



# The Highball

Official Publication of  
**Railroad Workers United**

## ***Campaign to Reform RR Retirement Moves in New Direction***

Because of recent developments, the RWU Campaign to Reform Railroad Retirement must reorient and redirect our focus and our forces in 2011. In the past six months, governments around the globe have launched attacks upon workers' retirement, and here in the U.S. will surely be no exception. In addition, dramatic changes in political leadership in November have contributed to the creation of an environment which is at best, hostile to improving retirement options, and at worst is in favor of slashing the already existing benefits of our retirees.

### **The Campaign to Reform RR Retirement Stalls**

In the past two years, over 10,000 railroaders across the country signed petitions and contacted their labor leaders, elected officials and the Railroad Retirement Board in support of an effort to reform Railroad Retirement. Our goal has been to lower the retirement age to 58 and make other changes to the system beneficial to railroad workers. But despite the efforts of thousands of railroaders, and despite the fact that labor support put the Democrats in power, no progress has been made. Furthermore, despite the fact that the labor supported Democratic Party controlled all three branches of government -- Presidency, House and Senate -- the Democrats failed to deliver on the issues of peace, health care and labor law reform.

Disillusioned and disappointed, voters who had turned out massively for Obama in 2008 stayed home in droves from the Congressional elections of 2010, which led to a government complexion more hostile than ever to labor.

### **Global Economic Crisis Presents A Threat**

All the while, the economic crisis has deepened, despite bank bailouts in the hundreds of billions, both in the U. S. and around the world. The response from virtually all governments that are faced with massive deficits has been to demand that workers pay. As such, retirement has consistently been a leading target for cuts in many countries.

### **The Deficit Commission Attacks Retirement**

Here in the U.S., the Obama administration set up a "Deficit Commission" to address the supposed problem of deficits and "excessive" federal spending. Social Security

has been a major topic for this group.

Since Railroad Retirement Tier 1 benefits are tied to Social Security, it behooves all rail workers to pay close attention to the proposals of the commission. According to the Railroad Retirement Board, "While the railroad retirement system has remained separate from the social security system, the two systems are closely coordinated with regard to earnings credits, benefits payments and taxes. The financing of the two systems is linked through a financial interchange under which, in effect, the portion of railroad retirement annuities that is equivalent to social security benefits is coordinated with the social security system. The purpose of this financial coordination is to place the social security trust funds in the same position they would be in if railroad service were covered by the social security program instead of the railroad retirement program."

The Railroad Retirement Board also points out that "Legislation enacted in 1974 restructured railroad retirement benefits into two tiers, so as to coordinate them

*Continued on Page 2*

## **In this Issue of The Highball:**

**Campaign to Reform RR Retirement Moves in New Direction ..... Pages 1 & 2**

**"Old Guard" Hangs on to Power in the BLET ..... Page 3**

**RWU Ramps Up Campaign Against Single Employee Operations ..... Page 4**

**Struggle Continues on the KCS ..... Page 4**

**Commentary: Our Unions Need to Communicate, Educate & Lead ..... Page 5**

**Join Railroad Workers United!..... Page 6**

# Defend Railroad Retirement & Social Security -- Scrap the Cap!

*Continued from Front Page*

more fully with social security benefits. The first tier is based on combined railroad retirement and social security credits, using social security benefit formulas.”

If implemented, the Deficit Commission Co-Chairs’ proposal would cut benefits for retirees, survivors and disabled workers between 17% and 36% for young people entering the workforce today, affecting those earning an average of \$43,000 (17%) to \$107,000 (36%) a year over their working lives, according to the Social Security Chief Actuary. The proposal would raise the retirement age to 69. This is a 13% benefit cut on top of the 13% percent already made when the retirement age was raised from 65 to 67, according to the Social Security Administration. The proposal would raise the early retirement age to 64. Most Americans claim Social Security benefits before the age 64, even though the benefits are currently reduced by as much as 25% when they do so.

Finally, the Co-Chairs advocate reducing the annual cost of living adjustment for beneficiaries. The proposal would reduce the purchasing power of benefits by 3.7% after 10 years of receiving benefits and by 6.5% after 20 years. With the Republicans now taking control of the House, the Democrats and their supporters in the labor leadership -- having proven unable to advance workers’ issues while the Democrats had total control of the government -- now leave us workers to play defense.

For railroad workers, this means that we must find ways to join with our sisters and brothers in the labor movement outside of the rail industry in resisting the coming onslaught against Social Security.

## “Scrap the Cap!”

Any long range funding gap with Social Security or Railroad Retirement could be easily closed, and both Social Security and Railroad Retirement fully and adequately funded by requiring those employees (and their employers) who make more than \$107,000 a year to pay taxes on ALL of their wages, as the majority of workers already do. The salary cap set at \$107,000 a year unjustly benefits those in the highest earnings echelons to the detriment of those in the lower echelons. Abolishing this cap would solve practically all of current and future funding gaps in social security. And as RWU has shown for the past couple of years, removal of the cap would enable progressive reform of the Railroad Retirement System.

“Scrap the Cap!” This must become labor’s battle cry if we are to stop the attacks on workers’ retirement. Only then can we go back on the offense, demanding a lower retirement age and improved benefits for retirees.



## Railroad Workers United

*Railroad Workers United was organized in April 2008 at a Founding Convention in Dearborn, MI. RWU grew out of decades of struggle within the craft unions for unity, solidarity, and democracy. We are carrying on a tradition of rank-and-file activity which dates back to the 1890s and the time of Eugene V. Debs.*

*RWU is a cross-craft inter-union caucus of rail labor activists across North America. All rail workers of all crafts from all carriers who support our Statement of Principles are welcome to join in our efforts. Please write, call or email the address below.*

### Statement of Principles

- *Unity of All Rail Crafts*
- *An End to Inter-Union Conflict*
- *Rank-and-File Democracy*
- *Membership Participation & Action*
- *Solidarity Among All Railroaders*
- *No to Concessionary Bargaining*

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206-984-3051

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### International Steering Committee

Penny Artis	IBEW #813	NS	Roanoke, VA	
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Jon Flanders	IAM #1145	CSX	Selkirk, NY	
Ron Friend	BMWED #1509	CSX	Marietta, OH	
Robert Hill	BLET #75	BNSF	Vancouver, WA	
Ron Kaminkow	BLET #51	Amtrak	Reno, NV	
Mike Matson	UTU #911	CP	St. Paul, MN	
Ed Michael	UTU #979	BLET #724	UP	Salem, IL
Jen Wallis	BLET #518	BNSF	Seattle, WA	
Matt Weaver	BMWED #2624	CSX	Toledo, OH	
John Wright	BLET #78	CSX	Louisville, KY	

## **“Old Guard” Holds Off Rank & File Insurgency in the BLET**

*Ed Michael BLET #724 UP Salem, IL*

This story begins back in 2006, when a small BLET division in Atlanta, GA, used a little known bylaws article, called “Initiative”, to change the method of electing BLET National officers from a vote by delegates at convention to a democratic vote of rank-and-file members. That Spring, BLET members voted by a 2-to-1 margin to implement the change, setting the stage for the first ever one-member-one-vote in Fall 2010. (see [The Highball](#) last three issues).

Before the vote would take place however, there would be an attempt by some incumbent BLET officials, working behind the scenes, to return to the delegate system even though the first ever rank-and-file election process had already begun. But in the September 2010 referendum to overturn the new election process, the members would reaffirm once again -- this time by a 3-to-1 margin -- commitment to democratic elections in their union.

In recent years, BLET members have become disenfranchised as a “go along to get along” network of “good old boys” dominated the elections at conventions. In the last three years, two sitting Presidents and a VP were removed on corruption charges, while another resigned after just 8 months in office, to be replaced by Dennis Pierce. Chosen by the National Advisory Board after having been elected as an alternate Vice President at convention in 2006 and elevated to VP once the officer removals began, Pierce would go on to run as “the incumbent”.

In Spring 2010, a progressive, reform candidate, Tom Brennan, declared his candidacy for President and formed the New Leadership Team slate. Brennan is a longtime BLET member and local officer who twice served the National at its Cleveland headquarters. Disgusted by what he had seen while working inside the system, Brennan resigned his position in 2006 and ran for President at convention but was defeated by good-old boy politics in a close election. After the loss, Brennan returned to working as a locomotive engineer, representing the members of his home division as a Local Chairman.

Tom Brennan announced that he would run for President in the first ever one-member-one-vote elections. But in the months that followed, when the Brennan campaign would have liked to be gearing up for the election, valuable time and energy had to be siphoned off to defeat the Old Guard’s initiative which, had it been successful, would have meant no election in November!

All the while the Old Guard filed numerous petty and frivolous election protests, which tied up valuable time that could have been better spent campaigning. In addition, while the incumbent officers have no obligation to work a railroad job, Brennan’s necessity of working as an engineer greatly hindered his ability to actively campaign.

Meanwhile, the Pierce administration reactivated an old defunct BLET periodical. The first issue would be mailed to all members just weeks before the candidates would be formally nominated, and featured glossy photos and articles about the incumbent National officers. During the Initiative attempt to take away the rank and file vote, Pierce also reactivated the idled BLET National Mobilization Committee. He publicly explained that organizers, paid for by the National Division, would be working with the Mobilization Committee in an attempt to get the members to vote. These same National Division organizers were then activated once again to ostensibly “get out the vote” during the officer elections.

While the incumbent slate inundated the membership with emails, the opposition slate did not have access to membership email addresses. The Brennan Slate was able to put together the funds for one postal mailing to all members. Under the election rules, the National Secretary-Treasurer decided that roughly 36,000 members would be sent ballots, which meant the Brennan campaign had to pay for mailing to that many members. It was revealed later however that only about 29,000 of those 36,000 were actually eligible to vote, costing the Brennan camp postage and copy costs for an unnecessary 7,000 pieces.

Additionally, Pierce began a whirlwind tour traveling as President, visiting as many local Division meetings as he could, not to campaign as a candidate, but to “inform the members” about the deeds of the National Division.

On December 15th the ballots were counted and Pierce’s “Unity Slate” won. The power of incumbency was obvious. An election protest was filed with the National Advisory Board and quickly denied. The protest is based on the accumulation of the misuse of union resources [union paid organizers, union paid travel, union paid periodicals, etc.] by the incumbents. The protest does not necessarily end with the Advisory Board’s decision. Plans are to advance the appeal in order to hold incumbents responsible in future elections.

Despite all of the obstacles and impediments outlined above, and the defeat of the rank and file’s candidate for President, the membership of the BLET have won a victory. They successfully fought back the challenge to their right to vote, then ran a candidate for President -- a working engineer -- who garnered 43% of the vote, and have legitimized the idea that the members can and should elect their leaders. Now that direct elections have been institutionalized in the BLET, the next step for the membership is to organize and develop a sustainable rank & file caucus which can forward a full slate and a comprehensive reform platform, and contest the next National Division elections scheduled for 2014.

## ***RWU Ramps Up Campaign Against Single Employee Crews***

In 2004, the major Class One Carriers in the U.S. made it clear that they wanted to operate road trains with a single employee. In national negotiations they backed down in the face of BLET -- UTU unity on the question. However, slowly but surely the Carriers have made progress in their effort to operate trains with a lone worker.

Both UP and BNSF have run test trains in certain lanes with a single "operator". And both BNSF and CSX have signed agreements with the BLET that when a train is operated via RCO outside of the yard, the BLET represented employee will be the operator, implying that the carriers fully intend to use RCO on the mainline (think set-outs, pick-ups, roll-by's, etc.). Recent UTU agreements on CSX allow for "utility conductors" to attach to various road trains, foreshadowing a demise of the road conductor. And a number of roads have been implementing single employee RCO jobs. In some cases, whole terminals have now gone remote and single-man.

In addition, with PTC now mandated by federal law, together with new conductor certification rules that will make every engineer also a "certified conductor", the wholesale elimination of the standard two employee crew looms as a distinct possibility if we are not vigilant.

RWU believes the best defense is a good offense. The

time is now to organize and fight back against the scourge of single employee crews. We encourage UTU locals and BLET divisions in terminals across the continent to join hands and fight back. Some are already considering adopting resolutions which proclaim their unwavering opposition to one-man crews. Please check the RWU website link "Campaign Against Single Employee Crews" for a sample resolution and for other ideas of how you can get involved in the struggle.

***For more information, please contact Committee Chair J.P. Wright: [jp333@insightbb.com](mailto:jp333@insightbb.com) or at 206-984-***



## ***The Fight Continues on KCS MidSouth***

In the latest round of struggle on the KCS former MidSouth property (see [The Highball](#) Summer and Fall issues 2010), BLET members have rejected a proposed Tentative Agreement, offered up to them as a final slap in the face by their General Chairman John Koonce just prior to his retirement in December. As we go to press there is no way of knowing the actual vote totals as the General Committee has not released them. Rank & File members are working to have the GCA release the numbers so the membership can gauge the level of discontent with the TA and thereby plan their strategy in future negotiations.

Currently there is no guarantee paid to road engineers. The TA proposed a guarantee of \$2748.00 per half, which many members thought too low. Most engineers exceed that amount on a regular basis. (current yard rate is \$256.26 for 8 hours, while road rate is \$325 for 12 hours). And if you were to layoff under the TA Monday – Thursday, you would be docked \$229.00 from your guarantee for



each day; Friday – Sunday this jumped to \$458.00 from your guarantee for each day! Currently there is no compensation for running the additional 40 miles that the carrier unilaterally imposed awhile back and has been a major bone of contention. The TA offered no compensation here at all. The TA did offer held-away pay, something that had been absent in the current agreement – but the membership held fast and did not take the bait.

"The contract that they were offering us, after five years, was not even as good as the one we already have in existence that they just refuse to honor," notes Erik Shepherd, a member of Division 326. "We have NO idea where we are at as of right now. When you ask the BLET leadership, they respond, 'We are talking to them and at least they are talking to us which is something they have not been willing to do in the last 5 years.' We continue to ask them when is something going to happen after five years and they say, 'We are up under the Railroad Labor Act and we can only do so much.'"

Rank & filers are exploring the possibility of assistance from other area unions, together with family and community members to confront the company. Members are optimistic that with their energy and determination and new leadership, that they will prevail in this struggle.

## ***Our Unions Need to Educate, to Communicate & to Lead***

*J.P. Wright S&T BLET #78, Louisville, KY*

In Louisville, many conductors are jumping ship from the UTU and joining the BLET. The reasons for their protest are attributable to many different reasons. However, there is a BIG one: The new UTU southern CSX agreement and the way it came into existence. The process by which this agreement was reached has alienated a number of UTU trainmen. The rank & file were cut out of the process of contract negotiations.

To educate and inform should be the union's primary focus. The failure of the leadership to undertake this important role has resulted in the failure that is causing many to ask, "Why are we being forced to work under an agreement that we voted down?"

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### **COMMENTARY**

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The rank & file needs instruction and education. The rank & file should be kept informed and updated every step of the way throughout contract negotiations, and need to be made aware of everything that is being offered and bargained. Rank & file apathy is a direct result of these secret, under-the-table deals that then rear their heads as mysterious tentative agreements.

The rank & file will never organize themselves. They will not educate themselves. Our national leaders must send down the education and training to the general committees that then reach down to the rank & file. The members must know that their wants and needs are being fought for at the bargaining table.

The nature of contract bargaining needs to be changed. When the rank & file knows nothing of the basic process and structure of their union; when they are not informed of the meetings that resulted in the tentative first



THE LITTLE TRAIN THAT DIDN'T GIVE A RAT'S ASS

offer; when they know nothing of the outcome of the rounds of face-to-face bargaining, then there is a fundamental loss of organizational cohesivity. All too often, the leadership's view of the membership is cynical: "They don't care and won't vote anyway." Could it be that some general committees would rather keep the details of most agreements secret, knowing that the rank & file would not support the deals they are making at the table?

Union leadership often uses a scare tactic to get members to vote YES on a TA, raising the specter of going to arbitration if a YES vote is not forthcoming. This is communications that does seem to filter down to the rank & file. Messages from the national unions have been posted on the web sites of our respective unions explaining in detail that we are bound by the Rail Labor Act. Any ideas of strike or protest are immediately squashed with this information. But in fact, there are many other ways for us railroaders to protest our working conditions and pay, but the tactics of protest -- that are legal -- are also not supported or initiated as legitimate or worthwhile methods of protest by our union leadership.

In the case of the Southern UTU CSX agreement, the Arbitrator ruled that the three other general committees had voted in favor of the TA, thusly making the case that what is good for the three, was good for all four, regardless of the wishes of the membership of that forth committee. If all of the general committees had voted against the agreement, what would have been the outcome of arbitration? If the Committees that voted in favor were using these worn excuses to scare the members to a yes vote, then who will hold the General Chairmen responsible for the slaughter?

I must admit that being a Secretary Treasurer with the BLET, I have taken applications from UTU members. I understand their protest and respect their decision. Likewise, when I was receiving protests from BLET members to withhold their dues, I felt the same degree of respect for and solidarity with their decision.

Both of these rank & file movements of protest have solidified my continued support of Railroad Workers United. We in the RWU know that the rank & file needs to be at the forefront of all decisions made by the leaders. The animosity to union officials that is all-too-often felt by the dues paying members is a direct result of these officials ignoring the real reasons our great unions were organized in the first place -- to protect and serve the needs of the members!

Roll the union on...

***J.P. Wright is the Secretary & Treasurer of BLET Division 78 and a member of the RWU Steering Committee. He can be reached at [Jp333@insightbb.com](mailto:Jp333@insightbb.com)***



# Railroad Workers United Membership Application

Railroad Workers United needs you! If you believe that our unions should fight the carriers and not each other, then RWU is for you. If you believe that the carriers' "Behavior Based Safety" Programs do more harm to us than good, and If you want real union-based safety committees built upon cross-craft solidarity and rank-and-file control, then RWU is for you. If you want to fight back against single employee operations, and If you wish to see an active, informed, unified and mobilized union membership -- of all rail labor -- then RWU is for you!

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Email Address \_\_\_\_\_

Union \_\_\_\_\_ Local # \_\_\_\_\_ Employer \_\_\_\_\_

Terminal \_\_\_\_\_ Craft \_\_\_\_\_ Years of Service \_\_\_\_\_

Union Position (if any) \_\_\_\_\_

I'd like to join for (check one):    \_\_\_ 1 year \$50.00    \_\_\_ 2 Years \$90.00    \_\_\_ 3 Years \$120.00

Clip and mail together with your dues to:  
**Ron Kaminkow, RWU Secretary P.O. Box 2131 Reno, NV. 89505**  
OR join on-line at [www.railroadworkersunited.org](http://www.railroadworkersunited.org)

## Get Your RWU Union-Made-in-the-USA T-shirts and Hats

**T-shirts** are available in Black or Gray in S, M, L, XL, 2XL, 3XL, or 4XL. Large RWU logo is on the front, with the slogan "Unity -- Democracy -- Solidarity" on the back.

**Hats** are available in Black, Gray or Red, one-size fits all. RWU Logo on the front is stitched embroidery.

Both T-shirts and hats are union made in the USA, 100% cotton and include the RWU 4-color logo.

T-shirts and hats cost \$20.00 each (15.00 for RWU members)

**See the RWU website for other items including jackets, an RWU DVD, plus books and CDs by our members!**

Postage Paid By RWU if mailed to addresses in the U.S.

Make your check to RWU and mail with your order to:

**Ron Kaminkow, RWU Secretary P.O. Box 2131 Reno, NV. 89505**

**OR**

Order and pay with your paypal or credit card via our website at [www.railroadworkersunited.org](http://www.railroadworkersunited.org)

