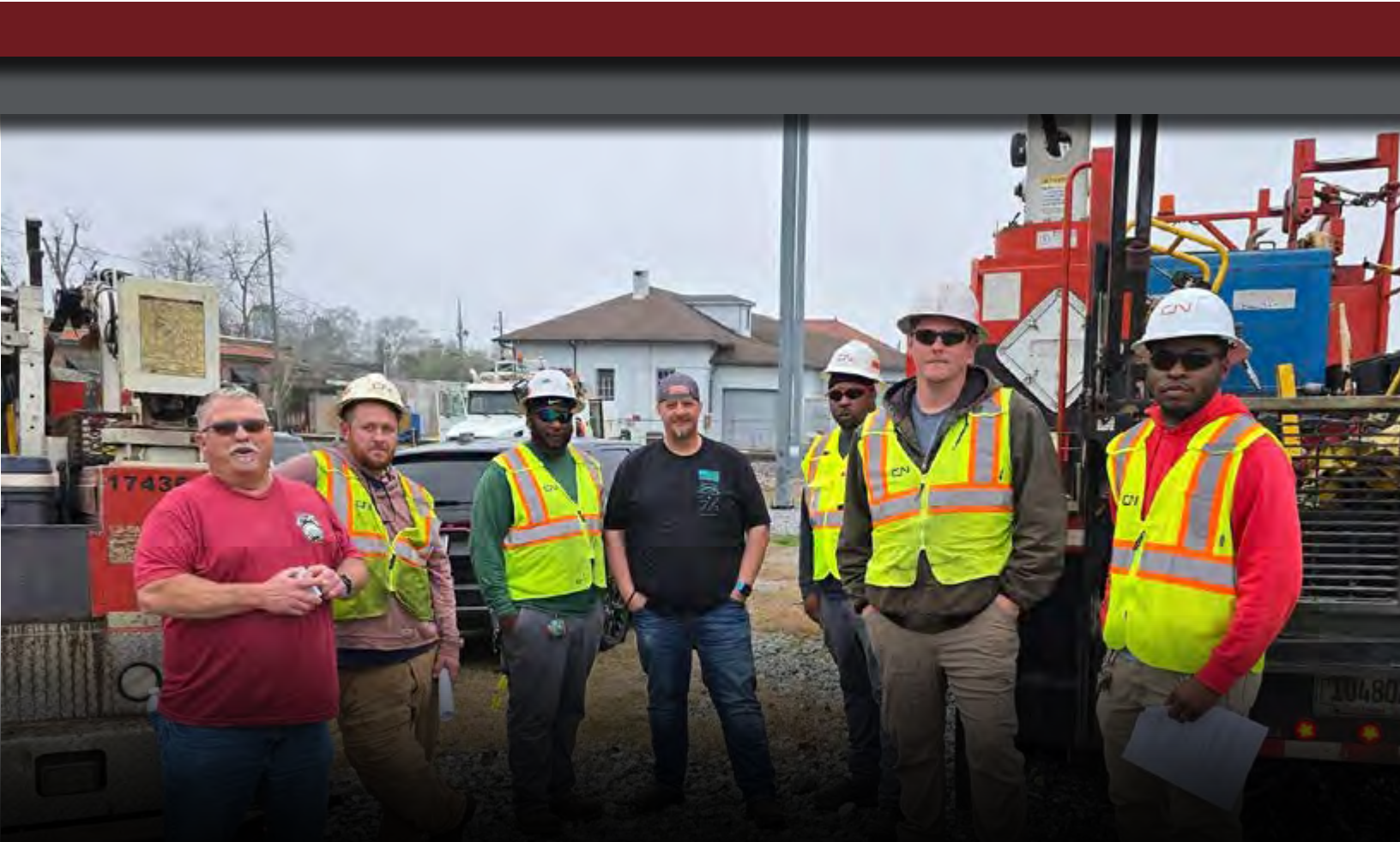


# THE **BMWED** Journal

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



*Fight for Phil: BMWED United Against  
Railroad Intimidation*

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*Letter to the Editor c/o Union at Amazon*

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*UPDATE YOUR EMERGENCY CONTACT INFO*

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*Conniving Carriers Are RLA Sore Losers*

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# TEAMSTERS

## TARGET TRILLION-DOLLAR COMPANY



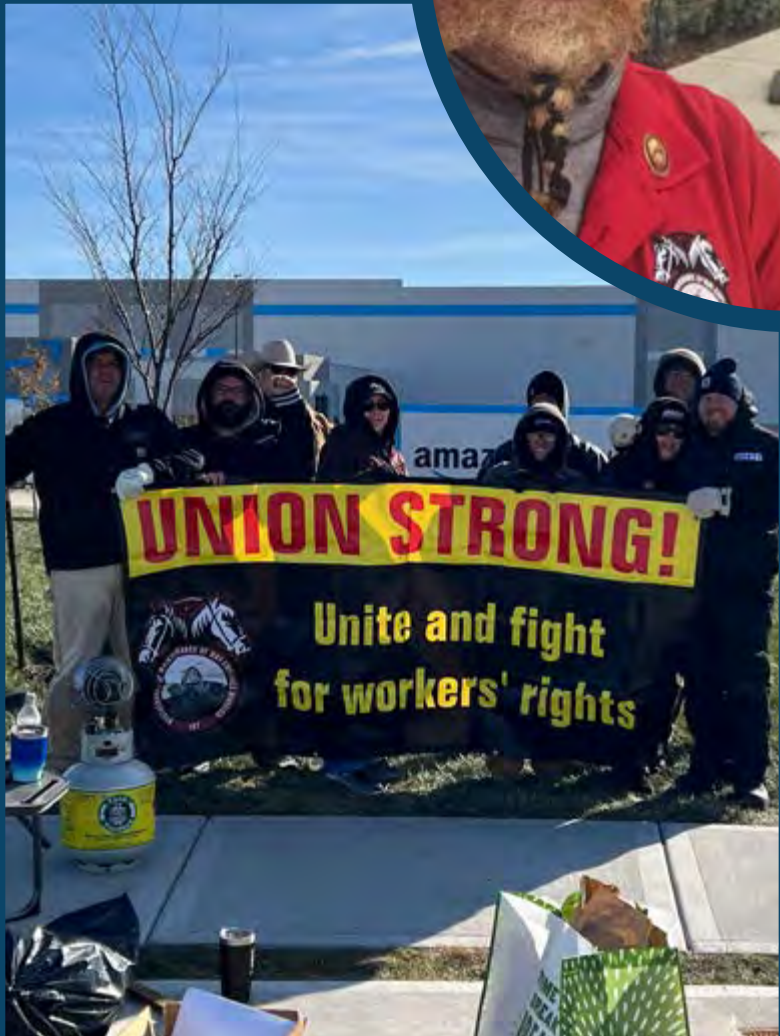
The Teamsters picketed the \$2.3 TRILLION dollar company Amazon this past December. The retail giant doesn't want to recognize the Union. Must be tough times for Jeff Bezos, scrounging up pennies just to get by.

The company is stating that the picket line actions nationwide were "entirely" outsiders, not their employees, which they keep mercilessly under their thumb. But that is a lie. There are thousands of Amazon drivers and other employees on the picket line. And, yes, the BMWED joined wherever we could. But we aren't outsiders. We are Teamsters, too. Railroad Teamsters that move Amazon product on rail.

Recognize the Union, Amazon. You're a behemoth of retail globally. Have a soul. Treat your employees with respect and reward them in your revenue.

Thank you to all BMWED members who joined the picket lines across the country during the day of action. **Keep up the fight!**







# Letter to the Editor

**T**his is a letter from the Amazon Perry Road fulfillment center in 800 S Perry Road in Plainfield Indiana. It is submitted to chronicle the day we spent in support of Teamsters seeking recognition of the Union at Amazon, part of a national campaign/day of action.



The (3) guys in Black are BMWED - UPRF local 2444 left to right Chad Shorter, Jeremy Bartlett, Matt Peirson. Green vest is Business Agent Mike Arney from Local 135.

The group photo features members of Local 135, including individuals from both Indianapolis and Terre Haute, Indiana, which is over an hour away. They were all on 24-hour shifts with 8-hour rotations to ensure continuous coverage, despite temperatures hovering around 30 degrees.

It was evident that employees driving in were apprehensive, with many avoiding eye contact due to fear

**“ This excitement stems from a shared understanding that this is the right thing to do.**

of job loss. You could just tell they had been threatened and intimidated. However, those who did stop expressed their gratitude and appreciation for our efforts. The average passersby were very receptive, with everyone honking and yelling in support. Not a single semi-truck drove by without sounding its horn. This excitement stems from a shared understanding that this is the right thing to do. We have all heard the stories of the adverse conditions these workers endure just to feed their families. While

it may not compare to the Coal Mine Wars of the early 1920s or the atrocities before The Great Railroad Strike of 1877, it highlights how far we have come and how far we still have to go.

In 2024, 147 years since The Great Railroad Strike of 1877 in the United States, our brothers and sisters are still fighting for a decent living wage and the ability to take a restroom break. This is why we must always stand up for what is right and not turn a blind eye simply because it is easier or does not affect us personally. “No Justice, No Peace.” I want to emphasize to all railroaders that this situation absolutely concerns us. The individuals we supported were incredibly grateful for our solidarity, especially after we had all completed a 10-hour shift ourselves. They expressed their heartfelt thanks and assured us that if we ever need support, they would be there to picket in front of our properties on our behalf. This exemplifies the importance of standing in solidarity with our brothers and sisters for the greater good.

The police were called on multiple occasions. The first instance was due to contained fires (for warmth), for which we were informed that a permit was required within city limits. The second call was based on an unfounded reason, but everything proceeded smoothly without any issues.

**Chad Shorter  
BMWED-IBT  
Arbitration Department**

# AROUND THE Brotherhood

More than 60 BMWED members attended the United Passenger Rail Federation Local Lodge 3082 meeting, which represents the dedicated workforce of Amtrak's Electric Traction (ET) department. ET members are responsible for maintaining and

repairing the electrical systems that power Amtrak's Northeast Corridor. Their skill and expertise are essential to ensuring the reliability and safety of Amtrak's infrastructure. BMWED ET workers are the foremost experts in the field!





# AROUND THE Brotherhood



**ALLIED FEDERATION**  
LODGE #0667  
Manchester, TN

Allied Federation Local 0667 held a union meeting in Manchester, Tenn. on December 27th. BMWED Director of Government Affairs Jeff Joines was in attendance, along with Allied Federation Vice Chairman Kevin O'Neil. A key focus of the meeting was the now ratified agreement between BMWED and CSX-T. Brother Conner Burnette wore two important hats, attending not only as Lodge Vice President but also a proud Dad, with his daughter Georgia joining as an esteemed guest.



# AROUND THE Brotherhood



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BMWED American Rail System Federation Local Lodge 1700 recently held a meeting, joined by ARSF Vice Chairman Dustin Heiser and BMWED Staff Member Perry Rapiet Jr. During the session, members actively engaged with VC Heiser, discussing key topics such as vacation policies and strategies for improving written statements. Lodge 1700 is composed of BMWED members off the Terminal Railroad Association of St. Louis.

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**UNIFIED SYSTEM DIVISION  
CN - SPG TIE GANG START UP  
Gonzalez, LA**



**In January, Unified System Division officers met with several Canadian National Railway SPG tie gangs during their startup meetings. The officers provided members with updates on Union matters as they prepared to begin their tie replacement projects for the year.**



**UNIFIED SYSTEM DIVISION  
CN - SPG TIE GANG START UP  
Hattiesburg, MS**



# Fight for Phil:

## BMWED United Against Railroad Intimidation

### JUSTICE FOR PHIL

Watching Kera Morgan Feb. 18, the way she carried her family through an agonizing court proceeding, a bitterly cold outdoor rally, lengthy and pointed newspaper and podcast interviews, was impressive.

It's hard to spend an entire day recounting turmoil, but in her case, it had to be done. So, she kept at it for hours, soldiering forward with her head held high, committed to honoring and bringing justice to her husband, Phil.

"They took my best friend," Kera said through tears to a Des Moines Register reporter. "He has grandbabies now," before choking on her words.

Her husband, Phil Morgan, was harassed and tormented by his boss on Union Pacific railroad so relentlessly that it destroyed him. On Aug. 18, 2018, bearing the weight of that workplace stress, he took his own life.

On a frigid February Tuesday in Des Moines, the Iowa State Supreme Court heard oral arguments on the remedy afforded to suicide victims under the Federal Employers Liability Act or FELA, the law meant to protect railroaders injured on the job. Black-robed justices listened intently to arguments from attorney Paul Slocomb, a BMWED designated FELA attorney from the St. Louis firm of Blunt Slocomb on behalf of Morgan, and a high-powered, hired gun partner from the Taft firm on behalf of Union Pacific.

Outside court, in temperatures that hovered

CONTINUED ON NEXT PAGE...

## Fight for Phil | Justice for Phil

*CONTINUED FROM PREVIOUS PAGE...*

around zero degrees, railroaders, supporters, and family united to remember Brother Morgan and the injustice that led to his tragic death. In the years that have followed his suicide, railroaders on carriers large and small have seen a deterioration of mental health caused from relentless pressures placed upon them from managers driven by a top-down edict of “precision scheduled railroading” and its insatiable greed. Railroader suicide is up substantially since its implementation, and many recognize that the stress of decreased manpower and relentless demands are driving that spike.

Now before the court is the question of physical harm caused by employer negligence as prescribed by FELA. In 1994, the United States Supreme Court found in *Consolidated Rail Corp. v. Gottshall* that “railroaders who experience work-related psychological trauma in the absence of threat of imminent direct physical impact” are not entitled to relief from their employers.

But public opinion has changed since the 90s. We now know that bullying, intimidation and overt ridicule can lead to serious mental health problems. When a roadmaster’s order places a BMWED member into harm’s way, resulting in physical harm, FELA is

that member’s remedy. In the case of Brother Phil, his suicide was the most severe physical injury. He is not coming back. The pressure unduly placed on him by his manager led to his death. Union Pacific is negligent, and Brother Morgan’s family deserves justice. It is time for courts to recognize that mental anguish brought on by egregious management leading to suicide should qualify as physical injury within the scope of FELA.

The Iowa State Supreme Court will issue its decision in the coming weeks. In the meantime, our Brotherhood will continue to sound the alarm. Too many railroaders are succumbing to this toxic work environment. Too many railroads are complicit in its pervasiveness.

“What we are concerned about is the railroads feeling increasingly emboldened to continue their despicable ways,” BMWED President Tony Cardwell said. “It must stop.”

Kera Morgan, her husband now gone for seven long years, fights to put an end to the culture that took his life. Through her strength, we all hope that our Brotherhood will never have to see another member fall victim to such a preventable tragedy.

An injury to one is an injury to all. The BMWED will never stop fighting for Phil.

**Read more about Brother Phil Morgan's story: [HERE](#)**

**[Click to watch VIDEO](#)**





# President's PERSPECTIVE

## ONE BROTHER'S COURAGE

Within these pages of the BMWED Journal, you will see the tragic story of Brother Phil Morgan, who took his own life seven years ago after relentless, ruthless harassment from his boss on Union Pacific. It is an awfully sad reminder of what we too often face on the railroad from unsympathetic management who betray compassion due to the insistent demands of production.

You'll read about the Iowa State Supreme Court case presented on behalf of Brother Morgan's widow and its implications on FELA law and potential remedies for suicide victims. It's an important decision and one we hope – though with recognition that it will be difficult – is persuasive enough to change the law to protect future victims of such harassment.

I encourage you to read the story if you have not, but I want to note one portion of the case that wasn't mentioned. I noted it in the gathering inside the Teamster hall in Des Moines following the court proceeding, but I believe it needs widespread attention due to its significance and importance.

You see, a big part in why we even had



Tony Cardwell,  
BMWED President

a chance to litigate Brother Morgan's case stemmed from the courage of one of our Brothers who worked alongside him in the months prior to his suicide. This Brother was attuned to the harassment Phil faced at work from his welding supervisor.

For months, Phil's supervisor pressured him to take a job he didn't want. When he declined, the harassment escalated, and Phil began slowly withdrawing from family and friends. The toll on his mental health was devastating. Everyone around him noticed.

But one stood up. Brother Benton Warnke.

It takes courage to speak truth to power. Inside a depot with management staring down from the other side of the room, allegedly there under the pretense of improving morale and identifying paths to avoid future tragedy, Brother Warnke aimed blame at the source. He told the welding supervisor - what he felt he knew. What he felt everyone in the room already knew. Benton told him that his relentless attacks and

harassment led to Brother Phil's suicide.

Because of this bravery, Brother Warnke was targeted. Not long after calling out the supervisor, Benton was written up for a ticky-tack rule violation and suspended from service. He fought the charges under 20109 Whistleblower protection from the same FELA firm that eventually took up Brother Morgan's case. It was settled, but the fact still remains – Union Pacific pursued a flimsy, retaliatory charge because Benton had the temerity to speak his mind and call their manager out for harassment that led to suicide.

I thanked Brother Warnke for his courage in person but thought it was important to do so within the pages of this Journal. It is something we all should ponder as members of the Brotherhood. We must stand up for one another.

Workplace bullying, harassment, and toxic job demands are more than just “tough work environments”— they can cost lives. Brother Phil was a U.S. Navy vet, a well-respected railroader and a friend to many. He was anything but weak. But what he faced on the job tragically broke his spirit.

We demand better from our employers. Suicide rates are rising within the rail industry. It is tough work, with strenuous hours and long stretches away from home. We all know how hard it can be on spouses and children. It can be hard on us too. The best workplaces are the ones where we feel the camaraderie within our Brotherhood. Most often that develops and bonds us within the ranks. We become friends and eventually Brothers and Sisters. And Brothers and Sisters look out for each other.



# BMWED DIVISION

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# MAINTENANCE OF WAY EMPLOYEES ON IOWA NORTHERN RAILWAY VOTE TO JOIN BMWED-IBT



**M**aintenance of way employees on the Class 3 Iowa Northern Railway have joined the BMWED-IBT in a 16-0 representation vote.

Iowa Northern is headquartered in Waterloo, Iowa and operates 235 miles of track, with three Class 1 interchanges.

"We welcome our newest Brothers on the Iowa Northern and are enthusiastic to together make their railroad a better place to work," BMWED Director of Organizing Thomas Kirby said. "It has been great getting to know our newest brethren on this railroad, working with them to address their needs and I'm encouraged that great things are on the horizon."

The newest members are assigned to the Unified System Division of the BMWED.

"Such a resounding vote signifies the trust this new group of members has in our Brotherhood," BMWED USD General Chairman Brian Ruml said. "These members recognize that we are stronger together and the USD is proud to represent them."

We all welcome our newest Brothers to our Union and are excited to include you in our Union.

# Secretary-Treasurer's **REPORT**



Dale Bogart

## **CONNIVING CARRIERS ARE RLA SORE LOSERS**

In what is becoming an increasingly insulting display of sore losing, the BMWED is witnessing Carrier Management Teams across the industry engage in outright chicanery. The carriers are intentionally defying the intended language of the Railway Labor Act, specifically, Section 3 dealing with Minor Disputes.

*A Minor Dispute under the Railway Labor Act is defined as such that "...arise out of the interpretation or application of existing contractual rights. Courts have ruled that a dispute is minor if the employer's action complained of by a contract employee is "arguably justified" by the collective bargaining agreement. Minor disputes initially are dealt with through the carrier's internal dispute resolution procedures. If a minor dispute is not settled through initial discussions, it may be referred for binding arbitration by either party to a grievance adjustment board composed of union and management representatives..."*

Examples of such disputes include Claims and Grievances with regard to the interpretation of rules and language within the agreement. This includes what the Union deems as improper disciplinary actions and/or termination of our members. For the last century, Section 3 of the Railway Labor Act has commonly provided an avenue for the Union to seek justice for its membership. Through Section 3, the Brotherhood can handle Claims, Grievances and Appeals on behalf of our aggrieved members.



If a contract dispute issue is unresolved in on-property handling, it then requires the Union to file such case before the applicable arbitrational board for final adjustment (National Railroad Adjustment Board Third Division, Public Law Boards, or Special Boards of Adjustment). Depending on the process, this can take additional time (sometimes years) for final resolution. Many times, that delay is related to funding (via National Mediation Board, or Parties Pay).

While such cases rise and fall on their merits, or at least should, it is understood that both sides accept the outcome of the final binding decision. While one side or both may offer written concurrence, dissent, or respond to one party's response to the binding decision, the outcome of that decision remains binding and unchanged, and the disputed case is, for all intents and purposes, closed. Like it or not, both parties accept the decision, comply, and move on to "live to fight another day."

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Lately however, rail management has become increasingly and disturbingly prone to run to the courts for relief when they've lost in federal arbitration. To protect the fractured egos of their Labor Relations and C-Suite Executives, they have decided to ignore the rules prescribed by the RLA. As a result, these management teams in some instances have outright rejected what they have deemed unfavorable rulings by way of not accepting such findings, willfully refusing to comply with the findings, or running to the court to have the award vacated. This deceit prolongs the suffering for the members and their families, who thought their eventual "day in court" was the arbitration hearing and the findings thereof. This additional suffering is a result of what is already a long process under the intended language of the Railway Labor Act for resolving disputes. The railroads are unreasonably delaying the justice won by BMWED members by forcing the Union to file lawsuits or countersuits to their motion to vacate the arbitration awards.

In other words, the process under the RLA is vital because it establishes the "rules of the game." Changing the rules in which we handle such disputes recklessly dismantles a system that has historically worked as designed to fairly render decisions between labor and management.

Recently, the BMWED has had to seek litigation against a number of Rail Carriers (they know who they are) over a host of disputes that include the carrier's refusal to recognize and comply with arbitration awards or attempts to get the courts to vacate what the Railroad deemed as unfavorable arbitration awards. This has happened on at least eight (8) occasions over the past two (2) years. The issues for adjustment before those arbitrations were common issues that dealt with properly compensating our members for Travel Expenses, Improper Disciplinary actions including terminations against our membership, and proper compensation for

compensation lost as a result of the improper termination of a member.

In response to these unscrupulous actions taken by these Carrier Management Teams, the BMWED has sued and countersued to ensure the awards are maintained and upheld. Additionally, we have also sought what we have deemed otherwise unnecessary legal fees incurred had the morally vacant empty executive "suits" lived by the RLA and the results of such findings. Recently, the BMWED was awarded \$54,126.00 in Legal Fees due to costs we were unnecessarily incurred because of a Carrier challenging arbitration awards in court. The judge ruled that under Federal Law (RLA), to which both parties are governed, the railroad rightfully lost and was required to pay our legal fees.

Still, we have witnessed recently an increased frequency of Carriers' defiance and intentional noncompliance with Board Awards. This is an abhorrent and repugnant display of one side fighting the very Act that was intended to protect them from the interruption of commerce over disputes that they, or more specifically their management, are responsible for.

The Carriers for years have run to the courts to get a "minor dispute" designation over many issues when the Union has challenged such as a major dispute. When that has been successful for them, it has forced the Union and Employees to fight most of our "differences or disputes" under the Section 3 process. Now, when the Section 3 process produces findings not to their liking, the Carriers are shamelessly running back to courts to undo them. The Carriers cannot have it both ways and need to be called out for their hypocrisy.

**- Dale Bogart**  
*Secretary-Treasurer*



# RETIREMENT CHANGES DURING 12/16/2024 TO 3/11/2025

**\*\*\* March 2024 \*\*\***

GARY A GRIGGS AT&SFF 493 BNSF  
3/1/2024

**\*\*\* May 2024 \*\*\***

JESUS M IBARRA FIERRO AF 564 KCS  
5/1/2024

**\*\*\* August 2024 \*\*\***

BRIAN N HALLOCK BURNOR 272 BNSF  
8/20/2024

**\*\* September 2024 \*\*\***

JOHN A EAST USD 1002 UP  
9/24/2024

**\*\*\* October 2024 \*\*\***

RONALD E BORDEAUX BURL 1320 BNSF  
10/4/2024

DOMINIC R TRASATTI BURL 2435 BNSF  
10/16/2024

GENARO AGUAYO BURL 961 BNSF  
10/19/2024

RALPH W ANFINSON USD 1393 IC  
10/31/2024

**\*\*\* November 2024 \*\*\***

MHERBERT BEGAY USD 508 UP  
11/4/2024

DAVID M NOVAK USD 239 UP  
11/5/2024

AMERSON J WOODIE USD 134 UP  
11/15/2024

MICHAEL C HANSON USD 757 UP  
11/20/2024

JAIME HERNANDEZ USD 134 UP  
11/22/2024

ERIC J GENOVESE BURL 2621 BNSF  
11/27/2024

WILLIAM H PATRICK USD 616 KCS  
11/27/2024

GEORGE A ROBINSON USD 616 KCS  
11/27/2024

FRED JIM USD 1020 UP  
11/29/2024

**\*\*\* December 2024 \*\*\***

ANTONIO SANCHEZ AT&SFF 2418 BNSF  
12/1/2024

DONALD E BRYANT USD 1196 UP  
12/1/2024

MICHAEL B BEAVER ARSF 1618 NS  
12/2/2024

JAMES M WELLMAN USD 1216 UP  
12/2/2024

DELFINO LUERAS AT&SFF 2415 BNSF  
12/3/2024

JEFFREY L ABERNATHY BURL 788 BNSF  
12/3/2024

TED M SMITH BURL 788 BNSF  
12/3/2024

MICHAEL G SAVAGE CRSD 2910 SPTA  
12/3/2024

G DAWKINS ARSF 619 NS  
12/4/2024

LARRY A MC CLURE AT&SFF 2412 BNSF  
12/9/2024

C ALLEN MATLOCK AT&SFF 1547 BNSF  
12/10/2024

ELIO R SALINAS USD 1227 UP  
12/13/2024

JAMES D HODGES AT&SFF 2410 BNSF  
12/14/2024

DANIEL P SABALA BURL 961 BNSF  
12/14/2024

CARLOS G BARRON USD 686 UP  
12/15/2024

JAMES D LINGBLOOM USD 899 UP  
12/15/2024

JAMES C BLANKS AT&SFF 2033 BNSF  
12/16/2024

DONALD E CALHOUN ARSF 546 NS  
12/20/2024

ROY KEYAHANE AT&SFF 2400 BNSF  
12/29/2024

KENT W MALZNER AF 1041 BMW E  
12/31/2024

SCOTTY D NISWONGER AF 601 BMW E  
12/31/2024

RICKY J RICHARD AF 1252 BMW E  
12/31/2024

JAMES A LEINBERGER BURL 788 BNSF  
12/31/2024

STEPHEN B JIM USD 1020 UP  
12/31/2024

ELGIN W WOODLEY USD 508 UP  
12/31/2024

**\*\*\* January 2025 \*\*\***

DANNY G MC QUEARY ARSF 636 NS  
1/1/2025

DAVID D KNOTT BURL 2852 BNSF  
1/1/2025

BRIAN S NATIONS BURNOR 1426 BNSF  
1/1/2025

DAVID A COURAGE ALL 201 KEOL  
1/2/2025

DAVID E ALLEN ARSF 804 NS  
1/2/2025

TIMOTHY O MARSHALL ARSF 599 NS  
1/2/2025

JEFFREY L SANFORD AT&SFF 2419 BNSF  
1/3/2025

WYLEY G JAGER BURL 1888 BNSF  
1/3/2025

JODY A LOZA BURL 1351 BNSF  
1/3/2025

CALVIN S CHARLEY AT&SFF 2417 BNSF  
1/4/2025

MARK A MC BAIN BURL 509 BNSF  
1/4/2025

LUIS C OLIVAS USD 941 UP  
1/4/2025

GREGORY S SEASWORD USD 1516 UP  
1/5/2025

JOHNNY E DAVIS SR AF 695 CSXT  
1/6/2025

JOHN C HERBAUGH BURNOR 297 BNSF  
1/10/2025

LESLIE E GORDON USD 1071 UP  
1/10/2025

DONALD W THEYE USD 1133 UP  
1/16/2025

CURTIS L TORMASCHY BURNOR 306 BNSF  
1/24/2025

JEROME A HARRIS USD 652 IC  
1/28/2025

JAMES C TRUJILLO USD 1517 UP  
1/28/2025

JAMES SWANN II AT&SFF 2409 BNSF  
1/31/2025

**\*\*\* February 2025 \*\*\***

JIMMY LOPEZ AT&SFF 2419 BNSF  
2/1/2025

WILLIAM A FLOOD AT&SFF 2417 BNSF  
2/2/2025

DAVID W SHOOPMAN BURL 2643 SOO  
2/3/2025

RICHARD L TOWNSEND AT&SFF 2405 BNSF  
2/4/2025

JOHN W BRENNAN UPRF 3082 NRPC  
2/5/2025

VERNON BROWN UPRF 3012 NRPC  
2/5/2025

RONALD CARROZZINO JR UPRF 3082 NRPC  
2/5/2025

# RETIREMENT CHANGES DURING 12/16/2024 TO 3/11/2025 continued...

**\*\*\* February 2025 continued... \*\*\***

KEVIN R CROWN UPRF 3039 NRPC  
2/5/2025

JOSEPH A DI LORENZO UPRF 228 NRPC  
2/5/2025

SCOTT DUNNAGAN UPRF 3068 NRPC  
2/5/2025

RALPH C EDGAR UPRF 3082 NRPC  
2/5/2025

KENT JEFFREY UPRF 3068 NRPC  
2/5/2025

NEAL F MC KENZIE UPRF 3028 NRPC  
2/5/2025

GREGG J MILLER UPRF 3095 NRPC  
2/5/2025

TIMOTHY B MILLER UPRF 3041 NRPC  
2/5/2025

LUIS E PEREZ UPRF 3012 NRPC  
2/5/2025

ANTHONY SANSONE UPRF 1934 NRPC  
2/5/2025

PEDRO R SANTOS UPRF 3068 NRPC  
2/5/2025

THOMAS P SHIPLEY UPRF 2444 NRPC  
2/5/2025

PAUL SILIS UPRF 90 NRPC  
2/5/2025

TIMOTHY W SMITH UPRF 3075 NRPC  
2/5/2025

STANLEY E SWAIN UPRF 3095 NRPC  
2/5/2025

WILLIAM R TOTTEN UPRF 3014 NRPC  
2/5/2025

HUGH J WILLIAMS JR UPRF 3068 NRPC  
2/5/2025

MICHAEL J SEVIER BURNOR 297 BNSF  
2/10/2025

RON D HARRIS AT&SFF 493 BNSF  
2/11/2025

TERRY L CROMWELL BURNOR 2825 BNSF  
2/18/2025

KEVIN J HUME USD 1847 UP  
2/28/2025

**\*\*\* March 2025 \*\*\***

M D CARTER ARSF 2838 NS  
3/1/2025

WALLACE S MITCHELL ARSF 529 NS  
3/1/2025

C S DEHAVEN ARSF 551 NS  
3/5/2025



## THANK YOU FOR YOUR SERVICE!

**BROTHER KEVIN LILES**

Kevin Liles has been a member of the BMWED since 1994, proudly representing Burlington System Division Local Lodge 1533. Brother Liles currently holds the position of a Group 2 Machine Operator at BNSF Railway where he operates a backhoe.

Before his railroad career, Kevin served honorably in the U.S. Army, dedicating four years to active duty and four in the reserves. His military service took him around the world, spending two years in Darmstadt, Germany, two in Fort Gordon, Georgia, and was deployed in Desert Storm. These experiences instilled in Kevin a deep appreciation for travel, though his time in the sweltering Middle Eastern desert sparked a preference for cooler destinations.

Kevin's decision to enlist in the Army stemmed from a desire to broaden his horizons beyond his hometown. Ironically, this journey helped him better appreciate the charm of his roots.

Thank you for your military service, Brother Liles!



# INJURED ON THE RAILROAD? CALL A BMWED DESIGNATED FELA LAW FIRM DESIGNATED AND APPROVED FELA FIRMS ARE THE BEST IN THE BUSINESS

**T**he Federal Employers Liability Act, also known as FELA, is a federal law enacted in 1908, that protects and compensates railroad workers – including BMWED members – that are injured on the job. FELA is essentially the form of Workers' Compensation within the railroad industry. If an injured railroad employee can establish that the railroad employer was at least partially negligent in causing the injury, whether it be through unsafe work conditions, a faulty piece of equipment or machinery, etc., the injured employee is entitled to compensation. FELA covers job-related injury, death, and occupational illness and disease.

All BMWED-designated law firms are approved to handle FELA cases for BMWED members and have an established record of successful litigation experience. Additionally, ALL BMWED designated law firms provide services on a contingency basis that is subject to a reduced fee structure, as approved by the BMWED National Division. Below is a list of law firms approved to handle cases for BMWED members under the FELA.

BMWED members are free to choose any firm they please. No officer, official or member of the BMWED will be paid a referral fee or any other payment in connection with a member's selection of a firm.



## BMWED DESIGNATED FELA LAW FIRMS

CONTINUED ON NEXT PAGE

### **Blunt & Slocomb, Ltd**

1115 Locust Street, 4th Floor  
St. Louis, MO 63101  
TELEPHONE: 618-656-7744  
TOLL FREE: (800) 323-5538  
FAX: 618-656-7849  
www.bluntlaw.com  
dlb@bluntlaw.com  
paulslocomb@yahoo.com

### **Brent Coon & Associates**

3801 E. Florida Ave., Suite 905  
Denver, CO 80210-2500  
TELEPHONE: 303-756-3243  
TOLL FREE: (888) 756-3243  
FAX: 303-756-3595  
Brent@bcoonlaw.com  
www.bcoonlaw.com

### **Casey Jones Law**

729 N. Washington Ave., Suite 600  
Minneapolis, MN 55401  
TELEPHONE: 612-293-5249  
info@caseyjones.law  
nthompson@caseyjones.law  
www.caseyjones.law

### **Cavanagh Law Group & Daniel J. Downes, P.C.**

161 North Clark Street, Suite 2070  
Chicago, IL 60601  
OFFICE: 312-425-1900  
CELL: 312-953-5839  
FAX: 312-425-1904  
dan@cavanaghlawgroup.com  
upsdwns11@gmail.com

# BMWED DESIGNATED FELA LAW FIRMS CONTINUED...



## **Christy & Ferguson**

201 West Broadway, Suite G12  
North Little Rock, AR 72114  
OFFICE: 501-758-0278  
CELL: 501-707-5257  
FAX: 501-758-0480  
jferguson.raillaw@gmail.com  
www.chrischristylaw.com

## **Hubbell Law Firm**

1100 Main Street, Suite 2323  
Kansas City, MO 64105.  
OFFICE: 816-221-5666  
TOLL FREE: (800) 821-5257  
FAX: 816-221-5259  
cleach@hubbellfirm.com  
jdavis@hubbellfirm.com

## **Ingebritson & Associates, PA**

7141 Amundson Avenue  
Edina, MN 55439  
TELEPHONE: 612-340-8290  
TOLL FREE: (800) 282-6393e  
FAX: 612-342-2990  
Russ@Ingebritson.com  
www.ingebritson.com

## **James A. Ebert, LLC**

1720 Mars Hill Road  
Suite 120-118  
Acworth, GA 30101  
OFFICE: 404-872-7759  
CELL: 770-842-4775  
FAX: 404-872-9430  
www.jamesebert.com  
jebert@jamesebert.com

## **Jones, Granger Law Firm**

P. O. Box 4340  
Houston, TX 77210-4340  
OFFICE: 713-668-0230  
TOLL FREE: (800) 231-3359  
FAX: 713-956-7139  
www.JonesGranger.com

## **Naumes Law Group LLC**

2 Granite Avenue, Suite 425  
Milton, MA 02186  
OFFICE: 617-227-8444  
TOLL FREE: (844) 826-8445;  
CELL: 617-699-4541  
www.naumeslaw.com  
robert@naumeslaw.com  
christopher@naumeslaw.com

## **Pratt & Tobin, P.C.**

150 S. Bellwood Drive  
P.O. Box 179  
East Alton, IL 62024  
TELEPHONE: 618-259-8011  
TOLL FREE: (800) 851-5562  
FAX: 618-259-6793  
www.prattandtobin.com  
lawoffice@prattandtobin.com  
btobin@prattandtobin.com

## **Rossi Vucinovich P.C.**

1000 Second Avenue, Suite 1420  
Seattle, WA 98104  
TELEPHONE: 425-646-8003  
TOLL FREE: (866) 357-7245  
FAX: 425-646-8004  
railroad-injuries.com  
jvucinovich@rvflegal.com

## **The Moody Law Firm, Inc.**

500 Crawford Street, Suite 200  
P. O. Box 1138  
Portsmouth, VA 23705  
TELEPHONE: 757-393-4093  
TOLL FREE: (800) 368-1033  
FAX: 757-397-7257  
www.moodyrrlaw.com  
will@moodyrrlaw.com

# NOW IS THE TIME TO UPDATE YOUR BMWED EMERGENCY CONTACT INFORMATION



**ADD AN EMERGENCY CONTACT TO  
YOUR MEMBERSHIP PROFILE**



Railroading is far from a routine profession. Despite our unwavering commitment to safety, every time we step onto the job, accidents can and do happen. When they occur, the aftermath is often disordered and stressful. That's why it's essential to have an emergency contact on file. In a crisis, quick access to a designated contact allows for timely communication with someone who can provide medical information, assist in decision-making, and offer emotional support.

BMWED now offers the option to add an emergency contact to your membership profile. This ensures that, in the event of an emergency, BMWED representatives can quickly reach someone close to you to provide vital support and communication when it matters most.

**Please visit:**

<https://www.bmwe.org/emergencycontact>

**To add an emergency contact to  
your profile.**

**We strongly encourage all  
members to do so.**



# ROLL OF HONOR

Table listing names, organizations, and amounts for the 35th Year Merit Award. Includes names like RYAN BENNETT, CHARLES W BERTANI, ALLEN W BLACK, etc.

Table listing names, organizations, and amounts for the 35th Year Merit Award. Includes names like DAVID L MITCHELL, MIGUEL MONDRAGON, MARIO A MONTOYA, etc.

Table listing names, organizations, and amounts for the 35th Year Merit Award. Includes names like CARLOS A GONZALEZ ARTEAG, RANDY G GOWER II, PETER B HERRERA, etc.

Table listing names, organizations, and amounts for the 35th Year Merit Award. Includes names like ANTHONY M SASSER, MICHAEL D SCOTT, JOHN S SEXTON, etc.



Table listing names, organizations, and amounts for the 35th Year Merit Award. Includes names like R A BALES, TERRY L CARR, DAVID A COURAGE, etc.



Table listing names, organizations, and amounts for the 30th Year Merit Award. Includes names like C V ASHLEY, CHRISTOPHER L BURNHAM, ROBERT J CAVES, etc.

Table listing names, organizations, and amounts for the 40th Year Merit Award. Includes names like RANDY L BONNARENS, STEPHEN PENA, DENNIS P SANDIFER, etc.

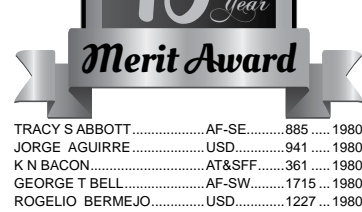


Table listing names, organizations, and amounts for the 45th Year Merit Award. Includes names like TRACY S ABBOTT, JORGE AGUIRRE, JOHN K BACON, etc.



Table listing names, organizations, and amounts for the 25th Year Merit Award. Includes names like JERID S ANDERSON, JOHN L BAGWELL, EDD C BARTLETT, etc.



# ROLL OF HONOR



JOSH R BEHM.....ALL.....1042 ... 1975  
 CHARLES E BENNETT ..... AF-SE.....702 ..... 1975  
 GARY L BURDICK .....AT&SFF.....361 ..... 1975  
 TERRY CAMPBELL ..... AF-SE.....139 ..... 1975  
 BRIAN J DONNELLY .....ALL.....2779 ... 1975  
 REXFORD J HARMON .....AT&SFF.....1082 ... 1975  
 MICHAEL E HENNING ..... BURNOR.....144 ..... 1975  
 MICHAEL J KORMAN ..... ALL.....891 ..... 1975  
 PAUL J MARZILLI JR .....ALL.....160 ..... 1975  
 CARL NOMM .....USD.....2853 ... 1975  
 MICHAEL E PRICE .....AF-SE.....992 ..... 1975  
 ALEX SALING .....AF-SE.....2388 ... 1975  
 CAMERON R SCHEMBER .....USD.....278 ..... 1975  
 VICTOR C SERAFINE SR .....B&LE.....1115... 1965  
 ANDREW H SHELTON ..... AF-SE.....670 ..... 1975  
 JASPER L SKEENS ..... ARSF.....551 ..... 1975  
 LAMAR G SMITH .....CRSD.....2910 ... 1975  
 KEITH A STOCKS .....USDIC.....1393 ... 1975  
 JERRY TULLY .....AT&SFF.....2417 ... 1975  
 GARY D WAKEFIELD .....AT&SFF.....1547 ... 1975



KENNETH O BINGHAM .....BURNOR.....364 ..... 1970  
 TERRY CORDELL .....BURL.....1108.... 1970  
 TERRY L MAU .....USD.....1133... 1970  
 JOHN R NOE .....USD.....1097 ... 1970  
 TOMMY C PRITCHETT.....USDIC.....17 ..... 1970  
 DALE L STEEN .....USD.....1757 ... 1970



VICTOR C SERAFINE SR .....B&LE.....1115... 1965  
 RICHARD L TAYLOR.....ARSF.....301 ..... 1965



## For BMWED Members and Dependents!





### BMWED Scholarship 2025

# Apply Online!

Applications accepted through March 31st



# TO TACKLE JOB STRESS

## Union First EAP Services

- Free Helpline: Call **1-855-215-2023** for 24/7 support
- Confidential Counseling: Access professional help without affecting your job security
- Work-Life Resources: Free referral to trusted treatment specialists

## Know Your Rights



- Job protection when seeking EAP services
- Confidentiality – your employer won't be notified about your participation
- Accommodations, if needed

## Top-Rated Treatment Options

- Evidence-based stress management programs
- Mental health counseling for depression, anxiety, and more
- Substance abuse treatment and recovery support

## Protecting Your Job While Getting Help

- Use EAP services during non-work hours when possible
- Communicate with your union representative if you need accommodations

## OBJECTION PROCEDURES FOR EXPENDITURES NOT GERMANE TO COLLECTIVE BARGAINING

represented by the Brotherhood, and who has elected to become an agency fee payer may become an objector to expenditures not related to collective bargaining, contract administration, or other chargeable expenditures. An agency fee payer, who elects to become an objector through these procedures, shall pay a fee calculated in accordance with Section 5 of this Policy.

Sec. 2. To become an objector, an employee represented by the Brotherhood, shall notify the National Division Secretary-Treasurer of his or her objection in a separate envelope by certified mail postmarked during the month of March each year. An employee who desires to object but is unable to make a timely objection because he or she is not subject to a Union Shop Agreement in March must make an objection within thirty (30) days after becoming subject to Union Shop obligations and receiving notice of these procedures. The objection shall be signed and shall contain the objector's current home address and the Subordinate Lodge number, if known. The objector shall keep the Brotherhood informed of any change in address. Objections may only be made by individual employes; no petition objections will be honored.

Sec. 3. The following categories are examples of chargeable expenditures to the extent permitted by law:

- a. All expenses concerning the negotiation of agreements, practices and working conditions;
- b. All expenses concerning the administration of agreements, practices and working conditions, including grievance handling, all activities related to arbitration, and discussion with employes in the bargaining unit or employer representatives regarding working conditions, benefits and contract rights;
- c. Convention expenses and other normal union internal governance and management expenses;
- d. Social activities and union business meeting expenses;
- e. Publication expenses to the extent coverage is related to chargeable activities;
- f. Litigation expenses related to contract administration, collective bargaining rights and internal governance;
- g. Expenses for legislative and administrative agency activities closely related to the negotiation of administration of contracts and working conditions;
- h. All expenses for the education and training of members, Officers and staff intended to prepare the participants to better perform chargeable activities;
- i. All strike fund expenditures and other costs of group cohesion and economic action, e.g., demonstrations, general strike activity, informational picketing and the like;
- j. A proportional portion of all overhead and administrative expenses.

Sec. 4. In the first quarter of each year, the Brotherhood shall publish these policies and procedures in the Journal to provide notice to employes represented by the Brotherhood of their right to object and the procedures for objecting. The Brotherhood shall also send a copy of these policies and procedures to each person who objected the previous year to inform the person of his or her right to renew the objection for the current year.

Sec. 5. The Brotherhood shall retain a neutral auditor to perform an independent audit of the records of the Brotherhood and to submit an annual report for the purpose of determining the percentage of expenditures that fall within the categories specified in Section 3. The amount of the expenditures during the previous fiscal year that fall within Section 3 shall be the basis for calculating the reduced dues or fees and assessments that must be paid by the objector for the current fiscal year.

Sec. 6. The neutral auditor shall complete the report for each fiscal year. This report shall include an analysis of the major categories of union expenses attributable to chargeable and non-chargeable activities. A copy of the neutral auditor's report shall be sent to each person who made an objection in the current previous year.

Sec. 7. Each person entitled to receive the audit report may challenge the legal and arithmetic bases of the calculations in the neutral auditor's report by filing an appeal with the National Division Secretary-Treasurer. Such appeal must be made by sending a signed letter to the Secretary-Treasurer postmarked no later than thirty (30) days after the date that the audit report was mailed.

Sec. 8. All appeals received by the union within the time limits specified above shall be determined by expeditious referral to an impartial arbitrator chosen through the rules of the American Arbitration Association (AAA) for the impartial determination of union fees. The Brotherhood shall notify the AAA that challenges to the calculation of its fees and assessments have been received from one or more persons and include the names and addresses of the persons who filed the appeals and who must be notified of the proceedings. Thereupon, in accordance with its rules, the AAA will appoint an arbitrator and notify the Brotherhood and the challenger. In addition, the following rules shall apply:

- a. All appeals shall be consolidated and heard as soon as the AAA can schedule the arbitration and shall be at a location selected by the AAA to be the most convenient for those involved in the proceeding.
- b. Each party to the arbitration shall bear its, or their own, costs. The challengers shall have the option of paying a pro rata portion of the arbitrator's fees and expenses. The balance of such fees and expenses shall be paid by the Brotherhood.
- c. Challengers may, at their expense, be represented by counsel or another representative of their choice. Challengers need not appear at the hearing and shall be permitted to file written statements with the arbitrator instead of appearing. Such statements shall be filed no later than the beginning of the hearing before the arbitrator. Post-hearing statements may be filed in accordance with the provisions of Section 8(g).

d. Fourteen (14) days prior to the start of the arbitration, challengers shall be provided with copies of all exhibits or a list of all such exhibits intended to be introduced at the arbitration by the Brotherhood and a list of all witnesses the Brotherhood intends to call, except for exhibits and witnesses the Brotherhood may introduce for rebuttal. When a list of exhibits has been provided, any challenger shall have a right to receive copies of such exhibits by making a written request for them to the National Division Secretary-Treasurer. Additionally, copies of all exhibits shall be available for inspection and copying at the hearing.

e. A court reporter shall make a transcript of all proceedings before the arbitrator. This transcript shall be the official record of the proceedings and may be purchased by the challengers. If challengers do not purchase a copy of the transcript, a copy shall be available for inspection by challengers at the National Division during normal business hours.

f. The arbitrator shall have control over all procedural matters affecting the arbitration in order to fulfill the dual needs of an informed and expeditious arbitration. The arbitrator shall set forth in the decision the legal and arithmetic bases for the decision, giving full consideration to the legal requirements limiting the amount that objectors may be charged.

g. The parties to the arbitration shall have the right to file a post-hearing statement within fifteen (15) days after both parties have completed submission of their cases at the hearing. Such statements may not introduce new evidence or discuss evidence not introduced in the arbitration. The arbitrator shall issue a decision within forty-five (45) days after the final date for submission of post-hearing statements or within such other reasonable period as is consistent with the AAA rules and the requirements of law.

h. The decision of the arbitrator shall be final and binding on all findings of fact supported by substantial evidence on the record considered as a whole and on other findings legally permitted to be binding on all parties.

i. Upon receipt of the arbitrator's award, any adjustment in favor of the challenger will be made from the Union escrow account. Any adjustments in favor of the union shall be due and owing within thirty (30) days. An individual failing to pay any adjustments in full within the prescribed thirty-day period will be considered as being in non-compliance with provisions of the Union Shop Agreement.

Sec. 9. The National Division Officers will have the authority to amend this policy, as it deems appropriate.

Sec. 10. The provisions of this procedure shall be considered legally separable. Should any provision or portion be held contrary to law by a court of an arbitrator, the remaining provisions or portions thereof shall continue to be legally effective and binding.

# THE **BMWED** Journal

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

**Brotherhood of Maintenance of Way Employes Division  
41475 Gardenbrook Road  
Novi, MI 48375-1328**

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