

SYSTEM COUNCIL No.16

International Brotherhood of Electrical Workers



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January 21, 2010

**FOURTH QUARTER REPORT, 2009
SYSTEM COUNCIL NO 16 OF THE
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS**

Brothers and Sisters:

The officers and staff of System Council 16 wish you the best for a prosperous and happy new year.

National Section Six notices have been served on the Carrier's in National handling. The first negotiating session is scheduled in Washington on January 19, 2010. The Carrier's under the jurisdiction of this office in National handling include Belt Railway Company of Chicago, BNSF Railway, Canadian Pacific DBA Soo Line Railroad Company and the Gary Railroad.

Reports are mixed concerning rail traffic. We have just been advised of a reduction of force on Montana Rail Link and we have been advised that the CN is hiring Locomotive Electricians at various locations. A copy of the CN job bulletins is posted on the Council web site.

Most Agreements, if not all Agreements, under the jurisdiction of this office require the posting of seniority rosters in the month of January. I ask that all members and officers check the rosters for accuracy and if errors are found, please get them corrected or provide all necessary information to this office for investigation.

Our Business - Representation & Service

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In the third quarter report, I advised that IBEW President Hill is looking for the railroads involvement, as well as our Local Union involvement in the Code of Excellence Program. If any Local is interested in moving forward in this program, please advise.

Enclosed with this report are two (2) documents containing information that is very important to Local Union representatives and railroad employees. They are:

1. A copy of information from our counsel of Zwerdling, Paul, Kahn and Wolly. The issue involves a Carrier's right to discipline an employee for conduct he engaged in while acting as a Union representative. A copy of the Court decision is also attached to this document.
2. A document prepared by the FELA firm of Hoey and Farina concerning the use of mediums and devices that affect your employment with a railroad and an FELA claim.

This past quarter, in connection with representatives of the Seventh District, officer training was conducted for Local 1199.

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

Belt Railway Company of Chicago

Two (2) employees of the Carrier recently were granted a craft transfer to become Locomotive Electricians in the Mechanical Department that resulted in an issue with the establishment of seniority as they were both transferred on the same date. A Letter of Understanding was drafted to address this and future issues of this nature. The letter is currently being progressed.

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Canadian National IC - CCP - WC- DMIR- DWP - EJE

As of this writing we are preparing our Section Six notices collectively with System Councils 7 and 9, who also have jurisdiction on other CN properties. We have just received the final requests from our members to be placed on the notices. A copy of the notices will be provided to the Locals when served.

There are currently openings for Locomotive Electricians at Fond du Lac, Wisconsin and Waterloo, Iowa. It is my understanding that an Electrician was recently hired at the Escanaba Docks and a Locomotive Electrician is in the process of being hired at Proctor, Minnesota.

We continue working to obtain an Agreement on the DM&I property for an updated Mechanic in Charge Classification at the Duluth and Two Harbors Docks.

We continue to work toward finalization of the updating of the IC Communication Department Agreement.

Canadian Pacific/Soo

Reported in the third quarter report was an issue with "Regulatory Blood Testing". Several Organizations, including this office have collectively retained counsel to address this issue for our members.

We are currently investigating a problem with the rate of pay of one of our members.

The undersigned is scheduled to meet with the St. Paul Shop Manager and Local Chairman on January 21, 2010 to discuss outstanding issues as our December meeting was cancelled by the Carrier representative.

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Gary Railroad

No news to report.

Northern Indiana Commuter Transportation District

We have been advised that there have been statements made to employees that indicate the Carrier may be attempting to directly negotiate with the employees. Assistant Chairman Klecka is meeting with the employees to gather information.

Evansville and Western Railroad Company

No news to report.

Lake Superior and Ishpeming Railroad Company

This property is not party to National negotiations. Our initial Section Six meeting is currently scheduled for March 5, 2010 in Minneapolis with representatives of other Shop Craft Organizations.

Paducah and Louisville Railway Company

We currently have a proposed Agreement under review as a result of the Section Six notice served this quarter.

We continue to handle a claim for the Carrier vacating a position on the property.

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Montana Rail Link

The carrier announced on January 14, 2010 a reduction of force on the property which will include one (1) of our members.

We are currently discussing an issue with Apprentice training on the property.

The subcontracting issue at Livingston discussed in the third quarter report has been resolved on a Local level.

BNSF Railway Company

The Memphis Intermodal issue has been resolved. We were able to obtain an additional System Electrician for maintenance duties at the facility. I would like to thank our members at Memphis for their assistance in resolving this issue. We still have a number of issues we are working to resolve that were reviewed in the third quarter report.

We continue to handle or assist the Locals in a number of discipline issues. I again urge all members to comply with Carrier rules as we are seeing strict enforcement of rules on the entire property.

In late December we settled all but four (4) rules cases that were outstanding on the property, some of the cases going back a number of years. The settlement rendered payment to our furloughed members and some active members. As time permits, those employees will be notified of the settlement.

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We are continuing to handle a number of discipline cases that will be arbitrated in the near future and waiting for decisions on a number of cases.

We also executed an Agreement for U-Tube traction motor work at the Topeka Facility. The Local has been provided a copy of the Agreement.

In my third quarter report I advised that I would like to gather a list of all of our members in the Mechanical Department who would like training for electronic air brake troubleshooting and repair. As of this writing there has been very little interest expressed. We see this as work that you, our members, should be performing. Please contact your Local representative if you are interested.

Also attached is the fourth quarter travel, vacation and financial reports.

Respectfully and fraternally submitted,

Dale E. Doyle
General Chairman/Secretary-Treasurer

DED/dgw (OPEIU)

Attachments

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Dale Doyle's Travel Fourth Quarter:

October 1, 2009 - Chicago, Illinois - Sixth District Progress Meeting

October 5th and 6th, 2009 - Phoenix, Arizona - General Chairmen's Meeting - Section Six notices

October 13, 2009 - Chicago, Illinois - CN/IC telecom negotiations

October 27th and 28th, 2009 - Washington, DC - National Negotiation Coalition

November 3, 2009 - St. Paul, Minnesota - Local 886 meeting

November 5, 2009 - Minneapolis, Minnesota - Local 506 meeting

November 9th through 11th, 2009 - Paducah, Kentucky - P&L contract negotiations

November 19th and 20th, 2009 - Superior, Wisconsin - Local 1559 meeting - Duluth, Minnesota - Local 366 visit

December 17th and 18th, 2009 - Chicago, Illinois - Local 794 meeting Locals 533 and 757 visits

Dale Doyle's Vacation Used Fourth Quarter of 2009:

October 8, 2009 1 day

October 14, 2009 1 day

October 20, 2009 1 day

November 6, 2009 1 day

November 16, 2009 1 day

December 28th through 30th, 2009 3 days

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Rick Heyland's Travel Fourth Quarter:

October 9, 2009 - Iowa Interstate Railroad - Iowa City, Iowa

November 10th through 13th, 2009 - BNSF SACP meeting - Fort Worth, Texas

Rick Heyland's Vacation Used Fourth Quarter of 2009:

November 6, 2009	1 day
December 3 rd and 4 th , 2009	2 days
December 7 th through 11 th , 2009	5 days
December 14 th through 18 th , 2009	5 days
December 21 st through 23 rd , 2009	3 days
December 28 th through 30 th , 2009	3 days

Mark Klecka's Travel Fourth Quarter:

October 12th through 14th, 2009 - Chicago, Illinois - CN Telecomm Labor Relations' meeting - Agreement update

October 19th through 23rd, 2009 - Klamath Falls, Oregon - investigations

December 1, 2009 - Chicago, Illinois - Local Union 134 Training meeting

December 2, 2009 - Chicago, Illinois - Investigation

December 10th and 11th, 2009 - Chicago Illinois - 14th Street management meeting

Mark Klecka's Vacation Used Fourth Quarter of 2009:

October 30, 2009	1 day
November 5 th and 6 th , 2009	2 days
November 20, 2009	1 day
November 25, 2009	1 day

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December 4, 2009	1 day
December 18, 2009	1 day
December 21 st through 23 rd , 2009	3 days

Jeff Burk's Travel Fourth Quarter:

October 6, 2009 - Local 1199 training and meeting - Belen, New Mexico

October 13th and 14th, 2009 - CN/IC Telcom Meeting - Homewood, Illinois

November 9th through 12th, 2009 - BNSF SACP meetings - Fort Worth, Texas

Jeff Burk's Vacation Used Fourth Quarter of 2008:

November 23 rd through 25 th , 2009	3 days
December 28 th and 29 th , 2009	2 days
December 30, 2009	1 personal day