

January 8, 2010

REPORT OF THE CHAIRMAN

ALL MEMBERS, GCofA AND SECRETARY –
TREASURERS, BLE – UP NORTHERN REGION

Dear Sirs and Brothers:

Pursuant to Section 11 (b) of the Standing Rules and the By-Laws of this General Committee of Adjustment, I submit the following report on the activities of this office for the period ending December 31, 2009

In addition to conducting the daily business of this office which includes telephone work, mail, email, discipline appeals, submission work, claims and grievances and correspondence, the following was further attended to by this office.

October 6, 2009, Claim Conference with Director of Labor Relations Taggart in Omaha.

October 19 – 21, 2009 Vacation Days.

October 21 and 22, 2009 sent Second Vice Chairman K. T. Christians to St. Louis to attend a meeting of the National General Chairman's Association called by then President Rodzicz for discussion of the Hours of Service changes under the Rail Safety Improvement Act and Guarantee for FR days. Also meeting to discuss National Division Section 6 planned notices.

October 27, 2009, Conference Call for BLET/UPRR General Chairmen with Vice President Lee Pruitt to discuss On Property Section 6 Notices.

October 29, 2009 Conference Call BDM and M. L. Elsberry with Secretary Treasurer on General Committee's financials.

October 29, 2009, Section 6 Conference Call with BLET UPRR General Chairmen, Vice President Lee Pruitt and Attorney M. Wolly to further discuss On – Property Section 6 Notice and Union Pacific intended National Bargaining - vs – Organization's planned On – Property Bargaining.

November 10, 2009, Travel to Roseville, California.

November 11, 2009, General Chairmen, BLET and UTU/UPRR with Vice President Lee Pruitt and J. Previsich and Union Pacific EVPO D. Duffy, J. Santamaria, Vice President Labor Relations Lance Fritz and Assistant Vice President R. Turner with Regional Vice President, train trip and update and informed meetings Roseville, California to West Colton, California.

November 12, 2009 Travel home.

November 16 and 17, 2009 Claims Conferences with Director of Labor Relations T. G. Taggart in Omaha.

December 11, 2009, Travel to Des Moines, Iowa for Division 778 annual Christmas Dinner get together at the invitations of Local Chairman Jeff Lukehart. Also in attendance Local Chairman and 2nd Vice Chairman K. T. Christians, Division 6, Boone, Iowa.

December 14, 2009, Travel to BLET Headquarters, Cleveland, Ohio.

December 15 and 16, 2009, met with BLET UPRR General Chairmen with Vice President Lee Pruitt on On-Property Section 6 Notices, memorandum of Understanding between BLET/UPRR General Chairmen and Union Pacific and BLET General Chairmen Coalition Agreement. Also attending to discuss NS and CSX On – Property Agreements were Vice President Willard Knight and Vice President Dennis Pierce. President Paul Sorrow also attended as his schedule permitted.

December 16, 2009 travel home in the evening.

The week of December 7 and the week of December 11, 2009 at the First Division NRAB 74 Discipline Cases were handled with 5 Referee bench decisions. Referee Peter Meyers returning the claimants to service. Those Brothers are Brothers Dunivent (sp. Donovan), Cheyenne, Wyoming on Borrow Out to Sioux City at time of dismissal (Division 9); Brother Jenkover (Division 404); Brother Huffman (Division 778); Brother Salinas (Division 683) and Brother Mercier (Division 333). Copies of Referee Peter Meyers bench decisions are attached.

As you know, our present National Agreement has run its course, and the 2010 round of bargaining is about to begin. We have decided to join with the other five BLE General Committees in an effort to bargain on property over rates of pay, rules and other conditions of work. Likewise, we have given our proxy to the National Division President, Paul Sorrow to bargain in our behalf on the Health and Welfare Section 6 Notice. Enclosed herewith, please note the attached correspondence: suit filed, BLET Section 6 Notice, Union Pacific Section 6 Notice and Memorandum of Understanding with Union Pacific and the National Carrier's Conference Committee (NCCC) over how bargaining will be conducted.

1. October 8, 2009 letter of Union Pacific designating Mr. T. Olin as the UPRR highest designated officer for the Handling of all matters contained in Section 6 of the Railway Labor Act.
2. Complaint for Declaratory and injunctive Relief on behalf of the six BLET/UPRR General Committees filed in the United States District Court for the District of Minnesota to require Union Pacific to bargain locally or on property with the six BLET/UPRR General Committees.
3. November 1, 2009 Cover letter and BLET/UPRR/GCofA Section 6 Notice.
4. November 1, 2009 General Committee letter to President Sorrow authorizing the National Division to bargain on behalf of this General Committee over Health and Welfare notices.
5. November 2, 2009 cover letter and Section 6 Notice of Union Pacific and the NCCC.
6. November 9, 2009 correspondence between President Sorrow and A. K. Gradia Chairman of the NCCC.
7. November 11, 2009 additional correspondence between President Sorrow and NCCC Chairman Gradia.
8. November 12, 2009 letter of President Sorrow to BLET/UPRR General Chairmen acknowledging receipt of GCofA proxy authorizing the National Division to represent the BLET/UPRR GCofA's over Health and Welfare matters.
9. December 15, 2009 Memorandum of Understanding between the six BLET/UPRR General Committees and Union Pacific through the NCCC to provide for on-property bargaining over 2010 wages, rules and conditions and also dismisses the suit filed in Minnesota District Court. (See Attachment 2.)

The following Awards of the First Division, NRAB with Referee Stephen M. Bierig were issued and are enclosed here for your perusal and records.

Awards 26957, 26958, 26959, 26960, 26961, and 26962 on behalf of various engineers at South Pekin for violations of the 1996 System Agreement – Claims Handling based on Time Limits – no declination issued. Sustained and paid.

Also, please note the attached listing of claims successfully handled in conference.

Respectfully submitted,

B. D. MacArthur,
General Chairman, BLET

BDM:sjm
Enclosure



Up File No.	Claimant/s	Category	Division	Conference Decision
1504298	L. Abell	assignments	96	A - \$87.00
1504314	G. R. Rursch	attend Total Safety Class	125	A - \$200.00
1512297	T. W. Johnson	auto expense	333	A - \$147.95
1503081	P. R. Wilcox	called and not used	848	A - \$50.00
1507675	S. E. Severs	called and not used	6	A - \$58.00
1510238	R. E. Hockett	continuous service	404	A - \$30.76
1510239	R. E. Hockett	continuous service	404	A - \$30.76
1510240	R. E. Hockett	continuous service	404	A - \$30.76
1510244	R. L. Ferguson	continuous service	404	A - \$30.76
1511862	R. E. Hockett	continuous service	404	A - \$30.76
1511865	R. E. Hockett	continuous service	404	A - \$30.76
1512879	R. L. Ferguson	continuous service	404	A - \$30.76
1512880	R. L. Ferguson	continuous service	404	A - \$30.76
1512881	R. L. Ferguson	continuous service	404	A - \$30.76
1512882	R. L. Ferguson	continuous service	404	A - \$30.76
1512883	R. L. Ferguson	continuous service	404	A - \$30.76
1512884	R. L. Ferguson	continuous service	404	A - \$30.76
1512885	R. L. Ferguson	continuous service	404	A - \$30.76
1512886	R. L. Ferguson	continuous service	404	A - \$30.76
1512887	R. L. Ferguson	continuous service	404	A - \$30.76
1512888	R. L. Ferguson	continuous service	404	A - \$30.76
1512294	T. W. Johnson	deadhead	333	A - \$92.20
1512295	T. W. Johnson	deadhead	333	A - \$92.20
1512296	T. W. Johnson	deadhead	333	A - \$147.95
1512873	R. L. Behne	deadhead	333	A - \$116.34
1512874	R. L. Behne	deadhead	333	A - \$116.34
1513376	S. W. Wendt	died hours of service	656	A - \$61.06
1504301	H. Pierrita	guarantee		A - \$222.00
1504680	M. L. McLaughlin	guarantee	303	A - \$200.00
1504681	B. N. Armstrong	guarantee	303	A - \$200.00
1503085	T. Zavadsky	held off assignment		A - \$105.00
1503096	E. McManus	meals	778	A - \$68.00
1507459	P. R. Wilcox	mileage	848	A - \$41.54
1513374	J. R. Pike	mishandled by CMS	333	A - \$477.66
1514125	S. M. Fye	no window	125	A - \$61.07
1504313	K. L. Ottens	not allowed to run turn	125	A - \$45.00
1517094	W. J. McClimon	not allowed to work assignment	125	A - \$122.00
1502315	T. C. Lewandowski	not called	125	A - \$91.00
1506332	J. J. Carnes	not called	333	A - \$90.00
1498554	R. L. Behne	outside assignment	333	A - \$114.00
1498571	V. C. Marlin	outside assignment	333	A - \$110.00
1515325	R. Garcia	outside scope of assignment	96	A - \$22.60
1514924	T. P. Wolff	overtime rate of pay	333	A - \$92.58
1507455	M. N. Fischer	restricted seniority	848	A - \$200.00
1501484	R. L. Behne	runaround	333	A - \$110.00

Monday, January 11, 2010

ANSWER

Up File No.	Claimant/s	Category	Division	Conference Decision
1502321	D. G. Johnstone	runaround	333	A - \$110.00
1503101	J. H. Bristol	runaround	333	A - \$110.00
1503104	E. W. Jorgensen	runaround	333	A - \$110.00
1505987	M. D. Reese	runaround	778	A - \$110.00
1505988	M. D. Reese	runaround	778	A - \$110.00
1506343	J. H. Bristol	runaround	333	A - \$110.00
1515322	E. Heer	safety meeting	96	A - \$21.84
1515323	R. E. Hockett, Jr.	safety meeting	96	A - \$21.84
1501498	R. L. Behne	second start	333	A - \$237.00
1504303	M. A. Lollar	second start	656	A - \$111.87
1507454	S. D. Lewis	second start	848	A - \$50.00
1507464	P. R. Wilcox	second start	848	A - \$110.00
1500229	M. T. Vanhise	senior bidder	404	A - \$683.00
1513377	T. A. Kirsch	switching - Albert Lea	656	A - \$199.92
1513378	T. A. Kirsch	switching - Albert Lea	656	A - \$309.96
1514921	T. A. Kirsch	switching - Albert Lea	656	A - \$210.24
1514922	T. A. Kirsch	switching - Albert Lea	656	A - \$254.07
1517091	T. A. Kirsch	switching - Albert Lea	656	A - \$185.71
1517092	T. A. Kirsch	switching - Albert Lea	656	A - \$267.03
1517093	T. A. Kirsch	switching - Albert Lea	656	A - \$279.84
1517918	T. Kirsch	switching - Albert Lea	656	A - \$165.12
1517919	T. Kirsch	switching - Albert Lea	656	A - \$245.20
1519672	T. Kirsch	switching - Albert Lea	656	A - \$182.61
1519673	T. Kirsch	switching - Albert Lea	656	A - \$156.03
1519674	T. Kirsch	switching - Albert Lea	656	A - \$232.10
1510237	G. J. Vogel	switching limits	404	A - \$21.84
1510224	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510225	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510226	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510227	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510228	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510229	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510230	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510231	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510232	R. L. Ferguson	time limit -continuous	404	A - \$21.30
1510233	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510234	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510235	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510236	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1510243	R. L. Ferguson	time limit -continuous	404	A \$21.84
1510245	R. L. Ferguson	time limit -continuous	404	A - \$21.84
1506352	T. R. Schultz	went on duty left ill	656	A - \$97.31
1508579	J. V. Dent	worked off territory	9	A - \$224.29