



Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters

Freddie N. Simpson
President

Perry K. Geller, Sr.
Secretary-Treasurer

April 16, 2010

Mr. Harold R. Mobley
Vice President – Labor Relations
Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 23510-2191

Dear Mr. Mobley:

It is mildly surprising you would think that the BMWED did not, as a matter of course, address the issues raised in your letter of March 29, 2010. Affirmative steps were taken by this office the day after the publication of the newsletter and apologies concerning improper use of the FAMES¹ mailing list was conveyed directly to the management members of FAMES when it convened on Wednesday, March 31, 2010, in Washington, D.C.

I carefully read your letter and was disappointed that I could not see any trace of understanding by Norfolk Southern of the retaliatory environment which has been so upsetting to BMWED members and officers. While the BMWED strives to maintain a professional respect for its counterparts, no one should be so myopic as to think that the frustration, anxiety, and fear resulting from the heavy handed treatment of our members will not result, from time to time, in conduct which seems inconsistent with your notions of civility. The members correctly perceive the hostile acts of your supervisors as being equally “uncivil”.

With all due respect, I suggest to Norfolk Southern that it should be asking itself whether the newsletter article is an indication of the deep level of frustration and outrage felt by BMWED members and officers exposed to such uncivilized and retaliatory behavior by certain carrier officials. Think about it this way, when a bully sits at a bar and goads the fellow next to him hour after hour, should he be surprised if the victim punches him in the nose? When management puts things in motion, it should hardly be surprised when people act on their heartfelt emotions: it is human nature.

¹ Fatality Analysis of Maintenance-of-way Employees and Signalmen

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We strongly encourage you to seriously consider convening a meeting with BMWED in the near future to discuss these concerns and allow us to show you a path toward improving your safety performance without continued exclusive reliance on a counterproductive punishment-based system. Norfolk Southern has a duty to meet with the BMWED under Section 103(g) of the Rail Safety Improvement Act of 2008 and the issues underlying these fundamental safety problems require both your best efforts and good faith. We look forward to working with Norfolk Southern cooperatively to make the railroad a safer and more civil place of employment for our members, a more profitable enterprise for your shareholders, and a safer, more efficient supplier of transportation for shippers and the public.

Very truly yours,



President

cc: Mr. J. R. Cook, Vice President-BMWED
Mr. Henry W. Wise, Jr., Vice President-BMWED
Mr. Gary L. Cox, General Chairman-BMWED
Mr. Jed Dodd, General Chairman-BMWED
Mr. Thomas R. McCoy, Jr., General Chairman-BMWED
Mr. Bradley A. Winter, General Chairman-BMWED
Mr. Steven V. Powers, Assistant to President-BMWED