

International Brotherhood of Electrical Workers



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May 15, 2008

**FIRST QUARTER REPORT, 2008
SYSTEM COUNCIL NO. 16 OF THE
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS**

Brothers and Sisters:

As discussed in my last report, there was an audit conducted by AETNA of dependents of railroad employees covered by the National Health and Welfare Plans. The audit is now concluded and this office has received at least two (2) requests for assistance from members whose dependents were suspended coverage.

The first conference call with the Director of the Rail Department mandated by the 2007 Rail Risk Force was conducted the first quarter. Due to the fact there was less than five per cent (5%) of the Locals under the jurisdiction of this office who participated, an informational letter was sent to each Local under a date of March 27, 2008. We are looking to get updated Local officer information in order for improved participation in the second call.

I have enclosed three (3) pieces of very important information. This information has an impact on all railroad employees, as such, I urge you to share the following with all members:

1. Information provided by the Rail Department which was issued by the Federal Railroad Administration (FRA) dated April 3, 2008 providing an explanation of compliance with Roadway Worker Protection (RWP) Regulation (49 CFR, Part 214, Subpart C) is required in a locomotive servicing track area and a car shop repair track area.

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2. A letter and attached documents dated April 11, 2008 from BNSF Railway Director of Mechanical Safety Ron Hennessey concerning changes in BNSF Mechanical Safety Rules and Polices due to FRA issued Amendments in CFR Parts 217 and 218.
3. A letter dated April 15, 2008 from BMWED General Chairman Bruce Glover and attached letter dated April 15th to BNSF Vice Presidents D. L. Freeman (Engineering) and M. A. Schulze (Safety) relative to the Organizations issues with on track protection for BMWED employees.

All of the above enclosed information is very important to each of us, as well as all railroad employees.

This Quarter the Council staff has conducted business or obtained information relative to the following Carrier's effecting Local members:

Canadian National/IC-CCP-WC-DMI-DWP

I am pleased to advise that an Agreement was submitted to our members employed on the IC property and ratified by a vote of 48 for and 23 against. The Agreement was signed and as I understand the retroactive wages were paid to each employee on April 25, 2008 and the transition to the National Health and Welfare Plans was effective on May 1, 2008. If there are any issues relative to this implementation, please contact this office.

As part of this Agreement, we have scheduled a meeting to begin discussions to update the Telecommunication Department Labor Agreement. The initial meeting is scheduled for July 30, 2008 in the Carrier's Chicago offices.

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Three (3) discipline cases were submitted to a Neutral Arbitrator this quarter with the Awards rendered. The Claimants and Locals were notified of the final disposition in each case.

We are currently in negotiations for an Agreement for our members employed on the DM&I property. I am pleased to advise that we are working out final details on a tentative Agreement. Details will be forthcoming to our members on this property.

There have been a number of employees at the Stevens Point Facility on the WC property that have retired or are off duty on an injury. This has caused some issues for the remaining work force which has resulted in employees being transferred from Fond du Lac to the Point Facility.

We have been formally advised of a serious safety issue at the Escanaba Ore Dock Facility and a grievance has been initiated accordingly.

On April 30, 2008, we met in the Carrier's Chicago offices to begin discussions on an Implementing Agreement for the acquisition of the Elgin, Joliet and Eastern property. We have been posting various news releases concerning this acquisition on the Council web site.

Canadian Pacific/Soo Line

I am again pleased to advise that we have reached an Agreement that was presented to our members on this property and ratified by a vote of 32 for and 12 against.

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In connection with the Agreement, a combined and updated Telecommunication Department Labor Agreement was completed and adopted, wherein there has been several significant issues addressed including a single rate of pay for Telecommunication Department employees that has been an issue for more years than I have been on the Council Staff.

We are now working on the Gain Sharing Goals for this year and upon completion, those goals will be forwarded to the Local officers.

I would also like to take this opportunity to wish Local 886 Chairman Jim Kallberg safe travels and the best as he and his wife have has been assigned to another tour of duty in Iraq.

There have also been various news releases posted on the Council web site concerning the CP's acquisition of the DM&E property.

The Carrier is currently looking for an Electrician at its Milwaukee Work Equipment Facility. If anyone knows of an experienced Journeyman Electrician looking for such a position, please contact this office.

Elgin Joliet and Easter

There has been no additional meetings scheduled nor has any information been provided concerning the establishment of the Gary Railway as a result of the CN's acquisition of the EJ&E.

We conferenced a subcontracting claim on March 7, 2008 which we were not able to settle. This office is currently preparing this case for arbitration which is scheduled for late August.

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Belt Railway of Chicago

We are currently working on an updated Labor Agreement. This is going to be a long drawn out task as this Agreement was last printed approximately 1950.

Montana Rail Link

There have been some issues with protective conditions and our members relative to the purchase of the BNSF Telecommunication Infrastructure. As of this writing, the issues apparently are resolved.

There are issues remaining with the employees Health Care Plan and the General Chairmen are trying to schedule another meeting with the Carrier in the near future.

This office assisted Local 152 with a disciplinary issue.

Lake Superior and Ishpeming Railroad Company

We are currently investigating a new Michigan law that could have an impact on our members on this property. Details will be provided when obtained.

Evansville and Western Railroad Company

No news to report.

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Paducah and Louisville Railroad Company

No news to report.

Northern Indiana Commuter Transportation District

The initial Section Six meeting was held on April 8th and 9th, 2008 with another conducted on April 29th and 30th, 2008. I am pleased to advise that the Local committee and Assistant General Chairman Klecka have reached a tentative Agreement. The final documents and language are being prepared for review.

BNSF Railway

I have been advised that negotiations are ongoing with Council and Carrier representatives to present the FMLA questions to a panel of three (3) Arbitrators. As I understand, the parties are moving forward steadily.

Local 547 Member Gordon Shaw was awarded the IBEW Founders Scholarship. Sixth District Representative Mary Harrigan, Local officers and wives and the undersigned honored Brother Shaw with a dinner on February 21, 2008. Brother Shaw is the first railroad member of the IBEW who received the scholarship.

The last week of March Council representatives were in Fort Worth to discuss issues with the Telecommunication and Mechanical Departments.

The Carrier has again approached this office about a Profit Sharing Agreement and has provided a document which this office is currently reviewing. The Carrier has advised that it would implement the profit sharing on July 1, 2008 subject to approval.

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The profit sharing issues for those on the Rapid Responder positions has been addressed and presumably the compensation rendered.

There is also one (1) very serious issue I wish to bring to your attention. This office has arbitrated two (2) discipline issues over the past several months where our members have been cited for a violation of Blue Flag rules for being on a locomotive without blue flags. The issue is that the members were not "working" on the locomotives at the time of the alleged rule violation, but merely on board that locomotive. The Carrier has taken the position that anytime an employee is on a locomotive it must be properly blue flagged, whether it be a mere walkthrough or even being found in a cab taking an authorized break. This policy, while it seems ludicrous, must be complied with for your own protection. Strict compliance with this policy is a must or you will be found in violation of the Blue Flag Rule and subject to investigation and subsequent assessment of discipline.

Attached please find the first quarter travel, vacation and financial reports. There is a large amount of news regularly posted on our web site that is of an interest to our members.

Respectfully and fraternally submitted,

Dale E. Doyle
General Chairman

DED/dgw OPEIU)

Attachments