



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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Spring 2010

Becky Schneider, President • Sereena Hogan, Vice President/National Legislative Representative
Anita Caruso, Secretary • Helen Brand, Treasurer • Gina Forman, 1st Vice President • www.bletauxiliary.net

Nor-Cal Auxiliary 39 Organized in Stockton



Front row, left to right: Lisa Pansby, Lori Bencivengo, Barbara Frank; **Back row, left to right:** Corrie Cowart, Jona Bauermister, Candace Blue, Susie Burrola, Marian Hammond, Sue Smith, Cookie Baird, Becky Schneider (not pictured: Kathleen Bisbikis, Heather Barto.)

Nor-Cal Auxiliary 39 was organized by National President Becky Schneider in Stockton, California, on February 13, 2010. An informational meeting of BLET members and spouses interested in joining the Auxiliary was jointly sponsored by the firm of Hildebrand, McLeod & Nelson, and the Crow Law Firm, at the Marie Callender's restaurant in Stockton.

Sister Schneider distributed information and began the meeting with an overview of the National Auxiliary and the benefits of having a local Auxiliary to help the BLET. Following questions and answers, she turned the meeting over to Tim Smith, Chairman of the California State Legislative Board. Brother Smith gave a brief overview of what an Auxiliary could do to help the BLET in California on a legislative level, and presented a

couple of recent issues that had come up in the California legislature.

Attorney Anthony Petru, of the Hildebrand firm, gave a very informative presentation about FELA, whistleblower protections and other information railroaders and their spouses need to know, and answered a number of questions. Following dinner, the men excused themselves to the next room and the official organizational meeting for Nor-Cal Auxiliary 39 began with 14 spouses in attendance.

Following a few questions and review of some of what needed to be done to get the Auxiliary off the ground, those in attendance recited the obligation and were welcomed as members of the Auxiliary. Because of time constraints, some of the business was a little rushed,

but the most important aspects of organizing were accomplished. While most of the new members are spouses of BLET members who work for the BNSF, their hope is include spouses from the Union Pacific as well.

The Charter was signed, and new officers were elected by acclamation and installed, as follows: President, Susie Burrola; Vice President, Lori Bencivengo; Secretary, Cookie Baird; Treasurer, Corrie Cowart; Legislative Rep., Candace Blue; Mobilization Coordinators Cherie Acosta and Lisa Pansby; Chaplain, Lori Bencivengo; Delegate, Kathleen Bisbikis; and Alternate Delegate, Heather Barto.

Following installation of the officers, the meeting was turned over to Sister Burrola, who announced that BLET Division 839 had authorized payment of the Charter fee. Because of the lateness of the hour, the last order of business discussed was scheduling the next meeting. The meeting was closed with an Irish Blessing and adjourned.

Many thanks go out to Brother Smith and the California State Legislative Board for helping to defray travel costs for President Schneider; the Hildebrand and Crow law firms for sponsoring the meeting; Division 839 for their support; and last but not least, Oscar and Susie Burrola for their taxi service for President Schneider, their gracious hospitality, and all their hard work to get the Auxiliary up and running in Northern California. The Nor-Cal Auxiliary has set up an e-mail address, norcalauxiliary39@yahoo.com, and they are utilizing Facebook and Twitter to stay connected and keep their members informed. Best of luck to everyone on your new endeavor!



From the President:

Sometimes, don't you just wish it would snow? Of course, I'm kidding. What a crazy winter it has been. It's even snowed five times in El Paso so far this year, which is incredibly unusual. As you dig your way out and look towards the warmer weather of Spring and Summer, it's time to start thinking about the upcoming regional conventions.

The year may be new, but the Auxiliary has already been very busy. In honor of our Past President Onita Wayland's birthday, we organized our newest auxiliary, Nor-Cal Auxiliary 39, on February 13, in Stockton, California (see cover story). We welcome our new sisters and wish them all the best as they move forward.

As previously reported, our 1st Quadrennial Convention is scheduled for October 4 through 7, 2010, in Reno, Nevada, held concurrently with the BLET Quadrennial Convention. There are a few things that need to be considered now. Please refer to our National Secretary's article in this issue pertaining to details, and remember that dues must be received by her no later than March 31 in order for your auxiliary to be considered current and in good standing.

More information about the convention will appear in the Summer issue of this newsletter, but for those members who were elected as a delegate by your Auxiliary, or at one of the Regional Conventions last year, please do not make your reservations until advised to do so. Some of the committees that we will be forming for the convention require additional time to fulfill their assignments prior to the convention, and those committee assignments will be decided at the upcoming Executive Council meeting at the end of April. Following the Council meeting, information will be sent to the delegates and national officers as soon as possible to inform them as to when they should arrive in Reno for the convention.

The Executive Council meeting will be held April 28 through April 30 in El Paso, Texas, at Larry's and my home. It will be the last Council meeting for the current administration, but that does not mean we will be spend our time reminiscing. As is past practice, this meeting has an extra day added in order to address an already very full agenda taking care of Auxiliary business since our last meeting in April of 2009, as well as all of the important details leading up to the convention in October. Also on April's agenda is the National Association of State Legislative Board Chairmen's meeting in Mobile, Alabama.

On a public safety note, the Union Pacific RR recently ran a "monster train" from Ft. Worth to Long Beach. This train was extra long—over three miles from end to end. At the Division level, Auxiliary members were asked to help out by contacting media outlets to let them know the railroad was running a train that could interfere with emergency response times when seconds count. As usual, the media believed UP's assertion that this was just a test and that they had no future plans to run these type of trains. My question is, if they had no reason or intention of running "monster" trains, then why would they do so in the first place? This pilot project is something on which the Auxiliary, in coordination with the BLET, will keep a watchful eye, as an issue of public safety. It takes over four minutes for this train to clear a crossing doing 70 mph.

We have officially finished compiling the contents of our new cookbook, Main Line Cooking II, and it is now at the publisher. Hopefully, it will be delivered prior to the Executive Council meeting, but, in any event, copies will be available at the regional conventions and online. Many thanks to all of you who participated by sending in recipes; we had a great response! If anyone missed out on our first cookbook, or would like to obtain additional copies, please visit our website to download an order form, or call me and I will give you the information needed to order. You can also use the order form on Page 11 of this issue.

In some not-so-good news, our Alternate National Secretary and Texas Auxiliary State Legislative Representative, Kathy Yambra, recently submitted her resignation, effective January 10, 2010, for personal reasons. Kathy was very active and instrumental in pursuing a number of issues affecting BLET Members, their spouses, and families, including informational protests against excessive cab temperatures and remote control operations. She and her husband Herb worked very hard to pass Remote Control Resolutions in the City of Houston and in Harris County, even seeing a state bill filed to prevent remote control operations from switching hazardous materials. The National Auxiliary reluctantly accepted her resignation and we wish her all the best in the future. The appointment of Rachael Grimes, Iowa Auxiliary State Legislative Rep. and Auxiliary 6 Legislative Rep., was approved by the Executive Council on February 17 to fill the position for the remaining term.

With Easter just around the corner, I hope everyone has a very "hoppy" one. If you can, spend time with family and, as always, keep our troops in your thoughts and prayers. I look forward to seeing many of you in the coming months.

In Sisterhood,

Becky Schneider, National President. BLET Auxiliary
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River City Auxiliary #12

by Anita J. Caruso



Front row, left to right: Connie Tippery (seated in chair), Michelle Keefer, Vicki Leaders, Jean Weatherill, Anita Caruso; **back row, left to right:** Phyllis Eberl, Gina Sequenzia, Anne Rangel, Pam Dennis.

BLET Auxiliary #12 was scheduled to have our annual Christmas Party on December 9, 2009, to be hosted by my daughter, Paula Baggiani. Unfortunately, Mother Nature took over and we had the first of our two December blizzards that day, causing us to cancel and reschedule.

We thought we'd try again in January and, due to the fact that Paula had put her house up for sale, we decided that the party should be at my home. It gave me a good reason to clean house!

On January 12, 2010, I hosted the party with a potluck supper. We had our usual gift exchange, drank some wine, and had a great time.

Almost all of us have been together for the past 14-1/2 years and truly enjoy getting together each month to talk about our personal lives; railroad life, which includes all important issues relating to that special component that connects our lives; and just being in each other's company.

I wish everyone could enjoy this type of camaraderie and kinship. I know when we celebrate our 15th anniversary in September, 2010, it will truly be a day to give thanks for all the friendships we've been able to cultivate by joining an Auxiliary.

Starting this Auxiliary in Omaha is the best accomplishment I've ever had since we moved to Nebraska! Thanks to my husband Sam for driving me insane for seven years before finally convincing me to do it. I must say (although never to him), he was so right!

An Honoree in our Midst

By Becky Schneider



I was recently advised by Jeff Kurtz, Chairman of the Iowa State Legislative Board (SLB), that he had nominated one of our Auxiliary members for an award in Iowa because of her tireless efforts at the Iowa State Legislature on behalf of BLET members, their spouses, and families. Rachael Grimes, Iowa Auxiliary State Legislative Rep., RAILS Auxiliary 6 Legislative Rep. in Boone Iowa, and newly appointed Alternate Secretary for the National Auxiliary, was selected to receive the Special Recognition Award in Commemoration of Women's History Month by DAWN's List.

The Democratic Activist Women's Network (DAWN) is the only Iowa group dedicated to support, recruitment, mentoring, and election of progressive women in Iowa. Part of their strategy is development of a strong grassroots network of support for elected women throughout Iowa. In his nomination, Chairman Kurtz cited several pieces of legislation on which Rachael had closely worked with the members of the Iowa SLB, including legislation to require switch targets on railroads in the state operating in non-signalized territory. This legislation arose from the tragic accident last year resulting in the death of two of our BLET Brothers. Chairman Kurtz believes that Rachael has brought a fresh new mix to the table when dealing with legislative issues.

It was not all that long ago that Rachael admitted in an article she wrote while on the Iowa Caucus campaign trail that she knew nothing about campaigns or politics when her husband asked her to attend an event for Barack Obama. From that point forward, she attended many events over the course of the campaign and discovered she truly enjoyed being able to talk to candidates face-to-face about issues important to us, and realized the potential of the relationships she was building on both a state and national level.

Rachael will receive her award at a March 8 reception sponsored by DAWN's list and featuring guest speaker Christie Vilsack, former First Lady of Iowa. Chairman Kurtz has been asked to say a few words about why he nominated her, and Rachael confided that she is a little nervous about accepting the award. All I can say is, "You go, girl!" Although we freely volunteer our time and efforts on behalf of the BLET, the Auxiliary, and all railroad employees' spouses and families, without any thought of being recognized for that work, it is nice when someone takes notice, and especially rewarding when those efforts are acknowledged in this way. Thank you Rachael for your hard work, and thank you Jeff Kurtz for taking notice!

Tidbits from YOUR Secretary, Anita J. Caruso



IMPORTANT MESSAGE FOR AUXILIARY SECRETARIES!

As of today, there are still many of you who have not paid your auxiliary dues for 2009. If dues are not received in my office by March 31, 2010, then your auxiliary forfeits the right to have a delegate represent your Auxiliary at the 1st National Quadrennial Convention in Reno,

Nevada, in October. If your dues are not received by the due date, a proxy will be appointed by President Schneider to represent your auxiliary, as stated in our Constitution & By-Laws.

Auxiliary News

I would like to welcome the members of our newest Auxiliary, Nor-Cal, Auxiliary #39 of Stockton, California. National President Becky Schneider went to Stockton to organize them on February 13, 2010, with 12 charter members in attendance. Please refer to the cover story for all the details about this event.

A big congratulations goes out to our new Alternate National Secretary, Rachael Grimes, of Auxiliary #6 in Boone, Iowa. Rachael called me immediately after being informed by President Schneider that her appointment was approved as the new Alternate National Secretary (due to the recent resignation of Kathy Yambra), and asked what she can do to help. There will be many jobs I will pass on to Rachael as this year I'm extremely busy with additional duties that lead up to the National Convention. Welcome aboard, Rachael!

IMPORTANT MESSAGE FOR ALL REGIONAL DELEGATES

The same message goes out to our Regional Delegates who were elected to represent their regions at their respective regional conventions last year. If you do not get your 2010 dues to me by March 31, 2010, then your Alternate will serve as the Delegate from that region. Of course, this would mean that their 2010 dues must be paid on time too!

Member-at-Large Dues

Yearly dues for all Members-at-Large were to be remitted by March 1, 2010, and are delinquent after March 31, 2010. Thank you to the members who paid right away after receiving their annual Notice of Dues; I appreciate your promptness. You all should have received your 2010 membership card and new pin by now.

For those of you who have not paid your dues for 2010, please remit them to me as soon as possible. If I haven't received dues by the due date, then I will forward a SECOND NOTICE OF DUES, at which time a grace period will be extended for you to send in

payment. If and when that additional time has passed and you still have not remitted your dues, we will have no choice but to drop you from our files.

I would like to welcome a couple of new Members-at-Large: Sandra L. Blum, of Willard, Ohio, who joined on December 16, 2009, and Marcy J. Hintz, of Des Moines, Iowa, who joined February 12, 2010. We are happy to have you in the auxiliary and hopefully we'll be able to see you at one of the regional meetings this year.

Scholarship Information

BLET Auxiliary Scholarship applications can be obtained on our website at www.bletauxiliary.net. You can also get to them through a link from the BLET website at www.ble-t.org under "Departments," then "BLET Auxiliary." Scholarship applications for the 2010-2011 school year are due in my office by April 1, 2010. As always, no exceptions will be made for late applications.

1st National Quadrennial Convention

The First National Quadrennial Convention of the BLET Auxiliary will be held in Reno, Nevada, the week of October 4-7, 2010. Delegates for their Auxiliary, and those who were elected as MAL Delegate at one of the four regional conventions, will be receiving information regarding the convention in the near future.

In Memoriam

Sister Donna Andrews of Auxiliary #37 passed away February 10, 2010. She was a long-time member of the Auxiliary and her sisters will miss her greatly. The Auxiliary made a contribution to the Scholarship Fund in her memory. Thank you for always thinking of our students; I know they appreciate your true generosity!

Sister Barbie Lynch lost her mother, JoAnn Pllese' on February 8, 2010. We are very sorry to hear about your loss, Barbie and Pat, and will keep you and your family in our hearts during this difficult time.

As this issue is about to go to print, we learned about the death of Don and Janice Hahs' 27-year-old grandson, Wesley, the son of BLET Division 194 member Von Hahs. I know this kind of tragedy is a terribly shocking ordeal for the family to go through. Janice's sisters in Auxiliary 12 send our deepest sympathies and condolences to all of the Hahs family and ask that everyone keep them in their prayers.

This 'N' That...

Sister Jackie Monroe, of Monroe, Louisiana, is proud to announce the birth of her first granddaughter, Demetria D-Carla Kincher. She was born on December 3, 2009, at 1:48 p.m., and weighed in at 6 lbs. 15 ounces. Congratulations, Jackie & Joe!

I received a phone call from Brother Lawrence Kemper who requested copies of our BLET Auxiliary Newsletter to pass out at his upcoming Wyoming State Legislative Board Meeting. I told him I would relay the message to our Vice President/ National Legislative Rep. Sereena Hogan so she could get the newsletters out to him in time for the meeting. I informed Brother Kemper that we have several BLET Legislative Boards who have made a donation to the Auxiliary in exchange for having our quarterly newsletter sent to all their members. The donation helps defray the additional printing and mailing costs. Brother Kemper said he very much enjoyed reading his wife's copy of our newsletter as he gets a lot of important information from Sereena's legislative update that appears in each issue. Thank you, Sister Hogan, for ALL your efforts on the legislative front. Keep up the good work!

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



Oscar Bentley, this adorable little fellow, is the son of John & Carolyn Bentley. John works at BLET headquarters in Cleveland, Ohio, and is the Editor of the Locomotive Engineer Newsletter, as well as a great friend to the BLET Auxiliary. Oscar just celebrated his first birthday on February 17, 2010. Happy Birthday, Oscar!

BLET Auxiliary and International Western Convention (IWC) Scholarships

By Anita Caruso, National Secretary

The BLET Auxiliary and International Western Convention (IWC) offers \$1,000 scholarships annually to help the children of BLET and Auxiliary members realize their goals in life.

This year we have two additional scholarships to award to children of members of both the Auxiliary and BLET, the Leona A. Louis Memorial Scholarship, and the John O. and Brenda Casteel Scholarship.

There are two very strict guidelines that must be met in order to be eligible for Auxiliary scholarships. First, the applicant must be a son or daughter of both an Auxiliary and BLET member (living or deceased), with each being a member for two years. Second, the applicant must be enrolled or accepted for enrollment in an accredited university or college.

In addition to our own scholarship program, the Auxiliary will administer three scholarships for the International Western Convention (IWC) for calendar year 2010. For this scholarship, the applicant must be the son or daughter of a BLET Member who participates in the IWC, which includes BLET Divisions in the following states: Arizona, California, Colorado, Idaho, Minnesota, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming.

Auxiliary membership is not a requirement to apply for the three separate IWC scholarships. If applicants are not awarded one of these three scholarships and neither parent is a member of the Auxiliary, then they are not considered eligible for any

Auxiliary scholarships. However for those BLET members who participate in the IWC and have a spouse who is an Auxiliary member, their children may apply jointly for the IWC and Auxiliary scholarships.

If an applicant is a graduate student, or returning to school as a sophomore, junior, or senior, he or she must have a 3.0 grade point average or better to be considered. The applicant must also be accepted to an accredited school. The deadline for all Auxiliary administered scholarships is April 1, 2010. Late applications will not be considered.

Auxiliary application forms can be found online at: <http://www.bletauxiliary.net>, or from a link from the BLET Website under "Departments." In addition to the application form, the Auxiliary website provides scholarship applicants with more detailed instructions on the application process.

Please remember that the applicant's parents must be a member of the BLET and Auxiliary in order to apply for one of our scholarships. If your parent belongs to the Southeastern Meeting Association (SMA), Eastern Union Meeting (EUMA), or the Southwestern Convention Meeting (SWCM), and they are not a member of the BLET Auxiliary, you are not eligible to apply for any BLET Auxiliary scholarships. However, as stated previously, Auxiliary membership is not a requirement to apply for the three separate IWC scholarships.

Mail completed forms to: Anita J. Caruso, National Secretary, 3341 S. 112th Street, Omaha, NE 68144-4709. For details or clarification of eligibility, e-mail Sister Caruso at: Bunziegia@cox.net.



KEEPING HEALTH CARE MATTERS PRIVATE AND GETTING BILLS PAID

by John Steele, BLET Designated Legal Counsel

Injured railroad workers all have medical bills, and the seriously injured workers have ongoing care that can take months or even years to resolve. One would think that the process of going to the doctor in private and having medical bills paid in a prompt and efficient manner would be a simple and a painless process. Unfortunately, our clients report constant problems with the railroad being too involved in their care and not paying for medical bills, even if the claim agent asked the injured worker to see a particular doctor or have a specific test.

The railroad claim agent typically tells the worker that he or she has the power to review the records and approve any medical treatment for on-the-job injuries, but there is more to the story. In fact, the claim agent has the power to review the treatment records if the employee allows the claim agent to pay the co-pay; however, if the employee will write a Letter of Authorization to the health care company informing them that the worker will pay all future co-pays, he has the ability to keep the claim agent completely out of the care. The worker simply needs to tell the doctor or medical provider that there has been a change and that all bills associated with the injury should be paid from their contract health coverage. The worker tells the medical provider that, going forward, no one other than the health care provider and the patient/injured worker should be involved in the care, and then the care is completely out of the railroad's hands, and the claim agent has no more say in what care is provided.

In the past three years, we have noticed a change in how the railroad handles these situations. The railroads contract with a third party – one we see frequently is Corvelle – and a “nurse” will simply show up to a doctor visit uninvited and tell the doctor all treatment must be approved by them. In some cases the injured worker does not even know that a Corvelle nurse is assigned to his case, but he cannot figure out why his treatment is not scheduled or approved. The answer is that the “nurse,” whom he has never met, has not approved the treatment or test and is dragging his/her feet. In other cases, a bill for treatment does

not get paid because the “nurse” has not approved payment, and the bill is turned over to collections to collect from the employee (which could affect your credit) because the nurse assigned to help the worker will not do his/her job. A Letter of Authorization as described above will remove the “nurse” from the care, will get the bills paid promptly, and will make the health care a private matter between doctor and patient.



Injured railroad workers covered under the Railroad Employees National Health and Welfare Plan (commonly known as GA 23000) have excellent health care coverage, and we have found that by knowing how the system works, they can get their bills paid and keep the railroad and its agents completely out of the private matter of personal health care. At our firm, we try to help our clients and union members with just these types of issues. Paul Wingo is the Director, Disability Claims and Benefits, at Matthews, Steel & Moss and is available to help with these and any disability or insurance questions you have. Paul's cell phone number is (423) 802-7351.

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RED SHIRT FRIDAYS

BLET National President Paul Sorrow is asking all BLET members to join with other Americans across the nation and wear a red shirt every Friday to show solidarity and support of our troops. Please pass this along to your family, friends, and neighbors, and keep our soldiers in your thoughts and prayers every day.

Legislative Update

By Sereena Hogan, National Legislative Representative



The moral test of a government is how it treats those who are at the dawn of life, the

children; those who are in the twilight of life, the aged; and those who are in the shadow of life, the sick, the needy, and the handicapped.

— Hubert Humphrey, 1976

A Call for Commitment to Safety

The FRA is urging all rail workers to commit to increasing safety awareness for 2010 following last year's report of 16 on-the-job fatalities in the rail industry. FRA Administrator Joseph Szabo, a former railroader and union member, stated in a January 26, 2009, letter: "This tragic toll is more than just a number. It represents human lives; a father not there to walk his daughter down the aisle, a mother not there for her son's first day of school, an employee nearing retirement who did not live to enjoy the fruits of his labor."

In his letter, Szabo encourages all rail workers to avoid distractions and maintain complete situational awareness while on duty. He goes on to state that company managers who pressure workers to rush through jobs and skip rule compliance should be immediately reported to the FRA. He also said that the FRA will work diligently to ensure that the focus on rules compliance is consistent within each carrier's organization.

High Speed Rail

President Obama and Vice President Biden announced on January 28 that the U.S. Department of Transportation is awarding \$8 billion to states across the country to develop America's first nationwide program of high-speed intercity passenger rail service. The majority of these dollars, funded by the American Recovery and Reinvestment Act, will be used to develop new, large-scale high-speed rail programs. Thirteen rail corridors in 31 states will receive the funds,

with Florida, California, and Illinois receiving the largest sums. Florida will receive up to \$1.25 billion to develop a corridor between Tampa and Orlando, with trains running up to 168 mph; Illinois was awarded \$1.1 billion to improve a rail line between Chicago and St. Louis so that trains can travel up to 110 mph; and California will receive up to \$2.25 billion for its project to connect Los Angeles to San Francisco and points in between, with trains running up to 200 mph. Over \$55 billion in project proposals were submitted for this initial \$8 billion in funds.

Following the January 28 announcement, Teamsters General President Hoffa announced that he, along with Freddie Simpson, President of the Brotherhood of Maintenance of Way Employees, and BLET President Paul Sorrow look forward to continuing to work with the Obama administration to preserve rail jobs and expand work opportunities for members of the Teamster Rail Conference.

The BLET's position paper on high speed rail is finalized and is available online at RAIL_BLETProposal825.pdf.

NTSB Recommends Installation of Cameras in Locomotive Cabs

The National Transportation Safety Board (NTSB) publicly concluded its investigation of the September 2008 collision between Metrolink and Union Pacific Railroad trains in Chatsworth, California. The NTSB has stated that this tragic accident was caused by the Metrolink engineer, who was text-messaging on a wireless device while operating the train, and failed to respond to a red signal. As a result of those findings, the NTSB recommends that the FRA:

- require the installation of inward- and outward-facing audio and image recorders in all locomotive cabs and cab car operating compartments to verify that train crews abide by wireless device rules and safety procedures; and
- require railroads to regularly review in-cab audio and image recordings for verification purposes.

The NTSB also cited the lack of a positive train control system (PTC) as a contributing factor, stating that a PTC system would have

stopped the Metrolink train short of the red signal and prevented the accident.

In a prepared statement, the BLET charged that the installation of inward facing cameras in locomotive cabs is unnecessary and wasteful. BLET officials pointed out that, as Positive Train Control technology is installed over the next few years, "there will be no advantage whatsoever for either audio or video recording of in-cab activities because the fail-safe nature of PTC technology will prevent collisions of the type that served as the basis for the NTSB recommendation."

The BLET's statement goes on to say that current FRA regulations and railroad operating procedures already provide for extensive recording of locomotive and signal data, and radio conversations are routinely recorded. Locomotive operation is monitored in such detail by today's event recorders that inward-facing video cameras will provide no additional information of use in accident investigations.

While expressing his deep sympathy for those whose friends and family were amongst the 25 killed and more than 100 injured in the Chatsworth accident, BLET National President Paul Sorrow stated that: "The fact of the matter is that the NTSB's recommendation, if implemented at the time, would not have prevented this tragedy. The speedy installation of Positive Train Control technology should be the focus here, not invasive, inward-facing video cameras inside of locomotive cabs. Safety is the most important responsibility of all locomotive engineers, and while our organization fully supports technology that makes the workplace safer for our members and the traveling public, we oppose any measure that needlessly invades their privacy without providing substantive safety improvements."

The NTSB had recommended that Metrolink install PTC following a 2002 accident in Placentia, California; however that recommendation was ignored by Metrolink.

Positive Train Control

On January 15, the Federal Railroad Administration published its final rule regarding

Positive Train Control (PTC) systems. The Rail Safety Improvement Act of 2008 (RSIA08) mandated that freight, intercity passenger, and commuter rail routes have operable PTC in place no later than December 31, 2015. Railroads must submit their final PTC plans to the FRA by April 16, 2010. The law mandates PTC on track over which passenger trains travel, as well as track on which freight trains containing highly toxic cargo are moved.

The technology is intended to help prevent train-to-train collisions and/or derailments caused by excessive speed, accidents caused by human error or misaligned switches, and to protect roadway workers from harm. The control systems would utilize a mix of onboard devices, track signaling, and distant traffic dispatch technology.

According to the FRA, the final rule is the result of over a decade of work by the FRA, the BLET and other unions, as well as other stakeholders, carried out in partnership through the Railroad Safety Advisory Committee (RSAC). In 1990, the National Transportation Safety Board placed Positive Train Control on its "Most Wanted List" of safety improvements.

The railroads have concerns about the cost of PTC implementation; however, the FRA cost benefit analyses clearly shows it to be a benefit. The FRA estimates it will cost the railroads a total of about \$5.5 billion to install PTC on 69,000 miles of track, including components placed onboard 30,000 rail vehicles. Additionally, railroads will need to spend about \$820 million per year to maintain and refurbish the systems. The recently passed FY 2010 Budget allocates \$50 million for positive train control technology.

A copy of the Final Rule is available for download from the BLET website:
<http://www.ble-t.org/pr/pdf/PTCfinal-rule0110.pdf>

Revised Locomotive Engineer Certification Requirements

The Federal Railroad Administration issued its final rule on December 31, 2009, addressing miscellaneous revisions to 49 CFR Part 240. The rule will take effect on February 22, 2010.

BLET National President Paul Sorrow stated: "The amendments in this final rule represent another incremental improvement in our

certification rules. The changes are an improvement in ensuring due process for our members. Overall these changes are a positive step for our membership by providing clearer and more reasonable protections from abusive carriers."

Highlights of the revisions include the following:

- FRA has amended §240.107 to expressly prohibit the practice of reclassifying any type of engineer's certification to a more restrictive class or certificate while the certification is otherwise valid.
- FRA has amended §240.127 and §240.129 to require that each railroad identify the potential actions it may take in the event that a person fails a skills performance test or that the railroad finds deficiencies with an engineer's performance during an operational monitoring observation or unannounced ride. FRA also requires that each railroad describe the scoring systems it uses to determine the locomotive engineer's skills during an operational monitoring observation or a performance and unannounced test.
- FRA has amended §240.307 to reinforce that a revocation may only occur for reasons specified in the regulation, after at least one railroad believed that the regulations allowed it to revoke certification when it believed the engineer no longer met the qualification requirements of Part 240, even for incidents not involving a major infraction. One commenter argued, for example, that a locomotive engineer could have his certification revoked for reasons such as a violation of Emergency Order 26 (the cell phone ban).

In the final rule, the FRA indicated that it expects to review Part 240 and possibly make additional revisions to the certification rules as a result of the conductor certification Railroad Safety Advisory Committee (RSAC) process.

STB Reform

On December 15, Senator John D. Rockefeller (D-WV) introduced S. 2889, the Surface Transportation Board Reauthorization Act of 2009, which has been dubbed by the Senate's Science, Commerce, and Transportation Committee as the largest reform of rail regulations since the Staggers Act,

and is carefully crafted to address rail-shipper imbalances and strengthen the railroad sector. Among other things, the bipartisan legislation would fund the Board from 2010 through 2014 and expand it from three members to five. One of the new appointees may be from a nonprofit rail labor organization and the other from rail customer communities. The legislation would make the STB an independent government agency, free from governance by the U.S. Dept. of Transportation, and addresses bottlenecks, paper barriers, and captive shipper issues. It also proposes employee protections on abandonments and interchange agreements.

Health Care Reform

A seven-hour Health Care Reform Summit was held February 24, offering something seldom seen in Washington—an open, honest, and productive discussion between political parties. Both sides found areas of agreement on important issues such as preventing waste and fraud in Medicare and Medicaid, addressing medical malpractice reform, reforming the insurance market, giving individuals more choices in coverage, and giving small businesses the opportunity to pool coverage for their employees. However, there were many areas of disagreement as well. President Obama believes in setting some common sense rules to protect American families and small businesses from insurance company abuses, and he believes that a problem this big cannot be addressed incrementally. While insuring 30 million people is going to cost money, it is important to remember that most of this money is going to tax credits that will reduce premiums and help people get better coverage. At the end of the summit, the President declared that the time for debate has come to an end. He does not think we can just scrap a year's worth of work and start over. The millions of Americans who are suffering cannot afford another year-long debate.

Of major importance to us, as union families, is the agreement of House and Senate negotiators on January 13 to significant changes to the tax on high-dollar insurance plans in the health care bill. AFL-CIO President Richard Trumka has stated that the new bill would:

- Raise the threshold for plans subject to the excise tax, which would begin in 2013, from \$23,000 to \$24,000 for families, and from \$8,500 to \$8,900 for individuals;

- No longer include dental and vision insurance toward the excise tax beginning in 2015;
- Adjust the thresholds of the plans upward for older and female beneficiaries, who usually have more expensive health care costs;
- Tag the rates for the thresholds to the Consumer Price Index, plus one percent annually;
- Exempt all health plans for state and local government employees, as well as all plans negotiated through collective bargaining, from the excise tax until 2018;
- Allow collectively bargained health plans to access the new health insurance exchanges in 2017. Those plans had been excluded from the exchanges in earlier versions of the bill.

The changes will cost the overall bill \$60 billion, meaning the tax will raise \$90 billion in revenue, rather than \$150 billion as originally planned. Trumka called the agreement a “milestone” for organized labor.

FY 2010 Budget

The Consolidated Federal Budget for FY 2010 was passed in December 2009 by both the House and Senate. The following provisions of the bill are the ones that are of most interest to BLET members and their families:

- **Federal Railroad Administration:** Federal Railroad Administration received \$172,270,000 for safety and operations and \$37,613,000 for railroad research and development.
- **High Speed/Intercity Passenger Rail Grants:** \$2.5 billion (\$1.5 billion above the request and \$2.4 billion above 2009) to provide grants to states or Amtrak for high speed/intercity passenger rail to create a 21st Century passenger rail system that reduces congestion and environmental impacts.
- **Amtrak:** \$1.6 billion (\$81.7 million above the request and \$74.6 million above 2009) to support the national passenger rail system.
- **National Transportation Safety Board (NTSB) Investigators:** \$98.1 million (\$2.7 million above the request and \$7.1 million above 2009) to modernize the NTSB crash investigation laboratory and provide 14 additional investigators and technical support to respond to and investigate transporta-

tion crashes in the aviation, rail, highway, marine, and pipeline sectors.

- **Positive Train Control:** \$50 million for grants to invest in railroad safety technology, including positive train control, which helps prevent train-to-train collisions, over-speed derailments, and casualties or injuries to roadway workers. This system helps railroads meet the requirement included in the Rail Safety Improvement Act of 2009 that Class I railroads implement positive train control systems by the end of calendar year 2015.
- **Firearms on Amtrak:** The bill gives Amtrak one year to implement a new policy regarding unloaded firearms in checked baggage. Before the policy is implemented, Amtrak will submit a report to Congress with a security evaluation and proposed guidelines and procedures. Once implemented, Amtrak passengers who give 24 hours notice to Amtrak will be able to put unloaded firearms and/or ammunition in checked baggage. This option will be available at Amtrak stations that accept checked baggage.
- **National Mediation Board:** The NMB received \$13,463,000 for expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President.

FY 2011 Budget Proposal

The President is required by law to submit his annual budget proposal for the next fiscal year to Congress by the first Monday in February and President Obama delivered on that requirement. With a focus on creating jobs and restoring our nation’s economic strength, President Obama released his Fiscal Year 2011 Budget on February 1, 2010. The \$3.8 trillion federal budget included a \$100 billion jobs package, more education spending, higher taxes on families earning more than \$250,000 a year, and deficit controls. The following is a brief overview of the aspects of the Department of Transportation provisions in the FY 2011 Budget that pertain to the rail industry.

The core mission of the Department of Transportation (DOT) is to promote safety, increase mobility, and support the development of infrastructure that will underpin job creation in the years ahead. Transportation Secretary Ray LaHood states, “President

Obama’s FY 2011 budget request reflects his vision for the future of transportation in America. His plan sets the stage for bold, new, innovative thinking and provides solutions to complex problems.... We will invest in our Nation’s infrastructure—creating jobs in support of the economy while delivering projects that can best leverage our federal investment. In addition, the Department will improve the livability of the Nation’s communities by joining forces with the Department of Housing and Urban Development and the Environmental Protection Agency to make transportation a more integral part of our communities.”

The FY 2011 request of \$79 billion for the DOT, a nearly \$2 billion or 2% increase, targets the Administration’s three key transportation priorities: improving transportation safety; investing for the future; and promoting livable communities.

The budget includes \$1 billion for high speed rail, on top of the \$8 billion in stimulus funds awarded last month to 31 states for high speed rail projects. The 2011 request supports President Obama’s five-year, \$5 billion pledge in the 2010 budget. The Administration is dedicated to working with States and other project sponsors to support high speed rail projects that provide the greatest transportation, social, and environmental benefits, while maximizing the return on taxpayer dollars.

Also included in the budget is \$4 billion to create a National Infrastructure Innovation and Finance Fund to invest in projects of regional or national significance. The creation of such a fund marks an important departure from the Federal Government’s traditional way of spending on infrastructure through grants to specific States and localities. The Fund will directly provide resources for projects through grants, loans, or a blend of both, and will effectively leverage non-Federal resources, including private capital. Resources will be allocated based on demonstrable merit and analytical measures of performance.

A total of \$2.9 billion is requested to support the Federal Railroad Administration (FRA) and Amtrak, including the \$1 billion for High Speed Rail, \$1.6 billion for Amtrak, and \$244 million for the FRA’s safety and operating programs. This is a 35% decrease from the FRA’s 2010 budget allotment. The FY 2011 budget request proposes a railroad safety user fee to help offset the costs

associated with railroad safety inspectors and their activities, with an anticipated total of \$50 million to be collected under this fee. \$4.5 million is requested to support the hiring of 31 full-time employees to support the requirements of the Railroad Safety Improvement Act, the Passenger Rail Investment and Improvement Act, and expanded grant program activities. The budget also requests a change in the FRA's account structure, dividing the Safety and Operations account into two new accounts by establishing a separate Federal Railroad Operations account which will focus on operational expenses, and a Railroad Safety account to be focused solely on rail safety program activities.

The new budget will allow for the establishment of a new Federal Transit Safety Program. Rail transit services, including metro area subways and light rail systems, are currently not overseen by Federal safety regulators. Instead, they are subject to re-

view by various State safety organizations. However, recent deadly accidents in some major U.S. metropolitan areas have underscored the need for common nationwide safety standards and for Federal enforcement of such standards. The budget includes \$30 million to establish a Federal transit safety oversight program within the Federal Transit Administration (FTA), thereby allowing the FTA to hire new staff and implement a comprehensive safety oversight strategy, as proposed in the "Public Transportation Safety Program Act of 2009."

The request for the Surface Transportation Board is \$26 million, to be financed by appropriations and the offsetting collection of user fees.

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The first day of spring is one thing, and the first spring day is another.



The difference between them is sometimes as great as a month.

— Henry Van Dyke (1852-1933)

Are Students Eligible for Railroad Retirement Benefits?

By Diane Shifflett, National 2nd VP/Assistant National Legislative Representative

I recently came across some benefit information of which our members may not be aware. When BLET members are faced with the situation of having to make the tough decision to end their railroad careers because of disability, or drawing Railroad Retirement benefits earlier than planned, there is a benefit for students that could help alleviate some of the angst associated with making that tough decision. As with any government entitlement program, it can be a little confusing, so bear with me.

Unlike the Social Security system, which pays benefits directly to children of totally and permanently disabled employees, the Railroad Retirement system does not have any provisions to do that. They guarantee to pay the railroad employee additional benefits that equal what the employee would have received if he/she fell under the Social Security system. Loosely translated, the employee would receive Tier I benefits, plus around 50% more. This only applies to full and permanent disability, not occupational disability.

Here is where it gets kind of confusing, which is why anyone who may qualify really needs to contact the Railroad Retirement Board for assistance. As an example, if an employee has a Tier I benefit of \$2,000, and has a minor child, he/she could receive a total of \$3,000 if totally disabled. However, this does not include any Tier II benefit. Most often, an employee with more than 20 years on the railroad would qualify for Tier II benefits that could exceed the

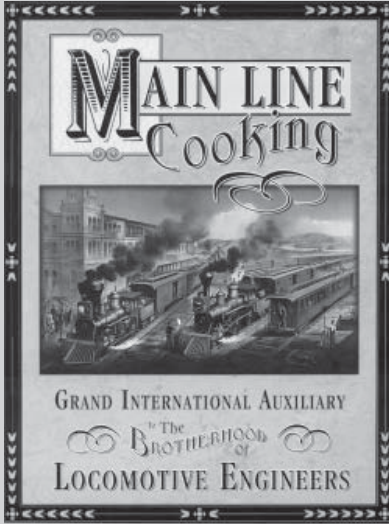
amount of the Tier I plus 50% benefit, so Railroad Retirement would pay the amount that nets the employee the bigger annuity.

As with anything, there are a number of conditions that need to be met before students can qualify. The student must meet age requirements (19 years plus two months), and must be attending an elementary or secondary public, private, or religious educational institution, or be home schooled in compliance with applicable state law, on a full-time basis. They must also be unmarried. In some cases, grandchildren can qualify for benefits as well. The Railroad Retirement Board also has survivor benefits for dependent children, and even dependent parents, and we will report that information in an upcoming article.

With many long-time BLET members nearing retirement and younger employees taking their place, this information could be very important to you if, God forbid, something happened.

Let's face it, even with all of the improvements in workplace safety, the railroad is still a dangerous place to work. Until recently, I myself was unaware that these benefits existed. As a young mother of three who has seen too many railroaders retiring because of disability, I thought I would bring this information to our members' attention. Please share the existence of this benefit with all you know who may qualify but are otherwise unaware of it. For more detailed eligibility requirements, please visit www.rrb.gov, and search for Form G-316 or key words "student benefits."

Order Mainline Cooking now!



If you missed out on our first Cookbook, *Mainline Cooking*, or would like additional copies, they are now available. The cookbook features a variety of recipes submitted by BLET Auxiliary and BLET members across the country, as well as some amusing railroad trivia. Order forms are available on our website, www.bletauxiliary.net, or you may fill out the order blank and mail with your check to:

Becky Schneider
515 W. Redd Road
El Paso, Texas 79932

Please send me _____ cookbooks.

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 or \$5.00 each for orders less than 10

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Greetings from your Editor, Sereena Hogan:

First of all, a big thank you to the National BLET Auxiliary for making a donation to the VFW on behalf of my father-in-law, Ken Kroeger, Sr., who passed away on Christmas Day. Many thanks also to all of you who sent cards, plants, flowers, and caring thoughts. Your sentiments are all very much appreciated by both Ken and I.

We have certainly experienced many bumps in the road here at the Kroeger-Hogan household in recent months; however, when we look at it all in the grand scheme of things, we are grateful that most of them are really quite minor in comparison to what some are experiencing in the wake of the hardships many are suffering as a result of the economy, the crazy weather, and the recent earthquakes and other disasters around the world. Our thoughts and prayers go out to Don and Janice Hahs and to BLET Division 194 member Von Hahs and family in the recent loss of their grandson/son, Wesley. We were fortunate to have gotten to know Wesley when he was living in Tucson, and he even spent Thanksgiving Day and Christmas Day with our family during that time. Sadly, twenty-seven-year old Wesley Paul Hahs was killed in a tragic motorcycle accident in Lufkin, Texas, on February 28.

As this new year marches on, may each of you be inspired by the message of this Apache blessing:

*May the sun bring new energy by day,
 May the moon softly restore you by night,
 May the rain wash away your worries,
 May the breeze blow new strength into your being,
 May you walk gently through the world and know its beauty
 all the days of your life.*

The Rite of Spring *Vernal Equinox - March 20, 2010*

On March 20, 2010, at precisely 1:32 P.M. EDT, the Sun will cross directly over the Earth's equator. This moment is known as the vernal equinox in the Northern Hemisphere. People have recognized the vernal equinox for thousands of years. There is no shortage of rituals and traditions surrounding the coming of spring. Many early peoples celebrated for the basic reason that their food supplies would soon be restored. The date is significant in Christianity because Easter always falls on the first Sunday after the first full moon after the vernal equinox. It is also probably no coincidence that early Egyptians built the Great Sphinx so that it points directly toward the rising Sun on the day of the vernal equinox.

Happy Spring Everyone!

source: <http://www.infoplease.com/spot/riteofspring1.html>

Please send us your stories, articles, photos, poems, etc., for our publication. You can e-mail them or snail-mail them to:

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The next issue will be published in June. Please have your submissions to Sereena no later than May 15, 2010.

Save these dates now!

REGIONAL CONVENTIONS:

Southeastern Meeting Association (SMA) Cincinnati, Ohio – June 13-18, 2010

Hilton Cincinnati Netherland Park
Rate: \$139 - Ph: 513-421-9100
Chairman: Jerry Sturdivant, Ph: 859-234-6308
e-mail: jpsturdivant@gmail.com

International Western Convention (IWC) Bismarck, North Dakota – July 13-17, 2010

Radisson Hotel Bismarck
Rate: \$89 - Ph: 701-255-6000
Chairman: Mike Muscha, Ph: 701-437-3881
e-mail: loceng671e@mlgc.com

Eastern Union Meeting Association (EUMA) Pittsburgh, Pennsylvania – August 8-12, 2010

Sheraton Station Square Hotel
Rate: \$155 - Ph: 412-261-2000
Host Chairman: Tom Caruso, Ph: 412-337-9524
e-mail: EUMA2010@verizon.net or
BLET335@yahoo.com

Southwestern Convention Meeting (SWCM) San Antonio, Texas – September 12-16, 2010

Hyatt Regency on the Riverwalk
Rate: \$139 - Ph: 210-227-1234
Host Chairman: Russell Elley, Ph: 830-303-0035
e-mail: r.elley@att.net

BLET Auxiliary 1st Quadrennial Convention Reno, Nevada – October 4-7, 2010

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