



# 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 – December, 2020

Brothers and Sisters:

Furloughs: On December 15, 2020, we suffered 53 members being furloughed. This involved members at Chattanooga, Linwood, Inman, Norfolk, Kansas City, St. Louis, Decatur, Portsmouth, Columbus, Chicago, Ft. Wayne, Toledo, Detroit, Binghamton, Knoxville, Birmingham, and Macon. Please assist your local membership in any way possible. PLB 5332 Case 185 has defeated the effort to obtain protective benefits in the current conditions. Our communication workers have been the focus of restructuring of territories. This has resulted in approximately 5 individuals being impacted. As these are all line of road positions, distances of several hundred miles are regularly involved in taking another position by seniority or transfer. One such member, after relocation across two states, had the newly obtained position abolished after two weeks on the job.

New PLB 5332: I am in the process of listing our next round of cases to arbitration. We have approximately 18 cases to be listed with the board.

Covid-19: Systemwide on December 17<sup>th</sup>, the Carrier reported 1011 cases. The mechanical department reported 80 cases (33 positive, 11 awaiting test results, 29 quarantined, and 7 flu-like symptoms). I have been in contact with management with concerns being brought to me by our local chairman at specific locations.

National Negotiations: The meeting was held on November 17, 2020. The Carriers presented additional information regarding their assertion that rail workers are highly paid compared to other industries; technology has been the driver in production increases (not fewer workers doing more); and previous "huge" wage increases cannot be the norm. The next meeting is to be planned in January, 2021, with a date to be set then.

Active Claims: In addition to normal calls and information requests, the Council opened 12 trackable cases. Any issue that involves disciplines/claims advanced to the Council, letter responses, medical delay documentation, RRB benefit issues, health insurance issues, etc., generate a case file with the Council.

PLB 5332: I received all six case awards for our last boards. We were successful in case 187 involving a member who had fallen asleep on a locomotive while awaiting the arrival of supervision. Conflicting comments by supervision and the member having worked a double the previous day were mitigating factors in this particular dismissal. We were also successful in case 183 involving a member who was not protecting his job on a line of road position. Two of the three charges were not timely by the Carrier. While only one of the

charges had merit, which could have led to upholding the dismissal, the arbitrator considered the spotless career service record in light of the Carrier errors and restored the member to service. The arbitrator ruled against us in cases 184, 185, 186, & 188. Case 184 involved our challenge of the inability to displace SGL positions. The arbitrator held that the language of “appointed” in the SGL rule governed as opposed to other agreement rules regarding bumping and displacing. However, she did reaffirm that such language did not govern WGL positions. Case 185 addressed our efforts to obtain protective benefits for our furloughed membership. The arbitrator appeared to be swayed by the Carrier’s arguments regarding downturns in business as evidenced by car loadings. Case 186 involved the dismissal of a member for late injury reporting and conflicting statements. The dismissal was upheld based on the member’s clear knowledge of reporting requirements, failure to use EOCC reporting if intimidated, and lack of credibility. In case 188, the line of road member’s truck had GPS tracking. This tracking, which was part of the on-property handling, overwhelming showed the member at non-work related areas for large amounts of time. The arbitrator pointed to weak, vague references to previous supervision “giving permission” for these type as actions as well as many incidents not having any justification as the grounds to uphold dismissal.

Go Team: I have been informed we had one (1) electrician apply and be accepted.

Vacation: Vacation was taken the week of Christmas.

In Your Service,

Tom Owens  
General Chairman