



BROTHERHOOD OF  
LOCOMOTIVE ENGINEERS AND  
TRAINMEN  
NATIONAL LEGISLATIVE OFFICE  
IBT RAIL CONFERENCE

VOLUME 4, ISSUE 1-3

# TIES TO WASHINGTON



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## BLET PAC HONOR ROLL

Since December, the following Divisions have signed up several new members of the BLET PAC:

Division 212  
Division 231  
Division 644

Thank you to all those who have signed up.

Give to the BLET-PAC!

## FRA PUBLISHES FINAL RULE ON POSITIVE TRAIN CONTROL

The Federal Railroad Administration published its final rule regarding Positive Train Control systems in the Federal Register dated January 15, 2010. The implementation of Positive Train Control was mandated by the Rail Safety Improvement Act of 2008 (RSIA08).

RSIA08 mandated that freight, intercity passenger and commuter rail routes have operable PTC in place no later than December 31, 2015. Railroads must submit their final PTC plans to the FRA by April 16, 2010. The law mandates PTC on track carrying passenger trains and freight trains that contain highly toxic cargo.

"The implementation of positive train control was one of the best aspects of the Rail Safety Improvement Act passed last year," BLET National President Paul Sorrow said. "The clear mandate made the railroads move forward on an important safety technology they had

been ignoring for years. Positive Train Control will help save many lives."

The technology is intended to help avert train-to-train collisions and/or derailments caused by excessive speed, accidents caused by human error or misaligned switches, and to protect roadway workers from harm. The control systems would tie in a mix of onboard devices, track signaling and distant traffic dispatch technology to prevent trains from colliding.

According to the FRA, the final rule is the result of over a decade of work by FRA, BLET and other stakeholders, carried out in partnership through the Railroad Safety Advisory Committee (RSAC). The National Transportation Safety Board placed positive train control on its Most Wanted List of safety improvements in 1990. The BLET, in addition to other rail labor organizations, have worked with the FRA on this rule.

"Safety is our highest priority, and we believe the installation of this equipment will make our nation's railroads safer," said Secretary of Transportation Ray LaHood said in a press release.

The railroads have concerns over the costs of the system. However, the FRA cost benefit analyses clearly show a benefit to its implementation. The FRA estimates it will cost the railroads a total of about \$5.5 billion to install PTC on 69,000 miles of track, including components placed on-board 30,000 rail vehicles. In addition, railroads will spend about \$820 million annually to maintain and refurbish the systems. The recently passed FY 2010 Budget allocates \$50 million for positive train control technology.

A copy of the Final Rule is available for download from the BLET website:  
<http://www.ble-t.org/pr/pdf/PTCfinalrule0110.pdf>

The National Association of State Legislative Board Chairmen is holding its annual meeting in Mobile, Alabama from April 14-17 (with travel days on April 13 and 18). The meeting will be held at the Battle House, Renaissance Hotel and Spa. To make reservations call: 1-866-316-5957. The group code is nasasa.

## MESSAGE FROM VICE PRESIDENT TOLMAN



**A**s I write this, I am reflecting on the past several days which I spent in Massachusetts campaigning for the unsuccessful candidacy of Martha Coakley to replace the late Senator Edward Kennedy. The few days I spent there exposed me to the mindset of the American people, and also showed me how far we are away from the ideals set forth by Senator Kennedy.

As I have previously written, I have long been an admirer of the late Senator, and as I said when he passed away last August, I feel that his commitment to the ideals of the labor movement was unparalleled. He not only supported the movement on legislative matters directly involving unions, but he philosophically supported the overarching goal of labor – equality for all. His influence over the shape of this country and the lives he touched each and every day will be immeasurable. Unfortunately, we are seeing that his greatest legacy and wish – for universal health care for all – is being squandered due to partisan bickering and Washington deal-making.

We live today in a country where more than 40 million people are uninsured and according to a recent study by Harvard Medical School 45,000 people die each year because they lack health care coverage. Senator Kennedy found this unconscionable. America is the greatest country in the world and people are dying because they can not afford to see a doctor. We had the opportunity to fix this problem, while ensuring that those Americans – like BLET members – who had health insurance could keep their coverage and not incur additional costs. But we have wasted this opportunity and put Senator Kennedy's legacy in the siding.

What I witnessed in Massachusetts over the past several days was a backlash against the bickering and deal-making that the American people see as the cause of our nation's greatest problems and as an impediment to solving these problems. The rage among voters – and especially the union members I met – was palpable, and I understand

this rage. The American people feel that their voices are not being heard, politicians are not getting their message and their problems are not being solved. And the results of the election in Massachusetts showed they will try to make their voices heard in any way possible.

When you are working on campaigns like I did the past couple of days, you knock on the doors of your fellow union members. And I can tell you that for every 10 union members' doors I knocked on, five told me they were voting for the Republican candidate. Why? These union members, from BLET, AFSCME, TEAMSTERS, UTU, IBEW and others, told me that they were voting that way because they were angry. They felt insecure about their union-negotiated health care benefits, the national debt, their jobs, and no one was paying attention to their problems.

It is unthinkable to me that any American worker would vote for someone with a 96 percent voting record with the Republican Party because they are angry with the Democratic Party, but that is what happened in Massachusetts. The voters there elected to put their trust in a Republican because they do not trust the Democrats in power to vote for their interests.

The labor movement, including the BLET, has continually told its members that we support candidates who support the working people and our

issues. And the Republican Party has ingeniously captured this message – even though this is not what they really believe – and is using it to siphon votes. The Republican candidate in Massachusetts, Senator-elect Scott Brown, ran a masterful campaign. He was able to use the angst and anger in the electorate to his advantage. And other candidates are going to do the same thing in upcoming elections.

What does this mean for the BLET? We need candidates and politicians – no matter which party they belong to – to stand up for what they believe in, and to not stand down no matter how much pressure they face in the next election. We have too often seen in the recent past, candidates coming to ask us for our support, espousing that they support our issues and will stand up for working men and women, if we help them elected. And we do help them get elected. Then we need their help when they are in office, and they turn us down. This should not happen. If you support working men and women when you are looking for votes, you should support them when you are in office.

No one should ever run for political office if they can't stand up for the

*(Continued on page 6)*

## Message from BLET National President Paul Sorrow



**I**would like to take this opportunity to urge all BLET mem-

bers to give to the BLET-PAC, and thank all those who already give to the PAC. As Vice President Tolman discusses on page 2 of this newsletter, we need to support politicians who support our issues, and the PAC is one way to do this.

You have all heard this message before, but I'll say it again – it is vital to the political strength of the BLET to have a strong, effective political action committee. A strong BLET- PAC gives us a powerful voice in the political process to:

elect politicians who will respond to our interests; influence legislation and regulations to take our concerns into account; and stop those who try to take away our jobs, harm rail safety or infringe upon our rights as workers.

We need all of our members to participate in these efforts because the BLET-PAC has continued to be one of the best ways to protect our jobs and advance pro-rail labor policies. It is no secret that

*(Continued on page 6)*

## BLET MARKS FIFTH ANNIVERSARY OF TRAGIC RAIL CRASH IN GRANITEVILLE, S.C.

**J**anuary 6th marked the fifth anniversary of the tragic accident in Graniteville, S.C., which took the lives of Teamsters Brotherhood of Locomotive Engineers and Trainmen (BLET) member Chris Seeling and eight others.

Seeling, a 28-year-old locomotive engineer, died after inhaling toxic chlorine gas fumes from the crash. The 2005 collision and chlorine leak injured another 554 people, 75 of whom were hospitalized. Seeling was relatively uninjured in the crash, but was overcome by toxic fumes, which caused his death.

If this preventable accident had occurred in the middle of the day, instead of the middle of the night, the number of casualties most likely would have been significantly higher. Monetary damages and costs are well over \$300 million, and vital public services were interrupted for days in the aftermath of the accident.

"Our thoughts are with the families whose loved ones perished as a result of this horrific accident," said Jim Hoffa, Teamsters General President. "The best way to honor Brother Seeling and the others who died is to prevent another tragedy. Despite assurances from the rail

corporations about the safety of their systems, our members still encounter substandard safety throughout the country. It's not a question of if another accident will occur, it is a question of when."

The crash, which was the result of a misaligned, un-signaled switch, was the catalyst behind several major safety initiatives that were passed in 2008 as part of the Rail Safety Improvement Act (RSIA) of 2008, among them is the mandated implementation of Positive Train Control (PTC) on lines carrying toxic by inhalation materials and the mandating of switch position detectors. Prior to the passage of the legislation, 40 percent of approximately 170,000 railroad mainline route miles were considered "dark territory" with no signaling systems or switch position detectors, including the line where this tragic accident occurred.

Rules strengthening tank cars which carry toxic by inhalation (TIH) materials have also been promulgated. While the tank cars in the Graniteville crash were up to the new standards, many in service at the same time

were not. Prior to the rule, about 60 percent of the nation's 60,000 pressure tank cars were built using ductile steel—brittle, untreated metal—which was the standard before 1989. These cars are permitted to remain in service for 50 years after their manufacture, so prior to the implementation of this rule they would have been in use until 2038.

"Implementation of PTC and the installation of switch position detectors in dark territory were some of the key improvements of the RSIA," said Paul Sorrow, National President of the BLET which represented Seeling. "While these improvements are finally beginning to be made thanks in large part to the work of the Teamsters Rail Conference, Brother Seeling's family and countless BLET and Brotherhood of Maintenance of Way Employees Division (BMWED) members, we must never forget this accident and its tragic consequences.

"The railroads have balked at the costs of implementing these technologies, but we can never forget the human cost to not implementing them. To the big railroads, it's a matter of dollars and cents. To rail workers it's a matter of life and death," said Sorrow.

## FRA FINAL RULE REVISES LOCOMOTIVE ENGINEER CERTIFICATION REQUIREMENTS

The Federal Railroad Administration issued a final rule on December 31, 2009 addressing miscellaneous revisions to 49 CFR Part 240. The rule will take effect on February 22, 2010.

“The amendments in this final rule represent another incremental improvement in our certification rules,” BLET National President Paul Sorrow said. “The changes are an improvement in ensuring due process for our members. Overall these changes are a positive step for our membership by providing clearer and more reasonable protections from abusive carriers.”

Highlights of the revisions include the following:

- FRA has amended § 240.107 to ex-

pressly prohibit the practice of reclassifying any type of engineer’s certification to a more restrictive class or certificate while the certification is otherwise valid.

- FRA has amended §240.127 & § 240.129 to require that each railroad identify the potential actions it may take in the event that a person fails a skills performance test or that the railroad finds deficiencies with an engineer’s performance during a operational monitoring observation or unannounced ride. FRA also requires that each railroad describe the scoring systems it uses to determine the locomotive engineers skills during an operational monitoring observation or a performance and unannounced tests.

- FRA has amended § 240.307 to

reinforce that a revocation may only occur for reasons specified in the regulation, after at least one railroad believed that the regulations allowed it to revoke certification when it believed the engineer no longer met the qualification requirements of the Part 240, even for incidents not involving a cardinal sin. One commenter argued, for example, that a locomotive engineer could have his certification revoked for reasons such as a violation of Emergency Order 26 (cell phone ban).

In the final rule, the FRA indicated that it expects to review Part 240 and possibly make additional revisions to the certification rules as a result of the conductor certification RSAC process.

## INWARD-FACING CAMERAS UNNECESSARY, WASTEFUL

The Brotherhood of Locomotive Engineers and Trainmen (BLET) charged that the installation of inward-facing cameras inside locomotive cabs as recommended by the National Transportation Safety Board (NTSB) is unnecessary and wasteful.

The NTSB’s recommendations were issued following a meeting of the Board in Washington, D.C., regarding the fatal 2008 Metrolink commuter train accident in Chatsworth, Calif., in which 25 people were killed and more than a hundred others were injured on January 21.

The BLET pointed out that as Positive Train Control (PTC) technology is installed over the next few years, there will be no advantage whatsoever for either audio or video recording of in-cab activities because the fail-safe nature of PTC technology will prevent collisions of the type that served as the basis for the NTSB recommendation.

Additionally, current FRA regulations and railroad operating procedures already provide for extensive recording of locomotive and signal data,

and radio conversations are routinely recorded. Indeed, locomotive operation is monitored in such detail by today’s event recorders that inward-facing video cameras will provide no additional information of use in accident investigations.

The BLET also took the position that the NTSB placed too much significance on the locomotive engineer’s use of a cellular phone prior to the collision.

Indeed, former NTSB Chairman Jim Hall recently said the use of a cell phone by the Metrolink engineer did not violate any law or regulations at the time of the Chatsworth accident, and the issue has now been voluntarily addressed by the FRA. FRA Emergency Order 26, issued in 2008, outlaws in-cab use of cellular phones and other hand-held electronic devices by train crews except in strictly defined circumstances.

Hall said that Metrolink’s failure to embrace safety technology such as PTC was more of a contributing factor to the Chatsworth crash than the engineer’s use of a cellular phone.

Hall also said the failure of Metrolink to install PTC technology years ago — specifically, after NTSB recommended that Metrolink install it following a 2002 Metrolink accident in Placentia, Calif., — was “irresponsible” and was a “major factor in the Chatsworth collision.”

“The tragedy in Chatsworth was one of California’s worst disasters in the modern era of railroading, and our hearts and prayers go out to those who lost family members, friends and neighbors in the accident,” BLET National President Paul Sorrow said. “But the fact of the matter is that the NTSB’s recommendation, if implemented at the time, would not have prevented this tragedy.

“The speedy installation of Positive Train Control technology should be the focus here, not invasive, inward-facing video cameras inside of locomotive cabs,” Sorrow added. “Safety is the most important responsibility of all locomotive engineers, and while our organization fully supports technology that makes the work place safer for our members and the traveling public, we oppose any measure that needlessly invades their privacy and without providing substantive safety improvements.”

## PIERCE NEW BLET FIRST VICE PRESIDENT; GORE PROMOTED TO VICE PRESIDENT

The Advisory Board of the Brotherhood of Locomotive Engineers and Trainmen elected Vice President Dennis R. Pierce to the position of First Vice President & Alternate President, the second-highest office in the union.

Additionally, Gil Gore became the newest BLET Vice President as he was elevated from the First Alternate Vice President's position to fill Pierce's vacancy on the Advisory Board. Vice President Gore previously served as General Chairman of the Union Pacific-Southern Region General Committee of Adjustment.

Pierce was promoted to the office of National Vice President on April 8, 2008. He was elected to the office of First Alternate National Vice President in June of 2006 at the BLET's First Quadrennial Convention in Las Vegas.

"I would like to thank the Advisory Board for their vote of confidence and support," First Vice President Pierce said. "I will dedicate myself to this new assignment to the best of my ability and will do my utmost to meet the expectations of the Advisory Board and the membership."

Pierce, 51, is a member of BLET Division 687 (Sioux City, Iowa) and is a BNSF locomotive engineer. He has been a BLET member since April 1, 1981. He was elected to serve his Division as Local Chairman in 1991 and four years later was elected to the office of full time Vice General Chairman of the BNSF/MRL General Committee of Adjustment. He held that office from 1995 until elevating to the office of General Chairman in 2001.

As General Chairman from 2001-2008, Pierce presided over the BLET's largest General Committee of Adjustment — the BNSF/MRL General Committee represents 3,500 members from 44 separate BLET divisions.

As National Vice President, Pierce was assigned to assist the CSX Transportation General Committees of Adjustment. The membership at CSX overwhelmingly ratified a new System Agreement during his tenure at CSX.

As First Vice President, Pierce will serve on the Executive Committee with National President Paul Sorrow and National Secretary-Treasurer Bill Walpert.

"I look forward to serving on the Executive Committee with Brother Sorrow and Brother Walpert, and I hope to complement their strong leadership," Pierce said.

To fill the vacancy on the Advisory Board created by Pierce's promotion, Brother Gil L. Gore was elevated to the office of National Vice President.

Gore, 60, joined BLET Division 193 in Gretna, La., on February 1, 1974, and is a Union Pacific locomotive engineer. The past 30 years of his life have been devoted to serving the Brotherhood and its members.

Vice President Gore served Division 193 as Local Chairman for 20 years from 1980 to 2000. He was elected Vice General Chairman of the Union Pacific-Southern Region GCofA in 1986, an office held until 1998. In 2000, he was elected to the General Chairman's position on the UP-SR GCofA.

Gore was elected Fourth Alternate National Vice President at the BLET's First Quadrennial Convention in June of 2006. He has also served as Chairman of the Bylaws Committee at the 2001 and 2006 BLET national conventions.

"It is an honor and privilege to serve the membership of the BLET as Vice President," Brother Gore said. "I look forward to working with President Sorrow and the members of the Advisory Board for the betterment of our Brotherhood."

President Sorrow congratulated Brother Pierce and Brother Gore on their promotions and challenged them to work even harder for the membership in their new positions.

"I am extremely optimistic about the future of the Brotherhood because of the leadership provided by our new Advisory Board," President Sorrow said. "I welcome Brother Gore to the Advisory Board with open arms, and I know he and Brother Pierce will do an excellent job of representing the membership."

"Brother Pierce and Brother Gore are extremely bright and dedicated union officers who will make our Advisory Board one of the most dynamic in recent memory. There are many challenges that lie ahead, but I look forward to working with the new Advisory Board to advance the Brotherhood and meet those challenges head-on. Our future is indeed bright."

Visit the NLO on the web at [www.bletdc.org](http://www.bletdc.org)

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A T R A D I T I O N O F  
F O R W A R D T H I N K I N G

## VP & NLR Tolman — Continued from Page 2

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people who got them elected and the issues those people believe in. No one should ever be so worried about their next election campaign that they forget who their friends were in the last one.

So what is the answer? I don't know. It lies in the system. The American political system has bred fear in politicians. As soon as one election is over, politicians feel that they need to begin gearing up for the next one – and so they are afraid to govern, afraid to make tough choices and afraid to stand up for the working Americans who put them in that office. I may be an idealist, but I can tell you that I am going to make sure that if the BLET supports a candidate, they are going to live up to the ideals our organization believes in just as Senator Kennedy did. They will need to support our members and their families and they will need to stand up for working Americans.



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## IN AFL-CIO PASSES HSR RESOLUTION



**T**he Indiana AFL-CIO adopted a resolution in support of high speed rail at its convention held in Indianapolis, on December 7-9, 2009. The resolution, which was introduced by

BLET Indiana State Legislative Board Chairman Bill Verdeyen, supports the BLET's position on high speed rail.

"I applaud Brother Verdeyen for his work on bringing this issue to the Indiana AFL-CIO," BLET Vice President & National Legislative Representative John Tolman said. "It is an extremely important and visible issue right now, and I am happy to see this progress."

The resolution insists on the retention of a locomotive engineer in high speed locomotives and higher speed rail, which are both ideas put forth by the BLET in its recently published high speed rail position paper.

"I believe we are actually making headway with the other Unions related to this issue," Brother Verdeyen said. "They finally realize that this is the next interstate highway system, and hopefully, the building of this system will provide jobs for the next half century."

For a copy of the resolution, go to: [AFL-CIO%20Resolution%2012%2009.pdf](http://www.afl-cio.org/2009/12/09/AFL-CIO%20Resolution%2012%2009.pdf)

### **Editors Note:**

**The Brotherhood of Locomotive Engineers and Trainmen has published a High Speed Rail Position paper. It is available at:**

[http://www.bletdc.org/  
RAIL\\_BLETProposal825.pdf](http://www.bletdc.org/RAIL_BLETProposal825.pdf)

## Sorrow — continued from Page 3

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politicians listen more to those who are the strongest and the loudest, and if we are to continue to be heard, we must

maintain and increase contributions to the PAC.

The money our members donate to the BLET-PAC helps us to protect the

safety, livelihoods and lives of members, their families and all workers nationwide. We all need to support the PAC. Please give to the BLET-PAC.