



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 – September, 2019

Brothers and Sisters:

Furloughs: On September 3, 2019, the Carrier furloughed the following numbers of members: 30 Juniata, 17 Conway, 31 Shaffers, 18 Roanoke Locomotive for a total of 96. On September 6, 2019, Furlough notices were posted at Asheville (1) and St. Louis (1) for a total of 2. On September 12, 2019, 2 student electricians were furloughed at Sheffield. The total affected number is now 182 members. I have appealed the Carrier's denial of Appendix M protective benefits

Board Cases: The National Association of Railroad Referees held its yearly meeting which I attended. One goal of the meeting was to reinforce ethical arguments in claim/dismissal cases between the Union, Carrier, and Arbitrator; training in arbitration handling; evaluations of arbitrators; and meeting arbitrators. I plan on having to request a new arbitrator in the near future based on the soon coming retirement of our present arbitrator. The present arbitrator for our Public Law Board will handle our Board 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

Government Assistance: Building on the strength of excellent groundwork by LU 2273 and LU 813, I have been pushing for proactive International Office assistance in our furlough situation. The Trades Assistance Act is a federal program triggered by furloughs related in a variety of avenues to work being moved or taken out of country. The WARN Act is another federal program that requires greater notification and support than the timeframe of our bargaining agreement. The TAA may hold some possibilities which are being investigated at points where affected members or their local representatives file. The WARN Act requirements appear to be carefully sidestepped by the Carrier at this stage. Our IBEW International Offices are taking a more proactive role in assisting members with reemployment in outside construction and/or evaluation of our rail member's skills in testing into various stages of the apprentice/journeyman program. I would also encourage each local to become familiar with their individual states furlough assistance programs.

Documentation: I cannot stress the necessity of documenting work. While procedures vary from point to point about logging work off on the Carrier's system, personal documentation can be crucial. If a member regularly keeps a pocket type notepad regarding work assignment, time, interruptions, etc., this can be used in investigations as a legitimate evidence in discipline situations.

T&E/Mechanical/Labor Management Meeting: Notification was sent that the IBEW (all shop crafts) would now be included in a biannual General Chairman's meeting including transportation. Historically, the shop crafts had a separate meeting with mechanical upper management. With the restructuring, VP Farrell is now over both transportation and mechanical. The meeting will be held October 9, 2019.

Forced Overtime: With the reduced workforce, the issue of being required to work overtime, being held over, etc. has become a heated topic. It is helpful to review the laws in the U.S. and then review the Agreement. In the U.S., hourly employees work 40 hours before OT comes into play. The regular work week can be shortened to avoid going over the 40 hour mark. The employer has the right to enforce the work demand or terminate for refusal. Our Union Agreement, with its government recognized negotiated exceptions to the law, requires the Carrier to pay the penalty of OT before a shift, after a shift, regardless of the 40 hour requirement. It also provides a guaranteed 40 hour week with no reduction in paid straight time. While not prohibiting the right to demand OT work, the Agreement further provides a discipline process for handling a dispute over such issues (comply and grieve format).

In Your Service,

Tom Owens
General Chairman