2019 – FIRST QUARTER REPORT

ALL LOCAL UNIONS
SYSTEM COUNCIL NO. 2

Dear Brothers and Sisters:

For several years the U.S. Railroad Retirement Board (RRB) has hosted Pre-Retirement Seminars for rail employees and spouses within five years of retirement in addition to offering the traditional Informational Conference Program for labor representatives. Recently, the RRB Labor Member’s office advised that there has been a significant drop in conference attendance, while the seminars have grown in popularity. Thus, the interest generated from the Pre-Retirement Seminars encouraged the RRB to reshape its platform. To ensure efforts to fulfill current needs and help better manage costs and field office resources, these usually separate programs were combined into a single event (called Pre-Retirement Seminars) open to those nearing retirement and all local union officers. While most of the program focuses on various aspects of railroad retirement benefits, each seminar closes with a brief presentation on railroad unemployment and sickness benefits to help prepare union officers for sharing reliable information with their members. All union officials and their spouses are welcome to attend, as well as rail employees and spouses within five years of retirement. In order to register for one of the seminars, visit www.rrb.gov/prs.

The AFL-CIO Transportation Trades Department (TTD) recently announced of the Federal Railroad Administration (FRA) decision to deny the Kansas City Southern Railways request to outsource brake inspections on KCS freight trains running from Mexico into the United States. Unfortunately, the decision does not address the issue of Mexican train crews running the trains into the U.S. (see attachment)

The US Supreme Court recently issued a decision which affects FELA injury awards and settlements and Railroad Retirement taxes. In the 8 - 2 decision, the court ruled that damages for lost wages in FELA injury jury awards

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and settlements are subject to Railroad Retirement taxes. Prior to this decision, no part of an injury award or settlement was subject to the aforementioned taxes. This is not a good decision for railroad employees which will significantly reduce what injured railroad workers will receive. If any action will be taken to correct this matter, it would have to be in the form of new federal legislation that would specifically address this matter and exclude reimbursement for lost wages in FELA awards and settlements from the aforementioned taxes.

The Union Pacific recently provided a *Quick Reference Guide* for those employees who desire access of their current medical status information with the railroad. If an employee is currently inactive, they should contact OSS (402 544-5555) to have their online access restored. This information is also provided through the 877 275-8747 IVR. (see attachment)

In continuation with the Union Pacific’s implementation of its “Precision Scheduled Railroading” plan, force reductions and furloughs have continued throughout the first quarter in all departments and most locations. IBEW forces were again reduced at the system Mechanical locomotive facilities for a total of 194 furloughs for the first quarter. This is in addition to the 2018 furloughs, as well as continued attrition rates which are not being replaced. This is very disheartening considering business levels haven’t declined and the Carrier continues to reap record profits The System Council, together with the various local unions, continue to monitor the Carrier’s actions for subcontracting and other improper work assignment activity. As a result, several subcontracting and employee protection claims have been filed on behalf of our furloughed IBEW members. Our continued thoughts and prayers are with our furloughed brothers and sisters.

The National Mediation Board recently approved funding for our next docket of cases before Public Law Board 7001 with Union Pacific, and Public Law Board 7160 with the Kansas City Southern. These cases are scheduled to be presented and heard by the Arbitrator on the date of April 30th.

January 2019

- I attended an IBEW General Chairman’s meeting.
- AGC Shell attended and assisted Fort Forth Local 942 with a disciplinary investigation.
- VGC Reynoso attended and assisted Salt Lake City Local 650 with a
disciplinary investigation.

- AGC Starkjohann assisted Telecom members with job placement and furlough activity.
- VGC Reynoso met with members of Local 650 and toured the UPRR Roper locomotive facility.

**February 2019**

- AGC Starkjohann attended a claims conference with Union Pacific Labor Relations.
- VGC Reynoso, AGC Shell, and I attended a meeting with Union Pacific Mechanical Department VP John Estes and AVP Jeremy Given to discuss recent IBEW force reductions and locomotive shop closures.
- AGC Starkjohann researched and initiated an employee protection claim on behalf of furloughed Telecom members.
- VGC Reynoso, AGC Shell, and I attended a meeting with Union Pacific Labor Relations to discuss locomotive subcontracting claims and Article I Employee Protection claims filed on behalf of furloughed IBEW members.
- The System Council staff and I met with Union Pacific Labor Relations in order to conference outstanding discipline appeals/claims.

**March 2019**

- AGC Starkjohann attended the monthly meeting of Omaha Local 618.
- AGC Shell met with the local officers of Pine Bluff Local 1758.
- VGC Reynoso and I attended the Union Pacific Shopcraft Coalition meeting with UPRR Mechanical personnel.
- VGC Reynoso attended a Railroad Retirement Board Conference.
• VGC Reynoso and I attended the UPRR General Chairman’s Association meeting.

• AGS/ST Shell began preparation for the System Council’s fiscal year audit and reports

Throughout the first quarter, the System Council staff remained busy providing routine assistance to the local unions, as well as claim research and preparation for arbitration.

In solidarity, I remain

Fraternally yours,

Jim Wisniski
General Chairman

Attachments:
WASHINGTON, DC – Larry I. Willis, president of the Transportation Trades Department, AFL-CIO (TTD), issues this statement in response to the Federal Railroad Administration rejecting a request from Kansas City Southern Railway to conduct safety-sensitive brake tests in Mexico:

“We learned yesterday that the Federal Railway Administration (FRA) denied a request by Kansas City Southern Railroad (KCSR) to outsource safety-sensitive brake tests to Mexico. In its decision, the FRA correctly told KCSR that their request — which TTD and our rail unions strongly opposed — was ‘not in the public interest or consistent with railroad safety.’ We could not agree more.

“KCSR is already exempt from conducting full brake tests at the border with Mexico before entering the U.S. Since 2008, the carrier has been allowed to conduct minimal brake tests at the border so long as it conducts its major
brake tests in Laredo, Texas. Allowing KCSR to outsource this already less rigorous border inspection would have further removed government oversight and undermined existing safety protocols.

“The FRA’s decision is a step in the right direction, but it is not enough.

“Last year, the FRA granted KCSR permission to operate trains with crews from Mexico to Laredo, nine miles across the border. This decision was made without input from the public or any guarantee U.S. safety standards are being met. In fact, current regulations allow foreign crews operating in the U.S. to avoid random drug and alcohol testing, and there is no proof crews from Mexico are meeting the same certification and training requirements as American crews.

“These dangerous practices cannot continue. We call on the FRA to uphold its commitment to cross-border rail safety and security. The pursuit of profits cannot and must not run roughshod over maintaining safety standards and protecting good jobs.”
eHealthSafe for Employees
Quick Reference Guide

What is the status of my leave, medical exam, or medical service?

1. Go into eHealthSafe
   (*Access eHealthSafe from the UP Homepage by clicking on MORE > SAP Portal (payroll) > eHealthSafe OR from UP com by clicking on Employees > more > ePayroll)

2. Check your Messages / Attachments for notifications about your Case & Service

Once you've reviewed your message you can click the "Acknowledged" button to move your message off your To Do List & under the Acknowledged tab

Official letters or forms may be attached to the message

The message in the eHealthSafe Portal provides detail about where you are in the process
Where can I find copies of letters & forms that were sent to me?

1. Go into eHealthSafe
   (*Access eHealthSafe from the UP Homepage by clicking on MORE > SAP Portal (ePayroll) > eHealthSafe OR from UP.com by clicking on Employees > more > ePayroll*)

2. Copies of official letters & forms can be found by clicking on "View Attachment" in the Messages / Attachments portal

Copies of Official letters or forms can be accessed by clicking on the View Attachment button under the portal message you receive.
Was my paperwork Received?

1. Go into eHealthSafe
   (*Access eHealthSafe from the UP Homepage by clicking on MORE > SAP Portal (ePayroll) > eHealthSafe OR from UP.com by clicking on Employees > more > ePayroll*)

2. Check your Messages / Attachments for a notification stating “Documents Received”
   a. If the message is present, documents have been received and will be reviewed within 7 to 10 business days.
   b. If the message is not present and you did not use a bar code fax cover page, please wait 1 business day and check your My To Do List page again.
   c. If the message is not present and you have either used a bar code fax cover page or waited 1 business day, please resubmit your documents by uploading to eHealthSafe or re-faxing them.