

August 9, 2005

**SECOND QUARTER REPORT, 2005  
SYSTEM COUNCIL NO. 16 OF THE  
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS**

Dear Brothers and Sisters:

This quarter, Assistant General Chairman Jeff Burk completed the Council web site which is now up and going. The quarterly report will be placed on the site for all members to read with the exception of the financial report, which will not appear. This can be found on the "document's page" of the web site. One copy of the complete report will be mailed to the officers as required by the By-Laws.

As many of you are aware, the IAofM (Machinists) have announced the affiliation of their Organization with the BRC/TCU (Clerks - Carmen). With the turmoil in the AFL-CIO and other issues, there are rumors of many other mergers on the horizon.

We are currently hearing rumors that the IAofM has reached a tentative Agreement for National handling relative to the 2000 Section Six notice. I do not have (at this time) any confirmed information to report.

An issue that has been the topic of discussion in the Rail Department recently concerns the payment of per capita tax, both at the System Council level and the International. We have several Locals who are behind and in violation of the System Council By-Laws, Article IX, Section 5 reading as follows:

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...

" Sec. 5. Any LU indebted to this SC for three months per capita shall stand suspended and cannot again be reinstated without first paying all back per capita unless consent is secured from the EB."

...

I am urging all Locals to comply with the By-Laws and Constitution. Those Locals who are in violation of the above referenced By-Law will soon be notified under separate cover of their noncompliance.

Presently there are many new Local officers as a result of elections this quarter. I would ask the Locals to keep the files and documents maintained by the previous officers, most specifically job bulletins, Awards or any other documents that verifies work performed by the Local members. These documents are important should the Carrier assign work once performed by Local members to other crafts.

During the past quarter the Council staff has conducted business or obtained information relative to the following Carriers and Local membership:

**Canadian National/Chicago Central and Pacific:**

Due to the furlough of the Local Chairman this office assisted in one (1) disciplinary issue.

At the request of the members of Local 939 at Waterloo, Iowa, the Local has been closed and the members transferred to Local 794 in Chicago. Representatives of the Sixth and Eleventh Districts are completing all necessary requirements.

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**Canadian National/Duluth Missabe and Iron Range:**

The discipline case that was to be arbitrated has been resolved to the satisfaction of all concerned. My thanks is extended to Local Chairman Greg Arras for the assistance in this matter.

We are currently investigating an issue with retirement insurance for one (1) of our members.

A claims conference is scheduled for early September to discuss several outstanding claims.

**Canadian National/Duluth, Winnipeg and Pacific:**

No news to report.

**Canadian National/Illinois Central:**

The Section Six notices were served on May 2, 2005 as scheduled and the initial conference conducted. During the conference the notice was reviewed and we agreed to discuss it again at a date yet to be determined.

The Carrier has provided several notices relative to the contracting of locomotive work which have been provided to the Locals for investigation and review.

The abolishment of Mechanical Department employees at New Orleans in the first quarter remains controversial as the Machinists remain employed at New Orleans. This matter remains a priority issue for this office.

A claims conference is scheduled for early September to discuss several outstanding claims.

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**Canadian National/Wisconsin Central:**

We have met with the Carrier, conducted several telephone conferences and are relatively close to an initial Labor Agreement. Local members have been advised of details under separate cover. The major outstanding issue at this time is the rate of pay at the Escanaba Ore Docks.

**Canadian Pacific/Soo Line:**

I have yet to serve the Section Six notice for this round of bargaining. There are still two (2) issues remaining unresolved from the last contract which are the calculation of back pay and the supplemental sickness letter.

We have initiated a claim on a discipline issue for a dismissed employee, obtained information from the Carrier to resolve the Bensenville Shop closure claim and doing some investigation on facts of a number of cases to prepare for final handling or arbitration.

**Montana Rail Link:**

The coalition continues to meet with the Carrier to obtain a new Agreement. A letter providing information on the status of the negotiations will be sent to the members in the near future.

**Lake Superior and Ishpeming:**

The coalition has met with the Carrier on the insurance issue and we may end up resolving the Section Six notice in its entirety. A letter will be provided to the Local members providing details of the status in the near future.

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**Paducah and Louisville:**

We have concluded the Section Six handling with an Agreement through July 1, 2008 by ratification of the members on that property.

**Elgin, Joliet and Eastern:**

No news to report.

**NICTD:**

We are handling one (1) discipline case, a rules case and have resolved a discipline case to the satisfaction of our member.

We have also completed an Agreement to address the four (4) day ten (10) hour assignment issues for the traveling crews.

**Belt Railway of Chicago:**

No news to report.

**BNSF Railway:**

The Burlington, Iowa Shop protection claim was argued and the Award was rendered with the claim denied. The Local will be provided a copy of the Award when adopted. We believe that Arbitrator Peterson erred grievously in rendering his decision in this most important issue. Under the Railway Labor Act the decision cannot be appealed, however at this writing the Council is considering its options to either request an executive session or file a written dissent, which will be attached and become a permanent part of the Award.

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We continue to see an increase in the number of discipline hearings, specifically Rule G cases. Once again, I urge you to discuss the serious violations of a Rule G charge and the repercussions resulting from such violation.

The status of the lawsuit relating to the Family Medical Leave Act is dragging along. Documents have been provided to the judge by the parties in December 2004, however there has been no oral hearing scheduled at this time.

We continue to assist our Local officers and members with problems relating to the restructuring of the Telecommunications Department and Omni Trax supervision in Texas.

The following is the schedule of the Council staff:

**Dale Doyle's Travel Second Quarter:**

April 6<sup>th</sup> - Portage, Wisconsin, CP/Soo, Discipline investigation.

April 7<sup>th</sup> - Wilmer, Minnesota, BNSF, Alternative discipline hearing.

April 20<sup>th</sup>, 21<sup>st</sup> and 22<sup>nd</sup> - Washington, DC national negotiations.

May 9<sup>th</sup> and 10<sup>th</sup> - Kansas City, Missouri, Local 886 issues.

May 12<sup>th</sup> - Minneapolis, Minnesota, CP/Soo Health and Welfare Review Board.

May 23<sup>rd</sup>, 24<sup>th</sup> and 25<sup>th</sup> - Sun Valley, Idaho, Eighth District Progress meeting.

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May 27<sup>th</sup> - Minneapolis, Minnesota, CP/Soo, Claims conference.

June 8<sup>th</sup> and 9<sup>th</sup> - Local 886, Chicago, Illinois, P&L contract negotiations.

June 14<sup>th</sup> and 15<sup>th</sup> - Paducah, Kentucky, P&L contract ratification.

June 21<sup>st</sup>, 22<sup>nd</sup>, 23<sup>rd</sup> and 24<sup>th</sup> - Orlando, Florida, System Council No. 9 meeting.

**Dale Doyle's Vacation Used First Quarter of 2005:**

May 3<sup>rd</sup> 1 day

June 27<sup>th</sup> 1 day

**Rick Heyland's Travel Second Quarter:**

May 9<sup>th</sup> and 10<sup>th</sup> - Kansas City, Kansas, Meeting with BNSF, Argentine LMIT issues.

June 6<sup>th</sup> - Goforth Investigation, Fort Worth, TX

June 7<sup>th</sup> - Hearing, Public Law Board 6861, Fort Worth, TX

June 8<sup>th</sup> - Claim conference, BNSF Labor Relations, Fort Worth, TX

June 21<sup>st</sup> and 24<sup>th</sup> - System Council No. 2 meeting.

June 14<sup>th</sup> - RELCO Shop - Albia, Iowa.

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**Rick Heyland's Vacation Used Second Quarter of 2005:**

April 22 <sup>nd</sup>	1 day
May 20 <sup>th</sup>	1 day
June 15 <sup>th</sup>	1 day
June 20 <sup>th</sup>	1 day
June 27 <sup>th</sup>	1 day

**Mark Klecka's Travel Second Quarter:**

April 1<sup>st</sup> - Spokane, Washington, Discussion of subcontracting issues per Agreement.

April 25<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup> - Missoula, Montana, MRL negotiations.

June 20<sup>th</sup> and 21<sup>st</sup> - Billings, Montana, MRL negotiations.

June 22<sup>nd</sup> and 23<sup>rd</sup> - Minneapolis, Minnesota, LSI negotiations.

**Mark Klecka's Vacation Used Second Quarter of 2005:**

April 4 <sup>th</sup>	1 day
May 13 <sup>th</sup>	1 day
June 6 <sup>th</sup> , 7 <sup>th</sup> and 8 <sup>th</sup>	3 days

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**Jeff Burk's Travel Second Quarter:**

May 2<sup>nd</sup> through 5<sup>th</sup> - Hastings, Minnesota, Training.

June 6<sup>th</sup> and 7<sup>th</sup> - Fort Worth, Texas, Investigation.

June 15<sup>th</sup> through 17<sup>th</sup>, San Francisco, California, Ninth District Progress meeting.

**Jeff Burk's Vacation Used Second Quarter of 2005:**

April 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup> 3 days

Please find attached the quarterly financial report and various information supplied to this office.

Respectfully and fraternally submitted,

Dale E. Doyle  
General Chairman/Secretary-Treasurer

DED/dw (OPEIU)

Attachments