



# SYSTEM COUNCIL No. 16

## INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

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**BRAD CAROTHERS**  
Asst. General Chairman

May 17, 2018

### FIRST QUARTER REPORT, 2018 SYSTEM COUNCIL NO 16 OF THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

Brothers and Sisters:

This report is overdue due to the work of the Council staff relative to the National Agreement. Once the Carriers had made their final position known, the Council staff visited as many locals with members under National handling as possible to discuss the Agreement and the importance of exercising your right to vote.

This first quarter, the month of April and into the first two weeks of May, this Organization reached a National Agreement which covers our members employed by Belt Railway of Chicago, BNSF and CN Railways, an agreement with CP and a proposed agreement with the LSI. I have been advised that over 90% of the railroad employees covered under National handling now have an Agreement. Attached is a question and answer letter from Director Bohne as concerns the implementation of the National Agreement.

There have been no further cases authorized for funding by the National Mediation Board since the last half of 2017. All cases that were funded during that period have been argued, awards rendered and claimants notified.

In an article in the October 2017 issue of Railway Age, contributing Editor F. N. Wilner wrote an article about party pay arbitration. A copy of the subject article is attached. In early April, a carrier under the jurisdiction of this office approached this office about the idea. We have responded accordingly.

In an e-mail note dated May 4, 2018, Railroad Director Bohne announced that President Stephenson has re-assigned International Representative James Meyer to the Railroad Department effective June 1, 2018. Jim has been a long-time friend of the Council and as Director Bohne puts it, he is "back in the industry he knows and loves".

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Also attached is a copy of a recent Rail Traffic Report from Railway Age.

The past quarter the Council staff has obtained information or conducted business on the following Carrier's under the jurisdiction of this office:

### **Belt Railway Company of Chicago:**

No news to report.

### **BNSF Railway Company:**

Numerous cases have been adjudicated as a result of the funding for cases from last fall. All claimants have been notified of the decisions. I am pleased to advise that at least four of our dismissed members were returned to service as a result of the awards.

We are continuing to work on movement toward completion of the "Level Agreement" with meetings held in Fort Worth during the month of April. A separate letter is being prepared with details.

There have been a number of disciplinary hearings our office has assisted with and we continue to handle the claims resulting from the discipline assessed.

We have executed a New York Dock Agreement with the Carrier as a result of its re-acquisition of the Northeast Nebraska Railroad. This transaction happened in 2012 and it was a simple matter of a letter to have our Agreements controlling on this property, which includes Mechanical, Engineering and Telecommunications. We are awaiting the signed Agreements for distribution to the locals with jurisdiction.

We have also as of last week completed an agreement to place our current ATSF Shop Extension Electricians under a monthly rate as outlined in Rule 14 of the ATSF Agreement. This Agreement currently governs Argentine and Barstow electricians, however it allows for positions to be added at other Santa Fe locations.

Many of you may have been involved with BNSF's Medical Requirement Policy, Medical Rule 26.3.1 from the Employee Safety Rules which simply stated an employee who, while on vacation or personal leave, may have had a simple surgery, perhaps a mole removal or tonsillectomy that would not have required him to miss additional work, however under the Rule, the employee was required to report the issue to BNSF and fill out additional forms and provide information from the attending physician. This issue started in 2012. Attached for your review is a copy of the determination letter dated March 21, 2018. We have received nothing further on this matter.

### **CN which includes properties CCP/DMIR/DWP/EJE/IC and WC:**

We are currently working on a number of outstanding claims and issues. One, the Carrier approached this office last year about a "super tech" position. This matter was under

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discussion and then the Carrier assigned some of our members as exempts to perform inspection work, which in part included PTC work on locomotives.

The Carrier's Chief Mechanical Officer has advised this office that it is the Carrier's intent to address late reporting and absenteeism issues in the mechanical facilities. This is obviously an issue that is causing some operational issues.

We are currently working on an agreement to clarify provisions of the Seniority Retention Agreement on the DMIR property and an agreement for PTC work on the IC properties.

There has been an issue with compensation for monthly rated employees on the DMIR and IC properties that we are working with the Carrier to resolve.

### **CP/Soo:**

We reached an agreement with the Carrier which was ratified by our membership. The provisions include an annual 2% wage increase for four years, full retroactivity and the national health care provisions. The caveat with this Agreement is for the years 2021 and 2022, we can adopt a two-year extension which, depending on Carrier business, may include up to an annual 3% wage increase for the additional two years.

### **Evansville and Western Railroad:**

We have had a very brief discussion with the Carrier about the addition of one employee on this property.

### **Gary Railroad Company:**

We have left a message with Carrier Labor Relations about continuing Section 6 negotiations. We have not received a response as of this writing.

### **Lake Superior and Ishpeming Company:**

Last week, the Coalition consisting of laborers, carmen, machinists and this office met with the Carrier to move our Section 6 notices forward. I am pleased to advise that we have reached an agreement with the terms of the National Agreement on this property. The final language has not been submitted and once it is, we will seek all necessary approvals and submit to the membership for ratification.

### **Montana Rail Link:**

As concerns our outstanding Section 6 notices, there have been no further discussions for a couple of months. It is my understanding the Carrier is negotiating with other organizations at this time.

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We have reached an Agreement with the Carrier to amend the System Electrician Agreement on the property. The Agreement has been approved and will be adopted within a few days.

### **NICTD:**

We received a notice to contract work in connection with PTC implementation and training on the property. That notice was provided to our local members.

### **Paducah and Louisville Railway Company:**

We issued a letter to our members on this property this morning seeking suggestions for our Section 6 demands which are due on July 1, 2018.

Also attached is the First Quarter 2018 Financial Report.

Respectfully and fraternally submitted,

Dale E. Doyle  
General Chairman/Secretary Treasurer

DED/aj

Attachments

**Dale Doyle's Travel First Quarter 2018:**

January 3, 2018 – St. Paul, MN – Local 886 Meeting  
January 18—19, 2018 – Orlando, FL – Public Law Board BNSF  
February 6—8, 2018 – Washington, DC – Ballot Count - National Agreement  
February 13, 2018 – Minneapolis, MN – Local 506 Meeting  
February 20, 2018 – Minneapolis, MN – CP – Section 6 Negotiations  
March 7, 2018 – St. Paul, MN – Local 886 Meeting  
March 13—14, 2018 – Brainerd, MN – Local 783 Meeting  
March 19—20, 2018 – Washington, DC – National Negotiations  
March 21, 2018 – Minneapolis, MN – CP Section 6 Negotiations  
March 29, 2018 – Duluth, MN / Superior, WI – Local 1559 and 366 Visits

**Mark Klecka's Travel First Quarter 2018:**

No travel this period.

**Darrell Patterson's Travel First Quarter 2018:**

January 18—19, 2018 - Orlando, FL – Arbitration of PLB Cases  
January 29 – February 2, 2018 – Los Angeles, CA – BNSF SACP and LAT Meetings  
February 8, 2018 – Roeland Park, KS – IBEW Local 866 Meeting  
February 13, 2018 – Kansas City, KS – BNSF Telecom Investigation  
February 16, 2018 – Newton, KS – BNSF Roundhouse Meeting  
February 21, 2018 – Overland Park, KS – BNSF TTC Electrical Trainer Meeting  
February 23, 2018 – Kansas City, KS – BNSF Argentine Shop Extension Electrician Meeting  
March 8, 2018 – Roeland Park, KS – IBEW Local 866 Meeting

March 15, 2018 – Topeka, KS – Meeting with IBEW Local 959 Local Chairman

March 21, 2018 – Topeka, KS – IBEW Local 959 Meeting

March 22, 2018 – Kansas City, KS – BNSF Argentine Shop Extension Electrician Meeting

**Jeff Allred's Travel First Quarter 2018:**

January 3—5, 2018 – Albuquerque, NM – Local 1199 Meeting

January 18—19, 2018 – The Villages, FL – Labor Arbitration

January 24—26, 2018 – Fort Worth, TX – Claims Conference, Labor Relations Meeting

February 7—9, 2018 – Fort Worth, TX – SACP Meetings

February 13—16, 2018 – Spokane, WA – MRL Negotiations

February 20—22, 2018 – Tulsa, OK – Local 778 Meeting – Meeting with 7<sup>th</sup> District

**Brad Carother's Travel First Quarter 2018:**

January 18—20, 2018 – The Villages, FL – Hampton PLB

February 7—9, 2018 – Fort Worth, TX – BNSF SACP

February 13, 2018 – Temple, TX – Local 418 Meeting

February 27—28, 2018 – Houston, TX – Investigations