

Allied Federation

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES DIVISION
of the International Brotherhood of Teamsters

Dennis R. Albers, General Chairman

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2022

NEWSLETTER

TOPICS OF THE 2022 NEWSLETTER

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Your NO Vote for “New Founding Conventions”

If you haven't already, you will soon receive a ballot in the mail. This ballot is to vote Yes or No to create a new founding convention and possibly form a new federation. The Allied Federation is opposed to creating new federations for the following reasons:

1. Our UNUM long term disability plan has been a lifeline to 125 members and currently has 58 members drawing benefits. These benefits will have paid nearly \$1,000,000 to sick or injured members that were out of work beyond 90 days. This plan was approved by Allied Federation Members for Allied Federation Members in May of 2018. In this post-pandemic world, we will never receive the same level of benefits for \$20.55 a month.

To keep the plan intact, we must **VOTE NO**, otherwise all the money that current members have put into the plan will be lost, and current members drawing benefits from the plan may no longer be funded.

2. President Simpson is counting on you not turning in your ballot so he can continue his retirement plan. You have the opportunity to save your benefits by **VOTING NO!**
3. The Allied Federation brought a lawsuit against CSX Transportation for their unilateral implementation of TIMETRAX. This lawsuit is still ongoing and was opposed by National Division Officers. There is also an ongoing lawsuit with UP Railroad for their vaccine mandates.

To continue these fights against the Carriers, we must **VOTE NO**, otherwise the existing Federations will be dissolved along with the lawsuits.

4. Claims, and discipline appeals may not be filed in a timely manner, jeopardizing the cases and making them unwinnable in arbitration before they are even heard. There will be no accountability of new verses old handling of these cases. There will be a lapse of coverage as a transition is made from one federation to another.

To ensure that NO Brother or Sister is left behind, we must **VOTE NO** to keep your representation accountable!

5. There are no proven benefits to having new founding conventions that are not already available to you as an Allied Federation Member without additional costs of creating a new entity.

Please take the time to read the literature enclosed in your ballot and educate yourself on the pitfalls of voting yes on your ballot. We ask that you stand with us by VOTING NO to send a message to BMWED President Simpson and the other Nation Division Officers that we are ready for him to focus on things that matter to us. Things like fighting vaccine mandates, higher wages, better healthcare, more time off, and sick days.

Allied Federation System Officers

Officer	Position	Contact No.
Dennis Albers	General Chairman	618-210-4987
Nate Trawick	First Vice Chairman	850-293-7826
Brian Thies	First Vice Chairman	618-201-2844
James Cox	Vice Chairman	956-764-0224
James D. Wilson	Vice Chairman	304-488-3377
Kenneth LeFrance	Vice Chairman	512-581-8954
Brandon Fuhrhop	Vice Chairman	618-521-4215
Kent Malzner	Vice Chairman	573-469-5510
Scott Niswonger	Vice Chairman	501-605-3193
Pat Quigley	Vice Chairman	859-743-6601
Ricky Richard	Vice Chairman	409-749-0663
Reese Saulter	Vice Chairman	404-665-6334
Brian Thompson	Vice Chairman	219-765-9334
Todd Taylor	Vice Chairman	615-478-1578
Tommy Boyd	Vice Chairman	912-614-2761

National Division Dues Increase Effective January 1, 2022

Article XV, Section 3, Paragraph 3, Paragraph 1, of the BMWED Division Bylaws, effective January 1, 2005, reads in part as follows:

"Sec. 3. Each member shall be required to pay all BMWED dues and assessments. National Division dues shall be adjusted each January to reflect one and three-tenth (1.3) of the average straight time hourly rate of pay for each of the three rate classifications listed in Paragraph 3.8 of the Merger Agreement. The average straight time hourly rate of pay for standard contracts will be based on the information reflected in the annual statement published by the National Railway Labor Conference which shall be used as an equivalent formula. In the event the National Railway Labor Conference ceases to publish the annual statement or alters it materially, and for non-standard and non-rail contracts listed in paragraph 3.8 of the Merger Agreement, an alternative equivalent formula shall be adopted so as to accurately reflect increases in the rates-of-pay provided for under Agreements during appropriate measurement period. Said amounts shall be rounded to the nearest 25 cents, which additional sum shall be taken into consideration when calculating any dues increases for the following year."

**National Division dues will increase from \$39.75 to \$40.50 per month
which is a \$0.75 increase per month.**

NATIONAL DIVISION DUES FOR NON-WORKING MEMBERS

Article XV, Section 3, Paragraph 3 read as follows:

"Sec.3. Any member who wishes to maintain full good standing during periods of unemployment or sickness may pay dues at the applicable Non-Working rate. The Non-Working rate shall equal the sum of the then current applicable IBT and Rail Conference per capita remittance, plus one dollar each to National Division, his System Division or Federation, and his Local Lodge. Dues timely paid at the Non-Working rate shall supersede any System Division or Federation or Local Lodge rate of dues and assessments set by action of their governing bodies. Members paying Non-Working dues will be counted in National Division's per capita remittances to the International Union."

If you are on unemployment or sickness leave and wish to remain as a member in "good standing", you will need to send a check or money order to the System Office in the amount of \$20.41 for Class I and \$17.77 for Class II with your name and ID number.

Claim Forms, Address Change Request Forms,
Lodge Transfer Request, New Hire
Application Forms,

and ***much more*** now available on your PHONE!

For the convenience of our valued Allied Federation members,
forms are now not only accessible but fillable online.

WWW.ALLIEDFED.ORG

Allied Federation Dues effective January 1, 2022

Allied Federation Constitution and Bylaws, Article XX, Section 3, Paragraphs 2, effective January 1, 2009, reads in part as follows:

“Effective with the month of January, 2009 and each January thereafter, System dues shall be adjusted to reflect one and seventy six hundreds (1.76) of the average straight time hourly rate of pay for each of the three rate classifications listed in Paragraph 3.8 of the Merger Agreement. The average straight time hourly rate of pay for standard contracts will be based on the information reflected in the annual statement published by the National Railway Labor Conference which shall be used as an equivalent formula. In the event that the National Railway Labor Conference ceases to publish the annual statement or alters it materially, and for non-standard and non-rail contracts listed in Paragraph 3.8 of the Merger Agreement, an alternative equivalent formula shall be adopted so as to accurately reflect increases in rate-of-pay provided for under Agreements during the appropriate measurement period. Said amounts shall be rounded to the nearest 25 cents, which additional sum shall be taken into consideration when calculating any dues increase for the following year.”

Based upon the annual statement published by the National Railway Labor Conference, it has been determined that the average straight-time hourly rate of pay for Class I maintenance of way employees during 2020 was \$31.06.

System dues increase in the amount of \$ 1.00 for the following Class I railroads:

- CSX, SEAB-CSX, NRPC-Amtrak, Norfolk-Southern, UP, KCS, PTR, BNSF, Connex, Evansville Western, NOPB, FEC, and TCTR

The average straight-time hourly rate of pay for Class II maintenance of way employees during 2020 was calculated to be \$26.49.

System dues increase in the amount of \$ 0.75 for the following Class II railroads:

- L&NW, A&O, and H&E

SENIORITY ROSTER

It is that time of the year for the Carrier's (Railroads) to post seniority rosters which will be open for protest. Most of the Agreements have a ninety (90) day window to protest seniority rosters from the date the seniority rosters are posted.

- MOP Rule (b) (2)
- BNSF (ATSF) Rule 2 (d)
- CSX Rule 4, Section 6 (b)
- Florida East Coast Rule 6 (c)
sixty (60) day period to protest seniority rosters
- KCS Rule 4.3
- Louisiana & Northwest Rule 4 (c)
- Evansville Western Railway Rule 13 (b)
- New Orleans Public Belt Railroad Rule 8 (c)
thirty (30) day period to protest seniority rosters
- Appalachian & Ohio Railroad Rule 13 (b)
thirty (30) day period to protest seniority rosters
- Huron & Eastern Railway Rule 4 (c)
thirty (30) day period to protest seniority rosters.
- Port Terminal Railroad Association Rule 3 (c)
- WSSB Railroad Rule 7 Section 2 one (1)
year period to protest seniority roster

It will be the responsibility of each employee to verify individual seniority dates. Please take time and review your seniority date in each classification. If not correct, immediately file a roster protest. Roster protest forms can be found on our website (alliedfed.org) under individual railroads.

2022 CSX Weekly M&IE Allowance for Mobile Employees

This year's COLA is 8%, below are the weekly totals.

Assignment	Tax-Free Per Diem	True-up Check Deposit Amount	Total for week
SPG			
SPG 5/8s	\$ 345.00	\$ 97.82	\$ 442.82
SPG 4/10s	\$ 276.00	\$ 166.82	\$ 442.82
SPG 8/6s	\$ 552.00	\$ 108.90	\$ 660.90
SPG 9/5s	\$ 621.00	\$ 63.84	\$ 660.90
SPG 10/4s	\$ 660.90	\$ -	\$ 660.90
SLWT			
SLWT 5/8s	\$ 337.83	\$ -	\$ 337.83
SLWT 4/10s	\$ 276.00	\$ 61.83	\$ 337.83
SLWT 8/6s	\$ 552.00	\$ 3.91	\$ 555.91
SLWT 9/5s	\$ 555.91	\$ -	\$ 555.91
SLWT 10/4s	\$ 555.91	\$ -	\$ 555.91
District Floating			
District Floating 5/8s	\$ 304.55	\$ -	\$ 304.55
District Floating 4/10s	\$ 276.00	\$ 28.55	\$ 304.55
District Floating 8/6s	\$ 522.62	\$ -	\$ 522.62
District Floating 9/5s	\$ 522.62	\$ -	\$ 522.62
District Floating 10/4s	\$ 522.62	\$ -	\$ 522.62

Vaccine Mandates

As hopefully you know, the Allied Federation is committed to securing our Members' right to choose whether vaccination is appropriate for them. Both the mandate from President Biden and the mandate from OSHA have "stays" placed on them by various courts across the country. To be clear, regardless of these imposed mandates, the supreme court has already ruled that employers can self-mandate vaccine requirements of their employees. With that said, we will continue to fight for exceptions to vaccine mandates that will keep Members employed and working. UP and NS continue to not want to discuss the mandates and have sued the BMWED to keep an injunction on us to limit any disruptive action in the near future. However, we were able to discuss the issue with the heads of CSXT and hope that other railroads will soon follow suit. The letter below was blasted out to connected Members via our integrated technology. If you are not getting these blasts, please contact our office to get plugged in.

December 10, 2021

Dear Brothers and Sisters,

The Allied Federation, Alliance System Federation and Pennsylvania Federation representatives met with CSX Transportation senior operations and labor relations leaders in Jacksonville on December 7 and 8, 2021, to discuss Maintenance of Way Employees' concerns over the effects of the pending federal contractor and OSHA vaccine mandates. Our Federation Officers and Members want and need information on how CSX plans to approach these federal mandates, and we had an open and frank conversation to make our positions and views crystal clear to CSX.

The results were encouraging. Most importantly, CSX has not implemented a vaccine mandate for any unionized craft employees, including BMWED members. As many of you may know, the federal contractor and OSHA vaccine mandates are currently enjoined by federal courts and may be significantly delayed or struck down entirely.

Even better news was CSX's commitment that Maintenance of Way Employees will not be subject to discipline or dismissal for refusing vaccines in the event a federal mandate takes effect and must be implemented. We were assured that employees would have options, depending on the specific regulation, that would allow them to continue active employment. These could include seeking medical or religious accommodations, or participating in periodic testing. At this time, those who decline alternatives to vaccination and may possibly become ineligible or disqualified from active employment under some future mandate, CSX does not intend to take any adverse employment action, and would likely offer the employee a leave of absence.

Your Federations will continue working with CSX to promote the best interests of our membership and keep you informed as things develop. We hope to remain aligned with CSX on important issues related to the COVID vaccines and other matters, and these discussions over the past two days are a positive signal that CSX understands and shares many of our interests and concerns.

In Solidarity,

Allied, Alliance System, and Pennsylvania Federation Officers

UP/MOP Updates

The Allied Federation Executive Board has authorized the funding of a pilot training program for MOP members. The program details are continuing to be hashed out with UP management. Your Federation Officers are working toward securing a training facility and equipment that will be provided by the Carrier. The goal is to have current Members train other Members in a joint cost solution with UP that would help to eliminate contracting out backhoe work. We project that this will add at least twenty-five (25) new backhoe operators to the rosters. We know that given the opportunity, our Members will prove once again that we are the best option to complete railroad work. Our Members continue to be the safest, most efficient, and are the highest quality railroaders in the industry.

Be Cautious Using Facebook and Other Social Media

Many Carriers have dedicated personnel to look for things that may impact the company's interest. These measures include searching employees' online profiles, including those of family members. Although many lawsuits have been filed across the country as to whether a company can discipline an employee for online postings, the Carriers have started using social media for a much more devious reason.

Most all members represented by the Allied Federation are protected by F.E.L.A. laws governing injuries at work. F.E.L.A. in a nutshell means employees hurt on the job do not receive workers compensation, but rather must settle with or sue the Carrier for compensation of loss due to an injury. We do not get workman's compensation in the mainstream sense.

However, the Carriers are beginning to search through posts from the injured employee or their families and friends, to discredit the severity of the injury suffered by the employee. This disgusting tactic has already had a negative impact on a few cases. Simple things like posting "This is the best day ever!" could result in a loss of thousands of dollars. If you know of anyone that is hurt, please pass this information onto them.

COMPENSATION PACKAGE 2021

The following breakdown represents the estimated value of cash and non-cash compensation accruing to Maintenance of Way employees with an hourly wage of \$30.53 working straight time hours only during the entire calendar year.

PAID BY THE CARRIER	PER YEAR	PER MONTH
Wages	\$63,502.40	\$5,291.87
Railroad Retirement Tier I & Medicare (7.65%)*	\$4,647.81	\$387.32
Railroad Retirement Tier II (13.1%)*	\$7,959.00	\$663.25
Unemployment (RUIA) (2.15%)**	\$402.48	\$33.54
Railroad Employees' National Health & Welfare Plan***	\$20,370.60	\$1,697.55
Vision Plan	\$102.12	\$8.51
Dental Plan (GP-12000)	\$764.04	\$63.67
Retiree Health Plan (GA-46000)	\$1,403.28	\$116.94
Supplemental Sickness Benefits (GP-7000)	\$479.28	\$39.94
Off-Track Vehicle Insurance	\$5.40	\$0.45
Employee Cost-Sharing Health Insurance Contribution	\$2,746.68	\$228.89
Employee Railroad Retirement Tier I & Medicare (7.65%)*	\$4,647.81	\$387.32
Employee Railroad Retirement Tier II (4.9%)*	\$2,977.03	\$248.09
Total Employer Paid Cash, Non-Cash Compensation and Payroll Taxes Less Employee Cost-Sharing and Employee Payroll Taxes	\$89,264.89	\$7,438.74

All Tier I and Tier II payments are based on the \$228.89 monthly cost-sharing payment being deducted prior to the calculation of payroll taxes.

** The RUIA tax rate is based upon each railroad's experience (the more claims for unemployment insurance, the higher the rate) and can vary from 0.65% to 12% of a maximum monthly wage of \$1,560.00. For purposes of this chart, the figure of 2.15% is used. The actual rate for employees will vary by employer.

*** Includes both foreign to occupation and on-duty coverage, life insurance, and accidental death and dismemberment coverage as well as the NRLC Administrative Fee and Monthly Inflow Factor.

The Expiration of the CARES Act and the Effect on RRB Benefits

In the beginning of the pandemic, the Brotherhood's Legislation Department was able to include a reduction in wait times for Members to apply for Sick or Unemployment Benefits. Unfortunately, those shorter times under the CARES Act have expired. This means that the old wait times of 7 days are back in effect. We still recommend applying as soon as you miss work due to injury/illness or furlough. For more information go to their website www.rrb.gov

We recognize Brother Justin Broach of Lodge 1643.

While at work on the tracks, Brother Broach took action when a fellow Brother was in dire need. The dire need was CPR, as he was having a heart attack at work, in the middle of nowhere. Justin never gave up on carrying out the life saving measures as he performed CPR giving medics time to get there and then get to the hospital in time. We are all proud of Justin and his actions.



Vice Chairman Russell Farmer Retires

This December Vice Chairman Russell Farmer has retired due to health reasons. We thank you Brother for all the years of service to our Federation and hope you have a long and relaxing retirement!



Don't forget to check us out online.

www.alliedfed.org for claims, agreements, news and more!

2021 Allied Federation Scholarship Winners



*Caroline
Woodring*



Taylor Hines

**Congratulations
Winners**

Not pictured:
Zachary Williams



Trenton Hodge

Who is eligible?	You are eligible for Long Term Disability (LTD) coverage if you are an active member who is eligible for the Railroad Unemployment Insurance Act (RUIA) and classified by your Union in active employment in the United States and working 19 hours per week.										
What is my monthly benefit amount?	\$400 per month for first nine months of disability \$3,500 per month for remaining twelve months of disability										
How long do I have to wait to receive benefits?	<p>The elimination period is the length of time you must be continuously disabled before you can receive benefits.</p> <p>You could begin receiving LTD benefits if, after 90 days of disability, you are still disabled (as described in the definition of disability).</p> <p>If you return to work while satisfying the elimination period and are no longer disabled, you may satisfy the elimination period within the accumulation period – you don't have to be continuously disabled through the elimination period, if you are satisfying the elimination period under this provision. If you don't satisfy the elimination period within the accumulation period, a new period of disability will begin.</p> <p><i>Accumulation Period</i> is the period of time from the date the disability begins during which you must satisfy the elimination period. The accumulation period is two times your elimination period.</p>										
How long will my benefits last?	The duration of your benefit payments is 21 months										
How much does it cost?		<table><tr><th colspan="2">Monthly Rates per Employee</th></tr><tr><th>Age</th><th>Rate</th></tr><tr><td><60</td><td>\$20.55</td></tr><tr><td>60+</td><td>\$84.61</td></tr></table>	Monthly Rates per Employee		Age	Rate	<60	\$20.55	60+	\$84.61	
Monthly Rates per Employee											
Age	Rate										
<60	\$20.55										
60+	\$84.61										
When would I be considered disabled?	<p>You are disabled when Unum determines that due to your sickness or injury you are unable to perform the material and substantial duties of your regular occupation; and you are not working in any occupation.</p> <p>You must be under the regular care of a physician in order to be considered disabled.</p> <p>The loss of a professional or occupational license or certification does not, in itself, constitute disability.</p>										
Do I have to pay for the coverage if I become disabled?	You will not be required to pay LTD premiums as long as you are receiving LTD benefits.										

What else is included with this policy?	<p>Worldwide emergency travel assistance is included with this long term disability plan. Emergency travel assistance is available to you, your spouse* and your dependent children when you travel to any foreign country, including Canada or Mexico. It is also available anywhere in the United States when you travel just 100 or more miles from home.</p> <p>* A spouse traveling on business for his or her employer is not covered by the program.</p>
Does this plan include help with work-life balance?	<p>Yes. Our work-life balance employee assistance program (EAP) provides professional advice for a wide range of personal and work-related issues. The service is available to you and your family members 24 hours a day, 365 days a year. It provides resources to help you find solutions to everyday issues — such as financing a car or selecting child care — as well as more serious problems, such as alcohol or drug addiction, divorce or relationship problems. There is no additional charge for using the program, and you do not have to have filed a disability claim or be receiving benefits to use the program.</p>
What happens if I die while receiving disability benefits?	<p>Your eligible survivor will receive a lump-sum benefit equal to three months of your gross disability payment if, on the date of your death, you had been disabled for 180 or more consecutive days, and you were receiving or were entitled to receive payments under the plan.</p> <p>You may request this benefit early if you have been diagnosed with a terminal illness resulting in a life expectancy of less than 12 months, and you are receiving monthly payments. If you choose to receive this benefit, no survivor benefit will be payable to your eligible survivor upon your death.</p>
Are my benefits taxed?	<p>Premium for the plan year will be paid with post-tax dollars, so your benefits will not be taxed.</p>
What is not covered?	<p>Benefits would not be paid for disabilities caused by, contributed to by, or resulting from:</p> <ul style="list-style-type: none"> • Intentionally self-inflicted injuries; • Active participation in a riot; • War, declared or undeclared, or any act of war; • Commission of a crime for which you have been convicted; • Loss of professional license, occupational license or certification; or • Pre-existing conditions (see pre-existing condition section) <p>The loss of a professional or occupational license does not, in itself, constitute disability.</p> <p>Unum will not pay a benefit for any period of disability during which you are incarcerated.</p>
What is considered a pre-existing condition?	<p>You have a pre-existing condition if:</p> <ul style="list-style-type: none"> • You received medical treatment, consultation, care or services including diagnostic measures, or took prescribed drugs or medicines in the 12 months just prior to your effective date of coverage; and • The disability begins in the first 12 months after your effective date of coverage.

When does my coverage end?	<p>Your coverage under the policy ends on the earliest of the following:</p> <ul style="list-style-type: none"> • The date the policy or plan is cancelled; • The date you no longer are in an eligible group; • The date your eligible group is no longer covered; • The last day of the period for which you made any required contributions; • The last day you are in active employment except as provided under the covered layoff or leave of absence provision. <p>Please see your plan administrator for further information on these provisions.</p> <p>Unum will provide coverage for a payable claim which occurs while you are covered under the policy or plan.</p>
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The work-life balance employee assistance program, provided by Ceridian Corporation, is available with select Unum insurance offerings. Terms and availability of service are subject to change. Service provider does not provide legal advice; please consult your attorney for guidance. Services are not valid after coverage terminates. Please contact your Unum representative for details.

Worldwide emergency travel assistance services, provided by Assist America, Inc., are available with select Unum insurance offerings. Terms and availability of service are subject to change and prior notification requirements. Services are not valid after coverage terminates. Please contact your Unum representative for details.

This information is not intended to be a complete description of the insurance coverage available. The policy or its provisions may vary or be unavailable in some states. The policy has exclusions and limitations which may affect any benefits payable. For complete details of coverage and availability, please refer to Policy Form C.FP-1 et al or contact your Unum representative.

Underwritten by Unum Life Insurance Company of America, Portland, Maine

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