

Pennsylvania Federation

121 North Broad Street - Suite 503
Philadelphia, Pennsylvania 19107
www.pennfedbmwe.org
phone: (215) 569-1285
fax: (215) 569-0676



Office of the General Chairman
Jed Dodd

May 2, 2006

To: All Amtrak Committees

Dear Brothers and Sisters:

Amtrak and BMWED Have Bargaining Meeting?

On April 26, 2006, Amtrak and the BMWED negotiating committee had another bargaining session. This is the first time we have met since May 2004. Amtrak was represented at this meeting by Vice President of Labor Relations Joe Bress. This is the first time in the six plus year period of this contract struggle that Mr. Bress has graced our bargaining table with his presence. At the bargaining table Mr. Bress repeated Amtrak's offer of May 2004 with some additional concessions.

Amtrak's April 26, 2006 Settlement Proposal

1. **No Retroactivity.** There can be no retroactivity at all in the agreement.
2. **TCU Rate Increases Effective October 1, 2006.** The rate increases agreed to with the TCU would not start until October 1, 2006. This would have an effect of increasing the MW Track Foreman rate to \$21.49, or an increase of \$1.16 per hour. Currently, a MW Track Foreman earns \$20.33 per hour. To apply the TCU increases subtract \$.70 of the \$1.45 rolled up cost of living allowance which has already been paid and then multiply by the TCU rate increases of 9.5%.
3. **\$100 Health and Welfare Contribution.** Amtrak proposes that effective October 1, 2006, the health and welfare contribution for each member would be \$100.00 per month.
4. **Work Rule and Benefit Concessions.** To settle the contract we must accept the work rule and health and welfare concessions demanded by

Amtrak at our last meeting in May 2004. These are attached for your information. If enacted they would severely weaken our seniority system and serve to eliminate a substantial amount of overtime we depend upon to pay our bills. It will also significantly reduce the health benefits our disabled members receive when they are forced off the railroad because of their disabilities.

5. **Unlimited Right to Contract Out of Work.** Amtrak has also demanded an unlimited right to contract out work and if this results in anyone losing their job they will pay that employee 3 months severance to separate from the company.

Amtrak Demands Unconditional Surrender

Amtrak insults its' employees with these demands. Amtrak is not negotiating, but instead is demanding that we unconditionally surrender our rights and working conditions, and reduce our standard of living. Unfortunately for our country, the Board of Directors, appointed by the White House, do not believe in collective bargaining and do not believe in a publicly financed rail passenger system for America. The only experience they have operating a passenger rail system is raising big campaign donations for the White House. Their position at the bargaining table reflects this backward point of view.

Amtrak Rejects Arbitration Again

At our meeting on April 26, 2006, we told Amtrak that their demands were outrageous and a voluntary settlement was unlikely. We repeated our offer to arbitrate the dispute. Arbitration would provide a forum for a more fair hearing on these issues than anything else that is currently available to us. Amtrak rejected this idea because they know that their position can not be sustained in any type of fair environment. We continue to pursue this avenue because we believe it offers everyone a way to resolve a dispute that is entering its seventh year and is moving further from resolution rather than closer to an acceptable settlement.

Attached for your reference is a recent letter signed by nearly all the members of the New Jersey Congressional delegation (Republican and Democrat) calling upon the Chairman of Amtrak's Board of Directors to accept our offer to arbitrate this dispute. If your representatives' names are not on this letter you may want to take the letter to them and ask that they write a similar letter in our behalf.

The Future

The future does not look positive for a settlement any time soon. Unfortunately, we are the victims of a government with an ideology that tramples upon the rights of its own workers. We will continue to hold the line and develop ways to pressure Amtrak and the government to properly recognize the tremendous service we provide to our communities.

Going forward under the *Railway Labor Act* in this political climate will only produce a result that will be worse than our current situation. Under the law this process is completely controlled by political forces that are hostile to our rights. They are clear that they will enforce the law in a manner that caters to the economic interests of their campaign contributors and advances their political agenda. This is the same administration that has lost a great deal of public support as they sat on the sidelines and watched New Orleans be destroyed and as the facts of their failed Iraq Oil War are becoming known. The coming mid-term elections could change the political dynamic and elect a government that is more reasonable to the issues of working Americans. It is unlikely (but not impossible) that they will move to impose their union busting contract settlement on us before these coming mid-term elections because they are afraid of more bad publicity.

Union Position Eminently Reasonable

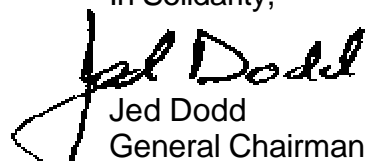
Our position to arbitrate this dispute is eminently reasonable and we need to hold the line until we can develop enough pressure to convince Amtrak management of this idea. Many Amtrak managers below the position of Vice President also think we should end this dispute with arbitration. We need to convince them to voice this opinion to their bosses. We understand how outrageously frustrating this situation is; however, this is the hand we have been dealt. We can not let our justified anger force us into actions or agreements that will jeopardize the union conditions that took literally generations of railroad workers to build.

What the Members Can Do

Your local politicians need to hear from you about how you feel about Amtrak's position at the bargaining table and your local management needs to have these issues explained to them as well. In addition, we will be sponsoring activities to bring public awareness to this problem and we will need your active involvement to make these actions successful.

We will continue to hold the line and hunker down for a longer fight than any of us thought would occur. The alternatives all spell disaster for our jobs and our ability to provide for our families. Unfortunately, union busting lunatics with a political agenda hostile to working Americans are running the show right now. We need to ensure that we proceed in a manner that best protects our future from their greed and corruption and protects what we have struggled for many generations to achieve.

In Solidarity,



Jed Dodd
General Chairman

Amtrak Proposal
A-13080

May 7, 2004

Work Rules

- Provide for bi-weekly pay through direct deposit
- Establish a General Training/Examination Rule
- Provide for restoration of status quo following emergency force reductions
- Eliminate the May 12, 1976, Platform Truck Agreement, and establish a new Classification of Lineman/Catenary Car Operator with a rate to be determined
- Modernize Electric Traction Work Zones
- Provide for elimination by attrition of Relay Electrician
- Provide that employees filling temporary vacancies will be considered automatic bidders for such assignment
- Amend the Assignment Rule to provide that when no bids are received for advertised positions, the junior employee holding seniority in the class working in a lower class in the work zone will be assigned. If no such employee available, Amtrak may assign the junior qualified employee in the work zone working in a lower class, not possessing seniority in the class.
- Amend the Work week rule to provide that 3 X 12 gangs may be established with any consecutive work days, including work weeks of Friday, Saturday and Sunday or Saturday, Sunday and Monday. Incumbents shall receive 40 hours pay provided they work all advertised hours of the assignment (36 hours).
- Modify existing rules governing rest days as may be necessary to permit weekend coverage at the straight time rate.
- Modify existing starting time restrictions to permit starting times to cover morning rush hour.
- Amend existing rules to provide that overtime shall be paid only after 40 hours worked.
- Modify existing Bridge Rehab. Gang Rule to contain the same provisions as Rules 90 A, B and C, and permitting such gang to perform any capital improvement work deemed appropriate.

- Provide that assembly points may be established for certain production gangs where parking at the lodging facility is impractical
- Provide that consistent with operating conditions, the advertised shift of a gang may be changes under the following conditions:
 - 72 hours advance notice
 - Change shall not exceed 30 days in duration
 - Not more than 2 such changes per year for any one gang
- Modify the Discipline rule to encourage informal handling and to expedite the handling of absenteeism and D&A cases
- Modify existing rules to eliminate payments to employees while withheld from service pending investigation.
- Require employees to work the entire tour of duty preceding, on and following holidays in order to qualify for holiday pay
- Eliminate contracting out restrictions

Highlights of TCU Health and Welfare Concessions

- * Under the managed care plan (MMCP), the co-payment for an emergency room visit will be \$50 unless the participant is admitted to the hospital in which case it will be waived.
- * Employees who have managed care networks (MMCP plan) available where they live, who choose to enroll in the comprehensive/indemnity plan (CHCB), will be covered at 75% instead of the current 85%, until the Out of Pocket Maximum is reached.
- * The annual deductibles for the MMCP plan when participants use medical providers who are not in-network will increase to \$200 per individual and \$600 per family.
- * Medical Plan coverage for employees who become disabled shall end 24 months following the month in which the employee last received compensation. This change would penalize our members who are at a point in their lives when they most need health care and eliminate at least one year in benefits for our disabled members. This change could literally kill some of our members.

Congress of the United States

Washington, DC 20510

April 10, 2006

David M. Laney, Chairman
Board of Directors
National Railroad Passenger Corporation
60 Massachusetts Ave., NE
Washington, DC 20002

Dear Chairman Laney:

We write to urge you to direct Amtrak to complete negotiations with the labor unions representing employees that perform maintenance on critical railroad infrastructure in New Jersey. We understand that the most recent contract governing the employment of some of these workers expired five years ago and that the Brotherhood of Maintenance of Way Employees/Teamsters (BMWE/T) has been bargaining, unsuccessfully, with Amtrak since January 1, 2000. We have learned that BMWE/T has offered to agree to binding arbitration on the new terms of its contract, and we ask you to consider this reasonable request.

We have noted with dismay and increasing frustration that Amtrak has been unable to reach agreement on new contracts with many organizations representing its employees. Amtrak's labor force is one of its greatest assets. It is the working people of Amtrak, both labor and management, who provide the service so vital to our region and our country, and lingering disputes will only harm Amtrak and rail passenger service. We are interested in the settlement of this continuing dispute before rail service is impacted adversely—both on Amtrak and our commuter rail services which rely heavily on the safe and reliable day-to-day functioning of Amtrak's infrastructure.

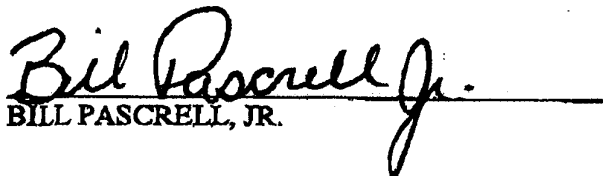
We believe intercity rail passenger service is a vital component of our national transportation system. Particularly for New Jersey and the other states that rely on the Northeast Corridor, service on the Corridor is essential to the daily transportation needs and the economic vitality of the State and region. In addition, some 100,000 New Jersey commuters rely on Amtrak's Northeast Corridor infrastructure each day for commuter rail operations.

We have been steadfast supporters of Amtrak and funding to allow Amtrak to continue to provide essential rail services in the Northeast Corridor. We ask you to consider our request for Amtrak to complete these negotiations and to consider acceptance of the BMWE/T's offer of binding arbitration immediately.

Sincerely,


FRANK R. LAUTENBERG


ROBERT MENENDEZ


BILL PASCRELL, JR.


FRANK LOBIONDO

Steve Rothman

STEVE ROTHMAN

Chris Smith

CHRIS SMITH

Frank Pallone, Jr.

FRANK PALLONE, JR.

Jim Saxton

JIM SAXTON

Donald M. Payne

DONALD PAYNE

Mike Ferguson

MIKE FERGUSON

Rob Andrews

ROB ANDREWS

Rush Holt

RUSH HOLT