

May 2, 2006

**FIRST QUARTER REPORT, 2006
SYSTEM COUNCIL NO. 16 OF THE
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS**

Brothers and Sisters:

I am going to start my quarterly report in a manner I have never done before, with a commentary:

I want to say that I have working with me three (3) very dedicated representatives of this office, who go above and beyond with what this office has ever seen before as far a service to the membership of this Council. We strive to provide the best possible service to the membership we represent. We also assist some very dedicated Local representatives who we can unquestionably and unequivocally state their belief in the purpose of unionism and what it stands for.

This office files claims and appeals presented to the Locals by the members, assists in investigations and issues when requested to do so by the Local representatives and will do whatever we can to assist our membership, however we cannot do it by ourself.

As all of know, or should know, we are in an environment where unions, their members and officers are taking a beating, yet those who are dedicated to your service in connection with membership in this Organization often stand alone.

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My point here is this: Your Local officers and your System Council staff often times ask for assistance in the handling of claims and grievances, finding details of incidents or anything that may be relevant to an issue we are investigating. We send letters to Locals and often times do not even receive so much as a phone call, let alone a response to assist. If we withdraw a case or take it to a Board and lose, our membership will point the blame at the leadership, when the fact remains, it takes a cooperative effort to move forward.

I understand there are Local officers who receive very little compensation, if any for their efforts, and that is matter and a decision that can be left only to the Local for their adjustment and consideration, but each and everyone who is in a leadership position in this Organization depend on each other, and one cannot do their work without the support of the other and with that said the Council staff will do the best we can, we can however do so much better with your help.

The Council listens to the input of the membership and I have asked for in several of my reports for comments on our web site which was requested, if not demanded, at our 2003 convention. I have received very few comments, although those that were received were all positive. When attending Local meetings I have asked who has even looked at our web site, and find that only a few have and a many are not even aware we have one.

As I advised in my 4th Quarter 2005 report, President Hill appointed International Represented Bill Bohne to Director of the Rail Department. I have seen a significant change coming in the Department over the last quarter and I believe Director Bohne was the right choice for the job, as the improvements and service have not gone unnoticed by this office.

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We endeavor to continually watch expenses while at the same time maintain the level service that the membership deserves. You will note in this report that our accounts are increasing. I understand there have been strong feelings over the extension of the special assessment, however this Council can not afford to ever find itself in a position where the required and necessary service to the membership would be jeopardized for any reason. You will note, our travel was not extensive this quarter, which coupled with the assessment will provide the reasoning for the increase in funds.

For those who are covered under the National Health and Welfare plans, Broadspire is now the administrator of the Supplemental Sickness plan. The toll free number previously provided was incorrect. The correct number is (800) 205-7651.

This quarter the Council staff has conducted business or obtained information relative to the following Carriers effecting Local membership:

Belt Railroad of Chicago:

I have been notified of several issues with contractors working on the property. Upon review of the records, we have determined there were no notices provided and we are continuing our investigation.

A meeting has been called with representatives of the Organizations by senior management on May 11, 2006. I do not have any details of what the meeting has been called for at this time.

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Canadian National/ICG-CCP-WC-DWP-DMI:

We have obtained ratified Agreements through November 1, 2009 for our members on the CC&P, WC and DWP properties. The Agreements include annual rate increases, limits on insurance premiums and one (1) week of additional vacation a single day at a time, as well as other Agreement modifications.

The IC Agreement was overwhelmingly rejected and the Carrier has been so notified. Minor discussions have been held via telephone, however the Labor Relations officer assigned to this Organization has been assigned to the Operating Department Crafts, thus we are now at a standstill.

Assistant General Chairman Klecka assisted with an investigation at the Chicago Woodcrest Facility in March.

We are working with representatives of another Organization to schedule a meeting on the DM&I property with representatives of United Health Care and the Carnegie Pension Fund to answer questions about the Carrier's demands.

We have several claims that are in various stages of handling on the various properties.

Canadian Pacific/Soo Line:

We continue to meet with the Carrier and Local 886 representatives to update the Communication Department Agreement. We are moving at a snails pace, none the less we are moving.

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During our last meeting with Telecommunication Department representatives, I questioned the Carrier about the Gain Sharing provision contained in the last Agreement. The Carrier is discussing this matter with Department representatives and said they will contact this office in the future.

Assistant General Chairman Mark Klecka attended employee meetings on January 11th, 12th in Terre Haute, Indiana concerning the line sale to the Indiana Railroad Company.

There are several outstanding claims in various stages of handling on this property.

The status of the Stand-by Agreement remains unchanged and in all probability will not move forward.

Montana Rail Link:

The signed copies of the ratified Agreements have been distributed to the Local members, and the revised Agreement Book has been received in this office for review prior to it being printed.

The two (2) issues relative to the Mechanical Department Apprenticeship Agreement remain in negotiations.

Lake Superior and Ishpeming:

The signed copies of the ratified Agreement have been provided to the Local members and we are moving forward to provide our members with an updated Labor Agreement.

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Evansville and Western Railway:

We have been provided information that this carrier is looking to contractors to perform work that should be performed by our members. The ink on the Agreement signed at the start up of this Carrier is barely dry. I hope this is not a sign of the intent of Carrier managers.

Paducah & Louisville Railway:

We have received the updated Agreement Book for review. Upon completion of the review, it will be signed and distributed to the Local membership.

Elgin, Joliet and Eastern:

No news to report.

NICTD:

No news to report.

BNSF Railway:

As I discussed in my last report, this office, in connection with representatives of the BRC and IAofM were negotiating with the Carrier to establish Rapid Responder positions along the TransCon line from Los Angeles to Chicago. A total of twenty-four (24) positions were to be initially established at various strategic locations determined by the Carrier. Several negotiating sessions were held and we thought we were close, however the Carrier demanded terms that the Organizations felt were not something that

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could be tolerated. I want to make sure that you understand, the negotiations may or may not be complete, but this office felt we were at a point with certain issues that it no longer became a benefit for our members to enter into the Agreement.

The Agreement for the Rapid Responder positions in the Powder River Basin of Wyoming has progressed smoothly. The only problem that I am aware of as of this writing is that there are a couple of the Electrician positions not permanently filled.

We continue to be requested to assist the Local's in a number of investigations that the Carrier continues to call. A number of Local representatives have reported to this office that they have been told by Carrier representatives the reason for the number of investigations is that we are not party to the Work Place Observation/Alternative Discipline Agreement.

When the Work Place Observation/Alternative Discipline Agreement was initiated on the property, a number of Local representatives responded to an inquiry of this office that they were not even remotely interested in the Agreement. We are beginning to hear that certain Locals are looking at this differently and may now be interested in moving forward to obtain this Agreement. You may consider this as my request to supply this office with the Locals' desires in writing. Upon receipt of the Locals' thoughts, a determination will be made as to how or if we will proceed.

We have been hearing of problems with the Mechanical Department Apprenticeship Agreement, which resulted in an inquiry being sent to all Mechanical Department Locals in a letter dated February 17, 2006. As of this writing, only one Local representative, President/Local Chairman D. Patterson of Local 866 has responded. As I stated in my opening statement, we cannot help you without you helping this office.

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In January, Vice-General Chairman Heyland attended an executive hearing to discuss the Award rendered by Neutral Peterson in the West Burlington, Iowa protection claim. The Neutral did not change his position and as a result, the Award has been signed and a dissent prepared. Vice-General Chairman Heyland also testified in the City of Burlington, Iowa lawsuit against BNSF in connection with the closure of the shop.

The issues with Omni Trax in Texas continue. It appeared last quarter when the new manager was assigned our problems were subsiding, however this is not the case. We have a number of new members at various locations and Omni Trax managers who seem to take advantage of these new members and ignore the Agreements. Local 418 Chairman James Moore, who's Local has jurisdiction over some of the Omni Trax territory, is to be commended for his diligence in monitoring the Agreement and the rights of these members. The Omni Trax project continues to receive considerable attention by this office.

Assistant General Chairman Burk represented two (2) members of our Organization who work under Omni Trax supervision in a disciplinary issue in January in Houston.

We have conferenced and resolved a number of claims, received Awards on several discipline cases and the Claimants or Locals have been advised of the status of the claims. There are several other cases that have been submitted to the Expedited Board for adjudication and a claims conference will be conducted in the next week or so to discuss other claims.

In late March, the undersigned attended a meeting in Fort Worth, Texas, hosted by Vice-President John Fleps. During this meeting there was a presentation on profit sharing and a proposal has been delivered. I understand there is at least one (1) Organization that challenged the Carrier's legality to this proposal. This

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proposal is currently being reviewed by the Council staff and we will also have the proposal reviewed by the International Office.

We have a Public Law Board scheduled in Chicago on July 20th to arbitrate several protection cases, including at least two (2) of the outstanding System Council No. 10 cases. Final details are being worked out with the Carrier and the Neutral. The Claimants will be notified of the hearing when details are finalized.

Another issue that is causing considerable attention of this office is the Carrier's strict absenteeism policy, which in my opinion borders ridiculous. I have discussed this matter extensively with our attorney and with Carrier Representative Craig Hill. We seem to have three (3) locations on Carrier property where there are a considerable amount of problems: Chicago, Kansas City and Barstow.

I believe it is only fair to state that this office has handled many discipline issues relative to absenteeism, and in that regard, the Carrier has taken the position that employees were hired for full time employment. This cannot be argued and is supported by this office. However, the Carrier is now stating in essence there is no such thing as an excused absence; i.e. car accident, illness of yourself or a family member. This is what we are concerned with.

I am also aware that the Carrier is documenting absences of Local representatives of this Organization and using it against those representatives. If any of our Local representatives are placed into the "Step Program" as a result of the absenteeism program in connection with your duties for the members you represent, please provide all details to this office as it may be a violation of the Railway Labor Act. The reasons I say may is that each and every case must be looked at individually.

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If any of you feel that this action of documenting absenteeism may have violate ADA provisions you may have applied for and been granted, you may contact the Civil Rights Division of the U.S. Department of Justice at the following address. For filing a Complaint:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue NW
Washington, DC 20530

If you do correspond and/or file a complaint, I would ask that you forward a copy of all documents for our information and file.

A number of subcontracting notices received in this office this past quarter has been provided to the Locals for investigation and response, again with very few responses received.

There is an outstanding issue with the assignment of System Electricians on the Springfield region of the former BN. We attempted to schedule a meeting with Labor Relations and Engineering representatives in mid-March and was unsuccessful. We have several issues that need to be discussed and will again attempt to schedule a meeting.

We also have several issues relative to the restructuring of the Telecommunication Department Agreement which Assistant General Chairman Klecka has been working to resolve. We are attempting to schedule a meeting in mid-May with senior Telecommunications management to discuss and hopefully resolve the outstanding issues.

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As I have previously advised, many of the news articles received in this office have been posted on our web site, and we have various links to other railroad related matters. Attached is the first quarter travel and vacation schedule, the financial reports as well as a few pieces of information.

Respectfully and fraternally submitted,

Dale E. Doyle
General Chairman/Secretary-Treasurer

DED/dw (OPEIU)

Attachments