

# HISTORY OF THE BROTHERHOOD

In 1830 there were 23 miles of railroad track in the United States. Seventy years later that number grew by more than 190,000 miles. The railroads expanded with the help of Congressional land grants and economic growth following the Civil War, pulling people and prosperity with them.

The men who made this travel possible were forgotten in the rush to crisscross the country. These men would have to keep the track safe and stable for passengers and for the growing freight traffic. As the nation grew dependent on this faster mode of transportation that replaced the stagecoach, there was an ever-increasing demand for railroads and employees to maintain them.

The initial rush to lay rail had produced poorly laid track that could not handle the speed and amount of traffic. The early makeshift crews gave way to other crews who could rebuild, repair and maintain the track. These men worked from sunrise to sunset – 14.5 hours a day – with a one-hour break in the winter and ninety minutes in the summer. There were no job guarantees and wage cuts were forced upon them. There were no benefits for injury or death and the average pay was eighty cents a day.

It was these conditions that led John T. Wilson, in 1887 at the age of 26, to risk his job and welfare to form an organization to offer some protections to his fellow maintenance workers. This new group, the Order of Railway Trackmen, was conceived solely as a benevolent society that would offer death and disability insurance to its members.

The industrialization of the United States brought with it great clashes between labor and management. Anything that meant an alliance of employees was a threat to railroad owners who would do anything possible to stop workers from organizing. Leaders were fired, workers were blacklisted, and prospective employees were forced to sign contracts agreeing not to join a union. People were beaten and chased out of their communities and unions could not meet in public places, but John T. Wilson persevered.

Though membership roles were fluctuating and rival organizations kept challenging the fledgling union, Wilson continued his crusade to stand up for the trackmen's rights. He created grievance procedures, negotiated wage increases, and shortened the work day – all without calling a strike. It was not easy and Wilson faced many obstacles. But, in 1900 with a membership of 1,500, the Brotherhood joined the American Federation of Labor and ensured its dominance as the union for maintenance of way employees.

The road was still going to be rocky, however, because any advances made to this point were shaken by Wilson's death in 1908. The transition from Wilson's driving leadership to new, untested leaders would prove to be a slow one. When the United States entered World War I, rail labor got a much-needed respite from the antagonism of management when the government took over the railroads for the duration of the war. Once the railroads were returned to private hands in 1920, the Brotherhood

was beset with problems that ranged from financial difficulties to worker disenchantment with the union.

The middle of the decade brought a partial solution with the Railway Labor Act of 1926 (RLA), which abolished the Labor Board – an entity that sided with management more often than labor – and helped solidify collective bargaining as an accepted procedure.

Gains for the union came slowly in the way of increased membership, unity and higher pay, but that all came to a near halt with the Great Depression. Hundreds of thousands of jobs were lost and unions had to work to shore up what they could and negotiate minimum wage reductions instead of increases.

The recovery from the depression brought greater government involvement in the railroad business as legislation was passed to create retirement plans, unemployment benefits and national minimum wage standards for additional employee protection.

The 1940s brought World War II and rail labor worked hard to support the war effort by keeping supplies and troops moving. The government effectively prohibited strikes and kept a close watch on the status of labor negotiations.

After the war, technological advances threatened employment levels and inflation threatened standards of living. Once again, the union held its ground and continued to get wage increases and improved benefits, struggling against railroad claims of decreasing profits resulting from competition with the trucking and airline industries. This period also ushered in the beginning of a decline in BMWED membership.

With the advent of deregulation in the 1980's, the union's membership continued to decline. The 1990's brought legislative attacks from an anti-labor administration that fought to remove the safeguards that the Brotherhood spent 100 years fighting to achieve.

As this next century begins, the need for the Brotherhood and solidarity with other rail unions is greater than ever. The fight for job security in the face of short line spin-offs, safety in the face of deteriorating conditions, and fair wages and benefits in the face of cutbacks continues; however, rail labor leaders are looking at new and innovative ways to fight back from a position of strength.

In 2004, the membership of the Brotherhood voted overwhelmingly to join the International Brotherhood of Teamsters' Rail Conference. Under the leadership and guidance of President Freddie Simpson, the Brotherhood begins a new era in the struggle that was started by John Wilson over one hundred years ago. Uniting all transportation labor under one roof will provide workers with a stronger voice and the support of other transportation workers.

The benevolent society started with a few trackmen on a hot day in Alabama. The BMWED has since shown it can meet the challenges of an ever-changing industry and is committed more than ever to protecting its members' rights.

Some of the accomplishments during our Brotherhood's first one hundred years are reflected in the list of benefits described on the following page.

# BMWED ACCOMPLISHMENTS

- Right of Representation
- Protection Against Discrimination
- Rules Agreements
- Eight-Hour day
- Overtime Pay
- Retirement Benefits
- Unemployment Benefits
- Sickness Benefits
- Paid Vacations
- Forty-Hour Week
- Union Shop
- Holiday Pay
- Health Insurance
- Life Insurance
- Accidental Death, Dismemberment and Loss of Sight Benefits
- Improved Wage Rates
- Job Security
- Travel Time and Away-from-Home Expenses
- Off-Track Vehicle Accident Insurance Coverage
- Jury Duty Pay
- Check-Off of Dues
- Supplemental Sickness Benefits
- Dental Insurance
- Early Retiree Major Medical Benefits
- Bereavement Leave
- Personal Leave
- Safety Legislation and Regulation
- Vision Care

In addition, substantial improvements in hourly rates of pay for our members have been negotiated by our Brotherhood and are reflected in the average hourly rates set forth below in three-year increments:

2003 – 19.10	1988 – 13.09	1973 – 4.68
2000 – 17.93	1985 – 12.02	1970 – 3.28
1997 – 16.06	1982 – 10.80	1967 – 2.83
1994 – 14.40	1979 – 7.92	1964 – 2.46
1991 – 13.62	1976 – 6.02	1961 – 2.28
		1958 – 2.08

The current goals of the Brotherhood remain basically the same, namely protecting the jobs of our members and improving wages, benefits and conditions of employment.

# HOW OUR BROTHERHOOD FUNCTIONS

Our Brotherhood must function in many places and on many levels to represent our members as fully as possible. On any given day, National Division Officers may be meeting with Government officials in Washington, D.C., System Division/Federation Representatives may be negotiating seniority and work rules with their respective carrier officials, or a Lodge Local Chairman may be representing a member at a grievance hearing.

To enable our Brotherhood to function on several levels at the same time, a structure was developed through a Constitution and Bylaws. The principal segments of this structure are National Division, System Divisions or Federations and the Local Lodges.

To complement this structure, five regions were established in the United States with a vice-president assigned to each. Each region is also represented by a member elected to the National Division Executive Board. Within each of these regions, a Regional Association was organized to enable the System Officers to meet, discuss and take action on matters of mutual interest.

In addition to the Regional Associations, a National Association of National Division and System Officers meet at least once per year to develop strategies for collective bargaining and membership representation. The National Association is charged with assisting the collective bargaining interests of the Brotherhood.

## **NATIONAL DIVISION**

The sovereign body of the Brotherhood is the National Division, as outlined in Articles I and II of the Bylaws. Its Officers are elected every four years during the Convention of the National Division, which is comprised of delegates elected by each Local Lodge in the United States. The National Division has absolute and final jurisdiction over all matters pertaining to the Brotherhood, and the administrative, executive and judicial authority of our Brotherhood is vested in the National Division President, Secretary-Treasurer, five Vice Presidents and the Executive Board in between Conventions.

The BMWED Headquarters is located in Southfield, Michigan and contains the offices of the National Division President, National Division Secretary-Treasurer, and various departments under their jurisdiction.

## **National Division President and President's Departments**

The National Division President exercises supervision over the affairs of the Brotherhood and presides at all sessions of the National Division. Below are the departments that fall under the jurisdiction of the President:

## **National Legislative Department**

The National Legislative Department is located in Washington, D.C. The Department Director and staff monitor and report to the President all governmental and congressional activities affecting the Brotherhood, and lobbies for or against legislation. The Director of the National Legislative Department and the IBT Director of Government Affairs jointly direct the activities of the various BMWED State Legislative Directors.

## **Department of Strategic Coordination and Research**

Duties of the Department include gathering and compiling statistics in the U.S. to be used in wage negotiations, conferences or hearings before arbitration boards, or other constituted bodies when instructed to do so by the President. The Department also coordinates and assists in the negotiation, administration and application of collective bargaining agreements at the national and system levels, as well as providing the National Division President and Vice Presidents with assistance on various matters of importance to our Brotherhood.

## **Department of Safety and Education**

The Department is responsible for the development and implementation of educational programs and materials designed to meet the needs of our Brotherhood. Additionally, the Department provides safety instruction to Brotherhood members and participates in rule-making and other proceedings related to safety regulations promulgated and administered by state and federal agencies.

## **Organizing Department**

The Department is responsible for assisting the National Division, System Divisions/Federations and Local Lodges in organizing employees of non-union employers into the BMWED.

## **Communications Department**

The Department is responsible for the production of the BMWED *Journal*, the development of press releases and news releases, and the maintenance of the National Division website.

## **Arbitration Department -Chicago**

Located in the Chicago Office is the BMWED Member of the National Railroad Adjustment Board (NRAB), an Assistant to the President and other Staff Assistants. The duties of the BMWED Arbitration Department include representing BMWED before the Third Division of the NRAB, Public Law Boards, and Special Boards of Adjustments. These boards act as a conduit for the progression of claims and grievances to their final adjudication.

The duties of the Assistant to the President and the Chicago office staff include reviewing each individual claim, which has been referred to them after proper progression through the required levels of appeal. After considering all the facts, rules of the agreement, and precedent on the issue, a determination is made to either return the claim to the system Federation/Division, or prepare a submission for the progression of the claim to final arbitration. The Chicago office staff represents

member's claims and grievances before the NRAB or other tribunals for final adjudication. The Assistant to the President also contributes to the negotiation of collective bargaining agreements both nationally and locally.

## **National Division Secretary-Treasurer**

The National Division Secretary-Treasurer is the chief financial officer of the Brotherhood and is responsible for the receipt and disbursement of the Brotherhood's funds. The National Division Secretary-Treasurer maintains and preserves all financial and membership records and serves as the Superintendent of the Death Benefit Department. Below are the services provided by the Secretary-Treasurer:

### **Membership Services**

This Department is responsible for accounts receivable, dues and assessment monies, and preparing funds for deposit. In conjunction with the Data Processing Department, it supervises and handles the various check-offs, Lodge and System receipts, Death Benefit claims, standings, Merit Award requests, and all correspondence relating to membership records.

### **Financial Services**

This Department maintains a complete record of all payroll and expense disbursements for the National Division, the System Divisions or Federations, and Local Lodges in compliance with U.S. Treasury, Department of Labor, and Internal Revenue Service requirements.

### **Reporting Services**

This Department is responsible for reviewing all audit reports submitted by the Local Lodges and System Divisions or Federations. This Department also assists in meeting LMRDA reporting requirements. This includes processing Local Lodge and System Division/Federation LM-3s, LM-2s and the IRS Group Return 990s. The Department also assists with seminars for Local Lodge Secretary-Treasurers.

### **Field Auditors**

The Secretary-Treasurer's Department employees field auditors, each assigned to geographical areas within the United States. Their duties are to audit each Lodge as frequently as possible and to assist Local Lodge Secretary-Treasurers in filing all required reports.

## **National Division Vice Presidents**

Each of the five regions of the United States elects a Vice President. The five regions are the Northwest, Northeast, Western, Southwest, and Southeast. The Vice Presidents work under the direction of the President and their duties include visiting and instructing Local Lodges and assisting the General Chairmen in the conduct of their various functions.

## **National Division Executive Board**

The National Division Executive Board supervises the general welfare of the Brotherhood. One of its duties is to audit the accounts of the National Division each quarter. A certified public accountant is employed by the Board for this purpose. Three members of the Board act as Trustees for our Brotherhood and all real estate owned by our Brotherhood is held in the names of these Trustees.

## **System Divisions and Federations**

System Divisions or Federations provide membership representation through coordination with the Local Lodges under their jurisdiction. It is their responsibility to handle the many issues brought to them by those they represent. Day-to-day activities of the System Divisions/Federations are supervised by a General Chairman elected at a Convention or Joint Protective Board meeting.

## **Joint Protective Boards**

Joint Protective Boards exert their authority through the adoption of a Constitution and Bylaws, which specify the number of members on the Board and who those members will be. The Constitution and Bylaws, which they adopt, establish the procedures for the election of System Division/Federation officers and set the guidelines that these officers must adhere to when conducting the internal affairs and business of the System Division/Federations. Further, this Board decides how the Local Lodges under its jurisdiction are represented within the System Division/Federation.

## **General Chairman**

The responsibilities of the General Chairman include the execution and filing of any reports to Federal or State authorities, the interpretation of the System Division/Federation's Constitution and Bylaws, and the negotiation, application and enforcement of contracts under which the System's constituents work.

## **Local Lodges**

Local Lodges form the direct link between the member and the Brotherhood, and are the grassroots segment of the organization. Regular meetings are held by most Lodges at which information is passed onto the membership and the affairs of the Brotherhood are discussed and acted upon. The members of the Lodges elect their own Officers as well as the delegates who will represent them at National Division and System Division/Federation Conventions to determine policies, adopt laws to govern activities, and elect National Division and System Officers and State Legislative Directors.

## **Lodge President**

The general affairs of the Lodge are overseen by the Lodge President. The Lodge President presides over Lodge meetings, preserves decorum and decides all questions of order subject to an appeal to the Lodge members. The President is also responsible for seeing that a correct audit of the Secretary-Treasurer's books is made by the Auditing Committee. The President appoints all committees, except the Auditing Committee and the Grievance Committee, which are elected. The President also casts the

deciding vote on all questions in case of a tie vote. Finally, the President assists in the execution and filing of any required reports and maintenance of Lodge records required by law.

### **Lodge Vice President**

The Vice President assists the President in the performance of various duties and presides over all Lodge meetings in the absence of the President.

### **Lodge Secretary-Treasurer**

The financial and business affairs of the Lodge are handled by the Secretary-Treasurer. The Secretary-Treasurer receives all communications, conducts the correspondence and has charge of the seal and records of the Lodge. Additional responsibilities include keeping a correct account between the Lodge and the System Secretary-Treasurer and/or National Division Secretary-Treasurer. A Lodge is not permitted to contract or incur any obligation of any kind beyond the extent of the Lodge's funds and current income of the Lodge. The money and property of the Lodge may only be used for the benefit of the Lodge and not for the personal gain or profit of an Officer or member.

### **Lodge Recording Secretary**

Typically, this position is combined with the Secretary-Treasurer's position. The Recording Secretary keeps a true and correct record of the proceedings of each meeting of the Lodge and reads the same at the next meeting for action thereon. The Recording Secretary also reads all communications from the National Division, System Division/Federation, or other sources that are of interest to members.

### **Lodge Auditing Committee**

The members of the Auditing Committee have the responsibility of examining the financial affairs of the Lodge. They meet and audit the Lodge books not later than thirty days after the end of each quarter.

### **Lodge Grievance Committee**

The Officers of the Grievance Committee perform such duties as are prescribed in the Constitution and Bylaws which includes assisting the Local and/or Division Chairmen in the discharge of their duties. Each System Division/Federation has established procedures for the handling of claims and grievances, which are best suited to the needs of their membership.

## **National Division Convention**

The National Division Convention is held every four years. Each Lodge is entitled to send a delegate or alternate who must be eligible and elected in accordance with National Division Bylaws and the Merger Agreement. The purpose of the National Division Convention is to review the work and accomplishments of the Brotherhood, consider legislation for the benefit and advancement of the membership, amend the Constitution, elect officers, and act upon such other business as may properly come before it.

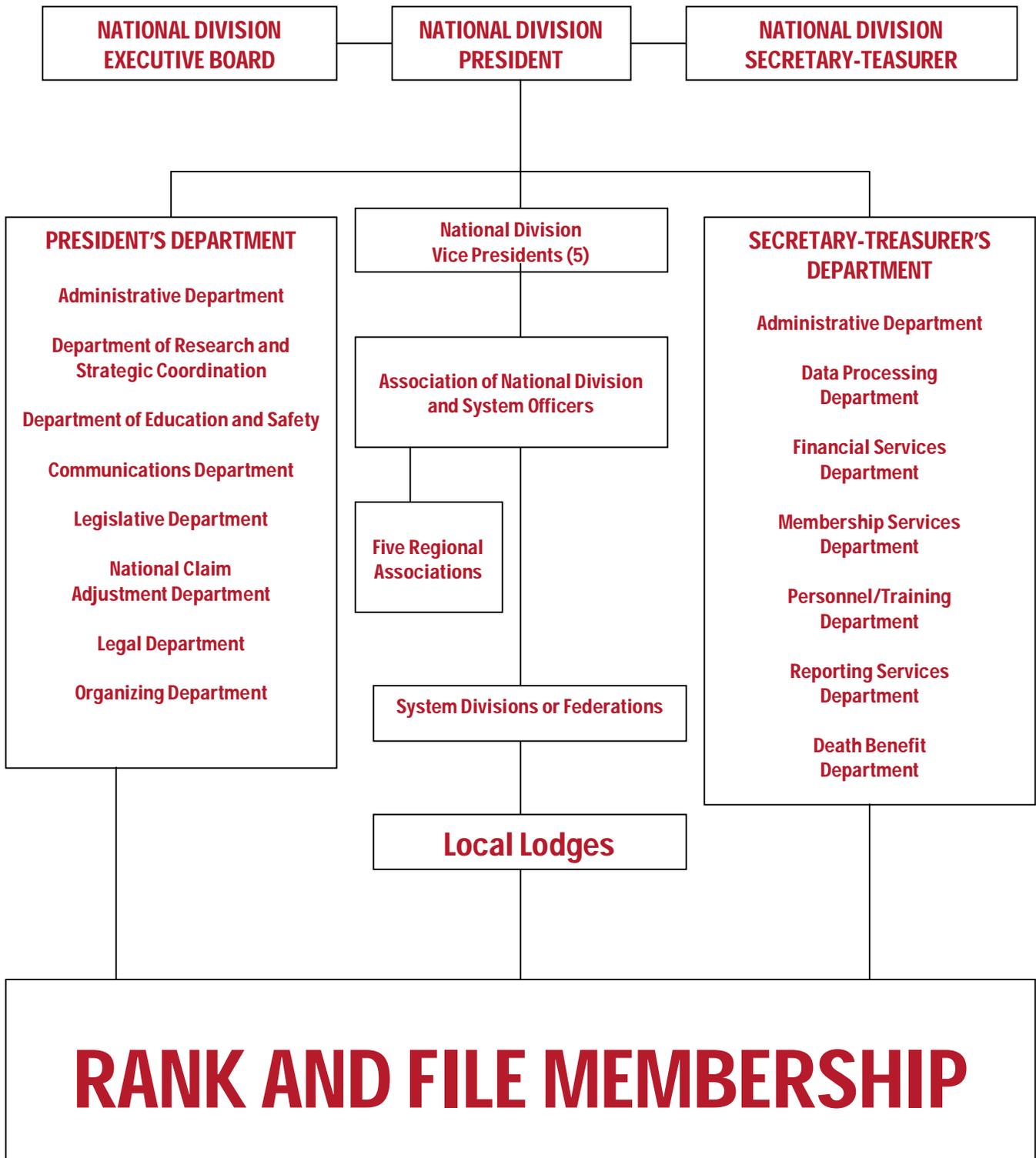
## **System Division/Federation Conventions or Joint Protective Board Meetings**

System Conventions or Joint Protective Board meetings are conducted in accordance with their respective Bylaws and, therefore, may vary from System to System. The Bylaws governing each System explain the manner in which the System is required to function and prescribes rules for the election of Joint Protective Board Members and System Officers. It also sets forth the duties and obligations of the members and officers of the System.

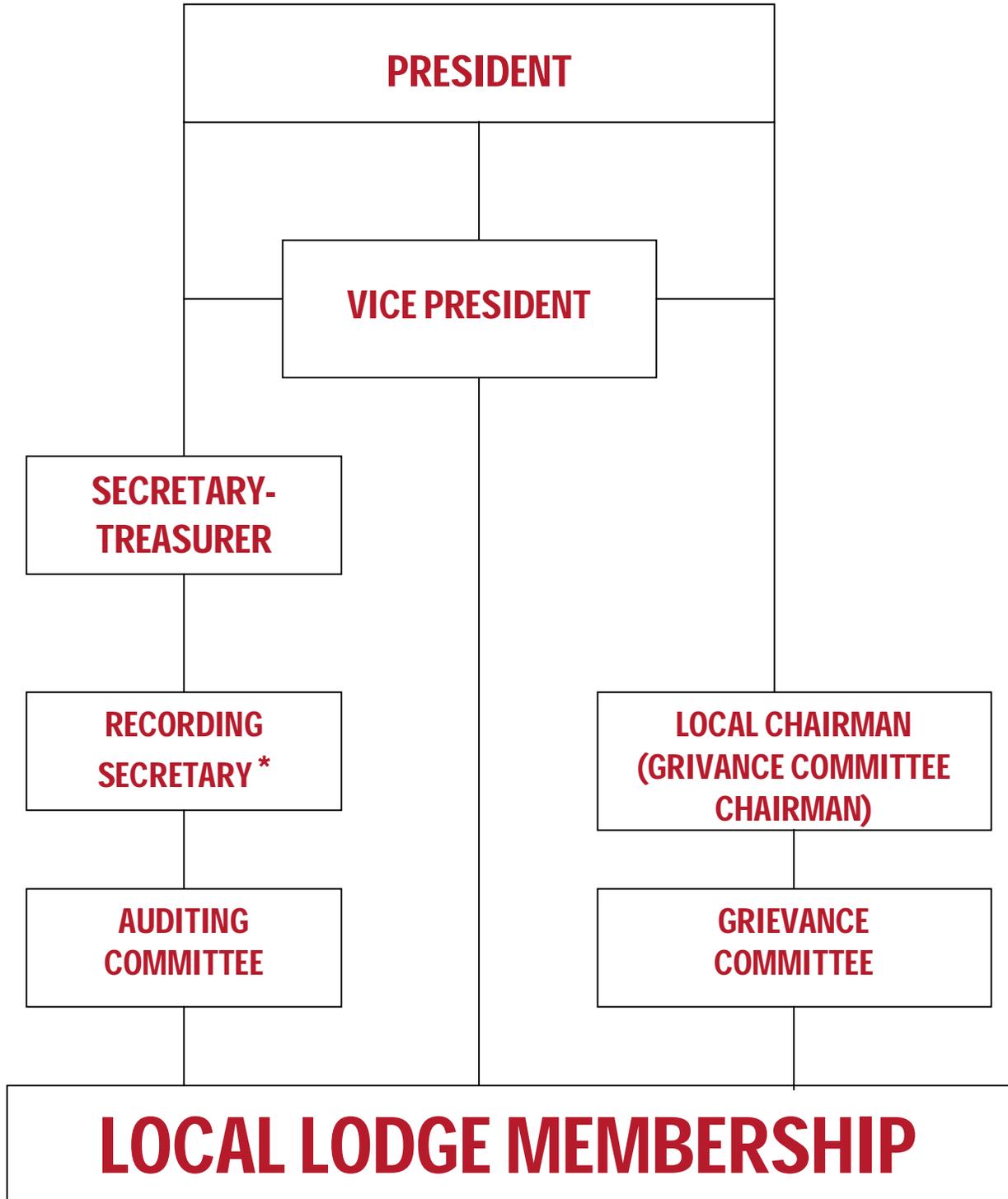
## **National Division Bylaws**

The National Division Bylaws sets forth the duties of Local Lodge Officers, the election process, the duties of all National Division Officers and the manner in which the business of the National Division, System Divisions/Federations and Local Lodges is to be conducted. The Bylaws are also in accordance with the Constitution of the International Brotherhood of Teamsters. Copies of the National Division bylaws are available to members through the National Division office.

# ORGANIZATIONAL CHART OF THE BMWED



# ORGANIZATIONAL CHART OF A LOCAL LODGE



\* This Position may be combined with Secretary/Treasurer Position