



SYSTEM COUNCIL NO. 6

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

Tom Owens
General Chairman

Shannon Spotswood
Vice Chairman

Mike Stacks
Secretary-Treasurer

General Chairman's Report – August, 2019

Brothers and Sisters:

Furloughs: On August 21, the Carrier furloughed 5 IBEW Operators and 1 student electrician at Norfolk, VA. . The total affected number is now 82 members. The Carrier did supply its denial letter regarding the first wave of Appendix M cases. The denial is based on a 4% decline in car loadings and storage of 550 locomotives resulting in less locomotives to need repairs. Additionally, the Carrier argues that the Chief Mechanical Officer's "...we will get rid of them" statement to investors does not constitute evidence. I will be working on the appeals.

Board Cases: The National Mediation Board has received funding to hear our current cases. The Board will be on December 03, 2019 involving LU 1142 Jones – injury with conflicting statements; LU 2273 Snyder – medical delay in return to work; LU 1142 et al – linetending subcontracting; LU 311 Brown – sleeping dismissal; LU 813 Slusser – verbal threat; LU 2172 Trautwein – insubordinate, failure to follow instructions; LU 2269 Clements – inappropriate bulletin board posting, false statement; LU 1142 Wilson – wrongful termination

Insurance: I recently handled another insurance issue dealing with "Surprise Billing." Upon treatment at an in-network doctor or facility, certain services are subcontracted to various medical individuals. The standard paperwork requires an acknowledgement signature of this practice, which allows the subcontractor to send an individual bill. These subcontractors are not checked for in-network status. The "surprise" comes when an out of network subcontractor bills the member under the out of network rates despite the member having followed all the guidelines for an in-network processing. Most insurance companies in the U.S. force the policy holder to pay this higher rate bill. If a member receives such a billing, our UNION NEGOTIATED GA 23000 has an escape clause! If the member followed all of the guidelines to be in-network, any related bill that was subcontracted to an out of network provider rate can be protested. With this complaint, the policy will typically reduce the bill to the appropriate in-network rate.

Abandonment vs. Absenteeism: We have had several locals dealing with members abandoning their positions with the Carrier with the expectation of handling the incident as absenteeism. This false assumption can be problematic. Abandoning a position without notification of resignation (especially with these incidents involving taking new employment while attempting to prolong insurance coverage at the expense of working members) to your employer is not a position that can be successfully defended. At an investigation, without no justification for the member action, the member's case will essentially not be advanceable due to a lack of merit. As always, each case has its own set of circumstances, but taking employment elsewhere is usually a case killer.

GI Bill Reimbursement: The Carrier has been working on qualifying the Student Agreement to be eligible for certain reimbursements under the GI Bill. When approached earlier this year, the proposal did not have a railroad-based definition of duties and contain several things that were contrary to Agreement provisions. I am awaiting the rewrite.

Transfer Requests: Furloughed members and possibly interested working members should fill out a transfer request and submit it via the new email system. It is my understanding that if a member marks “any” as the transfer point requested, he or she will receive email notifications for all available points when offered. If the member receives such notification, there is a 24-hour response window if interested in applying. A non-response to a position does not remove the member from future notifications.

Section 6 Notices: The notices received (only 4 locals) were compiled and sent to the International. Our requests, as well as the formalized request by the International, will be posted on our ibewsc6.org website.

In Your Service,

Tom Owens
General Chairman