

VOLUME 102 • 4TH QUARTER 2021

# THE SIGNALMAN'S JOURNAL



*Inside:*

■ SEASON'S GREETINGS  
■ JERRY BOLES RETIRES

■ NEW LEADERSHIP AT BRS  
■ PHOTO CONTEST WINNERS





# Holiday DINNER

## TURKEY

- » Foster Farms
- » Butterball
- » Hoffmann's Turkey breast
- » Honest John Turkey
- » Boar's Head
- » Thumann's
- » Ham
- » Cook's Spiral Sliced Honey Ham
- » Tyson

## DINNER ROLLS

- » Parkerhouse
- » Arnold
- » Francisco
- » George Weston
- » Sara Lee

## VEGETABLES

- » Birds Eye
- » Hanover foods frozen vegetables
- » Del Monte Canned vegetables
- » Cranberries/Cranberry Sauce
- » Dole
- » Ocean Spray

## STUFFING

- » Stroehmann
- » Kraft Stove Top Stuffing

## SIDE DISHES

- » Betty Crocker
- » Kraft mac & Cheese
- » Dessert
- » Redi Whip and Cool Whip
- » Entenmann's
- » Marie Callender's
- » Sara Lee

## RETAIL BAKESHOPS

- » Giant
- » Albertsons
- » Brown & Cole
- » Byerly's
- » Dave's Supermarket
- » Fred Meyer
- » Haggen's
- » Jerry's
- » Roth's family Markets
- » Rosauer's
- » Safeway Inc.
- » Schnuck's
- » Supervalu (Albertsons, Cubs)
- » Vons

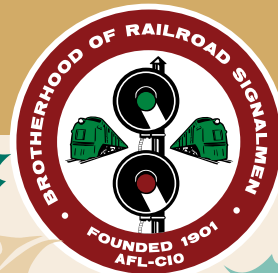
## WINE & CHAMPAGNE

- » Almaden
- » Barrelli Creek
- » Bartles & Jaymes
- » Black Box
- » Carlo Rossi
- » Charles Krug
- » Chateau Ste. Michelle
- » Columbia Crest
- » Corbett Canyon Vineyard
- » Dubonnet
- » Fairbanks
- » Franzia
- » Frei Brothers
- » Gallo Estate Wines
- » Lejon Vermouth
- » Livingston Cellars
- » Mission Bell
- » Peter Vella
- » Rancho Zabaco
- » Robert Mondavi
- » Scheid Vineyards
- » Sheffield Cellars
- » Snoqualmie Vineyards
- » Turning Leaf
- » Weibel
- » Cook's

# The SIGNALMAN'S JOURNAL

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VOLUME 102 • 4TH QUARTER 2021



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## DID YOU SERVE in a Branch of the Military?

If so, please send in your photo(s) so you may be included in an upcoming "special edition" of The Signalman's Journal. The issue will feature BRS members who are veterans, reservists, etc. in a special edition of the Journal featuring your photos and honoring your service to our country..... 11

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**COVER:** From the Signalman's Journal photo archives — photo submitted by Jeff E. Laws, Local 19 Member.





## FROM THE PRESIDENT

— *Michael S. Baldwin, BRS President*

# Working Together Benefits Us All



*Brothers and Sisters,*

On December 1, 2021, I was elected to fill the vacancy of the office of the President created by the retirement of Jerry C. Boles. Brother Boles has given a great deal to our Organization and Labor as a whole; it has been an honor to learn from him and serve with him, and we wish him the very best in his retirement. As a signalman, it is my goal to utilize all our resources—the strengths of our team of officers and staff at Grand Lodge—to advocate for all signalmen by building on the progress made by officers that have come before us and to leave a dynamic platform for the officers that come after us. It is our responsibility to build an organization that can thrive beyond tomorrow. I know that we can accomplish much together, and I am excited for the future.

In addition to our leadership change, this year has seen many changes in key leadership positions within agencies the BRS works with regularly. These changes in leadership allow us and our sister unions the opportunity to be heard on topics related to our industry, specifically the signaling craft. The Administrator of the Department of Transportation (DOT), Pete Buttigieg, has begun making positive changes in the transportation agencies under the DOT umbrella. The appointment of Amit Bose to lead the Federal Railroad Administration (FRA) has given us a front-row seat in matters related to our craft. The visions of these newly appointed leaders bring a fresh perspective to transportation in this country. The BRS leadership has been vigilant in progressing our concerns related to safety in the wake of Precision Scheduled Railroading (PSR) to the FRA. Communications between your union and the FRA have been regular in occurrence since these changes in leadership. The FRA sees input from the signaling craft as important to the safety of rail operations in the USA. Our craft has always been regarded as a reliable and stable source of input at many levels of transportation and throughout the rail industry.

Another appointment of importance is Marty Walsh as Secretary of Labor; Secretary Walsh is the former mayor of Boston and active member of the Laborers' Union, Local 223. Brother Walsh will be a great advocate to strengthen collective bargaining, expand workers' rights, and make good-paying jobs a priority. The Surface Transportation Board (STB) also has a new Chairman, Martin Oberman. The STB regulates and decides disputes involving railroad rates, mergers, line sales, and other transportation items. Chairman Oberman has already met with several Carriers and been very frank regarding his expectation of the level of service for Class I carriers.

The BRS will continue utilizing its venues and forums to create pressure on the carriers' use of the Precision Scheduled Railroading (PSR) business models to cut workforce numbers, which has contributed to supply chain issues. PSR has been seen by the Class I railroads as a cash cow and quick way to impress Wall Street. This type of business model is not sustainable without negatively effecting other areas of the industry. Make no mistake, freight railroads are not blameless in the strain on the supply chain that we are seeing. They will, in the end, attempt to blame these supply chain failures on Labor.

The railroads will likely begin the assault on Labor, using the vaccine mandate as a scapegoat for blaming the supply chain issues on employee shortages. While this issue is a heated one, our membership continues to work to keep our great nation running through the most difficult time in modern history. We, as a craft, must remain vigilant in our testing to ensure continued safety for the traveling public and our fellow Brothers and Sisters not only in the BRS, but all Rail Labor. Many other crafts rely on our expertise in railroad signaling for their safety each day on the job. Understand, the railroads have saved considerably by cutting their workforce to bare bones. I ask that as members of the BRS and Brothers and Sisters in a well-respected craft, you call out your employers when

they attempt to shift blame. Your voices are many and will be heard across the industry when spoken in unison.

As an organization, we have gone through many changes over the past few years at every level. Our focus here at your BRS Grand Lodge will be directed towards the future. There are many items we will need to be engaged in: national bargaining, legislative efforts to improve safety and labor protections, and providing input on the roll out of the most recently signed infrastructure bill, just to name a few. It is the future of the BRS that we must be focused on. If we allow ourselves to get caught up in the hot topic of the day, we lose sight of what is to come and what we need to be involved in ensuring the best possible outcomes for our members.

I believe we can accomplish much when we utilize our strengths for the benefit of the BRS members. We are

building a team that allows us to tap into these strengths on an individual basis, thereby benefiting the entire organization greatly. This same philosophy is being applied at many levels of the BRS including at the local and general committee levels. A shared vision will allow us to grow as a collective team working together towards the same goals.

As we close out 2021 and begin looking forward to 2022, it is our hope that you and your families can spend time back together celebrating this holiday season.

In Solidarity,



Michael S. Baldwin — *BRS President*

The U.S. Department of Transportation (DOT) has made it very easy to find union-made tires by requiring that each tire carry a code that shows the company and the location of the plant that manufactured the tire. DOT requires that each tire sold in the United States carry a code that looks somethin like this: DOT BE XX XXX XXX. The two letters or numbers that follow the DOT identify a particular factory as listed below.

# UNION MADE tires



- |   |   |   |
|---|---|---|
| » <b>BE:</b> B.F. Goodrich<br>Tuscaloosa, AL                        | » <b>UT:</b> Cooper<br>Texarkana, AR                          | » <b>CF:</b> Titan Tire<br>Des Moines, IA         |
| » <b>BF:</b> B.F. Goodrich<br>Woodburn, IN                          | » <b>JU, PC, UK:</b> Goodyear<br>Medicine Hat, Alberta Canada | » <b>JH, MN, PK:</b> Titan Tire<br>Freeport, IL   |
| » <b>VE, YE, YU, 8B:</b><br>Bridgestone/Firestone<br>Des Moines, IA | » <b>DA:</b> Dunlop<br>Buffalo, NY                            | » <b>B plus serial #:</b> Titan Tire<br>Bryan, OH |
| » <b>D2, E3, W1, Y7:</b><br>Bridgestone/Firestone<br>La Vergne, TN  | » <b>DA, 1DA:</b> Falken Sumitomo<br>Buffalo, NY              | » <b>CC:</b> Yokohama Tire<br>Salem, VA           |
| » <b>2C, 4D, 5D:</b><br>Bridgestone/Firestone<br>Morrison, TN       | » <b>JN, MJ, PY:</b> Goodyear<br>Topeka, KS                   |   |
| » <b>UP:</b> Cooper<br>Findlay, OH                                  | » <b>JE, MC, PT:</b> Goodyear<br>Danville, VA                 |   |
|   | » <b>JF, MM, PJ:</b> Kelly-Springfield<br>Fayetteville, NC    |   |

All tires made at the above locations are made by members of the United Steelworkers (USW). Make sure you use this easy-to-follow guide to buy unionmade tires.





## FROM THE SECRETARY-TREASURER

James M. Finnegan, BRS Secretary-Treasurer

### Upcoming Filing Requirements

*As most Locals are approaching their fiscal year end, I want to remind you of filing requirements to help keep you in compliance.*

#### Annual Audit

Article II, Section 52, of the BRS Constitution outlines the Local Board of Trustees' responsibility to perform an annual audit of the Local's finances. If your Local needs a Trustee Audit Guide or assistance in conducting an audit, you may download forms from the BRS website at [www.brs.org](http://www.brs.org) or you may contact my office at (540) 622-6527.

#### Local Officer Credentials and AR-1 Forms — **DUE JANUARY 10**

When Local Grievance Committee members are elected at regular triennial elections, or appointed due to a vacancy, a new credential must be issued and signed by the Local President and Local Recording/Financial Secretary. It should bear the seal of the Local. No Local Chairman shall be admitted as a member of the General Grievance Committee unless he bears this credential, properly filled out and filed. The form certifies that the member has been duly elected as a member of a Local Grievance Committee. The pink copy should be forwarded to the President at Grand Lodge.

Article II, Section 44, of the BRS Constitution requires the Local Financial Secretary to forward the annual report (AR-1) to the Secretary-Treasurer at Grand Lodge by January 10 or when changes occur. This report includes meeting information and the names, certificate numbers, and telephone numbers for Local Lodge Officers.

#### OE-1 Form — **DUE JANUARY 15**

Form OE-1A is used to report creditable compensation and service for local units of national rail labor organizations covered under the Railroad Retirement Act (RRA). Local lodges and general committees should report only employees who were previously in an employment relation to a railroad carrier and whose earnings were \$25.00 or more per month.

#### QR-1 Form — **DUE JANUARY 15**

The Financial Secretary shall submit a quarterly report, QR-1, or a Profit and Loss Report to the Local Board of Trustees, along with supporting documentation when requested, for approval. A copy of this report must be forwarded to the Secretary-Treasurer.

The image shows several BRS forms. At the top is Form 941 for 2021, Employer's QUARTERLY Federal Tax Return. Below it is a report from the Brotherhood of Railroad Signalmen, dated for the reporting period ending [blank], Report unit number [blank]. The report includes sections for RECEIPTS and DISBURSEMENTS. The RECEIPTS section lists items like Dues, membership fees, fines, assessments, seniority retention fees, interest, and other receipts. The DISBURSEMENTS section lists items like per capita tax, gross wages, deductions, net wages, expenses, office & administrative, benefits, contributions, gifts, direct taxes, withholding taxes, and other disbursements. At the bottom is the QR-1 form, which is a Profit and Loss Report. It includes a section for RECEIPTS and a section for DISBURSEMENTS. The QR-1 form is dated for the reporting period ending [blank], Report unit number [blank].



### **IRS 941 for Q4 2021 — DUE JANUARY 31**

Employer's Quarterly (941) Federal Tax Return is for reporting federal income tax withheld. The form is available on [www.irs.gov](http://www.irs.gov).

### **IRS W-2 Distribution — DUE JANUARY 31**

Every employer who pays remuneration, including noncash payments of \$600 or more for the year (all amounts if any income or tier 1 and tier 2 [CT-1] tax) for services performed by an employee, must file a Form W-2 for each employee from whom income, tier 1, and tier 2 (CT-1) tax was withheld. Income tax would have been withheld if the employee had claimed no more than one withholding allowance or had not claimed exemption from withholding on Form W-4, Employee's Withholding Allowance Certificate.

### **IRS CT-1 — DUE FEBRUARY 28**

This annual report must be filed with the IRS to indicate the amount of Railroad Retirement taxes paid during the calendar year.

### **IRS W-3 — DUE FEBRUARY 28**

Anyone required to file Form W-2 must file Form W-3 to transmit Copy A of Forms W-2 for wages paid to each employee from whom income, tier 1, or tier 2 (CT-1) tax was withheld, or income tax would have been

withheld if the employee had claimed no more than one withholding allowance or had not claimed an exemption from withholding on Form W-4.

### **Labor Management Reporting: LM-2, 3, or 4**

#### **Locals must file with the DOL by MARCH 31, 2022**

- LM Forms must be filed within 90 days after the end of your local's fiscal year (12-month reporting period).
- Labor organizations with greater than \$250,000 in annual receipts must file Form LM-2. Labor organizations with total annual receipts of less than \$250,000 may file Form LM-3, less than \$10,000 may file Form LM-4.
- The term "total annual receipts" means all financial receipts of the labor organization during its fiscal year, regardless of the source.
- LM reports for the year 2000 and later may be viewed and downloaded from the OLMS website at [unionreports.dol.gov](http://unionreports.dol.gov).
- The only accepted method of completing the LM report is the Electronic Forms System. The first step is to register online at the DOL website: <https://www.dol.gov/olms/regs/compliance/efs/efsintro.htm>. After registering and logging in, report is completed, signed, and submitted online.



## **Belonging to a Union**

What do my dues pay for?

The Union doesn't do  
anything for me!

What good is the Union?

These are all questions we may have asked ourselves or heard others asking. The truth is, "there is power in a union" and it takes the dues and involvement of all members to maintain that power, strength, and solidarity; a fundamental involvement includes an understanding from all members.

Sign-up at [WWW.BRS.ORG](http://WWW.BRS.ORG) & click on the Union Education Tab for more information.

# Season's



**MIKE BALDWIN**  
PRESIDENT



**JOE MATTINGLY**



**TIM TARRANT**



**CORY CLAYPOOL**



**MIKE EFAV**



**KURT MULLINS**



**CHRIS HAND**



**GENE MOORE**



**JILLIAN LASKY**



**TERESA EMBREY**



**MICHAELA CLAYWELL**



**OLIVIA LAMBERT**



# Greetings



**BRANDON ELVEY**



**DOUG VANDERJAGT**



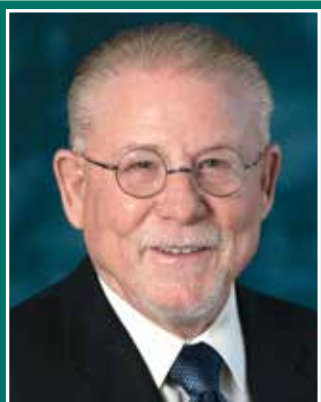
**QUINN NORMAN**



**JIM FINNEGAN**  
SECRETARY-TREASURER



**GUS DEMOTT**



**JOHN MCARTHUR**



**MIKE SULLIVAN**



**DONICA BOLES**



**EMILY SCOTT**



**CARA STARKEY**



**WHITNEY HAMRICK**



**CRYSTAL ROBINSON**

## BRS PRESIDENT

# *Jerry Boles Retires*



**JERRY BOLES**  
*Former President of the  
Brotherhood of Railroad Signalmen*



Jerry Boles began his railroad career in January 1977, as a B&B helper, for the Atchison, Topeka & Santa Fe Railroad. In November of 1977, Boles transferred to the Signal Department. He also worked one year on a Relief Signal Maintainer position, one year as a Signal Maintainer at Shattuck, Oklahoma, and was a Signal Maintainer at Littlefield, Texas, for 17 years before being appointed Grand Lodge Representative in 1997.

During his Union career he was first elected Second Vice President of Local 161 in 1981, Brother Boles served in that capacity until his appointment to Local Recording-Financial Secretary in 1983 and served in that position until 1993. He was elected to serve Local 161 as Local Chairman in 1993, a position which he held until 1996 when he was elected General Secretary-Treasurer of the ATSF/KCS General Committee and, again, as RFS of Local 161. He held both positions at the time of his appointment to Grand Lodge.

In August of 1997, retired President Dan Pickett appointed Brother Boles to the position of Grand Lodge Representative, working in arbitration and developing a BRS website. He was promoted to Publications Editor in 1998. He was elected to and held the office of Vice President Headquarters from June 29, 2001, until he was elected to the position of Secretary-Treasurer on October 10, 2011. Brother Boles was reelected to the position of Secretary-Treasurer by acclamation at BRS's Quadrennial Conventions in 2014 and 2018. Brother Boles was subsequently elected President on January 15, 2019.

While serving the BRS membership as President, Brother Boles testified before Congress on the State of the Rail Workforce and guided the Organization through a global pandemic. President Boles also relished his daily presidential duties advancing the signal craft and the labor movement, and engaging with the membership. On November 1, 2021, President Boles announced his retirement effective November 30, 2021. ■



# CONSTITUTION of the BROTHERHOOD OF RAILROAD SIGNALMEN



## NEW LEADERSHIP AT THE BRS



MICHAEL S. BALDWIN



JAMES M. FINNEGAN



TIMOTHY M. TARRANT



R. QUINN NORMAN



MICHAEL J. SULLIVAN



Per Article I, Section 35, of the Brotherhood of Railroad Signalmen Constitution, the General Chairmen and Grand Executive Council gathered on December 1, 2021, and elected Michael S. Baldwin as President of the Brotherhood of Railroad Signalmen to fill the vacancy created by the retirement of Jerry C. Boles. Brother Baldwin assumes the Presidency after serving as the Organization's Secretary-Treasurer. Following his appointment as Grand Lodge Representative in 2010, and Director of Research in 2011 — Brother Baldwin was elected to, and held, the office of Vice President West from 2015 until his election as Secretary-Treasurer in 2019.

James M. Finnegan was elected to the position of Secretary-Treasurer, filling the vacancy created by Brother Baldwin's election. Brother Finnegan was serving as the Organization's Vice President Commuter/Passenger prior to his election to the Secretary-Treasurer position. Brother Finnegan was appointed as Grand Lodge Representative in 2010

and served as Director of Research from 2015 until he was elected Vice President in 2018.

Timothy M. Tarrant was elected Vice President Commuter/Passenger, filling the vacancy created by Brother Finnegan's election. Brother Tarrant previously held the offices of Vice President Headquarters, and Vice President East, and was appointed to the position of Grand Lodge Representative in 2011.

R. Quinn Norman was elected Vice President Headquarters, filling the vacancy created by Brother Tarrant's election. Brother Norman was appointed to the position of Grand Lodge Representative in 2019 and held that position until his election as Vice President Headquarters.

Michael J. Sullivan was elected to fill the vacancy created by the retirement of Christopher E. Natale who served as the Member of the Grand Board of Trustees. Brother Sullivan also serves as General Chairman for the Long Island General Committee. ■

## CHRISTOPHER NATALE GRAND BOARD OF TRUSTEES RETIRES



**CHRISTOPHER NATALE**  
*Former Member of the Grand  
Board of Trustees*

Christopher Natale began his railroad career in 1988 in the Signal Department at the Long Island Rail Road (LIRR). During his time with LIRR, Brother Natale was a member of Local 56 and served as Local Chairman and Vice General Chairman before being elected as General Chairman of the Long Island General Committee in 2003. As General Chairman, Brother Natale held positions with the LIRR Labor Council and the Board of Pensions; he also successfully negotiated six collective bargaining agreements, organized the Long Island Bargaining Coalition, and the National Transportation Supervisors Association.

Brother Natale was elected Member of the Grand Board of Trustees in August 2019 by acclamation. He served the BRS membership in this position until his retirement in October 2021. ■

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The Brotherhood of Railroad Signalmen

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*Thanks Christopher Natale*

For his 33 years of dedicated service to this Organization.  
We wish you many happy years of retirement.

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## A MESSAGE FROM RETIRED PRESIDENT JERRY C. BOLES

*Brothers and Sisters,*

It has been an honor and a privilege to serve alongside you and for you throughout my career. As I reflect on my 45 years in the industry, I have worked with the finest railroaders there are. I am proud of my 20 years as a Signalman on the AT&SF Railroad and as a Local 161 officer; I learned what it meant to be a part of a brotherhood and have the back of those around me. As a General Committee Officer, I learned how to view the impact that even the small decisions could have across the entire Agreement. When I was appointed to Grand Lodge in 1997, I learned how important it was to work with all the crafts to improve the lives for Signalmen.

I have watched many changes in our organization and throughout the industry, but I believe that each day we come to work and fight for better safety regulations, improved working conditions, higher wages,

quality healthcare, and continued federal regulations that protect our members and our craft. While I believe that my career has run its course, I know that there is not a more worthy cause than to advocate for your Brothers and Sisters. This Organization will continue to be an avid supporter for our members for many years to come.

I look forward to staying in touch with the many friends I have met in this organization and across the industry — if you are passing through Front Royal, let me know!

*I Leave in Solidarity,*

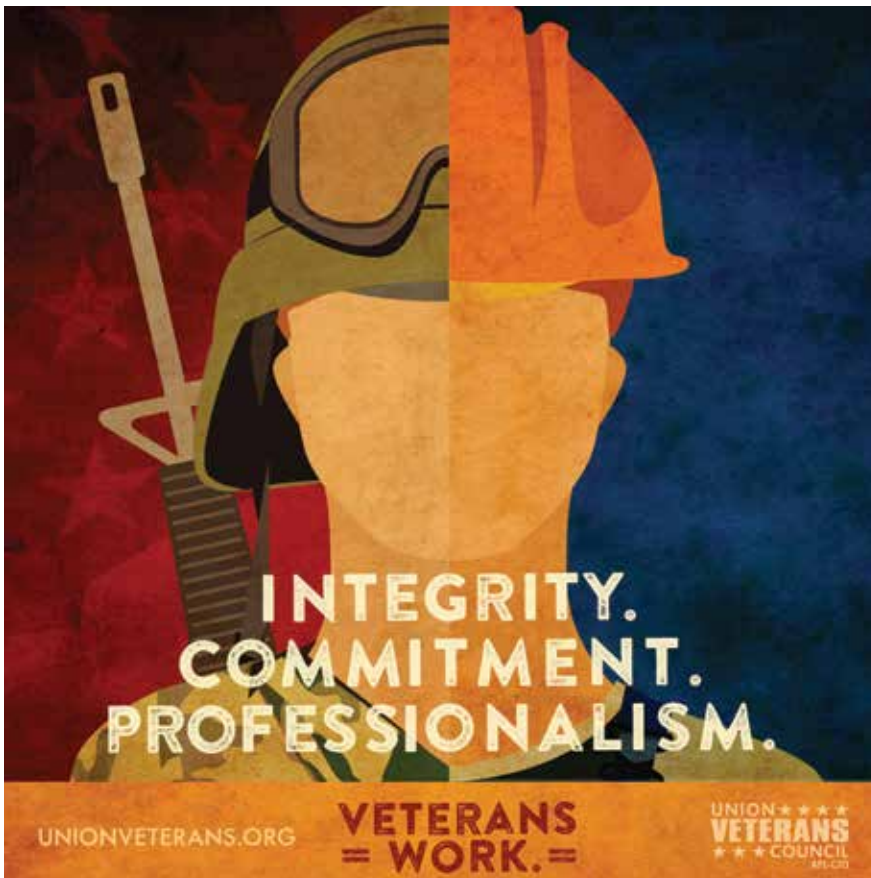




In 2008, the AFL-CIO Union Veterans Council (UVC) was established to bring together union leaders and union members who are veterans, to speak out and to hold government and elected officials accountable to the needs of military veterans by influencing public policy to improve the quality of life for U.S. veterans and their families.

The UVC advocates for Union veterans day-in and day-out, year-in and year-out, and not just prior to election cycles, but for the millions of union members who are veterans of military service.

The men and women who have served or are currently serving in the U.S. military deserve the best that this nation can provide. The BRS and other Organizations who have joined the AFL-CIO Union Veterans Council will work tirelessly to that end. Additional information concerning the UVC can be reviewed by a link on our website or at [www.unionveterans.org](http://www.unionveterans.org). On the website Union veterans can register to receive e-mail alerts that will keep you informed about important issues and events, in addition to letting you know when your voice is needed to make a difference. ■



## DID YOU SERVE

*in a Branch of the Military?*



If so, please send in your photo(s) so you may be included in an upcoming "special edition" of *The Signalman's Journal*. The issue will feature BRS members who are veterans, reservists, etc. in a special edition of the Journal featuring your photos and honoring your service to our country.

Name: \_\_\_\_\_

Local: \_\_\_\_\_

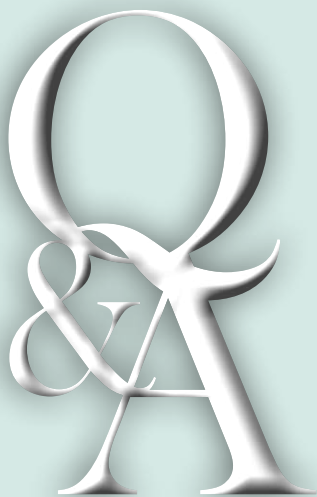
Branch of the military: \_\_\_\_\_

***Please email your photos to [tme@brs.org](mailto:tme@brs.org) or mail prints to the address below.***

*Also, we would love to display your military unit patches at Grand Lodge. If you would like your unit to be included in this display, please send your patch to:*

**The Brotherhood of  
Railroad Signalmen**

917 Shenandoah Shores Road  
Front Royal, VA 22630



## RAILROAD RETIREMENT BOARD

# Appeals Procedures

*Persons claiming retirement, disability, survivor, unemployment or sickness benefits from the Railroad Retirement Board (RRB) have the right to appeal unfavorable determinations on their claims.*

*The following questions and answers describe the appeals process for persons whose claims under the Railroad Retirement Act or Railroad Unemployment Insurance Act are denied, or who are dissatisfied with decisions on their claims.*

### **How does a person request a review of an unfavorable decision on a claim and what are the time limits?**

For all claims under the Railroad Retirement Act and Railroad Unemployment Insurance Act there is a three-stage review and appeals process within the RRB.

A person dissatisfied with the initial decision on his or her claim may first request a review by the RRB's reconsideration section. He or she has 60 days from the date on which notice of the initial decision is mailed to him or her to file a written request for reconsideration. This step is mandatory before an appeal may be filed with the RRB's Bureau of Hearings and Appeals.

In cases involving overpayments under the Railroad Retirement Act, individuals have the right to request waiver of recovery, in addition to reconsideration of the overpayment decision. They may also elect to have a personal conference as part of that request, if they are currently entitled to an RRB annuity. For cases involving overpayments under the Railroad Unemployment Insurance Act, the claimant may request a waiver of recovery if the case involves a benefit overpayment of more than 10 times the maximum daily benefit rate. In order for recovery of the overpayment to be deferred while a waiver request is pending, the waiver request must be in writing and filed within 60 days from the date on which notice of the overpayment was mailed to the beneficiary. A request for waiver received after 60 days will be considered but will not defer collection of the overpayment, and any amount of the overpayment recovered prior to the date on which the waiver request is filed will not be subject to waiver.

### **What are the second and third stages of the appeals process and their time limits?**

If dissatisfied with the reconsideration or waiver decision on a retirement, disability, survivor, unemployment or sickness claim, a person may appeal to the RRB's Bureau of Hearings and Appeals, which is independent of those units responsible for initial and reconsideration decisions. An appellant has 60 days from the date on which notice of the reconsideration or waiver decision notice is mailed to the claimant to file an appeal. This appeal must be filed using RRB Form HA-1, which may be obtained online or from the agency's field offices. The Bureau of Hearings and Appeals may, if necessary, further investigate the case and obtain reports through the agency's field representatives, designated medical examiners, and others who may be in a position to furnish information pertinent to the appellant's claim. When the appeal involves a question of fact, the appellant has the right to an oral hearing before a hearings officer. In most cases, video conferencing or phone hearings are held. In cases where an in-person hearing is held, it may be conducted in the RRB office closest to the appellant's home.

If not satisfied with the Bureau of Hearings and Appeals' decision, an appellant may further appeal to the three-member Board, which heads the agency, within 60 days from the date on which notice of the Bureau of Hearings and Appeals' decision is mailed to the appellant. This appeal must be filed using RRB Form HA-1, which, as stated previously, may be obtained online or from the agency's field offices. The three-member Board ordinarily will not accept additional evidence or conduct a hearing.



## **What are the criteria applied to requests for waivers of retirement, disability, or survivor benefit overpayments, and unemployment or sickness benefit overpayments?**

A person's obligation to repay any erroneous benefit payments may be waived only if the following conditions are met:

1. The person was not at fault in causing the overpayment; and
2. Recovery of the overpayment would cause financial hardship to the extent that he or she would not be able to meet ordinary and necessary living expenses, or recovery would be against equity or good conscience. "Against equity or good conscience" is defined in the regulations of the RRB as meaning that the claimant has, by reliance on the payments made to him or her, or on notice that payment would be made, relinquished a significant and valuable right or changed his or her position to his or her substantial detriment.

In cases involving unemployment or sickness benefits, there is an additional requirement that the overpayment must be more than 10 times the current maximum daily benefit rate.

Persons requesting waiver may be asked to complete a financial statement on a form provided by the RRB.

## **What happens if a person's appeal is not filed within the prescribed time limit?**

Failure to request reconsideration or to file an appeal within the allocated time period will result in forfeiture of further appeal rights, unless there is good cause for the delay. Some examples of good cause include: serious illness; a death or serious illness in the appellant's immediate family; destruction of important or relevant records; failure to be notified of a decision; an unusual or unavoidable circumstance which demonstrated that the appellant could not have known of the need for timely filing or which prevented the appellant from filing in a timely manner; or the claimant thought that his or her representative had requested reconsideration or appeal. If good cause is not established, further appeal is forfeited, except that the appellant may contest the determination that the request for reconsideration or appeal was not filed timely.

## **Are there appeal options beyond the RRB?**

Appellants dissatisfied with the three-member Board's final decision may then file a petition with the appropriate U.S. Court of Appeals to review the Board's decision. In cases involving retirement, disability or survivor claims, the petition for review must be filed within one year after notice of the three-member Board's decision has been mailed to the appellant. In cases involving claims for unemployment or sickness benefits, the petition for review must be filed within 90 days of the Board's decision notice.

## **Can employers contest the claims of their employees for unemployment and sickness benefits?**

When an employer is a party to the claim for benefits, that employer may protest the payment of benefits, but such protests do not prevent the timely payment of benefits. However, an employee may be required to repay benefits if his or her employer's protest is ultimately successful. The employer also has the right to appeal an unfavorable decision to the RRB's Bureau of Hearings and Appeals.

## **Where can a person obtain benefit appeals forms and assistance in completing the forms?**

Requests for reconsideration of an initial decision must be in writing, but do not have to be on any specific form. The appropriate form for waiver of recovery of a benefit overpayment is ordinarily enclosed with the overpayment notice. RRB Form HA-1 must be used to appeal to the Bureau of Hearings and Appeals and to the three-member Board, and is available online at RRB.gov by clicking on the Resources tab and then selecting Appeals. This form can also be obtained from the RRB's Bureau of Hearings and Appeals, 844 North Rush Street, Chicago, Illinois 60611-1275 or from any RRB field office.

Individuals with questions about the RRB's appeals procedures or requiring assistance with the appeals process can send a secure message to their local RRB office by accessing Field Office Locator and clicking on the link at the bottom of their local office's page. If a customer needs to talk to an RRB representative, they can call the agency's toll-free number (1-877-772-5772) between the hours of 9 a.m. and 3 p.m. each weekday, except Federal holidays. ■



**MIKE EFAW**  
*National  
Legislative Director*

## THE WAIT BEGINS



Infrastructure Investment and Jobs Act (IIJA), and the Budget Reconciliation package. To refresh what I reported last quarter, the IIJA provides topline numbers of \$102.1 billion for passenger and freight rail, an increase of \$86 billion from current levels; and \$106.9 billion for public transit, an increase of \$41.1 billion. The BRS was pushing hard to get more included in the bill, which was possible, but the AAR did everything in its power to stop us from being successful and withdrew its earlier neutral stance on one of our issues, now opposing it. As goes a bi-partisan bill, some of our priorities were then considered controversial, and we were unsuccessful in getting more in the bill. The bill still contains many rail priorities:

- Positive and pro-labor changes to Amtrak's mission statement.
- Elimination of food and beverage profit loss language, creation of food and beverage working group.
- Pro-labor clarification on contracting-out at Amtrak.
- Requirements for Amtrak station agent staffing levels.
- Annual reporting on failures of PTC equipment.
- Amtrak and commuter rail employees are now eligible for access to critical incident stress plans and benefits if assaulted.
- National Academy of Science study on long trains and their safety risks.
- FRA accident reports must include train length and number of crew on board.
- Increased transparency for FRA waivers.
- Creates a process to better involve unions in FRA investigations.

One of the more frustrating periods anyone can go through is waiting on something that needs to get finished; this is where Congress is on the

Additional spending, which is particularly positive on the Amtrak side, are as follows:

- \$6 billion for Northeast Corridor Grants.
- \$16 billion for the National Network.
- \$36 billion for Fed-State Partnership for Intercity Passenger Rail, with \$24 billion set aside for the Northeast Corridor.
- \$5 billion for Consolidated Rail Infrastructure and Safety Improvements Program.
- Sec. 130 Grade Crossing Program received flat funding at \$245 million per year through 2026.
- \$50 million for Restoration and Enhancement.

Negotiations are slow. It seems the major hurdle at this point is that Senate Democrats have been unable to agree on the top line numbers, and what should or should not be in the reconciliation package. As the price tag on reconciliation drops, the programs funded through reconciliation will be either reduced or slashed from the package altogether. There are rumors that all transportation funds could be slashed from the reconciliation bill if the top line numbers are reduced. Again, as we reported last quarter, Budget Reconciliation is separate from the infrastructure bill, and it is not subject to the filibuster. However, it is subject to something called the Byrd Rule. The Byrd Rule restricts what can be included in reconciliation legislation in the Senate. At its core, the rule prohibits provisions that are viewed as "extraneous" to the budget. Some of the prongs of the Byrd Rule defines extraneous matters and things that are impermissible in reconciliation, but must be first challenged as such, as it is not self-executing. **The Byrd Rule applies provision by provision, sometimes to just a single clause or word.**

The Byrd Rule can make getting priorities into reconciliation difficult. However, we are hearing rumors that some rail-related provisions may make it into the Reconciliation bill, including:



- \$10 billion for a housing and transit program.
- \$10 billion for PRIME for HSR projects.
- \$150 million for credit risk premium.
- Updated speed standards, with high-speed rail defined as “non-highway ground transportation... reasonably expected to reach speeds of 160 miles per hour or more on shared-use right-of-way or 186 miles per hour or more on dedicated right-of-way.”
- At least 10% of the funds are to go toward high-speed rail planning.
- Other provisions include \$4 billion for reconnecting communities, \$4 billion for community climate incentive grants, and \$2.5 billion for port infrastructure and supply chain resilience.

To reiterate, negotiations are ongoing. It is unclear what the top line numbers will be and what will be included in the final package when it goes to the floor for its votes.

## Agency Notes

Senate Committees have begun moving Presidential Nominees to roles in Agencies affecting BRS members. The White House National Economic Council (NEC), Department of Transportation (DOT), Surface Transportation Board (STB), and Federal Railroad Administration (FRA) have all invited us to meetings to provide our perspective and insight into the current state of the Railroad Industry in the U.S.

On October 20, 2021, the Senate Committee on Commerce, Science, and Transportation convened in executive session to consider the presidential nominations for several administrative offices. Among those was Amit Bose, to be considered for the Administrator of the Federal Railroad Administration. Mr. Bose’s nomination was advanced out of committee by a voice vote, and now his nomination goes before the full Senate for consideration. Mr. Bose currently serves as Deputy Administrator. In this capacity, he essentially serves as the agency’s Acting Administrator. Although Senate leadership has not announced a timeline or scheduling of votes on his nomination, we will be working with them to get him confirmed as soon as possible.

Senate Health, Education, Labor, and Pensions (HELP) Committee held an executive session to consider presidential nominations that go through its committee. One

agency the HELP committee has jurisdiction over is the National Mediation Board (NMB). The committee advanced the nominations of Deirdre Hamilton, Gerald Fauth, and Linda Puchala to be members of the NMB. We will be working with leadership to see their nominations get a floor vote as quickly as possible.

As we alluded to earlier in this section, the BRS had a meeting with the White House National Economic Council (NEC) to discuss supply chain issues and disruptions with the FRA, including Amit Bose, and staff from the White House NEC. The meeting was particularly in response to the service disruptions and meltdowns on the West Coast, and the Agency and Council looked for our perspective on what transpired in the last few months, how it is affecting our members, what Labor’s response has been, and our role alleviating these issues. It was a great opportunity to discuss PSR, its impacts on freight rail flexibility and operations, as well as its impacts on retention and recall. We think the meeting went well and was helpful to them.

We also had a meeting with the STB concerning the negative effects of PSR and the current state of our Industry. During this meeting, which included the full Board and members of their staff, we felt it was a good first step in engaging them, and believe it opened their eyes to the state of the railroad from our perspective. They asked us for information supporting our concerns, and we have gathered information and sent it to them. It is possible that there will be hearings coming and if rail labor is invited, we will participate in those.

There have been other meetings with the DOT as well. One meeting included a multimodal roundtable on supply chain issues, particularly the service meltdowns between Los Angeles/Long Beach and Chicago, as the next step following our NEC call. It is refreshing to know that we have an administration that values labor, and we look for there to be more meetings and dialogue between Labor, the Administration, and Federal Agencies.

The BRS will continue to track legislation that is important and impactful to Signalmen. The best interest of our members is at the forefront of all our efforts on the Hill. Remember to visit our website and follow us on Facebook. We will be putting legislative updates out on those forums. ■

# The Problem of Damage to the Railroads and Rail Workers by Financial Interests, and a Possible Solution

RICHARD S. EDELMAN, GENERAL COUNSEL TO BRS

Richard Edelman has represented BRS and Rail Unions in courts, before the STB, NMB, and other agencies, in legislative matters and in arbitration for over 35 years. He has been an advocate for unions and their members for over 40 years.

The Class I railroads have reduced rail employment by almost 30 percent since 2015 (about 25 percent before the start of the pandemic). The jobs that remain have been degraded, as employees are pressured to cut corners, tasked with accomplishing more than they can reasonably do properly, and often forced to work multiple consecutive double shifts as the carriers have refused to recall furloughed workers, or furloughed workers refuse recall because they expect to be furloughed again once congestion eases. Some employees have left the industry mid-career; something that was once rare. Rail carrier profits have continued to soar, and shareholders have benefited from repeated stock buybacks. Meanwhile, at the bargaining table, the carriers still refuse to share the increased profits with the workers that provide the service that produces those profits. At the same time, rail shippers complain that service has deteriorated; they suffer delays, circuitous routings, and irregular and unreliable service. This is unsurprising. In the last few years alone, the carriers cut employment by 20 percent when carloadings only decreased by three percent. Obviously, the carriers cannot move essentially the same number of cars with 20 percent fewer workers; but during the same period, profits were up almost eight percent, despite the reduced carloadings and shipper service complaints.

How did the industry come to this state of affairs? It is the result of substantial de-regulation of the railroads in the 1980s and 1990s, followed by Interstate Commerce Commission (ICC) and Surface Transportation Board (STB) decisions permitting dramatic consolidation of the Class I's, and the realization by so-called "activist investors" and "private equity" interests that they could take control of these large railroads which are government sanctioned "duopolies", but are very lightly regulated. These financial interests realized that they could force the railroads into continual cost-cutting, with many shippers having no real alternative transportation options, and the industry regulator diminished by the

deregulatory laws of the 1980s and 1990s.

After decades of railroad industry decline, spurred in large part by government support for motor vehicle and air transportation, Congress passed the Staggers Act of 1980, which substantially deregulated the railroads. During the following decade, over 200,000 rail jobs were lost; and almost 100,000 miles of track were sold or abandoned. In 1995, Congress further deregulated the railroads, but shortly after that, the ICC/STB authorized consolidations of the Class I railroads, resulting in two major carriers east of the Mississippi, two major carriers west of the Mississippi, and two carriers running down the center of the country. These transactions were expressly authorized as "consistent with the public interest." They were approved based on the assumption that shippers and the public would benefit. The railroads asserted, and the ICC and STB agreed, that the mega-carriers would provide better and faster service through longer-end-to-end runs, reduced interchanges, and greater system velocity; it was said that efficiencies would be achieved that would result in savings that would be passed along to shippers and the public in general; and that the economies of scale available to larger carriers would allow for increased investment in rail infrastructure.

For a while, the railroads followed through on their representations that service would improve, and infrastructure investments would increase. Profits grew and the work force modestly increased. The two decade-long erosion of rail employee compensation bottomed-out and there were small gains. However, after 20 years of significant profit growth, rail employee compensation is only slightly above the 1980 level of compensation in real dollars (adjusted for inflation), and those who bought stock in Class I railroads in 2009 have gained a 1000 percent increase in share prices.

Several years ago, "activist investors", hedge funds and



private equity interests took note of railroad profitability and the very light nature of rail regulation. They realized that they could drive down operating ratios (operating expenses as a proportion of operating income—lower ratios yield higher profits) without loss of business, or a regulatory response. They forced implementation of policies like scheduled railroading, running of 3+ mile long trains, mothballing of equipment, sale of rail yards, and reduced maintenance to drive down costs and increase earnings for short term gains. While called scheduled railroading, the plan is actually a cover for extracting value from the railroads with no value added, and a reduction in quality of service—inflexible scheduled railroading, and precision looting of railroad assets. The railroads now focus on easier to serve/high profit ratio customers. The railroads are no longer interested in growth; they are happy to serve fewer customers badly so long as the profit margin on the customers they do serve remains high. Rail operations, shipper needs, effective maintenance, safety, employee and manpower concerns, and long-term health of the industry are taking a distant back seat reducing operating ratios. Shippers from whom the railroads cannot reap maximal profits face steeper costs when shipping by rail; or are subjected to service conditions or requirements that discourage them from using rail transportation, even if they have structured their businesses to ship by rail. The railroads can make a profit serving these shippers, just not the level of profits desired by Wall Street. At the same time, capital infrastructure work has been reduced to further improve operating ratios.

The new business model has also adversely affected safety of operations. Train crews are pressed to continually work to or beyond Hours-of-Service Act limits; pre-run briefings are being eliminated with crews told to review consist information on tablets once the train is moving, and they have to manage overlong trains consisting of mixed freight and empties that do not handle curves and braking well. Track inspectors are told to only report what the carriers are staffed to repair, Maintenance of Way gangs working on railroad rights of way are being pressed into smaller track windows to fit the Precision Scheduled Railroading (PSR) schedule; the railroads do not have the manpower or the tools and supplies to make sure that track work is done properly. Signal territories have been expanded beyond what can reasonably be handled by the assigned

employees. Signalmen are triaging, dealing only with the most serious issues. Locomotive Mechanics assigned for locomotive inspection and maintenance are being told to stop work before inspections are completed; managers are signing for release of locomotives to get them back in service to fit the PSR schedule. Railroad Carmen are being told to inspect cars in under 60 seconds when they cannot even walk around a car in 60 seconds; and rail brake checks are being performed while trains are in motion.

Under the dictates of finance interests, the carriers have gone from a customer service model, to a model where the customer serves the railroad; from a safety-first model, to a profits-first model; from an employees-add-value model, to an employees-are-a-cost-to-be-reduced model; and from a reinvestment-in-assets model to extraction-of-value model. Shippers, communities, legislators, and employees are looking for solutions. Congress, the STB, and industry stakeholders should consider the consequences of the combination of dramatic deregulation drift and approval of the major merger and control transactions that created the current mega Class I carriers. The key question is: Whether the public interest is being served as envisioned in the merger and control decisions under the carriers' new operating model? There should be a re-calibration of the regulatory scheme for the railroad industry. Not a return to the pre-Staggers level of regulation; but formulation of a regulatory arrangement appropriate to the industry that exists today (not the one that existed in 1980 or 1995); one that is designed to require good service, support better jobs, and ensure the health of this vital industry in the years ahead.

Long after the so-called activist investors are gone, rail workers, communities, and shippers will remain; and they will have to deal with the results of the short-term goals of the finance interests. When hedge funds and private equity interests destroy a retail chain like Sears, Toys "R" Us or K-Mart, it is a tragedy for the employees of the store, and an inconvenience for the store's customers; but when they damage or destroy a railroad, they are harming an essential piece of the economic infrastructure of the United States; stakeholders, the STB and Congress cannot just standby as speculators damage the industry for their own gain, leaving others (including taxpayers) to deal with the long-term consequences. ■

# Right to Choose Medical Network Upheld

**A**n arbitrator has rejected the railroad industry's attempt to utilize a never-before-used contract clause imposed by Congress 30 years ago to reduce the healthcare networks available to over 250,000 railroad workers and family members on the National Healthcare Plan for Railroad Employees. The decision is a major victory for railroad workers covered by the National Agreement health care plans, as their bargained-for right to choose their own medical network remains intact.

In early July of 2020, just over eight months after the current round of national bargaining had begun, the carriers' representative — the National Railway Labor Conference (NRLC) — proposed reconfiguring the National Plan's network structure in a way that would force many railroad workers into the cheapest area medical network immediately and then on a continual 3-to 5-year schedule without formal bargaining.

The Cooperating Railway Labor Organization (CRLO), which is the Rail Labor umbrella group that oversees plan administration in concert with the NRLC, rejected the proposal, stating that this was an issue for negotiations and pointing out that the carriers had made an identical proposal at the bargaining table. In late July, the NRLC demanded that the Unions agree to the proposal, and threatened to use the binding deadlock neutral process found in the 1991 National Agreement settlement to resolve the dispute.

This threat led the 12 Unions to file suit against the nation's Class I railroad carriers in the United States District Court for the District of Columbia, asking the court to force the carriers to bargain in good faith with the unions over mandatory subjects of bargaining, such as their network structure proposal. The carriers' defense was that this was a "minor" dispute under the Railway Labor Act, as it involved an administrative matter under the National Plan and, therefore, could be resolved by the "deadlock neutral" process that was included in national agreements for all unions that were imposed by Congress — and signed into law by President George

H. W. Bush — in order to stop a national strike in 1991.

At an August 31, 2021, hearing before a Special Board of Adjustment chaired by Arbitrator Joshua M. Javits, the Unions documented the history of health care network development in the railroad industry, showing that the carriers' proposal was anything but administra-

tive in nature. They also showed the adverse impact the proposal would have on over a quarter million plan participants. The carriers countered that no "right to choose" existed in any

national agreement, and that the deadlock neutral had the authority to decide the matter if the parties could not agree.

In upholding the Unions' position on the key question of network choice, Chairman Javits' October 20 Award found:

*"...that the Carriers' proposal — in as far as it relates to the selection of network vendors — is an administrative matter. However, those elements of the Carriers' proposal that reduce choice for Plan participants and result in only a single network vendor being available to Plan participants, constitutes a change in Plan design and, thus, is outside the deadlock neutral's jurisdiction."*

The leaders of the prevailing Unions issued the following statement concerning this decision:

*"This is a significant victory for the men and women covered by the national plans, and for their families. The carriers have been dragging their feet at the bargaining table while this dispute wound its way through the system. All the while, our members — essential employees, one and all — have continued to keep the country moving despite the Pandemic."*

*To the carriers, whose profits continued to flow in unabated, we say 'The time for delay is over. Your workers have earned and deserve a new national agreement, one that reflects their true contribution to your bottom line.' We remain ready to negotiate that agreement, and urge you to devote as much energy to that task as you invested in your*

*This is a significant victory for the men and women covered by the national plans, and for their families.*



# Railroad Retirement Benefits Increase in 2022

**M**ost railroad retirement annuities, like social security benefits, will increase in January 2022 due to a rise in the Consumer Price Index (CPI) from the third quarter of 2020 to the corresponding period of the current year.

Cost-of-living increases are calculated in both the tier I and tier II portion of a railroad retirement annuity. Tier I benefits, like social security benefits, will increase by 5.9 percent, which is the percentage of the CPI rise. This is the first time the tier I increase has been over 5 percent since January 2009, when it was 5.8 percent. The tier I increase for 2021 was 1.3 percent, following a 1.6 percent increase in January 2020.

Tier II benefits will go up by 1.9 percent, which is 32.5 percent of the CPI increase. Vested dual benefit payments and supplemental annuities also paid by the Railroad Retirement Board (RRB) are not adjusted for the CPI change.

In January 2022, the average regular railroad retirement employee annuity will increase \$138 a month to \$3,104 and the average of combined benefits for an employee and spouse will increase \$194 a month to \$4,501. For those aged widow(er)s eligible for an increase, the average annuity will increase \$76 a month to \$1,534.

Widow(er)s whose annuities are being paid under the Railroad Retirement and Survivors' Improvement Act of 2001 will not receive annual cost-of-living adjustments

until their annuity amount is exceeded by the amount that would have been paid under prior law, counting all interim cost-of-living increases otherwise payable. Some 56 percent of the widow(er)s on the RRB's rolls are being paid under the 2001 law.



If a railroad retirement or survivor annuitant also receives a social security or other government benefit, such as a public service pension, any cost-of-living increase in that benefit will offset the increased tier I benefit. However, tier II cost-of-living increases are not reduced by increases in other government benefits. If a widow(er) whose annuity is being paid under the 2001 law is also entitled to an increased government benefit, her or his railroad retirement

survivor annuity may decrease.

However, the total amount of the combined railroad retirement widow(er)'s annuity and other government benefits will not be less than the total payable before the cost-of-living increase and any increase in Medicare premium deductions.

The Centers for Medicare and Medicaid Services will announce Medicare Part B premiums for 2022 later this year, and this information will be available then at **Medicare.gov**. Individual benefit amounts cannot be calculated until that announcement.

In late December the RRB will mail notices to all annuitants providing a breakdown of the annuity rates payable to them in January 2022. ■

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*failed effort to deprive your workers of their choice of medical networks."*

The unions involved in the dispute are: the American Train Dispatchers Association; the Brotherhood of Locomotive Engineers and Trainmen; the Brotherhood of Maintenance of Way Employees; the Brotherhood of Railroad Signalmen; the International Association of Machinists and Aerospace Workers; the International Association of Sheet Metal,

Air, Rail and Transportation Workers, Mechanical Division; the International Association of Sheet Metal, Air, Rail and Transportation Workers, Transportation Division; the International Brotherhood of Boilermakers; the International Brotherhood of Electrical Workers; the National Conference of Fireman & Oilers District, Local 32BJ, SEIU; the Transportation Communications Union/IAM; and the Transport Workers Union. ■

# Objection Procedures for Expenditures Not Germane to Collective Bargaining

## **Advance Reduction — Section 1**

Non-members required to pay agency fees as a condition of employment will have the right to object to expenditures on activities not germane to collective bargaining. Those persons filing objections, as required herein, will be entitled to receive an advance reduction of their fees. Although collective bargaining agreements requiring “membership” as a condition of employment are legal, it is the payment of all dues, fees, and assessments germane to collective bargaining and representation for collective bargaining (agency fees), not actual membership, which is required.

## **Notice of Objection — Section 2**

(a) Non-member agency fee payers wishing to file an objection will do so annually by notifying the Secretary-Treasurer of his or her objection in writing, postmarked during the month of November. The notice of objection will contain the objector’s current home address, and he or she will be obligated to keep the Secretary-Treasurer informed of any change in address.

(b) Employees who resign from membership wishing to file an objection will do so as specified in Section 2(a) above, postmarked within 30 days from tendering their resignation.

(c) Newly hired employees will receive notice of these procedures. Those opting not to become members who wish to file an objection will do so as specified in Section 2(a) above, postmarked within 30 days of receiving such notice.

## **Chargeable & Non-Chargeable Expenditures — Section 3**

Objectors will be charged for their fair share of the costs of representation and collective bargaining, including all expenditures which:

(1) are germane to collective bargaining activity, (2) are justified by the government’s vital policy interest in labor peace and avoiding free riders, and (3) do not significantly add to the burdening of free speech that is inherent in the allowance of an agency or union shop. Objectors will not be charged for expenditures failing to meet these criteria. The following are examples of these types of expenditures:

### ***Chargeable Expenditures:***

- (a) All funds expended on collective bargaining.
- (b) All funds expended on contract administration, grievance adjustment, and arbitration.
- (c) All funds expended on internal governance and administration.
- (d) Grand Lodge conventions and meetings,
- (e) Union business meetings,

- (f) Costs of benefits available to all bargaining unit employees,
- (g) Litigation expenses and attorneys’ fees incidental to negotiating and administering contracts and collective bargaining,
- (h) Economic action in support of collective bargaining,
- (i) Travel expenses for Union officers and employees attributable to collective bargaining, representation for collective bargaining and related activities,
- (j) Portions of salaries and fringe benefits of Union officers, business agents, and employees attributable to collective bargaining, representation and related activities,
- (k) Union publications to the extent that they report on representational activities.

### ***Non-Chargeable Expenditures:***

- (a) All funds expended on the election of candidates for public office, including contributions to any political party, political organization, or candidate for public office; expenditures on behalf of and facilities used for any political party, political organization, or candidate for public office,
- (b) All funds expended on efforts to recruit new members,
- (c) All funds expended on lobbying except for lobbying directly related to ratifying or implementing a collective bargaining agreement,
- (d) All dues to the AFL-CIO,
- (e) All contributions to charitable and educational groups,
- (f) A prorated portion of the cost of *The Signalman’s Journal* and other Union publications devoted to the coverage of subjects specified in the preceding subsections, or any other non-germane subjects,
- (g) voter registration drives,
- (h) costs related to any participation with non-labor organizations (e.g., community events).

In fiscal year ending 2021, 92.83% of expenditures were made for chargeable activities. This percentage was certified by independent auditors who are also certified public accountants.

## **Audit Report — Section 4**

Grand Lodge will retain a certified public accountant to audit its allocation of expenditures into chargeable and non-chargeable categories during each July 1–June 30 fiscal year preceding any fiscal year during which an objector is required to pay an agency fee. A copy of said audit report and a description of chargeable and non-chargeable expenses will be mailed to all non-member agency fee payers on an annual basis in October. In addition, any non-member filing notice of objection under Section 2(b) and (c) will be mailed a copy of the documents listed above at the time of their objection.



### **Advance Reduction Calculation — Section 5**

The percentage of non-chargeable expenditures will be calculated in accordance with the certified audit report. The amount of the advance reduction will be calculated by multiplying projected fee payments times the non-chargeable percentage. Non-members filing a notice of objection pursuant to Section 2(a) will receive an advance reduction in agency fees during the following calendar year. Non-members filing objections under Section 2(b) will receive an advance reduction in agency fees from the first day of the month following the month in which they tendered their resignation through December 31 of that year. Non-members filing objections under Section 2(c) will receive an advance reduction in agency fees for the period they begin paying such fees through December 31 of that year.

### **Challenge of Calculation — Section 6**

Non-members filing a notice of objection pursuant to Section 2 may challenge the calculation of chargeable and non-chargeable expenditures by filing a written challenge with the Secretary-Treasurer postmarked no later than the November 30 following the October mailing of the audit report being challenged. Non-members filing timely objections under Section 2(b) or (c) may also challenge the calculation of chargeable and non-chargeable expenses by filing a written challenge with the Secretary-Treasurer postmarked no later than the deadline set forth in said sections for filing objections; and such challenges will be consolidated for arbitration with those filed under the first sentence of this section.

### **Selection of Arbitrator — Section 7**

In the event a challenge is filed under Section 6, the Secretary-Treasurer will provide a list of challengers to the American Arbitration Association (AAA). All challenges will be consolidated. The AAA will appoint an arbitrator from a special panel maintained by the AAA for this purpose. The AAA will inform the Secretary-Treasurer and the challengers of the arbitrator selected.

### **Arbitration Procedures — Section 8**

(a) The arbitration will be scheduled expeditiously. The AAA will develop rules that will govern these arbitrations, and, conscious of the need for an informed and expeditious decision, the arbitrator will have control over all procedural matters affecting the arbitration.

(b) Each party to the arbitration will bear their own costs. The challengers will have the option of paying a pro-rata portion of the costs of the arbitrator's fees and expenses. The Union will pay the balance of such fees and expenses.

(c) A court reporter will make a transcript of all proceedings before the arbitrator. This transcript will be the official record of the proceedings and may be purchased by the challengers. If an objector does not purchase a copy of the transcript, the Union will, upon request, make a copy available for inspection.

(d) A challenger may, at his or her expense, be represented by counsel or other representative of his or her choice. The challenger need not appear at the hearing and will be permitted to file written statements with the arbitrator in lieu of an appearance.

(e) Prior to the start of the hearing, the Union will provide challengers with a list of all exhibits it intends to introduce at the hearing and a list of all witnesses it intends to call, except for exhibits and witnesses it may introduce for rebuttal. Copies of exhibits will be made available upon request.

(f) The Union will have the burden of establishing that the reduced agency fee being charged is lawful.

(g) If the arbitrator determines that more than one day of hearings is necessary, he or she will, to the extent possible, schedule the hearings to continue from day to day until completed. The arbitrator will issue a decision within thirty (30) days after the submission of post-hearing briefs or within such other reasonable period as is consistent with the rules established by the AAA.

(h) The arbitrator will give full consideration to the legal requirements limiting the amounts that objectors may be charged and will set forth his or her analysis in the decision. The order and decision of the arbitrator will be final and binding on the Union.

### **Escrow Account — Section 9**

The Union will establish an escrow account containing the portion of agency fees paid by non-members filing challenges pursuant to Section 6 which reasonably may be in dispute in arbitration. In the event the Union escrow is less than the entire amount of fees so paid, the amount of the escrow will be based on an independent audit, and the escrow figure will be independently verified. After the issuance of the arbitration award, the escrow fund will be distributed in accordance with the arbitrator's decision.

### **Administration by Secretary-Treasurer — Section 10**

The Secretary-Treasurer will administer this policy in a manner that is completely fair to agency fee payers who wish to object. The Secretary-Treasurer has the authority to determine the amount of the reduced fee each year, to provide proper notice of this policy to agency fee payers, to waive procedural requirements when fairness requires, to informally resolve challenges to the Union's calculation, and to promulgate procedures for accommodating agency fee objections in accordance with applicable state or federal laws.

### **Amendments — Section 11**

The Grand Executive Council will have authority to amend this policy as it deems appropriate.

### **Not Applicable in Canada — Section 12**

This policy is not applicable to members working in Canada. ■

# 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 active members who recently received Continuous Service pins in recognition of their years as BRS Members:***

## 45 YEARS OF SERVICE

David Feaster \_\_\_\_\_ 1  
Mallory Yip \_\_\_\_\_ 188  
Mike Macek \_\_\_\_\_ 35

## 40 YEARS OF SERVICE

Bill Kotomski \_\_\_\_\_ 130  
Brian Burstert \_\_\_\_\_ 20  
Brian Rodgers \_\_\_\_\_ 3  
Curtiss Beebe \_\_\_\_\_ 55  
Doug Lewis \_\_\_\_\_ 141  
Jim Melton \_\_\_\_\_ 141  
Mike Choate \_\_\_\_\_ 141  
Richard Higgins \_\_\_\_\_ 55  
Robert Guinn \_\_\_\_\_ 206  
Steve Siegmund \_\_\_\_\_ 141

## 35 YEARS OF SERVICE

Charles McGill \_\_\_\_\_ 110  
Franklin Taylor, Jr. \_\_\_\_\_ 84  
Joe Parker \_\_\_\_\_ 110  
Joseph West \_\_\_\_\_ 110  
Norman Seggerman \_\_\_\_\_ 14  
Thomas Brasseur \_\_\_\_\_ 14

## 30 YEARS OF SERVICE

Alan Simonton \_\_\_\_\_ 8  
Arthur Harkins \_\_\_\_\_ 120  
Benjamin Chafin \_\_\_\_\_ 123  
Brian Osborne \_\_\_\_\_ 226  
Bryan Buchholtz \_\_\_\_\_ 77

## 30 YEARS OF SERVICE

Carl Ballinger \_\_\_\_\_ 8  
Charles VanderJagt \_\_\_\_\_ 123  
Clinton Stewart, III \_\_\_\_\_ 16  
Craig Busch \_\_\_\_\_ 8  
Curtis White \_\_\_\_\_ 43  
Darin Sweitzer \_\_\_\_\_ 31  
David Gronert \_\_\_\_\_ 102  
Edward Fuller \_\_\_\_\_ 121  
George Kaltschmid \_\_\_\_\_ 102  
Gerald Edwards \_\_\_\_\_ 8  
Gregory Zielke \_\_\_\_\_ 226  
J. Harmon \_\_\_\_\_ 185  
Jack Juanillo \_\_\_\_\_ 19  
Jamie Gray \_\_\_\_\_ 77  
Jeffrey Stewart \_\_\_\_\_ 229  
John King \_\_\_\_\_ 136  
Keith Harris \_\_\_\_\_ 31  
Larry Jackson \_\_\_\_\_ 121  
Matthew Cassidy \_\_\_\_\_ 102  
Michael Smith \_\_\_\_\_ 24  
Norman Cleghorn \_\_\_\_\_ 141  
Pat Murphy \_\_\_\_\_ 153  
Patrick Abernathy \_\_\_\_\_ 20  
Paul Waddell, Jr. \_\_\_\_\_ 49  
Rachel Ryan \_\_\_\_\_ 5  
Renee Venegas \_\_\_\_\_ 183  
Richard Snyder, II \_\_\_\_\_ 153  
Roman Monroe \_\_\_\_\_ 141  
Steve Koleszarik \_\_\_\_\_ 94  
Steve Turner \_\_\_\_\_ 141  
Terry Sims \_\_\_\_\_ 121  
Tom Brown \_\_\_\_\_ 33  
Tony Stephenson \_\_\_\_\_ 72

## 30 YEARS OF SERVICE

Vern Carlson \_\_\_\_\_ 206  
Walter Zak \_\_\_\_\_ 121  
William Waldenmaier \_\_\_\_\_ 102

## 25 YEARS OF SERVICE

Alonzo Smith \_\_\_\_\_ 183  
Andree Mitchell \_\_\_\_\_ 143  
Anibal Rivera \_\_\_\_\_ 102  
Anthony Rogers \_\_\_\_\_ 110  
Barry Franke \_\_\_\_\_ 46  
Bob Wegner \_\_\_\_\_ 8  
Brian Boatright \_\_\_\_\_ 183  
Brian Dailey \_\_\_\_\_ 33  
Calvin Nunley \_\_\_\_\_ 110  
Christopher Franco \_\_\_\_\_ 229  
Christopher Poyner \_\_\_\_\_ 102  
D. Bullock \_\_\_\_\_ 97  
Darren Johnson \_\_\_\_\_ 154  
Dave Marison \_\_\_\_\_ 48  
David Walker \_\_\_\_\_ 121  
Donny Juré \_\_\_\_\_ 156  
Edwal Ortiz \_\_\_\_\_ 56  
Francis Manenti \_\_\_\_\_ 102  
Frank Bivens \_\_\_\_\_ 56  
Gary Davis \_\_\_\_\_ 8  
Harris Joseph Pitre, Jr. \_\_\_\_\_ 107  
James Entenmann \_\_\_\_\_ 56  
James Hinson \_\_\_\_\_ 99  
James York, II \_\_\_\_\_ 102  
Jason Ball \_\_\_\_\_ 72  
Jeffrey Brigham \_\_\_\_\_ 173

*continued on page 27*



*(These guidelines were adopted by the AFL-CIO Executive Council in April 2011.)*

# BRS DESIGNATED COUNSEL

ON-THE-JOB INJURY | FELA | RAIL LABOR | INFO | LAW  
RAILROAD SIGNALMEN | EMPLOYEE RIGHTS | CLAIM

*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 (FELA) 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.*

## ALABAMA

**W.C. Tucker, Jr.**  
Maples, Tucker & Jacobs, LLC  
2001 Park Place North  
Suite 1325  
Birmingham, AL 35203  
Tel. (205) 322-2333  
[www.mtandj.com](http://www.mtandj.com)

## ARIZONA

**Lloyd L. Rabb, III**  
Rabb & Rabb, PLLC  
7442 N. LA Cholla Blvd.  
Tucson, AZ 85728  
Tel. (520) 888-6740  
(800) 354-3352  
[www.1stinjurylaw.com](http://www.1stinjurylaw.com)

## ARKANSAS

**Chris Christy**  
Law Office of H. Chris Christy  
201 W. Broadway Street  
Suite G12  
North Little Rock, AR 72114  
Tel. (501) 454-3949

## CALIFORNIA

**Jay A. Kaplan**  
Kaplan Law Corporation  
400 Oceangate  
Suite 1125  
Long Beach, CA 90802  
Tel. (562) 372-0506  
(800) 552-7526  
[www.kaplanlawcorp.com](http://www.kaplanlawcorp.com)

**Anthony S. Petru**  
Hildebrand, McLeod & Nelson  
Westlake Building  
350 Frank H. Ogawa Plaza  
4th Floor  
Oakland, CA 94612  
Tel. (510) 451-6732  
(800) 689-7066  
[www.hmnlaw.com](http://www.hmnlaw.com)

## COLORADO

**Jeffrey Chod**  
Chod Law Office  
P.O. Box 17727  
Denver, CO 80212  
Tel. (314) 541-5862  
[www.chodlawfirm.com](http://www.chodlawfirm.com)

## DISTRICT OF COLUMBIA

**Larry Mann**  
Alper & Mann, PC  
9205 Redwood Avenue  
Bethesda, MD 20817  
Tel. (202) 298-9191  
(800) 747-6266

## FLORIDA

**Howard A. Spier**  
Rossman Baumberger  
Reboso & Spier, PA  
9155 S. Dadeland Boulevard  
Suite 1200  
Miami, FL 33156  
Tel. (305) 373-0708  
(800) 775-6511  
[www.rbrlaw.com](http://www.rbrlaw.com)

## ILLINOIS

**F. Daniel Petro**  
Petro & Harrington, LLC  
150 S. Wacker Drive  
Suite 2400  
Chicago, IL 60606  
Tel. (312) 332-9596  
(800) 472-5729  
[www.petrofelalaw.com](http://www.petrofelalaw.com)

**Daniel J. Downes**  
Cavanagh Law Group  
161 N. Clark Street  
Suite 2070  
Chicago, IL 60601  
Tel. (312) 425-1900  
(800) 624-2121  
[www.cavanaghlawgroup.com](http://www.cavanaghlawgroup.com)

## MARYLAND

**P. Matthew Darby**  
Berman, Sobin, Gross,  
Feldman & Darby LLP  
Heaver Plaza  
1301 York Road  
Suite 600  
Lutherville, MD 21093  
Tel. (410) 769-5400  
(800) 248-3352  
[www.bsgfdllaw.com](http://www.bsgfdllaw.com)

## MASSACHUSETTS

**Robert T. Naumes**  
Naumes Law Group, LLC  
2 Granite Avenue  
Suite 425  
Milton, MA 02186  
Tel. (617) 227-8444  
(844) 826-8445  
[www.naumeslaw.com](http://www.naumeslaw.com)

## MICHIGAN

**Arvin J. Pearlman**  
Sommers Swartz, PC  
1 Towne Square  
Suite 1700  
Southfield, MI 48076  
Tel. (248) 356-5000  
(800) 272-5400  
[www.sommerspc.com](http://www.sommerspc.com)

## MINNESOTA

**Randal W. LeNeave**  
Hunegs, LeNeave  
& Kvas  
1000 Twelve Oaks  
Center Drive, Suite 101  
Wayzata, MN 55391  
Tel. (612) 339-4511  
(800) 328-4340  
[www.hklaw.com](http://www.hklaw.com)

6035 Binney Street  
Omaha, NE 68104  
Tel. (402) 341-2020

**Gregory T. Yaeger**  
Yaeger & Weiner, PLC  
2701 University Avenue SE  
Suite 202  
Minneapolis, MN 55414  
Tel. (612) 345-9797  
[www.yw-law.com](http://www.yw-law.com)

## MISSOURI

**Gene C. Napier**  
Hunegs, LeNeave & Kvas  
1712 Main Street  
Suite 266  
Kansas City, MO 64108  
Tel. (913) 484-3884

**Drew C. Baebler**  
The Baebler Firm, LLC  
60 Crestwood Executive Ctr.  
St. Louis, MO 63126  
Tel. (314) 270-9900  
[www.naillaw.com](http://www.naillaw.com)

## NEBRASKA

*See Minnesota*

## NEW YORK

**Marc Wietzke**  
Flynn & Wietzke, PC  
1205 Franklin Avenue  
Garden City, NY 11530  
Tel. (516) 877-1234  
(866) 877-3352  
[www.felaattorney.com](http://www.felaattorney.com)

## OHIO

**Andrew J. Thompson, Esq.**  
Shapero | Roloff Co., LPA  
1350 Euclid Avenue  
Suite 1550  
Cleveland, OH 44115  
Tel. (216) 781-1700  
(800) 321-9199  
[www.shaperoroloff.com](http://www.shaperoroloff.com)

## PENNSYLVANIA

**Michael J. Olley**  
Coffey, Kaye, Myers & Olley  
Two Bala Plaza  
Suite 718  
Bala Cynwyd, PA 19004  
Tel. (610) 668-9800  
(800) 334-2500  
[www.ckmo.com](http://www.ckmo.com)

**Don P. Palermo**  
Palermo Law Offices  
111 North Olive Street  
Media, PA 19063  
Tel. (215) 499-2957  
[www.palermolaw.org](http://www.palermolaw.org)

## TEXAS

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

## TEXAS

**Robert M. Tramuto**  
10000 Memorial Drive  
Suite 888  
Houston, TX 77210  
Tel. (713) 668-0230  
(800) 231-3359

## UTAH

**Brent O. Hatch**  
Hatch, James & Dodge, PC  
10 West Broadway  
Suite 400  
Salt Lake City, UT 84101  
Tel. (801) 363-6363  
[www.bjdlaw.com](http://www.bjdlaw.com)

## VIRGINIA

**Willard J. Moody, Jr.**  
The Moody Law Firm, Inc.  
500 Crawford Street  
Suite 200  
Portsmouth, VA 23704  
Tel. (757) 393-4093  
(800) 368-1033  
[www.moodyrllaw.com](http://www.moodyrllaw.com)

**C. Richard Cranwell**  
Cranwell, Moore & Emick, PLC  
111 W. Virginia Avenue  
Vinton, VA 24179  
Tel. (540) 904-1621  
(888) 635-6304  
[www.cranwellmoorelaw.com](http://www.cranwellmoorelaw.com)

## WASHINGTON

**James K. Vucinovich**  
Rossi Vucinovich PC  
1000 Second Avenue  
Suite 1780  
Seattle, WA 98104  
(866) 357-RAIL (7245)  
[www.railroad-injuries.com](http://www.railroad-injuries.com)

*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: Michael S. Baldwin, President, Brotherhood of Railroad Signalmen 917 Shenandoah Shores Road, Front Royal, VA 22630-6418*

# BENEFITS DIRECTORY

INSURANCE | CLAIMS | GROUP POLICIES | INFO  
HEALTH | RAILROAD RETIREMENT | PLANS  
PHARMACY BENEFIT

## Your Track to Health

[www.yourtracktohealth.com](http://www.yourtracktohealth.com)



Whether you want to better understand your plan and coverage, access a form, add a dependent, or research retirement benefits, it's easy to find the information you need on this site.

(NOTE: Information on this site only applies to employees under National Handling.)

### HEALTH & WELFARE PLANS

#### National Health & Welfare Plan — GA-23000

Managed Medical Care Programs (MMCP) & Comprehensive Health Care Benefit (CHCB)

#### United Healthcare

**1-800-842-9905**

[www.myuhc.com](http://www.myuhc.com)

#### Retiree Claims — GA-46000

UnitedHealthcare

**1-800-842-5252**

#### Retiree Supplemental — GA-23111

UnitedHealthcare

**1-800-842-5252**

#### Aetna

**1-800-842-4044**

#### Highmark Blue Cross Blue Shield

Railroad Dedicated Unit

**1-866-267-3320**

[www.bcbs.com](http://www.bcbs.com)

### LIFE INSURANCE

#### MetLife

**1-800-310-7770**

[www.metlife.com](http://www.metlife.com)

### MENTAL HEALTH & SUBSTANCE ABUSE BENEFITS

#### United Behavioral Health

For treatment, claims or inquiries call:

**1-866-850-6212**

[www.liveandworkwell.com](http://www.liveandworkwell.com)

ACCESS CODE: Railroad

### SUPPLEMENTAL SICKNESS BENEFITS

#### The Hartford

**1-800-205-7651**

<https://abilityadvantage.thehartford.com>

### VISION BENEFITS

#### EyeMed

Member Support

**1-855-212-6003**

[www.eyemedvisioncare.com/railroad](http://www.eyemedvisioncare.com/railroad)

### DENTAL BENEFITS

#### Aetna

**1-877-277-3368**

[www.aetna.com](http://www.aetna.com)

### MANAGED PHARMACY BENEFIT

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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.express-scripts.com](http://www.express-scripts.com)

### RAILROAD RETIREMENT BOARD

Automated Help Line

**1-877-772-5772**

[www.rrb.gov](http://www.rrb.gov)

### UNION PLUS

Union Plus Mortgage Company • AT&T Discount Credit Card • Scholarships • Free College Insurance Discounts, and more.

[www.unionplus.org](http://www.unionplus.org)



# OBITUARIES

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**TERRY W. ADAMS**—retired member of **LOCAL 178**. Brother Adams retired in 2014 after 40 years of service with CSX Transportation. Brother Adams was a Signal Maintainer at Cullman, Alabama, at the time of his retirement.

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**JASON T. CARMAN**—active member of **LOCAL 8**. Brother Carman had 28 years of service with the Union Pacific Railroad. Brother Carman was a Signal Maintainer at Cheyenne Wells, Colorado, at the time of his passing.

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**RUSSELL O. CLANTON**—retired member of **LOCAL 179**. Brother Clanton retired in 2006 after 38 years of service with the Southern Pacific and Union Pacific Railroads. Brother Clanton was a Signaller at Sandpoint, Idaho, at the time of his retirement. Brother Clanton served as Recording-Financial Secretary and Local Chairman.

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**DANNY E. DRAPER**—retired member of **LOCAL 72**. Brother Draper retired in 2002 after 34 years of service with the Missouri Pacific and Union Pacific Railroads. Brother Draper was a Signal Maintainer at Wynne, Arkansas, at the time of his retirement.

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**LAWRENCE “LARRY” P. ERICKSON**—retired member of **LOCAL 228**. Brother Erickson retired in 2000 after 45 years of service with the New York, Chicago & St. Louis Railroad and the Norfolk Southern Railway. Brother Erickson was a Signal Maintainer at North East, Pennsylvania, at the time of his retirement.

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**ANTHONY T. EUBANKS**—retired member of **LOCAL 49**. Brother Eubanks retired in 2010 after 38 years of service with the Southern Railroad and the Norfolk Southern Railway. Brother Eubanks was a Signal Maintainer at Chattanooga, Tennessee, at the time of his retirement.

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**RICHARD J. FINCH**—retired member of **LOCAL 2**. Brother Finch retired in 1998 after 34 years of service with the Pennsylvania Railroad, the Penn Central Transportation Company, and Conrail. Brother Finch was a C&S Maintainer at Pittsburgh, Pennsylvania, at the time of his retirement. Brother Finch served as Recording-Financial Secretary.

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**WILLIAM “PAT” I. FLOWERS**—retired member of **LOCAL 16**. Brother Flowers retired in 1989 after 36 years of service with the Atlantic Coast Line Railroad and CSX Transportation. Brother Flowers was a Signal Inspector at Lineville, Alabama, at the time of his retirement.

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**RICHARD L. GALLOWAY**—retired member of **LOCAL 57**. Brother Galloway retired in 2000 after 24 years of service with the Lehigh Valley Railroad and the Norfolk Southern Railway. Brother Galloway was an Assistant Signal Inspector at Allentown, Pennsylvania, at the time of his retirement.

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**EUGENE R. GARRETT**—retired member of **LOCAL 119**. Brother Garrett retired in 1999 after 48 years of service with the Chicago, Burlington & Quincy Railroad and the BNSF Railway Company. Brother Garrett was a Signal Maintainer at Falls City, Nebraska, at the time of his retirement. Brother Garrett is a U.S. Army Veteran.

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**LAWRENCE “LARRY” J. GREGORY**—retired member of **LOCAL 98**. Brother Gregory retired in 1996 after 45 years of service with the Chicago, Rock Island and Pacific Railroad, the Chicago & North Western Railway, and the Union Pacific Railroad. Brother Gregory was a Signal Maintainer at Polo, Missouri, at the time of his retirement.

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**DANNY L. GUMFORY**—retired member of **LOCAL 72**. Brother Gumfory retired in 2004 after 34 years of service with the Missouri Pacific, Northern Pacific, and Union Pacific Railroads. Brother Gumfory was a Signal Maintainer at Osawatomie, Kansas, at the time of his retirement.

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**JULIUS O. KERPER**—retired member of **LOCAL 132**. Brother Kerper retired in 1992 after 41 years of service with the Terminal Railroad Association of St. Louis. Brother Kerper was a Signal Testman-Relay Repair at East St. Louis, Illinois, at the time of his retirement.

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**WILLIAM J. KINGSBURY**—retired member of **LOCAL 62**. Brother Kingsbury retired in 2002 after 39 years of service with the New York, New Haven, and Hartford, and Providence & Worcester Railroads. Brother Kingsbury was a C&S Technician at Plainfield, Connecticut, at the time of his retirement.

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**GILBERT F. KORWES**—retired member of **LOCAL 29**. Brother Korwes retired in 1990 after 34 years of service with the Illinois Central and Chicago Central & Pacific Railroads. Brother Korwes was a Signal Maintainer at Iowa Falls, Iowa, at the time of his retirement.

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**WALTER KRASOWSKY**—retired member of **LOCAL 56**. Brother Krasowsky retired in 1994 after 21 years of service with the Long Island Rail Road. Brother Krasowsky was a Signal Helper at New York, New York, at the time of his retirement.

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**ERIK T. LAUPSA**—active member of **LOCAL 229**. Brother Laupsa had 16 years of service with the Union Pacific Railroad. Brother Laupsa was a Signal Maintainer at Roseville, California, at the time of his passing. Brother Laupsa served as Local Vice President and Local President.

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**LEON L. LEACH**—retired member of **LOCAL 145**. Brother Leach retired in 1990 after 39 years of service with the Erie Railroad, the Erie Lackawanna Railway, and Conrail. Brother Leach was a Signal Maintainer at Silver Springs, New York, at the time of his retirement. Brother Leach served as Local President.

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# OBITUARIES

**JOHN P. MILLER**—retired member of **LOCAL 99**. Brother Miller retired in 2003 after 37 years of service with the Southern Pacific and Union Pacific Railroads. Brother Miller was a Signal Foreman at Waco, Texas, at the time of his retirement.

**MICHAEL A. MIZAK**—retired member of **LOCAL 77**. Brother Mizak retired in 2007 after 36 years of service with the Norfolk & Western and Norfolk Southern Railways. Brother Mizak was a Signal Maintainer at Roanoke, Virginia, at the time of his retirement.

**GARY L. MUSE**—retired member of **LOCAL 71**. Brother Muse retired in 2012 after 22 years of service with CSX Transportation. Brother Muse was a Signalman at System, Motel Line Road, at the time of his retirement.

**JAMES W. OVERHOLSER**—retired member of **LOCAL 154**. Brother Overholser retired in 1993 after 43 years of service with the Northern Pacific and Burlington Northern Railroads. Brother Overholser was a Signalman at Carlton, Minnesota, at the time of his retirement.

**DENNIS J. PALAZZOLO**—retired member of **LOCAL 55**. Brother Palazzolo retired in 2011 after 40 years of service with the Norfolk & Western and Norfolk Southern Railways. Brother Palazzolo was a Signal Maintainer at O' Fallon, Missouri, at the time of his retirement. Brother Palazzolo served as Local Trustee.

**BILLY W. REYNOLDS**—retired member of **LOCAL 132**. Brother Reynolds retired in 2002 after 38 years of service with the Illinois Central Railroad and the Alton & Southern Railway. Brother Reynolds was a Signal Foreman at East St. Louis, Illinois, at the time of his retirement.

**DALE L. SCHURG**—retired member of **LOCAL 97**. Brother Schurg retired in 1992 after 37 years of service with the Elgin, Joliet, and Eastern Railway. Brother Schurg was a Signal Maintainer at Gary, Indiana, at the time of his retirement.

**WILLIAM D. STEPHENS**—retired member of **LOCAL 49**. Brother Stephens retired in 2009 after 35 years of service with the Southern Railroad and the Norfolk Southern Railway. Brother Stephens was a Signal Maintainer at Danville, Kentucky, at the time of his retirement.

**DAVID L. THOMAS**—active member of **LOCAL 72**. Brother Thomas had 14 years of service with the Union Pacific Railroad. Brother Thomas was a Signalman with Mobile Gang 9633, at the time of his passing.

**BILLY "MIKE" M. WILSON**—retired member of **LOCAL 157**. Brother Wilson retired in 2009 after 19 years of service with the Union Pacific Railroad. Brother Wilson was a Signal Maintainer at Pine Bluff, Arkansas, at the time of his retirement. Brother Wilson served as Local Trustee.



## CONTINUOUS MEMBERSHIP

*continued from page 22*

### 25 YEARS OF SERVICE

Jeremey Pensick _____	8	Mark Persson _____	56	Ronald _____	
Jeremy Duree _____	92	Matt Lester _____	173	Dickerson _____	20
Jerry Brown _____	110	Michael Anderson _____	161	Ryan Roberts _____	56
Joe Geis _____	141	Michael Miller _____	49	Salvador Rodriguez _____	239
John Allen _____	158	Michael Rapuano, III _____	5	Salvatore LaSala, Jr. _____	241
John Casciaro, Jr. _____	92	Nathan Whiteneck _____	161	Shawn Payne _____	102
Jose Rubio _____	19	Nick Formicola _____	102	Shelton McPherson _____	99
K. Borgmeyer _____	174	Paul Weber _____	16	Steven Phillips _____	129
Keith Rushing _____	19	Paul Wood _____	99	T. Griffith _____	129
Kent Seibel _____	92	Peter Zeccola _____	56	Thomas Maxfield _____	48
Kevin Reilly _____	19	Ray Casola _____	228	Thomas Poor _____	33
Leroy Edwards, Jr. _____	106	Richard Moya _____	183	Timothy Okes _____	89
Lonnie Klinkhammer _____	92	Richard Skorupski _____	16	Toby Collins _____	87
Manny Acosta, Jr. _____	130	Robert Williams, Jr. _____	110	William Bagnasco _____	56
		Rodney Draper _____	111	William Donahue _____	20
		Ron Minkoff _____	87	William Wood _____	19

# AUDITOR'S REPORT

## ON FINANCES

*As provided for in Article 1, Section 68, of the Constitution, the Chairman of the Grand Board of Trustees caused the examination and audit of Grand Lodge financial records for the fiscal year July 1, 2020, to June 30, 2021, by certified public accountants. The firm J. Schaefer & Company, LLC was selected for the task.*

### GENERAL FUND

#### Summary Statement of Income, Expenses, and Capital

##### INCOME:

Per capita tax, initiation fees, dues, donations, refunds	\$ 5,861,167	
Sales of supplies, services, books, advertising, subscriptions	27,700	
Interest, investment gain/loss	<u>1,105,802</u>	\$ 6,994,669

##### EXPENSES:

Salaries, payroll taxes, insurance	\$ 3,745,373	
Travel expenses	259,022	
Office expenses	502,578	
Association per capita, dues, subscriptions	133,656	
Attorney fees, professional services	255,652	
Depreciation	175,797	
Building expenses	106,555	
Convention, meeting expenses	43,047	
Signalman's Journal	64,978	
Allocation to Contingent Fund	<u>72,274</u>	
		<u>5,358,932</u>

##### NET INCOME (LOSS)

CAPITAL — June 30, 2020	1,635,737
CAPITAL — June 30, 2021	<u>9,828,578</u>
	<u>\$ 11,464,315</u>

### CONTINGENT FUND

#### Summary Statement of Income, Expenses, and Capital

##### INCOME:

General Fund Allocation, investment gain/loss	\$ <u>3,652,549</u>	\$ 3,652,549
---	---------------------	--------------

##### EXPENSES:

Convention credit	\$ —	
Bank charges	<u>358</u>	
		<u>358</u>

##### NET INCOME (LOSS)

CAPITAL — June 30, 2020	3,652,191
CAPITAL — June 30, 2021	<u>4,307,116</u>
	<u>\$ 7,959,307</u>



# AUDITOR'S REPORT

## ON FINANCES

*The audit was completed and submitted to the Grand Board of Trustees on or before December 1, 2021. In a written report, the auditors stated:*

*"In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Brotherhood as of June 30, 2021, and the activities and expenses for the year then ended in accordance with the modified cash basis of accounting as described in Note 2."*

## Balance Sheet

June 30, 2021

### ASSETS

CURRENT ASSETS	Combined	General Fund	Contingent Fund
Cash	\$ 2,677,342	\$ 2,597,166	\$ 80,176
Investments – fair value	14,441,793	6,562,662	7,879,131
Inventory	95,418	95,418	–
Accounts Receivable	–	–	–
Prepaid Expenses	161,581	161,581	–
<b>TOTAL CURRENT ASSETS</b>	<u>17,376,134</u>	<u>9,416,827</u>	<u>7,959,307</u>
<b>FIXED ASSETS</b>			
Land, Front Royal, VA	81,663	81,663	–
Building, Front Royal, VA	1,709,638	1,709,638	–
Land Improvements	9,740	9,740	–
Office furniture & equipment	246,447	246,447	–
<b>TOTAL FIXED ASSETS</b>	<u>2,047,488</u>	<u>2,047,488</u>	<u>–</u>
<b>TOTAL ASSETS</b>	<u>\$ 19,423,622</u>	<u>\$ 11,464,315</u>	<u>\$ 7,959,307</u>

### LIABILITIES

<b>CURRENT LIABILITIES</b>			
Accounts Payable	\$ –	\$ –	\$ –
Accrued payroll taxes	–	–	–
<b>TOTAL CURRENT LIABILITIES</b>	<u>–</u>	<u>–</u>	<u>–</u>
<b>CAPITAL</b>	\$	\$	\$
General Fund	11,464,315	11,464,315	–
Contingent Fund	<u>7,959,307</u>	<u>–</u>	<u>7,959,307</u>
<b>TOTAL CAPITAL</b>	<u>\$ 19,423,622</u>	<u>\$ 11,464,315</u>	<u>\$ 7,959,307</u>
<b>TOTAL LIABILITIES AND CAPITAL</b>	<u>\$ 19,423,622</u>	<u>\$ 11,464,315</u>	<u>\$ 7,959,307</u>



# HAPPY HOLIDAYS

## SIGNALMAN'S STORE

**BRS WATCHES** — Gold BRS logo on the face.

**CAPS** — Adjustable headband. Many different styles and colors available.

**NAVY WINDSHIRT** — 100% polyester microfiber with 100% nylon taffeta lining. Includes side seam pockets.

**OXFORD SHIRTS** — Long-sleeve dress shirts contain a double yoke, button-down banded collar, and dress placket with pearl-tone buttons. Constructed from a blend of 60% cotton and 40% polyester material.

**GOLF SHIRTS** — are constructed from wrinkle resistant, snag-proof, fade resistant material.

**CANVAS COAT** — Made of 100% cotton canvas with BRS colorlight logo embroidered in red and green. Available in black or brown.

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

**Make check or money order payable to:**  
Brotherhood of Railroad Signalmen

### MAIL PAYMENT AND ORDER TO:

BRS Online Store  
P.O. Box 220690  
Chantilly, VA 20153  
(703) 788-2566

ITEM DESCRIPTION	QUANTITY	PRICE	TOTAL
BRS Flag (3' x 5')		85.00	
BRS Flag (2'x3')		54.50	
Golf Balls (pack of 3)		10.50	
Coffee Mug		8.00	
Pocket Watch		94.50	
Wrist Watch		120.00	
Mantle/Desk Clock		136.00	
Magnet		6.00	
Keychain/Bottle Opener		4.00	

HATS	QUANTITY	PRICE	TOTAL
Cap (pink)		11.00	
Cap (camo/orange)		20.75	
Cap (black)		11.00	
Cap (blue)		11.00	
Cap (grey)		11.00	
Cap (black dye sub)		18.00	
Cap (brown diamond plate)		18.00	
Black Knit Hat		11.00	

APPAREL	S	M	L	XL	2X	3X	4X	PRICE	TOTAL
Union Strong T-Shirt (navy)								16.00	
Union Strong T-Shirt (charcoal)								16.00	
Golf Shirt (black w/logo)								37.50	
Golf Shirt (burgundy w/logo)								37.50	
Golf Shirt (navy w/logo)								37.50	
Golf Shirt (steel blue w/logo)								37.50	
Golf Shirt (women's burgundy w/logo)								37.50	
Oxford Dress Shirt (blue)								44.00	
Oxford Dress Shirt (grey)								44.00	
Oxford Dress Shirt (white)								44.00	
Navy Windshirt								57.50	
Black Wool & Leather Coat								201.00	
Black Canvas Coat								90.00	
Brown Canvas Coat								90.00	
Grey Sweatshirt								31.50	
Navy Softshell Jacket								96.50	
Service T-Shirt (burgundy)								18.00	
Service T-Shirt (grey flag)								15.00	

NAME \_\_\_\_\_

STREET \_\_\_\_\_

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

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_ CERTIFICATE # \_\_\_\_\_

ORDER ONLINE AT [WWW.BRS.ORG](http://WWW.BRS.ORG)

# SIGNALMAN'S STORE



CHARCOAL



NAVY



BLUE



WHITE



GRAY

**UNION STRONG T-SHIRT**  
Graphic Shown Imprinted on Back of Shirt

**OXFORD SHIRTS**



**BROWN CANVAS COAT**



**BLACK WOOL  
& LEATHER COAT**



**BLACK CANVAS COAT**



**WINDSHIRT**



BURGUNDY\*



BLACK



NAVY

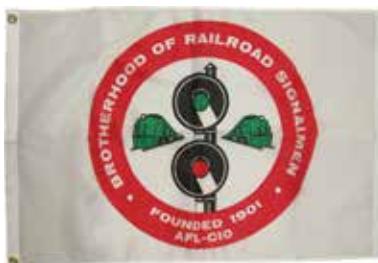


STEEL BLUE

**GOLF SHIRTS** (\*Women's sizes available in Burgundy only)



**ASSORTED CAPS**



**FLAG**



**POCKET WATCH**



**WRIST WATCH**



**MANTLE CLOCK**



# PHOTO CONTEST

## WINNERS FOR 2021

### FIRST PLACE



*Morning sunrise, looking east at Scott Control Point, CA 473.3, in Scott Depot, West Virginia.*

*Photo submitted by Joe Bocook, CSX Signal Maintainer and Local 136 Member.*

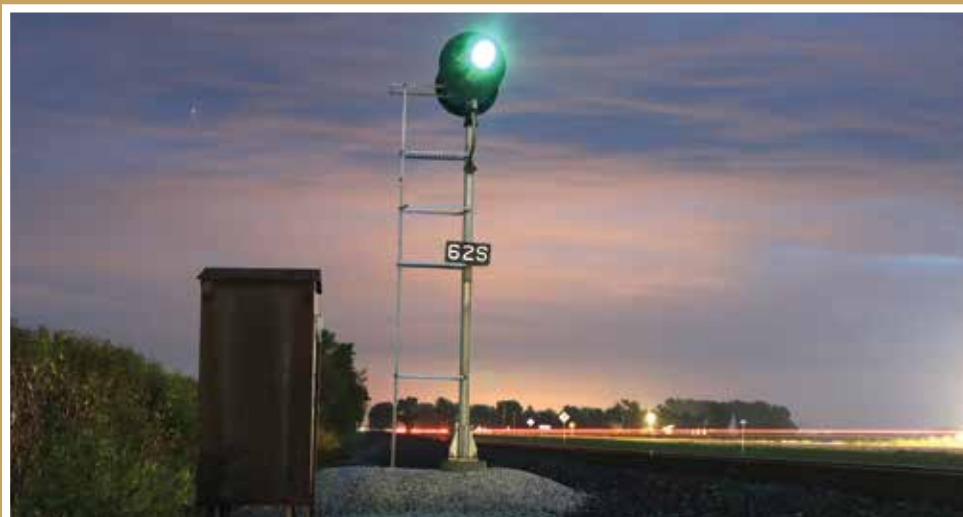
### THIRD PLACE



*Replacing wire and upgrading the slide fences in Badrock Canyon on the Hiline subdivision near Coram, Montana. Signalmen Charles Haupt, Local 119, and Todd Riggs, Local 87, tying in new wire with crew helping.*

*Photo submitted by Chris Heaps, Jr., retired Mobile Construction Signal Inspector and Local 87 Member.*

### SECOND PLACE



*As a late night thunderstorm approaches from the west, a south-bound train lights up the 62S intermediate signal south of Wasbash, Indiana, on the Norfolk Southern Marion District, Lake Railroad Division.*

*Photo submitted by Local 52 Member, Kody L. McCoy.*

# 39TH ANNUAL 2022 PHOTO CONTEST

*The Signalman's Journal* will conduct its 39th Annual Photo Contest during 2022, accepting entries of signal-related photographs from Brotherhood members for publication in *The Signalman's Journal* and judging in the popular contest.

*The Signalman's Journal* 2022 Photo Contest prizes include:

**First Place:** Union-made BRS logo wristwatch and \$100 gift certificate to the Signalman's Store.

**Second Place:** Union-made black canvas coat with blanket lining and \$75 gift certificate to the Signalman's Store.

**Third Place:** \$50 gift certificate to the Signalman's Store.

*The Signalman's Journal* encourages members to submit photographs that feature signal equipment or Signalmen working at their craft. Photographs of Signalmen at work must depict proper safety equipment (for example: hard hats, eye protection, or other necessary safety gear), and other generally recognized safe work practices.

## The contest rules for 2022 are as follows:

1. Photographs should be in color and no smaller than 3 inches by 5 inches in size. Digital pictures are accepted and encouraged, but the photo should be of very high resolution. Negatives or Polaroid photos will not be considered. There is no limit on the number of entries.

2. Photographs must include some element of signal work or signal equipment. This can include Signalmen working or signal equipment of any kind incorporated into a scene.
3. The final date for receipt of photographs for consideration in the 2022 contest will be October 1, 2022. Early entries are encouraged. All entries will be considered for publication in *The Signalman's Journal*.
4. All photographs submitted become the property of the BRS — which may edit, publish, distribute, and republish them in any form.
5. Photographs entered in the contest must be accompanied by the complete information specified on the entry form. Information must include the name, address, and telephone number of the photographer; the identification of any individuals in the photo (i.e., name, title, and local); photo location, and the name of the railroad involved including the division and/or subdivision.
6. Participants may include additional information on a separate sheet of paper. **Please DO NOT write on the back of photographs.** Be sure each entry is clearly identified when sending more than one entry.
7. This contest is open only to active and retired members of the Brotherhood of Railroad Signalmen.
8. Mail all entries to:

Editor – *The Signalman's Journal*  
917 Shenandoah Shores Road  
Front Royal, VA 22630-6418

Or email to: [tme@brs.org](mailto:tme@brs.org)

## BROTHERHOOD OF RAILROAD SIGNALMEN — 2022 PHOTO CONTEST

NAME _____	LOCAL _____
MAILING ADDRESS _____	
CITY _____	STATE _____ ZIP _____
EMAIL ADDRESS _____	
PHONE (Daytime) _____	(Evening) _____
R.R. EMPLOYER _____	JOB TITLE _____
PHOTO LOCATION _____	R.R. DIVISION _____
PHOTO DESCRIPTION _____	

ENTRY FORM





## 2022 UAW Union-Built Vehicle Guide

### UAW CARS

Cadillac CT4  
Cadillac CT4-V  
Cadillac CT4-V Blackwing  
Cadillac CT5  
Cadillac CT5-V  
Cadillac CT5-V Blackwing  
Chevrolet Bolt (Electric)  
Chevrolet Bolt EUV (Electric)  
Chevrolet Camaro  
Chevrolet Corvette  
Chevrolet Malibu  
Ford Mustang Coupe  
Ford Mustang Convertible  
Ford Mustang Shelby  
Lincoln Continental

### UAW TRUCKS

Chevrolet Colorado  
Chevrolet Medium-Duty Silverado  
Navistar (Regular and Crew Cab)  
Chevrolet Silverado Light Duty  
(Crew\*\* and Double Cab only)  
Chevrolet Silverado Heavy Duty  
Ford F 150  
Ford F-150  
(Hybrid/Electrification)  
Ford F-650/750  
Ford Ranger  
Ford Super Duty  
GMC Canyon  
GMC Sierra Light Duty  
(Crew\*\* and Double Cab only)

GMC Sierra Heavy Duty  
GMC Hummer Pick-up  
(Electric)  
Jeep Gladiator  
Ram 1500  
Ram 1500 Classic  
Ram 1500 (Hybrid)  
Grand Wagoneer  
Wagoneer

### UAW SUVs/CUVs

Buick Enclave  
Cadillac Escalade  
Cadillac Escalade ESV  
Cadillac Escalade (Hybrid)  
Cadillac XT4  
Cadillac XT5  
Cadillac XT6  
Chevrolet Suburban  
Chevrolet Tahoe  
Chevrolet Tahoe (Police)  
Chevrolet Tahoe (Special Service)  
Chevrolet Traverse  
Dodge Durango  
Ford Bronco  
Ford Escape  
Ford Escape (Hybrid)  
Ford Expedition/Max  
Ford Explorer  
Ford Explorer (Hybrid)  
Ford Explorer (Police Interceptor)  
GMC Acadia  
GMC Yukon  
GMC Yukon (Hybrid)

GMC Yukon XL  
Jeep Cherokee  
Jeep Grand Cherokee  
Jeep Grand Cherokee  
(Hybrid)  
Jeep Grand Wagoneer  
Jeep Wrangler  
Jeep Wrangler (Hybrid)  
Lincoln Aviator  
Lincoln Aviator (Hybrid)  
Lincoln Corsair  
Lincoln Navigator/L

### UAW VANS

Chevrolet Express  
Chevrolet Express (Cut-Away)  
Ford Transit  
Ford Transit (Electric)  
GMC Savana  
GMC Savana (Cut-Away)

### UNIFOR CARS

Dodge Challenger  
Dodge Charger

### UNIFOR SUVs/CUVs

Chevrolet Equinox\*  
Ford Edge  
Lincoln Nautilus

### UNIFOR VANS

Chrysler Pacifica  
Chrysler Pacifica (Hybrid)  
Chrysler Voyager

These vehicles are made in the United States or Canada by members of the UAW and Canada's Unifor union, formerly the Canadian Auto Workers (CAW). Because of the integration of vehicle production in both countries, all of the vehicles listed as made in Canada include significant UAW-made content and support the jobs of UAW members.

However, vehicles marked with a single asterisk (\*) are also produced in Mexico.

All heavy-duty Chevrolet Silverados and GMC Sierras will be built in Flint, Michigan, only. Light-duty Chevrolet Silverado and GMC Sierra regular cabs are produced in Mexico only. Vehicles marked with a double asterisk (\*\*) are the crew cab versions of the Chevrolet Silverado light-duty and GMC Sierra light-duty trucks. Those are assembled by UAW members in Fort Wayne, Indiana, and also in Mexico.

When purchasing a vehicle marked with a single or double asterisk, it's important to check the Vehicle Identification Number (VIN). A VIN beginning with "1" or "4" or "5" identifies a U.S.-made vehicle; a "2" identifies a Canadian-made vehicle; a "3" identifies a vehicle made in Mexico. Not all vehicles made in the United States or Canada are built by union-represented workers. Vehicles not listed here, even if produced in the United States or Canada, are not union made.

