

# International Brotherhood of Electrical Workers



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January 30, 2009

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

Brothers and Sisters:

Over the past several quarterly reports, I have been reporting on the status of the FMLA lawsuit. The subsequent arbitration hearing was conducted on November 12, 2008. The Referees selected by the parties sustained the position of the employees. We won and won significantly. The Carriers asked for an interpretation on the Award and again, the Referees sustained the position of the employees. A copy of the Award and interpretation can be read on the Council website news. If you encounter any problems outside the confines of the Award, please provide complete written details to this office. Counsel is also preparing for the hearing on the settlement of the outstanding claims. Hopefully in my next report I will be able to report more positive results.

Most all Agreements provide that the Carrier post seniority rosters in January of each year with a period for correction. I urge each of you as Local officers and representatives to review the list for accuracy and to encourage the membership to check the roster for accuracy and if errors are found, the member must notify the Local representative, who in turn must notify this office for investigation. There have been at least two (2) issues this past year where there have been errors with the seniority rosters that have not been challenged. Once the dates for protesting have expired, the error cannot be contractually corrected for that year.

*Our Business - Representation & Service*

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This office continues with the assisting of the representatives of various districts in conducting the Local officer training. This past quarter, this office has assisted in training with Locals 152, 946, 1022, 1023, 1517 and 1856.

We continue to receive reports of the slowing rail traffic, locomotives being placed in storage and force reductions in various departments on various Carrier's. If your Local is advised of force reductions that will effect this Organization, first and foremost, provide the member with any information necessary and comply with the requirements of the controlling Agreement. Most all Agreements require that the furloughed employee keep the Carrier and Local apprised of a correct mailing address. The Local Financial Secretary should be notified of the furlough for completion of all required paperwork. Please also notify this office.

The Department of Transportation direct observation requirement for return to duty and follow-up drug testing remains in litigation as of this writing.

This quarter the Council staff has conducted business or obtained information relative to the following Carriers affecting Local members as follows:

## **Canadian National/IC-CCP-WC-DMIR-DWP**

The DM&I Agreement is in place and we are working out the outstanding issues at this time.

This office assisted Local 366 with a discipline issue in Two Harbors, Minnesota.

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The Awards resulting from the October 21, 2008 Public Law Board hearing have been issued and distributed to the Claimants on the IC property. Two (2) other cases have been submitted and we have submitted an Agreement to the National Mediation Board for approval to submit a CC&P discipline case for adjudication.

The Surface Transportation Board approved the CN's acquisition of the EJ&E on December 24, 2008 with implementation the last half of January. The Implementing Agreement for the employees has been executed and forwarded to Locals 757 and 794. There will be a number of EJ&E employees that will be moved into the CN's Chicago operation. We have a seniority issue we are currently investigating in Chicago and hope to have a resolution shortly.

The DWP compensation issue is still unresolved and is being discussed internally by the Carrier.

We are currently waiting for information from the IC Telecom employees in response to two (2) questionnaires presented by this office. As of this writing, only one (1) Telecom employee has provided any information.

## **Canadian Pacific/Soo**

Two (2) discipline Awards were rendered in late November by the National Railroad Adjustment Board. The Claimants and Locals have been notified accordingly.

In November, Local 886 Chairman Abraham and the undersigned met with the Shop Manager in St. Paul to discuss some outstanding issues of the Local members.

We are currently working on the 2009 Gainsharing goals and upon completion, the Agreements will be forwarded to the Locals.

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## **Elgin, Joliet and Eastern**

As I discussed in the CN news, the Surface Transportation Board approved the CN acquisition of the EJ&E on December 24, 2008. As a result of this acquisition, the Gary Railway will be formed with the remaining EJ&E property. The Implementing Agreement for this transaction was executed in late December and the positions have been bulletined and assigned.

## **Belt Railway of Chicago**

We were working on an Agreement for a Maintenance Electrician on the property when the Labor Relations officer resigned from Carrier service. Carrier counsel last week provided a draft of an amended Agreement to this office.

## **Montana Rail Link**

We are working on two (2) issues at this time, an issue with a member's insurance coverage and an issue with service coverage in the Telecommunications Department.

## **Lake Superior and Ishpeming Railroad Company**

We have been advised that the Carrier has reduced employees in all departments resulting in one of our members being furloughed.

## **Evansville and Western Railroad Company**

No news to report.

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## **Paducah and Louisville Railroad Company**

Members are discussing their desires for preparation and serving of Section Six notices.

## **Northern Indiana commuter Transportation District**

The Second Division of the National Railroad Adjustment Board has issued a sustaining Award returning one of our members to service from dismissed status. The Claimant and Local have been notified of the Award.

## **BNSF Railway Company**

Approximately fifteen (15) Awards have recently been rendered by the Second Division and a Public Law Board. The Claimants and Locals have been notified of the decisions rendered.

There are a number of issues in the Telecommunication and Mechanical Departments we are working to resolve. There are also a number of cases to be submitted to a Referee for final adjudication.

We are also scheduled to meet with the managers at the Kansas City Training Center to discuss issues with the Apprentice Program in the Mechanical Department, as well as attempting to schedule a meeting to discuss Telecommunication Department issues.

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We are also beginning to hear that managers are discussing contemplating reduction of forces. I ask each of you to closely monitor these reductions, particularly work going off the property to be performed by contractors, locomotive work or components, or other Departments, Engineering or Telecommunications, who may be bringing contractors on the property to perform the work. Please provide detailed documentation to this office for review and determination.

Attached please find the fourth 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

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## **Dale Doyle's Travel Fourth Quarter:**

October 8<sup>th</sup> and 9<sup>th</sup>, 2008 - Proctor and Duluth, Minnesota - DM&I contract vote

October 14, 2008 - Omaha, Nebraska - Meeting with Eleventh District International Vice President Henke and International Representative John Bourne - Planning for DME/ICE organizing

October 15<sup>th</sup> and 16<sup>th</sup>, 2008 - Lincoln, Nebraska - Local 1022 Local officer training

October 20, 2008 - Local 533 meeting - Chicago, Illinois

October 21, 2008 - Meeting with Director Bohne and Chicago Local officers - CN Labor Relations meeting

October 22, 2008 - CN/EJE merger negotiations

October 29, 2008 - Superior, Wisconsin - Local Union 1559 Investigation

October 30, 2008 - Minneapolis, Minnesota - CP/Soo 401(k) meeting

November 3<sup>rd</sup> and 4<sup>th</sup>, 2008 - Investigation - Two Harbors, Minnesota - Local Union 366

November 6, 2008 - St. Paul, Minnesota - CP/Soo - Shop Superintendent meeting

November 11<sup>th</sup> and 12<sup>th</sup>, 2008 - CN/EJE - Merger negotiations - Telecom negotiations merger negotiations

November 30<sup>th</sup> through December 7<sup>th</sup>, 2008 - Alliance, Nebraska - Local Union 1517 officer training - Shop meeting with Shop Superintendent - Alliance issues

## **Dale Doyle's Vacation Used Fourth Quarter of 2008:**

November 24<sup>th</sup> through 26<sup>th</sup>, 2008 3 days

December 29<sup>th</sup> and 30<sup>th</sup>, 2008 (Personal Leave Days) 2 days

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## **Rick Heyland's Travel Fourth Quarter:**

October 2, 2008 - Davenport, Iowa - ICE Railroad Organizing

October 5<sup>th</sup> and 6<sup>th</sup>, 2008 - Hastings, Minnesota - System Council office

October 7<sup>th</sup> and 8<sup>th</sup>, 2008 - Glendive, Montana - Local Union 152 - officer training - Havre, Montana - Local Union 1856 - officer training

October 9<sup>th</sup> and 10<sup>th</sup>, 2008 - Lincoln, Nebraska - Investigation

October 13<sup>th</sup> and 14<sup>th</sup>, 2008 - Omaha, Nebraska - Eleventh District meeting - organizing

October 20<sup>th</sup> through 23<sup>rd</sup>, 2008 - Kansas City, Kansas - New York Air Brake committee meeting

November 11<sup>th</sup> through 13<sup>th</sup>, 2008 - Fort Worth, Texas - BNSF SACP meeting

December 1<sup>st</sup> and 2<sup>nd</sup>, 2008 - Lincoln, Nebraska, Investigation

December 14<sup>th</sup> and 15<sup>th</sup>, 2008 - Topeka, Kansas - Investigation

## **Rick Heyland's Vacation Used Fourth Quarter of 2008:**

October 3, 2008 1 day

October 27<sup>th</sup> through 31<sup>st</sup>, 2008 5 days

November 3<sup>rd</sup> and 4<sup>th</sup>, 2008 2 days

December 18<sup>th</sup> and 19<sup>th</sup>, 2008 2 days

December 22<sup>nd</sup> and 23<sup>rd</sup>, 2008 2 days

December 26, 2008 1 day

December 29<sup>th</sup> and 30<sup>th</sup>, 2008 2 days

## **Mark Klecka's Travel Fourth Quarter:**

October 13<sup>th</sup> through 15<sup>th</sup>, 2008 - Houston, Texas - Investigation

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October 16<sup>th</sup> and 17<sup>th</sup>, 2008 - Chicago, Illinois - Investigation

November 10<sup>th</sup> through 13<sup>th</sup>, 2008 - Chicago, Illinois - Implementing Agreement - IC Telecommunication Agreement

December 4<sup>th</sup> and 5<sup>th</sup>, 2008 - Chicago, Illinois - Management Meetings

December 17<sup>th</sup> and 18<sup>th</sup>, 2008 - Chicago, Illinois - Management meetings

## **Mark Klecka's Vacation Used Fourth Quarter of 2008:**

October 30 <sup>th</sup> and 31 <sup>st</sup> , 2008	2 days
November 26, 2008	1 day
December 18 <sup>th</sup> and 19 <sup>th</sup> , 2008	2 days
December 26, 2008	1 day
December 29 <sup>th</sup> and 30 <sup>th</sup> , 2008	2 days

## **Jeff Burk's Travel Fourth Quarter:**

October 16, 2008 - Barstow, California - Officer Training - Local Union 1023

October 17, 2008 - Commerce, California - BNSF - Telecom and Mechanical Department meetings

October 18, 2008 - Commerce, California - Officer Training - Local Union 946

November 11, 2008 - Chicago, Illinois - CN/IC Telecom meeting

November 12, 2008 - Chicago, Illinois - CN/IC Acquisition of EJ&E meeting

December 16, 2008 - Lafayette, Louisiana - BNSF Telecom SIAP

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## **Jeff Burk's Vacation Used Fourth Quarter of 2008:**

October 27 <sup>th</sup> through 31 <sup>st</sup> , 2008	5 days
November 24 <sup>th</sup> through 26 <sup>th</sup> , 2008	3 days
December 26, 2008	