

MEMBERS FIRST COMMITTEE

of the

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

**GRAND LODGE PROMISES EACH AND EVERY MEMBER
A BOILERMAKER PENSION JUST LIKE THE ONE ON
METRA IN CHICAGO.**

WHAT IS THE REAL DEAL?

Grand Lodge says to vote for the Boilermaker takeover because this will permit Grand Lodge to get every member an additional pension benefit. What isn't Grand Lodge telling you about this fabulous deal?

First, the only pension benefits guaranteed in the proposed Boilermaker takeover agreement are the two extra pensions (in addition to Railroad Retirement and their current Grand Lodge pension) being provided to Grand Lodge officers and the three extra pensions (in addition to Railroad Retirement) being provided to System Officers. Members of the Union don't get a pension, we get Side Letter 7 which promises to make it a priority issue for bargaining. This was a priority issue for the last contract and we can see where making it a priority issue got the priority issue.

The pension benefit that exists on Metra that the Grand Lodge says we get if we become Boilermakers is already a benefit for BMWV members and all other railroad employees on Metra. Being a Boilermaker is irrelevant to who gets this pension. Moreover, Metra is a commuter agency and its workers also enjoy no health and welfare cost sharing and three to four dollars an hour more than the average Class 1 rate of pay. This includes the BMWV employees. Joining the Boilermakers is not going to make the additional pension a reality on the Class 1 Railroads.

Pensions Not A Reality Today For Boilermakers on the Railroad Pension Examples Touted By Grand Lodge Exist No Where In the Industry

The pension benefits that Grand Lodge is touting (1200/month etc., etc.) requires railroad management to pay 75 cents an hour per employee. This plan does not exist on Metra (management pays 30 cents an hour now and 40 cents an hour in the year 2004) and in fact this plan does not exist anywhere in the railroad industry. The 900 Boilermakers that work on the railroads do not get this plan. We just settled a National contract where railroad management will pay raises of about 30-40 cents an hour for the next several years and we are expected to believe that by joining the Boilermakers we will be able to force management to pay an additional 75 cents an hour for an additional pension?

In regard to National Bargaining, when was the last time the BMWG got a benefit not specifically related to our working conditions, like travel allowance, that every other railroad worker did not obtain? Railroad management does not mix and match their benefits and wage increases because they know that if they negotiate pensions with Boilermakers or BMWG then they have to provide them to the other crafts. While the officers of the Union have clearly put a plan together to get an extra pension for themselves, we have only a vague promise they will get the members the same benefit. Moreover, before we can work on getting this fabulous benefit we are supposed to give away all of the assets of our Union and agree to a political structure where we do not have majority say. The Boilermakers say give us your money and your rights and we promise down the road to do something good for you if you ever get to retire. The check is in the mail.

GRAND LODGE CLAIMS THAT BOILERMAKER HEALTH AND WELFARE PLAN WILL ELIMINATE EMPLOYEE COST SHARING IN NATIONAL AGREEMENTS.

WHAT IS THE REAL DEAL?

The Boilermakers have a multi-employer health and welfare plan that they administer through a Taft Hartley fund. However, only about 30% of managements under contract with the Boilermakers belong to the fund. Boilermakers have been unable to convince 70% of their managements to join the deal and yet we are supposed to believe that they can convince railroad management to make this same deal. No Boilermaker who works on the railroad is covered by this plan and pays the same cost sharing that others pay under the National agreements. In fact, Boilermakers belong to the Health Care Coalition comprised of all of the railroad unions and have not suggested their plan to this Coalition as an alternative to cost sharing. Side Letter 18 of the takeover agreement only suggests that we form a "Task Force" to study the issue. Grand Lodge propaganda on this point is not supported by the agreement itself. Another vague promise we get after we have surrendered all of our money and political rights.

THE IBB TAKEOVER AGREEMENT DOES NOT GUARANTEE MEMBERSHIP RATIFICATION OF NATIONAL AGREEMENTS

When the BMW Grand Lodge Officers reviewed the proposed takeover agreement as presented by the BMW Merger Committee, there were **no provisions** to provide for **membership ratification** of agreements. Grand Lodge Officers submitted concerns about the proposed agreement to a committee appointed by President Fleming. At least three officers (Dodd, Housch, Glover) submitted concerns specifically guaranteeing and preserving membership ratification rights.

But, the final merger agreement was **not** changed. Instead, Side Letter 21 was added. Side Letter 21 specifically **excludes** the requirement to submit **national agreements** for ratification.

Paragraph two of Side Letter 21 of the Takeover Agreement states as follows:

*“No officer of the merged organization shall have the power to enter into any agreement **other than national agreements** without the written consent of the affected General Chairman (Chairmen). If said officer (s) are not able to receive such written consent they shall have the right to submit such agreement directly to the affected rank and file for ratification or rejection...”*

Side Letter 21 excludes the requirement for ratification by stating that it applies to agreements “**other than national agreements.**” If the Boilermakers specifically intended to require ratification of national agreements, they should have said so in Side Letter 21. They did not!

The requirements that national agreements be submitted to membership ratification is provided for in BMW Constitution and By-Laws, Article 24, Section 14. Paragraph 17 of the takeover agreement does provide that the provisions of Article 24 will be by reference incorporated into the merger agreement. However, it also explicitly states that “where such language conflicts with the Constitution of the Boilermakers International, the Boilermakers’ Constitution shall be controlling,” and there is no such provision to require membership ratification of agreements in the Boilermaker Constitution.

Three BMW Grand Lodge officers specifically asked for absolute clarification and guarantee that all agreements, local and national, require membership ratification. Side Letter 21 provides only limited ratification.

IBB President Jones states: “We are agreeable to adopt language that is reflective of the procedures currently embodied in Article 3, Section 16 of the BMW Constitution.” If IBB President Jones intended to preserve our right to ratify, as contained in Article 3 and Article 24 he could have said so. Instead, he wrote Side Letter 21, which provides ratification for “**other than national agreements.**”

**PRESIDENT FLEMING AND SECRETARY TREASURER LARUE TO
MERGE BMW WITH PUBLISHER'S CLEARINGHOUSE
EACH MEMBER GUARANTEED ONE MILLION DOLLARS**

EACH MEMBER MUST BUY THREE MAGAZINES AND EACH MEMBER WILL WIN ONE MILLION DOLLARS GUARANTEED.

BEFORE PURCHASE EACH MEMBER MUST SIGN OVER THE MORTGAGE TO THEIR HOUSE AND BE HOME ON SUPER BOWL SUNDAY WHEN SECRETARY TREASURER LARUE WILL PERSONALLY DRIVE UP TO GIVE YOU ONE MILLION DOLLARS GUARANTEED.

PRESIDENT FLEMING CALLS THE DEAL A GOOD ONE AND URGES EVERY MEMBER TO SIGN OVER THEIR HOUSE TO THE PUBLISHER'S CLEARINGHOUSE

PRESIDENT FLEMING REASONED,

"ALTHOUGH OUR MEMBERS WILL BE HOMELESS FOR A WHILE IT WILL BE BETTER FOR THEM IN LONG RUN BECAUSE AFTER THEY HAVE BOUGHT THEIR MAGAZINES AND SAT AT HOME ON SUPER BOWL SUNDAY THEY WILL RECEIVE A MILLION DOLLARS GUARANTEED. IF THE PUBLISHERS CLEARINGHOUSE DOES NOT PAY EACH MEMBER A MILLION DOLLARS GUARANTEED IT IS OK BECAUSE I HAVE THE POWER TO ARBITRATE THIS PROBLEM AND WE CAN ENSURE EVERY MEMBER BECOMES A MILLIONAIRE. THEY WON'T BE HOMELESS FOR LONG UNDER THIS SCHEME AND IN THE LONG RUN THEY WILL ALL GET ONE MILLION DOLLARS GUARANTEED."

VOTE NO IBB TAKEOVER!

Members First Committee/BMWE
P.O. Box 60123
Philadelphia, PA 19102