

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



NEWS CLIPS

December 16, 2011

Randall Brassell, Director of Communications
Telephone: 615-521-4097 (Fax) 615-824-2164
Email: rbrassell1@aol.com

U.S. Transportation Secretary LaHood Awards \$7 Million for Southeast High-Speed Rail Corridor between Washington D.C. and Atlanta

Monday, December 12, 2011

WASHINGTON – U.S. Transportation Secretary Ray LaHood today awarded \$7 million to Georgia and Washington D.C. to continue work on the Southeast High-Speed Rail Corridor linking Atlanta and Charlotte, N.C. to Washington, D.C.

“With America’s population set to grow by 100 million over the next 40 years, high-speed rail will play a vital role in reducing congestion and meeting America’s long-term transportation challenges,” said Secretary LaHood. “High speed rail projects like these in Georgia, North Carolina, and Washington, D.C., will employ local workers, use American-made materials and lay a strong foundation for future economic growth.”

The Georgia Department of Transportation (GDOT) received a \$4.1 million grant to complete a service development plan and environmental study for the 250 mile passenger rail corridor between Atlanta and Charlotte. GDOT is contributing \$1.125 million for this phase of the project. GDOT recently announced a new Multi-Modal Passenger Terminal in downtown Atlanta, which is being designed to accommodate high-speed rail service.

The District of Columbia Department of Transportation received \$2.9 million to evaluate alternatives for rehabilitation or replacement of the Long Bridge over the Potomac River. The bridge, more than 100 years old, is the sole railroad bridge between Virginia and Washington, carrying approximately 90 passenger and freight trains daily. Rail service over the Long Bridge is expected to grow to nearly 150 trains per day in the next twenty years. CSX, the company that owns the bridge, will contribute \$100,000 to the study.

States in the Southeast High-Speed Rail Corridor have received nearly \$581 million to develop high-speed rail service in the region. Most recently, Virginia received \$44.3 million for environmental analysis and preliminary engineering for the segment between Washington and Richmond. North Carolina received \$4 million for environmental and design work for the construction of a new connection between Raleigh and Richmond that could reduce travel time by one hour and 30 minutes from the current schedule.

Thirty-two states across the U.S. and the District of Columbia are currently laying the foundation for high-speed rail corridors that will link Americans with faster and more energy-efficient travel options. To date, the U.S. Department of Transportation has invested \$10.1 billion to put American communities on track towards new and expanded rail access and improved reliability, speed, and frequency of existing service.

NLRB Drops Boeing Case

by [Kathryn A. Wolfe](#), CQ Roll Call Staff

The National Labor Relations Board has dropped its case against Boeing, at the request of the labor union that called for the action in the first place. The National Labor Relations Board (NLRB) had brought a case against Boeing alleging unfair labor practices, after it decided to build a new plant in South Carolina, a right to work state, instead of in Washington. The NLRB alleged that Boeing had made the decision as payback for a strike by Washington state members of the International Association of Machinists and Aerospace Workers.

But yesterday the union and Boeing officially inked a new contract, including assurances from Boeing that it will build its new Boeing 737 MAX in Washington state. As a result, the union asked the NLRB to withdraw the complaint.

The fight has railed for months and become somewhat of a proxy in the partisan fight over unions and their effect on jobs and the economy. According to Lafe Solomon, the NLRB's acting general counsel, the case is now considered closed.

"This is the outcome we have always preferred, and one that is typical for our agency," Solomon said in a statement.

'Right to work' measure galvanizes both sides

Those on both sides of the 'right to work' proposal are working to advance their views on the issue

There likely will be no issue bigger in the legislative session that begins Jan. 4 than the so-called "right to work" legislation.

Which is why those for and against it have gotten right down to work to pass or defeat it.

The AFL-CIO has issued a poll showing 47 percent of Hoosier voters oppose the legislation, which would ban companies and unions from negotiating a contract that requires non-members to pay fees, and just 38 percent support it.

At the same time, the Indiana Economic Development Commission voted to support it. And a conservative group, American Legislative Exchange Council is also backing the legislation. The debate will heat up further on Friday, when Gov. Mitch Daniels gives a speech on his legislative agenda, in which he is widely expected to back passage of the "right to work" proposal.

The AFL-CIO poll showed that while the issue has broad support among Republican lawmakers -- making it a safe bet for passage -- it's not without political risk for the GOP.

The poll, which was taken by Hart Research Associates from Dec. 2-5 of 503 registered Indiana voters, has a margin of error of plus or minus 4.4 percentage points. The poll's respondents included 34 percent who said they were Democrats, or leaned that way, and 39 percent who said they were Republicans, or leaned to the GOP.

Only 21 percent of those polled thought that "right to work" should be the top legislative priority, as Republican leaders of the House and Senate have said it will be. Two-thirds of those polled -- 67 percent -- said other issues are more important, and 54 percent said they "strongly" felt that way.

In fact, only 34 percent of those Republicans polled agreed that "right to work" should top the legislative to-do list.

And while 32 percent thought the legislation would help create jobs and strengthen the economy, 50 percent thought it was being pursued for political reasons to weaken labor unions -- traditionally a key constituency for Democrats.

The poll reminded voters that in this year's legislative session, the issue prompted Democratic state representatives to leave the state, preventing Republicans from conducting business.

"This could happen again if Republicans attempt to pass the Right to Work bill," the poll told voters.

Asked how that possibility made them feel about the issue, 26 percent said they felt "Republicans should stick to their principles" and keep trying to pass the law. But 68 percent said "Republicans should move on to other issues."

The Indiana Chamber of Commerce, which is fighting to make Indiana the 23rd state with the law, blasted the polls as "a biased attempt to misrepresent public support" for the issue.

Kevin Brinegar, chamber president, said they have repeatedly polled and found support of as high as 77 percent for the issue when Hoosiers are asked if they support a law that "says a worker cannot be required to join a labor union or pay dues in order to get or keep a job."

Labor unions, of course, would say that's a biased question, too, in that the law already bars people from being required to join a union, though the contracts can require them to pay fees.

Republican and the chamber say Indiana needs "right to work" legislation on the books to help lure [businesses](#) here. No employee, they argue, should be compelled to financially contribute to a union.

Democrat leaders and labor unions have dubbed it the "right to work for less" legislation and argue that it will lead to lower wages and free-loading, as federal laws and court cases have said unions must represent all employees, including non-members.

Currently in Indiana, some labor contracts -- approved by management and labor union members -- require such representation fees and some do not.

Bipartisan Senate coalition calls for extension of mass-transit commuter benefit

Last week, U.S. Sens. Ben Cardin (D-Md.) and Barbara Mikulski (D-Md.) joined a bipartisan coalition of 20 additional senators in urging the Senate Finance Committee to include an extension of the mass-transit commuter tax credit in any relevant legislation the Senate takes up before the benefit expires at year's end.

If the credit is not renewed, the cost of commuting will increase by up to 22 percent for mass transit users, the senators said in a joint statement issued on Dec. 9.

In a letter to Senate Finance Committee Chairman Max Baucus (D-Mont.), the senators wrote: "Commuter benefits are one of the core benefits offered by employers, after health, retirement and disability benefits. This important benefit eases the burden of commuting costs on families, relieves congestion, reduces the stress on our highway system and decreases our reliance on foreign oil."

Congress raised the tax-free benefit that workers can apply toward commuting costs from \$120 per month up to \$230 per month in an effort to put mass-transit benefits on the same level as automobile parking benefits.

Earlier this year, the Maryland senators cosponsored the Commuter Benefits Equity Act of 2011, legislation spearheaded by Sen. Chuck Schumer (D-N.Y.) that would make the mass-transit tax credit permanent and on the same level as parking benefits.

12/13/2011 12:30:00 PM Labor

CN, Teamsters rail conference reach tentative agreement

Yesterday, [CN](#) announced it reached a tentative agreement with the [Teamsters Canada Rail Conference \(TCRC\)](#) covering about 1,800 locomotive engineers. The current contract between the Class I and union members expires on Dec. 31.

Details of the agreement weren't released pending ratification by TCRC members, a process expected to take about 60 days, CN officials said in a prepared statement.

"To my knowledge, it's the first time we have reached a tentative agreement with CN before the expiration of the old contract," said TCRC President Rex Beatty. "This was only possible after three rounds of intense negotiations, but without the assistance of the Federal Mediation and Conciliation Service."

AMTRAK POSTS BEST EVER THANKSGIVING

Strong ridership increases on routes nationwide help set new record

December 13, 2011

WASHINGTON - It is official. With 724,051 passengers, more people chose Amtrak this Thanksgiving holiday than ever before. In addition, travel on the Wednesday before Thanksgiving was the railroad's single busiest day ever with 138,736 passengers and the Sunday after Thanksgiving was close behind with 130,093 riders.

"As America's Railroad, we value connecting families and friends, especially during the holidays," said Amtrak President and CEO Joseph Boardman. "Strong ridership increases over the holiday were seen on routes across the country as passengers chose Amtrak to provide convenient and affordable travel."

Comparing Thanksgiving 2011 to Thanksgiving 2010, total Amtrak ridership was up 2.8 percent. In addition, all three Amtrak business lines saw ridership increases, including on the Northeast Corridor which rose by 3.6 percent, state-supported trains and other short distance corridors grew 2.6 percent and long-distance trains were up 1.8 percent.

The previous Thanksgiving record was set in 2010 with 704,446 passengers. The 2011 Thanksgiving travel holiday week extended from Nov. 22 through Nov. 28.

East Highlights

Ridership on the Northeast Corridor continued its upward trend, with the Northeast Regional service up 4.7 percent and the high-speed Acela Express experiencing a slight 0.5 percent increase over the Thanksgiving travel week last year. Gains also were realized on Amtrak's state-supported routes, including Keystone Service (New York - Philadelphia - Harrisburg) up 6.2 percent, Downeaster (Portland, Maine - Boston) up 6 percent, Ethan Allen (Rutland, Vt. - New York) up 3.5 percent and Adirondack (New York - Montreal) up 2.9 percent when compared to last Thanksgiving.

South Highlights

In addition, Virginia routes had sizable gains over Thanksgiving last year with the Washington - Lynchburg route increasing 24.6 percent and the Washington - Newport News route up 11.9 percent. The North Carolina supported Piedmont service (Charlotte - Raleigh) experienced a gain of 10.6 percent.

Central Highlights

In the Central U.S., every corridor reported ridership increases, including on routes in Illinois, Michigan, Missouri and Wisconsin. The largest gains were seen on the Heartland Flyer (Fort Worth - Oklahoma City), up 16 percent and up 7 percent on the corridor between Chicago and Carbondale, Ill., where ridership is shared by the Illini/Saluki/City of New Orleans state-supported and national network trains.

West Highlights

In the West, the Capitol Corridor service (Auburn/Sacramento - SF/Oakland - San Jose) was up 9.1 percent over the same period last year. Ridership on

San Joaquin trains (Oakland/Sacramento - Bakersfield) was up 6.4 percent and the Pacific Surfliner service (San Luis Obispo - Santa Barbara - Los Angeles - San Diego) was up 3 percent.

Long-distance Highlights

Among the 15 overnight long distance trains, ridership was up 1.8 percent over the Thanksgiving period last year, with the largest percentage gains posted by the Texas Eagle (Chicago - San Antonio) up 17.2 percent, Crescent (New York - Atlanta - New Orleans) up 15.4 percent, City of New Orleans (Chicago - Memphis - New Orleans) up 12.6 percent and the Lake Shore Limited (Chicago - New York/Boston) up 10.5 percent.

In preparation for the anticipated heavy passenger volume during Thanksgiving, Amtrak operated every available passenger rail car in its fleet and scheduled extra trains to accommodate additional passengers in the Northeast and on the West Coast. The Amtrak equipment fleet was slightly larger this year due to rehabilitated and refurbished railcars and locomotive engines that were recently restored to service.

Amtrak is expecting continued strong ridership for December, following the busy November and the all-time record of 30.2 million set in the fiscal year ending September 30, 2011.

NTSB wants nationwide ban on devices in vehicles

by [Kathryn A. Wolfe](#), CQ Roll Call Staff

December 13, 2011

The National Transportation Safety Board (NTSB) is poised to issue recommendations that are expected to include a nationwide ban on using personal electronic devices while driving, regardless of whether they are being used hands-free.

Though the NTSB has no authority to enforce regulations, combating distracted driving has become a hallmark of DOT Secretary Ray LaHood's tenure in the administration. Under his watch, the DOT has moved to ban commercial drivers from using "hand-held mobile devices" (see the final rule [here](#)), but a nationwide ban on personal use while driving has never been pursued. Instead, the federal government has been content to allow states to regulate their usage.

So far 35 states have banned texting while driving and nine states have banned using hand-held devices while driving, [according to the Governors Highway Safety Association](#). However, no states completely ban their use while driving (even in the states that ban hand-held devices, phone usage is still allowed through Bluetooth or over a speakerphone).

According to the National Highway Traffic Safety Administration, at any given moment one in every 100 drivers on the road is using a personal electronic device.

Newt's Tax Plan, and Why His Polls Rise the More Outrageous He Becomes

By Robert Reich

December 14, 2011

Newt Gingrich has done it again. With his new tax plan he has raised the bar from irresponsibility to recklessness.

Every dollar estimate I'm about to share with you comes from the independent, non-partisan Tax Policy Center – a group whose estimates are used by almost everyone in Washington regardless of political persuasion.

First off, Newt's plan increases the federal budget deficit by about \$850 billion – in a single year!

To put this in perspective, most forecasts of the budget deficit cover ten years. The elusive goal of the White House and many on both sides of the aisle in Congress is to reduce that ten-year deficit by 3 to 4 trillion dollars.

Newt goes in the other direction, with gusto. Increasing the deficit by \$850 billion in a single year is beyond the wildest imaginings of the least responsible budget mavens within a radius of three thousand miles from Washington.

Imagine what Standard & Poor's or Moody's or Fitch would do if it became law. We'd go directly from a triple-A credit rating to triple X – the veritable porn star of fiscal mayhem. Interest on our debt would become larger than most of the rest of the budget.

Most of this explosion of debt in Newt's plan occurs because he slashes taxes. But not just anyone's taxes. The lion's share of Newt's tax cuts benefit the very, very rich.

That's because he lowers their marginal income tax rate to 15 percent – down from the current 35 percent, which was Bush's temporary tax cut; down from 39 percent under Bill Clinton; down from at least 70 percent in the first three decades after World War II. Newt also gets rid of taxes on unearned income – the kind of income that the super-rich thrive on – capital-gains, dividends, and interest.

Under Newt's plan, each of the roughly 130,000 taxpayers in the top .1 percent – the richest one-tenth of one percent – reaps an average tax cut of \$1.9 million per year. Add what they'd otherwise have to pay if the Bush tax cut expired on schedule, and each of them saves \$2.3 million a year.

To put it another way, under Newt's plan, the total tax bill of the top one-tenth of one percent drops from around 38 percent of their income to around 10 percent.

What about low-income households? They get an average tax cut of \$63 per year.

Oh, I almost forgot: Newt also slashes corporate taxes.

I'm not making this up.

This might be amusing if Newt were just being old Newt – if this were another infamous hot-air bubble emerging from an always provocative, sometimes clever, often bizarre mind.

But it's the tax plan of the leading candidate for president of one of the two major political parties of the United States.

And it comes at a time when America's super rich are raking in a larger portion of total income and wealth than at any time over the last eighty years, and when their marginal taxes are lower than they've been in three decades; a time when the nation's long-term budget deficit is causing cuts in education and infrastructure which will impair our future and that of our children, and when safety nets and social services are being slashed.

Can Newt get away with this?

Probably — because his plan also comes at a time when Americans are so cynical about the major institutions of our society that someone who offers huge, outrageous plans holds a special fascination: The whole system is so awful, people tell themselves, why not just jettison everything and start from scratch? Let's throw caution to the winds and do something really big – even if it's colossally stupid.

This is why the more outrageous Newt can be, the better his polls. The more irresponsible his bomb-throwing, the more attractive he becomes to a sizable portion of Americans so fed up they feel like throwing bombs.

History is full of strong men with dangerous ideas who gain power when large masses of people are so desperate and disillusioned they'll follow anyone who offers big, seemingly easy solutions.

At times like this a nation must depend on its wise elders – people who have gained a reputation for good judgment and integrity, and who are broadly respected by all sides regardless of political affiliation or ideology – to call out the demagogues, speak the truth, and restore common sense.

The great tragedy of America today is the paucity of such individuals when we need them the most.

President Obama announced his intent to nominate the following individuals to the National Labor Relations Board:

Sharon Block, Nominee for Member, National Labor Relations Board (NLRB)

Sharon Block is the Deputy Assistant Secretary for Congressional Affairs at the U.S. Department of Labor. Between 2006 and 2009, Ms. Block was Senior Labor and Employment Counsel for the Senate HELP Committee, where she worked for Senator Edward M. Kennedy. Ms. Block previously served at the National Labor Relations Board as senior attorney to Chairman Robert Battista from 2003 to 2006 and as an attorney in the appellate court branch from 1996 to 2003. From 1994 to 1996, she was Assistant General Counsel at the National Endowment for the Humanities, and from 1991 to 1993, she was an associate at Steptoe & Johnson. She received a B.A. in History from Columbia University and a J.D. from Georgetown University Law Center where she received the John F. Kennedy Labor Law Award.

Richard Griffin, Nominee for Member, National Labor Relations Board

Richard Griffin is the General Counsel for International Union of Operating Engineers (IUOE). He also serves on the board of directors for the AFL-CIO Lawyers Coordinating Committee, a position he has held since 1994. Since 1983, he has held a number of leadership positions with IUOE from Assistant House Counsel to Associate General Counsel. From 1985 to 1994, Mr. Griffin served as a member of the board of trustees of the IUOE's central pension fund. From 1981 to 1983, he served as a Counsel to NLRB Board Members. Mr. Griffin holds a B.A. from Yale University and a J.D. from Northeastern University School of Law.

DOT's TIGER-III grant awards out

by [Kathryn A. Wolfe](#), CQ Roll Call Staff

December 15, 2011

The DOT Thursday publicized its most recent round of recipients for its TIGER discretionary grant program, months ahead of time.

The agency is billing this third round of TIGER grant awards as part of President Obama's "We Can't Wait" initiative, which is intended to show the administration taking action on jobs and economic initiatives in the absence of congressional movement.

"When President Obama said, 'We can't wait,' to take action to put people back to work, DOT took that to heart. And, with the announcement of our third round of TIGER funding, we're making it clear: we didn't wait," wrote DOT Secretary Ray LaHood in a post on his [FastLane blog](#).

Most of the top four project awards -- \$20 million each -- will go to various Interstate improvements. Specifically, the four biggest project awards will go to transit and bike share in Chicago, more HOT lanes along Virginia's I-95, road improvements along I-70 near St. Louis, and an extension of express lanes along I-81 in Riverside County, California.

Suffer the Little Children

By Alexander Cockburn

December 16, 2011

Newt Gingrich, who recently admitted that his own childhood was comfortable, seems to have a problem with youth — poor youth, that is. Back in 1994, the Gingrich master plan to shrink the welfare rolls was to ship the children of the poor off to orphanages. He told a Harvard audience not so long ago that child labor laws are "truly stupid," and schools should fire janitors and replace them with poor children.

Later, he modified this to "What if they became assistant janitors and their jobs were to mop the floor and clean the bathroom?"

Gingrich insists that his tots-to-janitors plan answers his latest national crisis: Poor kids have no habit of work "unless it's illegal." Thus, the former speaker of the house updates Ignatius of Loyola, the founder of the Jesuits, who said, "Give me the child until he is seven. Afterward anyone can have him." Let the infant hand receive the lifelong impress of the janitor's mop.

The rationales of those attacking child labor laws haven't changed much down the decades. A glance at "The Town Labourer, 1760-1832: the New Civilization" by J.L. and Barbara Hammond about the histories of the town and country laborers in Britain, provides vivid samples from the early phases of the industrial era.

As the "new civilization" of the industrial age took hold, reformers fought futilely, down the decades, against appalling cruelties — particularly in the coalmines and coal fire chimneys. The first report of the Commission on the Employment of Children and Young Persons in 1832 reported on children working as "trappers," opening and shutting the doors guiding drafts of air through the mine; as "fillers" loading the skips when the men had hewn out the coal; and as "pushers" or "hurriers" shoving or pulling the carts along.

"The trappers generally sat in a little hole, made at the side of the door, holding a string in their hand, for twelve hours, usually in the dark." In the West Riding of Yorkshire, hurrying or pushing the carts was done by girls — in the words of the report, "Chained, belted, harnessed like dogs in a go-kart, black, saturated with wet, and more than half naked — crawling on their hands and feet, and dragging their heavy loads behind them — they present an appearance indescribably disgusting and unnatural." In many mines, the main gates were from 24 inches to 30 inches high and some parts of the tunnels were only 18 inches in height.

Children often began their careers as chimney sweeps at 4 or 5, thus fulfilling Gingrich's hopes that they would have a work ethic instilled in them at the earliest feasible moment.

The Hammonds write, "They started with a period of extreme misery, mental and physical, until they became inured to their trade.

Their terror of the pitch-dark and often suffocating passage had to be overcome by a greater terror below. In order to induce them to climb up, the more humane masters would threaten to beat them, or perhaps

only promise them plum-pudding at the top; the less humane would set straw on fire below or thrust pins into their feet ... When the 'repugnance' of ascending the chimney ... had been overcome, there followed many months of acute physical suffering from the sores on elbows and knees ... A witness in 1788 stated that he had known many boys serve four or five years without once being washed. They slept almost invariably, with the soot, in a cellar."

If the chimneys were too small, the boys would be called down and told to strip and sent up naked. In 1818, chimneys in the houses of the rich were being built seven inches square. "It was, in fact, in big mansions and public offices that the difficult chimneys were found, and it was precisely in these chimneys with their horizontal reaches that there was danger of suffocation for the human brush. The child would make his way up to the top of the chimney, and then descend slowly, sweeping the soot down as he went. When he reached the bend where the flue turned at right angles, he would find great masses of soot into which he might slide as into a death trap. If he lost his head and got jammed, his fate was sealed unless his cries could bring help in time."

Regulations were passed by the British Parliament from time to time, but were flouted before the ink was dry. The House would pass laws, but the Lords, whose chimneys were being swept, crushed the bills. In 1819, the parliamentary transcript, Hansard, recorded Lord Lauderdale, a particularly implacable opponent of reform, as saying something that could as easily have been spouted by Gingrich: "If the legislature attempted to lay down a moral code for the people, there was always a danger that every feeling of benevolence would be extirpated."