



# THE SIGNALMAN'S JOURNAL

Volume 91 • Number 2

2nd Quarter 2010



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# THE SIGNALMAN'S JOURNAL

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**COVER:** East Bound UP freight train at the Ontario Street crossing, approaching the Dayton Bluff Yard, in Minneapolis, MN. Photo submitted by Local 87 member G.T. Urfer.





## Signalmen — Future and Challenges

*Our 50th Regular Convention, which is being held at Disney's Contemporary Resort in Lake Buena Vista, Florida, is only days away. Close to 270 local and general committee delegates are expected to attend.*

The Convention serves as the primary decision-making body for the Organization and will establish the path for the future of the Brotherhood of Railroad Signalmen (BRS) during the next four years. Each local lodge is entitled to two or more delegates based on its size. Each local delegate can cast one vote on each question presented before the convention body. This is Democracy in action. While most of the locals participate, some choose not to send their allotted delegates for financial or other reasons. I encourage all our locals to take part in this event; the only way to have a voice is to have your representative at the table to speak on your behalf.

Advances in safety technology, particularly Positive Train Control (PTC), have created an environment where skilled railroad signalmen are in high demand. PTC systems are designed to provide at least four core functions: prevent train-to-train collisions, prevent over-speed derailments, prevent incursions into roadway worker work zones, and prevent movement through switches not properly lined.

Prior to October 2008, the installation of PTC systems was limited to a few select pilot-projects. The railroads had been testing PTC for years, but outside of Amtrak, the carriers were slow to adopt PTC on a large scale. However, in the wake of the Chatsworth collision in California on September 12, 2008, Congress mandated the widespread installation of PTC systems by December 2015. The Chatsworth accident — in which a Metrolink commuter train collided head on with a Union Pacific freight train — caused 25 fatalities and 135 injuries.

The Rail Safety Improvement Act of 2008 mandated the installation of PTC by all commuter and passenger railroads and by all Class 1 railroads on main tracks where the lines move five mega-tons of cargo or more and haul Toxic Inhalation or Poison Inhalation hazardous materials. The railroads have until the end of 2015 to comply with this unfunded congressional mandate. The Federal Railroad Administration (FRA) has calculated the cost of PTC at \$9.55 billion over 20 years; other experts estimate the cost to the railroads will be much higher.

Whatever the cost, experts generally agree that, although the systems will undoubtedly save lives, the return on investment is small. The BRS believes that increased safety to the public and rail workers can't simply be measured in dollars. I, for one, yearn to live in a world where the Chatsworth accident does not occur; where the Graniteville, South Carolina, train disaster does not take the lives of nine people and injure at least 250 others; and where many other tragic and avoidable loss-of-life accidents never materialize. *PTC is an investment that we cannot afford NOT to make.*

**National Negotiations** — The BRS initiated another round of negotiations last December when the Rail Labor Bargaining Coalition (RLBC) filed our Section 6 Notice with the National Carriers' Conference Committee (NCCC), who is representing the carriers covered by the National Agreement. The BRS has united with five other rail unions in the RLBC. Just as we found in the last round, joining a coalition and pooling our resources is a strategy that has a proven record and provides the BRS and all the other coalition members with a superior negotiating position compared to standing as a lone union.

The RLBC consists of the Brotherhood of Railroad Signalmen; Brotherhood of Locomotive Engineers and Trainmen/IBT; Brotherhood of Maintenance of Way Employes/IBT; International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers; National Conference of Firemen and Oilers/SEIU; and Sheet Metal Workers' International Association. These are the same members of the RLBC as in the last round with the exception of the American Train Dispatchers Association, who opted to join a different coalition.

So far, we have had five meetings for a total of eight days with the NCCC. Predictably, health and welfare has dominated much of the talks, and progress has been slow. I am unable to predict how long this round of negotiations will take as we are still early in the process. While the NCCC is dragging out this round, Amtrak has made an agreement with some of the crafts and is working to resolve the issues with the BRS and the rest of the crafts.

**Railroad Safety** — Thankfully, it has been nine months since our last BRS on-the-job fatality. The railroad is, at best, a hazardous place to work and, at worst, it is downright dangerous. I remind all our members that we must remain ever-vigilant. We must not forget that our craft suffered six striking-event fatalities between June 1, 2008, and September of 2009.

The railroads continue on their path to blame workers for all accidents. The harassment and intimidation that result from a worker reporting an accident has become so bad that the statistics the FRA and the railroads use to measure their safety are skewed to the point that they are meaningless. Employees have learned that reporting an on-the-job injury could result in the loss of their job. As a result, injuries that do not require an immediate trip for medical attention are usually covered up, since only employees that “report” are harassed. We have all learned from the railroads’ reprehensible actions: it is not the injury that gets you fired or disciplined, it is the *reporting* of the incident.

This puts employees in an untenable position where there is no good answer. If you report an injury, there is a good possibility of being fired or at least harshly disciplined; if you don’t report the injury and later need medical attention because you have not recovered, you must treat the condition as a non-on-the-job injury, or risk being fired for late reporting of an injury.

The E.H. Harriman Award, which has been around since 1913, is an annual award presented to an American railroad company in recognition of its outstanding safety achievements. The purpose of the award is to promote railroad workplace safety. However, many organizations and the BRS believe that the Award itself is part of the problem. The industry has become too reliant on safety statistics, which can be severely manipulated through employee harassment and intimidation, and other methods, as the measure of safety performance.

We must push the responsibility of creating a safe workplace back on the railroads. I believe that railroad employees do their best to observe all the rules and regulations. But the railroads do not always make it easy. When safety impedes shareholder profits and general productivity, profits and productivity usually prevail.

Railroads consistently under staff jobs and positions knowing full well that employees will often compromise personal safety when squeezed to get the job done. As an example, our members are expected to hang crossing gates by themselves. The safest way to accomplish this task would be to have at least three people: two to handle and hang the gate, because it is heavy and awkward, and one to flag highway traffic during the task. More employees

might be needed for heavily traveled roadways. The railroads “official position” is, if you need help, just ask. It sounds simple enough, but the reality is much different. If you ask for assistance; you will likely be disparaged by your supervisor because you are unable to handle the job alone. If you do convince him that help is needed for safety reasons, you might get one person, but then you are likely to wait an hour... maybe two hours... maybe more before someone can break away from their full-time job to help you. The railroad does not keep people standing around waiting for someone who needs help to call. And most of the time, when you do one of these jobs that would be safer with help, nothing bad happens.

That is why our members sometimes are sucked into this trap. Most of the time, nothing goes wrong. Railroad management, no matter what their official position states, looks unfavorably upon employees who ask for assistance and criticize and second-guess those that do. However, if an accident occurs or something else goes wrong, the railroads use the rulebooks and instructions as the foundation to harass, intimidate, assign blame, and assess discipline against the employee. Yet, the railroad routinely assigns fewer workers than are needed to comply with rules, regulations, and good-work practices without risk, leaving workers overwhelmed.

To address the harassment and intimidation of employees, FRA has instituted a Risk Reduction Program to look at railroad underreporting of accidents and incidents and to investigate the specific problem of harassment and intimidation of railroad employees who report on-the-job injuries.

Just as our members take ownership of the jobs they are given, the railroads must take responsibility for the environment they have created. This environment is the one where workplace safety is based only on statistics and bogus safety awards, which in turn causes harassment, intimidation, and employee discipline to be the cornerstone of the safety program. This methodology may help the statistics, but it does not create a safe workplace.

Brothers, I look forward to seeing you or your delegate at the Convention. In the meantime, be safe.

In Solidarity,



W. Dan Pickett  
*BRS International President*



## It's A Small World After All

*As I write this article, final preparations are underway for the Brotherhood of Railroad Signalmen's Convention. This convention marks the 50th time signalmen will come together in a national convention. In our archives, at Grand Lodge, we have the minutes from each of the 49 preceding conventions. Those minutes reflect the great effort and vision of past generations of signalmen.*

**T**hroughout our history, our small-craft union has prevailed over much larger and much stronger opponents. Signalmen first formed their new union on the Pennsylvania Railroad. At the time this was the largest publicly traded corporation in the world, with 250,000 employees and a budget larger than that of the U.S. Government.

This year, after twice failing to pass funding legislation over Brotherhood or Railroad Signalmen opposition, the State of Florida agreed to a special agreement for our craft on its Sun Rail commuter operations. In between our fight for recognition and better pay on the mighty Pennsylvania and our triumph over the State of Florida, our small union has fought many large and powerful opponents, and we have won many times. I believe our past success is the pattern for future success. What is the key to success for our small craft-union?

It requires strong leadership at all levels; Grand Lodge, General Committee, and Local. Because our leadership is democratically elected and is drawn from the ranks of a proud, intelligent, and independently-minded craft of workers, this has been an enduring strength of our union and key to our future. To continue, we need to instill in new members the value of the union movement. With nearly 93% of private sector workers being non-union, workers today come to our craft with little or no knowledge of our union or the union movement. We need to continue to build participation and interest within our locals. Union leaders must be the example of trade unionism through both our words and our actions.

Looking at minutes from the first meetings of our union, you find that the members quickly understood that a small group of signalmen in Altoona, Pennsylvania, would not alone have the power needed to fight the strong forces they were facing. From the start,

they looked to join forces with others. First, they joined with other signalmen on other railroads, then they built coalitions with other railroad crafts. However, they understood they would need even more, so they joined the American Federation of Labor. At one of the first conventions, a leader of the Cigar Makers, a union with no relationship to our industry or our craft, came and offered his assistance. Why? Because our movement is not sustainable if we only look out for our own narrow interests; it requires all of us to look out for each other.

This means that workers must look out for all people. It requires us to look beyond our own needs and see the needs of other workers. At the 49th Convention, the delegates passed a resolution to offer support for flower workers in Columbia, South America. John Gaige, a member of Local 16, whose life is an example of trade unionism, told of the flower workers plight against the powerful Dole Corporation. I tell that story because it demonstrates how small the world is for workers. Flower workers in South America need our support, just like we need the support of other workers. In our recent fight against the State of Florida, Jobs with Justice, an organization John is actively involved in, showed up at demonstrations and rallies with worker activists to support our cause. When signalmen lobbied the Florida legislators, we received the support of the Florida State AFL-CIO, which represents 500,000 Florida workers, retirees, and their families. The fight in Florida is one example of the power of strong leadership. Grand Lodge President W. Dan Pickett, Vice President Floyd Mason, General Chairmen Gus Demott, and Local Chairman John Gaige, supported by Local 16 membership, the Florida AFL-CIO, and worker activists at Jobs with Justice, all came together in support of signalmen in central Florida and won against a larger and more powerful opponent. If we want to continue to succeed, we must remember

we are a small world and need to stand in support of other workers.

So what can you do? Encourage your local union to participate in the AFL-CIO's local labor councils or state federations. In an effort to improve local participation, the Grand Executive Council took action last year to reimburse locals for 50% of the per capita tax paid to AFL-CIO local labor councils or state federations. Jobs with Justice engages workers and allies in campaigns to win justice in workplaces and in communities where working families live. Nearly 100,000 people have signed the Jobs with Justice pledge to be there at least five times a year for someone else's struggle as well as their own. To sign up as a volunteer, go to the Jobs with Justice website at [www.jwj.org/pledge.html](http://www.jwj.org/pledge.html).

If both of these are beyond your commitment level at this time, show support for workers in your community. Many states and communities are attacking pensions, benefits, and salaries of teachers, police, fire fighters, and other city, state, and county workers. As taxpayers and workers, we need to stand up for these workers. When you shop, and if given a choice, support union or American-made products instead of undercutting fellow workers with cheaper non-union or imported purchases. Be a voice for all workers. Speak out for workers when the subject is raised by your friends, your neighbors, or your family. Our movement sees the value in giving voice to all workers and the value of our collective voice working for the least of these workers. Our movement's values say, it's not just about me.

At Walt Disney World, where we will hold the

BRS' 50th Regular Convention, there is a ride called It's A Small World and a song with the same title plays as you ride. This song fits the plight of workers. The first verse of the song reads, "It's a world of laughter, A world of tears, It's a world for hope, And a world of fears, There's so much we share, That it's time we're aware, It's a small world after all."

Just like the coalition of workers and activists who gave voice more than a century ago to a few signalmen on the mighty Pennsylvania Railroad and voice to few signalmen in central Florida this year, we are called by others in our movement to give voice to those who would be drowned out by the mighty and powerful opposition. For all workers, it really is a small world after all.

Fraternally yours,

Walt A. Barrows  
BRS International Secretary-Treasurer

## HELP WANTED

### Grand Lodge Representative

The Brotherhood of Railroad Signalmen Grand Executive Council is accepting resumés for the purpose of appointing a new Grand Lodge Representative. Due to the pending retirement of two BRS officers, there is a possibility of another representative position in the near future.

**Title:** Grand Lodge Representative.

**Location:** Grand Lodge Headquarters in Front Royal, Virginia.

**Duties:** International President W. Dan Pickett will assign duties, and duties may vary.

**Qualifications:** Only active BRS members are eligible for appointment to this position.

Computer skills (including experience with MS Office suite) are a plus.

Union activism is a fundamental quality.

The successful candidate will be detail oriented and have strong writing, communications, and organizational skills.

Currently, the role of this position is primarily involved in the preparation of submissions for grievance resolution and other labor/employee related functions.

Interested candidates should email their resumé to [wdp@brs.org](mailto:wdp@brs.org) or mail it to the address below:



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International President  
Brotherhood of  
Railroad Signalmen  
917 Shenandoah  
Shores Road  
Front Royal, Va. 22630



## Dedication of National Workers Memorial

**T**he National Labor College (NLC) dedicated the National Workers Memorial during the Workers Memorial Day ceremony on April 28, 2010. The recently completed memorial features granite benches and brick pavers engraved with the names of union members killed on the job. The ceremony paid special tribute to the workers killed in the most recent workplace tragedies:

- 29 coal miners at Massey Energy Co.'s Upper Big Branch Mine in West Virginia;
- Seven workers at the Tesoro refinery in Washington State;
- Six victims at the Kleen Energy Systems plant in Connecticut; and
- 11 oil platform workers following an explosion of the Transocean Ltd. Rig in the Gulf of Mexico.

Pointing toward the bricks and benches that family members and co-workers have engraved with the names of those killed on the job, Liz Shuler, Secretary-Treasurer of the AFL-CIO said, *“Every brick represents not just a worker lost — but a family left behind, a wife without a husband, a child without a mother, a mother without a son.”*

Shuler called on Congress to pass the Protecting America's Workers Act (H.R.2067, S.1580) and the S-Miner Act, both of which will strengthen workplace safety laws, toughen enforcement, and increase penalties for employers who violate the law. She also called for labor law reform to give workers a voice on the job for safety.

Speakers included David Michaels, Assistant Secretary of Labor for Occupational Safety and Health Administration (OSHA); Liz Shuler, Secretary Treasurer, AFL-CIO; and Cecil Roberts, Jr., President, United Mine Workers of America. ■





## TRANSPORTATION TRADES DEPARTMENT

# *Celebrates 20th Anniversary*



**T**ransportation union leaders gathered February 28, 2010, to celebrate the 20th anniversary of the Transportation Trades Department, AFL-CIO (TTD) and to discuss their agenda for the upcoming year. Joined by Transportation Secretary Ray LaHood, House Transportation and Infrastructure Chairman James Oberstar, and AFL-CIO President Richard Trumka, the group of 32 unions discussed important policy issues and conducted elections for its leadership.

TTD executive committee members unanimously approved six policy statements on a range of issues. The statements articulate transportation labor's position on the issues and agenda moving forward on a new jobs bill, rail transit safety, aviation security, protecting maritime workers

from pirates, protecting workers in international aviation trade agreements, and defending workers' rights in a contract dispute with employer Rio Tinto.

While marking the moment of its anniversary, TTD bestowed its 20th Anniversary Congressional Award on its friend and champion, James Oberstar. TTD was also pleased to acknowledge several letters of congratulations that were written and submitted into the record by members of Congress.

In officer elections, Edward Wytkind was re-elected as President. He has been President of the organization since 2003, and prior to that he served as its executive director for 13 years. Larry Willis was elected as Secretary-Treasurer, effective April 1. Willis is currently TTD's Chief of Staff and General Counsel. He will replace outgoing TTD

Secretary-Treasurer Patricia Friend, President of the Association of Flight Attendants (AFA), who will retire from the AFA toward the end of the year. ■



## NMB Changes Air, Rail Union Voting Rule

**A** new rule issued by the National Mediation Board (NMB) changed a nearly 80 year old procedure by allowing airline and rail workers to choose to join a union under rules that are more fair and more in line with democratic principles.

The NMB, established by the 1934 amendments to the Railway Labor Act of 1926 (RLA), is an independent agency that performs a central role in facilitating harmonious labor-management relations within two of the nation's key transportation modes — the railroads and airlines. Pursuant to the RLA, NMB programs provide an integrated dispute resolution process to effectively meet the statutory objective of minimizing work stoppages in the airline and railroad industries.

For decades, the deck has been stacked against workers covered under the RLA because every worker who did not cast a vote in a representation election was automatically counted as a “No” vote. The new NMB rule says that an election's outcome will be decided by the majority of votes cast, just like every other election, from city council to the presidency.

For example — under the old rules, a union seeking representation of 1,000 workers must receive 501 votes in favor of the union. If the vote count totaled 500 votes for representation, and one nay, it would fail, and there would be no union representation.

The NMB says in the final rule, “It certainly is possible that in some elections the number of employees who actually cast a ballot may be less than a majority of those eligible to vote, but it is not the preordained outcome of every election. What is certain is that under the proposed rule, the board will no longer substitute its presump-

tion for an employee's intent.”

The NMB said the change, “will provide a more reliable measure/indicator of employee sentiment in representation disputes and provide employees with clear choices in representation matters.”

Outdated and unreliable voting procedures have fostered a unique culture of voter suppression, as companies understand that impeding union organizing merely requires preventing employees from voting. The days when employers and their outside union-busting companies engaged in the most undemocratic of practices by openly encouraging workers to destroy ballots and to not vote, are now over.

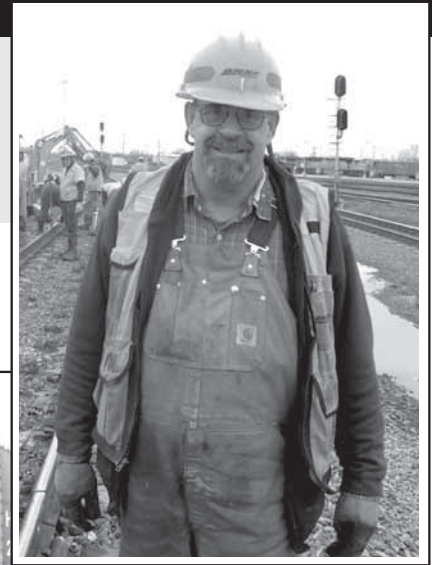
Edward Wytkind, president of the AFL-CIO's Transportation Trades Department (TTD), says the change in rules guarantees only workers who cast a vote will be counted...which ensures greater fairness in union elections for airline and rail workers across the country. ■



## In Harm's Way

*Being in the right place at the right time, Richard D. Harms found himself preventing a derailment.*

BNSF Lincoln Terminal Signal Maintainer Richard D. Harms, of Local 119, averted what could have been a major derailment in the Lincoln Terminal. At approximately 7:10 a.m. on March 10, 2010, an East Bound Coal Train was arriving at Cushman on South Track 4, when Mr. Harms noticed that a rail car approximately 12 cars from the rear end of the train had just derailed. Sparks were starting to fly when Maintainer Harms immediately made contact with the Train Crew advising them to stop. Because of Signal Maintainer Harms' quick action, the damage to the BNSF property was kept to a minimum. ■



## Final Effort to Collect Dependent(s) Social Security Numbers

**F**ederal Law now requires the reporting of Social Security Numbers (SSNs) for covered dependents to the Centers for Medicare & Medicaid Services (CMS). In addition, if a covered dependent is eligible for Medicare, then the Medicare Health Insurance Claim Number (HICN) is also required.

In order to comply with these reporting requirements, Railroad Enrollment Services has mailed a final notice to those members identified with missing dependent(s) SSNs and/or HICNs. If you have received a notice from Railroad Enrollment Services, please provide the SSN and/or HICN for any dependent that is listed as missing this information. Please be sure to sign, date, and return the Social Security Reporting Form by the requested return date to the address provided.

**The following will occur if the requested SSNs are not provided:**

**For any dependent who was newly added to the Plan between January 1, 2009, and May 31, 2010:**

If Social Security Numbers are not received for newly added 2009/2010 dependent(s), whose SSN are missing,

by July 31, 2010, the dependent(s) will be disenrolled from the Plan effective July 31, 2010.

**For any dependent who was added to the Plan before January 1, 2009:**

If Social Security Numbers are not received for dependent(s), whose SSN is missing, by January 31, 2011, the dependent(s) will be disenrolled from the Plan effective January 31, 2011.

**NOTE: If you do not receive a notice requesting missing dependent(s) SSNs and/or HICNs, then you do not need to take any action.**

Please be assured that when Railroad Enrollment Services transmits the SSNs and/or HICNs to CMS, they will maintain all physical, electronic, and procedural safeguards that comply with federal standards to guard your personal information. For additional information regarding the new CMS federal law pertaining to this requirement, visit <http://www.cms.hhs.gov/MandatoryInsRep/>.

The Plans greatly appreciate your support in providing this information. ■

# High-Speed Rail Funds Delivered to States

**T**he U.S. Department of Transportation announced that nearly \$80 million in grants have been delivered to states as part of President Obama's historic high-speed and intercity passenger rail program. These grants will go toward the development of a brand new Recovery Act funding high-speed rail systems in Florida as well as critical upgrades to existing passenger rail services throughout the country.

"Delivering these funds is an important step forward in our efforts to upgrade and transform America's transportation system, while spurring economic activity and creating jobs here at home," said Vice President Joe Biden. "Our unprecedented investment in high-speed and intercity passenger rail is not only going to provide real environmental benefits and greater convenience for travelers, but also long-term economic development for communities across the country."

"The President's vision for high-speed rail will forever change the way Americans travel by offering new transportation options," said Transportation Secretary Ray LaHood. "The grants released today are merely the very beginning of many more to follow."

***The \$80 million in funding will benefit projects in many regions of the country, including:***

- \$66,600,000 for program management and preliminary engineering on the planned 168 mph high-speed rail service between Tampa and Orlando, Florida. This project will create jobs and generate economic activity as 84 miles of track are constructed, stations are built or enhanced, and equipment is purchased. Along with California, Florida was the only state to submit plans to the Department of Transportation to create a brand new, high-speed rail line.

***The President's \$8 billion down payment for high-speed rail...is expected to create or save tens of thousands of jobs over time in areas like track-laying, manufacturing, planning, engineering, and rail maintenance and operations.***

- \$6,200,000 for track relocation work in California on the Capitol Corridor which will help bring about fewer delays and faster travel times along a route that connects San Francisco and Sacramento, the state capital.
- \$5,700,000 for environmental assessments of planned new stations on the route between Milwaukee and Madison, Wisconsin, that will host passenger rail service operating at speeds up to 110 mph.
- \$1,000,000 for planning projects to improve service on the Empire Corridor in New York. The 468-mile Empire Corridor connects all of New York's largest cities. The near-term vision for the corridor is to increase passenger train speeds to 110 mph.
- \$100,000 for the creation of the first-ever rail plan for the state of New Mexico. This plan will help the state create a blueprint for passenger rail development that will eventually link major cities in the Southwest.

The President's \$8 billion down payment for high-speed rail, which was set in motion through a long-term plan announced in April 2009, is expected to create or save tens of thousands of jobs over time in areas like track-laying, manufacturing, planning, engineering, and rail maintenance and operations. The majority of the President's Recovery Act passenger rail funding will go toward developing new, large-scale, high-speed rail programs.

In addition to the \$8 billion in Recovery Act funding, the Administration proposes a minimum \$1 billion a year for five years in the federal budget to jump-start this multi-decade effort. Congress funded this program above and beyond the President's initial request and allocated \$2.5 billion for Fiscal Year 2010. ■

# A Helping Hand — The Thomson Foundation

## *Financial Assistance for Daughters of Deceased Railroad Employees*

**J**ohn Edgar Thomson was the third president of the Pennsylvania Railroad and led the company from 1852 to 1874. Although John Thomson never had children of his own, he often pondered on the difficulties of orphaned girls. In that era, a fatherless boy could usually get a trade school education or find employment; a girl had little opportunity for either.

In his will, Mr. Thomson dedicated a portion of his estate in the form of a trust fund for the education and maintenance of female orphans of railway employees whose fathers may have died while in the discharge of their duties. After his death in 1874, the trust fund was established for the daughters of men killed in railroad service. Subsequently, The John Edgar Thomson Foundation was founded when Mrs. Thomson opened a girl's boarding school in Philadelphia, in December of 1882.

Today, the Foundation continues its objective by providing aid to a substantial number of girls throughout the United States in the form of financial assistance and healthcare benefits. To be eligible, the employee must have been actively employed by any United States railroad at the time of his or her death; the cause does not need to be

work related. Eligibility is also dependent on the daughter and the surviving parent remaining unmarried. Family income and expenses are also considered when determining eligibility.

The monthly allowance made under the grant may cover the period from infancy to high school graduation, and in some circumstances to age 22, to assist the grantees that are pursuing a higher education. The Foundation also offers special healthcare benefits.

Funding for the work of the Foundation is completely independent of any railroad. It neither solicits nor receives funds from the public. ■

**Further information and applications may be obtained by writing to:**

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## RRB — Its First Seventy-Five Years

**T**he 75th anniversary of the enactment of the Railroad Retirement Act of 1935 is being observed during 2010. Part of President Franklin Delano Roosevelt's New Deal legislation, the Act was signed into law on August 29, 1935.

It was in the rail industry that the first formal industrial pension plan in North America was established in 1874. By 1925, more than three-fourths of all railroad workers in the United States were covered by pension plans. However, relatively few employees actually received benefits under these plans, and during the Great Depression of the 1930s the plans had difficulty meeting their obligations. Older workers consequently exercised seniority rights to continue working, and accounted for a disproportionate number of the industry's employees. Railway labor sought legislation to continue railroad pensions as part of a reliable and equitable national program.

Legislation was enacted in 1934, 1935, and 1937 to establish a railroad retirement system separate from the social security program enacted in 1935. The social security program would not credit past service and was not scheduled to begin monthly benefit payments until the 1940s. Legislation, taking into account the particular circumstances of the rail industry, was not without precedent. Numerous laws pertaining to rail operations and safety had already been enacted since the Interstate Commerce Act of 1887. Since passage of the Railroad Retirement Acts of the 1930s, numerous other railroad laws have been enacted.

The 1934 Act was declared unconstitutional by the Supreme Court and the 1935 Act was also challenged in the Courts. Nonetheless, the Railroad Retirement Board (RRB) made its first annuity payments 11 months after the passage of the 1935 legislation. While an appeal was pending, railroad management and labor, at the urging of President Roosevelt, resolved their differences in a memorandum of agreement which led to the Railroad Retirement and Carriers' Taxing Acts of 1937. In July 1937, the benefit payments of almost 50,000 pensioners

were taken over by the RRB and by the end of 1938, almost 100,000 employees had retired under the system.

This legislation set up a staff retirement plan providing annuities based on an employee's creditable railroad earnings and service. Annuities could be paid at age 65 or later, regardless of length of service, or at ages 60-64 (on a reduced basis) after 30 years of service. Disability benefits were payable after 30 years of service or at age 60.

Numerous amendments after 1937 increased benefits and added benefits for dependents. Amendments enacted in 1946 and 1951 added survivor and spouse benefits, liberalized disability benefit requirements, and established jurisdictional coordination with the Social Security Administration.

In addition, a financial interchange was established between the two systems to equitably apportion the costs of benefits and taxes based on rail service. This financial interchange, which ensures that the Social Security Trust Funds neither gain nor lose from the existence of the railroad retirement system, became an integral source of railroad retirement funding in subsequent decades. In 1965, the financial interchange served as an operating vehicle through which the Medicare program was extended to railroad retirement beneficiaries.

The recurring inflation and recession in the national economy during the 1970s and 1980s created formidable actuarial problems for pension systems, particularly those providing substantial cost-of-living protection for beneficiaries. Railroad retirement annuities, like social security benefits, were increased by an aggregate of 52 percent between 1970 and 1972 alone. The cost of these increases jeopardized the solvency of the system and Congress directed that a Commission on Railroad Retirement study the system and its financing for the purpose of recommending changes that would ensure adequate benefit levels on an actuarially sound basis.

Following the Commission's study, railway labor and management proposed a restructuring of the railroad retirement system that was enacted into law as the Railroad Retirement Act of 1974. The 1974 Act pro-

vided a two-tier system with a first tier formula yielding amounts equivalent to social security benefits, taking into account both railroad retirement and nonrailroad social security credits. A second tier formula, based on railroad service exclusively, provided benefits comparable to those paid over and above social security benefits by other industrial pension systems. The Act eliminated duplications in dual railroad retirement-social security benefits for new hires and individuals not vested as of December 31, 1974, under both programs, but protected the equities of employees vested for dual benefits before 1975. It was anticipated that the changes in the benefit formulas, the reduction in dual benefits, higher investment earnings, plus provisions for additional funds from the Federal Government to pay the phase-out costs of dual benefits would place the railroad retirement system on a reasonably sound basis.

However, neither industry nor government at that time anticipated the resurgence of double digit inflation in the latter part of the 1970s and the recession of 1981. Financial amendments were subsequently enacted in 1981 as part of the Omnibus Budget Reconciliation Act and in 1983 under the Railroad Retirement Solvency Act. These amendments raised retirement taxes, deferred cost-of-living increases, reduced early retirement benefits, limited future vested dual benefits, and subjected annuities to Federal income tax. These amendments also simplified benefit formulas, provided protection for divorced spouses and remarried widow(er)s, liberalized the current connection requirement for career employee benefits, and increased benefits for disabled widow(er)s and employees with military service.

Legislation in 1988 liberalized work restrictions and the crediting of military service in certain cases. It also provided more equitable treatment of separation or severance pay for railroad retirement purposes.

In 2001, the Railroad Retirement and Survivors' Improvement Act, the most significant railroad retirement legislation in almost 20 years, and the first in almost three decades not to involve tax increases or benefit reductions, was signed into law. The benefit and financing provisions of the legislation, like those of most previous railroad retirement legislation, were based on joint recommendations negotiated by a coalition of rail freight carriers and rail labor organizations.

The Act liberalized early retirement benefits for 30-year employees and their spouses, eliminated a cap on monthly retirement and disability benefits, lowered the minimum

service requirement from 10 years to 5-9 years, if at least 5 years were after 1995, and provided increased benefits for some widow(er)s. Financing sections in the law provided for adjustments in the payroll tax rates paid by employers and employees, and the repeal of a supplemental annuity work-hour tax.

The legislation also created the National Railroad Retirement Investment Trust, which manages and invests railroad retirement funds in non-governmental assets, as well as in governmental securities.

The railroad unemployment insurance system was also established in the 1930s. While the State unemployment programs first provided in 1935 generally covered railroad workers, railroad operations which crossed State lines caused special problems. Unemployed railroad workers were denied compensation by one State because they became unemployed while working in another State or because their employer had paid unemployment taxes in another State. Although there were cases where employees appeared to be covered in more than one State, they often did not qualify in any.

A National Security Commission reporting on the nationwide State unemployment plans recommended that railroad workers be covered by a separate plan because of the complications their coverage had caused the State plans. Congress subsequently enacted the Railroad Unemployment Insurance Act in 1938, which established a system of benefits for unemployed railroad workers, plus a free placement service, financed by a payroll tax payable by employers. Benefits became payable on July 1, 1939.

Amendments enacted in 1946 increased the maximum daily benefit rate and the maximum duration to 26 weeks. They also provided sickness benefits; at that time, only two States, Rhode Island and California, had sickness plans.

Amendments enacted in the 1950s raised the maximum daily benefit rate in stages, provided extended unemployment benefits for 13 weeks to employees with at least 10 years of service, and 26 weeks of extended benefits to 15-year employees. In 1968, legislation increased the daily benefit rate and provided extended benefits for sickness on essentially the same basis as for unemployment.

Amendments in 1975 increased the maximum daily benefit rate and liberalized the basic eligibility requirements for new employees by lowering the 7-month base-year

*continued on page 25*



- **National Mediation Board — New Rule**
- **A Look Back at 16 Years of Anti-Labor Rulings**
- **\$6.25 billion for Transportation in Climate Bill**

## **National Mediation Board — New Rule**

The rule, announced by the National Mediation Board, recognizes a union victory if a simple majority of workers who cast ballots approve being unionized. The previous rule required a majority of the entire workforce to favor unionizing. Workers choosing not to vote were effectively counted as “no” votes. Proponents of the change say the old rule ran contrary to Democratic standards, where the outcome of an election is determined by the majority of those who vote. The change puts union elections at airlines and railroads under the same procedures followed by most other companies. The National Mediation Board’s decision was widely expected after the Obama Administration gave the three-member panel a Democratic majority last year.

The immediate impact would show through Delta Air Lines, where unions are trying to organize about 20,000 flight attendants. Unions are also expected to target workers at Allegiant Air, Jet Blue Airways, Republic Airways, and SkyWest. The Air Transport Association, which represents most major airlines, is expected to file a lawsuit challenging the rule.

The change to make the same principle apply in the transportation sector was welcomed by Brotherhood of Railroad Signalmen President W. Dan Pickett, who, with the AFL-CIO, requested the rule change. After successful lobbying, the BRS received widespread support from Senators and Congressmen, including 13 House Republicans. The change was hailed by President Pickett and union leaders as a long-necessary reform, more aligned with Democratic standards. In other industries, the National Labor Relations Board handles union elections and requires only a simple majority.

Republicans criticized the rule change as part of the Obama Administration’s favoritism to unions. The change reverses decades of practice under the Railway Labor Act. The change is the most significant so far in a series of White House moves designed to reverse anti-union rulings by previous Administrations.

## **A Look Back at 16 Years of Anti-Labor Rulings**

**President Ronald W. Regan** — Twenty-nine years ago, on August 3, 1981, more than 12,000 members of the Professional Air Traffic Controllers Organization walked off the job, setting off a chain of events that would redefine labor relations in America.

President Reagan made sure those air-traffic controllers were fired and banned them from ever being rehired by the Federal Aviation Administration (FAA). They were initially replaced by controllers, supervisors, and staff personnel not participating in the strike and in some cases, by military controllers.

**President Bill J. Clinton** — On August 12, 1993, President Clinton ends the prohibition on rehiring any air-traffic controller who went on strike in 1981. (The FAA has rehired more than 850 PATCO strikers) A few years later, on October 3, 1996, Congress passes the Federal Aviation Reauthorization Act, which codifies National Air Traffic Controllers Association’s (NATCA) ability to bargain collectively with the FAA for wages and personnel matters.

**President George W. Bush** — Soon after taking office, President Bush — backed by a conservative Republican-controlled Senate and House — issued a series of anti-union executive orders. One barred project labor agreements on federally-funded construction projects. Another required government contractors to post notices telling workers they did not have to become union members. He repealed a Clinton-era rule that prevented the government from awarding contracts to businesses that had broken environmental, labor, tax, or other federal laws.

Again and again, President Bush rolled back union rights for federal employees. He issued an executive order revoking union representation for workers in the Justice Department and numerous other federal police agencies.

Later, more than 1,300 workers at the National Imagery and Mapping Agency were also stripped of their right to join a union.



When Congress debated consolidating 150 federal agencies into the Department of Homeland Security, Bush threatened to veto the bill unless it contained a provision stripping 180,000 workers in the new department of their civil service and collective bargaining rights. Congress granted his wish. He denied 60,000 baggage screeners, newly federalized, the right to organize.

After winning passage of a \$15 billion bailout package for the airlines after September 11, 2001, the Administration failed to support a bill to extend unemployment benefits and provide healthcare assistance for over 100,000 laid-off airline workers.

### **\$6.25 billion for Transportation in Climate Bill**

Senators John Kerry (D-MA) and Joe Lieberman (I-CT) introduced their Climate Change/Energy bill. The American Power Act (APA) seeks to reduce harmful emissions by 17% by 2020 and 80% by 2050, and reduce the nation's dependence on foreign oil, through a combination of price hikes and consumer refunds and tax credits to offset the hike. The bill includes input from business and environmental groups, and Republican Senator Lindsey Graham. Senator Graham, who withdrew his support recently because of legislative timing issues, praised the Kerry-Lieberman effort and left the door open for a return to bipartisan work on the bill.

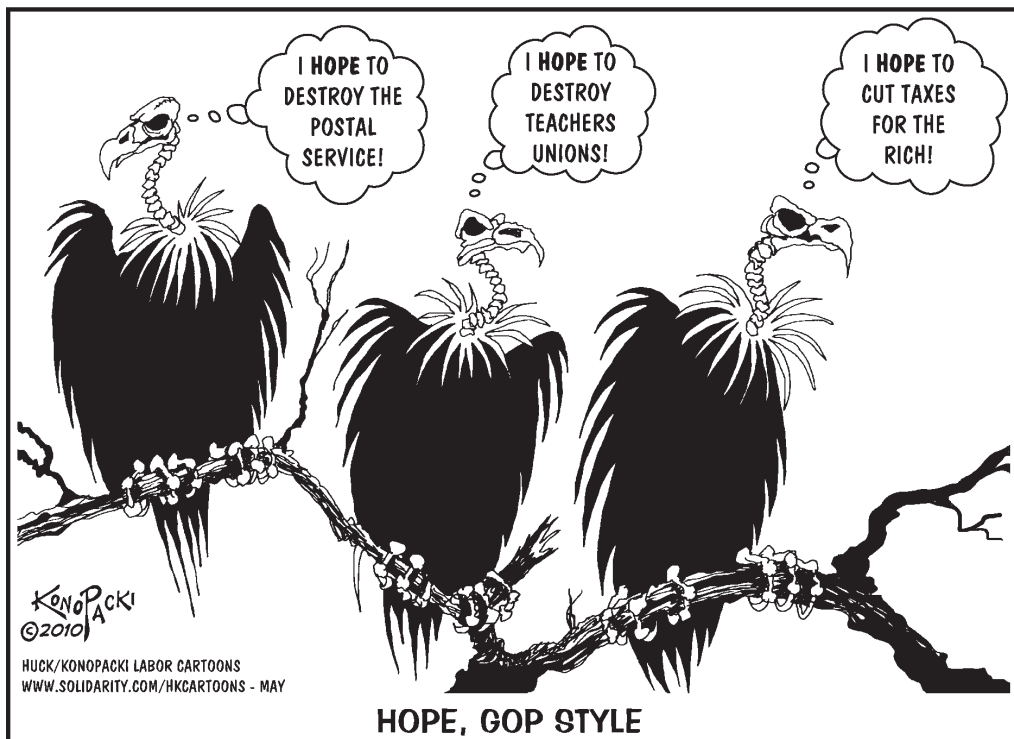
The sector-by-sector approach of the APA proposal differs from the House-passed Waxman-Markey bill H.R.2454, which sets an industry-wide cap on emissions of gases contributing to global warming

and establishes a market for buying and selling government-issued allowances. The bill urges transportation authorities to factor freight rail improvements into their planning and provides financial incentives for transitioning to cleaner fuel trucks.

According to an outline of the bill, about \$6.25 billion annually would be directed to transportation programs. However, some transportation stakeholders are feeling short changed, as the \$6.25 billion is a small share of the estimated \$20 to \$60 billion raised annually from vehicle fuel provisions.

That \$6.25 billion would be divided into roughly three equal parts:

- \$1.875 billion for the TIGER grant program;
- \$1.875 billion for a new program (modeled after Clean-Tea) to fund transportation projects that reduce oil consumption and greenhouse gas emissions; and
- \$2.5 billion to the Highway Trust Fund, eligibility for which is determined by emissions-reduction plans. ■





# Benefits Under Railroad Retirement and Social Security

*Employers and employees covered by the Railroad Retirement Act pay higher retirement taxes than those covered by the Social Security Act, so that railroad retirement benefits remain higher than social security benefits, especially for career employees.*

*The following questions and answers show the differences in railroad retirement and social security benefits payable at the close of the fiscal year ending September 30, 2009. They also show the differences in age requirements and payroll taxes under the two systems.*

## **1** How do the average monthly railroad retirement and social security benefits paid to retired employees and spouses compare?

The average age annuity being paid by the Railroad Retirement Board (RRB) at the end of fiscal year 2009 to career rail employees was \$2,690 a month, and for all retired rail employees the average was \$2,125. The average age retirement benefit being paid under social security was over \$1,160 a month. Spouse benefits averaged \$795 a month under railroad retirement compared to \$555 under social security.

The Railroad Retirement Act also provides supplemental railroad retirement annuities of between \$23 and \$43 a month, which are payable to employees who retire directly from the rail industry with 25 or more years of service.

## **2** Are the benefits awarded to recent retirees generally greater than the benefits payable to those who retired years ago?

Yes, because recent awards are based on higher average earnings. Age annuities awarded to career railroad employees retiring at the end of fiscal year 2009 averaged over \$3,280 a month while monthly benefits awarded to workers retiring at full retirement age under social security averaged about \$1,625. If spouse benefits are added, the combined benefits for the employee and spouse would approximate \$4,550 under railroad retirement coverage, compared to

\$2,435 under social security. Adding a supplemental annuity to the railroad family's benefit increases average total benefits for current career rail retirees to about \$4,585 a month.

## **3** How much are the disability benefits currently awarded?

Disabled railroad workers retiring directly from the railroad industry at the end of fiscal year 2009 were awarded nearly \$2,800 a month on the average while awards for disabled workers under social security averaged about \$1,125.

While both the Railroad Retirement and Social Security Acts provide benefits to workers who are totally disabled for any regular work, the Railroad Retirement Act also provides disability benefits specifically for career employees who are disabled for work in their regular railroad occupation. Career employees may be eligible for such an occupational disability annuity at age 60 with 10 years of service, or at any age with 20 years of service.

## **4** Can railroaders receive benefits at earlier ages than workers under social security?

Railroad employees with 30 or more years of creditable service are eligible for regular annuities based on age and service the first full month they are age 60, and rail employees with less than 30 years of creditable service are eligible for regular annuities based on age and service the first full month they are age 62.

No early retirement reduction applies if a rail employee retires at age 60 or older with 30 years of service and his or her retirement is after 2001, or if the employee retired before 2002 at age 62 or older with 30 years of service.

Early retirement reductions are otherwise applied to annuities awarded before full retirement age—the age at which an employee can receive full benefits with no reduction for early retirement. This ranges from age 65 for those born before 1938 to age 67 for those born in 1960 or later, the same as under social security.

Under social security, a worker cannot begin receiving retirement benefits based on age until age 62, regardless of how long he or she worked, and social security retirement benefits are reduced for retirement prior to full retirement age regardless of years of coverage.

## **5 Does social security offer any benefits that are not available under railroad retirement?**

Social security does pay certain types of benefits that are not available under railroad retirement. For example, social security provides children's benefits when an employee is disabled, retired, or deceased. Under current law, the Railroad Retirement Act only provides children's benefits if the employee is deceased.

However, the Railroad Retirement Act includes a special minimum guaranty provision, which ensures that railroad families will not receive less in monthly benefits than they would have if railroad earnings were covered by social security rather than railroad retirement laws. This guaranty is intended to cover situations in which one or more members of a family would otherwise be eligible for a type of social security benefit that is not provided under the Railroad Retirement Act. Therefore, if a retired rail employee has children who would otherwise be eligible for a benefit under social security, the employee's annuity can be increased to reflect what social security would pay the family.

## **6 How much are monthly benefits for survivors under railroad retirement and social security?**

Survivor benefits are generally higher if payable by the RRB rather than social security. At the end of fiscal

year 2009, the average annuity being paid to all aged and disabled widow(er)s averaged \$1,285 a month, compared to \$1,100 under social security.

Benefits awarded by the RRB at the end of fiscal year 2009 to aged and disabled widow(er)s of railroaders averaged approximately \$1,725 a month, compared to about \$890 under social security.

The annuities being paid at the end of fiscal year 2009 to widowed mothers/fathers averaged \$1,595 a month and children's annuities averaged \$935, compared to \$840 and \$745 a month for widowed mothers/fathers and children, respectively, under social security.

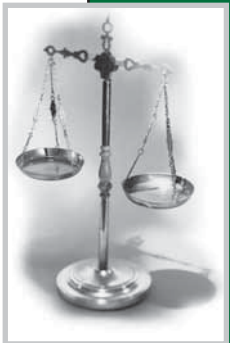
Those awarded at the end of fiscal year 2009 averaged \$1,620 a month for widowed mothers/fathers and \$1,240 a month for children under railroad retirement, compared to \$820 and \$750 for widowed mothers/fathers and children, respectively, under social security.

## **7 How do railroad retirement and social security lump-sum death benefit provisions differ?**

Both the railroad retirement and social security systems provide a lump-sum death benefit. The railroad retirement lump-sum benefit is generally payable only if survivor annuities are not immediately due upon an employee's death. The social security lump-sum benefit may be payable regardless of whether monthly benefits are also due. Both railroad retirement and social security provide a lump-sum benefit of \$255. However, if a railroad employee completed 10 years of creditable railroad service before 1975, the average railroad retirement lump-sum benefit payable is \$990. Also, if an employee had less than 10 years of service, but had at least 5 years of such service after 1995, he or she would have to have had an insured status under social security law (counting both railroad retirement and social security credits) in order for the \$255 lump-sum benefit to be payable.

The social security lump sum is generally only payable to the widow(er) living with the employee at the time of death. Under railroad retirement, if the employee had 10 years of service before 1975, and was not survived by a living-with widow(er), the lump sum may be paid to the funeral home or the payer of the funeral expenses. ■

# BRS DESIGNATED COUNSEL



*When Signalmen suffer a work-related injury or illness, BRS members or their families are encouraged to determine their rights and benefits under the Federal Employers' Liability Act before agreeing to any settlement with the railroad employer. The Brotherhood of Railroad Signalmen has designated the attorneys listed in this directory to serve as qualified counsel for BRS members in employee injury cases covered by FELA.*

*Attorneys are listed by state and are designated to serve BRS members living or working in the general region of their offices. Designation of FELA counsel is by authority of the BRS Executive Council only.*

*BRS members are encouraged to provide information regarding FELA cases, including criticism or commendations regarding the service of designated counsel, and information on injuries and settlements. This information, which will be used in the continuing evaluation of this program, should be sent to W. Dan Pickett, International President, Brotherhood of Railroad Signalmen, 917 Shenandoah Shores Road, Front Royal, VA 22630-6418.*

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901 Western Avenue  
Suite 206  
Pittsburgh, PA 15233  
Tel. (412) 322-7200  
877-262-8381  
[www.thewadelawoffice.com](http://www.thewadelawoffice.com)

## TEXAS

**Weldon Granger**  
Jones, Granger,  
Tramuto, & Halstead  
[www.jonesgranger.com](http://www.jonesgranger.com)

**Robert M. Tramuto**  
10000 Memorial Dr., Suite 888  
Houston, TX 77024  
Tel. (713) 668-0230  
800-231-3359 (TX)

## UTAH

**Brent O. Hatch**  
Hatch, James & Dodge  
10 West Broadway, Suite 400  
Salt Lake City, UT 84101  
Tel. (801) 363-6363  
800-574-6310

## VIRGINIA

**Willard J. Moody, Sr.**  
The Moody Law Firm, Inc.  
500 Crawford St., Suite 300  
Portsmouth, VA 23704  
Tel. (757) 393-4093  
800-368-1033  
[www.moodyrllaw.com](http://www.moodyrllaw.com)

**C. Richard Cranwell**  
Cranwell, Moore & Emick, PLC  
P.O. Box 11804  
Roanoke, VA 24022-1804  
Tel. (540) 344-1000  
877-632-3352  
[www.cranwellmoorelaw.com](http://www.cranwellmoorelaw.com)

## WASHINGTON

**George A. Thornton**  
Thornton Mostul, PLLC  
1000 Second Avenue, Suite 3310  
Seattle, WA 98104  
Tel. (206) 621-0600  
800-525-3352

See Colorado

# BENEFITS DIRECTORY



## Where to file claims for all UnitedHealthcare Insurance policies (except Plan F):

UnitedHealthcare Railroad Claims  
P.O. Box 30985 • Salt Lake City, UT • 84130-0985  
1-800-842-5252

## Where to file claims for UnitedHealthcare Policy GA-23111 (Plan F):

UnitedHealthcare  
P.O. Box 30304 • Salt Lake City, UT • 84130-0404  
1-800-842-5252

### UnitedHealthcare

GA-23000 Medical Management  
Managed Medical Care Programs (MMCP) &  
Comprehensive Health Care Benefit (CHCB)  
1-800-842-9905  
[www.myuhc.com](http://www.myuhc.com)

### Aetna Managed Care

Membership Services  
P.O. Box 7064  
Dover, DE 19903-1512  
1-800-842-4044  
[www.aetnahealthcare.com](http://www.aetnahealthcare.com)

### Highmark Blue Cross Blue Shield

Railroad Dedicated Unit  
P.O. Box 890381  
Camp Hill, PA 17089-0381  
1-866-267-3320  
[www.bcbs.com](http://www.bcbs.com)

### Life Insurance Claim

Information under MetLife Policy GA-23000  
MetLife  
P.O. Box 6122  
Utica, NY 13504-6122  
1-800-310-7770  
[www.metlife.com](http://www.metlife.com)

### Vision Service Plan

P.O. Box 997105  
Sacramento, CA 95899-7100  
Member Services  
1-888-877-4782  
[www.vsp.com](http://www.vsp.com)

### Mental Health and Substance Abuse Benefits

For treatment, claims or inquiries call:  
United Behavioral Health  
1-866-850-6212  
[www.liveandworkwell.com](http://www.liveandworkwell.com)  
Access code: Railroad

### Supplemental Sickness Benefits Under Group Policy No. R-5000

Aetna Life Insurance Company  
P.O. Box 189145  
Plantation, FL 33318-9145  
1-800-205-7651 • Fax: 954-452-4124  
You may file online at: [www.wkabsystem.com](http://www.wkabsystem.com)  
Company identifier: RR

### Dental Benefits under Group Policy No. GP-12000

Aetna  
P.O. Box 14094  
Lexington, KY 40512-4094  
1-877-277-3368  
[www.aetnahealthcare.com](http://www.aetnahealthcare.com)

### Managed Pharmacy Benefit Medco Rx Services

Retail pharmacy network provides medication for acute, short-term care. Mail-order prescription service provides medication for chronic, long-term care.  
UnitedHealthcare Plans GA-23000 and GA-46000  
1-800-842-0070  
[www.medco.com](http://www.medco.com)

### Railroad Retirement Board

1-877-772-5772 — Automated Help Line  
[www.rrb.gov](http://www.rrb.gov)

# Door-to-Door Visits for 2010 Census

*Census Takers to Follow Up with About 48 Million Households Nationwide*

**A**bout 635,000 2010 Census takers across the nation begin going door to door to follow up with households that either did not mail back their form or did not receive one. An estimated 48 million addresses will be visited through July 10.

“America’s had a very successful first half of the 2010 Census, where more than 72 percent of the nation’s households mailed back their census forms,” U.S. Census Bureau Director Robert M. Groves said. “But achieving a complete and accurate census requires us to now go door to door to count all the remaining households we’ve not heard back from.”

If a 2010 Census worker knocks on your door, here are some ways to verify that person is a legitimate census taker:

- The census taker must present an ID badge that contains a Department of Commerce watermark and expiration date. The census taker may also be carrying a black canvass bag with a Census Bureau logo.
- The census taker will provide you with supervisor contact information and/or the local census office phone number for verification, if asked.
- The census taker will only ask you the questions that appear on the 2010 Census form.

The 2010 Census taker will not ask for a social security number, bank account number, or credit card number and will never solicit for donations or contact you by e-mail.

In most cases, census workers will make up to six attempts at each housing unit address to count possible residents. This includes leaving notifications of the attempted visit at the house or apartment door, in addition to trying to reach the household by phone to con-

duct the interview or schedule an in-person interview.

“If a census taker knocks on your door, please help by providing the basic information required for the census,” Groves said. “Your answers are strictly confidential.

There are just 10 questions on the form and it should only take about 10 minutes to complete.”

Census takers will go to great lengths to ensure that no one is missed in the census. After exhausting their efforts to do an in-person interview with a resident of an occupied housing unit, they will seek out proxy sources — a neighbor, a rental agent, a building manager, or some other knowledgeable person

familiar with the housing unit — to obtain as much basic information about the occupants as they can.

Some households will receive a visit even though they may have mailed back their form. If the form arrived too late to be processed before non response follow-up packets were sent to one of the 494 local census offices, the household occupants must still be interviewed when the census taker arrives. The Census Bureau is urging cooperation and patience with the census takers, as this is the best way to ensure that everyone is counted properly.

Households that didn’t receive a form by mail, including those that pick up their mail from post office boxes, will be visited by census workers as part of the follow-up plan. The Census Bureau doesn’t mail forms to post office boxes because responses must be associated with a specific residence location, not the post office box location.

Note that the Census Bureau conducts several surveys in addition to the 2010 Census. For example, the American Community Survey is sent to approximately 3 million households annually and also involves a follow-up from census workers. More information about the American Community Survey can be found on the Census Bureau Web site [www.census.gov/acs](http://www.census.gov/acs). ■



# BRS Family Member Awarded Scholarship

*Union Plus Provides \$150,000 to Help Students from Union Families*

**U**nion Plus has awarded \$150,000 in scholarships to 121 students representing 42 unions, including the child of a Brotherhood of Railroad Signalmen (BRS) member.

Brittany Shaffer of Glen Spey, New York, whose father Richard Shaffer is a retired member of BRS Local 57, has been awarded a \$500 scholarship.

This year more than 5,000 applications were received from students representing all 50 states, Puerto Rico, and Canada.

## Meet the 2010 BRS Honoree

The only person who can change your life, Brittany Shaffer believes, is you. It is a lesson she has learned and

a philosophy she is living every day. When her family spent years without a steady place to live, Brittany maintained perfect attendance at school. When times were tough, she threw herself into extracurricular activities, including chorus, creative writing, and the school newspaper, while keeping her grades up. "I will not surrender until I have reached my goals and achieved success," she says. Those goals include becoming a social worker, so she can teach young people to persevere and have faith in themselves, the way she always has. ■

*Visit [UnionPlus.org/Education](http://UnionPlus.org/Education) for applications and benefit eligibility.*



## Rail Workers Hazmat Training

TRAIN THE TRAINER COURSE — JULY 21–22, 2010

**T**he U.S. Department of Energy (DOE) has shipped large amounts and a variety of radioactive material by rail for years. In the coming years, the number of rail shipments is expected to increase. With the increase in rail shipments comes the increased risk for rail incidents involving radioactive material.

The Rail Workers Hazmat Training Program was awarded funding to provide training to rail workers to increase their knowledge of the transportation of radioactive materials. To meet this training need, the Rail Program will conduct a two-day Radiological Transportation Train the Trainer course.

This federal grant from the National Institute of Environmental Health Sciences (NIEHS) provides transportation, lodging, and meals for training participants. It is also sponsored in part by funding from the North American Railway Foundation (NARF) to support peer trainer activities.

The 16-hour DOE-sponsored Modular Emergency Response Radiological Transportation Training

(MERRTT) train the trainer course will be conducted on the George Meany Campus of the National Labor College in Silver Spring, Maryland.

The program begins on Wednesday morning, July 21, at 8:00 am, and ends at 2:00 pm on Thursday, July 22. Funding for this course will cover travel costs, overnight room accommodations, and three meals a day at NLC. Call Freddie Thomas at the Hazmat office (301-439-2440) for more information.

Since space for this course is limited, completed registration forms should be faxed, mailed, or e-mailed to the Hazmat office (see below) as soon as possible. Interested rail workers may also call the Hazmat office to register by phone, or register online. ■

### Rail Workers Hazardous Materials Training Program

10000 New Hampshire Avenue  
Silver Spring, Maryland 20903  
(301) 439-2440

(301) 628-0165 -fax

*[fthomas@nlc.edu](mailto:fthomas@nlc.edu)*

# OBITUARIES

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**W.M. BELCHER**—retired member of **LOCAL 77**. Brother Belcher retired in 1986 after 30 years of service with the Norfolk & Western Railroad. Brother Belcher was a Lead Signalman at Roanoke, Virginia, at the time of his retirement. Brother Belcher also served as Recording-Financial Secretary.

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**DAVID M. BERNSHAUSEN**—retired member of **LOCAL 99**. Brother Bernshausen retired in 2008 after 35 years of service with the Union Pacific Railroad. Brother Bernshausen was a Safety Foreman at Houston, Texas, at the time of his retirement. Brother Bernshausen was also a Vietnam War Veteran.

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**ALAN H. BROWN**—retired member of **LOCAL 161**. Brother Brown retired in 2008 after 35 years of service with the BNSF Railway Company. Brother Brown was a Signal Maintainer at Amarillo, Texas, at the time of his retirement. Brother Brown also served as Recording-Financial Secretary.

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**STEPHEN CAMPANELLI**—retired member of **LOCAL 104**. Brother Campanelli retired in 1983 after 35 years of service with the Southern Pacific Railroad. Brother Campanelli was a division Signal Inspector at Los Angeles, California, at the time of his retirement.

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**JOHN T. CIEHANSKI**—retired member of **LOCAL 109**. Brother Ciehanski retired in 1993 after 40 years of service with the Erie Railroad, Erie & Lackawanna Railroad, and Conrail. Brother Ciehanski was a Signal Maintainer at Cleveland, Ohio, at the time of his retirement.

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**CARL E. COBLE**—retired member of **LOCAL 228**. Brother Coble retired in 1979 after 34 years of service with the Norfolk & Western Railroad. Brother Coble was a Signal Maintainer at Payne, Ohio, and New Haven, Indiana, at the time of his retirement.

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**K.A. CRAWFORD**—retired member of **LOCAL 84**. Brother Crawford retired in 2004 after 41 years of service with the Erie & Lackawanna Railroad, Conrail, and New Jersey Transit. Brother Crawford was a Lead Maintainer at Plainfield, New Jersey, at the time of his retirement.

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**BART F. CUNNINGHAM**—active member of **LOCAL 123**. Brother Cunningham had 8 years of service with CSX Transportation. Brother Cunningham was a Lead Signalman in construction throughout the C&O-PM property in Michigan at the time of his death.

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**JAMES A. DALMER**—retired member of **LOCAL 233**. Brother Dalmer retired in 1997 after 32 years of service with the Southern Pacific, and Union Pacific Railroads. Brother Dalmer was an Assistant Engineer at Monterey Park, California, at the time of his retirement.

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**FRANCIS J. DERE**—retired member of **LOCAL 24**. Brother Dere retired in 2000 after 42 years of service with the Union Pacific Railroad. Brother Dere was a Signal Maintainer at Salida, California, at the time of his retirement.

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**EMERY L. FIELD**—retired member of **LOCAL 179**. Brother Field retired in 1979 after 32 years of service with the Western Pacific Railroad. Brother Field was a General Test Maintainer at Oroville, California, at the time of his retirement.

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**JOHN E. FLECK**—retired member of **LOCAL 91**. Brother Fleck retired in 1997 after 28 years of service with CSX Transportation. Brother Fleck was a Signal Maintainer at Bedford, Indiana, at the time of his retirement.

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**NATHAN D. FORD, JR.**—retired member of **LOCAL 16**. Brother Ford retired in 1968 after 30 years of service with the Atlantic Coast Line, and Seaboard Coast Line Railroads. Brother Ford was a Signal Maintainer at St. Stephens, South Carolina, at the time of his retirement.

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**PAUL G. GAY**—retired member of **LOCAL 133**. Brother Gay retired in 1997 after 25 years of service with the Burlington Northern Santa Fe Railroad. Brother Gay was a Signal Maintainer at Teague, Texas, at the time of his retirement.

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**T.E. GEORGE**—retired member of **LOCAL 178**. Brother George retired in 1986 after 37 years of service with the Louisville & Nashville and Seaboard Coast Line Railroads. Brother George was a Signal Maintainer at Boyles Yard Hump, Alabama, at the time of his retirement. He also served as a Second Vice Chief.

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**VAUGHN B. GILLELAND**—retired member of **LOCAL 16**. Brother Gilleland retired in 1985 after 38 years of service with CSX Transportation. Brother Gilleland was a Signal Maintainer at Atlanta, Georgia, at the time of his retirement.

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**JOHN P. GRACE**—retired member of **LOCAL 68**. Brother Grace retired in 1977 after 38 years of service with Conrail. Brother Grace was an Assistant Inspector at LaPorte, Indiana, at the time of his retirement.

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**F.T. GRAINGER**—retired member of **LOCAL 123**. Brother Grainger retired in 1989 after 44 years of service with CSX Transportation. Brother Grainger was a Signal Maintainer at Carleton, Michigan, at the time of his retirement.

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**JERRY L. GREER**—retired member of **LOCAL 138**. Brother Greer retired in 2005 after 37 years of service with the Richmond, Fredericksburg & Potomac Railroad; and CSX Transportation. Brother Greer was a Signalman at Alexandria, Virginia, at the time of his retirement.

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**WILBUR S. GRIGGS**—retired member of **LOCAL 1**. Brother Griggs retired in 1983 after 36 years of service with the Penn Central Railroad and Conrail. Brother Griggs was a Communication & Signal Inspector at Williamsport, Pennsylvania, at the time of his retirement. Brother Griggs also served as Chief Signalman, Local President, and Trustee.

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**EARL V. HARTWIG**—retired member of **LOCAL 35**. Brother Hartwig retired in 1988 after 41 years of service with the New York Central Railroad; Penn Central Railroad; and Conrail. Brother Hartwig was a Signal Maintainer at Cleveland, Ohio, at the time of his retirement.

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**HAROLD K. HOFF**—retired member of **LOCAL 31**. Brother Hoff retired in 1982 after 37 years of service with the Baltimore & Ohio Railroad. Brother Hoff was a Signal Inspector on the Maryland System at the time of his retirement.

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# OBITUARIES

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**DONALD R. HOOSE**—retired member of **LOCAL 56**. Brother Hoose retired in 1978 after 30 years of service with the Long Island Rail Road. Brother Hoose was a Foreman of Communications at Jamaica, New York, at the time of his retirement. Brother Hoose also served as Local Chairman and Trustee.

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**LEONARD U. JONES**—retired member of **LOCAL 72**. Brother Jones retired in 1987 after 40 years of service with the Missouri Pacific and Union Pacific Railroads. Brother Jones was a Signal Maintainer at Poplar Bluff, Missouri, at the time of his retirement.

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**RICHARD E. KULPA**—retired member of **LOCAL 3**. Brother Kulpa retired in 2006 after 19 years of service with the Indian Harbor Belt Railroad. Brother Kulpa was a Signal Maintainer at Norpaul, Illinois, at the time of his retirement. Brother Kulpa also served as Recording-Financial Secretary.

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**NEAL LARKIN**—retired member of **LOCAL 104**. Brother Larkin retired in 1988 after 36 years of service with the Southern Pacific Railroad. Brother Larkin was a Signal Maintainer at Tulare, California, at the time of his retirement.

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**A.M. LICATA**—retired member of **LOCAL 56**. Brother Licata retired in 1986 after 31 years of service with the Long Island Rail Road. Brother Licata was a Foreman at Jamaica, New York, at the time of his retirement. Brother Licata also served as Local President.

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**CARL J. MARCY**—retired member of **LOCAL 120**. Brother Marcy retired in 1981 after 42 years of service with the Boston & Maine Railroad. Brother Marcy was a Signal Maintainer at Wilmington, Massachusetts, at the time of his retirement. Brother Marcy also served as Local Chairman and General Chairman.

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**WILLIAM F. MCINERNEY**—retired member of **LOCAL 31**. Brother McInerney retired in 1996 after 22 years of service with CSX Transportation. Brother McInerney was a Signal Maintainer at Philadelphia, Pennsylvania, at the time of his retirement.

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**MARVIN W. MILLER**—retired member of **LOCAL 72**. Brother Miller retired in 1993 after 42 years of service with the Union Pacific Railroad. Brother Miller was a Signal Maintainer at Kansas City, Kansas, at the time of his retirement.

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**ELDON R. MOYER**—retired member of **LOCAL 10**. Brother Moyer retired in 1982 after 35 years of service with Penn Central Railroad, New York Central Railroad, and Conrail. Brother Moyer was an Inspector at Bryan, Ohio, at the time of his retirement. Brother Moyer also served as Recording-Financial Secretary and Local Chairman.

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**RICHARD T. NOYES**—retired member of **LOCAL 213**. Brother Noyes retired in 1991 after 45 years of service with the New Haven Railroad, Penn Central Railroad, and Conrail. Brother Noyes was a Signal Inspector at Framingham, Massachusetts, at the time of his retirement.

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**ALVIN POWLEY**—retired member of **LOCAL 104**. Brother Powley retired in 1993 after 23 years of service with the Southern Pacific Railroad. Brother Powley was a Signal Maintainer at Long Beach, California, at the time of his retirement.

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**MILTON E. REEVE**—retired member of **LOCAL 226**. Brother Reeve retired in 1982 after 37 years of service with the Milwaukee Railroad. Brother Reeve was a Signal Maintainer at Hopkins, Minnesota, at the time of his retirement. Brother Reeve also served as Recording-Financial Secretary for 21 years.

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**DOMINICK L. RICCIARDI**—retired member of **LOCAL 56**. Brother Ricciardi retired in 2004 after 30 years of service with the Long Island Rail Road. Brother Ricciardi was a Signal Inspector at Babylon, New York, at the time of his retirement.

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**EDWARD D. RICHMOND**—retired member of **LOCAL 20**. Brother Richmond retired in 1986 after 41 years of service with the Burlington Northern Railroad. Brother Richmond was a Signal Maintainer at Fairfield, Iowa, at the time of his retirement.

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**LUIS RODRIGUEZ, JR.**—retired member of **LOCAL 173**. Brother Rodriguez retired in 2002 after 30 years of service with the Burlington Northern Santa Fe Railroad. Brother Rodriguez was a Signal Inspector at Stockton, California, at the time of his retirement.

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**ROBERT J. RYAN, JR.**—retired member of **LOCAL 18**. Brother Ryan retired in 1998 after 20 years of service with Amtrak. Brother Ryan was a Communication and Signal Maintainer at Philadelphia, Pennsylvania, at the time of his retirement.

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**ABUNDIO SCANZIANI**—retired member of **LOCAL 56**. Brother Scanziani retired in 1972 after 30 years of service with the Long Island Rail Road. Brother Scanziani was a Foreman at Hicksville, New York, at the time of his retirement.

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**EARL F. SHELDON**—retired member of **LOCAL 147**. Brother Sheldon retired in 1980 after 32 years of service with the Delaware & Hudson Railway. Brother Sheldon was a Signal Inspector at Colonie, New York, at the time of his retirement. Brother Sheldon also served as Local President and Chaplain.

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**HARVEY M. STURM**—retired member of **LOCAL 31**. Brother Sturm retired in 1990 after 45 years of service with CSX Transportation. Brother Sturm was a Signal Inspector at Berwood, West Virginia, at the time of his retirement.

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**RICHARD B. TYLER**—retired member of **LOCAL 48**. Brother Tyler retired in 1987 after 35 years of service with the Pennsylvania Railroad. Brother Tyler was a Communication and Signal Inspector at Perryville, Maryland, at the time of his retirement.

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**LEO J. USHER**—retired member of **LOCAL 72**. Brother Usher retired in 1981 after 39 years of service with the Missouri Pacific Railroad. Brother Usher was a Signal Maintenance Foreman at Chester, Illinois, at the time of his retirement. Brother Usher also served as Local Chairman.

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**STANLEY VITEK**—retired member of **LOCAL 55**. Brother Vitek retired in 1984 after 34 years of service with the Norfolk & Western Railroad. Brother Vitek was a Signal Test Foreman at Peru, Indiana, at the time of his retirement.

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*Editor's Note: Please notify Grand Lodge of the passing of retired BRS members. Email: [membership@brs.org](mailto:membership@brs.org)*

# ✓ DO BUY

## UNION-MADE Entertainment, Information, Journalism and Sports

It's all available with a union label...



### **AE:** Actors' Equity

The union representing live stage actors and stage managers, for Broadway shows, touring companies and in theaters across the country. ([www.actorsequity.org](http://www.actorsequity.org))



**AGVA:** American Guild of Variety Artists  
Represents performers in variety shows, including Las Vegas shows, magicians, circus performers and performers in theme parks.



### **AFTRA:** Members of the American Federation of Television and Radio Artists

The actors and actresses in television entertainment, the disc jockeys and other voices on your radio, the journalists who present your television news, weather and sports. They make commercials, documentaries, narrate sporting events, appear on cable and digital video and audio presentations. They're union members and proud of it. ([www.aftra.org](http://www.aftra.org))



### **AFM:** American Federation of Musicians

Represents the full range of musical artistry—orchestras, bands, individuals, vocalists, back up singers and studio musicians. Every major music star is a member of the AFM. Concert orchestras in many U.S. cities are represented by AFM. ([www.afm.org](http://www.afm.org))



### **IATSE:** International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts

From lighting experts and stage hands, craftpersons, artisans—animators, cartoonists, illustrators, camera operators, makeup artists—IATSE members do the heavy lifting and create the illusions that bring an entertainment experience to life. ([www.iatse-intl.org](http://www.iatse-intl.org))



### **IBEW:** International Brotherhood of Electrical Workers

Radio and television engineers, sound and light technicians and other broadcast personnel. ([ibew.org](http://ibew.org))



### **NABET:** National Association of Broadcast Employees and Technicians (A Sector of Communications Workers of America)

Broadcasting personnel who photograph, film, record, distribute, telecast, transmit for network, cable, public television stations and independent studios nationwide. NABET technicians work in studios and in the field as vital links in the broadcast chain. ([www.nabetcwa.org](http://www.nabetcwa.org))



### **WGAE:** Writer's Guild of America East

Write stage and screen plays and creative works for the entertainment industry, including new media (digital presentations). ([www.wgaeast.org](http://www.wgaeast.org))



### Don't forget sports...

### **NFLPA:** National Football League Players Association & the Federation of Professional Athletes

Represents NFL players and other professional athletes.

*Arts, entertainment and sports industries employ millions of union members, from catering and service personnel who serve refreshments to ushers, custodial and grounds workers in stadiums and arenas to performers in places such as Disney World and Disneyland. Next time you attend an event, tip your hat when you see the union button and let those workers know you appreciate what they do.*

You will find many of these listings on the  
Union Label Website [www.unionlabel.org](http://www.unionlabel.org)

## RRB — Its First Seventy-Five Years

*continued from page 13*

service requirement to 5 months. In addition, the 1975 amendments mandated a 7-day waiting period for benefit payments resulting from strikes. The tax rate schedule was increased, starting in 1976, depending on the balance in the account, in order to finance the increased benefits. This legislation also lowered the waiting period for sickness benefits.

The national economic recession of the early 1980s caused large-scale railroad layoffs. The layoffs increased unemployment benefit payments to record levels which far exceeded unemployment tax income and necessitated high levels of loans from the Railroad Retirement Account. The Railroad Unemployment Insurance Account owed the Railroad Retirement Account a peak amount of over \$850 million at the end of fiscal year 1986. Financial measures to assist the Railroad Unemployment Insurance Account were included in the Railroad Retirement Solvency Act enacted in 1983.

The Solvency Act raised the taxable limit on monthly earnings and the base-year qualifying amount. The waiting period for benefits during strikes was increased from 7 to 14 days. A temporary repayment tax on railroad employers was scheduled to begin July 1, 1986, to initiate repayment of loans made by the Railroad Retirement Account. Sickness benefits, other than those resulting from on-the-job injuries, were made subject to Federal income tax. The legislation also mandated the establishment of a Railroad Unemployment Compensation Committee to review the unemployment and sickness benefits programs and submit a report to Congress.

Legislation in 1986 amended the repayment tax and provided for an automatic surtax on rail employers if further borrowing took place.

In 1988, the most significant railroad unemployment insurance legislation in decades was enacted. Based on the recommendations of the Railroad Unemployment Compensation Committee, the Railroad Unemployment Insurance and Retirement Improvement Act of 1988 increased the railroad unemployment and sickness daily benefit rate, and indexed future benefit rates and qualifying earnings requirements to national wage levels. This legislation improved the railroad unemployment

insurance system's financing by indexing the tax base to increased wage levels, experience rating employer contributions, and assuring repayment of the system's debt to the Railroad Retirement Account. In June 1993, the \$180 million loan balance was repaid in its entirety from cash reserves in the Railroad Unemployment Insurance Account and the loan repayment tax was terminated.

The 1988 amendments also required the RRB to make annual financial reports to Congress on the status of the unemployment insurance system. The reports have been favorable.

Legislation enacted in 1996 increased the railroad unemployment and sickness insurance daily benefit rate and revised the formula for indexing future benefit rates. It also reduced the waiting period for initial benefit payments and eliminated duplicate waiting periods in continuing periods of unemployment and sickness. In addition, the legislation applied an earnings test to claims for unemployment and reduced the duration of extended benefit periods for long-service employees.

By the beginning of the 2010 anniversary year, railroad retirement benefits of \$281 billion had been paid by the RRB to 2,000,000 retired employees, 1,100,000 spouses and 2,400,000 survivors; unemployment and sickness benefits had totaled some \$8 billion. The first retirement annuities awarded under the 1935 Railroad Retirement Act averaged \$60 a month and no monthly benefits were payable to spouses or survivors. Currently, employee annuity awards average about \$2,700 a month, annuities for spouses average over \$900 a month, and annuities to aged and disabled widow(er)s just over \$1,700 a month.

In 2010, nearly 600,000 beneficiaries will receive retirement and survivor benefits of about \$11 billion, and about 42,000 persons will receive unemployment and sickness benefits of about \$300 million.

Established in a time of national crisis, and periodically challenged during the past 75 years, the railroad retirement system has nonetheless continued to serve railroad employees and their families through programs affording protection against the economic hazards of old age, disability, unemployment, and sickness. ■

# CONTINUOUS MEMBERSHIP



*The Brotherhood of Railroad Signalmen, in recognition of BRS members' contributions to the Signalman's craft and their dedication to the principle of trade unionism, has established a Continuous Service program to honor longtime BRS members. Continuous Service lapel pins are presented to members every five years, beginning with their 25th year of membership.*

The following is a list of the members who recently received Continuous Service pins in recognition of their years as BRS Members:

## 40 YEARS OF SERVICE

DW Creech	20
TE Fast	20
DD Edwards	72
JS Molenda	87
SD Perry	123
RE Wright	126
NJ Grimnes	153

## 35 YEARS OF SERVICE

LG Karpinski	1
LR Orich	3
MC Boden	8
CE Magnett	8
JK Twitchell	8
RA Wagner	8
DJ Witherspoon	13
JJ Daniels	14
RF Shiver	16
JW Coffin, Sr.	18
LW Weaver	31
DD Morton	40
FR Ferres	41
BL Myers	41
JE Polk	49
PS Clement	53
MH Richardson, Sr.	55
MB Myers	94
DC Brookman	102
GW Taylor	102

## 35 YEARS OF SERVICE

RH Lyda	110
MJ Fech	119
LJ Flaherty	119
CR Norby	119
DL Taylor	119
RT Gilbert	121
BD Davis	136
FM Klinger	154
DM Isaacson	168
JD Kaley	173
TW Adams	178
ME Phillips	178
JM Anderson	183
CW Hierholzer	206
SL Konopka	213
PB Forson	216
SS Forson	216
PD Neiderkohl	216
GA Overturf	216
MJ Schoennauer	229
JG Simcsak	238

## 30 YEARS OF SERVICE

BG Sommer	8
MJ Orange	16
PR Shaar	16
JG Apostoli, Jr.	18
EE Gregg	18
WA Ludlow	18

## 30 YEARS OF SERVICE

MS Phillips	19
AJ Govednik	20
CE Pedrick, Jr.	20
WD Serdahl	20
AP Gall	31
TP Murtaugh	31
BL Watkins	31
SR Hiracheta	33
DG Welch	34
JW Parker	42
DA Androy	43
RM Scott	52
WE McQuillis	53
KE Clark	55
DJ Heitert	55
MS Henderson	55
RE Hudon	62
EM Deems	65
T Richburg	65
MB Kreidler	72
CC Neel, Jr.	72
CO Bias	77
CB Gordon, Jr.	77
BL Hall, Jr.	77
LM Perry	77
BD Singleton	84
GJ Steinker	94
JM Lopez	99
D Morett	106
KR Bailey	108
AJ Costa	108
SS Fenwick	111
RD Slagle	129

## 30 YEARS OF SERVICE

JL Pratt	132
KD Shires	141
LL Mackedanz	154
JC Walter	161
AS Cunningham	168
MW Gercken	183
RB Haywood	183
JF Hoff	183
RE Guetzloe	188
MA Parsons	206
RJ Speegle	206
AE Smith	228

## 25 YEARS OF SERVICE

SN Woods	31
DL Roberts	33
TT DeGratto	56
FJ Ihrig	68
AJ Puccio	84
S Runci	84
RS Zorn	87
RJ Peoples	98
RL Hairfield	106
DM Edmonds	110
RL Key	141
SV Oller	141
JO Herren	158
V Chevaosot	188
MP Nikituk	213
DH Lundy	215

# How to Stay Cool

**D**uring the summer months, the temperature can soar well into the double digits. Factor in the humidity and you have a serious health concern for individuals working in these scorching conditions. Heat stress occurs when the body builds up more heat that it can dissipate. This leads to fatigue, irritability, and increases the chance of accidents and injuries.

Your perspiration is your body's main system for eliminating extra heat. When you perspire and the water evaporates from your skin, the heat that evaporates the perspiration comes mainly from your skin. As long as blood is flowing properly to your skin, extra heat from the core of your body is "pumped" to the skin and removed by evaporation. If you do not perspire enough, you cannot get rid of extra heat well, and you cannot get rid of heat as well if blood is not flowing to the skin.

Your first defense is prevention. To improve your chances of avoiding heat exhaustion, heatstroke, or any number of heat-related illnesses, follow a few of these common sense preventive measures.

The easiest way to do this is to rehydrate with one-half to one cup of water every 20 minutes of the workday. Workers who seem to be "heat resistant" have acclimated themselves to their environment. With a gradual approach, you can also seem at relative ease in the heat. To start, you must gradually increase the activity level throughout the week. A good starting point would be for the first one or two days, limit strenuous activity to only one-third of the day, gradually increasing the strenuous activity throughout the week. This acclimatization will need to be repeated upon returning from a week or more away from these conditions.

*Workers should be alert for signs of heat related illnesses in themselves and others. A buddy system may be helpful for days of extreme heat or humidity.*

Resting is also a good preventive measure. You should take breaks periodically and seek out a place that is sheltered from direct sunlight. Early morning is usually the best for working outdoors as the temperature has not reached its highest point. Physical fitness plays an important role in how our bodies react to heat. A physically fit individual will take less time to acclimate to variations in the weather conditions than an unfit individual will. Older workers will notice that their heat tolerance decreases as they age. Pregnancy may also place women at higher risk for heat-related illnesses. This is largely in part to the increased metabolic demands on the body during pregnancy.

Heatstroke is a life-threatening, heat-related disorder. Heat stroke can result in coma or death. Early warning signs are: high body temperature (104 degrees or over); hot, dry skin that appears bluish or red; absence of sweat in 50 to 75 percent of victims; rapid heart rate; dizziness; shivering; nausea; irritability; severe headache progressing to mental confusion; convulsions; and unconsciousness.

If a heat-related illness should strike, you should know what to do. First, move the victim to a cool area. Place them on their backs with their feet raised. Loosen clothing and apply cool moist cloths to the body or fan the victim. Slowly administer sips of saltwater (plain water for those with heart or blood pressure problems or if saltwater is unavailable). Call a doctor, especially if victim feels faint or vomits.

Workers should be alert for signs of heat-related illnesses in themselves and others. A buddy system may be helpful for days of extreme heat or humidity. Recognizing the warning signs and using preventive measures make the work environment safe for everyone. Prevention is your best defense to stay safe and maintain a productive work environment. ■

# Proposed Regulations to Prevent Distractions While Operating Trains

U.S. Transportation Secretary Ray LaHood continues his campaign to stop distracted driving by announcing a proposed rule to prohibit the improper use of distracting electronic devices by on-duty railroad operating employees. If adopted, the rules would explicitly restrict and in some cases prohibit the use of cell phones and other hand held devices such as personal digital assistants (PDAs) by safety critical employees, including locomotive engineers, conductors, switchmen, and other train employees.

“Operating a passenger or freight train demands the full and undivided attention of crewmembers at all times. Lives depend on it,” said Secretary LaHood. “We want to make sure that railroad employees know not to use hand held devices on the job because doing so jeopardizes safety.”

The proposed rule is the latest in a series of actions taken by the Department to combat distracted driving. During a seminal September 2009 Distracted Driving Summit, Secretary LaHood announced the Department’s plans to vigorously pursue regulatory and other steps to reduce the risks posed by distracted driving.

The rule would prohibit the use of an electronic device — whether personal or railroad-supplied — if it interferes with that employee’s or another employee’s performance of safety-related duties. Railroad operating employees would be permitted to use cell phones or similar electronic devices under highly limited circumstances.

The notice of proposed rulemaking (NPRM) provides certain exceptions for watches, calculator use, medical devices, railroad radios, cameras used to document bona fide safety hazards or violations of rail safety laws and various emergency situations. The regulations would also authorize the Federal Railroad Administration (FRA) to review a railroad’s training program on the use of electronic devices and require that records be

kept documenting employees receiving recurrent training at specified intervals. The NPRM seeks comment on whether violations of the rule should be used as a basis for revoking a locomotive engineer’s certification to operate a locomotive under other FRA regulations.

“There should be no confusion about when and where cell phones, video games, or PDAs may be used by train crews,” said FRA Deputy Administrator Karen Rae.

FRA is proposing to codify a modified version of its 2008 Emergency Order No. 26 (EO 26), which sets forth stringent restrictions on the use of electronic devices by railroad operating employees. FRA issued EO 26 less than three weeks after a September 12, 2008, collision between a Metrolink commuter train and a Union Pacific Railroad freight train in Chatsworth, California, killing 25 people.

Preliminary investigative findings revealed that the engineer operating the Metrolink train was text messaging at the time of the collision. While longstanding railroad operating rules and EO 26 have restricted the use of electronic devices, FRA has determined that Federal regulations are necessary to more effectively prevent the inappropriate and unauthorized use of these devices on the job. A final rule would supplant EO 26. ■



# AT&T Wireless Discount Increased to 15%

*It's time to switch to the only unionized wireless provider and save!*

**T**he Union Plus AT&T Discount has increased to 15% from 10%. Now is a great time to switch your wireless service to AT&T to get savings, service, and solidarity with the only completely unionized wireless service.

**Savings** — As a union member, you'll save 15% off the regular monthly rate on individual and family wireless cell phone plans, including plans for the iPhone 3G and 3GS.

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**Solidarity** — Not only will you be saving money, you'll be supporting some 40,000 union workers at AT&T Mobility who are members of the Communications Workers of America (CWA). AT&T is the only wireless company that is completely unionized.

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1. Visit your local AT&T store and bring proof of union membership (union membership card, copy of a paystub showing union dues deduction, or Union Plus Credit Card) and use FAN number 3508840. The discount is

available at AT&T stores only, not at authorized AT&T kiosks in malls or dealers like Best Buy or Radio Shack. Find a local store at [UnionPlus.org/ATT](http://UnionPlus.org/ATT).

2. Online at [UnionPlus.org/ATT](http://UnionPlus.org/ATT). You will be asked to provide your union name and local number.

You must sign up for a two-year service agreement to receive the

discount. So, take advantage of the benefits of union membership and start saving 15% on AT&T wireless service today. ■



## Did You Know?

**I**f an employee performs functions included within the definition of a dispatching service employee, a signal employee, or a train employee, that employee is covered under the Hours of Service Law (HSL) as that type of employee, and must observe the relevant statutory limitations and recordkeeping requirements, regardless of the employee's actual job title.

Should an employee perform service covered by more than one provision of the laws, the most

restrictive provision applies. For instance, if a signal maintainer were also to be assigned duties of an operator or dispatcher the more restrictive 9-hour provision of that section would apply.

"Dispatching Service Employee" means an operator, train dispatcher, or other train employee who by the use of an electrical or mechanical device dispatches, reports, transmits, receives, or delivers orders related to or affecting train movements. ■



# SIGNALMAN'S STORE



**BRS WOOD GRAIN PLAQUE** The plaque is 7"x9" with a painted BRS logo cut into the wood. Great for retirees and other special recognition awards.

**BRS FLAGS** are made of high quality nylon with a silk-screened BRS searchlight logo. The flags are available in two sizes: 2' x 3' and 3' x 5'.

**SPALDING TOP FLITE XL® GOLF BALLS** with the BRS logo. \$7 for a box of 3 or \$25 per dozen.

**LAPEL PIN/TIE TACK** has the BRS searchlight signal logo with outline and letters in gold. 5/8" in diameter. Makes an ideal hat pin!

**DECALS** have the BRS searchlight logo and are available in two diameter sizes - 2" & 4". The 2" decals have a reflective image of the BRS searchlight signal and are the perfect size for hard hats. The 4" decals have a non-reflective image of the BRS searchlight signal and are the perfect size for windows and bumpers. The inside window decals have a non-reflective image of the BRS searchlight signal and can be placed inside to resist the elements. These pressure-sensitive decals are long lasting and easy to apply.

**KLEIN TOOLS — 8-POCKET TOOL POUCH** is made of double-layered Cordura® Plus. Constructed of puncture-resistant Cordura® Plus with reinforced bottom, heavy-duty, nylon webbing keeps pocket open for easy access to supplies and tools, double nylon-stitched and rivet reinforced for durability, versatile pouches & holders are removable and interchangeable with PowerLine™ padded belt.

**BRS WATCHES** are union made and have a gold BRS logo traced on the faces.

**GOLF CAPS** have the BRS colorlight emblem stitched on the front. Made of medium-weight cotton, they have an adjustable headband and come in different styles and colors.

**T-SHIRTS** are quality 100% cotton with the BRS logo.

**GOLF SHIRTS** made of a cotton/polyester blend; each has the BRS logo embroidered in red and green on either the shirt front or left sleeve. The white golf shirt has embroidered one-color BRS emblem on front.

**SPORTS STYLE JACKETS** have a medium-weight polyester/cotton blend shell with nylon or polyester lining, elastic wrist and waistbands. Embroidered four-color BRS emblem. Available in white, beige and light gray only.

**CANVAS COAT** made of 100% cotton canvas and has the BRS colorlight logo embroidered in red and green. Available in black or brown.

**WOOL/LEATHER BRS JACKETS** have a heavyweight wool shell, a nylon lining, with leather sleeves and collar. Embroidered four-color BRS emblem. Available in black only.

**CANVAS VEST** made of 100% cotton canvas and has the BRS colorlight logo embroidered in red and green. Available in brown only.

**WINDSHIRT** made of a medium-weight polyester/cotton blend material, elastic wrist and waistbands. Embroidered two-tone blue BRS emblem. Available in blue only.

**SWEATSHIRT** is made of 80% cotton and 20% polyester. Features hood, full zip front, elastic wrist and waistbands. Embroidered two-tone blue BRS emblem. Available in blue only.

**MEN'S CLASSIC OXFORD DRESS LONG SLEEVE — 60%** Cotton/40% polyester oxford with wrinkle-resistant finish, seven-button top set placket, button-down collar, matte pearl buttons, left chest patch pocket, shaped shirt tail hem, easy care machine wash and dry. Embroidered two-tone BRS emblem. Available in blue and white. Limited availability in ivory.

Minimum order accepted is \$15.00 (U.S. Funds)

Make check or money order payable to:

Brotherhood of Railroad Signalmen

Mail payment and order to:

Brotherhood of Railroad Signalmen

917 Shenandoah Shores Road

Front Royal, VA 22630-6418

**UNION-MADE**



## ORDER FORM

ITEM	QUANTITY	PRICE	TOTAL
Lapel Pin/Tie Tack		4.50	
BRS Plaque		65.00	
BRS Flag (2' x 3')		37.00	
BRS Flag (3' x 5')		98.00	
Golf Balls (3)		7.00	
Golf Balls (12)		25.00	
Reflective Decals (2 inch)		.30	
Non-Reflective Decals (4 inch)		.40	
Inside Window Decals		.45	
Coffee Mug		8.00	
Set of 4 Coffee Mugs		30.00	
Pocket Watch		90.00	
Wrist Watch		110.00	
Mantle/Desk Clock		129.00	
8-Pocket Tool Pouch		49.00	

GOLF CAPS						
Pink						15.00
Black w/colorlight on brim						17.00
Black w/BRS lettering on brim						13.00
White						10.00
Black						10.00
Blue						10.00
Gray						10.00

T-SHIRTS	S	M	L	XL	2X	3X	
Black							12.00
Gray							12.00

SWEATSHIRTS	S	M	L	XL	2X	3X	
Blue							35.00

GOLF SHIRTS	S	M	L	XL	2X	3X	
Blue (Logo on sleeve)							35.00
Blue (Logo on front)							35.00
Beige (Logo on sleeve)							35.00
Beige (Logo on front)							35.00
White w/black trim*							35.00
White w/black & red trim*							35.00
Gray*							35.00
Black*							35.00
White							35.00
Wind Shirt							32.00

JACKETS	S	M	L	XL	2X	3X	
Blue							60.00
White*							25.00
Gray*							25.00
Beige*							25.00

COATS	S	M	L	XL	2X	3X	4X	
Black Wool & Leather								165.00
Black Canvas								65.00
Brown Canvas								65.00

OXFORD SHIRTS	S	M	L	XL	2X	3X	
Blue Oxford							35.00
White Oxford							35.00
Ivory Oxford*							35.00

VEST*								
								39.00

Available sizes in un-shaded boxes only

\*Available while supplies last.

TOTAL

NAME \_\_\_\_\_

CERTIFICATE NUMBER \_\_\_\_\_

STREET \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_





# The Signalman's STORE

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**NEW CAP**  
*Design*



Black w/BRS lettering on brim

Pink w/BRS lettering on brim

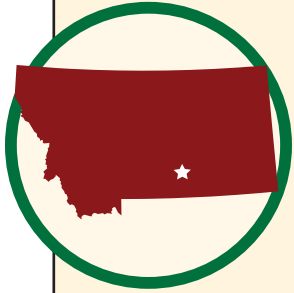
Black w/colorlight on brim



When you purchase a Pink BRS Cap, a \$5 donation will be sent to the National Breast Cancer Foundation, Inc. (NBCF).

				Caps		
	 BRS logo available on front or left sleeve	 BRS logo available on front or left sleeve		 <i>Available in Medium Only</i>		
Blue Jacket	Blue Golf Shirt	Beige Golf Shirt	White Golf Shirt	Gray Jacket		
		 Also available in White and Ivory*				
Black T-Shirt	Gray T-Shirt	Blue Oxford	Windshirt	Sweatshirt		
						
Mantle Clock	Coffee Mug	Decals	Golf Balls	Lapel Pin	BRS Plaque	Tool Pouch
 Golf caps have the BRS colorlight emblem stitched on the front. Made of medium-weight cotton, they have an adjustable headband and come in different styles and colors.						
Caps			Flag	Wrist Watch	Pocket Watch	

# MEETING PHOTOS



## Local 87 Meeting

Billings, MT



## Local 110 Meeting

Gaffney, SC



# MEETING PHOTOS



## Local 84 Meeting

Newark, NJ



## Local 31 Meeting

Baltimore, MD



# TRAINING PHOTOS



## Recording Financial-Secretary Training

Front Royal, VA



## Local Chairmen's Training

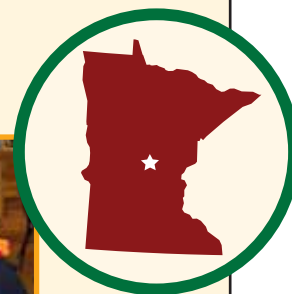
Front Royal, VA



# MEETING PHOTOS

## Local 154 Meeting and Signalman's Party

Little Falls, MN



# PHOTO CONTEST

## WINNERS FOR 2ND QUARTER 2010



*Darrell Ball, Signal Foreman of the CSX Western Region signal construction team 7XJ7, demonstrates the proper use of line blocks during the reconstruction of damaged pole-line on the Main-Line Subdivision in Cave City, Kentucky. Brother Ball serves as Recording Financial-Secretary for Local 158. Photo submitted by Local 136 member Daniel J. Bocook.*



*Signal gang foremen Alberto Palencia and Dale Miller, both of local 130, use a hand-crank to install a transducers on a hotbox detector in Pleasant Prarie, Wisconsin, Kenosha Subdivision. Photo submitted by Julio C. Alvarez member of Local 108.*

*Scott Menix and Tim Cox, both members of Local 136, remove old signals during a cut-in at E.E. Haden. Photo submitted by Local 136 member C.A. Hawkins.*



*Rail bonding after a recent wet snowfall on the Wisconsin and Southern Milwaukee Subdivision in Richfield, Wisconsin. Photo submitted by Chris Roland, Recording-Financial Secretary and member of Local 236.*



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Just bring this flyer and union identification to your local AT&T store (not available at authorized AT&T dealers or kiosks). To find a location near you, visit [UnionPlus.org/ATT](http://UnionPlus.org/ATT).

#### Online @ [UnionPlus.org/ATT](http://UnionPlus.org/ATT)

Purchase services and find specials on phones.

The Union Plus FAN# is **3508840**

\*Credit approval and new two-year service agreement required. Additional lines for family plans, unlimited plans and Unity plans or plans combining land line and wireless service are not eligible. Other conditions and restrictions apply. See reverse for more information.

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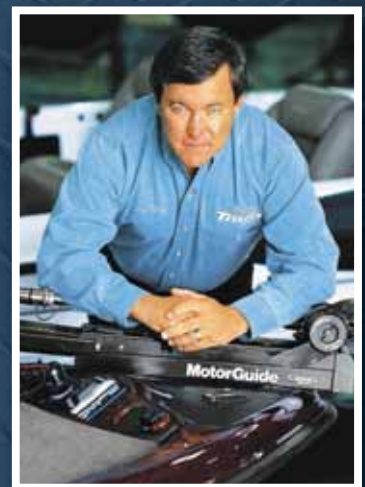
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