

# BYLAWS

*of the*

## **Brotherhood of Locomotive Engineers and Trainmen**

*A Division of the Rail Conference  
of the  
International Brotherhood of Teamsters*



Bylaws Revised at Reno, Nevada  
October, 2010

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**Brotherhood of Locomotive Engineers and Trainmen**

*A Division of the Rail Conference of the  
International Brotherhood of Teamsters*

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Instituted at Detroit, Mich., March 17, 1863,  
as the “Brotherhood of the Foot-Board.”

Reorganized at Indianapolis, Ind.,

August 17, 1864 as

Grand International Brotherhood

of Locomotive Engineers.

Name changed to

International Brotherhood of Locomotive Engineers

August 2, 1976.

Merged with International Brotherhood of Teamsters

As Brotherhood of Locomotive Engineers

and Trainmen January 1, 2004

\*

**Bylaws Revised at**

**Reno, Nevada**

**October, 2010**

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These National Division Rules,  
Local Division Rules, General  
Committee Rules, Legislative Board Rules  
and Ritual are in effect on and after  
March 16, 2011, except such laws as  
become effective at time indicated by  
action of the National Division.

## OFFICERS OF THE ND

### Executive Committee

Dennis R. Pierce .....	National President
E. Lee Pruitt .....	First Vice President
William C. Walpert .....	National Secretary-Treasurer

### Vice Presidents

J. P. Tolman .....	Vice President and National Legislative Representative
M. J. Ruef .....	Vice President
M. D. Twombly .....	Vice President
W. E. Knight .....	Vice President
G. L. Gore .....	Vice President
M. D. Priester .....	Vice President
C. W. Davis .....	Vice President
S. J. Bruno .....	Vice President

## ALTERNATE OFFICERS OF THE ND

### Alternate National Secretary-Treasurer

J. H. Nelson ..... Div. 644

### Alternate Vice Presidents

#1. R. C. Gibbons ..... Div. 502

#2. A. Smith..... Div. 332

#3. J. P. Louis ..... Div. 421

#4. M. O. Wilson ..... Div. 104

#5. W. P. Lyons ..... Div. 34

#6. M. L. Tanner ..... Div. 769

#7. K. N. Kroeger, Jr..... Div. 28

#8. R. G. Dixon..... Div. 71

#9. M. A. Thornton ..... Div. 781

### Alternate Vice President and National Legislative Representative

T. D. Briggs ..... Div. 530

## **Mission**

The Brotherhood of Locomotive Engineers and Trainmen exists to promote and protect the rights, interests, and safety of its members through solidarity, aggressive representation, and education.

## **Vision**

It is the vision of the Brotherhood of Locomotive Engineers and Trainmen to be at the forefront of the labor movement as the result of grassroots involvement, expanding membership, and a cohesiveness among the engineer and trainman crafts and with other unions.

It will be well known for its excellence in education, communication, political action, and strategic planning. It will be a democratic organization with deeply held values and ideals that advance the working conditions, wages, benefits, job security, and quality of life for its present and future members and their families.

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**T**HIS SECTION, entitled “National Division Rules,” has to do principally with the operation of the National Division, the National Office and national officers.

NOTE: For purpose of clarity, President of the ND will be referred to as “National President” in this section. “President” will refer to president of the local division.

## NATIONAL DIVISION RULES

### Title, Location and Departments

Section 1.(a) This organization shall be known as the Brotherhood of Locomotive Engineers and Trainmen (BLET), a Division of IBT Rail Conference, and shall have full and exclusive jurisdiction over wages and working conditions of all employees working under BLET contracts and all questions pertaining thereto and/or arising thereunder. It shall be composed of individually chartered groups of members, with a headquarters group located at Cleveland, Ohio. The headquarters group shall be known as the National Division (ND).

The individually chartered groups shall be known as local divisions and shall be identified by a number assigned by the ND.

(b) The officers of the ND shall be elected from the membership by direct membership voting and shall be National President, First Vice President, who will be Alternate National President, National Secretary-Treasurer, and eight (8) vice presidents, one of which shall be the National Legislative Representative. These officers collectively shall constitute the Advisory Board.

In addition, there shall be elected from the membership by direct membership voting an Alternate National Secretary-Treasurer, an Alternate Vice President and National Legislative Representative, a **Second Alternate Vice President and National Legislative Representative**, and nine (9) alternate vice presidents to be known as Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9.

It shall be understood that the elected alternate vice presidents shall be used to fill temporary or permanent vacancies on the Advisory Board in the order of their election as set forth herein. Should

1 the office of First Vice President become vacant, such vacancy  
2 shall be filled by a member of the Advisory Board, elected by a  
3 majority vote of such board. Should the list of duly elected alter-  
4 nate vice presidents become depleted, such further replacements  
5 to the Advisory Board, between conventions of the ND, shall be in  
6 accordance with Section 6(c) – National Division Rules. Should the  
7 Alternate National Secretary-Treasurer be used to fill the position of  
8 National Secretary-Treasurer and subsequently vacate the position  
9 of National Secretary-Treasurer for any reason, such vacancy shall  
10 be filled by a member of the Advisory Board or from the member-  
11 ship, elected by a majority vote of the Advisory Board. Should the  
12 Alternate Vice President and National Legislative Representative be  
13 used to fill the position of National Legislative Representative  
14 and subsequently vacate the position of National Legislative  
15 Representative for any reason, such vacancy shall be filled by a  
16 member of the Advisory Board or from the membership, elected by  
17 a majority vote of the Advisory Board.

18  
19 Alternate officers will not be entitled to a seat on the Advisory  
20 Board unless such alternate officers are serving in the capacity of  
21 the active offices to which they have been elected as alternates.

22  
23 (c) Only members who do not hold membership in any other labor  
24 organization purporting to represent engineers or trainmen, and who  
25 hold active membership as provided in Section 25(b) – Local Divi-  
26 sion Rules will be eligible for or elected to serve on the Advisory  
27 Board of the ND or full-time employment with the BLET.

28  
29 (d) No member who is promoted to an official position on a  
30 railroad, elevated railroad, subway, in a steel plant or other indus-  
31 tries shall serve in any capacity under or for the BLET or attend  
32 division meetings.

33

1 NOTE: ~~Beginning January 1, 2006, Eligibility to run for office will~~  
2 ~~be determined is governed~~ by the applicable provisions of the  
3 IBT Constitution ~~as modified in Paragraph 6.8 of the IBT/BLE~~  
4 ~~Merger Agreement.~~ Article II, Section 4(a)(l) and (b) of the IBT  
5 Constitution state,

6  
7 “(a)(1) To be eligible for election to any office in a Local Un-  
8 ion, a member must be in continuous good standing in the Local  
9 Union in which he is a member and in which he is seeking office,  
10 and actively employed at the craft within the jurisdiction of such  
11 Local Union, for a period of twenty-four (24) consecutive months  
12 prior to the month of nomination for said office, and must be eli-  
13 gible to hold the office if elected. ‘Continuous good standing’  
14 means compliance with the provisions of Article X, Section 5,  
15 concerning the payment of dues for a period of twenty-four (24)  
16 consecutive months, together with no interruptions in active  
17 membership in the Local Union for with office is sought because  
18 of suspensions, expulsions, withdrawals, transfers, or failure to  
19 pay fines or assessments. Provided, however, that if a member  
20 on withdrawal deposits his card in the month immediately fol-  
21 lowing the month for which it was effective and pays his dues for  
22 both months in a timely manner as provided in Article X, Section  
23 5(c), such period of withdrawal shall not be considered a break in  
24 continuous good standing in the Local Union.

25  
26 \* \* \*

27  
28 (b) In newly chartered Local Unions which have been in exis-  
29 tence for less than twenty-four (24) months, a candidate for Local  
30 Union office must be a member and in continuous good standing  
31 in such Local Union and must have worked under its jurisdiction  
32 as a member for at least half of the period of time since the Local  
33 Union was separately chartered by the International Union.”

## Officers and Members of the ND

1  
2  
3 Section 2.(a) In convention assembled, the governing body of the  
4 ND of the BLET shall be the duly elected delegates as provided in  
5 Section 20 – National Division Rules.

6  
7 The ND of the BLET, in convention assembled, shall be composed  
8 of the National President, First Vice President, National Secretary-  
9 Treasurer, eight (8) vice presidents, Guide and Chaplain, ex-officio,  
10 and the duly elected delegates as provided in Section 20 – National  
11 Division Rules.

12  
13 (b) Between conventions of the ND, the Advisory Board shall have  
14 authority to make any decision and perform any act or duty on behalf  
15 of the ND which is not in conflict with or otherwise provided for in  
16 the Constitution of the International Brotherhood of Teamsters (IBT),  
17 the Rail Conference (RC) Bylaws, or BLET Bylaws.

18  
19 (c) The Executive Committee shall be composed of the following  
20 members of the Advisory Board of the ND: the National President,  
21 First Vice President, and the National Secretary-Treasurer.

## Jurisdiction of the ND

22  
23  
24  
25 Section 3.(a) The ND shall have full and exclusive jurisdiction over  
26 all rail operating craft employees and subjects pertaining to the  
27 BLET.

28  
29 (b) The ND and all divisions organized under the authority of the  
30 ND shall have power to purchase real estate, and hold the same, that  
31 may be used for the purpose of carrying on their business, as pro-  
32 vided in these Bylaws; and the ND and all divisions shall have power

1 to require and execute bonds for all officers who occupy places of  
2 trust who handle any of the funds of the organization.

### 3 4 **Initiative**

5  
6 Section 4.(a) The governing body of the BLET, between meetings  
7 of the ND, shall be vested in the active membership as defined in  
8 Section 25(b) – Local Division Rules, to be exercised by ballot under  
9 the initiative process, to be put in effect in the following manner.

10  
11 Whenever twenty-five percent (25%) of the active membership, or  
12 divisions representing twenty-five percent (25%) of the active mem-  
13 bership, sign a petition to change these Bylaws, it will be mandatory  
14 upon the National President to prepare a ballot with the question  
15 worded as presented in the petition, to be voted on by all those hold-  
16 ing active membership in the BLET. The ballot must be put out by  
17 the National President within thirty (30) days of the receipt of the  
18 request, and sent to every active member by government mail. The  
19 ballot must be returned to a post-office box in Cleveland established  
20 for that purpose, within sixty (60) days from the date it was mailed  
21 from the ND. This does not preclude electronic voting, the means to  
22 be determined by the ND.

23  
24 The National President shall appoint a committee composed of six  
25 (6) active members, two from each of the three territories specified in  
26 Section 44(b)-(d) – General Committee Rules, for the purpose of  
27 counting the returned ballots. The committee will report the results  
28 of the return to the National President.

29 The National President will, upon receiving the results of the return,  
30 show the results of the initiative in the next issue of the newsletter. It  
31 will then be mandatory upon the National President to place in effect  
32 the decision of the membership, subject to the approval of the IBT  
33 General President.

1 Any proposition put before the active membership for their decision  
2 cannot be resubmitted for a period of two (2) years.

3  
4 Any enactment of the membership under this section shall remain in  
5 full force and effect unless repealed by the same method or by con-  
6 vention two (2) or more years after enactment of same.

7  
8 In order to carry a proposition under the initiative process, it will be  
9 necessary that twenty-five percent (25%) of the active membership,  
10 or divisions representing twenty-five percent (25%) of the active  
11 membership, sign for the initiative. It will require a majority of the  
12 ballots cast to carry the proposition.

13  
14 (b) In the event twenty-five percent (25%) of the active member-  
15 ship, or divisions representing twenty-five percent (25%) of the ac-  
16 tive membership, have not filed a request in writing with the National  
17 President or the National Secretary-Treasurer within six (6) months  
18 from the time the first request is filed instituting an initiative, no con-  
19 sideration will be given such request until another six (6) month pe-  
20 riod has elapsed, after which it will be necessary to reinstate the  
21 initiative by filing new petitions.

## 22 **Meetings of the ND**

23  
24  
25 Section 5.(a) The convention of the ND shall be held quadrennially,  
26 the date and place to be designated by the Advisory Board. The date  
27 for the convention to convene shall be not earlier than the first Mon-  
28 day in May or later than the first Monday in October.

29  
30 (b) The length of time the convention shall be in session shall not  
31 exceed four (4) consecutive calendar days.  
32

1 (c) The National President shall notify all general committees, leg-  
2 legislative boards and divisions not later than January 15 of the conven-  
3 tion year as to the decision of the Advisory Board regarding the date  
4 and place of holding the convention.  
5

6 Between regular quadrennial conventions, if two-thirds (2/3) of the  
7 divisions, or divisions representing two-thirds (2/3) of the active  
8 membership, petition the National President to convene the ND in  
9 special convention, he shall, within sixty (60) days, set a date for  
10 holding said special convention, except that a special session of the  
11 convention will not be called to convene in the regular convention  
12 year.  
13

14 The ND in special convention assembled shall handle only those  
15 subjects which are set out in the notices which require the ND to be  
16 convened in special session.  
17

18 (d) A majority of the accredited delegates shall constitute a quorum  
19 for the transaction of business of meetings of the ND.  
20

21 (e) The authority vested in a delegate shall continue as long as such  
22 delegate retains his qualifications and until such a time as a qualified  
23 successor is elected and installed.  
24

25 (f) Regularly qualified delegates shall be subject to a call to assem-  
26 ble at any time during their term of office.  
27

### 28 **Election and Terms of Office ND – Filling Vacancies**

29

30 Section 6.(a) All national officers shall be elected by direct mem-  
31 bership voting to serve for a term of four (4) years, except as pro-  
32 vided in Section 1(c) – National Division Rules, or until their  
33 successors are elected and installed, unless they be removed for

1 cause, except the National Guide and National Chaplain, who will be  
2 appointed by the National President at each convention from the  
3 membership.

4  
5 (b) Should only one (1) nomination be made for any office, the  
6 presiding officer will cast a ballot to elect the candidate by acclama-  
7 tion.

8  
9 (c) In case any of the offices of the ND shall become vacant by  
10 death, or otherwise, the officer highest in rank shall call into session  
11 the Advisory Board of the ND who shall, by a majority vote, fill such  
12 vacancy from the membership until the next meeting of the ND, ex-  
13 cept as provided for in Section 1(b) – National Division Rules.

14  
15 NOTE: ~~Effective January 1, 2006,~~ Eligibility to run for office will  
16 be determined by the applicable provisions of the IBT Constitution as  
17 modified in Paragraph 6.8 of the IBT/BLE Merger Agreement.

### 18 **Duties of the National President**

19  
20  
21 Section 7.(a) The National President shall preside at all meetings of  
22 the ND, and at the expiration of his term of office, shall deliver to his  
23 successor all books, papers, etc. belonging to the ND, and shall be  
24 bonded in accordance with Article X, Section 7(a) of the IBT Consti-  
25 tution.

26  
27 (b) He shall render interpretations of these bylaws.

28  
29 (c) He shall, with the concurrence of one (1) or more of the other  
30 members of the Executive Committee, decide such controversies as  
31 may be appealed from divisions; and after careful examination of the  
32 subject, he shall forward to the divisions making the appeal, the writ-  
33 ten decision of the committee in the case; and such decision shall be

1 final and binding unless appealed under applicable provisions of the  
2 IBT Constitution.

3  
4 Decisions involving administrative matters shall not be subject to  
5 appeal. If a dispute arises as to whether a controversy is properly  
6 related to administrative matters, it shall be referred to the Advisory  
7 Board, which shall so decide by a majority vote.

8  
9 (d) If at any time the National President has knowledge that the  
10 books of the secretary-treasurer of any division or committee subor-  
11 dinate to the ND are in such condition that an additional audit should  
12 be made, he shall be empowered to authorize such audit at any time;  
13 and the National President's representative shall have access to all  
14 books and papers of such office.

15  
16 (e) In case of emergency, the National President may appoint tem-  
17 porary vice presidents to render assistance.

18  
19 (f) The National President shall have authority to maintain a Public  
20 Relations and Publications Department to be staffed with expert per-  
21 sonnel.

22  
23 (g) There shall be maintained at the ND a Department of Educa-  
24 tion and Training. One (1) of the vice presidents or the National  
25 Secretary-Treasurer shall be appointed by the National President  
26 to head this department. He shall devote his time to providing train-  
27 ing and/or education to the officers of the ND, general chairmen and  
28 all division officers. The purposes of the training and/or education  
29 will be to assist the officers and membership to improve their per-  
30 formance in their interactions within the union; between the union  
31 and management; between the union and the public; between the  
32 union and the various federal, state and local governments, and with  
33 all other labor movements and activities. While not engaged in pro-

1     viding training and/or education for the above purposes, he shall do  
2     any other work pertaining to the interest of the membership when  
3     called upon by the National President.  
4

5     **All members in active service, including those holding official**  
6     **positions with the carrier and those employed exclusively by the**  
7     **BLET, shall pay \$1.00 per month dues to establish and maintain**  
8     **an education and training fund, subject to the provisions of Sec-**  
9     **tion 29 – National Division Rules. Funds received from such**  
10    **dues shall be used for education and training classes and/or**  
11    **workshops for officers and members of the BLET.**  
12

13    **A balance report outlining the disbursements from the fund**  
14    **will be published in the newsletter each January.**  
15

16    (h) There shall be maintained at the ND a Department of Internal  
17    Organizing, Mobilizing and Strategic Planning. One (1) of the vice  
18    presidents or the National Secretary-Treasurer shall be appointed by  
19    the National President to head this department. He shall devote his  
20    time to coordinating and developing the internal organizing, mobiliz-  
21    ing and strategic planning with the officers of the ND, general chair-  
22    men, state legislative board chairmen, and all division officers. The  
23    purposes of the department will be to assist the officers and member-  
24    ship to incorporate the concepts of internal organizing, mobilization  
25    and strategic planning to improve their performance in their interac-  
26    tions with the union; between the union and the public; between the  
27    union and the various federal, state, and local governments, and with  
28    all other labor movements and activities. While not engaged in pro-  
29    viding the above purposes, he shall do any other work pertaining to  
30    the interest of the membership when called upon by the National  
31    President.  
32

1 (i) There shall be maintained at the ND an Arbitration Department  
2 to be staffed with expert personnel. One (1) of the vice presidents  
3 shall be appointed by the National President to head this department  
4 and to serve and/or work in conjunction with the Member of the First  
5 Division – National Railroad Adjustment Board representing the  
6 BLET. He shall devote his time to the support of the arbitration and  
7 arbitration-related activities of the union, and in the supervision and  
8 direction of the department’s staff. The purposes of the Arbitration  
9 Department will be to handle, in conjunction with other union offic-  
10 ers and/or departments, or independently, disputes involving national  
11 agreement rules; to assist ND officers, general and local chairmen  
12 generally in the minor dispute handling and arbitration process; to  
13 manage the ND electronic arbitration data base; to develop and con-  
14 duct educational programs concerning the minor dispute resolution  
15 process for ND officers, general and local chairmen in cooperation  
16 with the Education and Training Department; and such other activi-  
17 ties as directed by the National President.

18  
19 (j) There shall be maintained at the ND a Trainmen Department.  
20 One (1) of the vice presidents or the National Secretary-Treasurer  
21 shall be appointed by the National President to head this department.  
22 The department shall provide assistance in all areas of concern to  
23 trainman members of the BLET.

24  
25 (k) There shall be maintained at the ND a Short Line Railroad De-  
26 partment. One (1) of the vice presidents or the National Secretary-  
27 Treasurer shall be appointed by the National President to head this  
28 department. The department shall provide assistance to members  
29 working on short line railroads and assist in the organizing of short  
30 line railroads that are currently not represented by the BLET.

31  
32 (l) There shall be maintained at the ND a Passenger Department.  
33 The National President shall appoint a member to head this depart-

1 ment within thirty (30) days of the implementation of the IBT/BLE  
2 merger. The department shall provide assistance to passenger and  
3 commuter general committees when called upon by the general  
4 chairmen. Within sixty (60) days of the implementation of the  
5 IBT/BLE Merger Agreement, the National President and First Vice  
6 President will meet with the passenger and commuter lines general  
7 chairmen and the department head to develop the structure of the  
8 department and the specific goals of same. The structuring of the  
9 department shall be completed within ninety (90) days from the date  
10 of such meeting.

11  
12 (m) He shall have authority to place special representatives in the  
13 field at his discretion, but not to exceed seven (7) permanent special  
14 representatives. When exercising this authority, the National Presi-  
15 dent may select one or more special representative(s) to provide train-  
16 ing and/or education to the divisions, general committees, and state  
17 legislative board chairmen in the area of computer, hardware, soft-  
18 ware and technological support and recommendations. The National  
19 President shall have authority to remove any special representative if  
20 found incompetent or when his usefulness has terminated.

21  
22 (n) The National President, in conjunction with the other members  
23 of the Advisory Board and the Association of General Chairmen,  
24 shall have the authority to appoint a wage committee, when neces-  
25 sary, to serve in connection with national wage movements. This  
26 committee shall consist of:

27  
28 National President; two (2) national vice presidents, elected by Ad-  
29 visory Board; three (3) general chairmen, elected by respective gen-  
30 eral chairmen's associations.

31  
32 The salary and expenses of such committee shall be set by the Na-  
33 tional President.

1 (o) The National President shall be in charge of and have the direc-  
2 tion of vice presidents, special representatives and special organizers.  
3

4 (p) The National President shall submit to each Standing Commit-  
5 tee on the Bylaws his recommendation and/or recommendations rela-  
6 tive to amendments of the law of the ND.  
7

8 (q) The National President shall be the chairman of the Executive  
9 Committee; and no meeting of the Executive Committee shall be  
10 legal unless the National President is involved, or authorizes the First  
11 Vice President to act in his behalf in any decision or act by said Ex-  
12 ecutive Committee.  
13

14 (r) The National President shall have authority to grant annual va-  
15 cations to the officers and special representatives of the ND, in ac-  
16 cordance with provisions of the National Vacation Agreement for  
17 engineers.  
18

19 (s) The National President shall have authority to employ counsel  
20 to defend the BLET against any action brought against it arising out  
21 of its labor activities; to defend any member who may be prosecuted  
22 under the criminal code, or sued under civil law, for his connection  
23 with any accident occurring while in the performance of his duties as  
24 a locomotive engineer, trainman or other service defined under Sec-  
25 tion 25 – Local Division Rules, and to prosecute any claim of the  
26 BLET on behalf of its Protective Department. The expense of coun-  
27 sel employed shall be paid by the ND.  
28

29 (t) In the performance of the National President's duties as pre-  
30 scribed in Section 7(e)-(m) – National Division Rules, the Executive  
31 Committee shall not enter into any employment contract that binds  
32 the BLET beyond their current term of office; and each such contract  
33 shall include a clause expressly setting forth said term limitation.

1 Any such contract shall include a provision that permits the BLET to  
2 terminate the services of the employee, if the employee's perfor-  
3 mance does not meet the contract specifications, or for valid, nondi-  
4 scriminatory business reasons, upon a maximum of 120 days' written  
5 notice of termination. The National President shall provide a copy of  
6 any employment contract executed by the Executive Committee to  
7 the BLET's controller, who will file same in the BLET's financial  
8 records, within ten (10) days of execution, and any such contract not  
9 so filed shall be null and void.

### 10 11 **Duties of the First Vice President**

12  
13 Section 8.(a) The First Vice President shall be the next ranking  
14 officer to the National President, shall assist in handling the work of  
15 the Protective Department; and in the absence of the National Presi-  
16 dent, he will assume the duties of that office.

17  
18 (b) He shall be bonded in accordance with Article X, Section 7(a)  
19 of the IBT Constitution.

### 20 21 **Duties of the Vice Presidents**

22  
23 Section 9. The vice presidents shall devote their whole time to the  
24 interests of the organization; their duties shall be to visit divisions  
25 and assist in organizing new ones, and may fill the office of president  
26 when visiting divisions and perform such other duties as may be as-  
27 signed to them by the National President.

28  
29 They shall furnish the National President with a detailed monthly  
30 report of their work, together with a detailed expense account, and in  
31 addition will submit their recommendations pertaining to the welfare  
32 of the organization and general conditions in the territory to which  
33 they have been assigned; and at the expiration of their term of office,

1 they will deliver to the National President all funds, books and pa-  
2 pers, and other belongings of their office.

3  
4 Each vice president shall be assigned to a definite territory. The  
5 National Legislative Representative shall be assigned to Washington  
6 DC. Should conditions warrant, vice presidents may be used outside  
7 of their defined territory.

### 8 9 **Duties of the National Secretary-Treasurer**

10  
11 Section 10.(a) The National Secretary-Treasurer shall receive and  
12 have custody of all funds of the BLET, and have supervision over the  
13 Financial and Record Department personnel. He shall deposit the  
14 funds of the BLET in a reliable bank or banks which are members of  
15 the Federal Reserve System with the approval of the Advisory Board.

16  
17 All checks, drafts, or orders against the accounts of the BLET, with  
18 said depositories, shall be signed by him and countersigned by the  
19 National President or First Vice President; or, in the absence of the  
20 National Secretary-Treasurer, by the National President and First  
21 Vice President; or, in the absence of any two (2) of these officers, by  
22 the remaining officer and facsimile-stamped signature of either the  
23 National President or the National Secretary-Treasurer; and provided,  
24 further, that checks drawn against the payroll accounts of the BLET,  
25 with said depositories, may be signed with the facsimile-printed sig-  
26 nature of the National Secretary-Treasurer and the National Presi-  
27 dent, and the manually attached signature of one (1) or more bonded  
28 employees authorized by the National Secretary-Treasurer and ap-  
29 proved by the National President and the First Vice President.

30  
31 (b) He shall be under the direction of and report to the Executive  
32 Committee regarding matters pertaining to his duties as National  
33 Secretary-Treasurer of the BLET. He shall keep a true and correct

1 record of the proceedings of the ND at each meeting and transmit one  
2 (1) copy, properly authenticated, to each division and general chair-  
3 man. He shall preserve the archives and have charge of the books,  
4 papers and property of the ND, keep a roster of all divisions with the  
5 date of their organization, location, and a correct list of all members,  
6 and attest all official documents.  
7

8 It shall be the duty of the National Secretary-Treasurer to notify the  
9 president and secretary-treasurer of each division thirty (30) days  
10 prior to the convening of the convention of the exact financial status  
11 of their division in regard to national dues and assessments.  
12

13 (c) He shall be bonded in accordance with Article X, Section 7(a)  
14 of the IBT Constitution; and at the expiration of his term of office, he  
15 shall deliver to his successor all books, papers, etc., belonging to the  
16 ND.  
17

18 (d) He shall in general be responsible to insure that the duties set  
19 forth in Article XXIII of the IBT Constitution are fulfilled with re-  
20 spect to members within the BLET consistent with the Bylaws of the  
21 BLET.  
22

## **Duties of the National Guide**

23  
24

25 Section 11. The National Guide shall receive and introduce dele-  
26 gates and visiting brothers, and attend to such other duties as the  
27 National President may assign to him, and shall act as marshal in all  
28 proceedings of the ND.  
29  
30  
31  
32

**Duties of the National Chaplain**

Section 12. The National Chaplain shall assist in the exercises of opening and closing the ND, and shall perform the duties of chaplain for the ND upon all public occasions.

**Expenses of National Officers ND**

Section 13.(a) Salaried national officers, or any member employed exclusively by the National Office, when absent from their designated headquarters on BLET business, shall be reimbursed for actual reasonable expenses incurred, but only when itemized statement covering such expenditures has been approved and endorsed by the National President. Expenses allowed shall only be for transportation, hotel room, meals, taxi, transfer of baggage, telephone, electronic communication, stenography, postage and delivery, each of which shall be shown separate and distinct from each other on the itemized statement.

(b) The representatives of the BLET in Washington, DC, when handling legislation, and on the National Railroad Adjustment Board, will be allowed necessary expense accounts in connection with their work, subject to the approval of the National President.

**Advisory Board – How Composed**

Section 14. (a) The National President, First Vice President, eight (8) other vice presidents and the National Secretary-Treasurer shall constitute an Advisory Board on matters pertaining to the welfare of the BLET. It shall have authority to suspend a national officer who fails or refuses to perform the duties for which he was elected, or is at any time guilty of any action calculated to injure the organization in any way. Such officer may be suspended without pay if

1 found guilty by a majority vote of the Advisory Board after having  
2 been afforded a full and fair hearing in accordance with Article  
3 XIX, Section 3 of the IBT Constitution. Any appeal therefrom may  
4 be filed in accordance with Article XIX of the IBT Constitution  
5 and the provisions of Paragraph 6.10 of the IBT/BLE Merger  
6 Agreement.  
7

8 **Hearings conducted under the provisions of Article XIX – IBT**  
9 **Constitution shall be held at a location near either the residence**  
10 **or the workplace of the charged officer or member.**  
11

12 (b) The Advisory Board shall employ a firm of certified public  
13 accountants to audit the books of all departments of the BLET an-  
14 nually; such audit to show all moneys received and from what source  
15 and the amount paid out and for what purpose. The CPA firm shall  
16 be licensed and in good standing with the Accountancy Board of the  
17 state in which it operates. In addition, the partners of the CPA firm  
18 should be members of the American Institute of Certified Public Ac-  
19 countants.  
20

21 (c) The books of each department of the BLET shall be audited  
22 separately. They shall be put in one (1) booklet and one (1) copy  
23 furnished each division, general chairman, state legislative chairman  
24 and vice president. The expense of these audits shall be paid from  
25 the general fund of the BLET.  
26

27 (d) The National President shall be the chairman of the Advisory  
28 Board when convened. He shall convene the Advisory Board as  
29 provided in these Bylaws or when he deems it necessary or by re-  
30 quest of a majority of the members of the Advisory Board.  
31

32 (e) Advisory Board members must devote their whole time to the  
33 interest of the organization.

**Membership Pins**

1  
2  
3 Section 15. On request of the division secretary-treasurer, members  
4 who now or hereafter shall have five, ten, twenty, twenty-five, thirty,  
5 forty, fifty, sixty, or seventy years of continuous membership shall be  
6 given an emblem showing the years of membership.  
7

**Publications**

8  
9  
10 Section 16.(a) A periodic magazine shall be published and sent to  
11 all members of the BLET.  
12

13 (b) A periodic newsletter shall be published and sent to all active  
14 members of the BLET.  
15

16 The periodic newsletter will contain reports of assignments of the  
17 National President, First Vice President and the vice presidents.  
18 Supplemental newsletters may be provided when significant events or  
19 information of importance to the members so dictate.  
20

21 (c) The contents and frequency of the newsletter will be determined  
22 and coordinated by a publications committee, consisting of the Na-  
23 tional President, First Vice President, National Secretary-Treasurer,  
24 National Legislative Representative, and editor, and will include  
25 legislative news when available.  
26

27 (d) The rates of advertising in the newsletter shall be under the  
28 direction of the National President and the Advisory Board. Anyone  
29 desiring to advertise in the magazine must agree to the terms and  
30 conditions established by the National President and the Advisory  
31 Board.  
32

### Printing

1  
2  
3 Section 17.(a) The Executive Committee shall secure bids and  
4 make awards for all printing and all supplies required by the ND.

5  
6 They shall also devise proper books and forms for the use of all  
7 divisions of the BLET; and their use shall be required except divi-  
8 sions may procure letterheads and envelopes locally, provided they  
9 comply with the adopted forms and standard size in use by the Na-  
10 tional Office.

11  
12 They shall also provide annually a directory of all divisions, GCAs  
13 and legislative boards to each general chairman, state legislative  
14 chairman, division secretary-treasurer, local chairman and the divi-  
15 sions of the GIA to BLET.

16 (b) Printed **or electronic** copies of all awards of the First Divi-  
17 sion of the National Railroad Adjustment Board will be furnished  
18 each general chairman; ~~and if any GCA requests extra copies for~~  
19 ~~their members, they shall receive same by paying the extra expense~~  
20 ~~for the number supplied.~~

21  
22 (c) The Bylaws of the BLET will be furnished to each member,  
23 without cost, by the ND, upon request from the division secretary-  
24 treasurer.

### Delegates to IBT International Union Convention

25  
26  
27  
28 Section 18. Delegates from the BLET to the IBT International  
29 Union Convention shall be as follows. For the purpose of allo-  
30 cating and electing delegates to the IBT Convention,  
31 IBLE/BLET GCAs shall be treated as the equivalent of local unions  
32 as provided in Article III of the IBT Constitution and Paragraph 6.16  
33 of the IBT/BLE Merger Agreement. Each GCA having between

1 100 and 1000 active members shall be entitled to one (1) delegate  
2 for up to the first thousand active members and to one additional  
3 delegate for each additional 750 active members or major fraction  
4 thereof. GCAs with less than 100 active members shall be grouped  
5 into three geographic groups: (1) New York, New Jersey, Pennsyl-  
6 vania and the New England States; (2) Minnesota and all states west  
7 of the Mississippi River; and (3) the remaining states (Midwest and  
8 South). The active members in GCAs with less an 100 active  
9 members within these designated geographic areas shall be con-  
10 solidated for the purpose of electing delegates to the IBT Con-  
11 vention and shall be entitled to elect delegates according to the  
12 formula set out above and in the IBT Constitution as though they  
13 constituted a single local union. Delegates to the IBT Convention  
14 must satisfy the eligibility requirements set forth in the IBT Con-  
15 stitution ~~as modified in Paragraph 6.8 of the IBT/BLE Merger~~  
16 ~~Agreement~~ (see **Section 1 – National Division Rules – NOTE**), and  
17 shall be elected in accord with the applicable provisions of the  
18 IBT Constitution and the Rules governing the election.

### 20 **Credentials – Delegates to IBT and ND**

21  
22 Section 19. A delegate's credential shall be formulated by the Na-  
23 tional Secretary-Treasurer and sent to the division of which the dele-  
24 gate-elect is a member prior to the date set for convening the ND.  
25 Credentials for the IBT International Union Conventions shall be  
26 issued by the International Union or the election administrator as  
27 provided by the applicable rules.

### 28 **Representation of Division to ND**

29  
30  
31 Section 20.(a) Each division on record in the National Office on  
32 April 1 prior to the opening date of the convention shall be entitled to  
33 a delegate at each BLET convention.

1 (b) Delegates will have one (1) vote for each division represented  
2 and an additional vote for each one hundred (100) additional mem-  
3 bers represented over the first two hundred (200).  
4

5 (c) All divisions must be square on the books on the date the con-  
6 vention convenes.  
7

8 (d) Each division entitled to representation must be represented by  
9 either delegates or by proxy. Federal law prohibits proxy voting in  
10 the election of officers.  
11

12 (e) Any division granting proxy to a delegate of another division  
13 has the same right in instructing the proxy as they would have in  
14 instructing the delegate of their own division.

15 (f) In the event of the death of the delegate-elect or other cause that  
16 might prevent attendance at the convention, the first alternate dele-  
17 gate shall be the legal representative. Should conditions arise where-  
18 by both the delegate-elect and the first alternate delegate are  
19 prevented from attending, the second alternate delegate shall be the  
20 legal representative. Should conditions arise whereby the delegate-  
21 elect and the first and second alternate delegates are prevented from  
22 attending, Section 20 – Local Division Rules will apply.  
23

24 (g) The name and division number of all elected delegates to ND  
25 shall be published in the newsletter no later than April prior to the  
26 convention.  
27

## 28 **Delegates to ND – Term of Office**

29  
30 Section 21. The delegates to the ND shall continue as such until  
31 their successors are elected and qualified, as per Section 2 of the  
32 Local Division Rules, and shall be subject to call from the National  
33 President to assemble at any time during their term of office.

**Delegate to ND – Qualifications**

Section 22.(a) In order to be a candidate for delegate to the ND, an individual must hold active membership as defined in Section 25(b) – Local Division Rules.

(b) No salaried national officer or member employed exclusively by the National Office shall be eligible as a delegate to represent any division in the ND.

NOTE: ~~Beginning January 1, 2006, e~~Eligibility to run for office will be determined by Section 1 – National Division Rules – NOTE.

**Delegate to ND – Division Not Square on Books**

Section 23. Any delegate whose division is not square on the books and any division that has not paid its pro rata assessments, as provided in these Bylaws, also its indebtedness to other divisions, shall not be allowed a seat in the ND.

**Delegates – ND Special Session – New Division**

Section 24. In case a special session of the ND should be called, any division that may have been organized subsequent to the last session of the ND and is in good standing at the time, shall be entitled to representation in accordance with the law governing representation.

**Delegates to ND – How Paid**

Section 25.(a) Delegates to the ND shall be allowed the maximum allowable IRS per diem for each day the convention is in session, including two (2) travel days, plus \$600.00 travel allowance, paid by

1 the ND. Salaries of delegates to the National Division Convention  
2 will be the responsibility of the division the delegate represents.  
3

4 (b) A system will be provided to check the actual attendance of  
5 delegates at convention; and they shall receive per diem for actual  
6 attendance only, unless excused by the National President.  
7

### **Delegate to ND – Salaried Officer**

8  
9

10 Section 26. When any full-time salaried officer of a subordinate  
11 body of the ND is elected by his local division to represent such divi-  
12 sion at the convention of the ND, his officer's salary shall offset any  
13 salary payable for service as delegate.  
14

### **Delegate to ND – Reporting to Divisions**

15  
16

17 Section 27. Delegates will report to their divisions. The ND will  
18 supply all divisions with a report of the convention proceedings.  
19

### **Delegate to ND – Excused**

20  
21

22 Section 28. Should a delegate, on account of sickness or other  
23 cause, find it necessary to be absent from the convention, he may, by  
24 permission of the ND, designate the delegate of another division to  
25 act in his stead, except in the case of the election of officers.  
26

### **National Dues and Assessments**

27  
28

29 Section 29.(a) Each division shall be required to update its monthly  
30 membership status report as soon as practicable after it is posted on  
31 the BLET website; however, it must be updated no later than the end  
32 of the month following the month it is posted.  
33

1 (b) All members in active service, including those holding official  
2 positions with the carrier and those employed exclusively by the  
3 BLET, shall pay ~~\$27.68~~ **\$32.64** per month national dues and such  
4 assessments as may be levied by the Advisory Board, provided that  
5 such action on the part of the Advisory Board shall be effective only  
6 until the next regular convention of the BLET. Active membership  
7 includes all occupations eligible for membership in the BLET regard-  
8 less of status, except as excluded in the following sections.

9  
10 (c) Members whose names do not appear on an engineers' seniority  
11 roster shall pay ~~\$12.30~~ **\$14.50** national dues, and such assessments as  
12 may be levied by the Advisory Board, provided that such action on  
13 the part of the Advisory Board shall be effective only until the next  
14 regular convention of the BLET. However, once the BLET obtains  
15 the right to represent such members in accordance with the provisions  
16 of the Railway Labor Act through the National Mediation Board,  
17 they will be liable for active dues as outlined in Section 29(b) – Na-  
18 tional Division Rules.

19  
20 At locations where another organization cancels all seniority main-  
21 tenance fees, seniority retention fees, and does not assert exclusive  
22 representation rights, members whose names do not appear on an  
23 engineers' seniority roster shall pay ~~\$18.50~~ **\$ 21.81** national dues.

24  
25 The additional dues levied upon such members by the National Di-  
26 vision shall be used towards funding education and training of gener-  
27 al chairman and local division officers to enhance their ability to  
28 properly represent trainmen members.

29  
30 Members who pay a monthly seniority maintenance fee to another  
31 labor organization will have their dues set by the BLET Advisory  
32 Board (currently set at \$4.00 per the December 21, 2004 Executive  
33 Committee decision.)

1 (d) All members working on a carrier wherein the rate of pay is less  
2 than the minimum rate of pay under national railway agreements,  
3 shall pay ~~\$16.40~~ **\$19.34** national dues and such assessments as may  
4 be levied by the Advisory Board, provided that such action on the  
5 part of the Advisory Board shall be effective only until the next regu-  
6 lar convention of the BLET. These shall include members employed  
7 on short line railroads where BLET holds representation rights but  
8 has not yet negotiated a collective bargaining agreement.

9  
10 (e) Members receiving remuneration under any merger or other  
11 protective agreements (as defined in Sections 32, 33, and 34 – Gener-  
12 al Committee Rules) shall pay dues applicable to the position held at  
13 the time they were affected by the merger or other agreements, as  
14 stipulated in Paragraphs (b), (c) and (d) above.

15  
16 (f) In addition to above national dues, all members, except those  
17 under present Sections (g) and (h), will be required to pay **\$2.00 per**  
18 **month National Legislative Board dues, \$1.00 per month dues to**  
19 **establish and maintain an education and training fund, and \$2.00**  
20 per month to establish and maintain a convention fund.

21  
22 (g) New and reinstated members shall pay national, GCA, legisla-  
23 tive board and division dues and assessments for the month following  
24 initiation or reinstatement, unless required to pay earlier by a union  
25 dues agreement.

26  
27 (h) The following members shall be exempt from the payment  
28 of national dues and shall be exempt from Advisory Board, GCA,  
29 legislative board and division dues and/or assessments:

30  
31 (1) Members reported as retired from service because of phys-  
32 ical disability.  
33

1 (2) Members serving in the armed forces of the United  
2 States.

3  
4 (3) Members cut off of the working list for a calendar  
5 month or more due to fluctuation in business.

6  
7 (4) Members who have been dismissed from service for a ca-  
8 lendar month or more.

9  
10 (5) Members out of service due to sickness or injury for a ca-  
11 lendar month or more.

12  
13 NOTE: Consistent with existing practice, members referred to  
14 in this Paragraph (h) will continue to be eligible for exemption  
15 from the payment of dues after the effective date of the merger.  
16 However, ~~beginning January 1, 2006,~~ eligibility to run for office will  
17 be determined by the applicable provisions of the IBT Constitution  
18 ~~as modified in Paragraph 6.8 of the IBT/BLE Merger Agreement~~  
19 **(see Section 1 – National Division Rules – NOTE)**. Members  
20 should be aware that these provisions require the timely payment of  
21 dues for a fixed period prior to nomination and that any failure to  
22 pay dues during the applicable period, even if excused, will render  
23 the member ineligible to run for office.

24  
25 (i) Retired members not holding seniority shall be exempt from the  
26 payment of national, GCA, legislative board and division dues and  
27 assessments.

28  
29 (j) All national dues and assessments, with the exception of the  
30 convention fund assessment, **legislative fund dues, and education**  
31 **and training fund dues**, are to be placed to the credit of the general  
32 fund. Convention fund assessments are to be placed to the credit of  
33 a convention fund. **Legislative fund dues are to be placed to the**

1 **credit of a legislative fund. Education and Training fund dues**  
2 **are to be placed to the credit of an education and training**  
3 **fund.**

4  
5 (k) Should it become necessary to raise additional funds to defray  
6 the expenses of the ND, such funds shall be raised by assessments as  
7 may be levied by the Advisory Board, notwithstanding any policy or  
8 resolutions to the contrary, provided that such action on the part of  
9 the Advisory Board shall be effective only until the next regular con-  
10 vention of the ND.

11  
12 (l) All notices of assessments levied by the Advisory Board are to  
13 be in the hands of the GCA secretary-treasurers sixty (60) days be-  
14 fore said assessments are due and same to be remitted by the GCA  
15 secretary-treasurers on or before the 20th day of the next succeeding  
16 month thereafter.

17  
18 (m) Between conventions, national dues will increase by the same  
19 percentages as gross wage increases under the national agreement.  
20 However, COLA adjustments shall not affect national dues. The  
21 increase will be rounded to the nearest dollar, i.e., \$0.50 or more will  
22 round up; \$0.49 or less, round down. The actual (unrounded) amount  
23 of dues shall be used in the computation of future dues increases.

#### 24 25 **National Dues and Assessments – When Payable to the ND**

26  
27 Section 30. For members who do not have their dues deducted from  
28 their payroll by the carrier (non-dues checkoff), National dues and  
29 assessments are due and payable on or before the first day of the  
30 month for which they apply, and are delinquent after the last business  
31 day of the same month. Monthly reports must be completed by the  
32 division as soon as practicable and no later than the end of the month  
33 following the month posted on the BLET website. Dues and assess-

1 ments must be remitted to the National Secretary-Treasurer by the  
2 GCA secretary-treasurers within fifteen days after the monthly report  
3 is submitted by the division.  
4

5 GCAs on railroads where an agreement is in effect with the carrier,  
6 the terms of which prevent the forwarding of dues as provided herein,  
7 will notify the Executive Committee of the terms of such agreement;  
8 and the Executive Committee shall have authority to make such  
9 agreements as are necessary for the submission of national dues and  
10 assessments to the National Secretary-Treasurer.  
11

### 12 **Fiscal Year**

13  
14 Section 31. The fiscal year of the ND shall commence on the first  
15 day of January in each year. All divisions are required to be square  
16 on the books of the National Office **no later than the end of the**  
17 **month following the month posted on the BLET website** ~~on or~~  
18 ~~before the 20<sup>th</sup> day of the month following the month for which dues~~  
19 ~~are collected,~~ and shall be required to submit ~~an annual audit report~~  
20 ~~or~~ a copy of Form LM-2, ~~or 3, or 4.~~ Reports are due on or before  
21 April 1 of each year.  
22

23 ~~When a secretary treasurer resigns or otherwise gives up the office,~~  
24 ~~an audit must be completed before the new secretary treasurer is~~  
25 ~~installed. The audit must be conducted by a committee appointed for~~  
26 ~~that purpose. All records are to be delivered to the new secretary~~  
27 ~~treasurer along with the audit report.~~  
28

### 29 **Standing Committees ND**

30  
31 Section 32.(a) The Standing Committees of the ND shall consist of:  
32 first, a Committee on Credentials; second, a Committee on Salaries;

1 third, a Committee on Bylaws; fourth, a Legislative Committee; and  
2 fifth, a Committee on Work.

3  
4 All delegates are to be supplied with a copy of report of Committee  
5 on Salaries before said report is rendered.

6  
7 (b) Members of committees identified in this section shall be paid  
8 ~~\$260.00~~ **\$300.00** for each day of service, including travel days and  
9 actual reasonable travel expenses. They shall also be paid daily ex-  
10 penses commensurate with the current IRS maximum for the city  
11 where assigned. This provision does not apply while the convention is  
12 in session.

### 13 14 **Bylaws Committee**

15  
16 Section 33. The Committee on Bylaws shall meet at the National  
17 Office on a date to be fixed by the Executive Committee and shall  
18 review and consider all resolutions submitted by divisions, together  
19 with any recommendations for changes in the law made by the Na-  
20 tional President. The said committee shall have authority to review  
21 any section of the law of the BLET and to make any recommenda-  
22 tions for change of such laws which, in their judgment, is necessary.  
23 The said committee shall have all resolutions from divisions and  
24 recommendations of the National President printed as submitted, in  
25 their report; and such report will be printed in sufficient quantity for  
26 each delegate at the convention to receive a copy.

27  
28 At the conclusion of the convention, the said committee shall com-  
29 pile all laws adopted, indicating section and paragraph to which the  
30 law applies; and all amendments approved, by the convention shall  
31 be placed in bold face type and deleted items in strikethrough type at  
32 such time as the revised Bylaws are printed.

**New Divisions**

1  
2  
3 Section 34.(a) If forty (40) or more active members on any railroad  
4 wish to organize a new division, they shall apply to the nearest divi-  
5 sion on the system where the new division is to be located; and it  
6 shall be the duty of the president of said division first to obtain the  
7 consent, through the chairman, of a majority of the GCA on the road  
8 where the division is to be located, and then apply to the National  
9 President for blank charter and the necessary books and papers to  
10 organize the same. The National President shall then secure permis-  
11 sion from the IBT General President for a new charter.  
12

13 When in receipt of the charter, he shall proceed to meet with five (5)  
14 or more members, fill out the charter, organize and instruct said  
15 members, and appoint officers pro tem; and if a sufficient number  
16 have joined to fill the offices, they will elect permanent officers; and  
17 the secretary-treasurer shall immediately furnish the names of the  
18 officers and members and their addresses to the National Secretary-  
19 Treasurer, with the date of their organization.  
20

21 (b) All charter members of the new division shall be assessed the  
22 sum of \$25.00 to be put into the treasury of the division for the pur-  
23 pose of meeting initial operating expenses.  
24

25 (c) All applications for charters shall be accompanied by a fee of  
26 \$100.00.  
27

**Subdivisions**

28  
29  
30 Section 35.(a) When the members of a division wish to hold meet-  
31 ings at any designated point other than where their division is located  
32 and where ten (10) or more members are located at such point, they  
33 may make application to their division to form a subdivision.

1 (b) Any division receiving such petition shall give consideration to  
2 same at the next two (2) regular meetings; and if approved by a two-  
3 thirds (2/3) vote of the membership present at each of these meetings,  
4 the petition, with all facts in connection therewith, will be presented  
5 to the National President, who shall have authority to grant permis-  
6 sion to form the subdivision.

7  
8 (c) When a subdivision is approved, at least one (1) regular stated  
9 meeting each month will be held under same. The officers of that  
10 division shall be one and the same as that of the parent division, ex-  
11 cept a corresponding secretary, who shall be elected by and from the  
12 members of the parent division, who shall keep a true record of all  
13 meetings. At the close of each meeting, the secretary-treasurer or  
14 corresponding secretary will forward a true copy of the proceedings  
15 of such meeting to the secretary-treasurer or corresponding secretary  
16 of the parent division, which shall be inserted into and become a part  
17 of the record of that division.

18  
19 (d) No resolution that has for its purpose the changing of jurisdic-  
20 tion of territory, seniority, or rights to runs will be entertained by any  
21 local or general committee of adjustment until approved by the parent  
22 division. A meeting held by a subdivision shall not have authority to  
23 levy assessments or order bills to be paid.

24  
25 (e) Nominations and election of officers, as provided in Sections 7,  
26 8, and 20 – Local Division Rules, shall be held in the parent division.

### 27 28 **Merging Divisions**

29  
30 Section 36.(a) When two (2) or more divisions have decided by a  
31 majority vote of the active membership of each division to merge or  
32 consolidate their membership, application will be made to the Na-  
33 tional President for approval. The National President shall then seek

1 the permission of the IBT General President; and if approved, he will  
2 arrange the consolidation. The division having the largest member-  
3 ship will be the division to retain the charter, except where due to  
4 location and for other reasons, in the opinion of the National Presi-  
5 dent, it would work a hardship on the members of the division, he  
6 will decide the charter to be retained. All special funds will be distri-  
7 buted at the discretion of the members of the division or divisions  
8 giving up their charter.

9  
10 (b) If the membership of any division falls below twenty-five (25)  
11 active members, the National President shall investigate the cause;  
12 and unless the interests of the organization require the continuance of  
13 the division, he shall have the authority to order it to be merged with  
14 another division on the same seniority district or a division under the  
15 same GCA.

16  
17 Divisions chartered before January 1, 2004 will retain the previous  
18 threshold level of twelve (12) active members.

### 19 20 **Appeal Cases**

21  
22 Section 37.(a) Appeals from decisions of the National President or  
23 Executive Committee of the BLET concerning issues not referable  
24 to the IBT – such as collective bargaining matters and disputes be-  
25 tween GCAs over jurisdiction – shall be referable to the Advisory  
26 Board, whose decision shall be final and binding.

27  
28 **(b)(1) Any member in good standing or any division de-**  
29 **siring to submit an appeal under this section must notify**  
30 **the National President, in writing, of his or its intention to**  
31 **appeal within ninety (90) days after the date of the decision**  
32 **to be appealed. All expenses incurred by the appellant in**

1 presenting oral or written evidence shall be borne by said  
2 appellant.  
3

4 (2) The National President shall schedule a meeting of the  
5 Advisory Board to hear the appeal no more than ninety  
6 (90) days following receipt of the appeal. The appellant  
7 shall be notified, in writing, of the date and location of the  
8 meeting.  
9

10 (3) All appeals submitted to the Advisory Board shall be  
11 in writing, signed by the appellant and shall be mailed to  
12 the National President. The submission shall be plainly  
13 marked "appeal" on the contents thereof. All appeals shall  
14 be sent by certified mail. The envelope or wrapper showing  
15 the postmark shall be permanently attached to the contents  
16 upon receipt in the National Office. The submission shall  
17 contain the written statement of the basis for the appeal  
18 and shall fairly state the points desired by the appellant  
19 to be presented, together with a statement of the facts in  
20 support of same.  
21

22 (4) The National President shall promptly furnish all  
23 participants or their representatives a copy of the  
24 submission by certified mail, return receipt requested.  
25 Parties desiring to make reply shall mail same by certified  
26 mail, return receipt requested, to the National President  
27 within thirty (30) days of receipt of the appeal. The Na-  
28 tional President will promptly furnish all participants or  
29 their representatives a copy of such reply by certified mail,  
30 return receipt requested.  
31

32 (5) All cases appealed to the Advisory Board must first  
33 have been progressed in compliance with all other provi-

1           sions of the BLET Bylaws and/or the bylaws of subordinate  
2           bodies.

3  
4           (c) The National Secretary-Treasurer or his designee shall keep  
5           a true and correct record of the proceedings involving each ap-  
6           peal presented to the Advisory Board. A transcript of all oral  
7           testimony shall be kept by the Advisory Board.

8  
9           (d)(1) The Advisory Board shall consider every appeal legally  
10          and properly referred to it. The Board shall review all files  
11          pertinent to each case, consider such evidence, oral or writ-  
12          ten, as the litigants desire to present and make its decision  
13          on the basis of the facts presented and the law involved. A  
14          decision of the Advisory Board shall be the final and bind-  
15          ing adjudication of any and all rights and questions within  
16          the scope of the case under appeal and shall be placed in effect  
17          within forty-five (45) days after the date of the decision. Any  
18          case once decided by the Advisory Board shall not be  
19          entertained at any future meeting of the Advisory Board or  
20          the ND in convention assembled.

21  
22          (2) The Advisory Board shall prepare, in writing, a clear and  
23          concise report of each appeal before it; and such report  
24          shall be retained among the records of the ND. The re-  
25          port shall include a statement of all material facts involved  
26          in the appeal, a summary of the contentions of all parties  
27          to the appeal, a statement of the decision rendered and a  
28          comprehensive recital of reasons by which the decision was  
29          reached.

30  
31          (3) The National Secretary-Treasurer shall promptly mail  
32          a copy of the decision and report of the Advisory Board to  
33          the parties directly interested, and a summary of all deci-

1        **sions of the Board shall be published as part of the Na-**  
2        **tional President's monthly report.**

3  
4                    **Resolutions to ND – When Presented**

5  
6        Section 38. Except in case of the suspension of the rules by two-  
7        thirds (2/3) vote of all delegates present, six (6) copies of any resolu-  
8        tion that has for its purpose the changing of existing laws, or the  
9        enactment of new laws, shall be forwarded to the National Office not  
10       less than one hundred twenty (120) days before the convention con-  
11       venes and shall be mailed to the delegates not less than forty-five (45)  
12       days prior to the convention. Should the resolution recommend  
13       changes in more than one (1) section of the law, each section shall be  
14       printed on a separate sheet of paper. Each sheet shall bear a heading  
15       showing the particular section and page that is to be amended. All  
16       recommended changes shall be shown in black face type; and the  
17       section, as it would read after being so changed or amended, shall be  
18       written out in full. (Refer to sample resolution at the end of the Na-  
19       tional Division Rules section). Resolutions received not in conformi-  
20       ty with the above will not be entertained by the Committee on  
21       Bylaws.

22  
23       **Sample Resolution:**

24  
25       Section 99.(a) – [National Division Rules; Rules of Order – ND;  
26       Local Division Rules; Rules of Order – Divisions, GCAs &  
27       LBs; General Committee Rules; Legislative Board Rules;  
28       etc.], page 999.

29  
30       **Present law reads:**

31  
32       (a) [Type the present law exactly as it reads in the Bylaws.]  
33

[NOTE: If you wish to propose changes in more than one (1) subsection of a particular section (e.g., a change in Section 99 (a) and a change in Section 99 (b)), they must be submitted as separate resolutions on separate sheets of paper.]

Resolution submitted by Division 000:

Section 99.(a) – [National Division Rules, etc.], page 999.

(a) [Type the paragraph as you would like it to read. Any changes in the present law must be put in bold type.]

[At the end of the resolution, give a brief explanation of your reasons for the proposed change].

### **Order of Business – ND**

Section 39.

1. Call the meeting to order without form.
2. Report of Credentials Committee.
3. Convention called to order, composed of the delegates seated by the Credentials Committee.
4. Report of Standing Committee on Salaries.
5. Report of the national officers.
6. Report of Standing Committees (Section 32 – National Division Rules) and nomination of officers.
7. Report of other committees.

- 1  
2 8. Financial business.  
3  
4 9. Reading of resolutions and petitions.  
5  
6 10. New business.  
7

### 8 **Abuse of Name**

9  
10 Section 40.(a) It shall be considered a violation of obligation for a  
11 national officer, a division officer or a member to use his prestige as  
12 such officer or member to promote any business scheme, or furnish  
13 the mailing list of divisions to salespersons of any class except where  
14 the BLET is directly interested. Violators shall be subject to charges  
15 under Article XIX of the IBT Constitution.  
16

17 National officers shall be tried for any such offenses before the  
18 BLET Advisory Board under the provisions of Article XIX, Section 3  
19 of the IBT Constitution. Officers and members of divisions shall be  
20 tried in their own divisions in accordance with Article XIX of the  
21 IBT Constitution.  
22

23 (b) Subject to the oversight of the International Union General Ex-  
24 ecutive Board, the National Division Executive Committee shall have  
25 full control over all marks, labels, and other insignia of the National  
26 Division, including the right to retake and repossess such marks,  
27 labels, and insignia and to change the provisions, terms, and condi-  
28 tions of all agreements relating to the use, printing, and issuance of  
29 marks, labels, and other insignia. All subordinate affiliates shall be  
30 subject to the orders of the Executive Committee, respecting the use,  
31 printing and issuance of marks, labels or other insignia.  
32



1 money received by the Association and from what source. Such audit  
2 shall show the amount paid out in salaries, and the amount paid out  
3 for each item, such as repairs of building, or equipment, or mainten-  
4 ance, insurance, taxes, heat, lights, depreciation, the cost of the audit  
5 and so forth. Such audit shall show all money, if any, that is due and  
6 from what source. The expense of such audits to be paid for by the  
7 Building Association. All audits to be of concurrent date.

8  
9 (f) The National President and National Secretary-Treasurer are  
10 authorized to transfer from the general fund such amounts as may be  
11 necessary toward defraying any obligations incurred on account of  
12 the BLE building which the earnings of the building are unable to  
13 provide for, and all earnings of the building in excess of cost of oper-  
14 ation to be placed to the credit of the general fund.

15  
16 (g) The Advisory Board may authorize amendments to the corpora-  
17 tion's Articles of Incorporation limiting the corporation's powers in  
18 any way necessary to obtain an exemption from federal income taxa-  
19 tion.

### 20 21 **Laws – How Changed**

22  
23 Section 42.(a) These bylaws shall not be subject to alteration or  
24 amendment until the next session of the ND, except as provided in  
25 Section 2(b) and Section 4(a) – National Division Rules. Any change  
26 in the bylaws is subject to approval of the IBT General President in  
27 accordance with Article VI, Section 4(a) of the IBT Constitution.

28  
29 (b) When a GCA enters into a collective agreement with the carrier  
30 containing a provision requiring, as a condition of employment,  
31 membership in the BLET, a union dues agreement without mandatory  
32 membership, granting a preference of employment to members of the  
33 BLET, or the checkoff of union dues each calendar month from wag-

1 es due each employee coming within the scope of such agreement,  
2 the specified amount of BLET dues authorized under the provisions  
3 of the National Division Rules, Local Division Rules, General Com-  
4 mittee Rules and Legislative Board Rules of the BLET, the National  
5 President and National Secretary-Treasurer, in conjunction with the  
6 officer negotiating such agreement, will have authority to modify the  
7 provisions of the laws above referred to for application to the divi-  
8 sions concerned for the purpose of applying such agreements.

9  
10 (c) It must be understood that no change will be made in the  
11 amount of national dues or assessments prescribed under our laws in  
12 connection with Paragraph (b) of this section.

13  
14 (d) Between conventions the Executive Committee will have au-  
15 thority to amend the law where it is in conflict with civil law.

### 16 **Working Rules – ND**

17  
18  
19 Section 43.(a) Working hours. The morning meeting shall be from  
20 9 a.m. until 11:30 a.m. The afternoon meeting will be from 1 p.m.  
21 until 5 p.m. and continued until all business legally coming before the  
22 convention has been disposed of. The length of time the convention  
23 will remain in session shall not exceed four (4) consecutive calendar  
24 days.

25  
26 (b) All resolutions shall be typewritten and presented in duplicate,  
27 one (1) copy for the record and one (1) for the committee, and signed  
28 by the author and the number of his division. Resolutions which are  
29 in proper form shall be entertained and disposed of by the convention  
30 without necessarily referring them to a committee. Resolutions not in  
31 proper form shall be referred to a committee.

1 (c) All resolutions relating to subjects on which no committee has  
2 been appointed shall be read by the National Secretary-Treasurer to  
3 the Convention for consideration.

4  
5 (d) Nominations for officers shall be made verbally from the floor  
6 of the convention and must be accompanied by a second. **Candi-**  
7 **dates may not nominate themselves or second their own nomi-**  
8 **nations.** Each nomination shall not consume more than two (2)  
9 minutes.

10  
11 (e) A nominee may not accept nomination for two (2) or more of-  
12 fices which cannot be held simultaneously. In the event he is nomi-  
13 nated for more than one (1) office, he must select the office for which  
14 he wishes to stand as a candidate.

15  
16 (f) In the election of officers, a paper or electronic ballot will be  
17 used. The candidate receiving the highest number of votes for each  
18 office shall be declared elected. In the event of a tie vote that deter-  
19 mines election to any office, there shall be a rerun election between  
20 the tied candidates.

21  
22 (g) Delegates shall be required to wear their badges while assem-  
23 bled in convention hall.

24  
25 (h) If there is only one (1) nomination for any office and sufficient  
26 time has been allowed for further nominations, the presiding officer  
27 will cast a ballot to elect such officer by acclamation.

### 28 29 **Employment Eligibility – Officers and Employees of the BLET**

30  
31 Section 44. No member shall be eligible for office in the ND or  
32 full-time employment with the BLET unless he holds active member-  
33 ship as provided in Section 25(b) – Local Division Rules.

**Pension Plan – Officers of the ND**

Section 45.(a) Those elected national officers who retired prior to August 9, 1971 shall receive additional pension from the ND at \$75 per month for each term served, maximum pension to be \$500 per month.

(b) Those retiring on or after August 9, 1971 will receive pension of \$27.50 per month for each calendar year, or portion thereof, served as a national officer, to a maximum amount of \$440. Such pension plan shall be funded under contract to an accredited insurance company and shall be vested to the credit of each participant.

(c) For those retiring after April 1, 1976, pension will be computed on a “step-rate” formula contained in the Officers Pension Plan as approved by the Internal Revenue Service as complying with the Employees Retirement Income Security Act of 1974. Present vested rights in the plan shall be frozen as of August 31, 1986 if such amount exceeds \$1,000. Future individual amounts will be capped at \$1,500 per month, indexed annually effective January 1, 2008 for cost of living adjustments equivalent to the cost of living adjustments made to Tier I annuitants by the U.S. Railroad Retirement Board.

**Annual Salaries – Officers of the ND**

Section 46.(a)	
National President.....	<b>\$188,407</b>
First Vice President .....	<b>\$153,705</b>
National Secretary-Treasurer .....	<b>\$153,705</b>
Vice Presidents .....	<b>\$143,295</b>

NOTE: The salaries of the above officers include all COLAs provided to engineers.

1 (b) Between conventions officers' salary increases will be granted  
2 on the basis of monetary allowances/increases or COLA adjustments,  
3 whichever is applicable, obtained for engineers through the concerted  
4 national wage movements.

5  
6 NOTE: Any COLA adjustments allowed to engineers will be al-  
7 lowed to officers based on eight (8) hours per day.

8  
9 (c) In the event national concerted wage movements cease to exist,  
10 the officers' salary increases will be adjusted on the basis of the aver-  
11 age monetary allowances/increases or COLA adjustments, whichever  
12 is applicable, of class one railroads.

### 13 14 **Vacations – Officers of the ND**

15  
16 Section 47.(a) All officers of the ND shall be allowed annual vaca-  
17 tion in accordance with seniority and pay provisions of the National  
18 Vacation Agreement for engineers.

19  
20 (b) Effective January 1, 1987, earned vacation must be taken by all  
21 officers of the ND annually; and no pay shall be allowed in lieu of  
22 vacation time except through retirement, death, or otherwise.

### 23 24 **Rules Governing Direct Membership Election** 25 **of National Division Officers**

26  
27 Section 48. These Rules are designed to provide for fair and in-  
28 formed elections. The Rules are applicable only to the election of  
29 National Division officers and are not applicable to the election of  
30 any subordinate body officers.

31  
32  
33

## NOMINATIONS

1  
2  
3 Candidates for National Division office shall be nominated by dele-  
4 gates at the National Division Convention and, thereafter, shall be  
5 elected by the active membership in secret mail ballot voting. Candi-  
6 dates shall declare their intention to run for office in writing ~~via certi-~~  
7 ~~fied mail~~ to the National Secretary-Treasurer. ~~at least thirty (30) days~~  
8 **Such notice must be received** prior to the start of **nominations at**  
9 the Convention. A candidate may only declare his/her candidacy for  
10 one National Division office in any election year.

11  
12 Any active member in good standing who desires to be nominated  
13 for office must obtain signatures on petitions from divisions  
14 representing five (5) percent of the membership or from Convention  
15 delegates representing five (5) percent of the membership and file the  
16 petitions with the National Secretary-Treasurer prior to the nomi-  
17 nations. Such petitions shall include: (1) identification of the candi-  
18 date by name, local division number and title of office sought; (2)  
19 space for each signatory to sign their name, to print their name, and  
20 to list their local division number; (3) space at the bottom for each  
21 circulator to state their name, local division number, and to verify the  
22 validity and accuracy of the petition's contents. Once the requisite  
23 number of petition signatures has been obtained, the candidate may  
24 submit these petitions to the National Secretary-Treasurer for count-  
25 ing and verification. Immediately after petitions are received, the  
26 National Secretary-Treasurer shall take whatever action is necessary  
27 to verify the validity and accuracy of petition signatures and informa-  
28 tion and count the valid signatures to insure that the requisite number  
29 has been obtained.

30  
31 Signing petitions for opposing candidates shall not invalidate the  
32 member's signature on any of the petitions signed.  
33

1 The National Secretary-Treasurer shall immediately verify nomi-  
2 nation results. The Convention shall not adjourn prior to verification  
3 of the nomination of at least one (1) candidate for each and every  
4 National Division officer position.

5  
6 Appeals concerning the eligibility of a person nominated as a candi-  
7 date for National Division office shall be handled in accordance with  
8 Section 6.9 of the Merger Agreement and Article XXII, Section 5(a)  
9 of the IBT Constitution.

10  
11 The placement of candidates on the ballot shall be according to  
12 alphabetical listing.

## 13 ELECTIONS

### 14 Method of Voting and Date of Election

15  
16 Beginning in 2006, the election of National Division officers shall  
17 be conducted by secret mail ballot under the supervision of the Na-  
18 tional Secretary-Treasurer. The National Secretary-Treasurer shall  
19 contract with the American Arbitration Association (AAA) to admi-  
20 nister the election process. If for some reason agreement cannot be  
21 reached with the AAA to administer the election process, another  
22 nationally recognized organization qualified to administer secret mail  
23 ballot elections shall be retained.

24  
25 A ballot packet shall be mailed to every active member at their last  
26 known address within thirty (30) days of the close of the Convention.  
27 The date of election shall be sixty (60) days after the close of the  
28 Convention. When the date of election falls on a Saturday, Sunday or  
29 federal holiday, the ballots shall be counted on the first weekday  
30 following that date. In order to be counted, the deadline for receipt of  
31 completed ballots shall be 10:00am on the date of election.  
32  
33

### 1 Notice of Election

2 The Notice of Election shall be prepared under the supervision of  
3 the National Secretary-Treasurer. The Notice shall state: the date by  
4 which ballots must be received in order to be counted; the National  
5 Division offices subject to election and the number of candidates to  
6 be elected to each office. The Notice shall provide a clear and com-  
7 plete explanation of the requirements and procedures for voting. The  
8 Notice shall also state the requirements for eligibility to vote, includ-  
9 ing the date by which dues arrearages and/or initiation fees must be  
10 paid in order for members to be eligible to vote. The Notice shall  
11 specify the method for members who do not receive a ballot to obtain  
12 a ballot or a duplicate ballot.

### 13 14 Eligibility to Vote

15 To be eligible to vote in the election of National Division officers, a  
16 member in good standing must have his/her dues paid up through the  
17 month prior to the month in which the election is held.

### 18 19 Printing and Handling of Ballots

20 The National Secretary-Treasurer shall have authority to designate a  
21 standard type of mechanical ballot counting device and to print bal-  
22 lots for the election of National Division officers which can be  
23 counted using this device.

24  
25 All ballots shall be identified as the “Official Ballot for Election of  
26 National Division Officers” and shall be printed in a legible manner,  
27 with headings printed in bold face. Ballots and return ballot enve-  
28 lopes shall contain encodings or other markings to prevent forged or  
29 otherwise fraudulent ballots being used, voted or counted.

30  
31 Ballots shall state the offices open for election and the number of  
32 candidates to be elected for each office, and shall instruct the voter to  
33 vote for no more than that number of candidates.

1 Candidates shall be identified on the ballot only by name. Where a  
2 similarity in names may cause confusion, appropriate additional iden-  
3 tification shall be added.  
4

5 Ballots shall be printed under the direct supervision and control of  
6 the National Secretary-Treasurer at one site in the United States. The  
7 person or entity printing the ballots shall certify the number printed.  
8 The AAA shall maintain custody of the ballots prior to the election.  
9 Ballot security shall be maintained throughout the election process.  
10

#### 11 Mailing of Ballots

12 The mail ballot package shall be mailed within thirty (30) calendar  
13 days of the close of the Convention. The National Secretary-  
14 Treasurer shall directly supervise and control all aspects of the as-  
15 sembly and mailing of the mail ballot package. The mail ballot pack-  
16 age shall be mailed by the AAA from a single location in the United  
17 States to all active members. Each mail ballot package shall contain  
18 the Notice of Election, a ballot, a secret ballot envelope, a self-  
19 addressed and stamped return envelope pre-labeled by the AAA with  
20 the member's name and address and other data sufficient to identify  
21 and distinguish the member, and instructions regarding the procedure  
22 for secret mail ballot voting.  
23

24 Observers shall be permitted to inspect the list of members to whom  
25 ballots are being sent. Should any observer claim that a member  
26 eligible to receive a ballot has been omitted from the list, such person  
27 shall be sent a ballot. If such ballot is cast, it shall be treated as a  
28 challenged ballot.  
29

#### 30 Casting of Votes

31 Once mail ballot materials are received, the member shall cast  
32 his/her vote, place the ballot in the secret ballot envelope (without  
33 making any mark on that envelope) and place the secret ballot

1 envelope in the stamped return envelope and then place the return  
2 envelope in the mail. If the preaffixed label on the return envelope is  
3 missing, the member should write his/her name, address and local  
4 division number in the upper left corner of the return envelope. Any  
5 ballot cast without proper identification on the return envelope or  
6 received after the deadline for receipt of ballots shall be void.

#### 7 8 Receipt of Ballots

9 The AAA shall rent a post office box for the return of the ballots  
10 and shall also rent a post office box for receipt of mail ballot pack-  
11 ages returned by postal authorities as undeliverable and shall make all  
12 reasonable efforts to verify and correct addresses and re-mail the  
13 ballot packages.

14  
15 Any member not receiving a ballot should contact the AAA imme-  
16 diately. Any member who spoils or loses a ballot should contact the  
17 AAA immediately for a replacement ballot.

#### 18 Verification of Voter Eligibility

19 Prior to commencement of the ballot count, and under the direct  
20 supervision and control of the AAA, the eligibility to vote of each  
21 person casting a ballot shall be verified.

#### 22 23 Ballot Counting

24 All ballots shall be counted under the direct supervision and control  
25 of the AAA. All challenged ballots shall be segregated. No sticker,  
26 write-in or proxy votes shall be permitted.

27  
28 Prior to the election, the National Secretary-Treasurer may issue  
29 supplemental guidelines or advisories with respect to counting of  
30 ballots and other matters relating to these Rules. Any such supple-  
31 mental guidelines or advisories shall be subject to approval by the  
32 Advisory Board.

## 1 Retention of Ballots

2 All ballots, including those that are challenged, voided, spoiled or  
3 unused, all ballot envelopes, copies of all tally sheets, and vot-  
4 er/membership rosters shall be preserved for one (1) year after the  
5 count.

6

7

## 8 Prohibition on Interference with Voting

9 No person or entity shall limit or interfere with the right of any  
10 member to vote. Any violation of this rule may result in disqualifica-  
11 tion of a candidate who benefits from the violation.

12

13

## CAMPAIGNING AND ACCESS

14

## 15 Inspection of Membership Lists

16 Each bona fide candidate shall have the right, once within thirty (30)  
17 days prior to the casting of ballots in any election in which he/she is a  
18 candidate, to inspect a list containing the last known names and ad-  
19 dresses of all active members of the Union. The right of inspection  
20 does not include the right to copy the list; however, if the Union per-  
21 mits any candidate to copy or otherwise use the list, all candidates  
22 must be notified of this and provided the same opportunity. The  
23 Union shall not, in any way discriminate in favor of or against any  
24 candidate with respect to access or use of the membership list.

25

## 26 Candidate Literature and Mailings

27 Each candidate shall be permitted a reasonable opportunity, equal to  
28 that of any other candidate, to have his/her literature distributed by  
29 the Union, at the candidate's expense. This means: (a) each candi-  
30 date is entitled to a reasonable number of mailings; whether or not  
31 any other candidate makes such request(s); (b) when the Union au-  
32 thORIZES distribution of campaign literature on behalf of any candi-  
33 date, similar distribution under the same conditions and costs shall be

1 made for any other candidate, if requested; and (c) the union need not  
2 distribute any candidates campaign literature if that candidate is not  
3 able and willing to pay for the reasonable costs for such distribution.  
4

5 Any request for distribution of literature shall be made by the candi-  
6 date to the National Secretary-Treasurer in writing. The request shall  
7 be accompanied by at least one (1) copy of the literature (if the candi-  
8 date wishes it to be duplicated by the Union) or by a number of  
9 copies sufficient for distribution (if the candidate duplicates the lite-  
10 rature him/herself), or by a number of sealed envelopes, containing  
11 the literature, sufficient for distribution (if the candidate duplicates  
12 the literature and stuffs the envelopes him/herself).  
13

14 Each candidate shall pay, on a reasonable basis, for the actual cost  
15 of distribution, including stationery, duplication, time required to do  
16 the work and postage for mailing.  
17

18 In complying with requests to mail literature, the Union shall use the  
19 current names and addresses that are on file for all active members.  
20 Mailing labels shall be prepared through the least expensive system  
21 available to the Union. The Union shall arrange for a mailing service  
22 to process and distribute candidates' literature, and for such mailing  
23 service to receive literature directly from the candidate.  
24

#### 25 Union Financed Publications

26 No publication or communication financed, directly or indirectly, by  
27 a Union may be used to support or attack any candidate or the candi-  
28 dacy of any person.  
29

#### 30 Subordinate Body Publications

31 No subordinate body need reserve any space in any of its publica-  
32 tions for the purpose of campaigning, except, if any candidate is per-  
33 mitted to have his/her campaign material published, all other

1 candidates must be so advised in writing and provided the same op-  
2 portunity on an equal basis.

#### 3 4 Freedom to Exercise Political Rights

5 All Union members retain the right to participate in campaign ac-  
6 tivities, including the right to run for office, to support or oppose any  
7 candidate, to aid or campaign for any candidate, and to make person-  
8 al campaign contributions. This includes, but is not limited to the  
9 right to distribute campaign literature and otherwise solicit support  
10 for a member's candidacy outside a meeting hall before, during and  
11 after a Union meeting, regardless of Union policy, rule or practice.

12  
13 All Union officers and employees, if members, retain the right to  
14 participate in campaign activities, including the right to run for office,  
15 openly to support or oppose any candidate, to aid or campaign for  
16 any candidate, and to make personal campaign contributions. How-  
17 ever, such campaigning must not involve the expenditure of Union  
18 funds. Accordingly, officers and employees (and other members) of  
19 the Union may not campaign on time that is paid for by the Union.

20  
21 Union funds, facilities, equipment, stationery, personnel, etc., may  
22 not be used to assist in campaigning unless the Union is reimbursed  
23 at fair market value for such assistance; and unless all candidates are  
24 provided equal access to such assistance and are notified in advance,  
25 in writing, of the availability of such assistance.

26  
27 Retaliation or threat of retaliation by the International Union, Na-  
28 tional Division, any subordinate body, any member of the Union, any  
29 employer or other person or entity against a Union member, officer or  
30 employee for exercising any right guaranteed by this or any other  
31 provision of this section is prohibited.  
32

1 Each candidate nominated for a National Division office shall have  
2 the right, at his or her expense, to have at least one (1) observer  
3 present at each and every phase of the election process. Such observ-  
4 er shall be a candidate or other member in good standing. The Na-  
5 tional Secretary-Treasurer shall provide reasonable notice to all  
6 candidates of the dates, times and places of all events or activities  
7 which candidates may have the right to observe.  
8

9 RIGHTS AND DUTIES UNDER LABOR MANAGEMENT  
10 REPORTING AND DISCLOSURE ACT OF 1959  
11

12 The following sections of the Labor Management Reporting and  
13 Disclosure Act of 1959, as amended (“LMRDA”), 29 U.S.C. Sections  
14 401–531 (1988) are incorporated into and made a part of these Rules:  
15

16 Section 101(a)(1) (equal rights and privileges);  
17

18 Section 101(a)(2) (freedom of expression and assembly);

19 Section 104 (right to inspect or receive copy of collective bargaining  
20 agreement);  
21

22 Section 401(c) (distribution of campaign literature; prohibition  
23 against discrimination in use of union membership list; inspection of  
24 membership list; safeguards to insure fair election);  
25

26 Section 401(d) (election of intermediate body officers by secret  
27 ballot among the members in good standing);  
28

29 Section 401(e) (reasonable opportunity to nominate; eligibility to  
30 hold office; voting and campaigning without interference or reprisal;  
31 notice of election; right to vote; preservation of election records;  
32 following union constitution and bylaws where consistent with  
33 LMRDA);

1 Section 401(g) (prohibition on use of union or employer assistance  
2 in campaigning); and

3  
4 Section 609 (prohibition on union discipline for exercising rights  
5 under LMRDA).

6  
7 Insofar as the foregoing sections of the LMRDA may regulate con-  
8 duct unrelated to elections of National Division officers, they are not  
9 incorporated into the Rules.

### 10 11 **Regional Meeting Associations**

12  
13 **Section 49.(a) For the purpose of meeting to discuss important**  
14 **matters of general interest and to train and educate its members,**  
15 **the ND recognizes and authorizes the four (4) existing regional**  
16 **meeting associations. These four (4) regional meeting associa-**  
17 **tions will retain the current autonomy of the Eastern Union**  
18 **Meeting Association (EUMA), Southeastern Meeting Association**  
19 **(SMA), International Western Convention (IWC) and Southwes-**  
20 **tern Convention Meeting (SWCM).**

21  
22 **(b) All BLET members, active and retired, may attend the**  
23 **meetings of the associations and will be governed by the**  
24 **respective association's bylaws.**

25  
26 **(c) Each association shall elect from its members a chairman,**  
27 **vice-chairman, treasurer, recording secretary and one (1) ex-**  
28 **ecutive member at large of the association, who shall constitute**  
29 **the executive committee.**

30  
31 **(d) Each association shall adopt for their government such**  
32 **bylaws as may be agreed upon, not in conflict with the By-**

1 laws of the ND, subject to the approval of the National Presi-  
2 dent.

3  
4 (e) Each association shall meet annually at such time and  
5 place as may be designated in the bylaws of the association.

6  
7 (f) Each association shall file an annual financial report with  
8 the National President. A report of the receipts and disburse-  
9 ments is to be submitted to the National Division within ninety  
10 (90) days of the close of the regional meeting. The National  
11 Secretary-Treasurer or his representative will provide the guide-  
12 lines for submitting the above-mentioned report.

**T**HIS SECTION, entitled “Rules of Order – National Division,” is concerned with the government of deliberations of the National Division (ND).

NOTE: For purpose of clarity, President of the ND will be referred to as “National President” in this section. “President” will refer to president of the division.

**RULES OF ORDER – NATIONAL DIVISION**

1  
2  
3 Section 1. It is the duty of the presiding officer to decline to enter-  
4 tain any order, motion, resolution or amendment that is not in proper  
5 form and is not presented at the proper time.

6  
7 Section 2. In voting on regular business before the body, a majority  
8 vote of all delegates seated will determine the question. When an aye  
9 and nay vote is ordered, each delegate shall be permitted to cast one  
10 (1) vote for each division he represents. Divisions with two hundred  
11 (200) members or more will be entitled to a vote for the first two  
12 hundred (200) members represented and an additional vote for each  
13 one hundred (100) members above the first two hundred (200). Ma-  
14 jority votes to govern.

15  
16 Should fifty (50) or more delegates request an aye and nay vote on  
17 any question, the same shall be taken.

18  
19 Section 3. A motion must be seconded and given a number and  
20 afterwards repeated from the chair; if the chair requires it, motion  
21 shall be reduced to writing and read aloud before it is debated.

22  
23 Section 4. A member, having made a motion, may withdraw it with  
24 the leave of his second before it is debated, but not afterwards with-  
25 out the consent of the body.

26  
27 Section 5. When a member speaks or offers a motion, he shall rise  
28 in his place and respectfully address the chair, confine himself to the  
29 question under consideration, and avoid personality and unbecoming  
30 language.

31  
32 Section 6. When two (2) or more members rise to speak at the same  
33 time, the presiding officer shall decide who is entitled to the floor.

1 Section 7. Except upon suspension of the rules, no delegate shall  
2 occupy the floor, either in debate or asking a series of questions, to  
3 exceed ten (10) minutes. No delegate shall occupy the floor more  
4 than twice debating any one subject and shall not occupy it a second  
5 time until all delegates desiring to be heard are recognized and given  
6 an opportunity to be heard. This shall not bar a delegate from receiv-  
7 ing recognition from the chair and asking questions at other times.

8  
9 The chair shall appoint an official timekeeper, whose duties shall be  
10 to keep the time of delegates occupying the floor and to inform the  
11 chair when the time of the delegate has expired.

12  
13 Section 8. While a member is speaking, no one shall interrupt him  
14 except for the purpose of calling him to order or asking the presiding  
15 officer to explain or to call the previous question. A member allowed  
16 to “explain” shall only have the right to explain an actual misunder-  
17 standing of the language and shall be strictly prohibited from going  
18 into debate on the merits of the question.

19 Section 9. For any member, in speaking, to impeach the motives of  
20 a fellow member, treat him with personal disrespect, or pass between  
21 him and the chair while he is speaking, shall be deemed an act of  
22 disrespect, which may incur the censure of the presiding officer.

23  
24 Section 10. If a member, while speaking, be called to order by the  
25 chair, he shall cease speaking until the question of order is deter-  
26 mined and permission given him to proceed.

27  
28 Section 11. If any member shall feel himself personally aggrieved  
29 by a decision of the chair, he may appeal from the decision.

30  
31 Section 12. Any conversation, by whispering or otherwise, which is  
32 calculated to disturb a member while speaking or hinder the transac-  
33 tion of business, shall be deemed an act of disrespect.

## 74 RULES OF ORDER – NATIONAL DIVISION

1 Section 13. A motion to amend, and to amend an amendment, shall  
2 be in order; but to amend an amendment to an amendment shall not  
3 be entertained.

4  
5 If it is moved to amend the amendment, the vote is first taken on the  
6 amendment to the amendment, then on the amendment as amended,  
7 then on the original motion as amended if the amendment of the motion  
8 was carried, and finally by the paragraph as it would read if so  
9 amended.

10  
11 Section 14. When the motion is under debate, no motion shall be  
12 received except the following subsidiary motions:

13  
14 Questions of privilege must not be confounded with privileged  
15 questions. Question of privilege is to allow a member to make some  
16 statement, usually calling attention to disorder, something endangering  
17 the welfare, or charges against himself or others, etc.

18  
19 Section 15. When a question is before the ND, the only motion in  
20 order that may interrupt shall be: First, to adjourn; second, the pre-  
21 vious question; third, to lay on the table; fourth, to postpone indefi-  
22 nitely; fifth, to postpone to a definite period; sixth, to defer; seventh,  
23 to divide, if the sense will admit of it; or eighth, to amend – to take  
24 precedence as herein arranged, and the first three (3) to be decided  
25 without debate.

26  
27 Section 16. When the previous question is moved and seconded, it  
28 shall be put in this form: “Shall the main question be now put?” If  
29 this is carried, all further motions, amendments and debates shall be  
30 excluded, and the question put without delay. If the question has  
31 been amended, the question on the amendment shall be put first. If  
32 more than one (1) amendment has been made, the last amendment in

1 order shall take precedence in the vote. It shall not be in order to  
2 reconsider the agreement to take the previous question.

3  
4 Section 17. When a motion is postponed indefinitely, it shall not  
5 again come up during the meeting of that date.

6 Section 18. A motion to adjourn shall always be in order; except  
7 first, when a member is in possession of the floor; second, when the  
8 ayes and nays are being called; third, when the members are voting;  
9 fourth, when to adjourn was the last preceding motion; or fifth, when  
10 it has been decided that the previous question be taken.

11  
12 Section 19. First, a motion to adjourn; second, a motion to lay on  
13 table; third, a previous question; fourth, a motion to read a paper, are  
14 undebatable.

15  
16 Section 20. The reading of any paper called for relating to the sub-  
17 ject under debate shall always be in order.

18  
19 Section 21. When the presiding officer has commenced taking a  
20 vote, no further debate or remarks shall be admitted unless a mistake  
21 has been made, in which case the mistake shall be rectified; and the  
22 presiding officer shall recommence taking the vote.

23  
24 Section 22. When the vote on any question before the ND is ques-  
25 tioned, the presiding officer shall direct the proper officer to count the  
26 vote in the affirmative and negative and report the same to him.

27  
28 Section 23. The main question shall not be called for by any dele-  
29 gate at the conclusion of his remarks as he is yielding the floor.

30  
31 Section 24. A question may be reconsidered at any time during the  
32 meeting or at the first regular meeting held thereafter.

33

## 76 RULES OF ORDER – NATIONAL DIVISION

1 A motion to reconsider must be made and seconded by members  
2 who voted in the majority.

3  
4 No question shall be considered more than once, nor shall a vote to  
5 reconsider be reconsidered.

6  
7 A motion to reconsider shall be debatable and must be made at the  
8 same or the next regular meeting.

9  
10 Section 25. A motion to repeal or rescind a resolution shall be made  
11 in writing and read in ND, and shall lie over until the following meet-  
12 ing before any action shall be taken on the same, and shall only be in  
13 order when the motion to reconsider is no longer available. A rescind  
14 motion is in order only one (1) time.

15  
16 Section 26. To suspend any rule or order of business, it shall re-  
17 quire a majority vote of the delegates present.

18  
19 Section 27. In appointing a committee, the presiding officer shall  
20 appoint according to his best judgment. The member first named on  
21 a committee shall be the chairman, and shall call the committee to-  
22 gether at such time and place as he may elect; but when thus con-  
23 vened, any committee can select its own chairman and secretary.

24 Section 28. All reports of committees, excepting reports of  
25 progress, shall be made in writing and signed by a majority.

26  
27 If a committee disagrees, they may submit a majority and a minority  
28 report. After the majority report has been read, the minority report  
29 will be read; and it will require the adoption of a motion to substitute  
30 the minority report for the majority report. If adopted, the minority  
31 report will then become the report of the committee.

32

1 Section 29. When the question of procedure arises, decision of the  
2 chair will govern unless set aside by majority vote of the delegation.

3

4 Section 30. Except as otherwise herein provided, Robert's Rules of  
5 Order shall govern.



**T**HIS SECTION, entitled “Local Division Rules,” has to do principally with the operation of the divisions of the BLET.

NOTE: For purpose of clarity, President of the ND will be referred to as “National President” in this section. “President” will refer to president of the division.

**LOCAL DIVISION RULES****Officers – Divisions**

1  
2  
3  
4  
5 Section 1.(a) The officers of each division shall consist of a presi-  
6 dent, vice president, secretary-treasurer and alternate, guide, chaplain,  
7 delegate to the National Division and first and second alternates,  
8 legislative representative who shall be the delegate to the legislative  
9 board and alternate, local chairman, first vice local chairman and  
10 second vice local chairman.

11  
12 The local chairman shall be the delegate to the general committee of  
13 adjustment. The first vice chairman shall be the first alternate local  
14 chairman and first alternate delegate to the general committee of  
15 adjustment; the second vice chairman shall be the second alternate  
16 local chairman and second alternate delegate to the general commit-  
17 tee of adjustment. The local chairman and vice local chairmen shall  
18 constitute the local committee of adjustment, and the vice local  
19 chairmen shall act under the direction of the local chairman. Divi-  
20 sions are entitled to elect additional vice local chairmen positions.  
21 Any additional vice local chairmen, beyond first and second vice  
22 local chairmen, will not serve as alternate delegate nor alternate local  
23 chairmen.

24  
25 In the event of the death of the local chairman or other cause that  
26 might prevent attendance at the general committee meeting, the first  
27 vice local chairman shall be the legal representative. Should condi-  
28 tions arise whereby both the local chairman and first vice local  
29 chairman are prevented from attending, the second vice local chair-  
30 man shall be the legal representative. Should conditions arise where-  
31 by the local chairman and first and second vice local chairmen are  
32 prevented from attending, Section 20 – Local Division Rules will  
33 apply.

1 The offices of president, vice president, secretary-treasurer, local  
2 chairman and legislative representative shall together constitute the  
3 executive board of the division. A majority of the executive board  
4 convened shall constitute a quorum.

5  
6 The vice president, local chairman and legislative representative  
7 shall serve as trustees to review and verify the books of the division  
8 on a monthly basis.

9  
10 (b) When there are members employed on more than one (1) se-  
11 niority district belonging to the same division, the members on each  
12 seniority district may elect a local committee of two (2) members to  
13 act in conjunction with the local chairman on matters pertaining to  
14 the district they represent.

15  
16 (c) Divisions having members employed on different divisions of  
17 the same road who are permitted to maintain more than one (1) local  
18 committee, such members will only be allowed to vote for the local  
19 committee which will adjust their local differences.

### **Qualification for Office**

20  
21  
22  
23 Section 2.(a) No member shall be nominated, elected or serve as an  
24 officer in any division who is not in good standing, or who is in ar-  
25 rears for dues and assessments, provided that no member whose dues  
26 have been withheld by his employer for payment to such organization  
27 pursuant to his voluntary authorization provided for in a collective  
28 bargaining agreement shall be declared ineligible to be a candidate  
29 for office by reason of alleged delay or default in the payment of  
30 dues. (Dues checkoff).

31  
32 (b) Only members who do not hold membership in any other labor  
33 organization which purports to represent locomotive engineers and

1 meet the requirements of active membership as defined in Section  
2 25(b) – Local Division Rules may be elected ~~delegate or alternate~~  
3 ~~delegate to the ND, general chairman of the GCA, local chairman,~~  
4 ~~vice local chairman, or legislative representative or delegate to the~~  
5 ~~state legislative board to any office in the local division.~~

6  
7 In the application of Paragraph (b), it shall be unlawful for salaried  
8 National officers and/or members employed exclusively by the National  
9 Office to be elected delegates to the ND, in accordance with  
10 provisions of Section 22(b) – National Division Rules.

11  
12 NOTE: It shall be the policy of the BLET that any BLET member  
13 dismissed from the service of a carrier will be considered in active  
14 service, as defined in Section 25 – Local Division Rules, until after  
15 all investigations and appeals of his case are closed.

16  
17 ~~(c) Only members who do not hold membership in any other labor~~  
18 ~~organization purporting to represent locomotive engineers may be~~  
19 ~~elected secretary-treasurer or alternate, president, vice president,~~  
20 ~~guide or chaplain.~~

21  
22 (c) The president **and vice president** shall not be elected to or  
23 hold the office of secretary-treasurer, **alternate secretary-**  
24 **treasurer**, local chairman or vice local chairman.

25  
26 (d) No member who is promoted to an official position on a  
27 railroad, elevated railroad, subway, in steel plant or other industries  
28 shall serve in any capacity under or for the BLET or attend  
29 division meetings.

30  
31 NOTE: ~~Beginning January 1, 2006, e~~Eligibility to run for office  
32 will be determined by Section 1 – National Division Rules –  
33 NOTE.

1 (e) No member of the BLET shall serve on a committee of adjust-  
2 ment of any other labor organization, under penalty of expulsion, if  
3 found guilty after a full and fair hearing as provided in Article XIX of  
4 the IBT Constitution.

### **Term of Office**

5  
6  
7  
8 Section 3.(a) The official term of all officers of divisions, also dele-  
9 gates to the BLET, GCA, local committee of adjustment and delegate  
10 to the legislative board, shall commence at the first regular meeting in  
11 January following the triennial election, or when duly installed due to  
12 a vacancy occurring, and shall end when successor is duly installed.

13  
14 (b) The officers of a newly organized division shall be elected at  
15 the time of the organization of the division by secret ballot.

16  
17 (c) When an officer of the BLET relinquishes his office for any  
18 cause whatsoever, he will turn over all files, letters or communica-  
19 tions of any nature whatsoever to his successor as soon as is feasible,  
20 but no later than said successor's installation into office.

### **Regular Meetings**

21  
22  
23  
24 Section 4.(a) The regular meetings of all divisions of the BLET  
25 shall take place not less than once each month, and on any day which  
26 the majority of the members of each division may determine.

27  
28 (b) No change of place, day or hour of division meeting will be  
29 made unless so ordered by a majority of the members present at two  
30 (2) successive regular meetings of the division. The secretary-  
31 treasurer will promptly notify the National President of changes  
32 made.  
33

1 (c) No change of place, from one terminal to another or from one  
2 town to another, will be made unless a petition from twenty-five per-  
3 cent (25%) of the active membership makes such request in writing.  
4

5 If the above request is made, the secretary-treasurer will, within ten  
6 (10) days thereafter, prepare a ballot stating the change desired and  
7 furnish a ballot to all active members of the division, stating at which  
8 meeting ballots shall be counted, and shall not exceed sixty (60) days  
9 from date of mailing. The mailing of ballots and counting of votes  
10 shall be governed by Section 8 – Local Division Rules, and the result  
11 of the vote will govern. The secretary-treasurer will promptly notify  
12 the National President of changes made.  
13

14 **(d) A division may change its regular meeting location to**  
15 **an IBT facility while maintaining its current State Legisla-**  
16 **tive Board affiliation. The requirements of Section 4 (a), (b),**  
17 **and (c) will apply to such meeting location changes.**  
18

19 (e) Three (3) members shall constitute a quorum to do any busi-  
20 ness that may legally come before the division.  
21

### 22 Election Triennially

23  
24 Section 5. The officers of divisions shall be elected by secret ballot  
25 triennially for the ensuing three (3) years at the first meeting in De-  
26 cember; provided, however, in the event any applicable civil law is  
27 enacted or revised which sets a maximum term of less than three (3)  
28 years, the term of such offices shall be for the maximum time permit-  
29 ted by law.  
30  
31  
32

**Members Qualified to Nominate or Vote**

1  
2  
3 Section 6. All those holding active membership (Section 25 –  
4 Local Division Rules), except those holding official positions with  
5 railroads, will be entitled to nominate, **second** and vote for all of-  
6 fices in the division. However, members will not nominate, **second**  
7 or vote for officers not entitled to represent them.

8  
9 NOTE: ~~Beginning January 1, 2006,~~ Eligibility to nominate, **second**  
10 and vote will be determined by the applicable provisions of the IBT  
11 Constitution as modified in Paragraph 6.7 of the IBT/BLE Merger  
12 Agreement. Members are urged to verify their eligibility to nomi-  
13 nate prior to nominations.

**Officers – Nomination of**

14  
15  
16  
17 Section 7.(a) Nominations for officers of divisions shall be made  
18 at the first regular meeting in September preceding the date of elec-  
19 tion; no member shall be nominated for office who is not eligible  
20 for election at the time of nomination. Members in good standing  
21 desiring to place their nominations for division officers may nomi-  
22 nate by voice from the floor at the meeting at which nominations are  
23 being held; and those unable to attend the above meeting on account  
24 of being on vacation, sick, working, or on an outlying assignment  
25 may write their choice of nominations to the division secretary-  
26 treasurer, who will read same at the meeting. All nominations, in-  
27 cluding written, must be seconded. **Candidates may not nominate**  
28 **themselves or second their own nominations.**

29  
30 The secretary-treasurer of each division shall post a notice on BLET  
31 bulletin boards and **at every location at which members report for**  
32 **work** at least thirty (30) days prior to the meeting at which nomi-  
33 nations are to be held, such notice to state the time, date, place and

1 purpose of such meeting, and the form for submitting nominations  
2 **(in writing or verbally from the floor, second required). Notices**  
3 **must be mailed to members in status 29(h)(1)-(5).**  
4

5 (b) A member who is eligible may be nominated though absent  
6 from the meeting; but such nominee shall be notified within five (5)  
7 days of such nomination, giving him an opportunity to withdraw his  
8 name should he desire to do so.  
9

10 (c) A member who is present, eligible and nominated at the division  
11 meeting at which nominations are held may decline to accept such  
12 nomination at the time of being nominated or may do so by submit-  
13 ting to the secretary-treasurer of the division, within five (5) days  
14 thereafter, a written request that his name be stricken from the ballot.  
15

16 (d) A member may not accept nomination for two (2) or more of-  
17 fices which cannot be held simultaneously. In the event he is nomi-  
18 nated for more than one (1) of such offices, he must select the office  
19 for which he wishes to stand as a candidate.  
20

21 (e) When only one candidate is nominated for any office, he shall  
22 be declared elected by acclamation.  
23

24 **(f) After nominations are closed, the division shall elect by bal-**  
25 **lot an election committee, unless appointed by the president with**  
26 **the unanimous consent of the members present, composed of at**  
27 **least three (3) non-nominees. The election committee shall over-**  
28 **see the election of officers. It shall work with the secretary-**  
29 **treasurer to provide all required notices, prepare and mail bal-**  
30 **lots, pick up and process undeliverable ballots, pick up voted**  
31 **ballots immediately prior to the election meeting, and act as**  
32 **board of tellers at the election meeting.**  
33

1 (g) Following the nominating meeting, the election committee  
2 will develop a schedule for the preparation and mailing of ballots,  
3 checking the post office box for undeliverable ballots, and pick-  
4 ing up voted ballots immediately prior to the election meeting.  
5 All candidates for office shall be provided the schedule so they or  
6 their observer(s) may be present.

7  
8 (h) In the event of irregularities in the nomination of officers, pro-  
9 test must be filed in duplicate with the National President **and divi-  
10 sion secretary-treasurer** within fifteen (15) days after alleged  
11 violation. **The protest must set forth the exact nature and speci-  
12 fications of the alleged irregularity, including a claim as to how it  
13 affected the outcome of the nominations.** The National President  
14 will conduct an investigation and render a decision. Any member  
15 dissatisfied with such decision may appeal such decision within  
16 thirty (30) days to the BLET Executive Committee, whose decision  
17 shall be final and binding.

### 18 19 Election – How Conducted

20  
21 Section 8.(a) Not less than fifteen (15) days prior to date of election  
22 in divisions, the ~~secretary-treasurer~~ **election committee** shall deliver  
23 to each member of ~~his-its~~ division, by government mail, directed to  
24 his last known address, a ballot together with two (2) envelopes, one  
25 (1) of approximately 3-1/2 x 6-1/2 inches and one (1) of approx-  
26 imately 4 x 9-1/2 inches. **Such preparation and mailing may be  
27 observed by any candidates or candidates' observers choosing to  
28 do so.** The ballot and return envelopes must also be accompanied by  
29 written notice of time, date, place and purpose of the election. The  
30 smaller envelope shall be for the purpose of containing the voted  
31 ballot and should be sealed and placed within the larger envelope for  
32 return of the ballot. The larger envelope must contain space for the  
33 member's name and return address, must have first-class postage

1 affixed thereto, and must contain the division number and address of  
2 a post-office box, which must be rented for the election by the secre-  
3 tary-treasurer of the division. The contents of the post-office box  
4 must not be accessible to any officer or member until the ballots are  
5 picked up on the date of the election. If a post-office box is not  
6 available, the division will determine an alternative method of receiv-  
7 ing, securing and delivery of the ballots.

8  
9 **Ballot materials shall be enclosed in an envelope addressed to**  
10 **each eligible member. The return address shall be that of a**  
11 **second post office box, which must also be rented for the election**  
12 **by the secretary-treasurer of the division. The contents of the**  
13 **post office box must not be accessible to any member. The box**  
14 **will be opened periodically by the election committee to ascertain**  
15 **if any nondeliverable ballots are therein; and efforts will be made**  
16 **by the committee to re-mail them to the member(s) correct ad-**  
17 **dress. It will be the privilege of any candidate or candidate's**  
18 **observer to accompany the election committee for the purpose of**  
19 **observing this procedure.**

20  
21 The ballot is to be filled out by the member in whose name it is to  
22 be voted, naming his choice for officers, which must be confined to  
23 nominees. The completed ballot must then be folded and placed in  
24 the small envelope which is provided for that purpose. The small  
25 envelope must then be sealed and placed in the larger envelope, upon  
26 which the member will clearly mark his name and return address  
27 before placing same in the government mail for delivery to the post-  
28 office box designated thereon.

29  
30 Immediately prior to the election and following the date designated  
31 for the return of the ballots, the ~~secretary treasurer and president, or~~  
32 ~~another member designated by the president of the division, election~~  
33 **committee shall go to the post office and remove the envelopes con-**

1 taining the ballots from the post-office box. They shall then be deli-  
2 vered intact to the meeting at which the election will be held. It will  
3 be the privilege of any ~~member of the division, upon proper applica-~~  
4 ~~tion to these officers, candidate or candidate's observer~~ to accom-  
5 pany the ~~secretary treasurer and president (or his designated~~  
6 ~~representative)~~ **election committee** to the post office for the purpose  
7 of observing this procedure.

8  
9 When the election begins, the envelopes containing the smaller bal-  
10 lot envelopes will be opened by the ~~board of tellers,~~ **election com-**  
11 **mittee**, at which time a determination will be made as to the right of  
12 each member to vote on the various offices. The smaller envelopes  
13 containing the ballots may be marked prior to the time they are  
14 opened at the discretion of the ~~board of tellers,~~ **election committee**,  
15 or the smaller envelopes containing the ballots may be placed in  
16 stacks designating the status of the member voting the ballot.

17  
18 Each candidate ~~and/or his representative~~ **observers** may observe the  
19 work of the ~~board of tellers-~~ **election committee** by standing not clos-  
20 er than five (5) feet from the table at which the ballots are counted.  
21 These observers shall not interfere with the work of the ~~board of tel-~~  
22 ~~lers-~~ **election committee** and must address any remarks pertaining to  
23 the counting of the ballots to the division secretary-treasurer, who  
24 will convey such inquiries or remarks to the ~~board of tellers-~~ **election**  
25 **committee**. They shall be required to refrain from conversation ex-  
26 cept as herein provided.

27  
28 (b) Each division shall be permitted to prepare its own ballots, fol-  
29 lowing a form which will be furnished by the BLET.

30  
31 (c) The ~~division, previous to each election of officers, shall elect by~~  
32 ~~a ballot a board of tellers, unless appointed by the president with the~~  
33 ~~unanimous consent of the members present, composed of three (3)~~

1 ~~non-nominees, if available, from the members present at the meeting~~  
2 ~~at which election is held, who, **election committee**, in company with~~  
3 ~~the secretary-treasurer, shall act as tellers at such election of officers;~~  
4 ~~and when ballot is presented, they shall announce in open division in~~  
5 ~~whose name the ballot is voted. The secretary-treasurer's duty in~~  
6 ~~assisting the ~~board of tellers~~ **election committee** shall be to give the~~  
7 ~~financial standing of the member when the name of the member vot-~~  
8 ~~ing the ballot is announced. Further than this, he has no duties while~~  
9 ~~ballots are being counted.~~

10  
11 (d) ~~The ~~tellers~~ **election committee** shall make an exact return of the~~  
12 ~~total number of votes cast for each person voted for and announce~~  
13 ~~such return to the president, who shall thereupon declare the result;~~  
14 ~~no unsealed ballot shall be counted unless the member voting it is~~  
15 ~~present. Member who receives the largest number of votes cast for~~  
16 ~~any office in a division shall be declared duly elected thereto.~~

17  
18 A copy of the exact return with the total number of votes cast for  
19 each candidate must be forwarded to the National President within  
20 five (5) days of the completion of the election.

21  
22 (e) The candidate receiving the highest number of votes shall be  
23 declared elected if eligible. Should an equal number of votes have  
24 been cast for two (2) or more members for any office, the tie shall be  
25 decided by another election for that office, the tied members being  
26 the only candidates.

27  
28 Where a nominee is elected to an office to which he is ineligible,  
29 ~~votes cast for his should not be counted; and the nominee or non-~~  
30 ~~nominee who is eligible to serve in that office who receives the next~~  
31 ~~highest number of votes is declared elected. **the election for that**~~  
32 ~~**office must be run again with the name of the ineligible candidate**~~  
33 ~~**stricken from the ballot. If, after the ineligible nominee is strick-**~~

1 **en, there is only one candidate on the ballot, then nominations for**  
2 **that office must be conducted again.**  
3

4 Where a nominee is elected to an office and eligible to serve but  
5 resigns or refuses to accept the election, a vacancy is created; and it  
6 will be necessary to hold a special election to fill the office as per  
7 Section 20 – Local Division Rules.  
8

9 (f) Every member elected to an office shall be entitled to fill the  
10 same, providing he is eligible under the law, unless it be shown that  
11 the law was clearly violated in the manner of holding it or that the  
12 results were fraudulently obtained. The fact that any member or  
13 members may be ineligible or erroneously declared elected shall not  
14 affect the rights of those who are eligible and duly elected, nor be a  
15 sufficient reason for setting an entire election aside and ordering a  
16 new one.  
17

18 (g) In the event of any irregularities in the election of officers  
19 of a division, resulting in a contest of election, the protest must be  
20 filed in duplicate with the division **secretary-treasurer** and the  
21 National President within thirty (30) days after such election. **The**  
22 **protest must set forth the exact nature and specifications of the**  
23 **alleged irregularity, including a claim as to how it affected the**  
24 **outcome of the election.** The National President will conduct an  
25 investigation to obtain the facts and evidence and render his deci-  
26 sion accordingly. Any member who is dissatisfied with the decision  
27 of the National President may appeal such decision within thirty (30)  
28 days to the BLET Executive Committee whose decision shall be  
29 final and binding.  
30  
31  
32

**Ballots Sealed and Preserved**

1  
2  
3 Section 9.(a) The ballots and envelopes shall be sealed by the ~~board~~  
4 ~~of tellers~~ **election committee** in the presence of the division and,  
5 together with all other records pertaining to the election, will be  
6 placed among the private papers of the division and, if practical, in  
7 the division room until the next election, where they shall be de-  
8 stroyed; but in no case shall they be held for less than one (1) year.

9  
10 (b) The ballots cannot be unsealed without first having submitted a  
11 resolution to the division at a regular meeting thereof, at which it  
12 must be stated why it is desired to have them opened; said resolution  
13 to lie over until the next regular meeting of the division before action  
14 is taken by a majority vote, unless the division is ordered to unseal  
15 the ballots by the National President or his representative.

**Installation of Officers**

16  
17  
18  
19 Section 10. All officers of divisions, except officers who are elected  
20 to succeed themselves, shall be installed at the first meeting in Janu-  
21 ary following election of officers.

**President's Duties**

22  
23  
24  
25 Section 11.(a) It shall be the duty of the president to preside at all  
26 meetings of the division, to preserve decorum, to decide all questions  
27 of order – subject, however, to an appeal to the members present –  
28 appoint all committees and enforce these Bylaws.

29  
30 (b) **The president shall be bonded for all funds received for**  
31 **the division. The bond covering the office of the president shall**  
32 **be in an amount in accordance with Article X, Section 7(a) of the**  
33 **IBT Constitution. The president** ~~He~~-will, in conjunction with the

1 secretary-treasurer of the division, furnish a financial statement an-  
2 nually to the National Office in form required by Section 31 – Na-  
3 tional Division Rules. He shall have power to call special meetings  
4 and must call a special meeting when request is made in writing  
5 by five (5) or more members. All names of the members re-  
6 questing the special meeting must be printed and their signatures  
7 applied to the request. **At least five (5) of the** ~~The~~ signatories of  
8 the request must be in attendance at the special meeting for the  
9 division president to call the assembly to order. Such request  
10 must state the object for which the meeting is called, and no other  
11 business shall be transacted at such special meeting. Upon receiving  
12 a written request from five (5) or more members, the president shall  
13 instruct the secretary-treasurer to post notices at terminals and on  
14 BLET bulletin boards. Notices must be posted at least five (5) days  
15 prior to the time a special meeting is scheduled.

16  
17 (c) When the president is notified of the failure of the secretary-  
18 treasurer of his division to make prompt monthly reports, and if ne-  
19 cessary, remittances of money due the GCA, as per Section 13(b) –  
20 Local Division Rules, it shall be the duty of the president to contact  
21 the secretary-treasurer and instruct him to promptly make such report.  
22 Continued failure on the part of the secretary-treasurer will subject  
23 him to removal from office, with the president to prefer charges  
24 against him in accordance with Article XIX of the IBT Constitution.  
25 A copy of the letter of notification is to be sent to the secretary-  
26 treasurer of the general committee representing the division.

27  
28 (d) He shall cast the deciding vote in the case of an equal vote on  
29 matters coming before the division except in the case of a tie in a  
30 referendum or in the election of officers. Breaking of a tie in the  
31 election of officers is provided for in Section 8(e) – Local Division  
32 Rules.  
33

1 (e) It shall be his duty to provide ways and lend encouragement to  
2 securing new members, to inquire into and investigate cause of any  
3 member or members being expelled and at times endeavor to build up  
4 and retain the membership of his division.

5  
6 (f) He may speak on points of order in preference to other members  
7 of the division, rising from his seat for the purpose, and shall decide  
8 questions of order subject to an appeal to the division by any two (2)  
9 members. On such an appeal no member shall speak more than once.

10  
11 (g) When an appeal is made from the decisions of the president, he  
12 shall put the question thus: "Shall the decision of the chair be sus-  
13 tained?"

14  
15 (h) It shall be the duty of the president and the privilege of any  
16 member of the division to call a member to order who violates an  
17 established rule of order.

### 18 **Vice President's Duties**

19  
20  
21 Section 12. It shall be the duty of the vice president to assist the  
22 president in the duties of his office; and in the absence of the presi-  
23 dent, he shall perform all the duties of the office; and should the vice  
24 president also be absent, the division shall elect a temporary president  
25 from the members present. The vice president shall serve as an alter-  
26 nate to the president and assume the duties of that office in the event  
27 it becomes vacant due to death, resignation or for any other reason.

### 28 **Secretary-Treasurer – Duties and Bond**

29  
30  
31 Section 13.(a) The secretary-treasurer shall be bonded for all funds  
32 received for the division. He shall keep a true account of all funds  
33 received by the division. ~~and~~ He shall deposit all moneys of the

1 division in the name of the division in a bank designated by the  
2 division. ~~—disbursing~~ None of the funds in his possession **may be**  
3 **disbursed** except for division purposes, ~~and~~ with the authority giv-  
4 en by division action at a regular meeting and with written order  
5 signed by the president.

6  
7 Fixed monthly expenses, such as meeting room rental, offic-  
8 ers' salaries, telephone/utilities expenses, etc., once properly autho-  
9 rized for payment as stated in this section, will be considered as  
10 authorized each month until the division takes action eliminating  
11 such authorization.

12  
13 Disbursements of division funds ~~will be~~ by check **must be**  
14 signed by the secretary-treasurer and ~~any one of the following~~  
15 ~~persons:~~ **either the president or vice president or alternate sec-**  
16 **retary-treasurer. Signature stamps must not be used on any**  
17 **checks. Possession of pre-signed blank checks is prohibited.**

18  
19 **The front and back of checks is required documentation.**  
20 **The secretary-treasurer must obtain a copy of the front and**  
21 **back of all checks. Bank statements, deposit slips, and cop-**  
22 **ies of checks may be obtained and securely stored electroni-**  
23 **cally in lieu of retaining paper copies. These records must**  
24 **be retained for seven years.**

25  
26 Use of a debit card or similar instrument by a division may  
27 only be permitted upon written order from the division pres-  
28 ident. The card(s) must never be used to obtain cash. Ap-  
29 proval for such division purchases must be given by division  
30 action at the next regular division meeting.

31  
32 Divisions using electronic disbursements must retain a  
33 voucher signed by either the president or vice president or

1 alternate secretary-treasurer as authorization to the secre-  
2 tary-treasurer for payment of expenses. Expense payments  
3 shall be approved by action of the division. Bank statements  
4 that contain electronic transaction identifier numbers must  
5 be retained for seven years.

6  
7 Any secretary-treasurer who collects insurance premiums  
8 must maintain all insurance funds in a separate bank ac-  
9 count. Insurance premiums and similar funds collected on  
10 behalf of members for disbursement must not be co-mingled  
11 with division funds due to stringent state requirements.  
12 Secretary-treasurers are responsible for making disburse-  
13 ments in a timely manner. It is the responsibility of secre-  
14 tary-treasurer to be conversant with applicable laws.

15  
16 Wage payments for lost time reimbursement must include  
17 the following information on an expense report:

- 18  
19 • Name of person requesting wage reimbursement  
20 • Date(s) of the lost time  
21 • Union purpose for the lost time  
22 • Total amount of wage reimbursement requested  
23 • Verification of the pay rate for the lost time  
24 • Signature of requester  
25 • Date submitted

26  
27 Taxable salary, payroll, or lost time payments must not be  
28 combined with expense payments. A separate check must be  
29 issued for non-taxable expense reimbursements.

30  
31 Original itemized receipts must accompany reimbursed ex-  
32 penses. The receipts must be attached to an expense report and  
33 include the following information:

- 1       • Name of person requesting reimbursement
- 2       • Date expense incurred
- 3       • Place or merchant where expense was incurred
- 4       • Name(s) of any other person(s) in attendance
- 5       • Union purpose of expense
- 6       • Signature of requester
- 7       • Date submitted

8  
9       **Expense reimbursements must not be combined with taxable**  
10 **salary, payroll, or lost time payments.**

11  
12       ~~(b) The secretary treasurer of each division shall send the~~  
13 ~~monthly reports to the secretary treasurer of the GCA. All divi-~~  
14 ~~sions must file monthly membership and remittance reports~~  
15 ~~and data online via the Secretary-Treasurer Reporting System.~~

16 In case any secretary-treasurer shall fail to make his monthly reports  
17 and/or remittances, if necessary, to the GCA secretary-treasurer  
18 within ten (10) days from the time it shall become due, it shall be  
19 the duty of the GCA secretary-treasurer to notify the president of the  
20 division of the failure of said secretary-treasurer to make proper re-  
21 turns.

22  
23       (c) He shall have charge of all books and papers pertaining to the  
24 duties of his office, and they shall be kept in a convenient place  
25 where he can have access to them at all times. He shall keep a true  
26 record of all meetings of the division, which shall be placed in the  
27 minute book at time of meeting, and shall keep his division accounts  
28 in such form that he may give the total amount of orders on treasury  
29 and balance in treasury at each meeting, and shall record balance in  
30 the minute book, issue notice of all special meetings when instructed  
31 to do so by the proper officer, notify candidates of their election with-  
32 in one (1) week after such election shall have taken place, and shall  
33 make out withdrawal cards, etc., and shall immediately forward ap-

1 plication for membership to National Secretary-Treasurer of the ad-  
2 mission of all new members by initiation, and shall report all cases of  
3 members transferred into or out of the division, expelled, suspended,  
4 deceased or withdrawn, stating date and age of member; and the Na-  
5 tional Secretary-Treasurer will issue membership card to the division  
6 secretary-treasurer for his records. If withdrawal card is issued, he  
7 must report why.

8  
9 (d) At all regular meetings of the division, he shall read from the  
10 record book a report of the proceedings of the previous meeting; and  
11 at the end of each month, he shall present to the division and the Na-  
12 tional Office a monthly report, which shall embrace the number of  
13 persons, proposed, accepted, rejected, initiated, forfeited, admitted by  
14 card, withdrawals, expulsions, the number of deaths, together with  
15 the whole number of members in good standing; and at the expiration  
16 of his official term, shall deliver to his successor all books, papers  
17 and moneys belonging to his office. In the absence of the secretary-  
18 treasurer, the president will appoint some member of the division  
19 present to perform the duties of the office.

20  
21 (e) The secretary-treasurer, when requested to do so by the National  
22 President, shall turn over records, accounts and books of the division  
23 to the National President's authorized representative for audit or in-  
24 spection.

25  
26 (f) The bond covering the office of the secretary-treasurer shall be  
27 in an amount in accordance with Article X, Section 7(a) of the IBT  
28 Constitution.

29  
30 The expenses on bonds are to be paid by the division.

31  
32 (g) He will, in conjunction with president of the division, furnish a  
33 financial statement annually to the National Office in form required

1 by Section 31 – National Division Rules. He shall in general be re-  
2 sponsible to insure that the duties set forth in Article XXIII of the  
3 IBT Constitution are fulfilled with respect to members within the  
4 division consistent with these bylaws.

5  
6 **(h) When there is a change of the division’s secretary-**  
7 **treasurer, an audit must be completed within sixty (60) days.**  
8 **The audit of the division must be conducted by the division trustee-**  
9 **s. All records are to be delivered to the new secretary-**  
10 **treasurer along with the audit report within sixty (60) days.**

## 11 **Guide’s Duties**

12  
13  
14 Section 14. It shall be the duty of the guide to receive and conduct  
15 candidates, introduce and accommodate visiting members, and per-  
16 form such other duties as marshal in all processions of the division.

## 17 **Chaplain’s Duties**

18  
19  
20 Section 15. It shall be the duty of the chaplain to assist in the exer-  
21 cise of opening and closing of the division, and perform the duties of  
22 chaplain for the division on all public occasions.

## 23 **Local Committee of Adjustment – Duties**

24  
25  
26 Section 16.(a) It shall be the duty of the local committee of adjust-  
27 ment of each division to meet at such time and place as the chairman  
28 may designate and adjust, if possible, with the local officials of the  
29 road or system, the grievances of the members of their respective  
30 divisions.

31  
32 (b) The local committee or local chairman shall not handle any  
33 grievance, except upon written instructions from their divisions (ex-

1     cept in cases of emergency, such as dismissals, suspension, etc., or  
2     any cases involving schedule interpretations); such cases may be  
3     referred directly to the local chairman, who shall use his discretion as  
4     to whether they should be handled immediately or referred to the  
5     division before handling. All grievances arising as a result of a dis-  
6     puted time claim being referred to the local committee for further  
7     handling shall be accompanied by a full statement of facts on a pre-  
8     scribed form furnished at cost by the National Office. A written re-  
9     port of all cases handled shall be made to the division, and such  
10    report shall be filed with the division papers for future reference.  
11    Differences the local committee is unable to adjust satisfactorily with  
12    the local officials will be sent with all the records to the GCA for  
13    further action.

14  
15    (c) The first of each year or each time a revised seniority list is  
16    issued, the local chairman of each division on a system will furnish  
17    the general chairman's office with a revised seniority list of their  
18    respective seniority districts, showing by check, names of all active  
19    members and names of all nonmembers under their jurisdiction.

20  
21    (d) The local committee of adjustment is vested with the authority  
22    to appoint additional representatives when necessary to represent the  
23    committee at points or locations where no member of the local com-  
24    mittee is located or where the BLET represents more than one operat-  
25    ing craft. Where twelve (12) or more members of a division are  
26    employed in an operating craft not covered by BLET agreements, the  
27    local committee of adjustment may appoint a member from that craft  
28    to represent their grievances. The appointed representative will work  
29    directly under the supervision of the local chairman and will be re-  
30    quired to report directly to him.

31  
32

**Duties of Division Legislative Representative**

1  
2  
3 Section 17.(a) The duties and responsibilities of the division legis-  
4 lative representative are the safety and sanitation of the working envi-  
5 ronment and the political education for the members of the local  
6 division.

7  
8 (b) The division legislative representative shall, in their normal  
9 course of duties, monitor the enforcement of safety rules, regulations,  
10 and acts of Congress and/or state legislatures that provide the mem-  
11 bership with a safe and healthy work environment.

12  
13 (c) The division legislative representative shall undertake corrective  
14 measures relative to the issues specified above at the division level.  
15 If unable to resolve those issues, they will report same to the state  
16 legislative board chairman for further handling. The state legislative  
17 board chairman shall undertake to correct such conditions through  
18 appropriate measures. Upon receipt of the unresolved issues and if  
19 they are unable to correct these issues, they will report these issues to  
20 the National Legislative Board Chairman for further handling.

21  
22 (d) In states where there are no legislative boards, issues that cannot  
23 be resolved at the division level shall be directed to the National Leg-  
24 islative Board Chairman.

**Delegates to the ND – How Instructed**

25  
26  
27  
28 Section 18.(a) Whenever a poll of a division is ordered to instruct a  
29 delegate to the BLET, the secretary-treasurer will send out a ballot to  
30 each active member (with all questions printed thereon), requesting  
31 him to vote on said questions; and when properly filled out, it must  
32 be returned to the secretary-treasurer before the date indicated on the  
33 ballot.

1 (b) If a majority of the members vote in favor of the questions sub-  
2 mitted, the division shall so instruct the delegate; and he shall carry  
3 out his instructions. Such instructions shall be signed by the presi-  
4 dent and the secretary-treasurer; and said instructions shall be  
5 brought in person to the convention by the delegate so instructed; and  
6 in case he fails to carry out such instructions, he shall be guilty of  
7 violation of obligation.

8  
9 (c) In the event a delegate shall be instructed in accordance with  
10 Subsections (a) and (b) of this section by a division to make nomi-  
11 nation or nominations for any office of the BLET, the president and  
12 secretary-treasurer of said division shall also file a copy of the in-  
13 structions pertaining to nominations with the National Secretary-  
14 Treasurer by sending same by certified mail, return receipt requested,  
15 at least ten (10) days prior to the date of the convening of the conven-  
16 tion.

17  
18 It shall be the duty of the instructed delegate to place in nomination  
19 at the convention of the BLET the name or names of the candidate(s)  
20 for the office(s) designated in his instructions; however, in the event  
21 the instructed delegate fails to do so, the National Secretary-Treasurer  
22 shall bring the matter to the attention of the presiding officer, who  
23 shall call on said delegate to place the name or names in nomination.  
24 If said delegate is not present at that time or refuses to make any  
25 nomination as to which he has been instructed, the National Secre-  
26 tary-Treasurer, or in the event his office is involved in the election,  
27 the presiding officer, shall formally nominate said candidate for the  
28 office in question.

29  
30 If any instructed delegate refuses to comply with nominating in-  
31 struction, he shall be subject to charges under the provisions of Ar-  
32 ticle XIX, Section 1(a) of the IBT Constitution. If said delegate is  
33 found guilty and ordered removed from office, the National Secre-

1 tary-Treasurer shall immediately notify the alternate delegate and the  
2 division(s) represented by said delegate of the action taken and to  
3 further instruct the alternate delegate to assume representation of said  
4 division(s) until the next regular election of delegates.

### 5 6 **Officer Failing to Attend Meeting**

7  
8 Section 19. Should any officer of a division fail to attend the divi-  
9 sion meetings for four (4) consecutive months, he shall be subject to  
10 removal from office after a trial conducted under Article XIX of the  
11 IBT Constitution. In the application of this section, excuses can be,  
12 but not limited to, working, attending other division business, vaca-  
13 tion, etc.

### 14 15 **Vacancies – How Filled**

16  
17 Section 20.(a) An officer of a division may at any time resign.  
18 Resignation shall be in writing and shall be read at a regular meeting  
19 of the division by the secretary-treasurer; and the resigning officer  
20 shall not be eligible for nomination, reelection or appointment to the  
21 office vacated until the next regular triennial election of division  
22 officers. Any office left vacant by resignation, death, or otherwise,  
23 special election shall be held by ballot. Notice of nomination will be  
24 posted ten (10) days prior to regular meeting, and ballots will be  
25 mailed at least fifteen (15) days prior to regular meeting. Ballot must  
26 specify date to be returned to division secretary-treasurer. The presi-  
27 dent will fill the office vacated by appointment until such election;  
28 provided, special election need not be held if vacancy occurs within  
29 twelve (12) months of regular division election. **However, the local**  
30 **chairman, legislative representative and delegate to the National**  
31 **Division MUST be elected in order to be eligible to nominate**  
32 **and/or vote for candidates in convention assembled.**  
33

1 No special election shall be necessary to fill an office that is pro-  
2 tected by an alternate, or to fill the alternate office that is vacated.  
3 (Any officer or member who is under BLET suspension shall not be  
4 eligible to be appointed or become a candidate for any division office  
5 while under suspension.)

6  
7 (b) Vacancies created in the office of local chairman shall be filled  
8 in succession by (1) the first vice local chairman and (2) the second  
9 vice local chairman.

### 10 11 **Official Letterhead**

12  
13 Section 21. The official letterhead of the National Office and of  
14 divisions shall be used for BLET business only.

### 15 16 **Bills – How Paid**

17  
18 Section 22. All bills against divisions shall be acted upon by the  
19 divisions; and on such bills being ordered paid by a majority of  
20 members present, the secretary-treasurer shall make an order signed  
21 by himself and the president and shall pay such bills, taking the re-  
22 cepts of the parties to whom they are paid unless paid by check, in  
23 which case the canceled check will be the receipt. Funds of the divi-  
24 sion are to be used only to defray the legitimate obligations of the  
25 division.

### 26 27 **Correspondence**

28  
29 Section 23. Any division president, secretary-treasurer, local  
30 chairman, legislative representative or general chairman of any sys-  
31 tem, upon receiving a communication, either from the National Divi-  
32 sion or from a division, requesting information relative to a member,

1 or any other business between divisions, shall reply to the same with-  
2 out delay.

### 3 4 **Expense of Committee**

5  
6 Section 24.(a) When a division is composed of members on more  
7 than one (1) railroad or seniority district, the time and expense of the  
8 local committee representing each railroad will be paid promptly  
9 from the funds of their division. When necessary to reimburse the  
10 division, a pro rata assessment shall be levied on all members em-  
11 ployed on the railroad which each local chairman represents, pro-  
12 vided that such assessment is authorized by a two-thirds (2/3)  
13 affirmative vote by secret ballot of all the active members of the af-  
14 fected railroad or seniority district present at the meeting at which the  
15 matter is considered, provided, however, that reasonable notice of  
16 intention to vote on such question has been given.

17  
18 ~~(b) Local committeemen doing committee work as instructed by the~~  
19 ~~division shall receive not less than time lost plus necessary expenses.~~  
20 **Divisions shall make arrangements for payment of time con-**  
21 **sumed and necessary expenses for conducting division business**  
22 **by officers and members of the division, as instructed by the divi-**  
23 **sion.**

24  
25 ~~(c) Each division has the authority to make such arrangements for~~  
26 ~~the payment of time consumed by the local chairman in addition to~~  
27 ~~time or mileage lost, as best meets with the needs and wishes of the~~  
28 ~~membership.~~

### 29 30 **Active Service – Active Membership – Membership**

31  
32 Section 25.(a) “Active service” shall be understood to mean em-  
33 ployment in an operating craft on surface, subway, elevated lines, in

1 steel plants or other industries, or holding seniority in such service, or  
2 those holding seniority as aforementioned and employed exclusively  
3 by the BLET, or appointed to official positions on railroads.

4  
5 (b) “Active membership” shall be understood to mean employ-  
6 ment in an operating craft on surface, subway, or elevated lines, or  
7 holding seniority as such, or those holding seniority as aforemen-  
8 tioned and employed exclusively by the BLET, or appointed to offi-  
9 cial positions on railroads.

10  
11 NOTE 1: ~~Beginning January 1, 2006, e~~Eligibility to run for office  
12 will be determined by the applicable provisions of the IBT Consti-  
13 tution ~~as modified in Paragraph 6.8 of the IBT/BLE Merger~~  
14 ~~Agreement~~—(see **Section 1 – National Division Rules – NOTE**).  
15 Members should be aware that these provisions require the timely  
16 payment of dues for a fixed period prior to nomination and that any  
17 failure to pay dues during the applicable period, even if excused,  
18 will render the member ineligible to run for office.

19  
20 NOTE 2: Exceptions to Paragraphs (a) and (b) of this Section 25  
21 may be made on behalf of other groups of employees by the action  
22 of the Advisory Board.

23  
24 (c) “Membership” shall be understood to mean all persons belong-  
25 ing to and paying dues into the BLET, also honorary and excused  
26 members.

### 27 28 **Membership Eligibility**

29  
30 Section 26. Individuals in service as defined in Section 25 – Local  
31 Division Rules are eligible for membership in the BLET. This does  
32 not include persons working for contractors who have not had at least  
33 one (1) year’s experience under standard train rules.

**Application for Membership**

1  
2  
3 Section 27.(a) All proposals for membership shall be made to the  
4 division located on the division of the system or the road where the  
5 applicant is employed; and on the application blanks for membership  
6 by initiation, there shall be a blank space where the applicant shall be  
7 required to state the date of his qualification.  
8

9 (b) If a member of any other labor organization, he may be voted  
10 on; and if elected, he may be initiated with the distinct understanding  
11 that within ninety (90) days after initiation, he must show satisfactory  
12 proof that he has severed his connections with all other labor organi-  
13 zations purporting to represent engineers or trainmen, except the  
14 United Transportation Union. Failure to provide proof shall subject  
15 him to charges under Article XIX of the IBT Constitution.  
16

**Applications – Handling of**

17  
18  
19 Section 28.(a) All proposals for membership shall be dated. After  
20 the application has been read, the president shall appoint a committee  
21 of three (3) members, other than those who recommended the peti-  
22 tioner, which committee shall investigate the character, ability, habits  
23 and standing of the applicant; the committee to report at the next  
24 regular meeting subsequent to their appointment, unless further time  
25 is granted; all proposals shall lie over to the first regular meeting  
26 before vote is taken on the application, except:  
27

28 (b) When the petitioner is well known, the committee may report at  
29 once in order that the vote may be taken and initiation immediately  
30 follow. The division may vote on prospective candidates or reins-  
31 tatements, authorizing local or special organizers to collect the proper  
32 amount of dues and obligate such candidates.  
33

1 (c) In case of emergency, after the applicant has been favorably  
2 voted on and the secretary-treasurer has received the initiation fee,  
3 the candidate is prevented by known cause from attending a regular  
4 division meeting, the president may obligate and instruct the appli-  
5 cant. Proper report of such procedure must be made to the division;  
6 the division will then declare the applicant a member of the BLET in  
7 good standing.

8  
9 (d) When a candidate has been proposed for membership, he will  
10 be voted on. If candidate's application is rejected, he will be eligible  
11 to submit an application for membership after the expiration of ninety  
12 (90) days from the date his previous application was rejected.

### 13 **Candidate Not Initiated During Strike**

14  
15  
16 Section 29. No candidate shall be initiated while there is a strike of  
17 locomotive engineers or trainmen on the road on which the candidate  
18 is employed unless the candidate has previously been elected. Nor  
19 shall a petition for membership be considered if the applicant is  
20 known to have ever taken the place of anyone engaged in a strike  
21 conducted by a legally organized body recognized by the BLET as a  
22 legitimate organization.

### 23 **Another Division Authorized to Initiate**

24  
25  
26 Section 30. Should an application be made to a division and the  
27 applicant is elected but, before he is initiated, is required to locate  
28 elsewhere, the division most convenient to such applicant shall be  
29 authorized to initiate him and receive the fee from the division where  
30 the application was first made; and he shall be a member of the divi-  
31 sion that initiates him.  
32

## Joining Other Labor Organizations

Section 31. An active member of the BLET shall not join any other labor organization purporting to represent locomotive engineers or trainmen, except the United Transportation Union. Violators shall be subject to charges under Article XIX of the IBT Constitution.

## Register

Section 32. All divisions shall keep a registry book at their division room, and it shall be the duty of the president to have it opened for registry at each meeting. Prior to opening and closing the division, he shall call upon all members present to register in their own handwriting their names in such book.

## Visiting Members – How Seated

Section 33. A visiting member shall not be allowed a seat in a division of the BLET until after the division shall have been opened in due form, unless examined by the president or a committee he may appoint, or is vouched for by a member who has sat in open division with the visitor within the current quarter.

## Grievances – Handled

Section 34. Should a member present a grievance to his division for adjustment, he shall receive every assistance from the local and general committee.

## Division May Appeal to Executive Committee

Section 35.(a) In the event of trouble arising in any division or between two (2) or more divisions that cannot be amicably adjusted, the

1 Executive Committee of the ND shall investigate the trouble and  
2 render a decision, which shall be final and binding subject to appeal  
3 under applicable provisions of the IBT Constitution.  
4

5 (b) When a national officer is detailed to investigate any matter  
6 within a division, the president and the secretary-treasurer shall be  
7 present at such meeting or investigation if possible. Should it be  
8 necessary for them to lose time on this account, they will be paid for  
9 time lost by the division.  
10

### 11 **Member May Appeal to Executive Committee**

12

13 Section 36.(a) Should any member feel that any injustice has been  
14 done him by any decision of his division, he may appeal to the Ex-  
15 ecutive Committee of the ND, making a written statement of his case,  
16 and file a copy of same with the division, except cases under the ju-  
17 risdiction of a GCA, Section 31(b) – General Committee Rules. Af-  
18 ter allowing the division a reasonable time to reply, the Executive  
19 Committee shall consider the facts and evidence, as well as the law,  
20 and render a decision which shall be final subject to appeal to the  
21 General Executive Board of the IBT in accordance with Article XIX  
22 of the IBT Constitution.  
23

24 (b) A member making an appeal under this section must file the  
25 same within sixty (60) days after the action is taken by the division of  
26 which he is a member.  
27

### 28 **Division Must Entertain Appeal**

29

30 Section 37. Any member in good standing who feels that an injus-  
31 tice has been done him in a case coming under the jurisdiction of the  
32 GCA may appeal to that body, provided such appeal is made within

1 sixty (60) days; and the division must entertain such appeal and send  
2 it to the chairman of the GCA.

## 3 4 **Membership – Where Held**

5  
6 Section 38.(a) When two (2) or more divisions are located on one  
7 (1) seniority district, the member may hold membership in the divi-  
8 sion located at the point nearest where he resides. In all other cases  
9 membership shall be held in the division that adjusts his grievances.

10  
11 (b) On systems where engineers or trainmen hold system seniority  
12 on which there are two (2) divisions having concurrent jurisdiction,  
13 membership may be held in either division.

## 14 15 **Change of Location**

16  
17 Section 39. It shall be the duty of members away from the location  
18 of their division to make known to their division their whereabouts  
19 and the business in which they are engaged at least once in three (3)  
20 months, and always when changing their permanent address.

## 21 22 **Members Changing to Another System Must Notify Secretary- 23 Treasurer**

24  
25 Section 40. Any member changing from one (1) system to another  
26 shall notify the secretary-treasurer of the nearest division on the sys-  
27 tem employed of the date of his employment, and in what division he  
28 holds membership, within sixty (60) days after date of employment.  
29 Members failing to comply shall be subject to charges under Article  
30 XIX of the IBT Constitution.

31  
32

**Transfer Cards**

1  
2  
3 Section 41.(a) There shall be a transfer card used in transferring  
4 members from one (1) division to another provided by the National  
5 Secretary-Treasurer.

6  
7 (b) All transfer cards must be filled out by the secretary-treasurer,  
8 stating date of birth, when and where initiated, name of member for  
9 whom it is granted, and be signed by the president and secretary-  
10 treasurer.

**Division Must Request Transfer**

11  
12  
13  
14 Section 42.(a) When a member of any division, except a division  
15 officer or the chairman or a member of the local committee of ad-  
16 justment, obtains employment under the jurisdiction of another divi-  
17 sion, it will be his duty within ninety (90) days after securing such  
18 employment to make application to such division for a transfer card.

19  
20 (b) It shall be the duty of the division to which application has been  
21 made to request the transfer card from the division in which he holds  
22 membership. If a member secures employment under the jurisdiction  
23 of another division and fails to request a transfer within one hundred  
24 twenty (120) days after obtaining employment, the division having  
25 jurisdiction may request a transfer card from the division in which he  
26 holds membership.

27  
28 (c) A division receiving request for a transfer card from another  
29 division shall, if the member is square on the books of the division,  
30 grant card without delay, or provide a reason why such member  
31 should not be transferred. If the division does not act on the request  
32 to transfer in 30 days, the member will be transferred by the National  
33 Division. If the reason provided for not transferring the member is a

1 dispute involving jurisdiction, the matter will be referred to the go-  
2 verning GCA for resolution.

3  
4 (d) The secretary-treasurer of the division granting the card shall  
5 send it to the secretary-treasurer of the division to which the member  
6 is to be transferred. As soon as transfer card is received, the secre-  
7 tary-treasurer of the division receiving the card shall notify the secre-  
8 tary-treasurer of the division granting the card immediately of its  
9 receipt.

10  
11 (e) Upon receipt of a transfer card, the member on whose account it  
12 is issued shall be declared a member of the division requesting the  
13 card without further action; but he remains a member of the division  
14 granting the card until it is received by the division to which he is  
15 transferred.

### **Membership Card**

16  
17  
18 Section 43. There shall be a membership card containing the mem-  
19 ber's name, division number and other pertinent information. Such  
20 card shall be provided by the National Office and will be supplied to  
21 divisions on request. It shall be issued to such members entitled the-  
22 reto over the signatures of the president and secretary-treasurer.

### **Withdrawal Cards**

23  
24  
25  
26 Section 44.(a) Effective January 1, 2006, members no longer hold-  
27 ing seniority as engineers or in any other operating craft where the  
28 BLET holds the contract will be placed in withdrawal status. Mem-  
29 bers in employment status described under Section 29(h) – National  
30 Division Rules will be permitted to withdraw from the BLET.

31  
32 (b) A withdrawal card shall be issued to such member and will  
33 show name, division number and date.

1 (c) No card will be granted to any member who is not square on the  
2 books of his division, including national and all other dues and as-  
3 sessments.  
4

### 5 **Honorary Members of Divisions**

6  
7 Section 45. Any member having ten (10) or more consecutive  
8 years' membership who has retired from service and relinquished his  
9 seniority shall be granted an honorary membership card, which shall  
10 be issued for life by the National Office.  
11

### 12 **Dues and Assessments**

13  
14 Section 46.(a) No assessments shall be levied by a division without  
15 a two-thirds (2/3) majority vote, by secret ballot, of all the active  
16 members present after a reasonable notice of intention to vote upon  
17 such question has been given.  
18

19 (b) Members of a division, except those holding official position on  
20 railroad, shall be required to pay national dues and assessments, as  
21 outlined in Section 29 – National Division Rules, in addition to such  
22 dues and assessments as may be levied by the GCA, legislative board  
23 and division.  
24

25 Those holding official position on railroad will pay only national  
26 dues and be exempt from such dues and assessments as may be levied  
27 by GCA, legislative board and division, except where agreements  
28 have been consummated with the carrier contradictory to this section,  
29 in which case the agreement provisions will prevail.  
30

31 (c) The employment status of a member on the first day of any  
32 month shall determine the amount of dues and assessments for which  
33 he is liable in the next succeeding months, except where agreements

1 have been consummated with the carrier contradictory to this agree-  
2 ment. Employment status shall mean the member's regular assign-  
3 ment.

4  
5 (d) All dues and assessments are payable on or before the first day  
6 of the month to which they apply and, except in the case of dues  
7 checkoff, are delinquent after the 20th day of the same month.

8  
9 (e) The division secretary-treasurer shall remit all dues and assess-  
10 ments collected by him to the GCA secretary-treasurer on or before  
11 the 20th day of the next succeeding month for which such dues and  
12 assessments are collected.

### **Member in Arrears**

13  
14  
15  
16 Section 47. Any member failing to pay dues or assessments as per  
17 Section 46 – Local Division Rules will be subject to expulsion, unless  
18 upon request in writing, signed by himself, he is carried or excused  
19 by the division.

### **Relief Committee**

20  
21  
22  
23 Section 48. It shall be the duty of the president, vice president, and  
24 chaplain to act as relief committee. Their duties shall be to visit the  
25 sick and provide them with any attention of which they may be in  
26 need.

### **Relief of Sick or Disabled Members**

27  
28  
29  
30 Section 49. Should any division assist a sick or disabled member,  
31 the necessary funds may be taken from the treasury of the division or  
32 raised by assessment as per Section 46(a) – Local Division Rules or  
33 voluntary contribution.

**Memorial Day**

Section 50. The last Sunday in May each year should be set aside and observed as Memorial Day. The day is to be observed by all divisions, with appropriate services in memory of our deceased members.

**Nonmember Employees Protected**

Section 51. Any person engaged in any service coming under the jurisdiction of the BLET's contracts or schedules, or engaged in any service over which the BLET is endeavoring to secure jurisdiction by contract shall, in case of injustice, be entitled to the full protection of the local and general committees of adjustment under the terms and conditions of Section 43(c) – General Committee Rules, provided application is made to the division in writing and meets with their approval.

**Charges**

Section 52. Charges in the division shall be handled in accordance with Article XIX of the IBT Constitution.

**Hearings conducted under the provisions of Article XIX – IBT Constitution shall be held at a location near either the residence or the workplace of the charged officer or member.**

**Refusing to Sustain the GCA or Interfering with  
a Local Committee**

Section 53. Any member refusing to sustain the action or carry out instructions of the GCA of a system on which he is employed or who in any manner interferes with a case or cases in the hands of the local

1 committee or the GCA shall be subject to charges under Article XIX  
2 of the IBT Constitution.

### 3 4 **Religious Subjects Prohibited**

5  
6 Section 54. The influence or sympathy of the BLET as a body shall  
7 never be enlisted or used in favor of any religious organization what-  
8 ever; no member of the BLET shall be permitted to discuss in any  
9 manner in division, or while discussing division matters, any reli-  
10 gious matter, or criticize the religious belief of any member; and any  
11 division permitting same to be done shall be subject to charges under  
12 Article XIX of the IBT Constitution.

### 13 14 **Taking the Place of a Striker**

15  
16 Section 55.(a) It is the policy of the BLET that it will support and,  
17 if necessary, place the full power of the BLET behind the members of  
18 the BLET who, because of fear of hazard or injuries to themselves or  
19 families or damage to their personal property, decline to cross picket  
20 lines; and if such conditions do exist, the management of the railroad  
21 so affected will be notified by the local or general chairman of the  
22 BLET.

23  
24 (b) In case a strike is called by any labor organization which has for  
25 its purpose preventing the enforcement of BLET contracts or an inva-  
26 sion of the jurisdictional or contractual rights of the BLET, and, in  
27 enforcing the strike, picket lines are established, the BLET will exert  
28 all the force at its disposal in an effort to make it possible for engi-  
29 neers or trainmen to report for and perform their normal duties. In  
30 such cases the National President will promptly notify all concerned  
31 whether or not the controversy causing the strike is jurisdictional.  
32

**Reinstatements**

1  
2  
3 Section 56.(a) All applications for reinstatements must be made in  
4 writing, stating date of birth and giving name of road employing him.  
5 If application is rejected, it cannot be entertained again until it has  
6 been laid on the table for one (1) regular meeting.  
7

8 (b) An application for reinstatement of expelled members, except  
9 for nonpayment of dues and assessments, must lie over to the first  
10 regular meeting after application is received.  
11

12 (c) No member who has been expelled shall be reinstated unless he  
13 is eligible for active membership, as provided in Section 25 – Local  
14 Division Rules, at the time he makes application.  
15

16 (d) Any member who has been expelled for the nonpayment of dues  
17 and assessments, upon application to the division from which he was  
18 expelled, may be reinstated by a majority vote of all the members  
19 present at the meeting when the application is received.  
20

21 (e) If expelled for any other cause, he shall not be eligible as a candi-  
22 date for readmission in less than three (3) months, after which time  
23 he must apply to the division from which he was expelled for reinstat-  
24 ement; and he may be reinstated by a two-thirds (2/3) vote of all  
25 members present if he is eligible for active membership, as provided  
26 in Section 25 – Local Division Rules, when application is made, ex-  
27 cept as provided for in Section 13 – Ritual, Resolution No. 2.  
28

29 (f) No member who has been expelled upon receipt of findings and  
30 recommendations of another division can be reinstated until the con-  
31 sent of the division which recommended his expulsion has been ob-  
32 tained. Any member expelled for violation of obligation, if  
33 reinstated, must be reobligated and furnish evidence, if requested by

1 the division, that he has not joined any other labor organization than  
2 one recognized as legal by the BLET, and that he will, within ninety  
3 (90) days, withdraw his membership from any other labor organiza-  
4 tions purporting to represent locomotive engineers and trainmen,  
5 except the United Transportation Union.

6  
7 (g) In case an expelled member of a division that has gone out of  
8 existence desires reinstatement, he may, with the consent of the Na-  
9 tional President, be reinstated by any division to which he may apply.

10  
11 (h) Reinstated members will be required to pay national dues for  
12 the month in which they are reinstated, and such other dues as may be  
13 determined by the division, except that a member who has been ex-  
14 pelled for nonpayment of dues and assessments, when reinstated,  
15 shall not be required to pay more than national dues, local division,  
16 GCA and legislative board dues and assessments for the month in  
17 which he is reinstated.

### **Order of Business**

#### Section 57.

- 21 1. Opening division in due form.
- 22
- 23 2. Reading of minutes of the previous regular meeting, with  
24 those of subsequent special meetings, directly from the  
25 minute book for approval.
- 26
- 27
- 28
- 29 3. The reading or referring of petitions or propositions.
- 30
- 31 4. Report of committees on previous propositions.
- 32
- 33 5. Voting on proposed members.

- 1 6. Initiation of candidates.  
2  
3 7. Unfinished business and reports of local and general com-  
4 mittees and legislative boards.  
5  
6 8. Financial business.  
7  
8 9. New business.  
9  
10 10. Request for information of any sick or disabled brother or a  
11 brother's family in distress.  
12  
13 11. Reading of minutes for correction before closing in due  
14 form.  
15

**Law in Effect**

16  
17  
18 Section 58. These Bylaws, except as herein specified, will be in  
19 effect on and after March 16, 2011.

**T**HIS SECTION, entitled “Rules of Order – Divisions, General Committees of Adjustment and Legislative Boards,” is concerned with the government of deliberation of divisions, general committees of adjustment and legislative boards.

NOTE: For purpose of clarity, President of the ND will be referred to as “National President” in this section. “President” will refer to president of the division.

**RULES OF ORDER – Divisions, General Committees  
of Adjustment and Legislative Boards**

1  
2  
3  
4 Section 1. The Rules of Order for the government of the delibera-  
5 tion of divisions, general committees of adjustment and legislative  
6 boards shall be in accordance with the following rules:  
7

8 Section 2. No member shall retire from any meeting of a division,  
9 GCA or legislative board after it is opened for business, without the  
10 consent of the presiding officer.  
11

12 Section 3. Members shall not be permitted to leave their seat, ex-  
13 cept such as are required to do so in the discharge of their duties,  
14 without the consent of the presiding officer; and no member shall  
15 cross the floor between the altar and the station of the president while  
16 a division is in session, except as provided for during the initiation  
17 ceremony.  
18

19 Section 4. It is the absolute duty of every active member to vote on  
20 all questions before a division, GCA or legislative board; and a mem-  
21 ber can only be excused from voting by a majority vote, except when  
22 the individual rights of a member are concerned or when the mem-  
23 bers interested shall not be permitted to vote, and may be excluded  
24 from the body during the vote.  
25

26 Section 5. It is the duty of the presiding officer to decline to enter-  
27 tain any order, motion, resolution or amendment that is not in proper  
28 form and is not presented at the proper time.  
29

30 Section 6. A motion must be seconded and afterwards repeated  
31 from the chair; if a member requires it, motion shall be reduced to  
32 writing and read aloud before it is debated.  
33

## **RULES OF ORDER – DIVISIONS, GCAs & LBS 123**

1 Section 7. A member, having made a motion, may withdraw it with  
2 the consent of his second before it is debated, but not afterwards  
3 without the consent of the body.  
4

5 Section 8. When a member speaks or offers a motion, he shall rise  
6 in his place and respectfully address the chair, confine himself to the  
7 question under consideration, and avoid personality and unbecoming  
8 language.  
9

10 Section 9. When a member is called to order, he shall take his seat  
11 until the point is determined.  
12

13 Section 10. When two (2) or more members rise to speak at the  
14 same time, the presiding officer shall decide who is entitled to the  
15 floor.  
16

17 Section 11. No member shall speak more than twice nor longer than  
18 ten (10) minutes each time on any question without consent of the  
19 division, GCA or legislative board, which shall be granted or refused  
20 without debate.  
21

22 Section 12. While a member is speaking, no one shall interrupt him  
23 except for the purpose of calling him to order or asking of the presid-  
24 ing officer to explain or to call the previous question. A member  
25 allowed to explain shall only have the right to explain an actual mi-  
26 s-understanding of the language and shall be strictly prohibited from  
27 going into debate on the merits of the question.  
28

29 Section 13. For any member, in speaking, to impeach the motives  
30 of a fellow member or treat him with personal disrespect, or pass  
31 between him and the chair while he is speaking, shall be deemed a  
32 violation of the organization, which may incur the censure of the  
33 presiding officer of the division, GCA or legislative board.

## 124 RULES OF ORDER – DIVISIONS, GCAs & LBS

1 Section 14. If a member, while speaking, be called to order by the  
2 chair, he shall cease speaking and take his seat until the question of  
3 order is determined and permission given him to proceed.  
4

5 Section 15. If any member shall feel himself personally aggrieved  
6 by a decision of the chair, he may appeal from the decision.  
7

8 Section 16. Any conversation, by whispering or otherwise, which is  
9 calculated to disturb a member while speaking or hinder the transac-  
10 tion of business, shall be deemed a violation of the organization.  
11

12 Section 17. A motion to amend, and to amend an amendment, shall  
13 be in order; but to amend an amendment to an amendment shall not  
14 be entertained.  
15

16 If it is moved to amend the amendment, the vote is first taken on the  
17 amendment to the amendment, then on the amendment as amended,  
18 then on the original motion as amended if the amendment of the mo-  
19 tion was carried, and finally the paragraph as it would read if so  
20 amended.  
21

22 Section 18. When the motion is under debate, no motion shall be  
23 received except the following subsidiary motions:  
24

25 Questions of privilege must not be confused with privileged ques-  
26 tions. Question of privilege is to allow a member to make some  
27 statement, usually calling attention to disorder, something endanger-  
28 ing the welfare, or charges against himself or others, etc.  
29

30 Section 19. When a question is before the division, GCA or legisla-  
31 tive board, the only motion in order that may interrupt shall be first,  
32 to adjourn; second, the previous question; third, to lay on the table;  
33 fourth, to postpone indefinitely; fifth, to postpone to a definite period;

## **RULES OF ORDER – DIVISIONS, GCAS & LBS 125**

1 sixth, to defer; seventh, to divide, if the sense will admit of it; or  
2 eighth, to amend – to take precedence as herein arranged, and the first  
3 three (3) to be decided without debate.

4  
5 Section 20. When the previous question is moved and seconded, it  
6 shall be put in this form: “Shall the main question be now put?” If  
7 this is carried, all further motions, amendments and debates shall be  
8 excluded, and the question put without delay. If the question has  
9 been amended, the question on the amendment shall be put first. If  
10 more than one (1) amendment has been made, the last amendment in  
11 order shall take precedence in the vote. It shall not be in order to  
12 reconsider the agreement to take the previous question.

13  
14 Section 21. When a motion is postponed indefinitely, it shall not  
15 again come up during the meeting.

16  
17 Section 22. A motion to adjourn shall always be in order except:  
18 first, when a member is in possession of the floor; second, when the  
19 ayes and nays are being called; third, when the members are voting;  
20 fourth, when to adjourn was the last preceding motion; or fifth, when  
21 it has been decided that the previous question be taken.

22  
23 Section 23. First, a motion to adjourn; second, a motion to lay on  
24 the table; third, a previous question; fourth, a motion to reconsider;  
25 fifth, a motion to read a paper, are undebatable.

26  
27 Section 24. The reading of any paper called for relating to the sub-  
28 ject under debate shall always be in order.

29  
30 Section 25. When the presiding officer has commenced taking a  
31 vote, no further debate or remarks shall be admitted unless a mistake  
32 has been made, in which case the mistake shall be rectified; and the  
33 presiding officer shall recommence taking the vote.

## 126 RULES OF ORDER – DIVISIONS, GCAs & LBS

1 Section 26. When the decision of any question in a division is  
2 doubted, the presiding officer shall direct the vice president to count  
3 the vote in the affirmative and negative and report the same to him.  
4

5 Section 27. The ayes and nays upon any question before the divi-  
6 sion, GCA or legislative board may be called for by two (2) mem-  
7 bers, and upon the assent of one-third (1/3) of the members present  
8 shall be so taken. They may be called for at any time before a pe-  
9 remptory decision of the vote by the chair, and all members shall vote  
10 unless excused by a majority of the members present.  
11

12 Section 28. A question may be reconsidered at any time during the  
13 meeting or at the first regular meeting held thereafter, except in the  
14 case of a rejected candidate, which shall lie over until the second  
15 regular meeting.  
16

17 A motion to reconsider must be made and seconded by members  
18 who voted in the majority.  
19

20 A motion for reconsideration, being once made and decided in the  
21 negative, shall not be renewed before the next regular meeting.  
22

23 No question shall be considered more than once, nor shall a vote to  
24 reconsider be reconsidered.  
25

26 To reconsider any question, the decision of which has officially  
27 passed out of the division, GCA or legislative board, shall not be in  
28 order.  
29

30 Section 29. A motion to repeal or rescind a resolution shall be made  
31 in writing and read in open division, GCA or legislative board, and  
32 shall lie over until the next regular meeting before any action shall be

## **RULES OF ORDER – DIVISIONS, GCAs & LBS 127**

1 taken on the same, and shall only be in order when the motion to  
2 reconsider is no longer available.

3  
4 A rescind motion is in order only one (1) time.

5  
6 Section 30. In appointing a committee, the presiding officer shall  
7 appoint according to his best judgment. The member first named on  
8 a committee shall be the chairman, and shall call the committee to-  
9 gether at such time and place as he may select; but when thus con-  
10 vened, any committee can select its own chairman and secretary.

11  
12 Section 31. All reports of committees, excepting reports of  
13 progress, shall be made in writing and signed by a majority.

14  
15 If a committee disagrees, they can submit a majority and a minority  
16 report. After the majority report has been read, it is customary to  
17 allow the minority report to be presented; and it would require the  
18 adoption of a motion to substitute the minority report for the majority  
19 report, which is the report of the committee.

20  
21 When a report is read, it shall be considered as properly before the  
22 division, GCA or legislative board without a motion to receive.

23  
24 All proceedings of divisions, GCAs or legislative boards not pro-  
25 vided for in the above rules shall be governed according to Robert's  
26 Rules of Order.

**T**HIS SECTION, entitled “General Committee Rules,” has to do principally with the operation of general committees of adjustment (GCAs).

NOTE: For purpose of clarity, President of the ND will be referred to as “National President” in this section. “President” will refer to president of the division.

## GENERAL COMMITTEE RULES

### General Committee of Adjustment – How Organized

Section 1. On any system of railroad where two (2) or more divisions are organized, there shall be a standing general committee of adjustment whose members shall be elected triennially at the regular division election. On any line or system of railroad under or controlled by one (1) president or by an executive committee under whom are one (1) or more presidents or managers, where a road or branch constitutes a separate department of the system and on which the BLET has separate and distinct schedules of pay, different from schedules in force on other parts of the system, such road or branch shall have the privilege of maintaining its own GCA. On roads or systems having an executive committee, the GCA shall have power only to settle all differences that can by them be adjusted with any and all officers of such road or system subordinate to the president.

### GCA Representation

Section 2.(a) Each division with twenty-five (25) or more active members paying GCA assessments on a road or system shall be entitled to one (1) representative and one (1) vote in the committee, unless otherwise authorized by the GCA and the National President; provided, however, that on a road or system where there is but one (1) division, the local committee will be the GCA; where there are two (2) divisions, the division having the most members employed on such system shall have two (2) representatives, and two (2) votes on the committee.

Divisions chartered before January 1, 2004 will retain the previous threshold level of twelve (12) active members.

1 (b) Each division having members employed on more than one (1)  
2 road or system shall be entitled to a member of the GCA on each  
3 system represented. The chairman of the local committee of adjust-  
4 ment shall be a member of the GCA on the road he represents; and  
5 only members employed on that road shall have a vote for their local  
6 committee, which vote shall be by secret ballot.

7  
8 (c) On short-line railroads where the membership feel they will  
9 derive more economic and more efficient representation by merging  
10 with the general committee of another railroad, they may, by a major-  
11 ity vote of the active membership casting a ballot, request the Nation-  
12 al President to permit them to merge with some other GCA of their  
13 choice (choice to be determined by majority vote). If, in the opinion  
14 of the National President, such merger would operate to the best in-  
15 terests of the BLET, he shall order the same to become effective on a  
16 specified date; provided, however, the general committee with which  
17 the merger is proposed shall approve of the same by a majority vote  
18 in accordance with Section 41(b) – General Committee Rules.

19  
20 (d) In the event of such merger becoming effective, the so-called  
21 short-line railroad shall be entitled to representation on the merged  
22 GCA, as provided for in Paragraph (a) of this section.

23  
24 (e) Any division which is not square on the books of the GCA will  
25 not be entitled to have its delegate seated at any meeting of the GCA.

26  
27 **GCA Credential – Number of Assessable Delegates**  
28 **– How Instructed**  
29

30 Section 3.(a) Each division shall furnish a credential to each of its  
31 members of the GCA; and it shall state the number of assessable  
32 members on each seniority district which the division represents,  
33 including officials who retain seniority rights; and each division shall

1 pay assessments for the number of members stated on the credentials.  
2 Any secretary-treasurer of the division who fails to report to the sec-  
3 retary-treasurer of the GCA all assessable members belonging to his  
4 division shall be subject to charges under Article XIX of the IBT  
5 Constitution.

6  
7 (b) Whenever a poll of a division is ordered to instruct a delegate to  
8 the GCA, the secretary-treasurer shall send out a ballot to each active  
9 member with all questions printed thereon, requesting him to vote on  
10 the questions; and when properly filled out, it must be returned to the  
11 secretary-treasurer on or before the date indicated on the ballot, either  
12 in person or by government mail.

13  
14 (c) If a majority of ballots cast by the active members are in favor  
15 of the question submitted, the division shall so instruct the delegate;  
16 and he shall carry out their instructions. Such instructions shall be  
17 signed by the president and the secretary-treasurer and filed with the  
18 secretary-treasurer of the GCA prior to the convening thereof. Fail-  
19 ure of the delegate to carry out his instructions shall be considered a  
20 violation of his obligation; and if found guilty after trial as per Article  
21 XIX of the IBT Constitution, he shall be subject to penalty as therein  
22 provided.

### 23 24 **When Two or More GCAs Are Organized, May Consolidate**

25  
26 Section 4.(a) On any system or roads having one (1) or more gener-  
27 al managers under one (1) executive officer or president, where two  
28 (2) or more GCAs are organized, they can merge into one (1) GCA,  
29 provided a two-thirds (2/3) majority of the GCAs of the territory  
30 affected so decide. Such mergers of GCAs shall not become effec-  
31 tive until after the expiration of sixty (60) days and no appeal from  
32 the action has been made. If an appeal is made within sixty (60) days  
33 of such action of GCAs, the question shall be referred to the member-

1 ship on that portion of the system from which appeal is made; and  
2 unless a majority of the members on such portion of the system vote  
3 to merge their GCAs, their individual GCA shall continue as hereto-  
4 fore.

5  
6 Upon effecting such merger, officers of the merged general commit-  
7 tee shall be elected as provided in Section 9 – General Committee  
8 Rules.

9  
10 (b) After the merger is consummated, the general chairman may, at  
11 any time, convene only that portion of the GCA which is under the  
12 jurisdiction of the general manager of the territory affected.

13  
14 (c) In the event a GCA on any small road or system desires to  
15 merge with the GCA under the same general manager or one (1) ex-  
16 ecutive officer or president, and said GCA is not agreeable to such  
17 merger, the request with all facts in connection therewith will be  
18 referred to the National President who, in conjunction with the Advi-  
19 sory Board, will make a recommendation to the IBT General Presi-  
20 dent, who will process the matter in accord with the applicable  
21 provisions of the IBT Constitution and the IBT/BLE Merger Agree-  
22 ment.

23  
24 However, in the event the National President has reason to believe  
25 that the merging of a small GCA would be in the best interest of the  
26 members, he shall forward the request with all facts in support of his  
27 position to the affected general committees, requesting they volunta-  
28 rily agree to the merger. The final decision will rest with the affected  
29 members of the involved committees as per Section 4(a) above.

30  
31  
32

**Dividing a General Committee of Adjustment**

1  
2  
3 Section 5. The dividing of a consolidated GCA should be promul-  
4 gated, if at all possible, at the consolidated GCA regular session.  
5 When it appears necessary or desirable to divide a GCA on any line  
6 or system of railroad under or controlled by one (1) president or by  
7 an executive committee under whom are one (1) or more presidents  
8 or managers, where a road or branch constitutes a separate depart-  
9 ment of the system and on which the BLET has separate schedules of  
10 pay, such road or branch shall have the privilege of withdrawing from  
11 the consolidated GCA and form a separate GCA; provided, after one  
12 (1) year from their last regular session, a majority of the active mem-  
13 bership casting ballots in the division on the territory that wish to  
14 withdraw so express by referendum vote.  
15

**Executive Committee – How Formed**

16  
17  
18 Section 6. To form an executive committee, it will require a majori-  
19 ty vote of all members of the GCA of the road or system affected. It  
20 shall consist of a general chairman, secretary-treasurer, and vice-  
21 chairman or vice-chairmen, and such other members of the GCA as  
22 the general committee deems advisable.  
23

**Duties of the Executive Committee**

24  
25  
26 Section 7. Duties of the executive committee shall be to adjust only  
27 subjects referred to it by action of a majority of the full GCA.  
28

**GCA Meetings**

29  
30  
31 Section 8.(a) It shall be the duty of the GCA of each system to meet  
32 triennially after the triennial election of the division, unless the GCA  
33 has adopted a resolution to meet quadrennially (once each four (4)

1 year period), at such time and place as may be determined by the  
2 chairman and secretary-treasurer, or by a majority of the divisions,  
3 and adjust the differences existing on the systems.

4  
5 (b) At any time between regular sessions, should a majority of the  
6 divisions on a system instruct the chairman to convene the GCA, he  
7 shall do so without delay.

8  
9 (c) In case of an emergency, the chairman is empowered to convene  
10 the GCA when, in his judgment, it is necessary.

11  
12 (d) At all such meetings, as soon as each division has presented and  
13 discussed grievances and, if a regular meeting, the officers have been  
14 elected, the GCA may reduce to an executive committee, elected by  
15 the GCA.

### 16 17 **GCA Election of Officers**

18  
19 Section 9.(a) The chairman, vice-chairman or vice-chairmen, and  
20 secretary-treasurer of the GCA will be elected after the officers have  
21 made their report and each division has presented and discussed its  
22 grievances and before reducing to an executive committee. ~~Chair-~~  
23 ~~man and vice chairman or vice chairmen shall hold~~ **Candidates for**  
24 **office must not hold membership in any other labor organization**  
25 **which purports to represent locomotive engineers and must**  
26 **meet the requirements of active membership as defined in Section**  
27 **25(b) – Local Division Rules.**

28  
29 NOTE: ~~Beginning January 1, 2006, e~~Eligibility to nominate,  
30 second and run for office will be determined by the applicable pro-  
31 visions of the IBT Constitution ~~as modified in Paragraphs 6.7 and~~  
32 ~~6.8 of the IBT/BLE Merger Agreement (see Section 1 – National~~  
33 **Division Rules – NOTE and Paragraph 6.7 of the IBT/BLE**

1 **Merger Agreement).** Members are urged to verify their eli-  
2 gibility before nominations and election.

3  
4 (b) At the regular election of officers of the GCA, a majority of the  
5 ballots cast shall be required for election. If after fifteen (15) ballots  
6 have been taken and no candidate has received a majority of votes  
7 cast, the names of two (2) candidates receiving the highest number of  
8 votes shall be arranged alphabetically on the ballot and submitted to a  
9 secret referendum vote of the active membership of the system within  
10 thirty (30) days. The candidate receiving the highest number of votes  
11 will be declared elected.

12  
13 (c) Where there are two (2) divisions on a system, each division  
14 will nominate its candidate or candidates for the office of general  
15 chairman.

16  
17 The secretary-treasurer of each division will notify the secretary-  
18 treasurer of the GCA of the names of the candidates, who in turn will  
19 furnish a list of names of candidates of both divisions for office of  
20 general chairman to the respective secretary-treasurers of the two (2)  
21 divisions; the names of the candidates for office of general chairman  
22 will then be placed on a separate ballot and sent out to members af-  
23 fected, with the regular division ballot.

24  
25 Upon the completion of the election of officers in the division, the  
26 secretary-treasurer of each division will notify the secretary-treasurer  
27 of the GCA of the number of ballots cast for each candidate and the  
28 name of the candidate who received the majority of votes. The secre-  
29 tary-treasurer of the GCA will then notify the secretary-treasurer of  
30 each division of the name of the successful candidate for the office of  
31 general chairman, with the tabulation of votes cast by each division  
32 for candidates for that office. In case no candidate receives majority  
33 of votes cast, Paragraph (b) will apply.

1 (d) In the event a majority of the delegates of a GCA are so in-  
2 structed by the division they represent, the general chairman will be  
3 elected by a secret referendum vote of the active membership on the  
4 system. The candidate receiving the highest number of votes will be  
5 declared elected.

6  
7 (e) In the event of any irregularities in the election of officers of  
8 a general committee of adjustment, resulting in a contest of elec-  
9 tion, the protest must be filed in duplicate with the secretary-  
10 treasurer of the GCA and the National President within thirty (30)  
11 days after such election. **The protest must set forth the exact**  
12 **nature and specifications of the protest, including a claim as to**  
13 **how it affected the outcome of the election.** The National Presi-  
14 dent will conduct an investigation to obtain the facts and evidence  
15 and render his decision accordingly. Any member who is dissatis-  
16 fied with the decision of the National President may appeal such  
17 decision within thirty (30) days to the BLET Executive Commit-  
18 tee whose decision shall be final and binding.

### 19 20 **Chairman May Be Made Salaried Officer**

21  
22 Section 10.(a) The chairman of the GCA shall be made a salaried  
23 officer if so decided by a majority of all votes cast by members pay-  
24 ing GCA assessments in a secret referendum vote on the system.  
25 Such salaried chairman must be in active service as defined in Sec-  
26 tion 25(a) – Local Division Rules at the time of his election.

27  
28 (b) The position of salaried chairman shall be abolished, provided  
29 such action is carried by a majority of all the votes cast by members  
30 paying GCA assessments on the system or unit in a secret referendum  
31 vote. The vote shall be taken at the request of one-fourth (1/4) of the  
32 divisions on the system or unit. A vote once taken and decided can-  
33 not be renewed for one (1) year.

1 (c) In taking a referendum vote to place a general chairman on a  
2 salary in accordance with Paragraph (a) or to abolish the salary of a  
3 general chairman in accordance with Paragraph (b), the ballot will be  
4 prepared by the general chairman and secretary-treasurer; and suffi-  
5 cient ballots will be sent to each division's secretary-treasurer to vote  
6 the membership paying GCA assessments. The ballots must be re-  
7 turned to the division secretary-treasurer either in person or by gov-  
8 ernment mail. After ballots are voted, each division will count and  
9 tabulate the votes cast and forward same to the secretary-treasurer of  
10 the GCA, who will notify each division of the result of the vote.

### **General Chairman's Duties**

11  
12  
13  
14 Section 11.(a) A salaried chairman shall devote his whole time to  
15 the interests of the members on his system and visit the divisions.  
16 Any chairman of the GCA, when called upon by one (1) or more  
17 divisions on his system, shall be empowered in conjunction with the  
18 local committee to adjust, if possible, any differences that may arise  
19 between members and their employers without convening the GCA.  
20 Failing, he may notify the National President of the facts in detail and  
21 call upon him for assistance. Receiving such call, the National Presi-  
22 dent will assign a vice president; or he may authorize the general  
23 chairman to represent him. The general chairman will not, however,  
24 vote the active members or withdraw them from the service without  
25 permission from the National President. In case the local committee  
26 cannot be convened readily, the chairman shall have the power to  
27 select one (1) or more members to assist him.

28  
29 (b) It shall be the duty of the general chairman to convene the GCA  
30 in accordance with Section 8 – General Committee Rules and to pre-  
31 side over the meeting while in session. He will make a report to the  
32 committee in session of items not completed and carried out from the  
33 last session of the committee. He shall render to each division on the

1 system a report at the end of each quarter and send to each division  
2 and each local chairman a copy of the rulings and interpretations of  
3 the schedule under which they are working; and at the close of the  
4 year, he will render an annual report to the National Office, the ex-  
5 pense of same to be paid out of the funds of the general committee.  
6 He may fill the president's chair when visiting the divisions on the  
7 system. He shall be paid for his services by an assessment on all  
8 active members on the system (as provided in Section 51 – Local  
9 Division Rules), provided that such assessment will be in effect only  
10 until the next session of the GCA, at which time it will be continued,  
11 discontinued or revised.

12  
13 (c) The general chairman shall have authority to review the books  
14 of any or all divisions within his jurisdiction when, in his opinion, it  
15 is desirable to do so.

16  
17 (d) The general chairman shall be bonded in accordance with Ar-  
18 ticle X, Section 7(a) of the IBT Constitution.

19  
20 (e) The general chairman shall be recognized as the GCA between  
21 meetings of that body; and his decision on all matters within the  
22 scope of authority of the GCA shall be made effective subject to ap-  
23 peal in accordance with the provisions of Sections 25 and/or 26 –  
24 General Committee Rules, except for matters specifically stipulated  
25 in Sections 32 and 33 – General Committee Rules.

### 26 27 **Duties of the Vice-General Chairman, GCA**

28  
29 Section 12.(a) The vice-chairman shall assist the general chairman  
30 when called upon to do so and, in the absence of the general chair-  
31 man, shall fill that office in accordance with the bylaws of the GCA.  
32 In the event the office of general chairman becomes vacant through  
33 death or otherwise, he shall fill the office until a successor has been

1 duly elected in keeping with the laws herein provided for or by the  
2 bylaws of the GCA.

3  
4 (b) In the absence of GCA bylaws to govern, the vice-chairman  
5 shall convene the committee within thirty (30) days for the purpose  
6 of electing a chairman, unless such vacancy occurs within six (6)  
7 months of the regular date of convening said GCA.

### 8 9 **Duties of the Secretary-Treasurer, GCA**

10  
11 Section 13.(a) The secretary-treasurer shall be bonded in accor-  
12 dance with Article X, Section 7(a) of the IBT Constitution; and he  
13 shall notify the National President when the general committee will  
14 convene and the nature of the business to be transacted; he will fur-  
15 nish each division on the system a copy of the minutes of each ses-  
16 sion of the GCA, which shall include the number of each division  
17 represented, together with the assessable members of each.

18  
19 (b) The secretary-treasurer shall remit national dues and assess-  
20 ments to the National Secretary-Treasurer and shall also remit divi-  
21 sion and legislative board assessments to the secretary-treasurer of  
22 the division and the legislative board, respectively, on or before the  
23 20th day of the next succeeding month for which such dues and as-  
24 sements are collected.

25  
26 (c) He shall render an annual financial itemized report of all re-  
27 cepts and disbursements to each division, the general chairman and  
28 the National President, and at the expiration of his term of office  
29 deliver to his successor all books, papers, files and funds of the GCA.

30  
31 (d) He shall furnish the National President a copy of the minutes of  
32 each session of the GCA. He shall in general be responsible to insure  
33 that the duties set forth in Article XXIII of the IBT Constitution are

1 fulfilled with respect to the general committee consistent with these  
2 bylaws.

### 4 **GCA – Duties before Calling National President**

5  
6 Section 14. It shall be the duty of the GCA on any system to exert  
7 all means available to effect a settlement of any issue in dispute be-  
8 tween the management and the membership on the system.

9  
10 Failing to effect a satisfactory settlement, it shall notify the National  
11 President of the facts, in detail, and if it so desires, may request assis-  
12 tance from the National President.

### 13 **National President – Called by GCA**

14  
15  
16 Section 15. A GCA may call upon the National President for assis-  
17 tance to dispose of any issue in dispute between the general commit-  
18 tee and its management which has not been satisfactorily disposed of.  
19 If such assistance is requested, it shall be given precedence over all  
20 other business; and the National President shall respond in person, at  
21 once, or send a vice president, who will use all honorable means to  
22 make a satisfactory disposition of the dispute.

23  
24 Except as provided in Sections 32 and 33 – General Committee  
25 Rules, the National President shall not be empowered to assign a vice  
26 president to assist any GCA unless requested to do so by said GCA.

### 27 **Trusteeships**

28  
29  
30 Section 16. The authority to place subordinate bodies into trustee-  
31 ship and appoint trustees is vested in the General President of the IBT  
32 under the provisions of Article VI, Section 5 of the IBT Constitution

1 and in accordance with Paragraph 6.11 of the IBT/BLE Merger  
2 Agreement.

3  
4 **Authority for Taking Strike Vote and Withdrawing from Service**  
5

6 Section 17.(a) In the event of a question of wages or other causes  
7 where the BLET is likely to be involved in an issue with a railroad  
8 company or when a strike is in progress on any road, no one will be  
9 permitted to take an active part in the deliberations of any division  
10 while the question at issue is under discussion unless he is in active  
11 service as a locomotive engineer or trainman as defined in Section  
12 25(a) – Local Division Rules. The members on every railroad shall  
13 settle their grievances with their own GCA, if possible. Failing to do  
14 so, they may call on the National President who, in conjunction with  
15 the majority of the committee, shall have full power to give permis-  
16 sion to poll the road, system, or portion thereof involved; and after  
17 such permission has been granted, the members on the road, system,  
18 or portion thereof shall decide whether they will quit work or not by a  
19 majority of the ballots cast by all the members employed on the road,  
20 system, or portion thereof where the dispute exists, except as pro-  
21 vided in Section 17(b). Members who are not employed on the road,  
22 system, or portion thereof where the dispute exists shall not be al-  
23 lowed to vote upon the questions in controversy.

24  
25 (b) In cases where the best interests of the BLET would be jeopard-  
26 ized by the delay incident to the circulation of a referendum strike  
27 ballot, the general chairman may vote the GCA by the most conven-  
28 ient means available in lieu of the circulation of a referendum to the  
29 membership, provided that consent to do so has already been ob-  
30 tained from the active membership by a referendum vote.

31  
32 (c) If a majority of the membership casting a ballot on the road,  
33 system, or portion thereof, and two-thirds (2/3) or more of the mem-



1 the National President, shall have absolute power to declare the strike  
2 off. Should the strike continue for ten (10) days or longer, the power  
3 to declare the strike off shall be vested in the GCA on the road, sys-  
4 tem, or portion thereof acting in concurrence with the Executive  
5 Committee of the BLET.

### **GCA Convened by the National President**

6  
7  
8  
9 Section 20. When the GCA on any road or system is convened on  
10 authority of or by the National President on matters of a general na-  
11 ture, the time and expenses of the committee shall be paid from the  
12 general fund of the ND.

### **Members Must Not Sign Contracts Unless Authorized**

13  
14  
15  
16 Section 21. A member or members, other than the duly designated  
17 representative of the BLET, are prohibited from entering into any  
18 verbal or written agreements with any railroad management involving  
19 rates of pay, rules or working conditions of locomotive engineers or  
20 trainmen. Any member violating this provision shall be subject to  
21 charges under Article XIX of the IBT Constitution.

### **Communications – Illegal**

22  
23  
24  
25 Section 22. When any member or members of a division (except  
26 chairman of the local committee) take up directly with the general  
27 chairman, verbally or written, any question where other members'  
28 interests are involved, or ask for a ruling upon any question, the gen-  
29 eral chairman must refuse to grant such requests or ruling until the  
30 proposition has been submitted to the division for their consideration.  
31 If carried by a majority of the members present, the secretary-  
32 treasurer will furnish the general chairman all the facts in the case,

1 who will furnish the division with his ruling or interpretation, as the  
2 case might be.

### 3 4 **Member or Officer Disciplined By the GCA** 5

6 Section 23.(a) Any member of the GCA who, by act or word in the  
7 presence of any railroad official, injures any matter under discussion  
8 by the committee or executive committee, which has for its purpose  
9 the enforcement of the General Committee Rules of the BLET, shall  
10 have written charges preferred against him before the executive  
11 committee by the general chairman under the provisions of Article  
12 XIX of the IBT Constitution. If, after he has been served with writ-  
13 ten specific charges and given a reasonable and fair hearing, a majori-  
14 ty of the executive committee voting by ballot so decides (general  
15 chairman to have the deciding vote in case of a tie), he shall be de-  
16 prived of service on the same. The general chairman shall then notify  
17 the president of the division which the deposed member represented,  
18 and the president of the division may fill such vacancy by appoint-  
19 ment promptly. If necessary, the general chairman is authorized to  
20 fill the vacancy by interim appointment from the membership of the  
21 division to which the deposed member belongs; and said appointee  
22 will serve until relieved by a delegate appointed by the president or  
23 elected by the division as per Section 20 – Local Division Rules.

24  
25 (b) Any officer may be removed from office by a majority vote of  
26 the members of the executive committee of the GCA for violation of  
27 any of the laws or rules of the BLET committed in his official capaci-  
28 ty as a member of the GCA, if found guilty after having been served  
29 with written specific charges, given reasonable time to prepare a  
30 defense and afforded a full and fair hearing under Article XIX of the  
31 IBT Constitution.  
32

1 (c) Any officer or member proven guilty under the above paragraph  
2 will be deprived from again holding office in the GCA for a period of  
3 not less than three (3) years.  
4

5 (d) **Hearings conducted under the provisions of Article XIX –**  
6 **IBT Constitution shall be held at a location near either the**  
7 **residence or the workplace of the charged officer or member.**  
8

### 9 GCA May Make Its Own Rules

10  
11 Section 24. The GCA shall make such rules or regulations as are  
12 deemed necessary for the proper adjustment of differences on their  
13 respective systems. Such laws and regulations, however, must not  
14 conflict with the laws of the IBT, Rail Conference, ND or applicable  
15 civil law.  
16

### 17 GCA Decisions Stand as Law

18  
19 Section 25.(a) Any action taken by a general chairman or GCA  
20 over a collective bargaining issue shall stand as law for all members  
21 and divisions in the territory over which the general chairman or  
22 GCA has jurisdiction, until repealed by the general committee or in  
23 accordance with the provisions for appeals in Section 26 – General  
24 Committee Rules. A copy of all rulings shall be furnished to the  
25 vice-chairman, secretary-treasurer GCA, and to the secretary-  
26 treasurer of divisions whose membership is affected.  
27

28 (b) A division, an active member or group of members may appeal  
29 from a decision of the general chairman made over a collective bar-  
30 gaining issue between sessions of the GCA to the general committee,  
31 provided such appeal is filed with the general chairman thirty (30)  
32 days prior to the meeting of the general committee. Copy of such  
33 appeal to be furnished the division or divisions affected.

**Appeal May Be Taken**

1  
2  
3 Section 26.(a) An appeal may be taken to the active membership by  
4 any member or division in good standing from a decision of a general  
5 chairman or GCA made over a collective bargaining issue. Such  
6 appeal must be made prior to the expiration of sixty (60) days from  
7 the date of the said decision and must be voted on by the active  
8 membership on the territory under the jurisdiction of the GCA in-  
9 volved.

10  
11 (b) To inaugurate an appeal, the appellant must first draw up a  
12 statement of facts addressed to the active membership. This state-  
13 ment, together with a sample ballot, shall be submitted within said  
14 sixty (60) day period to the general chairman for his examination and  
15 the opportunity of preparing a statement defending the committee's  
16 decision. The appellant's statement of facts, the ballot in approved  
17 form and the general chairman's statement in reply shall be returned  
18 without delay to the appellant. The appellant may add a rebuttal to  
19 the statement of the general chairman if he so chooses. The appellant  
20 shall, as soon as possible upon the return of the appeal from the gen-  
21 eral chairman, proceed with the printing of such appeal. The ballot  
22 shall set out the decision from which the appeal is taken, without any  
23 argumentation upon the part of the appellant or the general chairman.  
24 A copy of the printer's proof shall be forwarded to the general chair-  
25 man for his approval. The general chairman shall immediately ex-  
26 amine his statement and the ballot appearing in the printer's proof  
27 and, when satisfied as to their accuracy, shall return such appeal to  
28 the appellant for final printing, giving notice as to the quantity re-  
29 quired. Each active member of each division under the jurisdiction of  
30 the GCA involved shall receive a ballot.

31  
32 (c) The division shall, within thirty (30) days after receipt of the  
33 ballots, take a referendum vote of its active membership and advise

1 the secretary-treasurer of the GCA of the result. Divisions meeting  
2 but once a month shall call a special meeting for the purpose of  
3 counting and tabulating the votes when necessary in order to carry  
4 out the thirty (30) day limitation.

5  
6 All ballots, including those improperly signed or for any other rea-  
7 son declared illegal, shall be forwarded to the secretary-treasurer of  
8 the GCA, together with a copy of the division tellers' report. The  
9 report shall show the number of votes cast by the active membership  
10 for and against the issue constituting the appeal and the number of  
11 ballots rejected as illegal. Every ballot declared illegal shall have the  
12 same written across the face thereof. A duplicate copy of this report  
13 must be retained by the division and a record made in the minutes of  
14 the meeting.

15  
16 (d) Upon receipt of the ballots and the reports from all the divi-  
17 sions, the secretary-treasurer of the GCA shall prepare a report show-  
18 ing the results of the balloting and forward the report, together with  
19 all the ballots, to the general chairman. Sufficient copies of the report  
20 from the secretary-treasurer of the general committee shall be pre-  
21 pared by the general chairman and forwarded to all the divisions in  
22 the territory involved. Such report shall show, separately, the number  
23 of votes cast for or against the appeal by the active membership of  
24 each division and the number of ballots ruled illegal. The result of a  
25 majority of the legal ballots shall be the decision of the active mem-  
26 bership, and such decision shall be final and binding. The GCA shall  
27 be governed by the results of the referendum.

28  
29 (e) A time limit of one hundred twenty (120) days from the date of  
30 receipt of the appeal by the general chairman is hereby established,  
31 within which the requirements of this section must be completed.  
32 The time limit of one hundred twenty (120) days, as set forth herein,  
33 may be extended by mutual agreement between the parties affected.

**Appeal to the National President**

Section 27. Appeals from a decision of the GCA on a collective bargaining issue, in which there has been a violation of the law of the BLET by such GCA, will be entertained by the National President. Decisions of a GCA on non-collective bargaining issues and any disputes between GCAs are appealable to the National President.

**GCA – How Paid**

Section 28. GCAs shall have power to fix the rate of pay for chairman and members serving on the committee, and time allowed going to and from the place of meeting shall be computed by the GCA.

**Expense of Committee**

Section 29.(a) The expenses of members of a GCA when convened for any purpose, together with pay for time they lost in such service, shall be raised by an assessment on all active members of the BLET employed on the system represented (except as provided in Section 46 – Local Division Rules); and the secretary-treasurer of the GCA shall have power when so ordered by the committee to levy such an assessment for the purpose of creating a fund to pay the members of the committee immediately after such session is over. All such assessments shall be levied by majority affirmative vote of the members of the GCA, or by majority affirmative vote of the members of the GCA casting a mail ballot between sessions, and shall ~~be effective only until the next session of the GCA, at which time it will be continued,~~ **remain, unless discontinued or revised at a subsequent session of the GCA.**

(b) The salary of the general chairman and the rate of pay and expenses paid to the members of the general committee and legiti-

1 mate expenses of the general committee shall be raised by an  
2 assessment on all active members employed on the system  
3 represented. All such assessments shall be levied by majority af-  
4 firmative vote of the members of the GCA present at a session of  
5 the GCA, or by majority affirmative vote of the members of the  
6 GCA casting a mail ballot between sessions, and shall ~~be effective~~  
7 ~~only until the next session of the GCA, at which time it will be con-~~  
8 ~~tinued, remain, unless~~ discontinued or revised **at a subsequent ses-**  
9 **sion of the GCA.** Operating craft employees will be required to  
10 pay GCA assessments in the amount determined by the GCA,  
11 which shall be collected monthly and forwarded to the secretary-  
12 treasurer of the general committee, who will pay the chairman's  
13 salary semi-monthly, and all delegates for their services. Any sur-  
14 plus remaining in the treasury shall be applied to the payment of the  
15 legitimate expenses of the general committee.

16  
17 Where a vice-chairman assumes the duties of the chairman on  
18 account of the absence of the chairman, his salary shall not be more  
19 while he is occupying that position than the salary of the general  
20 chairman.

### 21 22 Assessments – General Committee

23  
24 Section 30. All notices of GCA assessments and/or increases or  
25 decreases of regular dues shall be in the hands of the secretary-  
26 treasurers of divisions sixty (60) days before such assessments are  
27 due. Any such assessments collected shall be remitted by the secre-  
28 tary-treasurer of the division on or before the 20th day of the month  
29 following sixty (60) days' notice as defined by Section 29(1) – Na-  
30 tional Division Rules.

31  
32

## GCA Authority and New Business

1  
2  
3 Section 31.(a) No new business will be entertained by a GCA un-  
4 less records are sent showing that the division has acted upon the  
5 merits of the question. A copy of the resolution sent to the GCA  
6 shall be sent to other divisions interested upon receipt of same by the  
7 general chairman.

8  
9 (b) The GCA shall have full power to settle all questions of seniori-  
10 ty and rights to runs and jurisdiction of territory that are presented to  
11 it; and its decision shall be final unless, on an appeal to the member-  
12 ship, its decision is repealed by a majority vote.

13  
14 Where there are only two (2) divisions on a system, they may appeal  
15 to the National President, whose decision shall be final, subject to  
16 appeal to the Advisory Board.

17  
18 (c) To consolidate or divide the seniority rosters of engineers or  
19 trainmen on one (1) or more seniority districts on a system, a majori-  
20 ty vote of the active members holding seniority as engineers or  
21 trainmen and casting a ballot on each seniority district affected must  
22 be obtained. Where the BLET holds the contract for firemen, and  
23 trainmen, a majority vote of the members casting a ballot in either  
24 occupation will be required to consolidate or divide the seniority  
25 roster of that occupation.

26 (d) When a question of jurisdiction of territory or seniority arises  
27 between the members themselves or two (2) or more divisions that  
28 cannot be amicably adjusted by such divisions, the question shall,  
29 with all the facts in the premises, be referred to the GCA, which shall  
30 rule on the matter; and such ruling shall stand as law, subject to ap-  
31 peal as per Section 25 or 26 – General Committee Rules.  
32

**Authority of National President in Mergers, etc.,  
with Protective Agreements**

NOTE: The term “Mergers, etc.,” as referred to in subtitle and as hereinafter expressed in this section, means – mergers, consolidations, coordinations, control, absorptions, diversions of traffic, purchases or any other action whereby separate facilities or operations of railroads are going to be unified.

**Section 32.(a)(1) Mergers, etc.**

When the National President has sufficient information that a merger, consolidation, coordination, control, absorption, diversion of traffic, purchase or any other action whereby separate facilities or operations of railroads are going to be unified, he shall immediately assign an officer for the purpose of directing the committees in the handling to the best interests of the members involved.

**A. Contracts**

- I. There shall be a revision of the existing agreements on the properties involved which will have for its purpose the consolidation of contracts covering the merged, etc. property.
- II. The assigned officer, in conjunction with the interested general chairmen, shall represent all of the committees in negotiations with the carrier and/or carriers.
- III. Contracts shall be ratified by a majority vote of the active members casting a ballot.

1 B. General Committees  
2

3 The committees involved on the merged systems may be consoli-  
4 dated, if necessary, to meet the representational requirements of the  
5 membership.

6  
7 The officer assigned shall submit his recommendations to the Na-  
8 tional President. If the recommendation is to merge the involved  
9 committees, the National President shall forward said recommenda-  
10 tion with all facts in support to the involved general committees. The  
11 affected general committee(s) shall refer the question to the member-  
12 ship under their jurisdiction by instructing each affected division to  
13 prepare a paper ballot to be delivered within sixty (60) days to each  
14 member of the division, by government mail, directed to his/her last  
15 known address. The ballot, with a large envelope, approximately 4 x  
16 9 1/2 inches, which must contain space for the member's name and  
17 address, must have first-class postage affixed thereto and must con-  
18 tain the division number and address for returning the ballot. The  
19 ballot and return envelope must also be accompanied with the written  
20 recommendation of the National President, the written recommenda-  
21 tion of the affected general chairmen, and written instructions show-  
22 ing purpose of the ballot, time, date and place for counting the  
23 ballots. The ballot shall also contain a signature and date line, which  
24 must be signed and dated by the member. The return envelope con-  
25 taining the ballot must be returned and postmarked within fifteen (15)  
26 days from the postmarked date on the envelope sent to the member.  
27 The ballots shall be counted by each division at the first regular divi-  
28 sion meeting following the date for return of the ballots. Each divi-  
29 sion secretary-treasurer will notify the general chairman of the results  
30 from the ballots received within ten (10) days. The affected general  
31 chairmen will forward this information to the National President and  
32 the other affected general chairmen within thirty (30) days from date  
33 received from last division reporting. If the decision of the majority

1 is to merge the committees in question, the National President shall  
2 secure permission from the IBT General Executive Board to imple-  
3 ment the merger, notify the affected general committees of the deci-  
4 sion and instruct the merged committees to meet within ninety (90)  
5 days for the purpose of electing new officers, as provided in Section  
6 9 – General Committee Rules, and conducting any business or grievance  
7 that may properly come before the body. The new date to meet  
8 regularly shall be decided as per Section 8 – General Committee  
9 Rules. If it is the decision of the majority not to merge their GCAs,  
10 their individual GCAs shall continue as heretofore.

### 11 12 C. Divisions

#### 13 14 I. Representation

15  
16 The general committee or general chairman and division or  
17 divisions affected shall, after the determination has been  
18 made relative to a merged seniority district or districts,  
19 make a study of the BLET divisions in the affected area for  
20 the purpose of reducing, if possible, the number thereof to  
21 only those necessary to maintain an efficient operation.

22  
23 The general committee or general chairman and divisions  
24 affected shall give consideration to the following points as  
25 a guideline for making such a determination:

- 26 a. The number of members in a division.
- 27  
28 b. The location of the majority of the members' place of  
29 residence.
- 30  
31 c. The availability of the majority of the members to at-  
32 tend the division meeting place.  
33

1 d. The location of the operating division offices nearest  
2 the BLET division.  
3

4 Changes as referred to in the above paragraph shall not be  
5 put into effect by a general committee or general chairman  
6 until the proposed changes have been submitted to the Ex-  
7 ecutive Committee of the ND and the IBT General Execu-  
8 tive Board for approval.  
9

10 II. Jurisdiction  
11

12 Should it be, in the judgment of the general committee or  
13 general chairman and divisions affected, that more than one  
14 BLET division is necessary on a seniority district, and said  
15 BLET divisions have been set up, each division shall be  
16 given a definite territory by the general committee and/or  
17 the general chairman.  
18

19 Changes as referred to in the above paragraph shall not be  
20 put into effect by a general committee or general chairman  
21 until the proposed changes have been submitted to the Ex-  
22 ecutive Committee of the ND and the IBT General Execu-  
23 tive Board for approval.  
24

25 Should the GCA and divisions fail to reach an amicable  
26 agreement in the merging of and/or creating a new division  
27 within sixty (60) days, the matter shall be referred to the  
28 National President who shall, upon receipt thereof, make an  
29 investigation of the facts within thirty (30) days, after  
30 which the Executive Committee of the ND shall make a  
31 recommendation thereon to the IBT General Executive  
32 Board for appropriate action.  
33

1 Elections to all offices of each division shall be held imme-  
2 diately after they have been set up, provided divisions have  
3 been merged or a new division has been created.  
4

#### 5 D. Seniority Districts 6

7 Should it be, in the judgment of the officers assigned and the gener-  
8 al chairmen, in the best interest of the members affected as a result of  
9 a merger, etc., to consolidate and/or merge a seniority district or dis-  
10 tricts, the general chairman must meet and consult with the affected  
11 divisions' local chairmen to work out a merger of the old districts and  
12 seniority rosters into a new district and merged roster.  
13

14 In the preparation of seniority rosters to cover the seniority districts  
15 on an equitable basis, the general chairman shall request the carrier to  
16 furnish promptly to him all statistical information such as – but not  
17 limited to – number of trains, car miles, train miles, and yard engine  
18 hours and/or inbound car count for use in determining what method  
19 will be used in the merging of the seniority districts.  
20

21 Should the general chairman and affected local chairmen fail to  
22 agree, the matter shall be referred to the National President, who shall  
23 make an investigation within thirty (30) days, after which the Execu-  
24 tive Committee of the ND shall make a determination which shall be  
25 final and binding.  
26

#### 27 (a)(2) Employee Protection Requirements 28

29 When officers of the ND and GCAs are confronted with conditions  
30 affecting engine service employees of railroads involved in mergers,  
31 etc., all such employees shall be considered as being adversely af-  
32 fected; and the officers, in recognition of rearrangement of existing  
33 contracts, seniority equities and/or districts, general committees and

1 divisions, shall first give full recognition to negotiating implementing  
2 agreements with the carrier or carriers to provide protection for all  
3 engine and train service employees involved as follows:  
4

- 5 A. Guaranteed earnings and employment.
- 6
- 7 B. Preservation of working agreements and conditions, except  
8 as may be revised or changed by the implementing agree-  
9 ments.
- 10
- 11 C. Preservation of the rights and equities of all engine service  
12 employees to service as locomotive engineer or trainman.
- 13
- 14 D. Protection against any loss or expense incurred by the ne-  
15 cessity of an employee moving/traveling from his estab-  
16 lished residence or terminal.
- 17
- 18 E. Extension of the protection afforded all employees to cover  
19 full-time or part-time officers of the Brotherhood and its  
20 subordinate committees and divisions, as well as members  
21 serving in temporary capacities.
- 22
- 23 F. Separation allowances on the basis of seniority selections  
24 for those employees desiring to retire or separate their em-  
25 ployment relationship subsequent to the effective date of  
26 the implementing agreement.
- 27

28 (b) On railroad properties where the BLET holds the contracts for  
29 firemen, apprentice engineers and/or other classes of service other  
30 than engineers; the words “firemen, apprentice engineers and/or other  
31 classes of service represented by the BLET” will be substituted for  
32 the word “engineers.”  
33

1 (c) Should a merger implementing agreement mandate future equity  
2 adjustments, such adjustments will be handled in accordance with  
3 GCR Section 33 or GCR Section 34, whichever is applicable.  
4

5 (d) To insure appropriate handling of proposed mergers, etc.,  
6 should any provision of these bylaws conflict with application of this  
7 Section 32(a)-(c), the provisions of this section shall prevail.  
8

### 9 **Other Mergers, etc. on Two or More Railroads**

10  
11 Section 33.(a) Whenever one (1) railroad or any portion thereof is  
12 absorbed, traffic diverted, consolidated, merged, leased or coordi-  
13 nated by, to or with another railroad or any portion thereof, and the  
14 officers of the ND and GCAs are unable to obtain protective agree-  
15 ments in their judgment satisfying the requirements of Section  
16 32(a)(2) – General Committee Rules, the engineers or trainmen on  
17 the road or roads or any portion thereof affected thereby shall retain  
18 their right and seniority as heretofore on the roads absorbed, traffic  
19 diverted, consolidated, merged, leased or coordinated; but the runs  
20 shall be manned by the engineers or trainmen of the respective roads  
21 in proportion, as near as practicable, to the car miles or train miles in  
22 road service and to the engine hours or inbound car count in yard  
23 service on the territory involved on each road. Such count of car  
24 miles or train miles in road service and of engine hours or inbound  
25 car count in yard service shall be compiled for a period of not less  
26 than six (6) months nor more than one (1) year. Such test period  
27 shall be established at a time agreed upon, sufficiently prior to the  
28 effective date of any of the conditions specified in this section to give  
29 a fair and equitable representation of normal business handled by  
30 each district involved. The figures determined for each month of the  
31 aforementioned test period will be supplied to each division involved  
32 prior to the consummation of any agreement establishing a distribu-  
33 tion of work.

1 (b) When GCAs are unable to agree upon a settlement of questions  
2 arising covered by the foregoing, they will submit a joint statement  
3 setting forth their contentions regarding same, with all the facts in the  
4 premises, to the National President who, after making a thorough  
5 investigation, is authorized, in conjunction with the Advisory Board,  
6 to render a decision which shall be final and binding; but if, in the  
7 opinion of the National President, an unusual condition exists on any  
8 one railroad, he shall proceed to investigate and give a decision,  
9 which shall be final unless reversed by the Advisory Board.

10  
11 (c) In the event that the GCAs do not meet within sixty (60) days  
12 from the time that the merger, coordination, etc., took place, the Na-  
13 tional President will be empowered to order the GCAs involved to  
14 meet at once and settle the question in dispute within thirty (30) days  
15 from the time the sixty (60) day limit expires.

16  
17 (d) Any division involved, if dissatisfied with the decision of the  
18 officer assigned and general chairman with respect to the method to  
19 be used for dividing the work, may appeal to the Executive Commit-  
20 tee of the ND within sixty (60) days following the issuance of that  
21 decision. The Executive Committee, after making an investigation of  
22 the controversy, shall render a decision which shall be final and bind-  
23 ing, unless reversed by the Advisory Board.

24  
25 (e) On railroad properties where the BLET holds the contracts for  
26 firemen, apprentice engineers and/or other classes of service other  
27 than engineers; the words "firemen, apprentice engineers and/or other  
28 classes of service represented by the BLET" will be substituted for  
29 the word "engineers."  
30  
31  
32

**Traffic Merged, etc., on One Railroad**

1  
2  
3 Section 34.(a) Where a portion of any railroad is absorbed, consoli-  
4 dated, merged, or coordinated with any other portion or portions of  
5 the same railroad, or any portion of the same railroad is abandoned,  
6 the engineers or trainmen affected thereby shall retain their seniority  
7 as heretofore on the portion or portions of the road which has or have  
8 been so absorbed, consolidated, merged or coordinated, or from  
9 which traffic has been so diverted.

10  
11 (b) Whenever the events referred to in the foregoing subsection  
12 have occurred and it becomes necessary to readjust the service, the  
13 runs shall be manned by the engineers or trainmen of the respective  
14 portions of the road in proportion, as near as practicable, to the car  
15 miles or train miles in road service and to the engine hours or in-  
16 bound car count in yard service on the territory involved. Such count  
17 of car miles or train miles in road service and of engine hours or in-  
18 bound cars in yard service shall be compiled for a period of not less  
19 than six (6) months nor more than one (1) year. Such test period  
20 shall be established at a time agreed upon, sufficiently prior to the  
21 effective date of any of the conditions specified in this section to give  
22 a fair and equitable representation of normal business handled by  
23 each district involved. The figures determined for each month of the  
24 aforementioned test period will be supplied to each division involved  
25 prior to the consummation of any agreement establishing a distribu-  
26 tion of work. The respective local committees of adjustment or local  
27 chairmen representing the groups of the affected engineers or train-  
28 men, unless a proper adjustment of the question has been reached,  
29 will meet within thirty (30) days after the question of such rights to  
30 runs has been raised by either of such local committees or local  
31 chairmen, unless further time, not exceeding an additional thirty (30)  
32 days, is mutually agreed upon by such local committees, and will  
33 endeavor to agree upon which of the above factors shall be used for

1 measuring the service and upon the precise period of time within the  
2 foregoing range. If such agreement cannot be reached, the question  
3 of equity shall be resolved by the General Chairman within 60 days  
4 of the meeting date in accordance with the data gathered during the  
5 aforementioned study period.

6  
7 (c) Any division involved in the controversy, if dissatisfied with the  
8 decision of the general chairman on the methods to be used for divid-  
9 ing the work, may appeal in accordance with the provisions of Sec-  
10 tion 26 – General Committee Rules.

11  
12 (d) On railroad properties where the BLET holds the contracts for  
13 firemen, apprentice engineers and/or other classes of service other  
14 than engineers; the words “firemen, apprentice engineers and/or other  
15 classes of service represented by the BLET” will be substituted for  
16 the word “engineers.”

### 17 18 **Statute of Limitation**

19  
20 Section 35. A statute of limitation of sixty (60) days is hereby fixed  
21 within which to take up or appeal any case of seniority, subject to  
22 appeal in accordance with Section 37 – Local Division Rules.

### 23 24 **Representation, Establishment of Seniority** 25 **and Mileage Regulations**

26  
27 Section 36.(a) The right to make and interpret contracts, rules, rates  
28 of pay and working conditions for operating crafts shall be vested in  
29 the regularly constituted GCA of the BLET.

30  
31 (b) GCAs shall be free to incorporate into the respective schedules  
32 such rules as they may deem advisable to govern the hiring of engi-  
33 neers, trainmen and/or apprentice engineers.

1 (c) When the members of a division take a vote on regulation of  
2 mileage, only members possessing seniority in the craft to be regu-  
3 lated will be permitted to vote.  
4

5 (d) A five (5) day work week agreement for yard engineers or  
6 ground service employees cannot be placed into effect on any rail-  
7 road until a referendum vote is taken and a majority of the active  
8 members voting approve.  
9

10 A separate seniority district (with or without a separate working  
11 agreement) may place a five (5) day work week agreement into effect  
12 for yard engineers or ground service employees on said seniority  
13 district only if approved by a majority of active members casting a  
14 ballot in a referendum vote of members of said seniority district.  
15 (Covered by appropriate memorandum of agreement covering and  
16 confined to the affected territory.)  
17

18 (e) All GCAs shall make an effort to have included in their sche-  
19 dules a rule providing for the inclusion of a training program for ap-  
20 prentice and/or assistant engineers and trainmen.  
21

### **Divisions Refusing to Sustain Committee**

22  
23

24 Section 37. Should a division on any system refuse to sustain an  
25 action of the GCA of the system or to enforce the laws passed by the  
26 ND, it shall be the duty of the members of the committee from the  
27 division to make a written statement of the fact concerning the refusal  
28 to the chairman of the GCA, who shall submit the same to the Na-  
29 tional President, for his review and recommendation to the General  
30 Executive Board of the IBT, which is empowered to suspend the  
31 charter in accordance with Article IX, Section 2 of the IBT Constitu-  
32 tion.  
33

**Division Refusing to Take Vote**

1  
2  
3 Section 38.(a) Should any division refuse or neglect to take a vote  
4 of its members when ordered to do so by the GCA, it shall be consi-  
5 dered a refusal to sustain the action of the GCA and shall be dealt  
6 with according to Section 37 of the General Committee Rules; and  
7 any member of the committee failing to report to the general chair-  
8 man of the committee as per Section 37 shall be dealt with by the  
9 GCA as per Section 23(b) – General Committee Rules.

10  
11 (b) Unless otherwise provided, all expenses incurred in taking a  
12 vote shall be borne by the division.

**Agreements Governing Rates of Pay on All Kinds of Power**

13  
14  
15  
16 Section 39.(a) GCAs on all railway systems shall make a strenuous  
17 effort to make agreements governing the rates of pay and to continue  
18 the service of a locomotive engineer, motorman and trainman in the  
19 operation of all railway motive power.

20  
21 (b) It shall be the policy of the GCA to secure agreements with  
22 carriers covering the rules, rates of pay and working conditions of all  
23 operating crafts if, as and when the opportunity presents itself. The  
24 individual GCA shall have full jurisdiction in the matter.

**Attempting to Reduce Standard Wages**

25  
26  
27  
28 Section 40. Any member who shall attempt, in any manner, to re-  
29 duce the standard of pay for a locomotive engineer or trainman, or  
30 establish a maximum limit for the same, shall be subject to charges  
31 under Article XIX of the IBT Constitution. This section shall not  
32 apply to or interfere with legitimate action of GCAs or national offic-  
33 ers.

**Contract Procedures**

1  
2  
3 Section 41.(a) All wage/rules settlements (concerted movements in  
4 the United States, system agreements which may be tied to such concert-  
5 ed movements and system movements initiated by the GCAs, as  
6 well as acceptance of proffers of arbitration) shall be ratified by a  
7 majority vote of the active members casting a ballot.  
8

9 When a tentative agreement is negotiated or a proffer of arbitration  
10 made, the ND or GCA proposing a system-wide agreement will furn-  
11 ish a copy of the proposal to all general chairmen and local chair-  
12 men. The ND or GCA will also provide a synopsis of the proposal to  
13 each affected member, along with an instruction sheet, a ballot and a  
14 return envelope.  
15

16 Each affected member will return his/her ballot to the National Sec-  
17 retary-Treasurer when such ballot is issued by the ND, or the secre-  
18 tary-treasurer of the GCA when the ballot is issued by the GCA,  
19 within the time period specified, who will tabulate the vote and certi-  
20 fy the results to the National President and/or affected general chair-  
21 man of the GCA. The GCA will choose a board of tellers to help the  
22 secretary-treasurer of the GCA count the ballots.  
23

24 (b) Before any system or local collective agreements or a system or  
25 local change of scheduled rules can be agreed to or signed on behalf  
26 of the members of any railroad system in the United States, the gen-  
27 eral chairman must forward the proposed agreement to each local  
28 chairman of the division or divisions affected. The local chairman or  
29 chairmen will then poll the active membership attending the first  
30 regular or special division meeting following receipt of such proposal  
31 and ascertain the wishes of the membership. The local chairman or  
32 chairmen will then cast a vote with the general chairman in accord-  
33 dance with the instructions of the division. The general chairman

1 will be governed by the instructions of a majority of the local chair-  
2 men affected.

3  
4 This section applies to merger agreements mandated by the Surface  
5 Transportation Board as well as any system or collective agreement.

6  
7 Each GCA may adopt by resolution, at their option, a form of refe-  
8 rendum ratification for their respective committees.

### 9 10 **Violation of Contract – Railway Officials**

11  
12 Section 42.(a) On any railway system where there is a contract  
13 between the railway company and the BLET, it will be considered a  
14 violation of said contract on the part of the railroad company to open  
15 any differences except through the GCA in connection with the engi-  
16 neer's or trainman's position.

17  
18 (b) Except upon approval of the National President, no GCA shall  
19 make agreements with the railroad companies without including a  
20 thirty (30) day notice for revision or abrogation.

21  
22 (c) All GCAs are prohibited from making agreements with the rail-  
23 road managements, the terms of which will conflict with any law or  
24 policy adopted by the ND, without first submitting same to the Na-  
25 tional President who, in conjunction with the Advisory Board, will  
26 determine proper disposition of the question at issue.

### 27 28 **Accidents – Grievances**

29  
30 Section 43.(a) Should any member in the employ of a railroad  
31 company have any grievance against the company, either from meet-  
32 ing with an accident of any kind while in the discharge of his duties,  
33 or from any other cause, he shall be required to make out a complete

1 report of the same to his division in writing for the benefit of the  
2 committee of adjustment; and the division shall keep such report,  
3 together with a copy of the judgment of the company's officials con-  
4 cerning the grievance or accident. The local committee and general  
5 committee shall refuse to handle the case unless such a report is com-  
6 pleted and signed by the member, providing the member be physical-  
7 ly and mentally able to do so.

8  
9 (b) It shall be unlawful for any member to withdraw his case after  
10 having been acted on by the division and referred to the committee of  
11 adjustment, unless he gets consent of the division at a regular meet-  
12 ing.

13  
14 (c) Each and every member of the BLET grants to the duly autho-  
15 rized representative and/or representatives of the Brotherhood (which  
16 includes divisions, local chairmen and/or local committees, general  
17 chairmen and/or general committees, vice president and/or the Na-  
18 tional President) full and complete authority to present and handle  
19 each and every member's claims, complaints and grievances against  
20 the railroad on which he is employed. Said power and authority shall  
21 include the handling of such claims, complaints and grievances be-  
22 fore any and all officials of the railroad, and shall include the right to  
23 collect, settle, compromise, amend, withdraw, dismiss or in any other  
24 manner dispose of such claims, complaints and/or grievances, and  
25 shall also include the power and authority to submit such claims,  
26 complaints and grievances for determination to any person, court or  
27 board or other tribunal provided by law or otherwise as may be  
28 deemed necessary or advisable by such authorized representatives.

29  
30 The foregoing will in no way conflict with other provisions of the  
31 Bylaws of the ND of the BLET which stipulate the procedure and  
32 sequence to be followed by divisions, local chairmen and/or local  
33 committees, general chairmen and/or general committees and other

1 duly authorized representatives of the BLET in handling claims and  
2 grievances of members.

### 4 **Association of General Chairmen**

5  
6 Section 44.(a) For the purpose of carrying on concerted movements  
7 relating to wages, working conditions or other important matters of  
8 general interest of its members, the ND authorizes the formation of  
9 general chairmen's associations within the districts hereinafter  
10 named.

11  
12 (b) Western Association: Shall be composed of all territory lying  
13 west of and including the Southwestern Lines of the Illinois Central  
14 and lying on the west side of Lake Michigan and south of Lake Supe-  
15 rior and west of the line drawn through Duluth, and shall be bounded  
16 on the south by the Mexican border and on the north by the Canadian  
17 border.

18  
19 (c) Eastern Association: Shall be composed of the territory east of  
20 the aforementioned line of the Western Association, north of the lines  
21 of the Chesapeake & Ohio Railway and south of the Canadian border.

22  
23 (d) Southeastern Association: Shall be composed of the territory  
24 south of and including the Chesapeake & Ohio Railway and as far  
25 west as the Illinois Central Lines mentioned as the boundary of the  
26 Western Association.

27  
28 (e) The general chairman of each system or railway in their respec-  
29 tive associations may be a member of and attend meetings of the  
30 association and be entitled to a vote on all questions, provided the  
31 GCA on the railroad he represents has authorized his membership in  
32 the association.  
33

1 (f) Each association shall elect from its members a chairman, vice-  
2 chairman, secretary and two (2) members of the association, who  
3 shall constitute the executive committee.

4  
5 (g) Each association shall have power to adopt for their government  
6 such bylaws as may be agreed upon, not in conflict with the Bylaws  
7 of the ND, subject to the approval of the National President.

8  
9 (h) Each association shall meet annually at such time and place as  
10 may be designated in the constitution and bylaws of the association.

11  
12 (i) Special meetings may be called by the National President or the  
13 executive committee of the association when, in their judgment, the  
14 same is deemed advisable in the interests of the members of any as-  
15 sociation, or by request of a majority of the members of the associa-  
16 tion.

### 17 18 **General Chairmen Convened by National President**

19  
20 Section 45. When the general chairmen are convened by the Na-  
21 tional President, the general chairmen's respective associations cease  
22 to exist for the time being in their respective bodies; then, a majority  
23 vote of the general chairmen convened will prevail.



**T**HIS SECTION, entitled “Legislative Board Rules,” has to do principally with the functioning of national and state legislative boards (LBs).

NOTE: For purpose of clarity, President of the ND will be referred to as “National President” in this section. “President” will refer to president of the division.

**LEGISLATIVE BOARD RULES****National Legislative Board**

1  
2  
3  
4  
5 Section 1.(a) Within the BLET a National Legislative Board shall  
6 be formed, consisting of eight (8) members. It shall be comprised of  
7 the National President, who shall act as Chairman; First Vice Presi-  
8 dent, who in the absence of the National President shall assume the  
9 duties of Chairman; and the National Legislative Representative, who  
10 shall act as Secretary. These members shall form the Executive  
11 Committee of the National Legislative Board. The Executive Com-  
12 mittee shall have final approval over all actions of the National Leg-  
13 islative Board. The other five (5) members of the National  
14 Legislative Board shall be the Chairmen and the four (4) Regional  
15 Chairmen elected by the Association of Legislative Chairmen from  
16 its membership. The board shall have charge of all legislative mat-  
17 ters and shall have jurisdiction over all BLET legislative boards with-  
18 in the United States, and shall coordinate activities with the  
19 Governmental Affairs Department of the IBT.  
20

21 (b) The activities of the Vice President and National Legislative  
22 Representative shall be coordinated with the National Legislative  
23 Board and with the Governmental Affairs Department of the IBT.  
24 The duties of the Vice President & National Legislative Representa-  
25 tive include; but are not limited to, those activities which protect and  
26 advance health and safety issues and other interests of the members  
27 in matters before the Congress and/or regulations promulgated by  
28 Federal Agencies. He may engage in activities of social, cultural,  
29 fraternal and civic nature that advance the political and legislative  
30 interest of the membership. He shall stimulate membership voter  
31 registration, political education, and financial support of the union's  
32 political action committee. In addition, the Vice President and Na-  
33 tional Legislative Representative shall coordinate a united front sup-

1 porting or opposing legislation of interest to the members at both  
2 Federal and State levels. He shall develop and promote a union-  
3 based legislative agenda. He shall act to communicate and inform the  
4 membership on political and legislative matters as well as advise and  
5 assist State Chairmen and IBT Field Coordinators working with the  
6 membership at the local level. He shall prepare a monthly issues  
7 report to be distributed to all state legislative board chairmen. He  
8 shall prepare a detailed quarterly report of his activities, which shall  
9 be furnished to the National Legislative Board Chairman. The Na-  
10 tional Legislative Board shall review the activity reports each time  
11 the board meets.  
12

13 (c) No member or employee of the BLET shall purport to be a rep-  
14 resentative of the BLET to any governmental entity without prior  
15 authorization of the appropriate BLET committee. For entities of the  
16 federal government, jurisdiction would be that of the Chairman of the  
17 National Legislative Board. For entities of state and local govern-  
18 ment, jurisdiction would be that of the state chairman; and if a state  
19 has no organized legislative board, jurisdiction would be that of the  
20 regional chairman. This does not impinge upon the right of anyone  
21 to communicate with their government.  
22

### **Expenses – National Board**

23  
24

25 Section 2.(a) All expenses incurred by the National Legislative  
26 Board shall be paid from the general fund. Compensation for the  
27 National Legislative Board members from the Association of Legisla-  
28 tive Chairmen, when attending authorized meetings of the board,  
29 shall be paid on a daily basis in conformity with special representa-  
30 tives' pay or their state board's salary, whichever is greater, plus  
31 actual expenses.  
32

1 The National Secretary-Treasurer shall furnish all divisions, general  
2 chairmen, and chairmen of state legislative boards with an account of  
3 all moneys expended by the board. The National Legislative Board  
4 will submit a budget prior to each fiscal year to the Advisory Board.  
5

6 (b) All members in active service, including those holding official  
7 positions with the carrier and those employed exclusively by the  
8 BLET, shall pay \$2.00 per month National Legislative Board dues,  
9 subject to the provisions of Section 29 – National Division Rules.  
10 Moneys received from such dues shall be used at the discretion of the  
11 National Legislative Board for the following:  
12

- 13 (1) salary, benefits, expenses for up to two (2) employees in  
14 the Washington, DC office;
- 15 (2) any new programs by the Federal Railroad Administration  
16 or other federal agencies;
- 17 (3) rail safety advisory committees;
- 18 (4) lobbying efforts on Capitol Hill;
- 19 (5) additional education and training.  
20

21 All excess funds will be returned to the general fund.  
22

23 (c) A biannual report of all income and disbursements under Sec-  
24 tion 2(b) will be prepared by the BLET under the supervision of the  
25 Vice President and National Legislative Representative and made  
26 available to state legislative chairmen upon request.  
27

### 28 **Meetings – National Board**

29  
30 Section 3. The National Legislative Board shall convene within the  
31 last sixty (60) days of each calendar year. Additional meetings may  
32 be called by the Chairman, or by a majority of the board.  
33

**Association of Legislative Chairmen**

1  
2  
3 Section 4.(a) The BLET authorizes the formation of a National  
4 Legislative Board Chairmen's Association. The association shall  
5 elect from its members a chairman, vice-chairman and secretary-  
6 treasurer.

7  
8 (b) The legislative board chairman of each state may be a member  
9 of and attend meetings of the association and be entitled to a vote on  
10 all questions, if legislative board he represents has authorized his  
11 membership in the association.

12  
13 (c) The National Legislative Representative will be an honorary  
14 member of the association and shall attend all meetings of the associ-  
15 ation, unless excused by the National President.

16  
17 (d) The association shall have the authority to adopt bylaws, subject  
18 to the approval of the National President.

19  
20 (e) The association shall meet at such time and place as may be  
21 designated in the bylaws of the association. Special meetings may be  
22 called by the National President.

**State Legislative Boards**

23  
24  
25  
26 Section 5(a) Whenever twenty-five percent (25%) of the active  
27 membership, or divisions representing twenty-five percent (25%) of  
28 the active membership, sign a petition proposing to formulate or  
29 merge a state legislative board, it will be mandatory upon the Nation-  
30 al President to prepare a ballot with the question worded as presented  
31 in the petition, to be voted on by all those holding active membership  
32 in the BLET within the state. The ballot must be put out by the Na-  
33 tional President within thirty (30) days of the receipt of the request.

1 It will be sent to secretary-treasurers of all divisions, and they will  
2 personally see that each active member has a copy by handing it to  
3 the member or by placing in the government mail with a return ad-  
4 dress thereon. The ballot must be returned and the result tabulated  
5 and a copy of the decision mailed to the ND within ninety (90) days  
6 from the time the ballots are received from the ND. The results of  
7 the vote will be announced by the National President to all divisions  
8 in the state, and he shall, pursuant to the IBT Constitution, formulate  
9 or merge the board. A vote once taken cannot be acted upon again  
10 for four (4) years.

11  
12 (b) When such a vote shows a majority of the ballots cast by the  
13 active membership in the divisions of the state favoring creation of  
14 state legislative board, the legislative representative of the division  
15 sponsoring the petition or member sponsoring the petition will select  
16 a meeting place and set a date for convening the board. He shall also  
17 notify the other divisions in the state to have their legislative repre-  
18 sentative present.

19  
20 (c) The legislative representative from the division issuing the call  
21 or the member initiating the petition may act as chairman of the board  
22 until officers herein provided for are elected. Any board thus formed  
23 shall be deemed to be an active legislative board.

24  
25 (d) At every meeting of a legally authorized state legislative board,  
26 each division in the state having twenty-five (25) or more assessable  
27 members may be represented by a delegate. However, any division in  
28 the state may be represented by proxy by a vote of the division. Such  
29 vote will designate the seated delegate who is to exercise such proxy.  
30 However, such proxies shall not participate in the nomination or elec-  
31 tion of officers.

32 Divisions chartered before January 1, 2004 will retain the previous  
33 threshold level of twelve (12) active members.

1 (e) After a board is formed and exists as outlined above, and a call  
2 for convening the board is made by the chairman through the secre-  
3 tary-treasurer, the secretary-treasurer of each division shall at once  
4 acknowledge receipt of same and send the number of assessable  
5 members of his division to the secretary-treasurer of the legislative  
6 board.

7  
8 (f) In the event that the National President finds that a board is inac-  
9 tive or improperly representing its members, the National President  
10 shall authorize the National Legislative Representative to conduct an  
11 investigation. The results of the investigation will determine if fur-  
12 ther action will be taken in accordance with the IBT Constitution.

13  
14 (g) Whenever a majority of the active membership, or divisions  
15 representing a majority of the active membership, sign a petition  
16 proposing to abolish a state legislative board, it will be mandatory  
17 upon the National President to prepare a ballot with the question  
18 worded as presented in the petition, to be voted on by all those hold-  
19 ing active membership in the BLET within the state. The ballot must  
20 be put out by the National President within thirty (30) days of the  
21 receipt of the request. It will be sent to secretary-treasurers of all  
22 divisions, and they will personally see that each active member has a  
23 copy by handing it to the member or by placing in the government  
24 mail with a return address thereon. The ballot must be returned and  
25 the result tabulated and a copy of the decision mailed to the ND with-  
26 in ninety (90) days from the time the ballots are received from the  
27 ND. The results of the vote will be announced by the National Presi-  
28 dent to all divisions in the state. A vote once taken cannot be acted  
29 upon again for four (4) years.

30  
31 In the event the vote is to dissolve the legislative board as per this  
32 section, the National President shall, pursuant to the IBT Constitu-  
33 tion, set an effective date for the dissolution; and the assets of such

1 board shall be distributed among the various divisions comprising  
2 said board in proportion to the number of assessable members.

3  
4 (h) All division legislative representatives' names will be entered in  
5 the BLET Directory as legislative representatives, (LR).

### 6 7 **Officers**

8  
9 Section 6.(a) When the state legislative board has been convened,  
10 it will proceed to elect a chairman, first vice-chairman, second vice-  
11 chairman, secretary-treasurer, an executive committee (not to exceed  
12 five (5) members) and an auditing committee of three (3). **A state  
13 legislative representative may be elected when provided for in  
14 the bylaws of the board.**

15  
16 **Candidates for office must not hold membership in any other  
17 labor organization which purports to represent locomotive en-  
18 gineers and must meet the requirements of active membership  
19 as defined in Section 25(b) – Local Division Rules.**

20  
21 ~~(b) A state legislative representative may be elected when provided~~  
22 ~~for in the bylaws of the board.~~ The candidate receiving the highest  
23 number of votes shall be declared elected if eligible. Should an  
24 equal number of votes have been cast for two (2) or more members  
25 for any one (1) office, a second ballot, and if necessary a third ballot  
26 will be cast. If, after a third ballot a tie still exists, the tie shall be  
27 decided by lot.

28  
29 Should any office become vacant, it will be the duty of the execu-  
30 tive committee to fill such vacancy.

31  
32 The chairman and secretary-treasurer cannot be members of the  
33 auditing committee.

1 ~~Section 6. (c) State legislative boards of small membership, who do~~  
2 ~~not have sufficient delegates to fill all the offices, may elect to office~~  
3 ~~any member who has the qualifications to be a delegate.~~  
4

5 NOTE: ~~Beginning January 1, 2006, e~~Eligibility to nominate,  
6 second and run for office will be determined by the applicable pro-  
7 visions of the IBT Constitution ~~as modified in Paragraphs 6.7 and~~  
8 ~~6.8 of the IBT/BLE Merger Agreement (see Section 1 – National~~  
9 **Division Rules – NOTE and Paragraph 6.7 of the IBT/BLE**  
10 **Merger Agreement). Members must verify their eligibility**  
11 **before nominations and election. Secretary-Treasurers shall**  
12 **verify the eligibility of all members who plan to nominate,**  
13 **second, and/or run for office.**  
14

15 (dc) In the event of any irregularities in the election of officers  
16 of a state legislative board, resulting in a contest of election, the  
17 protest must be filed in duplicate with the secretary-treasurer of  
18 the state legislative board and the National President within thirty  
19 (30) days after such election. **The protest must set forth the exact**  
20 **nature and specifications of the protest, including a claim as to**  
21 **how it affected the outcome of the election.** The National Presi-  
22 dent will conduct an investigation to obtain the facts and evidence  
23 and render his decision accordingly. Any member who is dissatis-  
24 fied with the decision of the National President may appeal such  
25 decision within thirty (30) days to the BLET Executive Commit-  
26 tee whose decision shall be final and binding.  
27

### 28 **Credentials – Shall Furnish**

29  
30 Section 7. Each division shall, after electing its delegate to the state  
31 legislative board, immediately notify the secretary-treasurer of the  
32 state legislative board, giving the name and address of its delegate.  
33 The division secretary-treasurer shall request from the National Of-

1     fice the form provided for the delegate to the state legislative board;  
2     this credential to show the number of assessable members he  
3     represents and be signed by the president and the secretary-treasurer  
4     of the division.

### 6                                   **Legislative Boards – Adopt Bylaws**

7  
8     Section 8. The first order of business at the first meeting of a state  
9     legislative board shall be the formulation and adoption of the bylaws.  
10    Bylaws shall prescribe the duties of the officers of the board and  
11    provide the method of filling vacancies, such method not to be in  
12    conflict with applicable civil law; they shall prescribe for the board  
13    alone to have authority to levy assessments in accordance with section  
14    10(a) and (b) – Legislative Boards, the board alone to authorize  
15    expenditures of money derived from such assessments. The secretary-  
16    treasurer shall be bonded in accordance with Article X of the  
17    IBT Constitution. The bylaws may contain such additional rules or  
18    regulations as are deemed necessary for the operation of the board.  
19    The board may amend or modify the bylaws. The bylaws shall not  
20    conflict with laws and rules of the BLET, IBT, Rail Conference or  
21    applicable civil law.

### 22                                   **Joint Legislative Boards**

23  
24  
25    Section 9.(a) State legislative boards may merge upon receiving a  
26    majority vote of the delegates to each of the state legislative boards  
27    proposing to merge, and upon receipt of approval from the IBT General  
28    Executive Board.

29  
30    (b) A division within a state that does not have a state legislative  
31    board may affiliate with a state legislative board of an adjoining state.  
32    Where no adjoining state legislative board exists, the closest geo-  
33    graphical state legislative board will be used. If more than one divi-

1 sion desires to affiliate, a majority vote of the affected members will  
2 determine which state legislative board the divisions will be affiliated  
3 with. The proposed affiliation will not take effect until a majority  
4 vote of the delegates from the state legislative board being petitioned  
5 for affiliation have been received. Division legislative representative  
6 from the newly affiliated division will be a delegate as per Section  
7 5(d) – Legislative Boards.

8  
9 (c) If a division within a state that does not have a state legislative  
10 board seeks to affiliate and one (1) or more other divisions within that  
11 state have already affiliated with an adjoining state legislative board a  
12 majority vote of all affected members, members already affiliated and  
13 members seeking affiliation will determine which state legislative  
14 board the divisions will be affiliated with. Upon receiving a majority  
15 vote of the delegates from the state legislative board to be affiliated  
16 with, the proposed affiliation will take effect.

### 17 18 **Financial Business**

19  
20 Section 10.(a) All expenses incurred by legislative boards shall  
21 be raised by an assessment levied by the board upon all active  
22 members of the BLET holding membership in the state (except as  
23 provided in Section 46 – Local Division Rules). All such assess-  
24 ments shall be levied by a majority affirmative vote of the members  
25 of the board present at a session of the board, or by majority affir-  
26 mative vote of the members of the board casting a mail ballot as  
27 provided in Section 10(e) – Legislative Boards, and shall ~~be in ef-~~  
28 ~~fect until the next meeting of the board, at which time it shall be~~  
29 ~~continued, remain, unless discontinued or revised at a subse-~~  
30 **quent session of the board.**

31  
32 (b) The secretary-treasurer of the legislative board shall notify the  
33 secretary-treasurer of each division in the state of the amount of the

1 assessment to be levied, and such notice must be in the hands of the  
2 secretary-treasurer of each division sixty (60) days before said as-  
3 sessments are due, and he shall collect such assessments from all  
4 assessable members of his division in accordance with Section 46 –  
5 Local Division Rules and the monthly billing from the ND.

6  
7 (c) No division shall be represented on the state legislative board  
8 unless it is square on the books of the secretary-treasurer of the  
9 board. State legislative boards shall have the power to fix the rates of  
10 pay for members serving on the board. Time allowed going to and  
11 from place of meeting to be computed by the board.

12  
13 (d) The state legislative representative may be made a full-time or  
14 part-time salaried officer by majority vote of the delegates to the  
15 board. In the event any state legislative board deems it advisable to  
16 discontinue the full-time or part-time salary of the state legislative  
17 representative, they may do so by a majority vote of the delegates to  
18 the board.

19  
20 (e) Between sessions of the state legislative board, the secretary-  
21 treasurer of the board shall have power, when authorized by the  
22 chairman, who has by mail ballot received consent of a majority of  
23 members of the board casting a ballot, to levy an assessment for  
24 the purpose of creating a fund to pay the members of the board  
25 and other expenses immediately after it is adjourned; provided, that  
26 such assessment shall ~~be in effect until the next meeting of the~~  
27 ~~board, at which time it shall be continued,~~ **remain, unless** discon-  
28 tinued or revised **at a subsequent session of the board.**

29  
30 (f) In the event a division should fail to pay any state legislative  
31 board assessment, as provided by Paragraphs (b)-(e) of Section 46 –  
32 Local Division Rules, the following procedure will govern:  
33

- 1 (1) The state legislative chairman will, or any division may,  
2 prefer charges to the National President by a written state-  
3 ment of such failure and provide the division involved a  
4 copy of same.  
5
- 6 (2) A trial shall be conducted before the Executive Committee  
7 of the ND under the provisions of Article XIX of the IBT  
8 Constitution.  
9
- 10 (3) Should the Executive Committee sustain the charge, the  
11 National President shall recommend that the IBT General  
12 President suspend the charter of the division involved until  
13 such assessment is paid.  
14

### **Duties of Officers**

15  
16  
17 Section 11.(a) The chairman and/or representative of the state legis-  
18 lative board will devote his time as authorized by the bylaws of the  
19 board, and to safety, health and political education. Each state legis-  
20 lative chairman shall submit an annual report of his activities to the  
21 National Legislative Board Chairman for review at the annual meet-  
22 ing of the Board. The report shall be submitted by November 1<sup>st</sup> of  
23 each calendar year.  
24

25 (b) The secretary-treasurer of the state legislative board shall pro-  
26 vide the BLET National Office and each division in the state the  
27 names and addresses of the officers of the board. Upon request, he  
28 shall provide each division in the state a copy of the minutes of each  
29 board meeting, and, in addition, an annual financial statement con-  
30 taining expenditures of committees and representatives, showing  
31 dates of claims.  
32

1 (c) The chairman and secretary-treasurer shall be bonded in  
2 accordance with Article X, Section 7(a) of the IBT Constitution.

3  
4 (d) When the secretary-treasurer resigns or otherwise gives  
5 up the office, an audit must be completed before the new secre-  
6 tary-treasurer is installed. The audit of the legislative board  
7 must be conducted by the auditing committee. All records are  
8 to be delivered to the new secretary-treasurer along with the  
9 audit report.

10  
11 (e) The auditing committee shall review and verify the books of the  
12 legislative board on a monthly basis.

13  
14 **Assessment Legislative Board – Pay to Division**  
15 **Where They Hold Membership**

16  
17 Section 12. Members shall pay legislative board assessments to  
18 their own divisions. Members running out of one state into another  
19 will be required to pay their legislative assessments to the division  
20 where they hold membership.

21  
22 **Interfering with Boards**

23  
24 Section 13.(a) Any member refusing to sustain the official acts or  
25 instructions of any legislative board shall be subject to charges and  
26 trial in accordance with Article XIX of the IBT Constitution.

27  
28 (b) In the event a division should refuse to sustain the official acts  
29 or instructions of a legislative board, or should a division engage in  
30 any activity detrimental to any legislative board, the following proce-  
31 dure shall govern:  
32

- 1 (1) The secretary-treasurer of the board will advise the Nation-  
2 al President by written statement of such refusal and pro-  
3 vide the division involved a copy of the same.  
4
- 5 (2) A trial shall be conducted before the Executive Committee  
6 of the ND under the provisions of Article XIX of the IBT  
7 Constitution.  
8
- 9 (3) Should the Executive Committee sustain the charge, the  
10 National President shall recommend that the IBT General  
11 President act to revoke the charter of the division involved.

### **Preapproval of Bills to Be Introduced**

12  
13  
14 Section 14. All bills formulated by any state legislative board must  
15 be approved by the National Legislative Board before they can be  
16 presented to any state legislature to be enacted into law.  
17

### **Legislative Board – When Convened**

18  
19  
20 Section 15.(a) State legislative boards must convene at least qua-  
21 drennially for the purpose of electing officers; however, by a favora-  
22 ble vote of two-thirds (2/3) of the divisions within the state, more  
23 frequent meetings may be held. No state legislative board or GCA  
24 will initiate or progress any business which may be in conflict with  
25 the affairs of a legislative board or GCA.  
26

27 (b) All correspondence submitted by divisions to state legislative  
28 boards must bear the signature of the secretary-treasurer and/or legis-  
29 lative representative.  
30

31 (c) After the business as enumerated in Paragraph (a) has been  
32 completed, the board may then resolve itself into an executive com-

1 mittee (not to exceed five (5) members) for the purpose of transacting  
2 any other business properly before the board.

3  
4 (d) When a chairman of a state legislative board is placed on full-  
5 time salary basis, his salary as chairman shall prevail during execu-  
6 tive and regular sessions; and delegate's salary will not be applicable  
7 to the chairman.

### 8 9 Charges

10  
11 **Section 16.(a) Any officer of the state legislative board may be**  
12 **removed from office by a majority vote of the members of the**  
13 **executive committee of the Board for violation of any of the**  
14 **laws or rules of the BLET committed in his official capacity as**  
15 **a member of the Board, if found guilty after having been**  
16 **served with written specific charges, given reasonable time to**  
17 **prepare a defense and afforded a full and fair hearing under**  
18 **Article XIX of the IBT Constitution.**

19  
20 (b) Hearings conducted under the provisions of Article XIX –  
21 IBT Constitution shall be held at a location near either the  
22 residence or the workplace of the charged officer or member.

**T**HIS SECTION, entitled “Ritual,” comprises the form of opening and closing of divisions, voting, draping of division charter, memorial and funeral services, initiation and installation of officers, instructions for nominations, and resolutions adopted at the regular and special sessions of the Brotherhood of Locomotive Engineers and Trainmen.

NOTE: For purpose of clarity, President of the ND will be referred to as “National President” in this section. “President” will refer to president of the division.

**RITUAL****Order of Business**

## Section 1.

1. Opening division in due form.
2. Reading of minutes of the previous regular meeting with those of subsequent special meetings directly from the minute book for approval.
3. The reading or referring of petitions or propositions.
4. Report of committees on previous propositions.
5. Voting on proposed members.
6. Initiation of candidates.
7. Unfinished business and reports of local and general committees and legislative boards.
8. Financial business.
9. New business.
10. Request for information of any sick or disabled brother or a brother's family in distress.
11. Reading of minutes for correction before closing in due form.

**Rank of Officers**

Section 2.

- |                         |                                |
|-------------------------|--------------------------------|
| (1) President           | (4) Legislative Representative |
| (2) Local Chairman      | (5) Guide                      |
| (3) Secretary-Treasurer | (6) Chaplain                   |

**Officers' Stations**

Section 3.

Legislative Representative	Local Chairman	President	Secretary- Treasurer
-------------------------------	-------------------	-----------	-------------------------

NOTE: Positions of local chairman, legislative representative and secretary-treasurer may be transposed if desired.

Altar	Chaplain
Vice President	Guide

**Form of Opening**

Section 4. *[For sections governing duties of division of officers, see appropriate sections of Statutes.]*

*[The president before opening will remind all present to register.]*

President – *[One (1) sound of gavel. Calls officers to their station and seats members.]*

1 President – *[One (1) sound of gavel]* Brother Guide, you will see  
2 that the door is properly guarded.

3  
4 Guide – Brother President, the door is properly guarded.

5  
6 President – *[One (1) sound of gavel]* Brother Guide, you will sa-  
7 tisfy yourself that all present are members of the BLET.

8  
9 *[Guide will examine receipt stubs of all members present.]*

10  
11 *[Should any member or a visiting member wish to be admitted to a*  
12 *division after the division is opened, the president will instruct the*  
13 *guide to go to the anteroom for the purpose of examining him before*  
14 *allowing him to enter division room.]*

15  
16 Guide – Brother President, I am satisfied that all present are mem-  
17 bers of the Brotherhood.

18  
19 President – *[Three (3) gavels]*. Brothers, give your attention to our  
20 worthy chaplain.

21  
22 Chaplain – Most merciful God! We adore Thee as the Creator of  
23 all things and the righteous governor of all beings, upon whom we  
24 are dependent for life and all its blessings, and without whose favor  
25 no human enterprise can prosper. In Thy name we assemble, most  
26 humbly beseeching Thee to bless us in all our undertakings and that  
27 our actions may tend to Thy glory and to our advancement in know-  
28 ledge. And we beseech Thee to bless us in our present assembling  
29 and to illuminate our minds with Thy truth, that we may be fully able  
30 to understand and fulfill our solemn obligations to our brothers. May  
31 we practice Thy precepts that we may finally obtain Thy promise and  
32 find an entrance through the gates into Thy temple above. Amen.

1 All – So mote it be.

2  
3 President – Brother Guide, you will open the Holy Bible.

4  
5 President – Brothers, I now declare this division open for the trans-  
6 action of business. [*One (1) gavel.*]

7  
8 **Form of Voting on Applications for Membership**

9  
10 Section 5. [*If present, applicants are excused from meeting room*]

11  
12 President – We are about to vote on the application of  
13 \_\_\_\_\_ to become a member of this division. The mem-  
14 bership committee will now give its report.

15  
16 [*Membership committee reports its findings on character, ability,*  
17 *habits and standing of applicant*]

18  
19 President – We are now prepared to vote. Shall \_\_\_\_\_  
20 be granted membership in the division? All those in favor ..... All  
21 those opposed .....

22  
23 [*If there are any opposed, they must state their objections for the*  
24 *record*]

25  
26 President – Brothers and sisters, the vote is \_\_\_\_\_ in favor and  
27 \_\_\_\_\_ against. The majority is [in favor of/against] granting mem-  
28 bership. Therefore, you have [elected/not elected] \_\_\_\_\_  
29 to become a member of this division.

30  
31  
32

**Draping of Division Charter**

1  
2  
3 Section 6. *[President calls up the division by three (3) strikes of the*  
4 *gavel.]*

5  
6 President – It has been recorded that Brother \_\_\_\_\_, a member of  
7 this division since \_\_\_\_\_, has passed to the great beyond from  
8 whence no traveler ever returned.

9  
10 Our brother has been a loyal member of this organization, and this  
11 division has lost a member whose presence will be missed in our  
12 association. In his home there will be a vacant chair.

13  
14 We cherish the memory of our departed brother who has gone to the  
15 great beyond where someday we all must follow; therefore, as a to-  
16 ken of the esteem in which he was held, our charter will be draped  
17 thirty (30) days in his memory.

18  
19 Brother Guide, you will please drape the charter.

20  
21 May we ever be mindful that although Brother \_\_\_\_\_ has departed  
22 from our midst, we will remember him and our fellowship with him.

23  
24 *[President gives one (1) stroke of the gavel.]*

**Memorial Service**

25  
26  
27  
28 Section 7. The last Sunday in May of each year should be set aside  
29 and observed as Memorial Day, the day to be observed by all divi-  
30 sions, with appropriate services in memory of our deceased brothers.

31  
32

**Form of Closing**

1  
2  
3 Section 8. *[The president, after the business of his division is fi-*  
4 *nished, will call upon the officers in rank and inquire if they have*  
5 *anything to offer for the good of the Brotherhood. If they have noth-*  
6 *ing, he will proceed to close, reminding all present that have not*  
7 *already registered to do so.]*

8  
9 President – If there is nothing further to bring before this division,  
10 we will proceed to close.

11  
12 President – *[Three (3) sounds of the gavel]* Brothers, in closing, I  
13 wish to admonish you to be careful in your conversation with all  
14 persons, and not to discuss or divulge to any person what has trans-  
15 pired at this meeting except it be to a member of the BLET.

16  
17 President – Give your attention to our worthy chaplain.

18  
19 Chaplain – Grant us, O Lord, we humbly beseech Thee, Thy  
20 strength to resist temptation and Thy love and pity to all who suffer  
21 evil. Help us that we may live pure and holy in this earthly life. May  
22 heaven's richest blessings rest upon our beloved order, and when our  
23 life's work is ended, receive each one of us into everlasting life. This  
24 we ask of Jesus Christ, our Lord. Amen.

25  
26 All – So mote it be.

27  
28 President – Brother Guide, close the Holy Bible.

29  
30 President – Brothers, I now declare this division closed until its  
31 next regular meeting except in case of an emergency, in which in-  
32 stance due and timely notice will be given.

33

1 President – *[One (1) sound of the gavel]*  
2

3 **Form of Initiation**  
4

5 Section 9. *[If there is a candidate for initiation, the secretary-*  
6 *treasurer will so report when called upon in the order of business;*  
7 *and when there is more than one (1) candidate, the plural instead of*  
8 *singular should be used in speaking to or of them, except when they*  
9 *are called by name with the prefix “Mr.”]*  
10

11 President – Brother Secretary-Treasurer, has Mr. \_\_\_\_\_ been pro-  
12 posed and elected to become a member of this division in due form?

13 Secretary-Treasurer – He has.  
14

15 President – Then, Brother Guide, you will proceed to the anteroom  
16 and propound to the candidate the necessary questions.  
17

18 *[The guide proceeds to the anteroom.]*  
19

20 Guide – In becoming a member of the Brotherhood of Locomotive  
21 Engineers and Trainmen, is it your desire to assist in protecting the  
22 welfare and best interests of your brother engineers?  
23

24 Answer – It is.  
25

26 *[The guide then gives an alarm at the door and returns to division*  
27 *room to report.]*  
28

29 Guide – Brother President, the questions have been propounded  
30 and satisfactory answers received.  
31

32 President – Then, Brother Guide, you will proceed to the anteroom  
33 and conduct Mr. \_\_\_\_\_ to the altar.

1        *[The guide conducts the candidate to the altar.]*  
2

3        Guide – Brother President, I here present to you Mr. \_\_\_\_\_, a can-  
4        didate for initiation.

5  
6        *[The President now addresses the candidate as follows:]*  
7

8        President – My friend, you have gained admission thus far into this  
9        division through the goodwill of the members of the BLET. Hence-  
10       forth, your usefulness and preferment must depend solely upon your  
11       own exemplary conduct. Conscious as we are of our weakness and  
12       our entire dependence upon divine help, it is important, before any  
13       great undertaking, that we should first invoke the blessing of God;  
14       therefore, you will now be caused to kneel for the purpose of prayer.

15  
16       *[The guide now causes him to kneel on both knees with both hands*  
17       *resting on the Holy Bible. After the candidate is in position, the pres-*  
18       *ident calls up the division and says, “Give your attention to our wor-*  
19       *thy chaplain.”]*  
20

21        Chaplain – O God, our Heavenly Father, we ask Thee to ever let  
22        Thy guiding Spirit be with this our friend and candidate, who now  
23        seeks admission to our order. Inspire him with Thy divine grace and  
24        help him so to act that he may bear honor to our calling and be a  
25        blessing to himself and the fraternity. Amen.

26  
27        All – So mote it be.

28  
29        *[The president seats the division, then addresses the candidate and*  
30        *says:]*  
31

32        President – My friend, it will be necessary for you to take upon  
33        yourself a solemn obligation such as all members of the BLET have

1 taken, whereby you bind yourself to keep secret all that will be com-  
2 municated to you relative to this order. In this obligation, however,  
3 there is nothing that will in any manner interfere with your religious  
4 opinions or conflict with that duty which you owe to God, your fami-  
5 ly or yourself. With this assurance upon my part, are you willing to  
6 take such obligation?  
7

8 Answer – I am.  
9

10 *[The president calls up the division with three (3) strokes of the*  
11 *gavel and administers obligation, as follows:]*  
12

13 President – Then, Mr. \_\_\_\_\_, you will pronounce your name in full  
14 and repeat after me – I, \_\_\_\_\_, of my own free will and accord ... in  
15 the presence of almighty God ... and these witnesses, ... *[press can-*  
16 *didate's hand on the Bible]* do hereby and hereon ... most solemnly  
17 swear ... that I will never reveal ... any of the secrets of the BLET ...  
18 to any person or persons whomsoever, ... except I shall, upon exami-  
19 nation, ... find him or them ... as lawfully entitled to the same ... as I  
20 am myself, ... and that I will aid and assist ... all worthy members of  
21 the BLET ... so far as their necessities may require ... and my abili-  
22 ties permit. ... That I will not knowingly wrong or defraud ... a divi-  
23 sion of the BLET ... or any individual member, by word or deed, ...  
24 neither will I permit the same ... to be done by others ... if in my  
25 power to prevent. ... That I will abide by and support the bylaws of  
26 this or any other division ... of which I may hereafter become a  
27 member, ... also the Constitution and Bylaws ... of the Brotherhood  
28 of Locomotive Engineers and Trainmen, ... under which all divisions  
29 are held ... together with the rules ... and regulations of the same. ...  
30 That I will not sign or circulate, ... or cause to be circulated, ... any  
31 paper, circular, petition, or document whatsoever, ... calculated to  
32 injure our organization. ... That I will not sever my connection with  
33 the organization ... except it be with the consent of the division ...

1 and according to the laws governing the same. ... That under no  
2 circumstances ... will I be led or driven into ... violating this my  
3 solemn oath or obligation, ... lest I disgrace myself ... as a member  
4 of the BLET ... so help me God.

5  
6 President – Brother Guide, as our brother is now bound to us by a  
7 strong tie, you will allow the brother to rise.

8  
9 President – My Brother, you observe before you the Holy Bible. It  
10 is the emblem of our order, because upon it we obligate all who seek  
11 admission, and are found worthy. Within its sacred pages are found  
12 the fundamental principles which stand as the rules of our organiza-  
13 tion, namely, “Do unto others as you would that others should do  
14 unto you, and so fulfill the law.”

15  
16 *[After completion of obligation, the president seats the division with*  
17 *one (1) stroke of the gavel.]*

18  
19 *[The president then instructs the brother that to gain admittance*  
20 *after a division is in session he will give an alarm at the door, and*  
21 *when admitted by the guide, will take his seat. To retire from the*  
22 *room, he should, out of courtesy, ask permission from the president.*  
23 *The voting sign is the uplifted right hand. (It shall be optional with*  
24 *the division to present the new brother with a BLET pin.)]*

25  
26 President – You will now be conducted to the secretary-treasurer’s  
27 station, where you will sign the division register.

28  
29 *[The guide conducts the brother to the secretary-treasurer’s desk.*  
30 *After register is signed, the guide conducts brother to president’s*  
31 *station to be instructed in the use and authority of the gavel. One (1)*  
32 *stroke calls the division to order and officers to their stations, also*

1 *seats the division when standing. Two (2) strokes call up the officers*  
2 *only. Three (3) strokes call up the entire division.]*  
3

4 President – Now, my Brother, in behalf of Division \_\_\_\_\_, Brother-  
5 hood of Locomotive Engineers and Trainmen, it gives me pleasure to  
6 extend to you the right hand of fellowship, and with it the title of  
7 brother and privilege of a seat in this division.  
8

### 9 **Installation Services**

10  
11 Section 10. [NOTE: *Installation to take place as directed in the*  
12 *Local Division Rules. When the business of the division has pro-*  
13 *gressed to “new business”, installation of new officers shall next take*  
14 *place.]*  
15

16 [All officers of divisions who have been duly elected shall be in-  
17 stalled as per the Local Division Rules, except in cases of unavoi-  
18 dable absence. All officers elected at a regular election shall be duly  
19 installed before they enter upon the duties of their office.]  
20

21 The following order must be observed in conducting the ceremonies  
22 of installation:  
23

24 [The acting president shall open his division in due form and attend  
25 to the reading of the minutes of the previous meeting. He shall then  
26 appoint some member who shall act as master of ceremonies, and  
27 who will seat the newly elected officers in front of the president’s  
28 station. The acting president will then appoint a past president, or,  
29 in the absence of a past president, some member of the division who  
30 shall proceed to duly install the new officers as they come in rank,  
31 commencing with the president.  
32



1 *as president. Any member who is in good standing may rise and,*  
2 *after obtaining the recognition of the chair, say: "Brother President,*  
3 *I nominate Brother \_\_\_\_\_ for the office of president." A second to*  
4 *this nomination is necessary.]*

5  
6 President – Brother Secretary-Treasurer, is Brother \_\_\_\_\_ eligible?  
7

8 *[If the secretary-treasurer replies in the affirmative, the brother*  
9 *whose name has been suggested is eligible for nomination. After all*  
10 *the brothers have been given an opportunity to suggest the name of*  
11 *the brother they wish for president, the presiding officer says:]*  
12

13 President – Brothers, if there are no further nominations, we will  
14 now close the nominations for president and proceed to nominate  
15 candidates for the office of vice president.  
16

17 *[If there is only one nomination for an office, the presiding officer*  
18 *declares the candidate elected by acclamation.]*  
19

20 *[Proceed in like manner until nominations have been made for all*  
21 *the offices of the division.]*  
22

23 President – Having received nominations for all offices of the divi-  
24 sion in due form, I herewith declare all nominations closed.  
25

26 **Resolutions Adopted by the International Brotherhood of Loco-**  
27 **motive Engineers**

28 [Modified to conform with BLET Bylaws, January 1, 2004]  
29

30 Section 12.  
31

32 WHEREAS, It is evident that the success of any measure which  
33 may be calculated to advance the true interests of members united in

1 any division of the BLET must result in the welfare and prosperity of  
2 the entire organization, and that defeat may involve the partial and  
3 perhaps complete demoralization of such division, and possibly exert  
4 an injurious influence over all other divisions in their vicinity, and  
5 incur the distrust of the community as to the permanence of our insti-  
6 tution and the justness of our intentions; and,  
7

8 WHEREAS, Cooperation with and dependence upon one another  
9 under such circumstances is among the fundamental principles of this  
10 organization; and,  
11

12 WHEREAS, We recognize the undeniable right of each and every  
13 division to adopt such rules and take such action as they may deem  
14 proper, so long as they are not subversive of the principles of the  
15 Bylaws and opposed to the interests of the BLET as a body;  
16

17 ~~1. RESOLVED, That the officers and members of divisions are~~  
18 ~~hereby strictly prohibited from holding frequent or continued discus-~~  
19 ~~sion in regard to the private affairs of any division or divisions of the~~  
20 ~~BLET, except at meetings of their respective divisions, under penalty~~  
21 ~~of suspension.~~  
22

23 **21. RESOLVED,** That should any member of the BLET disclose in  
24 any way or form whatever, to any person or persons not members of  
25 the BLET, any of the proceedings of the division to which he belongs  
26 or of any other division, or any plan, project, proposition, or private  
27 matter of whatever nature concerning the BLET at large, and which,  
28 if made public, would ~~be calculated to injure in the slightest degree~~  
29 ~~the best interest of the BLET,~~ **interfere with the performance of its**  
30 **legal or contractual obligations,** he shall be served with written  
31 specific charges, given a reasonable time to prepare a defense and  
32 afforded a full and fair hearing; and if convicted, he shall be consi-  
33 dered as having violated his obligation by thus betraying the secrets

1 of the BLET and shall be ignominiously suspended from the division;  
2 and his name, together with the cause of his suspension, shall be for-  
3 warded to the National Office. Any member thus suspended shall not  
4 be eligible for membership in the BLET until after a period of five  
5 (5) years from the date of his suspension, when he may be reinstated  
6 by a two-thirds (2/3) vote of all the members present at a regular  
7 meeting of the division from which he was suspended. The applica-  
8 tion for reinstatement must lay over two (2) regular meetings.

9  
10 **32. RESOLVED**, That the entire organization is hereby warned  
11 against the insidious approaches of any and all enemies of the organi-  
12 zation and the machinations of capital and its agents, who are now  
13 using and will continue to use all the power and influence of centra-  
14 lized wealth with a purpose of dividing our councils and, if possible,  
15 destroying our organization.

16  
17 **43. RESOLVED**, That the members of the BLET are hereby en-  
18 joined to keep their own counsel and to bear in mind their duties and  
19 obligations to one another, as set forth in the Bylaws, and remember  
20 that in this bond of union lies our great anchor of hope for present  
21 and future prosperity.

22  
23 **54. RESOLVED**, That any copy of the Bylaws or other document,  
24 not published under the control and supervision of the Executive  
25 Committee of the National Division, shall have no value and will not  
26 be recognized by any division.

27  
28 **65. RESOLVED**, That any member of the BLET running on any  
29 road connecting with or adjacent to any road where trouble exists  
30 between the company and its employees is hereby enjoined from  
31 participating in any act that would tend to bring disgrace upon the  
32 BLET or involve anyone in a criminal prosecution under penalty of  
33 suspension. But no member is expected to try to perform his usual

1 duties whenever he may in any manner subject himself to any bodily  
2 injury, bearing in mind that it is the privilege of any member to quit  
3 work whenever in his judgment circumstances may require it.  
4

5 **76. RESOLVED**, That when a member is discharged by a railroad  
6 company and is re-employed with a new seniority date within six (6)  
7 months, and circumstances show that the penalty was excessive, any  
8 brother objecting to his reinstatement to his former rights (providing  
9 the company and GCA. are willing to reinstate said engineer to his  
10 former position) shall be considered guilty of having violated his  
11 obligation, and may be proceeded against by the division of which he  
12 is a member.  
13

14 **87. RESOLVED**, That in the event of the discharge or removal  
15 from his engine or run of any member of any committee who has  
16 been so discharged or removed for serving on the same, the division  
17 or divisions shall demand his reinstatement, and in the event of the  
18 officials of the road where he is employed refusing to accede to such  
19 a demand, shall make an issue with said company if sustained by the  
20 National President.  
21

22 **98. RESOLVED**, That these resolutions shall be recognized as  
23 possessing equal value of all other laws of the BLET and shall have  
24 all the binding force and consequence of any article, section or rule of  
25 the Bylaws; and the officers and members of the divisions now orga-  
26 nized, or which may be hereafter organized, are instructed and hereby  
27 required to observe and enforce all of their terms and conditions.  
28 These resolutions must be kept among the private papers of each  
29 division and must in no case be subject to inspection of any person or  
30 persons not members of the BLET.  
31

## Resolutions

**Adopted by the International Brotherhood of  
Locomotive Engineers  
Sixth Quinquennial Convention**

[Modified to conform with BLET Bylaws, January 1, 2004]

Section 13.

1. RESOLVED, that it shall be the policy of the BLET to urge each GCA to negotiate an agreement with its management providing that any individual holding seniority and/or working in any craft represented by the BLET, who has been or subsequently is promoted to an official position or to the work in another craft on the carrier, which is represented by another organization, will no longer continue to accumulate seniority in any craft represented by the BLET unless such individual pays a seniority maintenance fee (equivalent to full monthly dues) to the BLET. It is the sense of the organization that any individual failing to pay the seniority maintenance fee while working in an official position or a craft not represented by the BLET will not accumulate additional seniority on any seniority roster(s) of the craft(s) represented by BLET where the individual's name may appear, and thus will fall below persons continuing to accumulate seniority.

2. WHEREAS the BLET only meets once every four years carrying on the business of the organization, and whereas democracy in its purest form is slow and tedious but must be done correctly to satisfy the laws governing us and insure justice to all; therefore, let it be RESOLVED that at every ND convention the services of a professional parliamentarian be utilized.

~~3. Whereas the submitters of this resolution feel that the present system and procedures used outside the governing body of the BLET~~

1 ~~to draft candidates for office within the organization are inefficient~~  
2 ~~and do not serve us well; therefore, let it be RESOLVED that the~~  
3 ~~National President appoint a committee of twelve to resolve this~~  
4 ~~problem and write a formal policy to be adopted and used at future~~  
5 ~~conventions.~~

6  
7 ~~Committee of Twelve recommendations as adopted at the 2001,~~  
8 ~~Seventh Quinquennial Convention, are as follows:~~

- 9  
10 ● ~~Nominations for offices shall be on the first day (Monday)~~  
11 ~~of convention week.~~  
12 ● ~~Election of officers shall be no earlier than the third day~~  
13 ~~(Wednesday) of convention week.~~

14  
15 ~~Caucuses~~

- 16 ● ~~Caucuses shall be limited to the Eastern, Southeastern and~~  
17 ~~Western Caucuses.~~  
18 ● ~~Regional caucuses shall meet at 8 PM on the day prior to the~~  
19 ~~convention (Sunday.) Delegates are encouraged to make~~  
20 ~~travel arrangements to arrive in time to attend this session.~~  
21 ● ~~Delegates shall meet in joint session on the first and second~~  
22 ~~days during convention week, beginning at 6:30 PM to hear~~  
23 ~~from candidates.~~

24  
25 ~~NOTE: Regional Caucus Chairmen shall meet prior to the first joint~~  
26 ~~session to establish a fair and equitable caucus agenda. It is the rec-~~  
27 ~~ommendation of the Committee that each candidate be allowed five~~  
28 ~~(5) minutes for an opening speech and that no less than ten (10) mi-~~  
29 ~~nutes multiplied by the number of candidates be allowed for each~~  
30 ~~position for a question and answer session. This recommendation is~~  
31 ~~based upon the number of candidates running for office at the 7<sup>th</sup>~~  
32 ~~Quinquennial Convention.~~  
33



1 ~~Candidates for Vice President~~

2 ~~Candidates for all other Alternates~~

3  
4 ~~In order to maintain the integrity and fairness of this process, cam-~~  
5 ~~paign speeches and questions and answers are prohibited in regional~~  
6 ~~caucuses.~~

7  
8 **4. 3.** Let it be RESOLVED that all future concerted wage/rule set-  
9 tlements made pursuant to Section 6 of the Railway Labor Act as  
10 amended on the participating carriers of the National Carriers Confe-  
11 rence Committee reflect that all compensation be paid in U.S. curren-  
12 cy

13  
14 **5. 4.** RESOLVED, that the National Division is requested to make  
15 any changes necessary to provide leadership in using electronic me-  
16 dia whenever and wherever possible, especially where the use would  
17 be more cost effective.

18  
19 **Resolutions**

20 **Adopted by the International Brotherhood of**  
21 **Locomotive Engineers**  
22 **Seventh Quinquennial Convention**

23 [Modified to conform with BLET Bylaws, January 1, 2004]

24  
25 Section 14.

26  
27 WHEREAS, the BLET Auxiliary is an organization made up of the  
28 spouses and families of members who provide behind the scenes  
29 activities which further the causes of the BLET both on local and  
30 national levels; and

31

1 WHEREAS, the BLET Auxiliary has changed its direction over the  
2 years and become more involved with quality of life, safety, and  
3 legislative issues pertaining to the welfare of BLET members; and  
4

5 WHEREAS, the BLET Auxiliary has become a formidable force to  
6 be reckoned with in dealing with the carriers, and local, state and  
7 federal legislative bodies on issues important to the members of the  
8 BLET; and  
9

10 WHEREAS, the BLET Auxiliary spends significant amounts of the  
11 resources working to improve the lives of the members and the  
12 BLET; and  
13

14 WHEREAS, providing financial assistance to the BLET Auxiliary  
15 would greatly enhance the outstanding work the organization does,  
16 and allow them to increase their influence in their various pursuits on  
17 behalf of the members of the BLET;  
18

19 THEREFORE, BE IT RESOLVED, that the BLET will provide  
20 funding in the minimum amount of \$25,000 per year to the BLET  
21 Auxiliary for the purpose of offsetting the spiraling costs associated  
22 with the necessary and reasonable expenses incurred in its support of  
23 the BLET and its concerns. The funding will be derived from National  
24 Legislative Board funds that can be used at the discretion of the  
25 National Legislative Board as outlined in National Legislative Board,  
26 Section 2(b), Legislative Board Rules.  
27  
28  
29  
30  
31

**Resolutions**  
**Adopted by the Brotherhood of**  
**Locomotive Engineers and Trainmen**  
**First Quadrennial Convention**

1  
2  
3  
4  
5  
6 Section 15.

7 WHEREAS, the Department of Energy has approved the use of  
8 dedicated trains and the nations railroads will soon be transporting  
9 large quantities of spent nuclear fuel and high level radioactive waste  
10 to storage facilities in Utah and Nevada; and

11  
12 WHEREAS, there will be a potentially high risk of radioactive ex-  
13 posure of BLET members, and

14  
15 WHEREAS, the nations railroads do not have a Radiation Protec-  
16 tion Program in place to protect BLET members;

17  
18 THEREFORE, BE IT RESOLVED, that the National Division of  
19 the BLET, with the advice of the BLET Radiation Safety Officer,  
20 will endeavor to ensure that BLET members receive the training,  
21 equipment, and Radiation Protection Program necessary to keep radi-  
22 ation exposure to a minimum.

23  
24 BE IT FURTHER RESOLVED, that the BLET Radiation Safety  
25 Officer, at the direction of the National President, will attend De-  
26 partment of Energy TEC meetings and regional meetings, and partic-  
27 ipate in discussions pertaining to our safety and security concerns  
28 with the rail transportation of Spent Nuclear Fuel (SNF) and High  
29 Level Radioactive Waste (HLW).

30  
31 Section 16.  
32

1       WHEREAS, the railroads in the United States and Canada that travel through North America, and;

2  
3  
4       WHEREAS, the operation of Class 1, Class 2, and short-line railroads include the shipment of radioactive waste, and;

5  
6  
7       WHEREAS, the shipments of this waste poses a serious health hazard to the public and all railroad employees, and;

8  
9  
10       WHEREAS, these dangerous materials are subject to uncontrolled releases and spillage when railroad cars carrying radioactive waste are ruptured in derailments or collisions with other rolling stock, and;

11  
12  
13  
14       WHEREAS, heretofore, all railroads have failed to provide their employees and local first responders with adequate training and appropriate monitoring equipment to ensure safe operations of these trains, and;

15  
16  
17  
18  
19       THEREFORE, BE IT RESOLVED, that the Brotherhood of Locomotive Engineers and Trainmen, a Division of the Rail Conference of the International Brotherhood of Teamsters, hereby urges the U.S. Congress to immediately secure federal funding earmarked for the U.S. Department of Transportation and Department of Homeland Security to be used to fund training, education and public awareness programs for railroad employees and the general public.

20  
21  
22  
23  
24  
25

**T**HIS SECTION, entitled “Merger Agreement,” comprises the Merger Agreement between the International Brotherhood of Locomotive Engineers and the International Brotherhood of Teamsters, resulting in the formation of the BLET.

**MERGER AGREEMENT**  
**between**  
**INTERNATIONAL BROTHERHOOD OF LOCOMOTIVE**  
**ENGINEERS and INTERNATIONAL BROTHERHOOD**  
**OF TEAMSTERS**

1  
2  
3  
4  
5  
6  
7 The International Brotherhood of Locomotive Engineers (IBLE) and  
8 the International Brotherhood of Teamsters (IBT) enter into this  
9 Merger Agreement subject to approval and ratification as required by  
10 their respective Constitutions.

11  
12 WHEREAS, after considering several potential merger partners, the  
13 Advisory Board of the IBLE voted unanimously to pursue merger  
14 discussions with the IBT; and

15  
16 WHEREAS, the Unions determined that the merger agreement  
17 should be discussed and negotiated through a Joint Committee proce-  
18 dure in which both Unions would participate; and

19  
20 WHEREAS, a Joint Committee composed of representatives of the  
21 IBLE and the IBT have met over an extended period, and the repre-  
22 sentatives have become familiar with the operations of each Union  
23 and its various subordinate organizations and have mutually agreed  
24 upon the terms set forth in this Merger Agreement and in the Bylaws  
25 of the IBT Rail Conference, the Brotherhood of Locomotive Engi-  
26 neers and Trainmen (a Division of the IBT Rail Conference) and the  
27 Teamsters Canada Rail Conference; and

28  
29 WHEREAS, representatives from both Unions have determined that  
30 the following terms and conditions and the Bylaws of the proposed  
31 IBT Rail Conference, the Brotherhood of Locomotive Engineers and  
32 Trainmen (a Division of the IBT Rail Conference) and the Teamsters  
33 Canada Rail Conference (all of which are incorporated by reference

1 and are a part of this Merger Agreement) guarantee to the IBLE and  
2 its members maximum autonomy within the structure of the IBT; and  
3

4 WHEREAS, the IBLE Advisory Board and the members of the Joint  
5 Committee believe that a merger with the IBT will give the IBLE  
6 strength and resources to enable it to better represent its members and  
7 to negotiate strong contracts; and  
8

9 WHEREAS, the Joint Committee members from both Unions rec-  
10 commend approval of this agreement, the incorporated bylaws and the  
11 merger they represent;  
12

13 NOW, THEREFORE, BE IT RESOLVED that the parties agree to  
14 the following terms and conditions to govern the merger of the IBLE  
15 into the IBT subject to the approval procedures set forth in the Con-  
16 stitutions of each Union.  
17

18 1. Purpose. The purpose of this Agreement is to provide for the  
19 merger of the IBLE into the IBT; to maintain for the IBLE the maxi-  
20 mum autonomy available within the structure established by the IBT  
21 Constitution; to gain for the IBLE and its members the strength  
22 and resources available both from the International Brotherhood of  
23 Teamsters and from cooperation and coordination with IBT Local  
24 Unions and other affiliates throughout the United States, Canada and  
25 Puerto Rico; to enable IBLE to better serve its members, to better  
26 represent its members and to secure stronger contracts for its mem-  
27 bers; to establish a Rail Conference within the IBT in which IBLE  
28 will play the leading role; and to enable IBLE to expand its jurisdic-  
29 tion and membership to include all operating crafts within the Rail  
30 Industry to the fullest extent permitted by the rules of the AFL-CIO  
31 as they exist at the time this Merger Agreement is approved by the  
32 IBLE Advisory Board.  
33

1 2. General Terms and Summary. This merger is subject to the ap-  
2 proval of each Union in accord with the procedures established by  
3 their Constitutions.  
4

5 2.1. United States. If the merger is approved, the IBLE and its  
6 subordinate bodies in the United States will become known as the  
7 Brotherhood of Locomotive Engineers and Trainmen (BLET) and  
8 will be constituted as a division within a newly formed IBT Rail Con-  
9 ference. The IBLE and its subordinate bodies will maintain the same  
10 control over their assets, contracts and affairs that they have prior to  
11 the merger limited only by the specific provisions of this Merger  
12 Agreement and the applicable bylaws for the BLET and the IBT Rail  
13 Conference. All current officers of all IBLE bodies (International  
14 Division, Local Divisions, General Committees of Adjustment and  
15 State Legislative Boards) will maintain their current offices, and elec-  
16 tions in each body will be conducted as currently scheduled. In par-  
17 ticular, the next IBLE Convention and the next elections of IBLE  
18 officers will go forward on their current schedule. The Rail Confe-  
19 rence will be an umbrella organization designed to coordinate activi-  
20 ties on behalf of members within the Rail Industry in the United  
21 States including all members of the IBLE in the United States and  
22 any rail union with independent jurisdiction that may merge with the  
23 IBT in the future. The Merger Agreement also provides a transition  
24 with respect to certain governing provisions of the IBT Constitution,  
25 with respect to the payment of per capita by IBLE to the IBT, and  
26 with respect to the assumption by IBT of certain IBLE administrative  
27 and legislative functions. The Merger Agreement guarantees the  
28 parties the right to withdraw from the merger during a two-year pe-  
29 riod following approval through the procedures set forth in paragraph  
30 6.26, below.  
31

32 2.2. Canada. The IBLE subordinate bodies in Canada will be-  
33 come the Teamsters Canada Rail Conference (TCRC) and will be

1 directly affiliated with Teamsters Canada. The IBLE subordinate  
2 bodies in Canada will maintain the same control over their assets and  
3 affairs that they have prior to the merger limited only by the specific  
4 provisions of this Merger Agreement and the TCRC Bylaws. All  
5 current officers of all IBLE subordinate bodies in Canada (Divisions,  
6 General Committees of Adjustment and Provincial Legislative  
7 Boards) will maintain their current offices, and elections in each of  
8 these subordinate bodies will be conducted as currently scheduled.  
9 The TCRC will be established with an Executive Board consisting of  
10 the two IBLE Vice Presidents from Canada and five other officers as  
11 specified in paragraph 5.4, below. These officers will serve until the  
12 TCRC Convention which will be held in 2006, at which time the  
13 TCRC Executive Board will be elected by the delegates to the TCRC  
14 Convention. The Merger Agreement also provides a transition with  
15 respect to certain governing provisions of the IBT Constitution and  
16 the Bylaws of Teamsters Canada. The Merger Agreement guarantees  
17 IBLE affiliates in Canada and the IBT the right to withdraw from the  
18 merger during a two-year period following approval through the pro-  
19 cedures set forth in paragraph 6.27, below.

20  
21 A

22  
23 Provisions Applicable in the United States

24  
25 3.1 Rail Conference. The IBT will establish a Rail Conference with-  
26 in the IBT as provided by the Rail Conference Bylaws which are  
27 incorporated by reference and are a part of this Merger Agreement.  
28 The Rail Conference will be a representative body whose officers  
29 will be appointed by the Craft Divisions established within the Con-  
30 ference; and the purpose of the Rail Conference will be to coordinate  
31 the representation of and all activities on behalf of members within  
32 the Rail Industry in the United States, including all members of the  
33 IBLE in the United States.

1 3.2. Rail Conference Jurisdiction. The jurisdiction of the Rail Con-  
2 ference shall consist of employees working in the Rail Industry with-  
3 in the United States of America. The Craft Divisions within the Rail  
4 Conference shall have jurisdiction in accord with traditional craft  
5 lines with the BLET representing all locomotive engineers, all train-  
6 men and all related operating personnel within the United States.  
7

8 3.3. Rail Conference Headquarters and Offices. The headquarters  
9 and office of the Rail Conference shall be located at the IBT head-  
10 quarters building in Washington, D.C.  
11

12 3.4. Rail Conference Officers. The initial members of the Rail Con-  
13 ference Policy Committee shall be the IBLE President, First Vice  
14 President, General Secretary-Treasurer and a fourth representative  
15 designated by the IBLE/BLET Advisory Board. The BLET National  
16 President (IBLE President) and the BLET National Secretary-  
17 Treasurer (IBLE General Secretary-Treasurer) shall serve as the ini-  
18 tial President and Secretary-Treasurer of the Rail Conference. As  
19 provided in the Rail Conference Bylaws, additional members of the  
20 Rail Conference Policy Committee shall include an appropriate num-  
21 ber of representatives from any other affiliated Rail Industry Craft  
22 Divisions that may hereafter be established and affiliated with the  
23 Rail Conference. In accord with the Rail Conference Bylaws, these  
24 officers shall fill these offices until the 2006 Rail Conference Con-  
25 vention at which time the members and officers of the Rail Confe-  
26 rence Policy Committee shall be appointed and elected as provided in  
27 the Rail Conference Bylaws.  
28

29 3.5. Rail Conference Convention. The Rail Conference shall hold its  
30 first Convention at or about the time of the 2006 IBT Convention and  
31 every four years thereafter at a time and place set by the Rail Confe-  
32 rence Policy Committee.  
33

1 3.6. Rail Conference Per Capita. Operations of the Rail Conference  
2 shall be supported initially by the IBT by a per capita of \$0.25 per  
3 member per month to be allocated from the per capita paid to the IBT  
4 by the Craft Divisions within the Rail Conference. The delegates at  
5 the first Rail Conference Convention shall continue or change the per  
6 capita and, beginning with the month after they have acted, the per  
7 capita shall be paid by the Craft Divisions directly to the Conference  
8 and separate from any other per capita. These funds shall be main-  
9 tained and controlled by the Rail Conference in accord with the Rail  
10 Conference Bylaws.

11  
12 3.7. Rail Conference Operations. As provided by its Bylaws, the  
13 Rail Conference shall coordinate the activities of its affiliated Craft  
14 Divisions. The expenses of the Rail Conference shall be paid by the  
15 Rail Conference except as otherwise explicitly provided in this Mer-  
16 ger Agreement.

17  
18 4.1. Brotherhood of Locomotive Engineers and Trainmen. The  
19 IBLE shall become the Brotherhood of Locomotive Engineers and  
20 Trainmen, a Division of the IBT Rail Conference, and will be go-  
21 verned by the BLET Bylaws, which are incorporated by reference  
22 and are a part of this Merger Agreement. The BLET Bylaws are  
23 designed to establish and continue within the IBT as much of the  
24 existing structure and operation of IBLE and its subordinate bodies as  
25 is consistent with the IBT Constitution.

26  
27 4.2. BLET Jurisdiction. The jurisdiction of the BLET shall consist  
28 of the jurisdiction of the IBLE within the United States and shall  
29 include all locomotive engineers, all trainmen and all related operat-  
30 ing personnel within the United States.

31  
32 4.3. BLET Headquarters and Office. The headquarters and office of  
33 the BLET shall be located at the current headquarters and office of

1 the IBLE in Cleveland, Ohio, or at such other place as the BLET may  
2 determine in accord with its Bylaws.

3  
4 4.4. BLET Officers. The initial officers of the BLET will be the  
5 same as the officers of the IBLE as provided in the BLET Bylaws.  
6 The officers of the BLET shall thereafter be elected at the BLET  
7 Convention.

8  
9 4.5. BLET Convention. The BLET shall hold its first Convention at  
10 the same time that the next regular IBLE Convention would have  
11 been held but for the merger and every four years thereafter.

12  
13 4.6. BLET Dues. Dues and other financial obligations among and  
14 between the BLET and the subordinate bodies of the IBLE/BLET  
15 shall not be affected by this agreement and shall in the future be de-  
16 termined and adjusted as provided by the BLET Bylaws and in ac-  
17 cord with the requirements of federal law. All expenses of operating  
18 the BLET and its subordinate bodies shall be borne by the BLET and  
19 its subordinate bodies except as otherwise explicitly provided by this  
20 Merger Agreement.

21  
22 4.7. BLET Operations. As provided by its Bylaws, the BLET shall  
23 have responsibility and authority over the activities of its affiliated  
24 Local Divisions, General Committees of Adjustment and State Legis-  
25 lative Boards. Except as explicitly modified by the BLET Bylaws,  
26 the BLET shall retain and maintain the same responsibility and au-  
27 thority as the IBLE with respect to IBLE operations and subordinate  
28 bodies.

29  
30 4.7.1. Control of Assets and Funds. The BLET shall retain and  
31 maintain control of all IBLE assets and funds. All IBLE subordinate  
32 bodies shall retain control of their assets and funds. In particular, the  
33 BLET shall retain control of the IBLE General Fund, Convention

1 Fund and Mobilization/Strike Fund. The IBLE Building Association  
2 shall continue to operate under its current articles of incorporation.  
3 The IBLE Building Association shall maintain the same relationship  
4 to the BLET as it currently maintains with respect to the IBLE.

5  
6 4.7.2. Benefit Plans. The BLET shall retain and maintain control of  
7 any existing IBLE benefit plans, shall continue to participate in cur-  
8 rent benefit plans, and shall in the future determine its participation in  
9 any such plans in accord with its bylaws.

10  
11 4.7.3. Employees and Contractors. The BLET shall have authority  
12 and responsibility to hire, supervise and direct its own employees and  
13 establish their benefits and other terms and conditions of employ-  
14 ment. The BLET shall have authority and responsibility to engage its  
15 own attorneys, accountants, consultants and other vendors.

16  
17 4.7.4. Collective Bargaining Agreements. The BLET shall be the  
18 successor to and shall continue to hold the certifications currently  
19 held by the IBLE and shall have complete authority to negotiate and  
20 administer collective bargaining agreements pursuant to those certifi-  
21 cations.

22  
23 4.7.5. Initiation Fees, Dues and Per Capita. Initiation fees, dues, and  
24 any other financial obligations between and among the IBLE and its  
25 subordinate bodies shall continue as before the merger. The BLET  
26 shall pay a monthly per capita to the IBT International Union which  
27 shall be \$5.00 for the period January 2004 through December 2005.  
28 The monthly per capita for 2006 shall be \$11.00 for engineers, \$9.90  
29 for trainmen and \$6.60 for members under non-standard contracts.  
30 Beginning with the month of January 2007, monthly per capita shall  
31 be set for the three classes of members within the IBLE/BLET based  
32 upon the average hourly wage rate for each class – engineers (based  
33 on national contract rates), trainmen, non-standard. The average

1 hourly rate will be recalculated in December of each year for each  
2 class and the per capita (calculated in accord with Article X of the  
3 IBT Constitution for each class) will become applicable the following  
4 January. It is the intent of the parties that this per capita will be paid  
5 by the IBLE/BLET National Division and will not be passed on to  
6 members in the form of a dues increase or to Local Divisions or other  
7 subordinate bodies within the IBLE/BLET. In order to protect the  
8 arrangements made in the following paragraph to effectuate this in-  
9 tent, and notwithstanding any other provision of the BLET Bylaws,  
10 the provisions of Section 25 of the National Division Rules of the  
11 BLET Bylaws will remain in effect until the close of the National  
12 Division Convention held in 2006.

13  
14 4.7.6. Functions Assumed by IBT. In order to insure that IBLE will  
15 be able to pay the per capita due to the IBT during the period from  
16 January 2004 through December 2005, the IBT agrees to pay all  
17 AFL-CIO, TTD and Rail Labor Division per capita on behalf of  
18 IBLE; to assume responsibility for the salaries and certain fringe  
19 benefits for one auditor, one education/training coordinator and one  
20 full-time organizer currently employed by IBLE; to fund certain tem-  
21 porary organizers to assist IBLE in IBLE/BLET and joint organizing  
22 campaigns, which funds are currently provided directly by IBLE; to  
23 provide office space in the IBT Headquarters Building for the IBLE  
24 Washington Office including the National Legislative Office; to bear  
25 the expense for publishing the IBLE quarterly magazine and the  
26 IBLE newsletter; and to subsidize IBLE expenses for outside legal  
27 counsel. Members within the BLET shall participate in the IBT  
28 Strike and Defense Fund to the same extent as any other member of  
29 the IBT. A Joint Committee on Finances will be formed to reach a  
30 similar agreement to fulfill the intent of the parties that the cost of per  
31 capita due on and after January 1, 2006, will not be passed on to  
32 members in the form of a dues increase or to Local Divisions or other  
33 subordinate bodies within the IBLE/BLET.

## B

### Provisions Applicable in Canada

1  
2  
3  
4  
5 5.1. Teamsters Canada Rail Conference (TCRC). The IBLE affili-  
6 ates located in Canada shall be organized into the Teamsters Canada  
7 Rail Conference (TCRC) which will be directly affiliated with Team-  
8 sters Canada. The TCRC Bylaws are designed to continue and estab-  
9 lish within Teamsters Canada as much of the existing structure and  
10 operation of IBLE affiliates located in Canada within the Teamsters  
11 Canada Rail Conference as possible consistent with the IBT Constitu-  
12 tion and the Bylaws of Teamsters Canada.

13  
14 5.2. TCRC Jurisdiction. The jurisdiction of the TCRC shall be all  
15 railway employees represented by the IBLE and IBT within Canada  
16 and shall include, but not be limited to, all locomotive engineers, all  
17 trainmen and all related operating personnel within Canada.

18  
19 5.3. TCRC Headquarters and Office. The headquarters and office of  
20 the TCRC shall be located in Ottawa, Province of Ontario, Canada.

21  
22 5.4. TCRC Executive Board and Officers. The initial officers of the  
23 TCRC Executive Board shall be G. Halle (TCRC President; IBLE  
24 Vice President, Canadian Director); T.G. Hucker (TCRC Vice Presi-  
25 dent; IBLE Vice President and National Legislative Representative,  
26 Canada); R. Dyon (TCRC Secretary-Treasurer; IBLE 1st Alternate  
27 Vice President, Canada); D.C. Curtis (TCRC Recording Secretary;  
28 IBLE 2nd Alternate Vice President, Canada); M.A. Wheten (TCRC  
29 Trustee; IBLE 3rd Alternate Vice President, Canada); D. Shewchuk  
30 (TCRC Trustee); and J. Ruddick (TCRC Trustee). These officers  
31 shall serve until the 2006 TCRC Convention at which the Executive  
32 Board offices shall be elected by the delegates as provided in the  
33 TCRC Bylaws.

1 5.5. TCRC Dues. Dues, assessments and other financial obligations  
2 among and between the TCRC and the subordinate bodies of the  
3 IBLE shall not be affected by this agreement except that any dues,  
4 assessments or other payments payable by IBLE affiliates in Canada  
5 to the IBLE for any time after January 1, 2004 (including administra-  
6 tive dues, convention assessment and national legislative assess-  
7 ment), shall be paid directly to the TCRC. On and after January 1,  
8 2004, all expenses of operating the TCRC and its subordinate bodies  
9 shall be borne by the TCRC and its subordinate bodies except as  
10 otherwise explicitly provided by this Merger Agreement.

11  
12 5.6. TCRC Operations. As provided by its Bylaws, the TCRC shall  
13 have responsibility and authority over the activities of its affiliated  
14 Local Divisions, General Committees of Adjustment and Provincial  
15 Legislative Boards. Except as explicitly modified by the TCRC By-  
16 laws, the TCRC shall assume and maintain the same responsibility  
17 and authority as the IBLE with respect to IBLE/TCRC operations and  
18 subordinate bodies in Canada.

19  
20 5.6.1. Control of Assets and Funds. The TCRC shall maintain con-  
21 trol of all TCRC assets and funds. All IBLE/TCRC subordinate bo-  
22 dies in Canada shall retain control of their assets and funds as  
23 provided by the TCRC Bylaws.

24  
25 5.6.2. Benefit Plans. The TCRC shall maintain control of any exist-  
26 ing IBLE benefit plans in Canada, shall continue to participate in  
27 current benefit plans, and shall in the future determine its participa-  
28 tion in any such plans in accord with its bylaws.

29  
30 5.6.3. Employees and Contractors. The TCRC shall have authority  
31 and responsibility to hire, supervise and direct its own employees and  
32 establish their benefits and other terms and conditions of employ-

1 ment. The TCRC shall have authority and responsibility to engage its  
2 own attorneys, accountants, consultants and other vendors.

3  
4 5.6.4. Collective Bargaining Agreements. The TCRC shall be the  
5 successor to and shall continue to hold the certifications currently  
6 held by the IBLE with respect to any carrier in Canada and shall have  
7 complete authority to negotiate and administer collective bargaining  
8 agreements pursuant to those certifications.

9  
10 5.6.5. Initiation Fees, Dues and Per Capita. The TCRC shall pay a  
11 monthly per capita of \$4.00 to the IBT International Union and a  
12 monthly per capita of \$1.50 to Teamsters Canada for the period of  
13 January 2004 through December 2005. The monthly per capita to the  
14 IBT International Union for 2006 shall be \$8.25 for engineers, \$7.42  
15 for trainmen and \$4.95 for members under non-standard contracts.  
16 Beginning with the month of January 2007, monthly per capita shall  
17 be set for the three classes of members within the TCRC based upon  
18 the average hourly wage rate for each class – engineers (based on  
19 national contract rates), trainmen, non-standard. The average hourly  
20 rate will be recalculated in December of each year for each class and  
21 the per capita (calculated in accord with Article X of the IBT Consti-  
22 tution for each class) will become applicable the following January.  
23 TCRC shall continue to pay per capita to Teamsters Canada. It is the  
24 intent of the parties that these per capitas will be paid by the TCRC  
25 and will not be passed on to members in the form of a dues increase  
26 or to Local Divisions or other subordinate bodies within the TCRC.  
27 Teamsters Canada has agreed to assume responsibility for certain  
28 TCRC functions in order to insure that TCRC will be able to pay the  
29 per capita due to the IBT International Union and to Teamsters Cana-  
30 da during the period from January 2004 through December 2005.  
31 TCRC and Teamsters Canada will establish a Joint Committee on  
32 Finances to reach a similar agreement to fulfill the intent of the par-  
33 ties that the cost of per capita due on and after January 1, 2006, will

1 not be passed on to members in the form of a dues increase or to  
2 Local Divisions or other subordinate bodies within the TCRC.

3  
4 C

5  
6 Common Provisions  
7

8 6.1. Continued Cooperation. IBT and IBLE will continue to coope-  
9 rate during the approval/ratification process with respect to all mat-  
10 ters of mutual interest including, but not limited to, legislation,  
11 organizing, representation and issues pending before the National  
12 Mediation Board.

13  
14 6.2. Effective Date. The Merger shall become effective on January  
15 1, 2004 (Effective Date) and the Rail Conference, BLET and TCRC  
16 Bylaws will become effective on that date.

17  
18 6.3. Membership. On the Effective Date, all IBLE members will  
19 become and be considered IBT members.

20  
21 6.4. Officers. All current officers of all IBLE bodies (National Divi-  
22 sion, Divisions, General Committees of Adjustment, State and Pro-  
23 vincial Legislative Boards) will maintain their current offices, and  
24 elections in each body will be conducted according to the existing  
25 schedule except as specifically provided in paragraph 5.4 with respect  
26 to the IBLE Vice Presidents for Canada and the Executive Board and  
27 officers of TCRC.

28  
29 6.5. Charters. All charters issued by IBLE will be considered as  
30 having been issued by IBT. IBT will issue replacement or duplicate  
31 charters upon request. IBT will issue charters to all IBLE affiliates  
32 that do not already have charters issued by IBLE (BLET, TCRC,  
33 General Committees of Adjustment, and State and Provincial Legis-

1 lative Boards). The BLET and TCRC Bylaws will otherwise govern  
2 the issuance of charters within the IBLE/BLET/TCRC and the IBT  
3 will issue charters for subordinate bodies within the  
4 IBLE/BLET/TCRC, provided that the issuance of such charters is  
5 consistent with the provisions of the BLET or TCRC Bylaws.

6  
7 6.6. Transition to IBT Constitution. Except as otherwise provided by  
8 this Merger Agreement or in the BLET or TCRC Bylaws, the provi-  
9 sions of the IBT Constitution shall apply on and after January 1,  
10 2004. The BLET Bylaws and the TCRC Bylaws shall govern in the  
11 event of any inconsistency with the IBT Constitution.

12  
13 6.7. Eligibility to Vote. The provisions of the IBT Constitution con-  
14 cerning eligibility to nominate, second and vote will become effective  
15 on January 1, 2006.

16  
17 (NOTE: The IBT Constitution provides that members are eligible to  
18 nominate and vote only if, as of the date of nominations or election,  
19 they are members in good standing through the month prior to the  
20 nominations meeting or election.)

21  
22 6.8. Eligibility to Run for Office (IBT “Continuous Good Standing”  
23 Rule). The provisions of the IBT Constitution concerning eligibility  
24 to run for office will become effective on January 1, 2006. For the  
25 purpose of determining eligibility to run only, all IBLE/BLET/TCRC  
26 bodies will be treated as “newly chartered” on January 1, 2006; and  
27 the provisions of Article II, Section 4(b), of the IBT Constitution will  
28 be applied.

29  
30 (NOTE: The IBT Constitution provides that members are eligible to  
31 run for election only if they are “in continuous good standing . . . and  
32 actively employed in the craft . . . for a period of twenty-four (24)  
33 consecutive months prior to the month of nomination” (IBT Constitu-

1 tion, Article II, Section 4(a)(1)). In general, “continuous good stand-  
2 ing” means the timely payment of dues for each of the twenty-four  
3 months during the applicable period together with no interruptions in  
4 active service during that period. In “newly chartered” affiliates,  
5 Article II, Section 4(b), of the IBT Constitution reduces the twenty-  
6 four month period to “at least half of the period of time since the  
7 [affiliate] was separately chartered.” For nominations held in Sep-  
8 tember 2006 within the former IBLE, for example, a member will be  
9 eligible to run only if he has maintained continuous good standing for  
10 four months (one-half the eight-month period from January 1, 2006,  
11 through August 2006.)  
12

13 6.9. Elections. All elections within the former IBLE shall be con-  
14 ducted in accord with the procedures set forth in the applicable BLET  
15 or TCRC Bylaws. Effective for all nominations conducted after Jan-  
16 uary 1, 2006, appeals concerning eligibility shall be handled in ac-  
17 cord with Article XXII, Section 5(a), of the IBT Constitution. All  
18 other appeals and disputes with respect to elections held within the  
19 BLET or the TCRC shall be handled in accord with the applicable  
20 provisions of the BLET/TCRC Bylaws.  
21

22 6.10. Charges and Appeals. All internal union charges and appeals  
23 filed before the Effective Date will be handled under the provisions,  
24 rules and procedures in effect prior to the Merger. All internal union  
25 charges and appeals filed after the Effective Date will be handled  
26 under the provisions, rules and procedures established by the BLET  
27 or TCRC Bylaws and the IBT Constitution. For the purpose of ap-  
28 plying the provisions of Article XIX within the IBLE/BLET/TCRC,  
29 Local Divisions will be considered as the equivalent of Local Unions  
30 and the BLET National Division and the TCRC will be considered as  
31 the equivalent of Joint Councils. Time limits shall be as set forth in  
32 the BLET and TCRC Bylaws with the provision that the time limits  
33 provided in Article XIX shall apply with respect to appeals from the

1 BLET National Division or the TCRC to the IBT General Executive  
2 Board. The International Union shall not entertain any appeal from  
3 any collective bargaining matter or administrative matter decided by  
4 the BLET or TCRC. Decisions appealable to the IBT General Execu-  
5 tive Board shall be sustained unless inconsistent with the IBT Consti-  
6 tution or applicable law.

7  
8 6.11. Trusteeships. During the period from January 1, 2004, through  
9 December 31, 2006, trusteeships may only be imposed on  
10 IBLE/BLET affiliated bodies with the consent of the National Presi-  
11 dent of the IBLE/BLET or upon IBLE/TCRC affiliated bodies with  
12 the consent of the President of the TCRC. Neither the IBLE/BLET  
13 nor the TCRC may be placed in trusteeship during this period. On  
14 and after January 1, 2006, in the event that the IBT General President  
15 should determine that conditions exist that would warrant imposing a  
16 trusteeship on any IBLE/BLET/TCRC affiliate he shall consult with  
17 the National President of the IBLE/BLET or the President of the  
18 TCRC, as the case may be, and seek his assistance in resolving the  
19 problems before exercising his authority under Article VI, Section 5,  
20 of the IBT Constitution. This shall not prevent the IBT General Pres-  
21 ident from taking immediate action where, in his discretion, the facts  
22 indicate the existence of a situation that is imminently dangerous to  
23 the IBLE/BLET/TCRC affiliate, the IBLE/BLET/TCRC, the IBT or  
24 any IBT affiliate. In such a situation the IBLE/BLET National Presi-  
25 dent or the TCRC President, as the case may be, shall be fully in-  
26 formed of the imposition of the trusteeship and the reasons such  
27 action was necessary.

28  
29 6.12. Ratification of Contracts. Collective bargaining agreements  
30 within the BLET and TCRC shall be ratified in accord with the provi-  
31 sions of the BLET and TCRC Bylaws.  
32

1 6.13. Joint Council Affiliation. BLET Local Divisions and other  
2 affiliates will not be required to be affiliated with IBT Joint Councils.  
3 Officers of BLET Local Divisions and other affiliates will be invited  
4 to attend meetings and other functions and events conducted by the  
5 Joint Council having jurisdiction over the geographic area in which  
6 the Local Division or other affiliate is located. BLET Local Divi-  
7 sions and other affiliates may enter into agreements with the Joint  
8 Council having jurisdiction over the geographic area in which the  
9 Local Division or other affiliate is located on mutually agreeable  
10 terms, subject to the approval of the BLET President (or the TCRC  
11 President) and the IBT General President (acting on the recommenda-  
12 tion of the President of Teamsters Canada).

13  
14 6.14. Jurisdictional Disputes. Any jurisdictional dispute that arises  
15 within the BLET or within the TCRC shall be resolved in accord with  
16 the provisions of the BLET or TCRC Bylaws. As of January 1, 2004,  
17 any jurisdictional dispute that may arise between any  
18 IBLE/BLET/TCRC affiliate and any IBT affiliate will be handled as  
19 provided by Article XII, Section 21, of the IBT Constitution with one  
20 member of the panel appointed by the IBLE/BLET National Presi-  
21 dent or the TCRC President and two members appointed by the IBT  
22 General President.

23  
24 6.15. IBT General Executive Board. The IBLE/BLET President will  
25 be considered by the IBT General President for any vacancy that may  
26 occur on the IBT General Executive Board. The President of the Rail  
27 Conference will attend all meetings of the IBT General Executive  
28 Board.

29  
30 6.16. IBT Convention Delegates, United States. For the purpose of  
31 allocating and electing delegates to the IBT Convention in accord  
32 with Article III, Section 2, of the IBT Constitution, IBLE/BLET  
33 General Committees of Adjustment (GCAs) shall be treated as Local

1 Unions as provided in this paragraph. Each GCA having at least 100  
2 active members shall be entitled to one (1) delegate to the IBT for up  
3 to the first thousand active members and to one additional delegate  
4 for each additional 750 active members or major fraction thereof.  
5 GCAs with less than 100 active members shall be grouped into three  
6 geographic groups: (1) New York, New Jersey, Pennsylvania and the  
7 New England States; (2) Minnesota and all states west of the Missis-  
8 sippi River; and (3) the remaining states (Midwest and South). The  
9 active members in GCAs with less than 100 active members within  
10 these designated geographic areas shall be consolidated for the pur-  
11 pose of electing delegates to the IBT Convention and shall be entitled  
12 to elect delegates according to the formula set out above and in the  
13 IBT Constitution as though they constituted a single Local Union.  
14 Delegates to the IBT Convention must satisfy the eligibility require-  
15 ments set forth in the IBT Constitution and shall be elected in accord  
16 with the applicable provisions of the IBT Constitution and the Rules  
17 governing the election.  
18

19 6.17. IBT Convention Delegates, Canada. For the purpose of allo-  
20 cating and electing delegates to the IBT Convention, TCRC shall be  
21 treated as a Local Union within the provisions of Article III, Section  
22 2, of the IBT Constitution and shall be entitled to the number of dele-  
23 gates there provided.  
24

25 (NOTE: Article III, Section 2, of the IBT Constitution provides that  
26 a Local Union is entitled to one delegate for the first 1000 members  
27 or less and one additional delegate for each additional 750 members  
28 or major fraction thereof. Delegates are elected at-large in a mail  
29 ballot election directly by the membership.)  
30

31 6.18. IBLE Assets. Notwithstanding the provisions of Article XX of  
32 the IBT Constitution, all properties, funds and assets, both real and  
33 personal, held by the IBLE or any IBLE affiliate as of December 31,

1 2003, shall remain the property, funds and assets of the  
2 IBLE/BLET/TCRC or affiliate in the event of secession or disaffilia-  
3 tion.

4  
5 6.19. IBLE PAC Fund. IBLE/BLET will continue to maintain its  
6 separate Political Action Committee but will coordinate contribu-  
7 tions, reporting and other functions with IBT DRIVE as required by  
8 United States law.

9  
10 6.20. Designated Counsel (FELA). IBLE/BLET National Division  
11 will retain exclusive authority to specify designated legal counsel to  
12 represent members within the IBLE/BLET under the Federal Em-  
13 ployer's Liability Act (FELA).

14  
15 6.21. United Transportation Union (UTU). In accordance with the  
16 explicit provisions of this Merger Agreement, it is the express intent  
17 of the parties to include jurisdiction over all rail operating crafts ex-  
18 clusively within the BLET. Therefore, the IBT agrees that it will not  
19 exercise its authority under Article IX, Section 12, of the IBT Inter-  
20 national Constitution to enter into any agreement or arrangement with  
21 the UTU for the purpose of effectuating any affiliation or merger of  
22 the UTU with the IBT without the consent of the BLET. The BLET  
23 shall obtain such consent only through a referendum vote of its active  
24 membership.

25  
26 6.22. Organizing. IBT and Teamsters Canada commit to assist  
27 IBLE/BLET/TCRC and their affiliates in a major campaign to organ-  
28 ize employees within the jurisdiction of the IBLE/BLET and TCRC  
29 and, in particular, to bring within the jurisdiction of the IBLE/BLET  
30 and the TCRC all locomotive engineers, all trainmen and all related  
31 operating personnel within the United States and Canada.  
32

1 6.23. Joint Committee on Finances. IBLE/BLET and IBT will each  
2 appoint three members to a Joint Committee on Finances for the pur-  
3 pose of determining what measures shall be undertaken by the par-  
4 ties, including what additional services, if any, the IBT should  
5 undertake to perform on behalf of the IBLE/BLET (or Teamsters  
6 Canada on behalf of TCRC), to fulfill the intent of the parties that the  
7 per capita that becomes effective on and after January 1, 2006, will  
8 not be passed on to members in the form of a dues increase or to  
9 Local Divisions or other subordinate bodies within the  
10 IBLE/BLET/TCRC.

11  
12 6.24. Ratification. This Merger Agreement and the incorporated  
13 bylaws shall be subject to approval and ratification by the IBLE and  
14 the IBT through the procedures set forth in their Constitutions. The  
15 parties shall promptly and expeditiously proceed to submit this Mer-  
16 ger Agreement and the incorporated bylaws for approval through the  
17 procedures set forth in their respective Constitutions. IBT shall be  
18 permitted to address IBLE members and officers with respect to this  
19 merger and throughout the approval procedure to the fullest extent  
20 permitted by the IBLE Constitution.

21  
22 6.25. Disputes. Any disputes concerning the terms of this Merger  
23 Agreement or their application with respect to matters affecting the  
24 United States shall be initially submitted to the National President of  
25 the IBLE/BLET and the General President of the IBT or their desig-  
26 nated representatives and any agreed-upon resolution will be subject  
27 to the approval of the IBLE/BLET Advisory Board and the IBT Gen-  
28 eral Executive Board. Any disputes concerning the terms of this  
29 Merger Agreement or their application with respect to matters affect-  
30 ing Canada shall be initially submitted to the President of the TCRC  
31 and the President of Teamsters Canada or their designated representa-  
32 tives and any agreed-upon resolution will be subject to the approval  
33 of the IBLE/TCRC Executive Board and the IBT General Executive

1 Board. Any dispute concerning the terms or application of this Mer-  
2 ger Agreement in the United States or in Canada which cannot be  
3 resolved will be promptly submitted to a mutually agreeable neutral  
4 third party.  
5

6 6.26. Withdrawal, United States. With respect to the IBLE/BLET  
7 within the United States, either Union may withdraw from this mer-  
8 ger at any time during the period from January 1, 2004, through De-  
9 cember 31, 2005. BLET may withdraw from this merger if (a) the  
10 officers of the BLET vote by a two-thirds majority to withdraw from  
11 the merger at any time during this period and (b) the withdrawal is  
12 subsequently approved by a majority of active members within the  
13 BLET voting in a properly conducted referendum. For the purpose of  
14 conducting such a referendum, the parties will designate a mutually  
15 acceptable independent individual or agency; and the costs will be  
16 borne equally between the parties. IBT may withdraw from this mer-  
17 ger by action of its General Executive Board. A withdrawal from the  
18 merger in the United States shall not affect the independent right of  
19 the IBLE/TCRC in Canada to withdraw from the merger.  
20

21 6.27. Withdrawal, Canada. With respect to the IBLE/TCRC in Can-  
22 ada, either Union may withdraw from this merger at any time during  
23 the period from January 1, 2004, though December 31, 2005. TCRC  
24 may withdraw from this merger if (a) the officers of the TCRC Ex-  
25 ecutive Board vote by a two-thirds majority to withdraw from the  
26 merger at any time during this period and (b) the withdrawal is sub-  
27 sequently approved by a majority of the active members within the  
28 TCRC voting in a properly conducted referendum. For the purpose  
29 of conducting such a referendum, the parties will designate a mutual-  
30 ly acceptable independent individual or agency; and the costs will be  
31 borne equally between the parties. IBT may withdraw from this mer-  
32 ger by action of its General Executive Board following a recommen-  
33 dation by Teamsters Canada. A withdrawal from the merger in

1 Canada shall not affect the independent right of the IBLE/BLET in  
2 the United States to withdraw from the merger.

3  
4 6.28. Savings Clause. The fact that any provision of this Merger  
5 Agreement is held illegal or unenforceable by a court or other tribun-  
6 al of competent jurisdiction shall not affect the validity or enforcea-  
7 bility of any other severable portion of this Agreement.

8  
9 6.29. Correction of Inadvertent Errors. The parties shall have the  
10 power to correct any typographical, grammatical or punctuation er-  
11 rors in any of the documents involved in this Merger, provided that  
12 any such change must be consistent with the spirit and intent of the  
13 provision involved.



ND = National Division Rules    LD = Local Division Rules  
 GC = General Committee Rules    LB = Legislative Board Rules  
 R = Ritual    1R = Rules of Order, ND  
 2R = Rules of Order – Divisions, GCAs, and LBs

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