



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, 2022

Brothers and Sisters:

National Negotiations: Presidential Emergency Board 250 has released its recommendations. The recommendation is notable for the issues that were “side-stepped” by the PEB, as well as for the comments that they chose to share. Most significant was the avoidance of any recommendation for sick pay. The most revealing commentary was the PEB’s revelation of the anti-worker attitude of the Carriers with the railroads being on record with the ideology that workers do not contribute to profit. The PEB also commented on the lack of any basis or logic for the Carrier’s arguments that our health care coverage should be “mainstream.”

VI. SUMMARY OF RECOMMENDATIONS General Wage Increases and Service Recognition Bonuses

Date	Increase	Compounded	7-1-20	3.0%	GW	1.030	12-1-20	\$1,000.00	service recognition bonus	7-1-21	3.5%	GW	1.066	12-1-21	\$1,000.00	service recognition bonus	7-1-22	7.0%	GW	1.141	12-1-22	\$1,000.00	service recognition bonus	7-1-23	4.0%	GW	1.186	12-1-23	\$1,000.00	service recognition bonus	7-1-24	4.5%	GW	1.240	12-1-24	\$1,000.00	service recognition bonus
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[Employees are to receive full retroactivity, calculated and paid consistently with the usual practices of the Parties.] Health and Welfare Effective January 1, 2023, remove the cap on monthly employee contributions so that thereafter the contributions equal 15% of the overall cost to the Plans of providing covered benefits to participants. Effective January 1, 2023, change the plan design to: 1) increase the annual maximum for hearing benefits from \$600.00 to \$2,000.00; and 2) remove age limits on speech therapy and provide coverage for Applied Behavioral Analysis without age or dollar limits for those with Autism Spectrum Disorder. The Joint Committees are to meet to design and oversee an appropriate rebid process to ensure that current costs are competitive and not excessive. Presidential Emergency Board No. 250 – Report and Recommendations Page 117 of 119 Personal Day Effective January 1, 2023, employees are to receive one additional paid personal day per year.

PLB 5332: Case 207 – member did not line switch for direction of move, damaged switch, did not report incident. When confronted he lied about any type incident despite video footage showing otherwise. This incident, in addition to a long discipline record, led the arbitrator to uphold the dismissal. Case 208 – Member was dismissed for sleeping. Upon review of transcript, the arbitrator agreed with the Organization that the supervisor was not believable in certain areas of his testimony. The arbitrator ruled that while the member was guilty of violating the sleeping rule, the supervisor’s questionable conduct merited a reinstatement without backpay. Case 209 – member misused company credit card. Due to medical issues, he did not receive the statements to correct issue. Upon return to work, he was charged with card violations. We argued that not notifying during the medical issue, omission of repayment information at the investigation, and failure to provide a dollar amount should mitigate the dismissal. The arbitrator agreed. Case 210 – Member felt ill at work during the height of Covid-19. The investigation revealed much confusion over the proper marking off procedure. The arbitrator reduced the deferred suspension to a letter of reprimand.

Case 211 – Member failed to follow instructions when ordered to meg locomotive traction motors as a first step in troubleshooting and proceeded to be unproductive during shift. In light of 3 prior serious violations in the last year, the arbitrator upheld the dismissal. Case 212 – Member parked vehicle in uncleared spot in yard following snow event. Did not use 4 wheel drive to free but attempted to rock vehicle by shifting between drive and reverse. Vehicle broke free and struck dumpster. In light of 4 serious violations in the last 24 months, as well as having just finished a 40 day actual suspension, the arbitrator upheld the dismissal. Case 213 – Member on multiple occasions left work early while working overtime and did not notify supervision that he did not work the actual OT he signed as completed. Despite the member’s long term status with the company, the arbitrator indicated that the “oversight” was less of a mistake and was more of a deliberate action. The dismissal was upheld. Case 214 – member attempted to displace a junior employee on a position with qualifications. The member was given a test by the Carrier in which he failed to answer key questions. We contested the results of the test as well as the circumstances under which the test was created. The arbitrator held that not answering the critical questions of the testing made the senior member not qualified to displace the junior member holding the qualifications.

Active Claims: Nine new NS cases were opened this month. Seventeen new CSXT cases were opened this month. In addition to normal calls and information requests, the Council is now currently handling 78 active 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.

Travel: Macon, GA – member investigation; Chicago – district meeting; San Antonio – membership development meeting

Pan Am Negotiations: Meetings are on hold due to the handling of the PEB 250 handling

In Your Service,

Tom Owens
General Chairman