

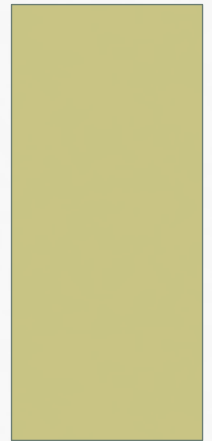


BMWED/IBT OFFICE OF GOVERNMENT AFFAIRS

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BMWED/IBT LEGISLATIVE ISSUES

FEDERAL LAWS

The Railway Labor Act (RLA)

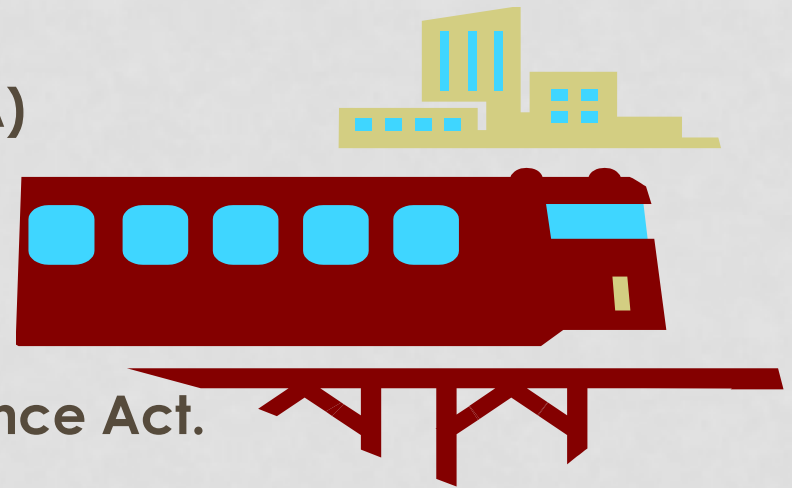
Federal Employee Liability Act (FELA)

Railroad Retirement Act (RRA)

Railroad Unemployment and Insurance Act.
(RUIA)

The REEF Act End the Sequester on unemployment and sick benefits

The Infrastructure Investment Jobs Act (IIJA)



RAILWAY LABOR ACT

- **The Railway Labor Act** is a United States federal law that governs labor relations in the railroad and airline industries. The Act, passed in 1926 and amended in 1934 and 1936, seeks to substitute bargaining, arbitration and mediation for strikes as a means of resolving “minor” management/labor disputes. Its provisions were originally enforced under the Board of Mediation but were later enforced under a National Mediation Board. This law contains our union shop agreement.
- The **RLA** was enacted, is federal law and can be amended or repealed!

FEDERAL EMPLOYERS LIABILITY ACT

- **The Federal Employers' Liability Act (FELA)**, 45 U.S.C. § 51 et seq. (1908), is a United States federal law that protects and compensates railroaders injured on the job.
- Congress passed FELA in response to the high number of railroad deaths in the late 19th century and early 20th century. Under FELA, railroad workers who are not covered by regular workers' compensation laws are able to sue companies over their injury claims.
- **FELA** was enacted, is federal law, and can be amended or repealed!

RAILROAD RETIREMENT ACT

- Railroad workers formed an association to agitate for government action. Labor proposed its own plan in response, eventually compromising with the workers to produce the Railroad Retirement Act of 1934. This legislation anticipated the Social Security Act of 1935, which covered most other employees, and was tailored to address the specific concerns of railroad workers.
- The **RRA** was enacted, is federal law, and can be amended or repealed!

RAILROAD UNEMPLOYMENT AND INSURANCE ACT

- The **Railroad Unemployment Insurance Act** (“Act”) is a federal legislation providing benefits for qualified railway employees. The Act is codified at 45 USCS § 358. The Act authorizes the Railroad Retirement Board (Board) to conduct proceedings and to make findings and decisions with respect to any claim or right to benefits of railway employees. The Act authorizes the Board to collect contributions due from railway companies.
- The **RUIA** was enacted, is federal law, and can be amended or repealed!

THE REEF ACT

- The REEF Act will change that unfair practice of sequestration on RUI that has went on for way to long. With the passage of the REEF Act, railroaders will see as much as 81 million dollars back in their pockets. That's 81 million dollars that will come back to you when you need it the most.

INFRASTRUCTURE INVESTMENT JOBS ACT

\$1.2 Trillion In Total Dollars

\$550 Billion In New Spending Over 5 Years

\$66 Billion For National Rail System

Northeast Corridor grants - \$6B

Fed-State Partnership Intercity Passenger Rail - \$36B

Northeast Corridor Fed-State Partnership set-aside - \$24B

\$39 Billion For National Transit Rail

Funds nation's transit system repair backlog, which DOT estimates is

more than 24,000 buses, 5,000 rail cars, 200 stations, and thousands of miles of track, signals,

and power systems.



BMWED/IBT LEGISLATIVE FUNCTIONS/GUIDELINES

Article XII of our Constitution and BY-Laws

Purpose- To protect the interest and advance the quality of life of its membership and their families with respect to legislation the National Division shall maintain State Legislative Boards which shall work cooperatively with the BMWED National Legislative Director and IBT Department of Governmental Affairs.

Duties- It shall be the duty of the Legislative Directors when authorized by the National Division President, or his designee, to carry out the program promoting legislation that will **advance the wages, hours and working conditions and improve the quality of life for the membership and their families and to oppose legislation deemed detrimental.**

Legislative Department Structure.

- ND Office in Washington, D.C. (Rail Conference/IBT)
- 47 SLD's and Assistant SLD's, (No lodges in Alaska, Hawaii or Vermont)
- Local Lodge Legislative Delegates and Assistant LD's.



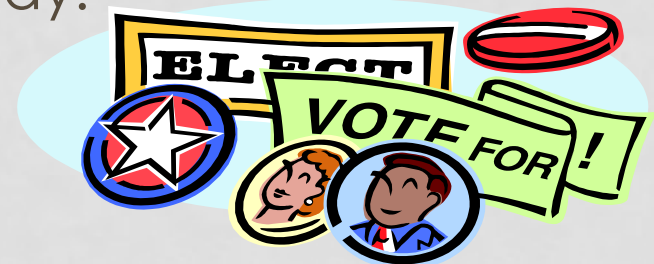
BMWED/IBT LEGISLATIVE GUIDELINES

Elected Political Leaders!!!!

We must support pro working class/labor candidates. We do not support candidates based on “social” issues.

Who gets elected at every level determines what legislation will be pursued **or REPEALED!**

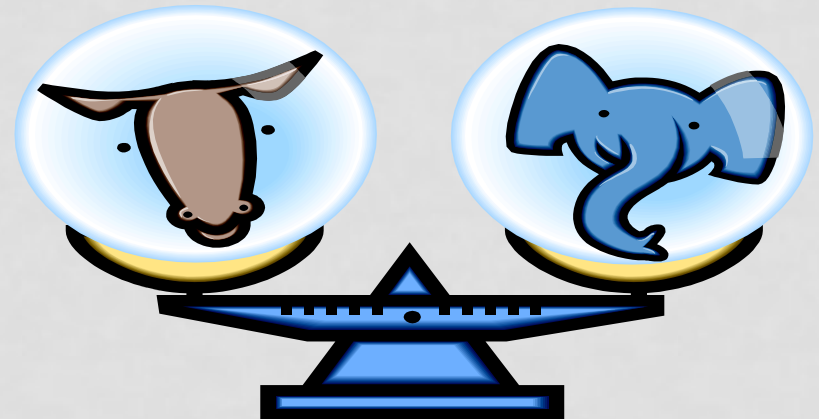
Right to Work as opposed to the right to organize and be a member of a union is just one example of the stark differences in political agendas today.





BMWED/IBT LEGISLATIVE GUIDELINES

- Party affiliation does not dictate whether we support a candidate or elected political leader. Their legislative priorities determine our position. Unfortunately, in today's political arena we are supported predominately by Democrats and Independents. However, there are a handful of labor friendly Republicans.
- **(advance the wages, hours and working conditions and improve the quality of life for the membership and their families and to oppose legislation deemed detrimental)**





STATE WAR ON VOTERS

- State lawmakers have now enacted new voting restrictions in a total of 19 states — AL, AZ, AR, FL, GA, ID, IN, IA, KS, KY, LA, NH, OK, MT, NC, NV, TX, UT and WY.
- 25 states enacted 62 expansive Voting laws.
- Over 404 voter suppression bills were introduced in 48 states. 88 bills have been passed.
- **EXAMPLES:** Purging of Voter role, Reducing early voting, mail in voting, voter ID , Ballot box restriction.



STATE WAR ON WORKERS

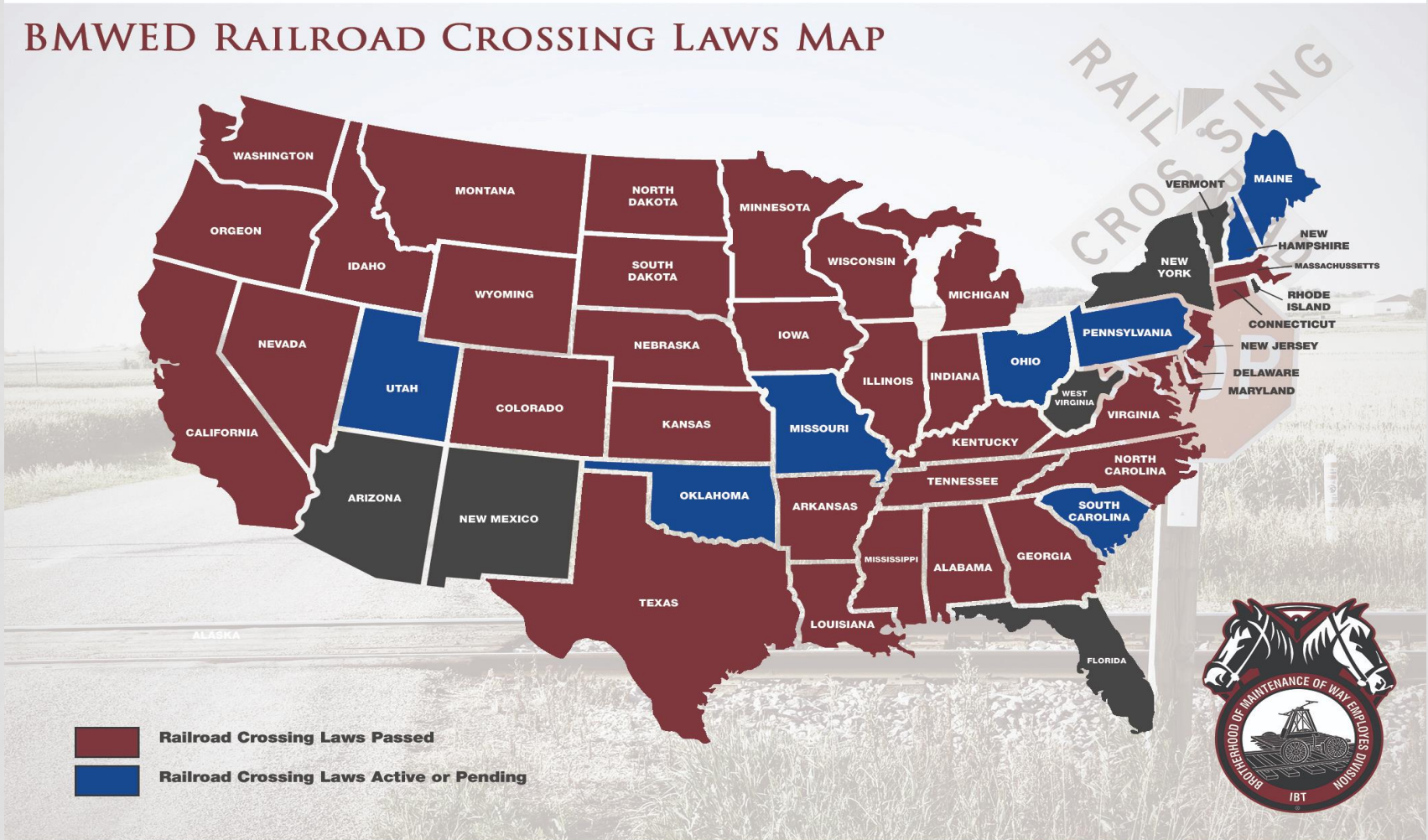
- Right to Work (for less) Legislation has been passed in 28 states.
- Other states have legislation to limit collective bargaining for public employees.
- RTW prevents employers and their employees from negotiating an agreement – known as a union security clause – that requires all workers who receive the benefits of a collective bargaining agreement to pay their share towards the union representing their interests at the bargaining table.

STATE GRADE CROSSING LAWS

- We are working on getting language inserted into the respective states railroad crossing laws pertaining to motorist's responsibilities at railroad crossings. We have been successful so far in 34 states: Alabama, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, New Jersey, North Carolina, North Dakota, Massachusetts, Maryland, Michigan, Mississippi, Montana, Nebraska, Nevada, Oregon, Rhode Island Tennessee, Texas, Virginia, Wisconsin, Washington State, South Dakota, and Wyoming.
- The issue is that maintenance of way on-track equipment was and is not included in state statutes that mandate a motorist's responsibilities when approaching a crossing. In other words, when the gates are down, or when there is a train approaching or a flagman or stop sign, etc. a motorist is responsible to stop so many feet away from a crossing.

BMWED CROSSING MAP

BMWED RAILROAD CROSSING LAWS MAP





WHAT IS AT STAKE ?

Unions are the people who brought you

- The Weekend
- The Railroad Retirement Act (RRA)
- Railway Labor Act (RLA)
- Railroad Unemployment Insurance Act (RRUIA)
- Passenger Rail Funding
- Rail Safety Regulations (RSIA)
- Worker Injury Protection (FELA)
- Employer Provided Health Care
- Social Security
- The 8 Hour Workday
- The 40 Hour Work Week
- Seniority
- FMLA
- Vacation Time
- Holiday Pay
- Medicare
- Medicaid
- Fair Pay for Fair Work
- Protection from Employer Harassment and Arbitrary Discipline (Whistleblower Protection)
- Child Labor Laws
- Minimum Wage
- Workplace Equality
- & A Safer Working Environment. **Our accomplishments positively affect all of labor, union and non-union!**



WHAT ARE WE UP AGAINST POLITICALLY?

- Railroad PAC contributions to Political Candidates in 2020:
 - \$ 6,866,364
 - BNSF = \$1,708,289
 - UP = \$1,437,733
 - CSX = \$ 886,758
 - NS = \$ 1,116,624
 - KCS = \$ 156,027
 - AAR = \$ 197,118
 - Herzog RR Services=\$50,000
- The bulk of these donations are going to Republicans. This is nothing new. During the past two decades, the railroad industry has regularly contributed more to Republicans (55.5 percent) than Democrats (44.5 percent).
- These numbers do not include corporate donations or Super PACS which occurred as a result of the Citizens United Supreme Court decision.



WHAT ARE WE UP AGAINST POLITICALLY?

- In 2020 alone, railroads spent millions lobbying the candidates they supported with Pac donations as well as congressional committees totaling **\$25,736,410**. They had a combined 294 Lobbyists. Examples:

- AAR = \$4,716,533
- UP = \$3,815,005
- CSX = \$2,082,742
- BNSF = \$2,690,000 (Berkshire Hathaway)
- NS = \$1,476,191
- CN = \$1,180,000



- Between 2004 and 2020, the railroads more than doubled their lobbying expenditures.
- This does not include the millions spent by railroad contractors (scabs) lobbying or their Pac donations.



WHAT CAN WE DO ABOUT IT?



- **VOTE and encourage other members to VOTE.**
- **Donate and Promote DRIVE!!**
- **DRIVE-Democrat, Republican, Independent Voter Education**
- **1)** Drive is our political action fund, is strictly voluntary and is utilized to strategically donate to campaigns and other political groups who have or will defend our members and working class families throughout this country with pro labor legislation.
- **2)** Dues are not used for political donations!
- **3)** Money talks in politics. No one can get elected at any level without campaign financing.



WHAT CAN WE DO ABOUT IT?



- **4)** None of us as individuals can financially afford to donate enough money to influence politics. We must unite and pool our resources just like a union should. Politically our PAC fund defines us. Respect, action, influence. We cannot afford to stand by and allow someone else decide our fate!
- **5)** Our DRIVE PAC is not for any specific party but for individual candidates.
- **6)** We, the BMWED Teamsters, are very strategic about where we spend our DRIVE funds. The anti-labor groups, (super pacs), have enough money to “create” elections to try to get us to deplete our funds before major elections take place so that we are broke when we are needed the most. We don't allow this to happen. Our BMWED Rail Division DRIVE donations are respected, and great thought goes into who, what and where the money goes.

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES/ TEAMSTERS



- You are the Union
- Get Informed
- Get Involved



QUESTIONS?

