



BLET Auxiliary News

Working to bring about safer working conditions for Locomotive Engineers & Trainmen, educate spouses, and enhance the lifestyles of railroad employees and their families.

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Becky Schneider, President • Mabel Grotzinger, Vice President • Anita Caruso, Secretary • Helen Brand, Treasurer
Kathie Bailey, 1st Vice President/National Legislative Representative • www.bletauxiliary.net

Yes We Can!

By Diane Shifflett

I was asked to write an article for the newsletter about my experiences while pushing for a Resolution relating to the expansion of Remote Control Operations (RCOs) into our town. I am not writing to pat myself on the back, but to share my experience so that other Auxiliary members might have a better understanding of what was involved, and perhaps use the information to improve quality of life and safety in their spouse's workplace.

I first became more involved when my husband, Danny, was involved in an accident on the railroad. He had been forced to a job working in unfamiliar, dark territory, and was refused a pilot. (Dark territory does not have any kind of centralized signal system, but operates on track warrants). His track warrant was incorrect, and he ran into the back of another train stopped on the main line. He was lucky in that he was only seriously injured and not killed, but he was out of work for over a year. That was my wake-up call as to how relentless the railroad is and how they treat their employees. Because, Danny had told me what to do if he was ever in an accident, I was prepared and able to contradict their false claims at his investigations. The BLET member representing my husband mentioned that I should consider joining the "women's group" because of my grasp of how things worked in the railroading world. That was the first time I even knew that the Auxiliary existed.

I began my research into the RCO issue about a year and half ago when the Norfolk Southern announced that RCOs were coming to our part of the country. I live in a small town in Virginia where schools and community activities are very close to the railroad switching yard. It was slow going at first, until



Diane Shifflett and her rescued English Bulldog, Bossy, the offspring of the bulldog from the Dukes of Hazard. Bossy made his journey "across the rainbow bridge" last year.

I was given Becky Schneider's name. She was the National Legislative Representative for the Auxiliary at the time. She was very helpful and pointed me in the right direction, giving me the information I needed about RCOs so that I could educate the elected officials in my County. I then contacted Carol Lee Fischer-Strickler, my representative on the Page County, Virginia, Board of Supervisors, and talked to her about the RCO issue. She had already been contacted by other constituents about the coming of remote controls, and felt that this issue was something that needed to be addressed because of the fact that there were no regulations governing operations, and because of its potential safety problems.

With Mrs. Strickler's help in arranging meetings with various board members, and making sure the issue was put on the agenda, on January 16, 2007, we were finally able to get a resolution from Page County requesting the Federal

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The officers and members of the BLET Auxiliary wish to express our deepest gratitude to BLET Designated Legal Counsel for their commitment to educating BLET spouses and family members through sponsorship of our Newsletter.



From the President

The new year has brought many positive results following the 2006 mid-term elections. Congress is actually addressing issues that have been around forever, like fatigue and hours of service, and those which are newer to our realm, such as rail security. Also new, is the BLET Washington, DC, office website, which contains a lot of good information for those who would like to know more about what is currently going on in our nation's capitol as it relates to railroaders. A link is provided on the Auxiliary website, www.bletauxiliary.net. In the eight months following new officer elections, we continue to forge ahead to rebuild our Auxiliary and work our way closer to what we, as auxiliary members, are truly capable of doing.

Since our last newsletter, we have had two shining examples of what we can do. First, referencing our cover story from Diane Shifflett regarding her success in seeing the passage of two Resolutions dealing with the issue of Remote Control Operations, and the possibility of more on the horizon. The second having to do with the participation by one of our new auxiliaries in Iowa in a legislative day at the State level. I cannot tell you how proud it makes me to see our members get involved in issues important to our spouses and families, and their eagerness to do so.

The first Executive Council meeting for the new administration will be held here in El Paso, Texas, the first week of May. We have a very full agenda, and I will give you an update in the next edition of the Newsletter. Keep us in your prayers, as we will have many difficult issues to consider, in addition to the award of Auxiliary scholarships.

On the national level, we continue to do what we can to shore up auxiliary finances. I recently was allowed to address the BLET Designated Counsel at their annual meeting in Scottsdale on behalf of the Auxiliary. They have again pledged to support our efforts to educate our members by fully sponsoring our newsletter publication and continuing to submit articles concerning issues and information important to railroad workers and their families.

We have also received a recommitment of support from the BLET National Division to help financially with our efforts to participate and promote legislative issues, as well as our efforts to continue to organize and build up our Auxiliary network across the country. Interest in the Auxiliary and what we do continues to increase as more railroad spouses discover our existence. It is up to each and every one of us to talk to other railroad spouses about the Auxiliary and what it is that we do for our spouses and families. The National Officers cannot be everywhere, especially on our budget, so it is up to individual members to educate and recruit other spouses in your area, especially those who have not been around as long as some of us.

As our National Secretary advises in her article on Page 9, it is time to pay membership dues. In October of last year, I sent a letter to every Auxiliary member to explain in detail the increase, why it was so much, and why it was so necessary. Even though the increase was substantial compared to years past, dues prior to that had been relatively stagnant in relation to inflation. The Auxiliary could no longer exist without the increase. I hope that all those who feel the increased dues were over the top would keep in mind that even the highest bracket for members-at-large amounts to \$4.17 per month, less than the cost of popcorn at the movies.

We must continue to persevere in our work, both younger and more mature members, in order to keep this important organization alive and thriving. Our organization represents the best of everything: support of legislation important to our families; support of social events to allow for networking and information exchange; support of monthly meetings for auxiliary members, again allowing for networking and information exchange; and support of each other in times of need.

On a personal note, I would like to thank Past President Ruth Pillman-Windham for her contribution to the Winter 2006 Newsletter. She sowed the seeds of change for our organization, and we thank her for all that she has done for our auxiliary. Lastly, I would like to thank one of my Auxiliary sisters, Jacque Edgar, who bravely volunteered to help me do the massive filing that has patiently waited for me since taking office.

Bless you all for your continued support and work on behalf of our Auxiliary and our spouses. Carpe Diem (Seize the day)!

Sincerely and Fraternaly,

Becky Schneider,
National President, BLET Auxiliary
515 W. Redd Road, El Paso, Texas 79932
Ph: 915-581-1373, e-mail: BeckyGIA1@earthlink.net



Seated, front and center: Rachael Grimes, President Aux. 6. *Back row, left to right:* Iowa State House District 48 Representative Donovan Olson; Aux. 6 members Sara Sharp, Rita Witcraft, and Anastacia Penrod; BLET Iowa State Legislative Board First Vice Chairman Chuck Hintz; and Iowa State BLET Legislative Board Chairman Jeff Kurtz.

Auxiliary 6 Members Tour Des Moines State House

By Rachael Grimes, President, Auxiliary 6, Boone, Iowa

We have recently formed an Auxiliary in Boone, Iowa, and are still trying to get our footing. We joined the ranks back in October of 2006 with the help of 3rd Vice President DeLaine Morris. We started with just the ten ladies we needed to obtain our charter, and we have now grown to 13 members. We are small but we think we can help make a BIG difference. In order to do that, though, we needed to learn a little more about the legislative arena.

Jeff Kurtz, the Iowa State Legislative Board Chairman, and Chuck Hintz, First Vice Chairman of the Legislative Board., invited our auxiliary members to a tour of the State House in Des Moines on February 15. Four of us ladies were able to adjust our schedules to attend this “meet and greet” and we had a blast! We had an appointment with Representative

Donovan Olson, of Boone, Iowa. During a brief recess, we had the opportunity to learn about “buttonholes,” sending a message in to the Representative we were looking for that we were available for him when he had the opportunity. Without much waiting, he came out and welcomed us as any other down-to-earth person would. It was refreshing to feel at ease with him as he explained a little bit about how things work, and all the committees and what they were working on. He let us know that he needed some more sponsors to get the railroad safety bill to the floor. We are hoping to get letters, e-mails, and calls out to other Representatives to acquire their support for this important issue.

We also had a little fun and had our picture taken with Representative Olson, Chuck, and Jeff while I sat in

the Speaker of the House Chair. We all learned a lot and enjoyed our visit with Mr. Olson.

After that, we were treated to lunch by Designated Legal Counsel at a very nice Italian restaurant. Robert Gilliam, the legal investigator for the law firm of Hubbell Peak O’Neal Napier & Leach, joined us for an hour of entertaining conversation and information on “what to do if....”

After lunch, we met with Dave Campbell, a member of Congressman Leonard Boswell’s staff. Dave is a District Representative and gave each of us the chance to speak on personal issues regarding quality of life for our spouses and ourselves. He seemed surprised to hear some of the things we all had to offer. We each had a little to add about issues that have affected other people we know. It was incredible to have the opportunity to speak to someone who may actually have the ability to help push things in the right direction for a positive change. We ended our day in Des Moines, then headed north to Boone for our monthly meeting, where we were able to share all we had learned with the rest of our auxiliary members. If any of you ever have the opportunity to experience this type of Statehouse “meet and greet,” you should jump on it--or better yet, work on setting up a visit yourself. Call your Legislative Rep from your local BLET division to see what he or she can do to help you get it started.

Iowa State Legislative Chairman Jeff Kurtz has indicated that our Auxiliary members may be able to head back to Des Moines in April to visit with more people about the high speed rail and issues relating to that. We look forward to the opportunity and hope that by that time we’ll have even more members to join us on this adventure.



THE FAMILY MEDICAL LEAVE ACT

By Paul S. Bovarnick

Sooner or later, we are all faced with the need to care for a family member who is too ill to care for themselves. After World War II, more and more women entered the work force and the number of single parent families grew. Predictably, more and more Americans found themselves faced with an impossible choice between work and caring for family. In 1992, Congress responded to this dilemma by passing the Family Medical Leave Act.

Congress enacted the FMLA in order to: balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity; [and] to entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child, and for the care of a child, spouse, or parent who has a serious health condition. 29 USC 2601

The FMLA applies to all companies with 50 or more employees. These employers must provide an eligible employee with up to 12 weeks of unpaid leave each year for any of the following reasons:

- to take medical leave when the employee is unable to work because of a serious health condition.
- for the birth and care of the newborn child of an employee;
- for placement with the employee of a child for adoption or foster care; or
- to care for an immediate family member (spouse, child, or parent) with a serious health condition.

In order to take leave for their own serious health condition, an employee must have either had an overnight stay in a health care facility, or have an incapacitating condition that requires ongoing care by a healthcare provider. An “incapacitating condition” simply

means too sick to work for at least three days, plus continuing treatment by a healthcare professional. So, for example, a cold for which you see the doctor once probably isn’t incapacitating – but pneumonia probably is.

Another kind of “incapacitating condition” that is covered is a chronic condition for which ongoing treatment is required. Conditions like asthma, diabetes, anxiety disorder, or sleep apnea, all of which require occasional visits to the doctor and may only intermittently require time off, are all covered.

The requirements are a little different if an employee needs leave because of a spouse, child, or parent. Under the FMLA, an employee is entitled to leave in situations where, for example, because of a serious health condition, the family member is unable to care for his or her own basic medical, hygienic, or nutritional needs or safety, or is unable to transport himself or herself to the doctor, etc. The term also includes providing psychological comfort and reassurance that would be beneficial to a child, spouse, or parent with a serious health condition who is receiving inpatient or home care. The term also includes situations where the employee may be needed to fill in for others who are caring for the family member, or to make arrangements for changes in care . . . 29 CFR 825.116.

An employee is entitled to FMLA for these reasons even if they have not first applied for the leave. Employees are not required to use any magic words when they ask for unanticipated leave. An employee, or someone on their behalf, only needs to make it clear that they have a serious medical condition which prevents the employee from coming to work. While the employer can still require an application after the leave is



requested, the leave cannot usually be denied because no form was submitted before the employee needed the leave. Furthermore, employers cannot make endless demands for proof of the need for leave.

Employees are eligible for leave if they have worked for their employer at least 12 months, at least 1,250 hours over the past 12 months, and work at a location where the company employs 50 or more employees within 75 miles.

Finally, it is a violation of the FMLA to retaliate against an employee for taking FMLA leave. An employee whose FMLA rights have been violated may be entitled to their attorney fees, their lost wages, and a penalty amount equal to lost wages.

In the Legislative Update of the Winter 2006 issue of this publication, Sereena Hogan reported on a Federal Court decision concerning the FMLA. In that case, a Federal Court ruled that the FMLA did not give the carriers the right to override a collective bargaining agreement. The Federal Court also ruled that it did not have the authority to determine whether the collective bargaining agreement prevented the carriers from taking single days from block vacation and using them for FMLA purposes. The carriers appealed, as did the BLET and other rail labor organizations. On March 2, 2007, the Court of Appeals for the Seventh Circuit handed down its decision.

Yes We Can!

continued from front cover

Railroad Administration (FRA) to issue enforceable regulations to replace the unenforceable “guidelines” that are currently in place. The following week, the Township of Shenandoah followed suit, passing a similar resolution, once again thanks to the help of Mrs. Strickler. In talking to the FRA, I was told that having these resolutions helps to make their case as well to implement enforceable rules governing the RCOs.

We are not done yet. This issue has been placed on other County Agendas and we hope that we can attain our goal of having a Resolution calling for regulations from the State of Virginia. If anyone would like our help, feel free to contact me.

Since joining the Auxiliary in 2005, I have discovered that there is a lot that can be done, even as a member-at-large. When you join, you become part of a network of spouses who care about safety in the workplace. Not that those who are not members don't care, but as a member, there seems to be more information and guidance when it is needed.

For example, together with other spouses around the country, we were able to successfully campaign against the carriers' request before the National Mediation

Board to release them from mediation of the BLET National Agreement. In my area, I helped get the phone numbers and information to BLET members and spouses so they could join in the effort to protect their collective bargaining rights. More recently, I was asked to help research and contact public entities about an attempt by CSX to put crews in housing that was unsafe because of black mold. With the connections I had made during the RCO Resolution push, including Mrs. Strickler and with her help, we were able to get the information needed to keep the crews out of harm's way.

Life has gotten pretty crazy for everyone these days, and I am just as busy as the rest. Even though it took some time away from my family to do these things, the results were well worth the time and effort. I am lucky to have my husband, Danny, who supports me completely.

Again, the purpose for writing my story is not for recognition, but to let others know how much we can do as Auxiliary members. With just a little time out of our busy schedules, we can do many things, large or small, that can make a difference in our railroader's life. The true satisfaction comes in knowing that we have made a difference and that they appreciate everything we do for them.

Diane Shifflett, 29, is the wife of Danny Shifflett, a 10-year BLET member and the newly elected Legislative Representative of Division 216, Shenandoah, Virginia. A mother of three children, ranging in ages from 7 to 10 years old, she also rescues English bulldogs and sheepdogs, placing them in loving homes, and provides free dog grooming for elderly residents in her community.

Carol Lee Fischer-Strickler currently serves as a member of the Board of Supervisors for Page County. Coming from a railroad family and a strong union family, she understands better than most the rigors of life working for the railroad, and as a public servant is concerned with the health, welfare, and safety of not only her constituent railroaders, but also her community. She campaigned on “always put the people first,” and, by her actions on the RCO and other issues, she practices what she preaches. Her experience in the public arena is vast, having worked the past 25 years on political campaigns from the Midwest to Florida and as far north as Pennsylvania, including the Presidential campaigns of Gary Hart, Walter Mondale, and Bill Clinton.

Family Medical Leave Act, *continued*

In a big victory for rail labor, the Court of Appeals held that the carriers could not require employees to substitute paid personal and vacation days for unpaid FMLA days so long as the collective bargaining agreement guarantees employees vacation days and personal

leave days. In vindicating rail labor's position, the court completely rejected the carrier's arguments. The court could not have been more clear: “In short, the FMLA does not allow the carriers to violate contractual obligations protected by the RLA regarding paid vacation and personal leave time.”

For more information, you can contact your local Designated Legal Counsel or the US Department of Labor.

Paul Bovarnick, Esquire, is Designated Legal Counsel for the BLET and is with the firm of Rose, Senders, & Bovarnick, LLP, in Portland, Oregon. His can be reached at 503-227-2468 or 800-998-9776.



Kathie Bailey

Legislative Update

By Kathie Bailey, Legislative Representative
and Sereena Hogan, Assistant Legislative Representative



Sereena Hogan

Kathie's Update:

Well, it seems that Spring has sprung, or at least in Texas it has. A lot of things are going on this time of year. Sereena is busy as a bee with her part of legislation and I'm trying my best to keep up. If it came to sinking or swimming, I'd have to say my head is barely above water. We have the National Association of State Legislative Board Chairmen Convention in Las Vegas coming up at the end of April and then the BLET Auxiliary's Executive Council Meeting the first week of May. I'm sure there will be a lot of work to do and we'll do our best to keep everyone up to date on all issues that the BLET Auxiliary is involved with.

Nuclear Waste

It looks like we'll be getting another break on the Yucca Mountain nuclear waste dump in Nevada. Unfortunately, it will have no effect on the commencement of shipping nuclear waste. According to Deputy Energy Secretary Clay Sell, the opening date of the first federal nuclear waste dump, now scheduled for 2017, and nearly two decades after the originally planned opening in 1998, will probably slip again. Sell told reporters that the latest obstacle to the long-delayed nuclear repository at Nevada's Yucca Mountain would likely be insurmountable opposition from Congress. Although many lawmakers favor the site, its most ardent opponent has become one of the most powerful and influential lawmakers in Congress. Senate Majority Leader Harry Reid has said he will do everything in his power to keep a nuclear waste dump from ever being built in his state.

According to Oregon State Legislative Board Chairman Scott Palmer, within

five years, half of our nation's nuclear power plants will no longer have room to store spent fuel. If they are unable to offload spent fuel, they cannot put in fresh fuel, which could result in 5% of the nation's total power grid dropping off line. Congress will not let that happen. Current inventories deemed safe enough for transport in 150-ton casks will have to be moved to a temporary repository until a permanent site can be found. This means that the material will most likely have to be moved twice; once from the temporary site, then to the permanent one. Shipments to the temporary repositories are expected to begin within four years. Current sites being considered are Hanford, Washington; the Idaho National Laboratory near Idaho Falls; the Savannah River site near Aiken, South Carolina; and Owl Creek, Wyoming. According to Chairman Palmer, routine shipments of both high and low level waste occur daily. Dr. Ruth Weiner of the Sandia National Laboratories said, "low level waste shipments may pose the greater health concern due to the lesser amount of shielding in the rail cars." Chairman Palmer is working with the Department of Energy on behalf of the BLET to make sure our rail workers will be as safe as possible given that rail is still the best way to transport this type of hazardous material.

FRA, Hours of Service, and Fatigue

Another monster that plagues our rail workers is the long hours on the job and not enough rest between shifts. If something can be done to benefit our rail workers' quality of life by allowing them more rest between shifts, everyone will win. On Valentine's Day, the government's top railroad official, Joseph Boardman, head of the Federal Railroad

Administration, said that, in order to reduce the number of train accidents, his agency needs new authority over workers' schedules, particularly the amount of time crews must rest between shifts. But any change could pose problems for the railroad industry, which might end up having to hire more workers at a time when it is already struggling to maintain adequate staffing levels.

Unions are also uneasy about possible changes to rules that they say have protected workers for decades. Boardman asked Congress to repeal a 100-year-old law that regulates workers' schedules, saying it is hazardous to public safety. Boardman wants to replace the antiquated rules with new ones set by his department that could call for more rest between shifts or shorter work days. The existing "hours of service" laws, Boardman said in a conference call that day, don't allow regulators "to apply the scientifically based knowledge that's out there today" about the impact of a lack of sleep on workers. Boardman said any reforms would be developed jointly by his agency, railroad companies, and labor unions. Under the industry's hours of service laws, train crews and signal workers can work 12 hours straight with 10 hours of rest. But if train employees work one minute less than 12 hours, the law only mandates eight hours of rest. The National Transportation Safety Board (NTSB) also supports giving the railroad administration authority to determine rules on fatigue. The NTSB's chairman, Mark V. Rosenker, testified in Congress on Tuesday that fatigue has been a probable cause of 16 major train accidents over the past 23 years, according to a written copy of his remarks. Last summer, the NTSB found that the crew of a Union Pacific

freight train probably was asleep when it collided with a Burlington Northern Santa Fe train in Texas. That accident, on June 28, 2004, near San Antonio, killed three people and injured 30.

Also testifying before the Committee on behalf of the BLET and the Teamsters were BLET 1st Vice President Ed Rodzwick and BLET Director of Regulatory Affairs, Tom Pontolillo. Vice President Rodzwick stated that, at a minimum for operating crews, the fatigue issue could be addressed by counting limbo time as Hours of Service and requiring a 10-hour call. He also said that, as part of the re-authorization of the Federal Rail Safety Program, the ongoing program dealing with main track switches in dark territory should be addressed. Even using off-the shelf switch position detection technology, which has been available for some time, would go a long way to increase safety in dark territory.

Limo Bill for Texas

In February, Texas State Representative Mark Veasey filed HB 1083, relating to safety regulations for contract carriers who transport railroad operating crews. The bill, as amended, will require contract carriers (limo companies) to: 1) set up a drug and alcohol testing program for the limo drivers upon employment, on reasonable suspicion of drug or alcohol use, and random periodic testing; 2) require a minimum of \$1.5 million of liability insurance for each vehicle; and 3) require the Texas Department of Public Safety to inform contract carriers and railroad companies of the requirements of state statutes applicable to contract carriers. According to Texas State Legislative Board Chairman Terry Briggs, the bill is pending with the Transportation committee until their next meeting on March 6, 2007. Finally something might get done about this matter that has been nothing but a headache for our rail workers who ride in these limos.

BLET NL Office

Launches New Website

The BLET National Legislative Office in Washington, DC, has recently launched its new website. The website, which can

be accessed at www.bletdc.org, contains a ton of information to keep members informed about what's happening in the legislative area, in addition to our Auxiliary website. The site is intended to be a resource for BLET members, as well as anyone who is interested in the union's legislative and regulatory activities. Kudos go out to them for the new website!

Rail Security

So far this year, there have been several bills filed in the House and Senate dealing with rail security, and more are expected. At some point, probably later in the year, the bills will be combined. For now, the best thing is that this issue is finally being given the attention needed, five and a half years after September 11, and less than a year following terrorist bombings in Mumbai, India, which killed 209 and injured over 700.

S. 184, the Surface Transportation and Rail Security Act of 2007 (STARS) is an updated version of Rail Security Act of 2005, and includes provisions contained in the SAFE Port Act passed by the Senate during the 109th Congress, but were removed in conference committee. Major provisions pertaining to railroads include: requiring the Transportation Security Administration (TSA) to conduct a railroad sector risk assessment and submit prioritized recommendations to improve rail security; provide grants through TSA to Amtrak and freight railroads to upgrade security across the entire freight and intercity passenger railroad system; provide funding through the DOT to upgrade Amtrak tunnels in D.C. and northeast corridor; create a DHS rail security research and development program and encourage the deployment of rail car tracking equipment for hazmat shipments; authorize studies to improve passenger rail security screening and immigration processing along the northern border; require railroads to create a railroad worker security-training program; provide whistle blower protections for reporting security concerns; require railroads to create mitigation plans for high hazard materials; require TSA and DOT to clarify respective roles for rail

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Legislative Issues

— who to contact

Kathie Bailey will follow and report on the following legislative issues. If you need more information on any of these issues, please contact Kathie.

- Remote Control Operations
- Hours of Service
- Fatigue
- Cab Temperatures
- SAC-P
- Positive Train Control
- Rail Security
- FELA
- Asbestos
- Overtime Pay
- Single Craft Debate

Sereena Hogan will follow and report on the these issues:

- Amtrak
- Elections
- Railroad Retirement Reform
- Social Security
- Medicare Reform
- Smuggling by Train
- Short Term Disability Insurance
- Cross Border Train Inspections
- Change to Win Coalition
- Family Medical Leave Act
- National Mediation Board
- Campaign Finance Reform
- Labor Issues

Monthly legislative updates are now available at www.bletauxiliary.net.

security (this has been ongoing since 9/11); and require DHS to develop a program to encourage equipping of rail cars transporting high hazard materials. A total of 22 Senators have now signed on as co-sponsors. The bill has been voted out of committee and placed on the Senate calendar, but a recent attempt to move the bill forward was withdrawn to consider other 9/11 issues first. This Act would be the first time rail security was considered a statutory entity under the TSA.

Please contact your two U.S. Senators to support S. 184.

On the House side, on March 7, 2007, Representative James Oberstar (D-MN), Chairman of the House Transportation and Infrastructure Committee, introduced H.R. 1269, the Rail and Public Transportation Security Act of 2007. BLET 1st Vice President Ed Rodzicz and BLET National Legislative Rep and Vice President John Tolman testified at committee hearings pertaining to rail security on the March 6 and 7. Their continuing presence on Capitol Hill punctuates the need to address the many facets of securing all our nation's transportation systems, not just aviation. In the BLET's most recent testimony, they stressed the need for caution in dealing with Research and Development, including positive train control, so that Federal Departments and Regulatory agencies do not succumb to the temptation to reduce crew size based on technology that is designed to improve safety and not as a means to lower operating costs through labor reductions. In addition, strong support was offered for the whistleblower protections contained in the bill, allowing for damages and recourse to provide workers protection in the event they report a serious concern. Worker training, another prominent provision, is addressed, recognizing that railroaders play a key role as first responders in rail emergencies, yet safety and security training is seriously lacking for railroad employees. This puts not only our nation's rail employees in harm's way, but by extension, the communities served by the railroad. H.R. 1269 covers many of the issues raised by rail labor

the last 5½ years, so we encourage each of you to contact your Congressional Representative to encourage their support and co-sponsorship. We will keep you advised of more information and/or legislation as it becomes available.

FELA

A victory for rail labor covered under the Federal Employees Liability Act (FELA) came in a unanimous judgment by the U.S. Supreme Court on January 10, 2007. The court recognized the attempt by the Carriers to gut protections granted under FELA. The nation's highest court recognized the "bait and switch" by the Carriers who were granted the hearing before the court on one aspect of FELA law, but expanded their request at the hearing. In the Opinion by Chief Justice John Roberts, he stated that "This Court is typically reluctant to permit parties to smuggle additional questions into a case after the grant of certiorari." (Certiorari is the Latin word meaning "to be informed of." A Writ of Certiorari is a decision by the Supreme Court to hear an appeal from a lower court.)

With Spring knocking on our door, don't forget to take some time to get outside and enjoy the sunshine. I, for one, am looking forward to enjoying our new pool! I hope you all enjoy Spring Break and Easter, and remember to get some rest and spend time with your family and friends. Until the next newsletter, take care and keep safe out there on the rails!

Kathie Bailey can be reached by telephone at (281) 861-0304; by mail at 10051 Barr Lake Drive, Houston, TX 77095, or by e-mail at kdbailey@sbcglobal.net.

Sereena's Update:

Tentative Agreement on National Contract
On February 28, the Rail Labor Bargaining Coalition (RLBC), comprised of seven rail labor unions, including the BLET, reached a tentative agreement on a national contract with the National Carriers' Conference Committee (NCCC), the organization

that represents the interests of America's freight rail corporations. Ballots for ratification of the agreement will be mailed out to freight rail employees in the next month. The tentative agreement's five-year term includes wage increases and ensures controls on health care co-payments.

Railroad Retirement Disability Earnings Act, HR 5483

As reported in the Winter 2006 issue, the Railroad Retirement Disability Earnings Act (H.R. 5483) passed the Senate on December 9. President Bush signed the bill into law January 12. This bill amended the Railroad Retirement Act to increase the allowable outside earnings limit for persons receiving railroad retirement disability benefits from \$400 per month to \$700 per month, with future indexing for inflation.

Continuing Resolution for Government

Funding of RRB & Amtrak
House Joint Resolution 20, the Revised Continuing Appropriations Resolution 2007, was introduced in the House on January 29 to fund the entire federal government through September 30 at fiscal year 2006 levels. (The 109th Congress adjourned in 2006 without completing work on 9 out of 11 appropriations bills.) Democrats in the new Congress proposed the joint resolution as a quick solution to keep the government, including the Railroad Retirement Board (RRB), running through the end of the 2007 fiscal year. Under the resolution, the RRB Dual Benefits Payment Account was funded at \$88 million and the limitation on RRB Administration was funded at \$103.018 million. Title I contains a general provision that will provide \$700 thousand extra dollars to pay to the RRB employees. The funds come from a "democratic creative fund" that the Office of Management & Budget (OMB) will distribute to all Federal agencies.

Also included in the resolution was funding for Amtrak at the FY 2006 level of \$1.3 million, \$400 million more than the Bush Administration proposed in their budget for FY 2007. The OMB

called the funding excessive, saying that it “undermines any incentive for the railroad to exercise fiscal discipline.” This funding is for FY 2007, commencing October 1, 2006. The new 110th Congress will fund Amtrak for FY 2008. President Bush’s FY 2008 budget proposal calls for \$800 million for operating costs and \$100 million for matching grants to states for intercity passenger rail projects.

The joint resolution was signed into law by President Bush on February 15.

Employee Free Choice Act
The Employee Free Choice Act (H.R. 800) was introduced in the House on February 5 as bipartisan legislation by Sens. Edward Kennedy (D-Mass), and Arlen Specter (D-Pa.), and Reps. George Miller, (D-Calif.) and Peter King (R-NY), and supported by a bipartisan coalition in Congress. The bill would allow workers to form a union by individually signing cards rather than having to participate in a secret-ballot election. The bill also would impose penalties on employers who harrass and intimidate workers when they seek to form a union and during first-contract negotiations, as well as provide mediation and arbitration for first-contract disputes. After more than five hours of debate, the bill passed in the House on March 1 by a margin of 241-185. The bill now goes to the Senate.

This legislation, if enacted into law, would protect those shortline railroad employees, some of whom have had their employment terminated for actively seeking to organize. The chances that it will become law this year do not look promising, however, as the Senate will probably not be able to muster the 60 votes necessary to break an expected GOP filibuster. Even if it were to pass on the Senate floor, President Bush has stated that he will veto.

Amtrak
The Passenger Rail Investment and Improvement Act of 2007 (S.294) introduced January 16 by Trent Lott (R-MS) and Frank Lautenberg (D-NJ), authorizes \$11.4 billion in Federal

support to expand partnerships for passenger rail with the states, improve the Northeast Corridor, and provide rail security for the nation. The bill would add \$7.8 billion in bonding authority for states and Amtrak to develop rail infrastructure. Under this legislation, Amtrak employees will continue to be covered under the Railroad Retirement Act to pay benefits for individuals who retire from Amtrak and their beneficiaries.

S. 184, The Surface Transportation and Rail Security (STARS) Act of 2007, was passed out of the Senate Commerce Committee on February 14. If passed, this bill will provide hundreds of millions of dollars to Amtrak and other transit services to update and better secure transportation routes. The proposal calls for the widening and expansion of Amtrak tunnels in Washington, D.C., New York City, and Baltimore. These tunnels are used by business commuter trains as well as freight trains. Enlarging the size of the tunnels would allow larger freight cars to move through them and also make it easier for passengers and emergency crews to move through the tunnels in case of emergency. The STARS Act would be the first time that rail security would become a statutory entity under the Transportation Security Administration.

Please contact your two United States Senators to support S.294.

Railroad Retirement Fairness Act
On January 22, Representative Bart Stupak (D-MI) introduced HR 626,

the Railroad Retirement Fairness Act. This is a bill to amend the Railroad Retirement Act of 1974 to provide that a current connection is not lost by an individual who is misled or not properly informed by the Railroad Retirement Board of the requirement for, and the circumstances resulting in the loss of, a current connection. The bill has been referred to the House Transportation and Infrastructure Committee.

Medicare Prescription Drug Negotiation Act
On January 5, Representatives John Dingell (D-MI), Jo Ann Emerson (R-MO), Charles Rangel (D-NY), and Carol Shea-Porter (D-NH) introduced HR 4, the Medicare Prescription Drug Negotiation Act of 2007. This bill mandates that Medicare negotiate with drug companies for lower Part D drug prices and report back to Congress every six months, beginning June 1, 2007. The bill passed the House on January 12 and was forwarded to the Senate.

Waiver of Compliance for Safety Requirements on Border Trains
In January, Union Pacific (U.P.) petitioned the Federal Railroad Administration to issue a waiver of compliance to allow trains that regularly originate in Mexico to undergo safety inspections before crossing the border, thereby allowing these trains to travel up to 1500 miles into the interior of the United States without an inspection done by qualified UP personnel or FRA oversight. The FRA had scheduled a waiver hearing on the matter on February 7 in Laredo, Texas; however the petition

continued on back cover

Summary of Issues requiring immediate action:

1. **S. 184**, the Surface Transportation and Rail Security Act of 2007 (STARS) - contact your two U.S. Senators to support this bill (see section on Rail Security - Kathie’s update and section on Amtrak, Sereena’s update).
2. H.R. 1269, the Rail and Public Transportation Security Act of 2007 - contact your Congressional Representative to encourage their support and co-sponsorship - see section on Rail Security, Kathie’s update.
3. S.294, the Passenger Rail Investment and Improvement Act of 2007 - contact your two U.S. Senators to support this bill (see section on Amtrak, Sereena’s update).

Tidbits from YOUR Secretary, Anita J. Caruso

Please take note:

Member-at-Large Update

Yearly dues for all Members-at-Large were to be remitted by March 1, 2007. If you are reading this and have not paid your dues, please do so. President Schneider has suggested sending out another *Notice of Dues*, but it would save the Auxiliary money, and I would really appreciate it, if you would just go ahead and send in your dues. In turn, I will send your new membership card, receipt, and copy of our Constitution and Bylaws. It's a must see that's highly rated on the best sellers list!

Scholarship Information

BLET Auxiliary Scholarship applications can be obtained at our new website at www.bletauxiliary.net. You can also get a link from the BLET website at www.ble.org under "Departments," BLET Auxiliary. Scholarship applications for the 2007-2008 academic school year are due in my office by April 1, 2007.

Auxiliary Information

Auxiliary secretaries, I need your directory information sheet returned ASAP. We are having a new directory printed this year and it's imperative that I have your current information so your auxiliary can be included in the book.

This 'N' That...

A while back in one of our newsletters, Sister Mary Whitson of Auxiliary #409 wrote a lovely article asking members to write in and tell us what has been going on in their areas. I am sad to report that we didn't get any responses to this excellent idea, so, I am going to resurrect it. If you don't like to write articles, but would like to contribute to the newsletter, this is the place for you! Just drop me a line, e-mail a short paragraph, or call me and I will include it in my

column. All it takes is just a few minutes of your time to let the rest of us know what's happening in your area. It could be work related, railroad or personal, or anything that you would like to share. I don't know about you, but I like to read something "personal" from time to time and I hope our members will take the initiative and get back to me. I look forward to hearing from you!

Not long ago, I heard from former GIA International Treasurer Bettye Dollar regarding the health of Lillie Mae Parker, Past Grand International President, 1981-1991. Recently, Lillie Mae suffered three light strokes and is now residing in a nursing home. If anyone would like to send a card or note, please mail it to her daughter, Mrs. Jane Smith, 2608 Sandalhaven Drive, Hampton Cove, AL 35763.

Another long-time member, Mrs. Julia Carter, Secretary and Delegate of Auxiliary #56, recently called me. We had a wonderful conversation about her auxiliary, the Convention last June, and generally how the organization is moving forward to fulfill our goals. Although her auxiliary is slowly diminishing, Miss Julia intends to keep it going for as long as she can. You go, Miss Julia!

As you undoubtedly can surmise, this position comes with the opportunity to speak to many of our members across the country and recently I had occasion to speak to Mrs. Dale Davis of Lakewood, California, a 50-year member, holding the positions of President and Secretary of GIA Auxiliary #60 in Los Angeles, organized in 1957. When it became necessary to surrender their Charter, she became a Member-at-Large. Her husband, who has been deceased for 13 years, was a member of BLE Division #887. It would be great if one of our Members-at-Large in CA would start an auxiliary in that part of the US, as it is long overdue.

In news from Auxiliary #12, I hosted our monthly meeting on February 12, celebrating St. Valentine's Day. It was touch and go

for a while due to the weather, but, after holding off an impending snowstorm, we had five members in attendance. We enjoyed a great meal and installed our new officers. We always enjoy getting together every month, visiting, talking about the auxiliary, and having a good laugh or two!

I'll end with a rather humorous e-mail exchange I recently had with President Schneider. First, let me preface by saying it's one of her "unofficial" duties to hear me complain about the railroad. Yes, my dear friends, I'll admit this is one of my true passions to pass time while my husband (probably yours, too) deadheads back and forth to work in one of those glorious limos. You know the ones I'm talking about, complete with the conscientious driver who often compels your husband to stay awake so he can tell the driver exactly where he is supposed to drive and be sure that he drives safely enough for him to see tomorrow! After reading a rather lengthy e-mail, all right, it was a rant, about my feelings on "railroad life," Sister Schneider responded in a way that uplifted my spirits immensely. Referencing the GEICO commercial about cavemen, she said maybe they should change it to, "so easy a UP Corridor Manager could do it." End of story!

Anita can be reached by telephone at (402) 330-6348; by mail at 3341 S. 112th Street, Omaha, NE 68144, or by e-mail at bunziegia@cox.net.





Greetings from the Vice President, Mabel Grotzinger

The mid-term elections brought welcome news in that we now have a Congress under Democratic control. Change in leadership means that our issues, which were held back under Republican control, will now have a greater chance of actually being allowed on the floor of Congress for a vote. Because of the change in leadership, Congressman James Oberstar (D-MN) is now the Chairman of the House Transportation & Infrastructure Committee that oversees railroad issues. I have known Congressman Oberstar for years, and I feel confident that he will do great things in this position. He has always been a good friend of labor. Pennsylvania also has a new freshman Senator, Bob Casey, the son of a former Governor of Pennsylvania, who was also a strong supporter of labor issues.

We are looking forward to the next two years as being productive, and we look forward to having the chance to lobby important issues with our elected representatives. Thank you for your participation in the elections, and we look forward to seeing you all at the upcoming regional conventions.

IT'S CONVENTION TIME!!

Make plans now to attend the IWC in Tacoma, WA!

This year's IWC, May 20-24, in Tacoma, WA, hosted by Division 238, with support from Divisions 518, 892, and 104, promises to be a memorable event. The committee has outlined a tentative agenda with a good mix of business, education, and fun.

The committee is planning a dinner train trip aboard the Spirit of Washington, including a tour of the Columbia Winery. (see www.spiritofwashingtondinnertrain.com for more info), as well as a dinner cruise on Commencement Bay. While BLET members are hard at work in the many training classes being offered, family members are invited to take a tour of Tacoma with stops at the Washington State History Museum, the Tacoma Art Museum, Point Defiance Zoo, and the Aquarium, and a lunch stop at Anthony's Homeport at Point Defiance.

For those who wish to stay on and enjoy the Pacific Northwest after the convention, optional day trips to Mt. St. Helens Observatory, Pike Place Market in Seattle, and Puget Sound Salmon Charters will be available if enough participants register for them. Please call David Beech at 253-471-2969 at your earliest convenience to make reservations for these extra side trips.

For hotel reservations, call the Sheraton Tacoma at 1-888-627-7044. The discounted rate is \$119/night if registered by May 4. Regular room rates will apply if registering after May 4.

Early convention registration (postmarked by May 4) will be \$75. Late registration is \$100 and late registrants should determine availability of classes and excursions by calling 253-471-2969 prior to signing up.

Register now for the SMA in Orlando, FL!

The 80th annual Southeastern Meeting Association (SMA) convention at the Coronado Springs Resort at Walt Disney World in Orlando, Fla., from June 10-15, is sure to be a trip the whole family will enjoy.

Co-hosts Earl D. Karper Sr. of Division 35 and Michael L. Tanner, of Division 769, with the help of the SMA arrangements committee, have put together fun events such as a Polynesian luau, a tour of the Walt Disney Railroad steam trains at the Magic Kingdom, a golf tournament on a PGA graded course, a motorcycle ride and many other exciting possibilities.

Members can register and pay online through the SMA's all-inclusive website, <http://www.2007sma.com>. Registration fees are \$79 until May 6. After that time, late fees will apply.

The SMA's reduced room rates are \$129 per night (for rooms that are normally upwards of \$179 weekdays to \$199 weekends). When calling to book your hotel stay, be sure to state that you are part of the Brotherhood of Locomotive Engineers and Trainmen's SMA group in order to obtain the discounted room rates. Call 407-939-1020 to make hotel reservations.

More info coming in next issue about:

EUMA, August 20-23: Grand Traverse Resort & Spa, Acme, MI, 231-938-2100, rate: \$100, Chairman Don Zatteau, 616-784-3745, zatt@comcast.net.

SWCM, Sam's Town: Oct. 7-11: Shreveport, LA, 877-429-0711, rate: \$89, Chairman Bud Pickett, 318-965-0574, budis488@aol.com.

Your submissions for this publication are encouraged. Please send articles, stories, poems, photos, etc., to:

Sereena Hogan, Publisher

BLET Auxiliary News

8720 N. Myrtle Drive,

Tucson, AZ 85704

Ph: 520-297-0944; Fax: 520-575-1705

e-mail: vp3sereena@aol.com

The next issue will be published in June. Please submit articles, photos, etc., to Sereena by May 25, 2007.

Sereena's Update, *cont'd from page 9*

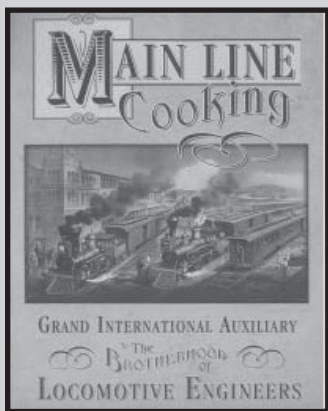
was withdrawn by U.P. before the hearing, but I don't believe they have given up yet.

Remember to visit the monthly legislative updates for auxiliary legislative reps on our auxiliary website at www.bletauxiliary.net

to keep up with what's going on in between newsletter updates. Hope you see many of you at this year's regional conventions!

Sereena Hogan can be reached by telephone at (520) 297-0944; by mail at 8720 N. Myrtle Dr., Tucson, AZ 85704, or by e-mail at vp3sereena@aol.com.

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There are only a few left (about 150 copies), so get yours before they're all gone. They make great gifts. The cookbook features a variety of recipes submitted by BLET Auxiliary and BLET members across the country. They sell for \$15, plus shipping and handling.

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