

I.

STRIKE BENEFITS

Strike benefits are payable to Members in good standing when an authorized strike is called by the Brotherhood, picketing is conducted by another organization or a lock out is initiated by management.

During the initial two-week period of a strike, BMWED Members in good standing will be entitled to receive **\$120 per day or \$600** per week in BMWED strike benefits. Thereafter, and effective with entitlement for Railroad Unemployment Insurance Act (RUIA) benefits, Members will be entitled to receive a reduced daily amount of BMWED strike benefits that equal \$120 per day total when combined with RUIA Benefits. BMWED Strike benefits will terminate upon the date the strike or lockout terminates unless the strike fund is exhausted at an earlier date.

There is a 14-day waiting period for unemployment benefits under the RUIA whenever the Brotherhood authorizes a strike action or observes picketing initiated by another labor organization. Although Members are not eligible for RUIA benefits during the initial 14-day waiting period, it is important that they register with the Railroad Retirement Board, just as they would during any other time of unemployment, in order to secure subsequent benefits. After RUIA benefits commence, strike benefits are scaled back.

Once carrier insurance benefits have ended, which is normally the last day of the month following the last month during which compensated service was rendered, the BMWED will continue hospitalization benefits for eligible employees during the strike.

II.

ELIGIBILITY REQUIREMENTS FOR BMWED STRIKE BENEFITS

Active Employees

Active employees will be entitled to receive BMWED strike benefits provided they satisfy the following requirements:

1. The member is deprived of employment as a result of the strike.
2. The member is in "good standing" regarding the payment of dues and assessments.
3. The member is available to assist and participates, if asked, in the coordination of BMWED picketing activities.
2. The member honors picket lines.
5. The member is available for picket duty and participates, if asked, when the BMWED is striking.

NOTE: (a) Members who are not in good standing because of their failure to pay dues, will be ineligible to receive strike or insurance benefits.

(b) Members who are receiving compensation preventing them from receiving RUIA benefits, will be ineligible to receive strike or insurance benefits.

Protected Employees

Protected employees will be entitled to receive BMWED strike benefits on the same basis as active employees, provided they satisfy the following requirements:

1. Payment of protective benefits is curtailed as a result of the strike.
2. The member is in good standing.
3. The member is available to assist in picketing activities.
4. The member honors picket lines.
3. The member is available for picket duty if the BMWED is striking

NOTE: (a) Members who are not in good standing because of their failure to pay dues, will be ineligible to receive strike or insurance benefits.

Furloughed Employees

Furloughed employees will be entitled to receive BMWED strike benefits on the same basis as active employees, provided they satisfy the following requirements:

1. The member must be in good standing in accordance with the BMWED National Division Bylaws.
4. The member is available to assist and participates, if asked, in the coordination of BMWED picketing activities.
3. The member honors picket lines.
4. The member is available for picket duty and participates, if asked, when the BMWED is striking.

Note: (a) Those Members receiving RUIA benefits will be paid at the reduced strike benefit rate.

(b) Strike benefits will be placed into effect at the same time, and on the same basis, as they are for active employees receiving strike benefits.

III.

STRIKE BENEFIT PAYMENT PROCEDURES

5. The National Division will mail each involved Local Lodge Secretary-Treasurer and System Division / Federation Secretary-Treasurer (2) computer printouts listing all Members eligible to receive strike or insurance benefits.

2. After fourteen (14) days of strike action (or earlier if strike action ends prior to the expiration of fourteen (14) days), the System and the Local Lodge Secretary-Treasurer(s) should return a printout for each Lodge indicating the Members who are ineligible to receive benefits and any additions, deletions or other appropriate corrections. Members will be deemed ineligible to receive benefits if they:

- Crossed a picket line or worked for a railroad.
- Refused to perform strike duties when requested by the BMWED.
- Refused to perform picket duty when requested by the BMWED.
- Ineligible for BMWED benefits (member not deprived of employment e.g., vacation, furloughed, etc.)
- Retired, resigned or they were promoted to a supervisor position or are deceased.

All the above instances have been incorporated into three main categories of "Disqualifying Codes" which are in turn utilized on the eligibility printout sent to System and Local Lodge Secretary-Treasurers.

At the bottom of each printout you will note the following "Disqualifying Codes:"

A - Crossed picket line and worked for carrier

B - Refused to perform picket duty

C - Ineligible for strike benefit (member not deprived of employment, e.g., vacation, etc.)

In the event of a dispute concerning eligibility or good standing, final determinations will be made by the National Division.

3. The National Division Secretary-Treasurer will pay strike benefits to Members if the printouts received from the System and Local Lodge Secretary-Treasurers indicate the Members are eligible for benefits. If the information received from the System and Local Lodge Secretary-Treasurers do not agree, the parties will be advised accordingly and payment made once the issue has been resolved.

4. In the event the System or Local Lodge Secretary-Treasurer does not return a properly completed printout within twenty-one (21) days from the date of the initial mailing, the National Division Secretary-Treasurer will pay strike benefits to those Members who are otherwise determined to be eligible by the National Division Secretary-Treasurer.

5. Upon receipt of the completed printout covering the first fourteen (14) days of the strike, from the System and Local Lodge Secretary-Treasurer, the National Division Secretary-Treasurer will mail another printout to each System and Local Lodge Secretary-Treasurer covering the second fourteen (14) day period of the strike. This process will continue for each successive fourteen (14) day period until the strike is resolved.
6. The National Division Secretary-Treasurer will furnish periodic reports of individual Members who were paid strike benefits to the System and Local Lodge Secretary-Treasurer of each Lodge participating in the strike action.
7. After resolution of the strike, the National Division Secretary-Treasurer will audit the benefit payments and expenses incurred as a result of the strike and issue a report. The results of such audit and a copy of the report will be printed in the BMWED JOURNAL.
8. Any member who is denied strike benefits will have the right of appeal. Such appeal must be in writing and presented to the National Division Secretary-Treasurer. If the National Division Secretary-Treasurer denies the appeal and the member does not agree with the reason(s) given for denial of benefits, the member may advance an appeal of that decision to the Strike Benefit Review Committee, which is comprised of the National Division President and the National Division Executive Board. The Reviewing Committee will render a final decision in writing.

IV.

DUES DISPENSATION FOR MEMBERS UNEMPLOYED DUE TO LEGAL STRIKE

Should any BMWED Members become unemployed due to a legal strike by the BMWED or a sister railroad organization, they will maintain their good standing for the duration of the strike without payment of dues, assessments and fees for any month for which they do not receive compensation.

Requirements that must be met in order to qualify for the dispensation are as follows:

1. The member must be in "good standing" at the time of the strike.
2. The member must be deprived of employment due to the strike.
3. The member must honor the picket lines and participate, if asked, in a meaningful way with the BMWED's strike / picketing activities.

The dispensation will allow eligible Members to retain their eligibility for death benefits and merit awards (where applicable) and to serve as a BMWED Officer or Delegate, as well as continue to receive the BMWED Journal.

Based on the foregoing, it will be necessary to process dispensed payments on our membership records for qualifying Members. Only those months in which a member did not receive compensation during the strike period will be subject to dispensation. For example, if a member went on strike September 20, 2022 and the strike ended December 5, 2022, only two months will be dispensed, October and November 2022. Upon the conclusion of the strike, membership records will be adjusted to reflect periods of dispensation.

When counting voting strength and determining eligibility to run for office, National Division, System and Local Lodge striking Members will be considered as being in "good standing."