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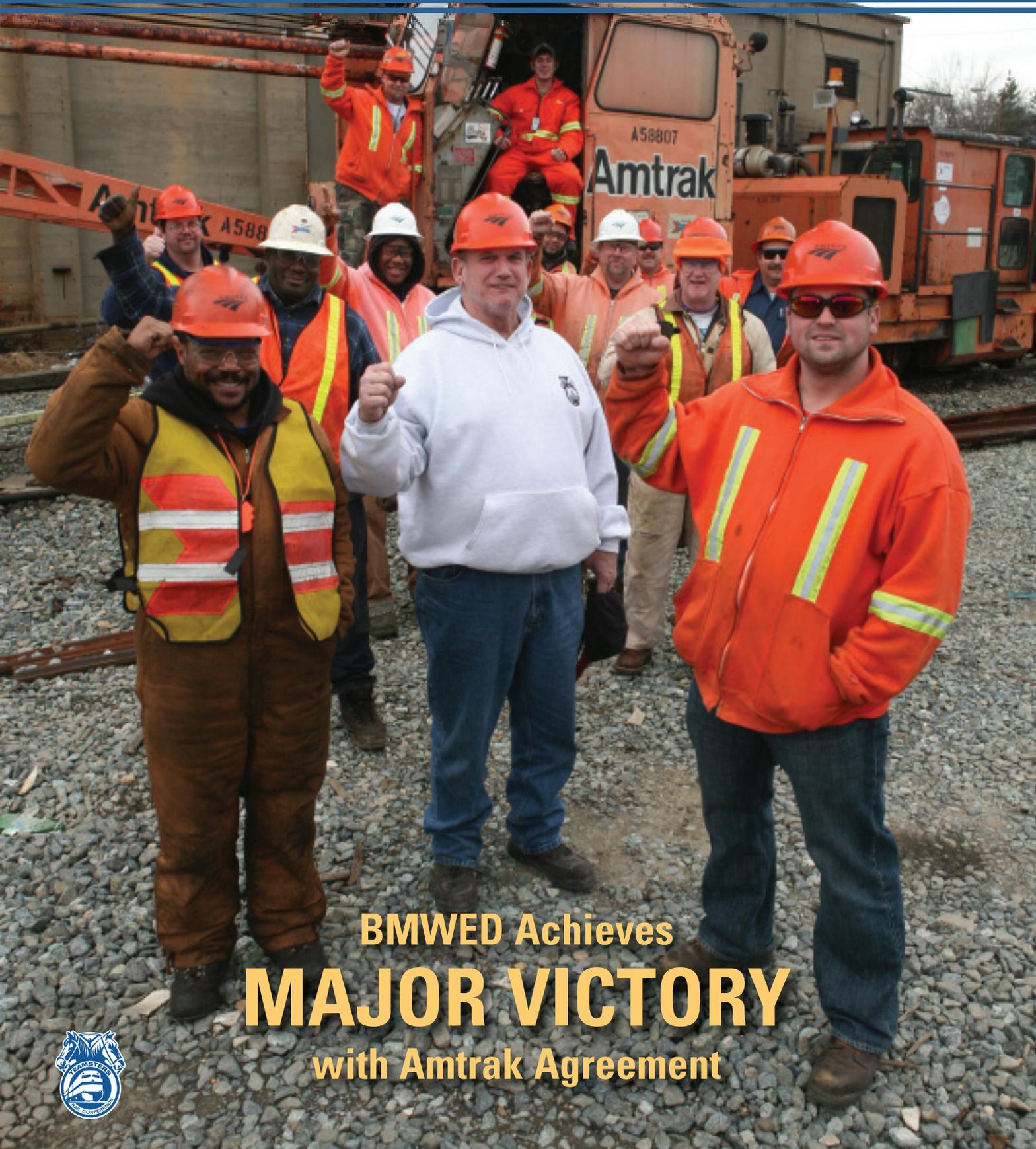
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RailTEAMSTER

A MAGAZINE FOR TEAMSTER RAIL MEMBERS

WINTER 2008



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MAJOR VICTORY
with Amtrak Agreement





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FROM THE **DIRECTOR**
JOHN MURPHY

FROM THE **GENERAL PRESIDENT**
JAMES P. HOFFA

Coordination in Rail Conference Yields New Contracts

Congratulations to our maintenance of way members who finally have a contract at Amtrak. This was accomplished in no small part due to the spirit of cooperation within the Rail Conference and with several other rail unions who were part of the Passenger Labor Rail Bargaining Coalition. Amtrak tried, over the years, to stall the process by claiming financial ruin if workers received decent wages and good health care.

But the coalition persevered and won an agreement that makes strides to correct eight years of frozen wages. As Rail Teamster goes to press, ballots for the tentative agreement have been mailed to BMWED members in anticipation of the vote count by mid-March.

In this issue of Rail Teamster there is an article about the Amtrak tentative agreement, which includes members' perspectives on its benefits.

Also in this issue, there are articles on the new contracts covering BLET's members on the Long Island Rail Road as well as their members working on the PATH system in New York. Both contracts are improvements upon the past agreements.



Due to this being the winter edition of the magazine, we have a special safety and health article about protecting yourself in cold environments. Rick Inclima, the BMWED's Director of Safety and Education, developed the article in conjunction with the Teamsters Safety and Health Department. The article's components were a result of a joint study between the BMWED and the Teamsters. This is just one example of the many benefits to the BMWED and BLET since their merger with the Teamsters Union.

Amtrak Agreement Fortifies All of Rail Labor

that could be achieved this time around. When the contract's term expires in 2009, we will be ready to go after more improvements and higher wages.

With the Bush presidency finally drawing to a close, we must seize on the opportunity to elect a pro-labor candidate to the White House. We believe that Sen. Barack Obama understands the challenges working people face every day. He is the candidate in the best position to lead our movement to restore the American dream for working people in this country. Sen. Obama will fight for better wages, real health care reform, stronger retirement security, fair trade and an end to the outsourcing of good jobs. He understands the importance of giving workers a voice at work and will fight for strong unions to help rebuild America's middle class.

Sen. Obama will fight to rebuild our transportation infrastructure. He will work with us to address critical issues from our ports to our highways, rails and airports. We need a president who is focused on rebuilding America and Barack Obama will be that president.

Congratulations to all of our maintenance of way members and to their negotiating team for fighting for a good contract at Amtrak. You've waited eight long years without a contract, working the entire time and keeping the rails safe despite enduring the many stall tactics of the Amtrak board. Unbelievably, a presidential emergency board appointed by President Bush came back with recommendations that were favorable to labor. Certainly this was a surprise, and we didn't get everything we asked for, but we believe this is the best agreement

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**National
Amtrak STRIKE**

AVERTED



BMWED, Rail Coalition Achieve Tentative Agreement with Amtrak

After eight grueling years without a contract, 2,000 rail Teamsters at Amtrak finally have a reason to celebrate. A strong tentative agreement on new contract terms, including average retroactive pay of \$12,800, was reached in January between Amtrak and the Brotherhood of Maintenance of Way Employees Division (BMWED) of the Teamsters Rail Conference.

“After eight long years and all of the rallies I attended with my union brothers and sisters, it is a relief to finally have an agreement,” said Denny Bennet, a 30-year BMWED member at Amtrak.

“It’s been a long time coming,” said Renato Rufo, an 18-year member in the Boston area. “And we appreciate all of the time and effort our side put into the negotiating meetings. Amtrak has so little regard for us. They’ve treated us more like a liability. To let us go this long without a contract was very tough.”

The BMWED, along with the other unions that were part of the Passenger Rail Bargaining Coalition, had been preparing for a possible national strike on January 30 if Congress didn’t impose the Presidential Emergency Board’s (PEB) report, or if Amtrak had not chosen to sign an agreement.

Strength in Bargaining

“The BMWED members have waited and worked for eight very long years without a contract,” said Jim Hoffa, Teamsters General President. “It was a surprise to us that a board appointed by President Bush, one of the most anti-labor presidents in history, decided upon a resolution to the Amtrak contract that awarded

most of what we in rail labor had been fighting for.”

“This is another example of how joining with the Teamsters Rail Conference has provided strength in bargaining for our members,” said Fred Simpson, President of the BMWED and a Teamster Vice President. “Once again, coordinating bargaining among the rail unions succeeded.”

Sen. Edward M. Kennedy (D-MA), who was present at the tentative contract signing, said, “It’s a great day for the country, the workers and the passengers. This agreement gives respect to the workers. This agreement is important for our economic growth and stability. After eight long years without a pay raise, Amtrak’s employees have finally won a contract that grants them the fair wages and benefits they deserve and which reflects their indispensable contributions to Amtrak and the nation. The leaders standing here today were serious about negotiating a contract that both sides can be proud of.”

“The union leaders held their ground and they have delivered an agreement worthy of the hardworking men and women who keep trains running every day,” Kennedy said. “And the agreement is also a victory for the Amtrak passengers, the commuters and the public who can be confident that Amtrak will be able to keep improving the service on trains that run on time.”

Membership Wins

Due to substantive gains in wages and a payout for retroactive pay, BMWED members will reap immediate benefits from the new Amtrak agreement. The PEB recommended that “nothing short of full retroactivity is fair and equitable and appropriate to



begin to restore to employees the lost wages that resulted from their inability to obtain a successor agreement over the unprecedented eight-year period that these employees have continued to work without a new agreement.”

Provisions include wage increases that average 35.2 percent over the life of the agreement, which is January 1, 2000 through December 31, 2009, or 3.1 percent compounded per year. Retroactive pay varies, but averages \$12,800, which will be paid in two installments.

“The new contract will restore the buying power of our members,” said Jed Dodd, General Chairman of the Pennsylvania Federation. “And it will significantly increase the take-home pay of our members. We had two major stumbling blocks in our negotiations. One was Amtrak’s insistence in draconian work conditions and the second was their insistence that there would be no retroactive wage increases. We won on both issues.”

“We couldn’t believe our eyes when the Presidential Emergency Board decision came out,” said Bennet, a member who has worked in New York, Philadelphia and the Atlantic City region. “Our negotiators really did their best.”

“Even during these difficult eight years our members retained their work ethic,” said Stuart Hurlburt, General Chairman of the Northeastern System Federation. “Our members have performed their work safely every day for the past eight years and kept the integrity of the tracks at the speed that Amtrak wanted. Our members understood the battle and still did the job—complying every day with their work orders and keeping the tracks safe for passenger trains.”

“I was surprised by the PEB’s decision,” said James Fay, a BMWED member since 1975. “I thought it wouldn’t have gone as much in favor with us. Although after reading the very general testimony of Amtrak’s management it seemed like they really would decide in our favor. I was shocked that Amtrak’s testimony was so general, and yet our case was presented so professionally.”

No Work Rule Changes

The new Amtrak agreement also proposed no work rule changes, another huge benefit to members.

“Work rules were very important, especially in my area,” Fay said. “If Amtrak had been able to make their changes, they would have been able to have gotten rid of people.”

Amtrak had originally wanted to eliminate the limitations on its ability to contract out work, restrictions on its ability to assign work and restrictions on its ability to schedule work.

With the BMWED in particular, Amtrak wanted to contract out what it termed “non-core functions” such as tree removal, brush and grass cutting, snow removal outside the right of way, clean up of non-railroad materials on the right of way, asphalt paving, bridge netting and fall protection, underwater inspections, demolition, fencing, large scale catenary (electric line) pole foundations, large scale steel painting projects and facility projects. However, representatives from the BMWED told the PEB that these were substantial, regular duties of the members.

Members of the PEB agreed with the BMWED that no work rule changes should be considered. They made this

determination because Amtrak showed “no proof of compelling operational need for any of [the] proposed work rule changes... There was no showing that any problems have changed in frequency or severity in recent years or that the proper use of the existing work rules cannot achieve most of the results that [Amtrak] claims to seek.”

“The work rule changes that Amtrak wanted were so inept,” Rufo said. “Here you have the PEB that was picked by President Bush, who isn’t crazy about us anyway, and even they said that what we were asking for was fair.”

Solidarity Benefits All Rail Workers

The BMWED, along with the three other rail unions belonging to the Passenger Rail Bargaining Coalition, witnessed the power of bargaining for a group benefit, similar to the success in 2007 with the national freight rail agreement.

“The Amtrak negotiations took a hard toll on our members,” Simpson said. “Now we are concentrating on explaining the terms of the agreement at membership meetings in preparation for the members’ vote.”

Many members see the new contract as a positive move forward for them, and one of the many benefits of belonging to the Teamsters Rail Conference.

Rallies

“Considering that Amtrak wanted to give us very little and that the president was not supportive, we did a lot better

than what was originally offered,” said Brian Erp, a 14-year BMWED member based at the Hunter Yard in Newark, New Jersey.

“Plus, the support we had as part of the Teamsters Rail Conference was very good. Every time we had a rally we always had Teamsters with us.”

Rallies to protest Amtrak’s stall tactics on bargaining were held in New York, New Jersey, Philadelphia and Washington, D.C. Some members even staked out the Amtrak chairman’s home in the Dupont Circle section of Washington, D.C. to let his neighbors know that he was a union buster.

A New Excitement

Rep. James L. Oberstar (D-MN), who attended the agreement signing meeting at Amtrak headquarters, said, “I was skeptical, but the [Presidential Emergency] Board did its work, evaluated the issues at hand and came up with a great decision. But I will tell you, if they hadn’t, we were ready.”

“There is a new excitement in passengers to use intercity trains and renewed interest in long-haul trains,” Oberstar said. “One example is that 25 percent of Amtrak’s business is from California and the Pacific Northwest. Now we are prepared to move ahead with re-authorization.”

“We fought hard and long for what we got,” Bennet said. “We are part of a proud organization. I am a union guy and always will be. I love being part of collective bargaining.”

Ballot materials for the tentative agreement were expected to reach rail members homes in mid-February.



The signing meeting at Amtrak headquarters in Washington, D.C. was filmed by the Teamsters Communications Department. Officers from the BMWED, as well as other rail unions, participated in the meeting. Sen. Edward M. Kennedy (D-MA) and Rep. James L. Oberstar (D-MN) attended the meeting and praised the results.

A video was produced from the footage and placed on YouTube. The video is available on the Teamster website, www.teamster.org





“After eight long years and all of the rallies I attended with my union brothers and sisters, it is a relief to finally have an agreement.”

—DENNY BENNET
a 30-year BMWED member at Amtrak



On The Right PATH

Members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) ratified a new six-year contract with the Port Authority Trans-Hudson Corporation (PATH) in late May of 2007. The PATH system used to travel directly under the World Trade Center. Its station there was destroyed during the September 11 attacks, but now the station is open again and services thousands of people every day. It is a vital conduit between Manhattan and New Jersey.

The agreement covers 166 BLET members and provides six years of wage increases at 3 percent per year, which includes retroactive payments to 2005.

The agreement also provides increases in pension contributions each year and continues health and welfare coverage that is 100 percent employer-paid.

Full Employer-Paid Health Care

“Employees at a lot of other railroads are contributing toward health care, so maintaining the 100 percent employer-paid health and welfare coverage was a major issue during negotiations,” said Ralph Nunziato, General Chairman at PATH.

In fact, the BLET sought the services of the National Mediation Board (NMB) when negotiations stalled during the issue of health care cost sharing. “As a member of the negotiating committee, we worked hard to involve the services of the NMB and produce a real wage



increase while maintaining important fringe benefits,” said Marcus J. Ruef, BLET Vice President.

Overwhelming Approval of New Contract

According to Nunziato, about an 80-percent majority of members ratified the contract. He said the rates of pay, the pension plan and the health care benefits are reasons why the membership approved it.

“Our members are on the doorstep of earning \$100,000 per year with a little overtime,” Nunziato said. “Without a lot of overtime, they earn \$80,000 to \$90,000 per year.

“We have some members from other systems who never had a pension and they paid for a lot of their health care. After coming to work here, these members appreciate what they have.”

PATH pensions

Under the PATH pension plan, employees are vested after five years of service and retire with full benefits at age 60 with 30 years of service.

PATH contributes an additional 77 cents per hour per member toward the pension plan under the new contract.

Nunziato estimated that a member retiring with 40 years of service would receive about \$1,600 per month from the PATH pension on top of their Railroad Retirement payments.

A Long Road

Negotiations took approximately two years to complete, with the main hang up being health care issues.

“Zachery Jones, the federal mediator, really brought the parties together and got them to find a middle ground,” Ruef said. “When both sides listen to the mediator with an open mind, fair agreements can be reached that serve both parties’ interests.”

Nunziato agreed. “The mediator was helpful and wanted to get a deal done.”

About PATH

PATH was formed in 1908 as the Hudson & Manhattan Railroad connecting Manhattan with New Jersey through the famous “Hudson Tubes,” which were the first Hudson tunnels. It is a publicly owned rapid transit/commuter railroad connecting Manhattan with Hoboken, Jersey City and Newark, New Jersey.

It is a third rail, 600 volt DC system using MU passenger cars that are very similar to the equipment used by the New York City subway system.

The heavy rail transit system serves as the primary transit link between Manhattan and neighboring New Jersey urban communities and suburban railroads. PATH carries 227,000 passengers each weekday. This volume is expected to continue to increase with the anticipated growth in regional residential, commercial and business development.

The annual passenger trips for 2006 were 66.9 million.

Nebraska BNSF Members Benefit from New Contract

Health Care Improved, Wages Raised

Across frozen tundra, through small towns with populations less than 100, and around mountains, the Burlington Northern Santa Fe railroad track traverses the country, from California to Florida and from Illinois to Washington. Rail Teamster recently interviewed some maintenance of way employees working in Nebraska in order to gain their perspective on the national freight rail contract.

Immediate benefits available to members were wage increases averaging 16 percent, improved health care benefits and access to nearby medical professionals. In addition, the contract, which doesn't expire until the end of 2009, did not include any of the unreasonable work rule proposals that the carriers wanted, such as contracting out.



“We won out over the carriers’ demands and forced the withdrawal of all of their work rule proposals that would have increased contracting out and reduced away-from-home expenses,” said Jim Hoffa, Teamsters General President. “The carriers, certainly used to having the backing of a Republican Congress, initially proposed an expansion of contracting out track maintenance work. But the BMWED had already resolved to not repeat the wages and standards set in the 2001 agreement. I am proud to say that the negotiators did a fine job of holding the employers’ feet to the fire and winning.”

percent of the employees under the National Health and Welfare Plan were unable to receive managed-care benefits. They had to pay more for doctor’s visits and face a lifetime maximum benefit amount, something managed-care benefits do not have, yet they contributed the same amount in employee cost-sharing payments. To fix that program, the RLBC agreed to raise managed care co-pays for doctor’s visits and prescription drugs so that managed care networks would be made available to almost all of the employees previously excluded.”



After two years of intense bargaining by the Rail Labor Bargaining Coalition (RLBC), the agreement was ratified last year and applies to more than 85,000 members on the six major freight rail lines. The RLBC, consisting of negotiators from the Brotherhood of Locomotive Engineers and Trainmen (BLET), the Brotherhood of Maintenance of Way Employees Division (BMWED), the Brotherhood of Railroad Signalmen (BRS), the National Conference of Firemen and Oilers (SEIU), the American Train Dispatchers Association (ATDA), the International Brotherhood of Boilermakers, and the Sheet Metal Workers of America (SMWIA), had regularly met with representatives of all of the freight rail carriers (CSX, Norfolk Southern, Union Pacific, Kansas City Southern and Burlington Northern Santa Fe) to negotiate the terms of an agreement that would improve wages, health care benefits and other critical issues.

Health Care Improvements

An important new benefit in the freight rail contract is the access members will have to network health care benefits. In the previous contract, 25 percent of rail employees had to use doctors that were out of their health care plan network, causing them to pay higher out-of-pocket fees.

“For too long, a large percentage of our members have been unable to receive the better managed-care benefits available to other members,” said Fred Simpson, President of the BMWED and a Teamster Vice President. “Previously, about 25

“With the new health care plan our deductibles went away,” said Roy Miller, BMWED member since 1976 and Vice Chairman of the Burlington System Division. “And we use in-network doctors now. I think the health care plan is a huge benefit.”

“The new health care plan is a good deal,” said Clyde Blue, a 37-year bridge inspector in Scottsbluff, Nebraska. “Although our territory is large—we cover 900 miles of track—we all need to have health care close to home. Now we have access to many more doctors.”

Other members in Nebraska mentioned how they’ve benefited from being able to go to a local doctor. “Before we had the new health care plan my closest network doctor was in Denver, 250 miles away,” said Terry Eck, a member working in Alliance, Nebraska. “Recently I was able to go to a local doctor and it was much better. Now we have a high level of care.”

“Out in the wide open spaces like Nebraska and Wyoming, proximity to medical assistance makes a big difference in everyone’s health,” Simpson said. “Since railway work is often spread out over long distances and our members usually live near where they work, we pushed to negotiate better benefits that accommodate members. After all, the railroads have a vested interest in the health of their employees, too.”

Wages Increased by an Average of 16 Percent

During contract negotiations, the rail carriers’ complained that they were strapped for cash. But RLBC negotiators were

able to counter their claims by showing them stock reports and investor articles touting the carriers' huge profits. This evidence gave labor negotiators the necessary force to demand that all of the rail employees covered under a new agreement should receive a fair wage increase. As a result, each worker received an increase averaging 16 percent.

"Every contract is a give and take between the company and the union," said John Murphy, Director of the Teamsters Rail Conference and a Teamster Vice President. "But we knew that rail shipments were up and that the carriers had more business

well as railroad bridges," Blue said. "We work on concrete, wooden and steel bridges, and inspect them at least twice a year. I log in on a laptop and record any changes in condition. Right now the railroad is spending a lot of money on maintenance and rebuilding.

"There are six bridge and building employees here in Scottsbluff," Blue said. "It's pretty much steady work since it is a small department covering such a large territory. We do mainly rebuilds. For instance, one gang is rebuilding a concrete bridge in Edgemont right now."



than they could handle. It is only fair that our members share in the carriers' profits. After all, it is their work that made increased production, and therefore increased profits, possible."

Keeping the Rails Open and Running

Much of the maintenance of way work on Burlington Northern Santa Fe goes toward offsetting the heaviest tonnage traveling on most of America's rail system. Coal shipments out of the Black Hills mountains en route to power plants across the nation require that the tracks and bridges are in top shape.

The weather in Nebraska, for example, can be harsh. On a recent December morning, the temperature was two degrees below zero in the morning, with a strong wind from the northwest. "The weather, combined with the weight of the coal shipments, creates a lot of wear on the track," Miller said. "The rail just can't take that kind of stress—it is going to break. Plus, we are always building more and more track due to the demand for coal used for electricity. It's a big race to build two, three, four main tracks."

"In the winter, the main line rail pulls apart," said Tim Wickham, a 13-year track inspector. "Besides myself, we have three other track inspectors and we focus on the yards, often just using sight when looking for wear and cracks."

The bridge department keeps active, too, partly due to reduced staffing, and frequent evaluations of any changes to the structures. "We look at bridges that go over our tracks, as

Rail Labor United in Bargaining

Many believe that without the solidarity of rail labor under the banner of the RLBC, the contract and the subsequent improvements in wages and benefits would not have been achieved.

"I believe this contract is further evidence of the increased power rail labor has now that we have merged with the Teamsters Union and are part of the Teamsters Rail Conference," said Don Hahs, President of the BLET.

"For the first time in a generation, a major portion of rail labor negotiated in solidarity," Simpson said. "This agreement represents an historic achievement for rail labor. By standing together, we demonstrated to the carriers that their divide-and-conquer strategy, in which they would pit one union against another to achieve the lowest common denominator, would no longer work."

The contract gave up no work rules, raised net wages over 16 percent after cost sharing for health and welfare, capped employees' health and welfare contributions, expanded access to in-network medical benefits for most of the 25 percent of rail employees previously denied them, and provided no concessions on contracting out or the carriers' work exit demands.

The Nebraskan members interviewed for this article, such as Roger Nason, a section gang member, were overwhelmingly positive about how the merger with the Teamsters has changed their work lives. "I believe we are a strong union, very strong," Nason said.



BLET Ratifies New Contract at LIRR

Ten Unions Come Together for Negotiations

Members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) Division 269 ratified a new contract agreement with the Long Island Rail Road (LIRR) on January 14. Higher wages and improvements in health care and pensions are all benefits in the new three-year agreement.

According to Mickey Quinn, LIRR General Chairman, the contract covers approximately 420 locomotive engineers and members ratified it by a 4-1 ratio.

“The contract was negotiated as part of a coalition of 10 different unions representing 5,558 workers from each craft at LIRR,” Quinn said. “As a result, the new deal only addresses pay, health and welfare, and pensions. Following ratification, each union will commence one-on-one negotiations with LIRR regarding craft-specific work rules.”

In addition to the BLET, the contract covers work per-

formed by members of the United Transportation Union; Transportation Communications International Union; Brotherhood of Railroad Signalmen; International Association of Machinists & Aerospace Workers; International Brotherhood of Electrical Workers; Independent Railway Supervisors Association; National Conference of Firemen & Oilers; Sheet Metal Workers’ International Association; and UTU Yardmasters.

The LIRR is a subsidiary of the New York state’s Metropolitan Transportation Authority (MTA), and the contract was subject to approval by the MTA Board of Directors. The MTA board unanimously approved the contract on January 30.

All the unions working together is a significant step toward solidarity.

“The best thing that happened with this contract is that in my 19 years, this is the first time that all the unions have worked together,” said Kevin Spaeth, a LIRR engineer and BLET member since 1990.

According to Gerry Walsh, the solidarity helped the contract win quick ratification by all unions involved.

“In the past, the BLE would be one of the last ones to reach agreement,” said Walsh, a LIRR engineer and BLET member since 2005. “All the unions working together is why it was ratified so fast, and shows that the contract is a fair one.”

New Agreement Provides Guaranteed Wage Increases

The term of the contract is three years, five months and two weeks. It expires on June 15, 2010, and provides wage increases of 10.5 percent over the life of the agreement. The wage increases are as follows: a 4-percent increase retroactive to Jan. 1, 2007; a 3.5-percent increase retroactive to Jan. 1, 2008; and a 3-percent increase on Jan 1, 2009.

“The new contract is a just reward for the hardworking and professional LIRR engineers,” Quinn said.

He noted that on January 7, the LIRR reported that its on-time performance was 94.07 percent, which is the highest the railroad has ever achieved since modern record keeping started in 1979.

“There is no doubt that the excellent on-time performance was achieved in part due to the work of highly trained and skilled BLET members,” he said.

LIRR trains operated by BLET members transport approximately 288,000 passengers per day.

Joe Cascone, a LIRR engineer and BLET member since 2001, said members are looking forward to the retroactive payments. He said they also appreciate the regular pay increases.

“In this day and age of high oil and gas prices, it’s nice to get a decent raise,” he said.

Spaeth agreed. “Considering the tough economic times we are going through in this country right now, the contract was pretty fair,” Spaeth said.

Top-Notch Health and Welfare

In terms of health and welfare, the BLET was able to maintain a 100-percent carrier-paid medical plan.

“One of our priorities was to negotiate zero-cost medical care for our members,” Quinn said. Although difficult to achieve, we achieved the goal in this contract.”

“By having zero-cost medical care, we have more take-home pay that can be used towards other expenses my family has,” Spaeth said.

Maintaining 100-percent carrier-paid medical care was important to the members—especially those with families.

Cascone, who hired out on November 7, 2001, said his 5-year-old son, Michael, recently had ear surgery. Cascone said the procedure took less than 10 minutes to complete, but the bill was more than \$3,000. Thanks to the BLET-negotiated medical coverage, Cascone’s out-of-pocket expense was zero.

“The insurance covered it,” Cascone said. “That’s big, especially for the guys with a family.”





Cascone currently holds Job #278, which is a round-trip run from Huntington, Long Island to New York's Penn Station to Hicksville, New York.

Engineer Denise Lynch also praised the zero-cost health-care benefit. She works the Port Jefferson branch of the LIRR and began her railroad career in 1989 as a ticket clerk.

"You don't work for the railroad to get rich. Medical care and security is why I took this job," said Lynch, who has been a member of Division 269 since 1992. "I've said it a thousand times—I'm really glad we don't have to pay for medical insurance."

The BLET also achieved improvements in dental and vision plans. In both cases, the carrier is increasing each benefit by 10 percent.

"For me, the main positive is that we don't have to pay for our medical coverage," Walsh said. "With most other companies, you have to pay a premium that just goes up and up every year. It's good to keep what you have without giving up anything."

Solid Pension Benefits

The BLET is proud of its membership pension plan at the LIRR. In the current contract, the BLET maintains a provision that allows members to retire at age 55 with 30 years of service with no reduction in their pension. Under the new agreement, when a member reaches age 60 and has less than 30 years of service, they can now retire with no reduction in their pension. This benefits members who began working later in their career.

Members participating in the pre-1988 plan are not affected under the new contract. Those hired after 1988 contribute 3 percent of their pay to the pension fund for 10 years, which is also a holdover from the original agreement. The new contract affects those hired after the new ratification date, who will contribute 4 percent of their pay to the pension fund for 10 years.

The improved pension provisions in the contract will benefit many members, including Denise Lynch.

"Under the new contract, I won't take a 26-percent hit when I retire," said Lynch, who plans to retire at age 55. "Instead of a 26-percent hit I'll take an 11-percent hit."

Walsh, 31, earned promotion to engineer two years ago. He began his career with the LIRR in 2003 as a coach cleaner. On weekdays he normally works from 4 p.m. to midnight, and on weekends from 7 a.m. to 3 or 4 p.m. He will have the required 30 years of service for retirement at age 60, but said the changes will benefit those who began their LIRR careers later in life.

"This will help someone who hired out at age 45



more than it will help me,” Walsh said. “But many companies don’t even have pensions, so it’s good to know you’re going to be OK when you decide to retire.”

LIRR—Largest BLET Division and Oldest Original Railroad

With more than 430 members, Division 269 is the single largest division in the BLET.

The LIRR is the busiest commuter railroad in North America, carrying an average of 288,000 customers each

weekday on 728 daily trains. Chartered on April 24, 1834, it’s also the oldest railroad still operating under its original name. The LIRR will mark its 174th anniversary in 2008.

The LIRR system is comprised of more than 700 miles of track on 11 different branches, stretching from Montauk—on the eastern tip of Long Island—to the refurbished Penn Station in the heart of Manhattan, approximately 120 miles away. Along the way, the LIRR serves 124 stations in Nassau, Suffolk, Queens, Brooklyn and Manhattan, providing service for some 82 million customers each year.





State Legislative Representatives

Educate Congress

Amtrak, Camp Cars, Rail Security are State and National Topics

This issue of Rail Teamster looks at three state legislative representatives for the Brotherhood of Locomotive Engineers and Trainmen (BLET) and the Brotherhood of Maintenance of Way Employees Division (BMWED). Over the past few months, each has either been working on educating Congress about the labor negotiations with Amtrak, or also working on issues specific to their state. Both of the state-specific issues have a broader, national application.

Murphy Evans, the BMWED's Legislative Director for Mississippi, is in his second term and can't say enough about the importance of membership involved in politics. "Whether you know it or not, politics and legislation are going to affect your life," Evans said. "The more informed you are, the more you can stay involved with the issues.

"We knew that a shutdown of Amtrak would drastically affect the economy in our state," Evans said. "So I joined other BMWED legislative directors when we traveled to Washington, D.C. earlier this year to lobby Congress on behalf of the Passenger Rail Labor Bargaining Coalition. All of the congressional representatives and staff that I visited were very receptive about our stance with Amtrak. I believe it made a difference."

More than 20 legislative representatives from the BMWED converged in Washington in early January soon after the Presidential Emergency Board had made its recommendations. BMWED members had already endured eight long years without a pay raise so there was a great deal of motivation to make sure that Congress understood the board's proposal.

"Although we don't have a lot of Amtrak traffic through my state, Wyoming, we knew that how the labor agreement with Amtrak was settled would have a major impact on our pension plans," said Kristina Delgado, the Wyoming Legislative Director for the BMWED. "The legislators I visited while in Washington, D.C. wanted to understand more about the Presidential Emergency Board's decision." An employee of Burlington Northern Santa Fe and a BMWED member for 13 years, Delgado is following in the footsteps of her father and grandfather. She also has a brother who is an engineer with BNSF.

Rail Security in Pennsylvania

Ken Kertesz, the BLET's State Legislative Board Chairman in Pennsylvania has been advocating for increased rail security for several years. This past fall, the state awarded a contract to the Rand Corporation to examine the security of the rails in Pennsylvania. He credits the work of the BLET, BMWED and the Pennsylvania Conference of Teamsters for moving this legislation forward.

"The influence and legislative clout we got from the Teamsters, in particular the Pennsylvania Conference of Teamsters, was terrific," Kertesz said. "It took considerable energy and resources of our union to keep this issue alive. All in all it took several meetings, position papers and the assistance of the Teamster lobbyists to have the appropriate committee act."

Pennsylvania's Assembly passed a house resolution in 2006 on rail security: "The House of Representatives recog-



...many members of Congress are concerned that these lines are falling below standard maintenance.

nizes the need for a safe and secure network of passenger and freight rail in this Commonwealth and the need to prepare, prevent and respond to natural disasters, terrorist attacks or hazardous materials incidents associated with our passenger and freight transportation system... This Commonwealth's extensive rail transportation infrastructure is essential to the flow of goods and people across this Commonwealth and the nation, and interference with that flow of commerce and people could have serious national repercussions."

Due to the recent awarding of the contract to study rail security, legislators should soon learn about the security vulnerabilities in their state and how best to correct them.

Camp Cars and Short Lines, not just State Issues

Evans has been tackling some state-specific projects that have repercussions for the nation, too. In particular, the elimination of camp cars and the maintenance of short lines.

"I am also working on having some legislation introduced

in our state about the elimination of camp cars," Evans said. "Right now I am figuring out which legislator would be best to spearhead this initiative. Then we will try and get a bill up to the state level." Mississippi is one of several states that have camp car legislation either passed or have bills pending. Norfolk Southern, the last remaining freight rail carrier to use camp cars to house maintenance of way workers, is still intent on fighting to keep the cars.

"When I was in Washington for the Amtrak lobbying in January, I also met with Rep. Gene Taylor's (D-MS) office," Evans said. "He is very interested in the smaller rail lines that have been abandoned by Kansas City Southern. He said that many members of Congress are concerned that these lines are falling below standard maintenance. We believe that the large rail carriers kind of give up on the lines due to the cost of repairing them, but we want to keep those tracks under organized labor. We have the manpower and the expertise to bring these rails up to a good standard. Our members have been doing this all their lives."

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Working in C

Winter's cold weather presents additional challenges and risks for road workers whose jobs require them to be outdoors and exposed to the elements for extended periods of time. Cold is one of many occupational health hazards faced by Rail Conference members, especially those working in the northern climates. Like most occupational diseases, cold-related safety and health problems are under-recognized and under-reported. At this time, there are no specific Occupational Safety and Health Administration (OSHA) or Federal Railroad Administration (FRA) standards that address the protection of w

The following information has been compiled from OSHA and the New Jersey Department of Health to provide Rail Conference members with information on the risks associated with cold weather exposures and tips for protecting workers in cold weather environments.

Protecting Workers in Cold Environments

During winter, workers who must brave outdoor conditions face the occupational hazard of exposure to the cold. Prolonged exposure to freezing temperatures can result in health problems such as trench foot, frostbite and hypothermia. Workers in such industries as construction, railroading, commercial fishing and agriculture need to be especially mindful of the weather, its effects on the body, proper prevention techniques and treatment of cold-related disorders.

The Cold Environment

An individual gains body heat from food and muscular activity and loses it through convection, conduction, radiation and sweating to maintain a constant body temperature. When body temperature drops even a few degrees below its normal temperature of 98.6 F (37 C), the blood vessels constrict, decreasing peripheral blood flow to reduce heat loss from the surface of the skin. Shivering generates heat by increasing the body's metabolic rate.

The four environmental conditions that cause cold-related stress are low temperatures, high/cool winds, dampness and cold water. Wind chill, a combination of temperature and velocity, is a crucial factor to evaluate when working outside. For example, when the actual air temperature of the wind is 40 F (4 C) and its velocity is 35 mph, the exposed skin receives conditions equivalent to the still-air tempera-

old Environments

Railroad Workers Face Cold Weather Risks

ture being 11 F (minus 11 C)! A dangerous situation of rapid heat loss may arise for any individual exposed to high winds and cold temperatures.

Major Risk Factors for Cold-Related Stresses

- Wearing inadequate or wet clothing increases the effects of cold on the body.
- Taking certain drugs or medications such as alcohol, nicotine, caffeine, and medication that inhibits the body's response to the cold or impairs judgment.
- Having a cold or certain diseases, such as diabetes, heart, vascular, or thyroid problems, may make a person more susceptible to the winter elements.
- Being male increases a person's risk to cold-related stresses. Men experience far greater death rates due to cold exposure than women, perhaps due to inherent risk-taking activities, body-fat composition or other physiological differences.
- Becoming exhausted or immobilized, especially due to injury or entrapment, may speed up the effects of cold weather.
- Aging—the elderly are more vulnerable to the effects of harsh winter weather.

Harmful Effects of Cold

Trench Foot is caused by long, continuous exposure to a wet, cold environment, or actual immersion in water (immersion foot). Workers who experience these types of cold, wet environments need to be especially cautious. Symptoms include a tingling and/or itching sensation, burning, pain, and swelling, sometimes forming blisters in more extreme cases. Move individuals with trench foot to





a warm, dry area, where the affected tissue can be treated with careful washing and drying, rewarming and slight elevation. Seek medical assistance as soon as possible.

Frostbite occurs when the skin tissue actually freezes, causing ice crystals to form between cells and draw water from them, which leads to cellular dehydration. Although this typically occurs at temperatures below 30 F (minus 1 C), wind chill effects can cause frostbite at above-freezing temperatures. Initial effects of frostbite include uncomfortable sensations of coldness; tingling, stinging or aching feeling of the exposed area followed by numbness. Ears, fingers, toes, cheeks and noses are primarily affected. Frostbitten areas appear white and cold to the touch. The appearance of frostbite varies depending on whether rewarming has occurred. Deeper frostbite involves freezing of deeper tissues (muscles, tendons, etc.) causing exposed areas to become numb, painless and hard to the touch. Frostbite is often irreversible and amputation is sometimes required.

If you suspect frostbite, you should seek medical assistance immediately. Any existing hypothermia should be treated first (See “General Hypothermia” below). Frostbitten parts should be covered with dry, sterile gauze or soft, clean cloth bandages. Do not massage frostbitten tissue because this sometimes causes greater injury. Severe cases may require hospitalization

and even amputation of affected tissue. Take measures to prevent further cold injury. If formal medical treatment will be delayed, consult with a licensed health care professional for training on rewarming techniques.

General Hypothermia occurs when body temperature falls to a level where normal muscular and cerebral functions are impaired. While hypothermia is generally associated with freezing temperatures, it may occur in any climate where a person’s body temperature falls below normal. Hypothermia is a medical emergency with a high fatality rate.

The first symptoms of hypothermia, shivering, an inability to do complex motor functions, lethargy, and mild confusion, occur as the core body temperature decreases to around 95 F (35 C). As body temperature continues to fall, hypothermia becomes more severe. The individual falls into a state of dazed consciousness, failing to complete even simple motor functions. The victim’s speech becomes slurred and behavior may become irrational. The most severe state of hypothermia occurs when body temperature falls below 90 F (32 C). As a result, the body moves into a state of hibernation, slowing the heart rate, blood flow and breathing. Unconsciousness and full heart failure can occur in the severely hypothermic state.

Treatment of hypothermia involves conserving the vic-



tim's remaining body heat and providing additional heat sources. Specific measures will vary depending upon the severity and setting (field or hospital). Handle hypothermic people very carefully because of the increased irritability of the cold heart. Seek medical assistance for persons suspected of being moderately or severely hypothermic. If the person is unresponsive and not shivering, assume he or she is suffering from severe hypothermia. Reduction of heat loss can be accomplished by various means: obtaining shelter, removal of wet clothing, adding layers of dry clothing, blankets, or using a pre-warmed sleeping bag.

For mildly hypothermic cases or those more severe cases where medical treatment will be significantly delayed, external rewarming techniques may be applied. This includes body-to-body contact (e.g., placing the person in a prewarmed

sleeping bag with a person of normal body temperature), chemical heat packs or insulated hot water bottles. Good areas to place these packs are the armpits, neck, chest and groin. It is best to have the person lying down when applying external rewarming. You also may give mildly hypothermic people warm fluids orally, but avoid beverages containing alcohol or caffeine.

Preventing Cold-Related Disorders

Personal Protective Clothing is perhaps the most important step in fighting the elements by providing adequate layers of insulation from them. Wear at least three layers of clothing:

- 1) An outer layer to break the wind, protect against wet weather and allow some ventilation (like Gore-Tex or nylon);
- 2) A middle layer of wool or synthetic fabric (Quallofil or Pile) to absorb sweat and retain insulation in a damp environment. Down is a useful lightweight insulator; however, it is ineffective once it becomes wet; and
- 3) An inner layer of protection made of a wicking material such as cotton or synthetic weave to help draw away moisture from the skin and allow ventilation.

Pay special attention to protecting feet, hands, face and

head. Up to 40 percent of body heat can be lost when the head is exposed. Footgear should be insulated to protect against cold and dampness. Keep a change of clothing available in case work garments become wet.

Engineering Controls and pre-planning can help reduce the risk of cold-related injuries.

- Use an on-site source of heat, such as air jets, radiant heaters, heated locomotive, vehicle or shanty, portable hand warmers, or a warming fire where allowed.
- To the extent possible, shield work areas from drafty or windy conditions.
- Use thermal insulating material on equipment handles when temperatures drop below 30 F (minus 1 C).

Safe work practices and additional precautions are necessary to combat the effects of exceedingly cold weather.

- Allow a period of adjustment to the cold before embarking on a full work schedule.
- Workers should be allowed to set their own pace and take extra work breaks when needed.
- Reduce, as much as possible, the number of activities and/or duration of the work to be performed outdoors. When employees must brave the cold, select the warmest hours of the day where possible, and minimize activities that reduce circulation. Take frequent "warming breaks" in a heated locomotive, vehicle, shanty or by a warming fire.
- Eat and drink well to ensure you remain hydrated and consume sufficiently high calories to maintain a larger reserve of stored energy. Workers should limit their intake of coffee, tea, cola and other caffeinated drinks.
- Establish a buddy system for working outdoors so that you and your coworkers can keep an eye on each other and identify early symptoms associated with hypothermia or frostbite.
- Recognize the symptoms of cold-related stress—heavy shivering, uncomfortable coldness, severe fatigue, drowsiness, or euphoria, and take immediate steps to counter such conditions. Seek immediate medical attention whenever necessary.
- Prepare for vehicle breakdowns by having extra warm, dry clothing, gloves, blankets and vehicle emergency supplies.

Railroad work is a 24/7 operation which requires extended and prolonged periods of exposure to the outdoor elements. The quiet symptoms of potentially deadly cold-related ailments often go undetected until the victim's health is endangered. Knowing the facts on cold exposure and following a few simple guidelines can ensure that this season is a safe and healthy one.



Tennessee BMWED Member Represents Community



Teamster rail members choose to serve their community in a variety of ways. One example is Jeff Joines, a member of the Brotherhood of Maintenance of Way Employees Division (BMWED) who, in addition to being President of BMWED Lodge 0670 in Nashville, Tennessee, is also a commissioner for Wilson County, where he lives just outside of Nashville. Joines began seniority as a track repairman eight years ago and now holds a boom truck operator position.

Joines also served in Iraq, working there for 15 months from April 2003 until August 2004. He decided to run for elected office in 2004 soon after he returned from duty.

“When I came back from Iraq there were things going on within our county that I didn’t feel were right,” Joines said. “I couldn’t sit on the sidelines any longer. Wilson County is the second richest county in Tennessee and yet the wages and benefits of our teachers, firemen and other county employees are substandard. So I’ve been advocating for improved wages for all county employees ever since I was elected.

“Many of the issues that come before the county involve finances and growth,” Joines said. “The growth in the county is affecting the schools, jails and the sheriff’s department, as well as the other services provided by the county.”

Joines added that being a BMWED member has fostered his commitment to his community. “Being a member of the BMWED and President of the lodge taught me that I could help county residents, my neighbors, just as I have tried to provide fair representation that benefits the welfare of our members. For instance, even though we are one of the richest counties, there is no city water provided. So I am working to get this corrected.

“There isn’t much difference between looking out for the good of my union brothers and sisters and doing the same for employees here in Wilson County. You just try and do the best job you can in the most honest and fair way you know how.”

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