



SYSTEM COUNCIL No. 16

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

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Vice Chairman

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Asst. General Chairman

BRAD CAROTHERS
Asst. General Chairman

May 5, 2017

FIRST QUARTER REPORT, 2017 SYSTEM COUNCIL NO 16 OF THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

Brothers and Sisters:

There has been a lot of news articles since the first of the calendar year concerning various items of interest to our membership's employment. Copies of some of the articles are enclosed for your information.

We have received several calls concerning a petition being circulated addressing Congressman Paul Ryan's budget proposal to tamper with the Railroad Retirement System and benefits. A copy of a letter from Director Bohne is attached providing an explanation of this issue.

Section Six negotiations are stalled on all properties with active Section Six notices under the jurisdiction of this office. Attached, please find a copy of Director Bohne's most recent report to the membership concerning national handling.

Many of our locals have inquired about a BMWED flyer circulating on various properties concerning a rally relative to the status of our negotiations and in particular health care. We have investigated and found that this is a national effort by the BMWED. If our members wish to participate, that is fine, however there are some very important things to keep in mind: There may be eyes upon you. Act professionally and most importantly do not stop anyone from going to work. Further, our members should not report late for work as a result of the rally.

There are a number of locals in the year of their election cycles. When the local election is complete, please forward the current officer list to this office for updating our records.

A number of locals have contacted this office concerning direct deposit of per capita payments. If your local is interested in moving in that direction, please send an e-mail to this office so that we can determine interest and the best way to proceed.

Our Business – Representation & Service

International Brotherhood of Electrical Workers

We are working on an audit relative to accuracy of seniority rosters vs journal sheets. We have found a few issues which we are helping to correct. I wish to commend the local officers for their diligence, and while it is not often said, I wish to commend the officers for the work you do with this office, it is sincerely appreciated.

The following is note-worthy of Carrier's under the jurisdiction of this office:

Belt Railway Company of Chicago:

Representatives of the Carrier have contacted this office about updating some Agreement provisions in the Communication/Engineering Department. We are awaiting a Carrier proposal for further discussion.

We have also received a notice to contract some of our members work. A conference was conducted this week and the Local notified accordingly.

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

The Carrier continues to have openings for Mechanical Department electricians at Proctor, Minnesota.

We have implemented an incursion agreement to allow for the IC/GTW employees in the Communication Department to work together for the PTC equipment installation on the IC property. We are also awaiting review and approval of 10 work day, 14 consecutive rest day agreement for PTC work on the IC property.

The Escanaba Ore Docks shut down on April 30, 2017. We reached a settlement for the two remaining members of Local 757 at the facility. I wish to take this opportunity to express my sincere appreciation to our Committeeman at the facility, Ed Bylon, for his assistance over the past several years and wish him the very best for his path to the future.

We have met with the Carrier twice this past quarter to discuss the Carrier's needs for locomotive electricians.

CP/Soo:

In January, representatives of the IBFO, IAM and this office met with Vice President Tom Lambrect to discuss issues at the St. Paul Shop.

The number of investigations on the property has decreased the first quarter, however there are other issues we have found needing to be addressed such as seniority rosters and new hire/termination reports.

We are scheduled to meet in late May to discuss the codification of the Mechanical Department Agreement.

International Brotherhood of Electrical Workers

Gary Railroad Company:

No news to report.

Lake Superior and Ishpeming Company:

Recently, the Carrier approached this office to discuss the pros and cons of combining the two seniority rosters on the property. A proposal was drafted by this office and is being reviewed by the Carrier.

NICTD:

No news to report.

Paducah and Louisville Railway Company:

No news to report.

Evansville and Western Railroad:

No news to report.

Montana Rail Link:

Certain representatives of our bargaining coalition met with the MRL employees represented by the various organizations and it was determined that the Carrier's offer to settle the outstanding Section Six notices was not acceptable to the employees. The coalition is currently scheduling a meeting to discuss our strategy to proceed.

BNSF Railway Company:

We continue to see a large number of investigations on this property.

In April, the Carrier announced a major force reduction at its Glendive Montana Diesel Facility and the closure of the Murray Yard Shops. We are also hearing that there is a hiring freeze in effect on the property.

We continue to move forward with the establishment of the Mechanical Department Level Agreement. Side letter 2 was completed in March and we are working to complete side letter 3 which addresses Level 2 testing and pay.

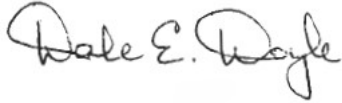
There has been a large number of contracting notices in the Telecommunication and Engineering Departments. All notices have been provided to the locals concerned.

The Carrier provided information to representatives of this office this week concerning the FRA's newly initiated regulations requiring post-accident and random alcohol and drug testing for employees defined as Roadway Workers under the FRA regulations. A copy of the documents provided are also attached.

International Brotherhood of Electrical Workers

Discussions for a revised Safety Agreement continue, however we have no agreement as of this writing.

Respectfully and fraternally submitted,

A handwritten signature in cursive script that reads "Dale E. Doyle".

Dale E. Doyle
General Chairman/Secretary Treasurer

DED/aj

Attachments

International Brotherhood of Electrical Workers

Dale Doyle's Travel First Quarter 2017:

January 3, 2017 – St. Paul, MN – Local 886 Meeting

January 8-13, 2017 – Guernsey, WY – Local 1517 – Investigation

January 31, 2017 – St. Paul, MN – CP – Meet with CMO

February 1, 2017 – St. Paul, MN – Local 886 Meeting

February 3-5, 2017 – Miami, FL – General Chairmen's Meeting

February 16, 2017 – Chicago, IL – CN Meeting

February 27, 2017 – Chicago, IL – CN Meeting

March 6-8, 2017 – Glendive, MT – Local 152 Investigation

March 20-23, 2017 – Kansas City, MO – Training Center, BNSF – BNSF General Chairmen's Meeting – Local 866 Meeting

March 28, 2017 – Chicago, IL – CN Meeting

Mark Klecka's Travel First Quarter 2017:

January 10-11, 2017 – Chicago, IL – Homewood Investigation

January 18-19, 2017 – Galesburg, IL – LAT Meeting

January 23-25, 2017 – Phoenix, AZ – MRL Negotiations

January 31, 2017 – Fort Worth, TX – SACP Meeting

February 1, 2017 – Fort Worth, TX - SACP Meeting

February 15-16, 2017 – Chicago, IL – Homewood LR Meetings – CN-IC

February 20-23, 2017 – Hastings, MN – Annual Audit

February 26-27, 2017 – Chicago, IL – Homewood LR Meetings – CN-IC

March 20-22, 2017 – Kansas City – BNSF GCA Meeting – Local 866 Meeting

March 27-28, 2017 – Chicago, IL – Homewood CN LR and TTC Meetings

International Brotherhood of Electrical Workers

Darrell Patterson's Travel First Quarter 2017:

January 12, 2017 – Roeland Park, KS – Local 866 Meeting

January 18, 2017 – Kansas City, KS – BNSF Kansas Div. Zone 4 LAT Meeting

January 18-19, 2017 – Galesburg, IL – BNSF Galesburg LAT Meeting

January 31—February 3, 2017 – Fort Worth, TX – BNSF SACP & LAT Meetings

February 8-9, 2017 – Roeland Park, KS – Local 866 Meeting

February 21, 2017 – Kansas City, KS – BNSF Argentine LAT Meeting

February 23, 2017 – Kansas City, KS – BNSF AFM Waiver Committee

February 28, 2017 – Overland Park, KS – BNSF TTC Apprentice Credentials

March 3, 2017 – Topeka, KS – BNSF Topeka Shop Meeting

March 5—9, 2017 – Glendive, MT – Meetings and Interviews, Local 152

March 13, 2017 – Newton, KS – Local 866 Member Visit

March 21, 2017 – Overland Park, KS and North Kansas City, MO – BNSF TTC Meeting and Local 866 Meeting

March 22, 2017 – North Kansas City, MO – BNSF General Chairmen's Association Meeting

March 28, 2017 – Chicago, IL – CN Negotiations

Jeff Allred's Travel First Quarter 2017:

February 9—10, 2017 – Tulsa, OK – Investigation

February 14—17, 2017 – Albuquerque, NM – Group 2 LAT Meeting

February 20—22, 2017 – Memphis, TN – Local 881 Meeting, BNSF Local Chairman Meeting, BNSF LAT Meeting

March 21—23, 2017 – Kansas City, MO – BNSF General Chairman Meeting – Local 866 Meeting

International Brotherhood of Electrical Workers

Brad Carother's Travel First Quarter 2017:

January 10, 2017 – Local 418 Meeting

January 31, 2017 – Fort Worth, TX - SACP/LAT

February 1-2, 2017 – Fort Worth, TX – SACP/LAT

February 14, 2017 – Local 418 Meeting

February 28, 2017 – Seattle, WA – Regional Mechanical (Group 2) LAT Meeting

March 1-2, 2017 - Seattle, WA – Regional Mechanical (Group 2) LAT Meeting

March 7, 2017 – Temple, TX – Town Hall – Locomotive Shop

March 8, 2017 – Temple, TX – Side Letter 3 negotiations with Brandon Mabry

March 14, 2017 – Local 418 Meeting

March 21-23, 2017 – Kansas City, KS – General Chairmen's Association Meeting

4/27/2017

Good evening Brothers and Sisters,

I am sending this email to you at the request of International President Lonnie Stephenson.

A MoveOn.org petition has been circulating recently addressing Congressman Paul Ryan's budget proposal to tamper with the Railroad Retirement System and our benefits. Many of you have been sharing the petition on Facebook. This petition came as a bit of a surprise to us, as it's been a few years since we've heard anything about Ryan wanting to tamper with the system, and we thought the petition was addressing a proposal from the past, not something new. We investigated the matter and found out that our thoughts were correct.

The petition is rooted in old information stemming from the time when Paul Ryan was still House Budget Committee Chairman. Railroad Retirement has not been addressed in budget resolutions for several fiscal years now. From our sources on Capitol Hill, as far as we can tell the current budget resolution (FY 17) does not address Railroad Retirement.

Most likely, the reason for the petition was to bring the matter to the attention of President Trump, as that is who it is addressed to. But it may not be as good an idea as people think, for why put something on Trump's radar screen that isn't already there and that could harm us. That being said, we would recommend that, at this time, you not sign the petition. We are very vigilant, with the help of the IBEW Political/Legislative Department and the AFL-CIO Transportation Trades Department, in staying on top of all matters that affect our members. If in the future an issue again arises with an attack on the Railroad Retirement system, or with anything else that may adversely affect you, you can rest assured that we will immediately notify you and advise you as to what you can do to help stave off the attack.

If you have any questions pertaining to this matter, please don't hesitate to contact me at 202-728-6016.

Fraternally and in Solidarity,

Bill Bohné, Jr.
Director – IBEW Railroad Department
202-728-6016



MICHAEL JARRARD, MD, MPH
AVP and Chief Medical Officer
Medical & Environmental Health

BNSF Railway Company
2301 Lou Menk Drive
Fort Worth, TX 76161
(817) 352-1604
michael.jarrard@bnsf.com



May 8, 2017

Dear [REDACTED],

Effective June 12, 2017, BNSF will begin Federal Railroad Administration (FRA)-authority post-accident and random drug and alcohol testing of employees defined as Roadway Workers under FRA regulations. The new FRA Roadway Worker testing requirements are in addition to the pre-employment, reasonable suspicion and post-accident drug and alcohol test that maintenance-of-way and Telecommunications employees have always been subject to under BNSF authority. FRA defines a Roadway Worker as:

Roadway Worker: "Any employee of a railroad, or of a contractor to a railroad, whose duties include inspection, construction, maintenance or repair of railroad track, bridges, roadway, signal and communication systems, electronic traction systems, roadway facilities or roadway maintenance machinery on or near track or with the potential of fouling a track, and flagmen and watchmen/lookouts as defined...." (This rule, referred to as CFR Title 49, Part 219, has been enacted as part of the Rail Safety Improvement Act of 2008.)

You have been identified as a Roadway Worker under the FRA's definition.

The new FRA regulation covers approximately 2,500 BNSF employees who were not previously subject to random drug and alcohol testing or FRA-authority post-accident testing, and includes positions such as trackmen, laborers, machine operators, bridge inspectors, welders and field Telecommunications employees. Additionally, about 5,200 BNSF employees who were in the Federal Motor Carrier Safety Administration's (FMCSA) random drug and alcohol testing pool for active commercial driver's license holders—and who perform 51 percent or more of their work as a Roadway Worker—are being moved to the FRA Roadway Worker random drug and alcohol test pool.

BNSF will administer the required number of random drug and alcohol tests using computer-generated random selections of eligible employees in the Roadway Worker pool. BNSF must randomly select a minimum of 50 percent of the employees in this pool throughout the year. This means you may be selected for a random drug and alcohol test several times per year. If you are selected, your supervisor will notify you to report immediately for testing.

Accidents that meet the FRA criteria for post-accident testing must be conducted at a medical facility. The FRA requires the facility's medical personnel obtain blood and urine samples and ship them to the FRA lab for processing. The FRA releases test results to BNSF's medical review officer.

The FRA requires that employees who test positive for drugs and/or alcohol on an FRA-authority random or post-accident test will be subject to observed follow-up testing upon return to work. The FRA also requires BNSF to report positive FRA drug and alcohol test results from the last two years, and any refusals to test, to prospective DOT-regulated employers.

BNSF also must require all Roadway Workers to **complete and return the enclosed Release of Information Form** for Department of Transportation (DOT) compliance purposes. The form is used to verify any DOT-positive alcohol and/or drug tests or any DOT test refusals for the past two years with any DOT employers, including BNSF. Complete Section I. and I-B (make sure to list all of your DOT employers in the last two years in Section I-B, including BNSF) and return it in the enclosed self-addressed stamped envelope by June 2, 2017.

Please review BNSF's Corporate Policy on the Use of Alcohol and Drugs on the BNSF employee portal. If you have questions about this information or the process, call a BNSF Medical department representative at (817) 352-1648.

BNSF is committed to a safe and healthy work environment, and we appreciate your continued focus on safe operations.

Sincerely,

Michael Jarrard, MD, MPH
AVP and Chief Medical Officer

Release of Information Form -- 49 CFR Part 40 Drug and Alcohol Testing

COMPLETE SECTION I AND I-B (MAKE SURE TO LIST ALL OF YOUR DOT EMPLOYERS IN THE LAST TWO YEARS IN SECTION I-B OTHER THAN BNSF) AND RETURN IT TO BNSF IN THE PROVIDED SELF-ADDRESSED STAMPED ENVELOPE BY JUNE 2, 2017.

Section I. To be completed and signed by the employee:

Employee Printed or Typed Name: _____

Last 4 Digits of Employee SSN: _____ and BNSF ID Number: _____

Have you worked for a DOT-regulated employer, other than BNSF Railway Company, in the last two years [Answer "yes" or "no"]? _____

If your answer to the above question is "No," then sign and date the form below. You do not need to complete the remainder of the form.

I hereby authorize release of information from my Department of Transportation regulated drug and alcohol testing records by my previous employer, listed in Section I-B, to the employer listed in Section I-A. This release is in accordance with DOT Regulation 49 CFR Part 40, Section 40.25. I understand that information to be released in Section II-A by my previous employer, is limited to the following DOT-regulated testing items:

1. Alcohol tests with a result of 0.04 or higher;
2. Verified positive drug tests;
3. Refusals to be tested;
4. Other violations of DOT agency drug and alcohol testing regulations;
5. Information obtained from previous employers of a drug and alcohol rule violation;
6. Documentation, if any, of completion of the return-to-duty process following a rule violation.

Have you ever tested positive, or refused to test, on any pre-employment drug/alcohol test? _____

Employee Signature: _____ Date: _____

I-A.

Current Employer Name: BNSF Railway
 Address: 2301 Lou Menk DR, GOB-3E, Fort Worth TX 76131
 Phone #: 817-352-1648 Fax #: 817-352-7505
 Designated Employer Representative: Chris Kowalkowski

I-B.

Previous DOT Employer Name: _____

Address: _____

Phone #: _____

Designated Employer Representative (if known): _____

Section II. To be completed by the previous employer and transmitted by mail or fax to BNSF Railway Company:

II-A. In the two years prior to the date of the employee's signature (in Section I), for DOT-regulated testing:

- | | |
|---|------------------------|
| 1. Did the employee have alcohol tests with a result of 0.04 or higher? | YES ___ NO ___ |
| 2. Did the employee have verified positive drug tests? | YES ___ NO ___ |
| 3. Did the employee refuse to be tested? | YES ___ NO ___ |
| 4. Did the employee have other violations of DOT agency drug and alcohol testing regulations? | YES ___ NO ___ |
| 5. Did a previous employer report a drug and alcohol rule violation to you? | YES ___ NO ___ |
| 6. If you answered "yes" to any of the above items, did the employee complete the return-to-duty process? | N/A ___ YES ___ NO ___ |

NOTE: If you answered "yes" to item 5, you must provide the previous employer's report. If you answered "yes" to item 6, you must also transmit the appropriate return-to-duty documentation (e.g., SAP report(s), follow-up testing record).

II-B.

Name of person providing information in Section II-A: _____

Title: _____ Phone#: _____ Date: _____