayor was named and confirmed as the 111th justice to serve on the Supreme Court of the United States. The first Hispanic woman took her seat as an Associate Justice of the United States Supreme Court on August 6, 2009, replacing Justice David Souter.

The fact that these two exceptional people, one African-American and one of Puerto Rican descent, could rise from humble beginnings and accomplish so much is a testament to how far we have come. With that said, we still have much to be concerned about.

One only has to look at the recent town hall meetings concerning the healthcare issue to understand that we still have work to do. Most everyone has seen the signs or heard the irrational and hateful rhetoric on TV, in the newspaper or on the internet. It is evident by the actions of a certain element in our society that there are still those who harbor racist views. One might say it is just the fringe element of our society but when these views are spewed by hosts of radio talk shows, TV personalities and politicians, it is clear that there is still a segment of our society that has not moved beyond such hatred.

While we should recognize and applaud the advances we have made, we should not lose sight of how far we still have to travel. Our union, recognizing this fact, continues to focus on issues that not only affect every one of our members, but sometimes has a bigger impact on minorities and women. The healthcare debate is a perfect example. While our members enjoy good union negotiated health insurance, that is not the case for millions of Americans. According to the latest U.S. Census report, nearly 46 million Americans are without health-

See **Vice President** on Page 11

Former Milwaukee Road Employees Celebrate Centennial

The following article was contributed by Roger Bobby. Roger spent 42 years as an active member of the BMWED. He retired from his position of Vice Chairman/Secretary-Treasurer for the Burlington Northern System Federation on September 1, 2008.

On August 1 and 2, 2009, former Milwaukee Road employees held their 30th annual reunion at Deer Lodge, Montana. It may be the last time the group meets.

The gathering commemorated the 100 year anniversary of driving the final spike on May 19, 1909, which marked completion of the Pacific Coast Expansion (Lines West) for the Chicago Milwaukee St. Paul and Pacific Railway (Milwaukee Road). The final spike was driven at Gold

Creek, MT approximately 50 miles west of Deer Lodge.

The city park at Deer Lodge has a fifteen foot gold spike on display as well as a "Little Joe" Milwaukee engine E-70. Deer Lodge was on the 665 mile segment of Milwaukee main line that was electrified. These electric engines were named Little Joes because they were originally built by General Electric for the USSR (Joe Stalin) in the 1940's, but were not allowed to be sold to the Russians because of US - USSR relations after World War II. The Milwaukee Road purchased twelve of the twenty that were made for a mere one million dollars and used them until June, 1974 when the electrified lines were discontinued.

During the banquet and picnic over the week-end, those attending spent

time visiting and reminiscing about their time spent working on the Milwaukee Road. Old engineers talked about how they measured a good run by comparing how much electricity was used and how much they generated back into the plant or grid. Many took the opportunity to have a photo taken while taking a simulated swing at a gold spike which was set in a panel of track that was on hand for the occasion. Each attendee received a gold spike stamped with the Milwaukee logo and the dates 1909 - 2009 to commemorate the Centennial. The spikes were made and contributed by Al and Lynn Bobby.

Many of the workers involved in the

construction of the track for the final extension were of Japanese descent. Several of their children worked for the Milwaukee Road until it ceased operation. Jim Satake a son of one of the workers who built the track during the extension was in attendance along with his wife, Kazue. Jim Satake's brother John was a Section man for the Milwaukee and was also in attendance.

The events were well organized and illustrated the hard work and dedication of the two former employees who organized the events, Al Peterson and George Hamblin. While there was much talk about this being the last reunion many were heard saying that these meetings should continue.



This photo is of five brothers who attended and had worked for the Milwaukee Road, Al, Bill, Dale, Duane and Roger Bobby. Their father also worked for the Milwaukee until it ceased operations.

Union Staff Position Available

Members Encouraged to Apply and Become Part of BMWED's Future

The BMWED National Division is seeking rank-and-file applicants for the following position:

Job Title: Staff Assistant - Arbitration
Job Location: Chicago, IL
Starting Salary: \$65,000.00
Starting Date: Flexible

The primary responsibility of Staff Assistants in the Chicago Office is to prepare claims and grievances for arbitration before the National Railroad Adjustment Board and public law boards. The ideal applicant must have strong written and verbal communication skills, demonstrated organizational ability and basic computer literacy. Experience in handling claims and grievances will be considered a plus.

The BMWED provides job training, a relocation package, health and welfare benefits, life insurance, vision care, vacation, promotional opportunities, and other benefits. Active members hired to work for BMWED remain covered under the Railroad Retirement Act and most continue to accumulate railroad seniority during their full-time employment with BMWED.

The BMWED is an equal opportunity employer committed to cultural diversity and non-discrimination. Interested members are strongly encouraged to apply and become part of BMWED's future. Resumes should include details of your railroad work history, any union activity/union positions held, education and training history, and a sample of your writing skills.

You may email your resume to stevep@bmwe.org, or submit it by U. S. Mail at:

Job Opening - BMWED
c/o Steven V. Powers, Asst. to President
Suite 300, 150 S. Wacker Drive
Chicago, IL 60606

Thomas A. "Tommy" Nall Retires

Tommy Nall retired from his position as a Track Inspector for Amtrak effective September 2, 2009. He retired after serving more than 34 years for the former Pennsylvania Central Railroad, Amtrak and the BMWED.

Brother Nall began his career with the railroad in the Track Department of the Penn Central Railroad as a Trackman. He soon worked his way into a number of positions that included, Electric Welding Foreman, Track Foreman and Track Inspector. He also served as Amtrak's Roadway Worker Protection Safety Instructor for eight years.

Brother Nall has served the BMWED and the Northeastern System Federation in a number of positions throughout his long career; Northeastern System Federation Assistant General Chairman, Local Chairman and Chairman of the Executive Board for eight years. He also served as the BMWED Assistant Legislative Director for Rhode Island for more than 25 years.

When asked how he will spend his retirement years, he responded, "I don't know. I'll lose my hobby, this

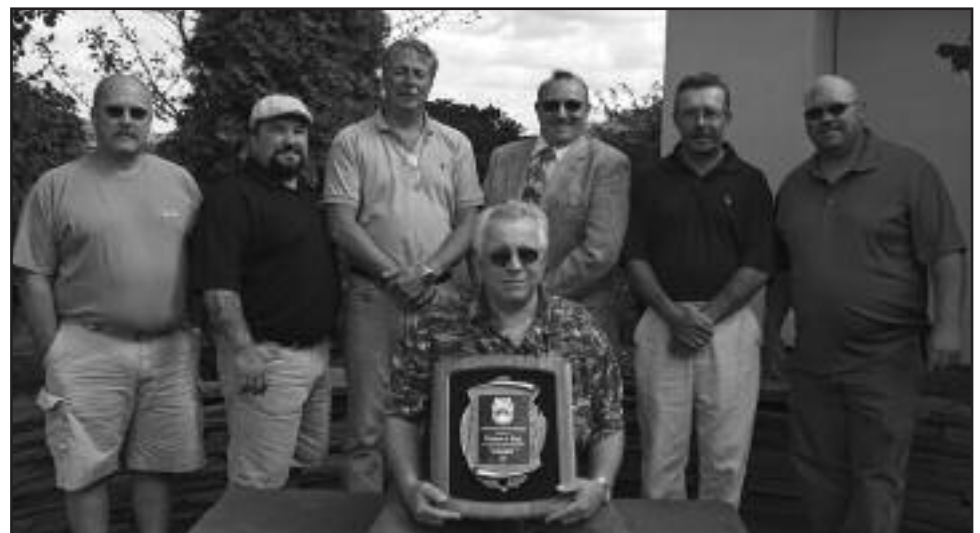
union - I love my union. I guess I'll keep doing the Lord's business - doing union business."

"Tommy and I have been friends for many years," said BMWED Director of Safety Rick Inclima. "No one works harder, or loves the BMWED more than him. If I know Tommy, he will remain an active BMWED retiree and we won't have an opportunity to miss him."

BMWED National Division President Freddie Simpson offered, "Tommy has been an active part of this union for many years and has never been bashful about letting me, or anyone else, know how he feels on any given issue. I wish him the best in his retirement and look forward to hearing from him for many years to come."

Brother Nall will spend his retirement at his home in Westerly, Rhode Island with his wife Bobbette. Brother Nall has one son, Thomas, 37, a daughter, Amanda, 20 and one grandchild.

The BMWED extends its best wishes for a long and happy retirement to Brother Nall.



Tommy Nall with plaque awarded to him by the Northeastern System Federation. Also pictured Northeastern System Federation General Chairman Stuart Hurlburt, friends and co-workers.

Maintenance of Way Women Form BMWED Women's Committee

This article was contributed by Staci Moody-Gilbert. Staci serves as co-chair of the BMWED Women's Committee, Secretary - Treasurer for Burlington System Division Local Lodge 1214 and is the current Claims and Grievance Coordinator for the Burlington System Division.

Imagine being part of an organization that represents over 33,000 railroad workers nationally. Then, imagine being in a group that makes up less than 100 of those workers. As the phrase goes, "Welcome to our world!" We are the women of the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters.

In January 2008 the Burlington System Division hosted a meeting in Cheyenne, Wyoming, for Maintenance of Way women. The purpose of that meeting was to bring the BMWED women together and form a women's committee. The idea behind this committee came from the need to get BMWED women more involved within the union, interact with women that work in the MOW department on other railroads, and to build friendships with-

in the organization. In the short time that has passed since we organized our women's group we have set goals and have successfully reached those goals, mostly due to the tremendous amount of support we have been given from our brothers and sisters within the BMWED and Teamsters Organizations. When the women met for the first time in January 2008, BMWED Vice President Roger Sanchez, IBT Central Region International Vice President and President of the Teamsters Women's Conference Cheryl Johnson, Southern Region Training Coordinator Iliana Flores, and Karen Jones, affectionately known as the Teamsters History Lady, were present to help the BMWED women form their committee. These union leaders provided very valuable information during our meeting. Ms. Jones talked about the history of women in the union, Ms. Flores guided us in electing officers for our committee, Mr. Sanchez discussed the Human Rights Committee with us and gave us ideas on how to get involved within our communities, and Ms. Johnson gave us the support and ideas needed to succeed in our committee.



Izzy Thompson, left, accepts the raffle prize from Women's Conference member Jodi Thompson.

A lot of inspiration for our committee was driven by the annual Teamsters Women's Conference. In 2006 we had one maintenance of way woman attend this conference in Phoenix, Arizona. She was so excited when she came back from that conference after seeing how women are a large part of their unions that she wanted to do something more within the organization. She rallied her sisters and in 2007 there were three BMWED women that attended the conference in Houston, Texas. In 2008, BMWED had six women scheduled to attend the conference but due to family health problems only five attended the conference in Ft. Lauderdale, Florida. In 2009 BMWED sent four (4) women to the conference in Las Vegas, Nevada, where 981 people (mostly women) were in attendance.

The women's committee conducts a raffle each year to help defray the costs of the conference for one woman. In 2008 the committee held a 50/50 raffle where a BMWED member, Mr. Bo Rodriguez of Gillette, Wyoming was awarded a check for \$1500.00 and one BMWED woman was chosen to receive the other \$1500.00 in order to support her trip to the Women's Conference. In 2009, the group decided on three prizes instead of just one. This year our raffle prizes included a \$500.00 visa card that was given to Mr. Howard Matson of McCook, Nebraska, Nintendo Wii system awarded to Ms. Izzy Thompson of Alliance, Nebraska, and a GPS navigation system given to Mr. Scott Closson of Minatare, Nebraska. The committee raised enough money to once again help with the expenses for one of the women to attend the conference in Las Vegas. We want to thank everyone who has supported the committee and bought tickets over the last two years and hope that you will continue to support our efforts.

Since forming our committee we have achieved some significant goals.

We now have three women elected as Lodge Officers, including one Local Chairperson. With the help of our brothers and sisters in the field we have collected over seventy cell phones that were sent to an organization that collects the phones and turns them into pre-paid calling cards for our military personnel currently fighting in the wars in Iraq and Afghanistan. We also assisted in a spaghetti feed fund raiser for a brother who was diagnosed with cancer, raising over \$1800.00 for him and his family. Although we are a small group, we have stepped up in order to be heard and be a part of our union. This would not be possible without the support of our union leaders, and union brothers and sisters, and our families.

Regardless of what railroad they are employed by, it is our goal to reach out to all BMWED women and get them involved with our committee. It is also a goal of ours to get as many women active within our union. We would like to increase our presence not only at the Teamster's Women's Conference each year but also to increase involvement within our local lodges. Another goal is create and maintain contacts with other women within the Rail Conference.

Once again we would like to thank all of those who have supported us and wish to invite all of our BMWED sisters to join us in our fight for this great union!

If you are interested in more information or joining our committee please contact the co-chairwomen of the committee:

Lori Teniente
(307) 401-0587
loritnt@gmail.com

or

Staci Moody Gilbert
(402) 984-8488
smgilbert@windstream.net

William L. "Bill" Capik Retires

Bill Capik retired from his position as General Chairman for the Commuter Railroad System Division effective August 31, 2009. He retired after serving a 34 year career with both the railroad and the union.

Brother Capik is a Vietnam War veteran who served in the U.S. Navy as a Corpsman prior to beginning his career with the railroad. He began his career in the Track Department of the Penn Central Railroad as a Production Gang Trackman in 1975 and was soon promoted to Machine Operator and then Section Foreman. In 1979 he transferred to Conrail's Bridge and Building Department and the position of Iron Worker. In 1987 he was promoted to B&B Foreman.

His union career began in 1989 as a Local Grievance Officer for CRSD Local Lodge 2906. In 1996 he was elected to serve as Local Chairman. And, in 2002 he was elected to the position of General Chairman and served in that capacity until his recent retirement.

"Brother Capik has been an effective advocate for the CRSD members and has spared no effort on their behalf," said National Division Vice President Henry Wise. "I am glad to see Bill get a well deserved rest and wish him a long and happy retirement."



Brother Capik will spend his retirement at his home in Allenhurst, New Jersey. Bill says he and Christine, his wife of thirty years, are close enough to walk to the beach and plan on spending a lot of time there. He is also enjoying keeping an eye on his 4 year old nephew and 6 month old niece, who he says occupy his time a couple of days a week. Retirement will also allow him more time for his grown children, son John Michael (28) and daughter Jordan (23).

The BMWED extends its best wishes for a long and happy retirement to Brother Capik.

ROLL OF HONOR

60 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Elmer Bluml	USD-NW	0692	1949
Mike Felix	USD-NW	1071	1949
Kenneth W. Gillmore	USD-W	1381	1949
Wm. M. Grutzmacher	USD-NW 0239	1949	
Claude E. Henderson	USD-NW	1046	1949
John J. Lattanzio	N E	0228	1937
Robert L. Muzzy	USD-W	1216	1949
Ramon A. Vasquez	USD-W	1402	1984
Harold C. Wangen	USD-NW	0278	1949
George V. West	PENN	3004	

50 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
John E. Anderson	BURL	1214	1959
Louis E. Anderson	BURL	1214	1959
Carlton Handy	AF-SW	1176	1959
Lyle C. Terwedo	USD-NW	0343	1959

40 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
William J. Baldwin	USD-W	0874	1969
Steve L. Brooks	USD-W	1227	1969
Moises Magana	USD-NW	0377	1969
Manuel E. Mojarro	USD-W	0134	1969
David K. Orosz	USD-W	1020	1969
Ralph Sullender	USD-NW	1097	1969
Lucky D. Tracy	BURL	0798	1969
Pedro C. Valdivia	USD-NW	0377	1969

30 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Frank L. Allen	USD-W	1381	1979
Neil L. Anderson	BURL	1214	1979
Robert M. Angelo	USD-W	0918	1979
Adrian E. Antolich	USD-W	0686	1979
Douglas Beckmann	USD-W	0899	1979
Richard C. Blau	BURL	1214	1979
Kelly L. Bowen	BURL	2621	1978
Scott L. Braddock	USD-W	0325	1979
Gary R. Brandt	USD-W	0473	1979
Tony J. Brekken	USD-W	0686	1979
Marshall E. Brooks	SW FED	1099	1979
Mark A. Bross	BURL	2621	1978
Jeffrey K. Cable	BURL	0788	1979
John W. Cannon	USD-NW	1071	1979
Ignacio Caro	USD-W	0918	1979
Bradley W. Clark	USD-W	1020	1979
Kent R. Coleman	BURL	2621	1974
S. G. Cramer	BURL	2621	1974

Larry S. Creech	BURL	2621	1975
Norman R. Cross	BURL	2621	1974
Randall W. Cross	BURL	2621	1975
Earl E. Crowder	BURL	2621	1979
Taryn M. Culverwell	USD-W	1227	1979
Leonardo E. De Leon	USD-NW	0591	1979
Clifford L. Deverger	BURL	2621	1975
Jose L. Diaz	USD-W	0216	1979
Irving C. Douglas	BURL	1214	1979
Stan R. Dryden	BURL	2621	1978
Steve B. Duvall	AF-SE	1064	1979
Dale W. Elston	BURL	2621	1974
Terry Engleman	USD-W	0899	1979
Antonio T. Estrada	USD-W	0686	1979
Lyle R. Etzen	USD-NW	0437	1979
Rodney G. Ferris	BURL	2621	1974
William C. Flom	USD-W	0216	1979
Michael L. Fohey	BURL	2621	1974
Richard D. Frenzen	USD-W	0216	1979
Daniel R. Gdowski	USD-W	0473	1979
James M. Glascock	BURL	2621	1977
Lawrence Y. Goh	USD-W	0134	1979
Bennie Graham Jr	BURL	2621	1978
Jose L. Gutierrez	USD-W	0134	1979
Wendell H. Hays	BURNOR	0295	1979
Dennis R. Hiatt	BURL	1214	1979
Sonnie L. Holland	AF-SE	0670	1976
Marshall S. Howard	USD-W	0899	1979
Nelson L. Howard	USD-NW	1227	1979
Ron L. Hudson	BURL	2621	1974
David A. Hunsaker	MT&PLS	0014	1979
Kit R. Isherwood	BURL	0798	1979
Jeff L. Jacobi	USD-NW	1847	1979
Gary D. Jacobs	BURL	2621	1975
Dennis W. Juhl	USD-NW	0342	1979
Roger Kee	USD-W	1020	1979
Hershel K. Lawrence	BURL	2621	1974
Stanley B. Lawrence	BURL	2621	1977
Stephen K. Leonard	USD-NW	0692	1979
Clarence D. Lieurance	BURL	2621	1977
Charles F. Lile	BURL	2621	1974
Delfino J. Martinez	USD-W	0686	1979
Joe L. Martinez	USD-W	0918	1979
Richard J. Martinez	USD-W	1020	1979
Porter K. Minnis	BURL	2621	1974
Joseph R. Murphy	BURL	2621	1975
Thomas F. Murphy	USD-W	0473	1979
Aristeo C. Ochoa	USD-NW	0410	1979
Roger R. Olsen	USD-W	1402	1979
Marion F. Otten Jr	BURL	2621	1978
Richard L. Overturf	USD-W	1020	1979
Damron S. Parrish	USD-W	1402	1979
Clysis E. Payton	USD-W	0899	1979
Eutiquio C. Pimentel	USD-NW	0377	1979
Bruce V. Pollard	BURL	2621	1975
Richard D. Probst	USD-NW	0377	1979
Thomas W. Pruet	BURL	0788	1979
Edward S. Ramsey	USD-W	0918	1979
Donald Redmond	USD-NW	0377	1978
Ken D. Renoud	BURL	2621	1974
Armondo Rodriguez	USD-W	1402	1979
Francisco J. Romo	USD-W	1020	1979
Curtis A. Schuster	USD-W	1133	1979
David R. Scoville	USD-W	0325	1979
Gary W. Seabaugh	BURL	2621	1977
Jerry W. Sensenich	BURL	2621	1974
John D. Shepard	USD-W	0899	1979
Terry C. Shepard	USD-W	0757	1979
Lynn C. Shields	USD-W	0473	1979
C. S. Shoemaker	BURL	2621	1974
Pat Sides	BURL	1214	1979
Allen J. Smith	BURL	1214	1979
Michael A. Stevens	BURL	1214	1979
Jack R. Sublette	BURL	2621	1975
Jeremiah Sullivan	USD-NW	2853	1979
Leon H. Sutton	BURL	2621	1975
Richard S. Tate	BURL	2621	1977
Patrick Taylor	USD-W	1020	1979
Alan L. Tinderholt	USD-NW	0437	1979
Heriberto Tovar	USD-W	1227	1979
Alfonzo E. Venegas	USD-W	0686	1979
Walter S. Wallace	USD-W	1402	1979
David O. Waller	BURNOR	0297	1979
Michael R. Western	BURL	2621	1974
Billy R. Wilson	BURL	1214	1979
Larry H. Wilson	USD-W	0899	1979
James D. Wright	USD-W	0757	1979
Johnny R. Wright	BURL	2621	1974
Mark A. Yates	BURL	2621	1977
John M. Young	BURL	2621	1977

20 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Jimmy R. Begay	USD-W	1020	1989
Robert Benally	USD-W	1020	1989
Jerome E. Campbell	USD-NW	1046	1989
Ricky L. Cayaditto	USD-W	1020	1989

Charles J. Chesonis	USD-W	0325	1989
Timothy J. Curley	USD-W	1020	1989
Vincent G. Drafz	USD-NW	2853	1989
Henry T. Eoff	USD-W	0874	1989
Jose E. Garcia	USD-W	1227	1989
Jerryson G. Henio Sr	USD-W	1020	1989
Ray D. Hosteen	USD-W	1020	1989
Marshall K. Jim	USD-W	1020	1989
Kirk A. Johnson	USD-NW	0239	1989
Joel Le Blanc	AF-SW	1715	1989
Julson Mace	USD-W	1020	1989
Ivan D. Martinez	USD-W	0134	1989
Ivan D. Martinez	USD-W	0134	1989
Mark A. Mc Carthy	USD-NW	0377	1989
Tomas P. Mentado	BURL	0798	1989
Gilbert Sam Sr	USD-W	1020	1989
Scott J. Seabrook	BURNOR	0295	1989
Robert A. Secody	USD-W	1020	1989
Brent C. Spooner	BURNOR	0295	1989
Darryl Todechine	USD-W	1020	1989
Roland Toledo	USD-W	1020	1989
Willie D. Trezvant	USD-NW	0377	1989
Luis S. Valladares	BURL	0798	1989
Darrell Yazzie	USD-W	1020	1989
Michael L. Zierfus	BURL	0788	1989

10 year MERIT AWARDS

LODGE NAME	MEMBER SYSTEM	NUMBER	SINCE
Dwayne Carter	USD-NW	0591	1999
Timothy L. Collings	BURL	2621	1994
Kevin J. Dahlke	USD-W	1227	1999
Peter B. Davis	USD-W	0941	1999
Donald D. Edgar	BURL	2621	1994
Troy L. Fallow	USD-W	0874	1996
Charles R. Gardner	USD-W	1402	1998
Darrell G. Gates	BURL	2621	1998
Justin E. Gillespie	BURL	2621	1994
Reyes J. Hernandez	USD-W	0134	1999
Walter J. Hofer	USD-NW	0239	1997
Robert Longmire Jr	USD-W	0134	1992
Joe A. Miller	USD-NW	0692	1999
Carl R. Montgomery	BURL	2621	1995
Clinton A. Mount	USD-W	1402	1998
Lance R. Murphy	USD-W	1402	1999
Craig A. Nickels	USD-W	0473	1999
Jason M. O Meara	C&E	0063	1999
John D. Oliver	USD-NW	0591	1999
Brian K. Rapp	USD-W	0473	1999
Michael D. Scott	BURL	2621	1995
Phillip O. Scott	USD-W	1227	1999
Terrance J. Spencer	USD-NW	1148	1999
Tracy L. Taggart	USD-W	1227	1999
Jose J. Vasquez	USD-W	0686	1999
Darin R. Wolfrum	USD-W	1216	1999
Aaron W. Younger	USD-W	1216	1999

CSX Continued from Page 1

started this process by negotiating what I believe to be the best maintenance of way agreement in the industry. Their smart bargaining and hard work made it possible for those that followed to build on that work. This agreement, coupled with the May 2007 Agreement, will have the effect of preserving work for our members and their children for years to come while putting millions of dollars in claims adjustments back in the pockets of our members."

Assistant to the President Steve Powers, who heads the BMWED arbitration department in Chicago has been an integral part of the bargaining process and offered, "One of the most important functions of a union is to provide its members with new work opportunities and job security. The new B&B Agreement does just that. After more than 30 years in this industry, it's clear to me that most contracting out of maintenance of way work is driven by failure and fear.

Failure of upper management to hire and train a sufficient number of employees for the long term and the fear of local managers to plan and supervise projects under their jurisdiction. I applaud CSXT management for having the vision and courage to recognize that hiring, training and deploying their own employees who have a long term stake in the company is the best way to build and maintain the railroad."

The new agreement was mailed to the CSX division offices on September 1st for distribution to the members affected. The agreement covers a broad range of issues that can't adequately be covered in an article. Those covered by the agreement should read it carefully and direct any questions to their system officers.

DEATH BENEFITS

Report of Claims Paid during July thru August, 2009

NAME	LODGE NUMBER	SYSTEM	NAME	LODGE NUMBER	SYSTEM
EMERY BATEMAN	0104	BURNOR	LEON SALDANA	1054	PAC FED
DAVID M. CORONADO	1302	BURL	ALBERT STEWART	0400	PENN
LEONARD M. FADNESS	0159	BURNOR	E. OMER TREMBLAY	0987	CRSF
LOUIS W. FORD	0598	ASF	WALTER W. WILBERT	1426	BURNOR
CHRIS T. FRANK	1381	USD	HURLEY WORTHINGTON	0158	BURNOR
DOMINIC IMPAGLIATELLI	0305	CRSF			
CECIL W. KERRIDGE	0893	MIDW/LIFE	PAID JULY 1, 2009 TO AUG. 31, 2009		\$7,500.00
CLINTON O. KINNEY	0633	N E	AMOUNT PREVIOUSLY PAID		\$45,258,307.75
CHARLES A. KLIPPENES	0091	BURNOR	TOTAL AMOUNT PAID TO DATE		\$45,265,807.75
FLOYD A. MILLER	0686	USD/UP	NUMBER OF CLAIMS PAID - 15		

Report of Death Notices Received During July/August 2009

CHARLEY FORMANEK	GAINESVILLE, FL	0381	USD/LIFE	
STEVEN M. GEHRKE	KINDERHOOK, NY	1356	CRSF/CSXT	07/31/09
DAVID C. HENDERSON	EDGEMONT, SD	2852	BURL/BNSF	
MICHAEL E. MARTIN	DANESE, WV	0130	AF/CSXT	05/26/09
FLOYD A. MILLER	CHEYENNE, WY	0686	USD/LIFE	
GERALD N. NILSEN	AVENEL, NJ	0305	CRSF/CR	09/02/09
JOHN W. PETERSON	DUNSMUIR, CA	1196	PAC FED/UP	08/16/09
SHARON A. PURCELL	ELGIN, OR	0874	USD/UP	07/18/09
JOHN W. SUMMERS	HERMISTON, OR	0874	USD/LIFE	03/03/09

Around the Brotherhood Continued from Page 3

Northeastern System Federation Holds Convention

The Northeastern System Federation held their convention in Oneonta, New York the week of September 21, 2009.

Prior to the convention and election of officers, the federation hosted an educational for those in attendance.



Northeastern System Federation officers and delegates.

BMWED Members Attend Annual Pufferbilly Day Parade

Members from BMWED Local Lodge 437 and other Iowa locals attended the annual Pufferbilly Parade in Boone, Iowa for the third year in a row. Members from Boone, Des Moines and Carroll were in atten-

dance.

The annual event celebrates Boone's rich railroad history. The word pufferbilly comes from the small engines that pulled the coal out of the area mines.



Local Lodge 437 President David Otis leads the troops. Also pictured: IBT Local 56 Teamster truck driven by Jerry Wood of Kansas City, MO.

Vice President

Continued from Page 7

care. According to some studies 32.1% of Hispanics have no healthcare and 19.6% of African - Americans have none as compared to 11.9% of Caucasians. People with low incomes are the most affected. And, study after study show that women and minorities are at the lower income levels.

Another example of why we need to continue this struggle is the economic impact on unemployment figures for minorities and women. While the poor economy affects us all, it has a larger impact on women and minorities. According to the Bureau of Labor Statistics for August 2009, the unemployment rate for African - American men was an astounding 17%, and much higher for those between the ages of 16 and 19. The statistics for women and other minorities are just as startling.

The point I am trying to make is that we all need to get involved in these issues. Whether we do so by involving ourselves in the political landscape or by working through our union. Raising the standard of living for those that most need it benefits us all.

I am proud to be a part of an organization that recognizes both the advances we have made and the work yet to be done. Our union has instituted a number of programs because both BMWED National Division President Simpson and General President Hoffa recognize the need to continue to strive for equal opportunities for women and minorities and recognize that by doing so, all of us benefit.

I encourage our members to get involved in our union and to take advantage of the programs available regardless of your gender, ethnic background or whether you are young or old. There are a number of programs that cater to our diverse membership and a number of educational opportunities for all of our members. Get involved and make a difference.

Roger Sanchez

*Vice President Southwest Region
BMWED Director IBT Human Rights
Commission*

Legislative Issues

Continued from Page 12

code concerning camp cars which passed two years ago. When State Legislative Director Petty was elected to office as a federation officer he made the decision to have Assistant State Legislative Director Oeth continue to spearhead the camp car campaign as he had acquired an in-depth background on the issue while working as the interim State Legislative Director. While BLET and the UTU were very active in assisting the BMWED during this process, FRA Administrator Joe Szabo was especially helpful and instrumental throughout the process.

On September 22, 2009, Ohio Assistant State Legislative Director Perry Geller Jr. and Vice General Chairman (NKP-WLE) Tom Mulford were successful in getting the camp car bill heard in Sponsor Testimony at an Ohio State Senate Committee hearing in the Insurance, Commerce and Labor Committee.

In Indiana, the combined efforts of the BLET and BMWED resulted in getting legislation passed requiring all railroads to maintain or replace damaged or missing whistle post signs. On the last day of a special session in Indiana's legislature, BLET State Chairman Bill Verdeyen, BMWED NE Regional Coordinator/Indiana State Legislative Director Jeff Bainter, and Assistant Legislative Director Tom Cartwright worked side by side with Indiana legislators to include the legislation in the state's budget bill.

Hoffa Continued from Page 6

not a deal-killer. Instead, we've got to find out what's doable. Every improvement that works will make it easier to pass the next improvement. Every improvement helps restore faith in government's ability to improve people's lives.

What's essential is to expand health insurance to all Americans. The uninsured get health care, but they tend to get it in the emergency room - which is expensive, and which the rest of us pay for.

The public option isn't the only way to expand coverage. We can provide financial relief to low- and medium-income people who can't otherwise afford insurance.

We can also crack down on the insurance companies - and we will.

Reform would forbid insurance companies from refusing coverage for pre-existing conditions, prohibit them from retroactively cancelling coverage and require community rating.

But there's one proposal that Teamsters absolutely cannot support: a tax on insurers. Insurers would pass that tax on to the people they insure - the largest middle-class tax hike in history.

Fraternally,
James P. Hoffa
Teamsters General President

Centenarians

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

Isaac E. Dickerson

A Bronson, Texas resident, Brother Dickerson celebrated his 100th birthday on August 14, 2009. He last worked for the Gulf, Colorado & Santa Fe Railroad Company as a Track Worker.

Augustin M. Garcia

A Richmond, California resident, Brother Garcia celebrated his 100th birthday on August 28, 2009. He last worked for the Atchison, Topeka & Santa Fe Railway Company.

Fred Hentz

A Lambert, Mississippi resident, Brother Hentz celebrated his 100th birthday on September 23, 2009. He last worked for the Illinois Central Gulf Railroad Company as a Section Laborer.

The BMWED extends its sincere best wishes. Happy Birthday!

BMWED Legislative Issues – 111th Congress

HealthCare REFORM

Although the August recess began with its opponents attacking health care reform because of its costly value, recess ended with attacks targeting how reformers were proposing to lower the costs. Unfortunately, instead of using the recess to give us a brief glimpse of what reform could do for America, the Obama administration basically spent most of its time on the defense, tackling rumors. Toward the end of the recess, the shift began showing up in the polls. America grew more wary of reform at first, then that shifted to the President. Basically, if anything could go wrong it did.

Healthcare reform is not over yet! Senate Finance Committee Chairman Max Baucus released his \$856B health reform plan on September 16, 2009. According to Chairman Baucus, the plan will not add to the federal deficit. The proposal is not all it could be, but it could be worse, especially with the expectations and demands Republicans are making. The bill requires between \$800 and \$900 billion in outlays over a ten year period. The proposal includes some financial relief to people with incomes up to four times the poverty rate, rather than cutting off assistance at a much lower number.

At the time of this writing, the Baucus proposal is in markup. We are closely monitoring the health care reform legislation with regards to any type of excise tax provisions. The BMWED will not support any type of taxing imposed on employer-provided health insurance, which is part of health care reform legislation being considered by the Senate Finance Committee.

This means that under such a measure, a 40 percent excise tax would be imposed on employer-provided health insurance coverage on the portion of a premium exceeding \$8,000 a year for single coverage and \$21,000 for family coverage. This measure would become effective in 2013.

At the direction of Leon Fenhaus, Director of Government Affairs, the BMWED has begun mobilizing State Legislative Directors to contact all Democratic members of congress and appeal to their respective representatives to sign on to Congressman

Joe Courtney's (D - CT) letter seeking cosigners on a letter to the Speaker opposing the Finance Committee excise tax on so-called "high cost" health plans. BMWED Legislative Directors will also be reaching out to other crafts, coworkers, and eventually we will also seek the cooperation of all system officers.

Authorization Bill

On September 23, 2009, a three-month extension of the Surface Transportation law was passed by the House, this serves as an "extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the

Highway Trust Fund pending enactment of a multi-year law reauthorizing such programs," according to House Transportation and Infrastructure Committee officials.

Although the healthcare reform legislation has basically overshadowed mostly, if not all, other legislation, passage of this legislation was very much needed as the current \$286 billion, five-year spending program SAFETEA-LU expired September 30, 2009. The extension will keep federal funding for surface transportation intact through December 31, 2009. There, of course, are other long-term needs for major transportation infrastructure investment that have yet to be considered. According to Oberstar, while a three-month extension beats the alternative of having no funding in place, the extension is no more than a stop-gap.

HIGH SPEED RAIL

In the last part of September, the Senate passed a \$122 billion spending measure for transportation and housing programs. This measure, however, sets up a showdown with the House over spending levels for high speed passenger rail because as you know, the House just passed its Transportation-HUD bill on July 23,

2009 which already included \$4 billion for grants.

The funding levels differ, but not by far, the major difference being the overspending on high speed rail by the Obama administration. According to CQ Today, the Senate and House bills both would provide close to \$75.8 billion for the Transportation Department. The Senate bill would spend \$45.8 billion for Housing. High speed rail is a top priority for this administration.

On September 16, 2009, BMWED Director of Government Affairs, Leon Fenhaus, BMWED Director of Research and Strategic Coordination Don Griffin and other rail labor representatives met with Congressman Mica to discuss high speed rail in Florida, but more importantly to discuss our position regarding funding for commuter rail versus intercity rail and explaining the labor protections that come with that and how we are in a position to seek to stop funding if they tried to evade the employee protections.

On September 24, 2009, the legislative departments of the BMWED and BLET co-hosted a fundraising event for Congresswoman Corrine Brown (FL). We had the opportunity to visit with the Congresswoman and address issues related to Florida and high speed rail.

OTHER LEGISLATIVE ACTIVITIES

Regional Coordinator, Jeff Bainter, reported that through the determined efforts of Illinois State Legislative Director Tim Petty and Assistant State Legislative Director, Johnny Oeth, III, the Illinois Commerce Commission adopted amendments to conform Illinois Statute to Indiana's current

See **Legislative** on Page 11



Director of Government Affairs
Leon Fenhaus



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