



**Brotherhood of Maintenance of Way Employees Division  
of the International Brotherhood of Teamsters**

**NORTHEASTERN SYSTEM FEDERATION**

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April 15, 2021

**TO:** All Active Members in Good Standing of the Northeastern System Federation – Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters

**RE:** Northeastern System Federation (NESF) System Elections

**Qualifications**

In accordance with Article II, Section 1 (b) of the By-Laws of the Northeastern System Federation, "*Any member of the Northeastern System Federation meeting the twenty-four (24) months continuous good standing requirements of Article II, Section 4(a)(1) of the IBT Constitution and paragraph 4.9 of the Merger Agreement between BMWE and IBT who has established at least twelve (12) months' seniority on any of the railroads and in one of the departments thereof, coming within the jurisdiction of the System Federation and who has at least twelve (12) months' continuous membership in the Local Lodge in which he holds membership at the time of election and a member in good standing at the time assuming office is eligible to be a candidate and hold an officer's position on the Joint Protective Board, For Local Lodges in existence for less than 24 months, eligibility to office shall be governed under the provisions of Article II, Section 4(b) of the IBT Constitution.*"

**Nominations**

In accordance with Article II, Section 2 (b), Paragraph 2 of the NESF By-Laws, "*The Offices of General Chairman, Vice Chairman, Assistant General Chairman and Executive Committee shall be filled by direct rank and file election. A nomination period shall commence on May 15 of each Convention year. Eligibility for nomination shall be enumerated in Article II, Section 1(b) of these Bylaws. Any eligible member of the System Federation can declare himself/herself a candidate for the positions of General Chairman, and Vice Chairman-Secretary-Treasurer or for Vice Chairman or Assistant General Chairman or Executive Committee member as per the groups listed below by sending a letter nominating himself/herself certified mail, return receipt requested to the System Federation Office. All such nominations shall be received in the Federation Office by May 30, of the Convention year. If May 30, of the Convention year falls on a Sunday, then all nominations shall be received by May 31, of the Convention year. Any nomination received after May 30 of the Convention year, or May 31 should May 30 of the Convention year fall on a Sunday, shall not be valid.*"

**By-Laws Dispensation-Nominations**

Due to the fact that May 30, 2021 falls on a Sunday, and Monday May 31, 2021 is a recognized National Holiday (Memorial Day), nominations for 2021 Northeastern System Federation Elections shall be received by June 1, 2021 (Convention Year). This change was made by way of Northeastern System Federation System Officer and Executive Committee meeting held via conference call on March 8, 2021 (Meeting Minutes Attached with adopted dispensation changes) and therefore, for Convention Year 2021, the above Article II, Section 2 (b), paragraph 2 of the By-Laws is changed and dispensed as follows:

The offices of General Chairman, Vice Chairmen, Assistant General Chairmen and Executive Committee shall be filled by direct rank and file election. A nomination period shall commence on May 15 of each Convention year. Eligibility for nomination shall be as enumerated in Article II, Section 1 (b) of these Bylaws. Any eligible member of the System Federation can declare himself/herself a candidate for the positions of General Chairman and Vice Chairman-Secretary-Treasurer or for Vice Chairman or Assistant General Chairman or Executive Committee member as per the groups listed below by sending a letter nominating himself/herself certified mail, return receipt requested to the System Federation office. All such nominations shall be received in the System Federation office by May 31, of the Convention year. If May 31, of the Convention year falls on a Sunday or recognized National Holiday (Memorial Day), then all nominations shall be received by June 1, of the Convention year. Any nomination received after May 31, of the Convention year, or June 1, of the Convention year if May 31 of the Convention year falls on a Sunday or recognized National Holiday (Memorial Day) shall not be valid.

### **Groups**

- 1.) National Railroad Passenger Corporation (Amtrak)
- 2.) Maine Central Railroad Company (Pan Am Railways – ST/GTI)  
Portland Terminal Company (Pan Am Railways – ST/GTI)
- 3.) Delaware and Hudson Railroad Company (Canadian Pacific Railway)  
Norfolk Southern Corporation (former D&H South End)  
New York, Susquehanna and Western Railway Corporation (NYS&W)  
New England Central Railroad (NECR-GWR)<sup>1</sup>

### **Elections**

In accordance with Section 2 (b), Paragraphs 3 and 4 of the NESF By-Laws, "On July 1 of the Convention year, the Federation shall send to all members in good standing of the Federation as of June 1 of the Convention year a ballot which includes each position and each candidate for that position, together with a stamped, return address envelope designed to guarantee that the vote is by secret ballot. Members shall mark the ballots as they choose and mail them back to a mail box rented by the Federation which shall not be opened until the day of the count. All ballots shall be received by July 24 of the Convention year. If July 24 of the Convention year falls on a Sunday then all ballots shall be received by July 25 of the Convention year. On July 24 of the Convention year at 1:00 PM (July 25 of the Convention year at 1:00 PM in the event that July 24 falls on a Sunday), the General Chairman, together with any and all candidates for the offices of General Chairman, and/or Vice Chairman and/or Assistant General Chairman and/or Executive Committee wishing to be present shall go to the mailbox and take all ballots that have been placed in the mailbox. The General Chairman, together with all candidates for the office of General Chairman, and/or Vice Chairman and/or Assistant General Chairman and/or Executive Committee shall bring the ballots directly to the offices of the Federation where the votes will be counted. The victor shall be the individual who receives the most number of votes for the position for which he/she ran.

Except for the offices of General Chairman and Vice Chairman/Secretary-Treasurer, the other offices enumerated in Section 2 (a) of this Article II, shall be filled by electing them from each of the following groups of railroads (Listed above).

### **By-Laws Dispensation – Elections**

Due to the fact that July 24, 2021 falls on a Saturday, to which the Federation will not require candidates (if they choose to attend at their own expense) or officers to report and verify ballots on a weekend, and due to the American Arbitration Office is closed on Saturdays (if the System uses that agency for handling of System Elections), ballots for the 2021 Northeastern System Federation Elections shall be received by July 27, 2021 (Convention Year) and counted at the

<sup>1</sup> New England Central Railroad was added to Group 3 on April 7, 2021 – Meeting Minutes attached

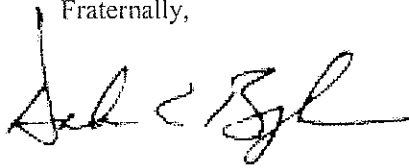
System Office or the AAA (if used) on Tuesday, July 27, 2021. This change was made by way of Northeastern System Federation System Officer and Executive Committee meeting held via conference call on April 7, 2021 (Meeting Minutes Attached with adopted dispensation changes) and therefore, for Convention Year 2021, the above Article II, Section 2 (b), paragraph 2 of the By-Laws is changed and dispensed as follows:

*On July 1 of the Convention year, the System Federation, or agency hired by the Federation to handle System Officer Elections (i.e., American Arbitration Association or like Agency), shall send to all members in good standing of the Federation as of June 1 of the Convention year a ballot which includes each position and each candidate for that position, together with a stamped, return address envelope designed to guarantee that the vote is by secret ballot. Members shall mark the ballots as they choose and mail them back to a mail box rented by the System Federation, or agency hired by the Federation to handle System Officer Elections, and which shall not be opened until the day of the count. All ballots shall be received by July 24 of the Convention year. If July 24 of the Convention year falls on a weekend day (Saturday or Sunday) then all ballots shall be received by the first Tuesday following July 24 of the Convention year. On July 24 of the Convention year at 1 :00 p.m. (The first Tuesday following July 24 if July 24 falls on weekend days Saturday or Sunday), the General Chairman, together with any and all candidates for the offices of General Chairman, and/or Vice Chairman and/or Assistant General Chairman and/or Executive Committee wishing to be present shall go to the mail box and take all ballots that have been placed in the mail box. The General Chairman, together with any and all candidates for the office of General Chairman, and/or Vice Chairman and/or Assistant General Chairman and/or Executive Committee shall bring the ballots directly to the offices of the System Federation where the votes will be counted. If the Federation hires an outside agency to handle such elections, candidates may be present (at their own cost) at the System Office for the delivery of such election results from such agency. The victor shall be the individual who receives the most number of votes for the position for which s/he ran.*

Those elected to the above-referenced positions will assume office on November 1, 2017.

If you have any questions concerning the upcoming nominations or elections or if you do not have a copy of the NESF By-Laws, please do not hesitate to call the System Office at (607)-217-5333.

Fraternally,



Dale E. Bogart Jr.  
General Chairman

Cc: Membership  
File  
Attachments

**Proposed dispensation of NESF Bylaws**  
**Article II**  
**Elections-Conventions-Joint Protective Board Meetings**

**Section 2 (b), paragraph 2**

Currently Reads:

The offices of General Chairman, Vice Chairmen, Assistant General Chairmen and Executive Committee shall be filled by direct rank and file election. A nomination period shall commence on May 15 of each Convention year. Eligibility for nomination shall be as enumerated in Article II, Section 1 (b) of these Bylaws. Any eligible member of the System Federation can declare himself/herself a candidate for the positions of General Chairman and Vice Chairman-Secretary-Treasurer or for Vice Chairman or Assistant General Chairman or Executive Committee member as per the groups listed below by sending a letter nominating himself/herself certified mail, return receipt requested to the System Federation office. All such nominations shall be received in the System Federation office by May 30, of the Convention year. If May 30, of the Convention year falls on a Sunday, then all nominations shall be received by May 31, of the Convention year. Any nomination received after May 30, of the Convention year, or May 31, of the Convention year if May 30 of the Convention year falls on a Sunday shall not be valid.

Proposed Change (for purposes of 2021 Election and to be sought as a permanent change at 2021 Convention) – omission ~~struck~~ and proposed changes in **bold**

The offices of General Chairman, Vice Chairmen, Assistant General Chairmen and Executive Committee shall be filled by direct rank and file election. A nomination period shall commence on May 15 of each Convention year. Eligibility for nomination shall be as enumerated in Article II, Section 1 (b) of these Bylaws. Any eligible member of the System Federation can declare himself/herself a candidate for the positions of General Chairman and Vice Chairman-Secretary-Treasurer or for Vice Chairman or Assistant General Chairman or Executive Committee member as per the groups listed below by sending a letter nominating himself/herself certified mail, return receipt requested to the System Federation office. All such nominations shall be received in the System Federation office by ~~May 30~~ **May 31**, of the Convention year. If ~~May 30~~ **31**, of the Convention year falls on a Sunday **or recognized National Holiday (Memorial Day)**, then all nominations shall be received by ~~May 31~~ **June 1**, of the Convention year. Any nomination received after ~~May 30~~ **31**, of the Convention year, or ~~May 31~~ **June 1**, of the Convention year if ~~May 30~~ **31** of the Convention year falls on a Sunday **or recognized National Holiday (Memorial Day)** shall not be valid.

## Official Minutes from NESF System Officer/Executive Committee Conference Call

March 8, 2021 – 6:00 PM

Present: D. Bogart, J. Miller, R. Rufo, C. Miller, D. O'Connor, J. Cranker, D. Houlihan

Absent: R. Heuer (vacation), R. Randall (work), D. Conner

Discussion was held on the need for a dispensation of Article II, Section 2(b), paragraph 2 of the By-Laws for the 2021 NESF System Officer nomination period regularly between May 15 and May 30 of the Convention Year. The need for this change was account that the US Mail would not run on Sunday, May 30, 2021 to which the current By-Laws states that May 31 would be the date to accept nominations under that scenario.

However due to the fact that the 2021 Memorial Day Holiday is scheduled for Monday, May 31, 2021, the Federation needed to extend the deadline for acceptance of nominations until Tuesday, June 1, 2021.

There was brief discussion and no debate on the issue.

Motion was made by Renato Rufo to accept the proposed change/dispensation.

Renato Rufo's motion was seconded by Charles Miller.

Voted on and adopted unanimously.

Discussed initial details of convention location and tentative schedule, further information will be forthcoming.

John Miller made motion to adjourn the call, seconded by David O'Connor, motion carrier unanimously and meeting was adjourned at 6:21 PM.

**Proposed dispensation of NESF Bylaws**  
**Article II**  
**Elections-Conventions-Joint Protective Board Meetings**

**Section 2 (b), paragraph 3 (Election) and paragraph 6 (Groups)**

Section 2 (b), paragraph 3 (Election) Currently Reads:

On July 1 of the Convention year, the System Federation shall send to all members in good standing of the Federation as of June 1 of the Convention year a ballot which includes each position and each candidate for that position, together with a stamped, return address envelope designed to guarantee that the vote is by secret ballot. Members shall mark the ballots as they choose and mail them back to a mail box rented by the System Federation and which shall not be opened until the day of the count. All ballots shall be received by July 24 of the Convention year. If July 24 of the Convention year falls on a Sunday then all ballots shall be received by July 25 of the Convention year. On July 24 of the Convention year at 1 :00 p.m. (July 25 of the Convention year at 1 :00 p.m. in the event July 24 falls on a Sunday), the General Chairman, together with any and all candidates for the offices of General Chairman, and/or Vice Chairman and/or Assistant General Chairman and/or Executive Committee wishing to be present shall go to the mail box and take all ballots that have been placed in the mail box. The General Chairman, together with any and all candidates for the office of General Chairman, and/or Vice Chairman and/or Assistant General Chairman and/or Executive Committee shall bring the ballots directly to the offices of the System Federation where the votes will be counted. The victor shall be the individual who receives the most number of votes for the position for which s/he ran.

Proposed Change (for purposes of 2021 Election and to be sought in some form as a permanent change at 2021 Convention) – omission struck and proposed changes in bold

*On July 1 of the Convention year, the System Federation, **or agency hired by the Federation to handle System Officer Elections (i.e., American Arbitration Association or like Agency),** shall send to all members in good standing of the Federation as of June 1 of the Convention year a ballot which includes each position and each candidate for that position, together with a stamped, return address envelope designed to guarantee that the vote is by secret ballot. Members shall mark the ballots as they choose and mail them back to a mail box rented by the System Federation, **or agency hired by the Federation to handle System Officer Elections,** and which shall not be opened until the day of the count. All ballots shall be received by July 24 of the Convention year. If July 24 of the Convention year falls on a ~~Sunday~~ **weekend day (Saturday or Sunday)** then all ballots shall be received by ~~July 25~~ **the first Tuesday following July 24** of the Convention year. On July 24 of the Convention year at 1 :00 p.m. ~~(The first Tuesday following July 24 if July 24 falls on weekend days Saturday or~~*

*Sunday), the General Chairman, together with any and all candidates for the offices of General Chairman, and/or Vice Chairman and/or Assistant General Chairman and/or Executive Committee wishing to be present shall go to the mail box and take all ballots that have been placed in the mail box. The General Chairman, together with any and all candidates for the office of General Chairman, and/or Vice Chairman and/or Assistant General Chairman and/or Executive Committee shall bring the ballots directly to the offices of the System Federation where the votes will be counted. **If the Federation hires an outside agency to handle such elections, candidates may be present (at their own cost) at the System Office for the delivery of such election results from such agency.** The victor shall be the individual who receives the most number of votes for the position for which s/he ran.*

Section 2 (b), paragraph 6 (Groups) Currently Reads:

Except for the offices of General Chairman and Vice Chairman-Secretary-Treasurer, the other offices enumerated in Section 2(a) of this Article II, shall be filled by electing them from each of the following groups of railroads:

1. National Railroad Passenger Corporation (Amtrak)
2. Maine Central Railroad Company  
Portland Terminal Company
3. Delaware and Hudson Railway Company  
Norfolk Southern Railway Corporation  
New York, Susquehanna and Western Railway Corporation

Proposed Change (for purposes of 2021 Election and to be sought as a permanent change at 2021 Convention) – omission struck and proposed changes in bold

*Except for the offices of General Chairman and Vice Chairman-Secretary-Treasurer, the other offices enumerated in Section 2(a) of this Article II, shall be filled by electing them from each of the following groups of railroads:*

1. *National Railroad Passenger Corporation (Amtrak)*
2. *Maine Central Railroad Company  
Portland Terminal Company*
3. *Delaware and Hudson Railway Company  
Norfolk Southern Railway Corporation  
New York, Susquehanna and Western Railway Corporation  
**New England Central Railroad***



# Official Minutes from NESF System Officer/Executive Committee Conference Call

April 7, 2021 – 6:00 PM

Present: D. Bogart, J. Miller, R. Rufo, C. Miller, D. O'Connor, J. Cranker, D. Houlihan, R. Heuer, R. Randall

Absent: D. Conner

Conference Call was called to order at 6:00 PM

Discussion was held on the need for a dispensation of Article II, Section 2(b), paragraph 3 of the By-Laws. Under the current structure, the System is to accept ballots by and count on July 24, 2021. July 24, 2021 falls on a Saturday, and while we could actually schedule a count for the 24th (if we do it ourselves and do not use AAA), it would not be a good idea to require those that wanted to participate (candidates - at their own costs) to travel and have to essentially give up one day of their weekend for a ballot count. Also, if we end up using AAA (American Arbitration Association) for the handling of our elections, they are not open on Saturdays so we would not even have been able to comply with the By-laws as they are written currently. This will allow us to have the ballot count on Tuesday, July 27, 2021 in the office (if we are handling them) or allow for the AAA to count them on the same date and provide the results.

It was further discussed on the dispensation of Article II, Section 2 (b), paragraph 6 of the By-laws that deals with the respective railroad groups of the membership. The request being made is to place the New England Central RR in the Group 3 category. This is going to be sought as a permanent change in the By-laws because right now they are not designated to any group because they officially did not join the NESF until December 15, 2017 (after our last convention) when they ratified their 1st agreement. Geographically and demographically, it makes sense to assign them to Group 3 with the DH, NS and NYSW because they operate in VT, NH, MA and CT. They're tracks in VT are right across the lake (Champlain) from the D&H Guys and a small enough group that they are pretty good fit with the small groups of members that we have in that group.

There was brief discussion and no debate on either dispensation.

Motion was made by Robert Randall to accept the proposed changes/depositions as presented.

Robert Randall's motion was seconded by Renato Rufo.

Roll Call vote was conducted:

- 1.) Dale Bogart voted yes/in favor of the resolution
- 2.) Renato Rufo voted yes/in favor of the resolution
- 3.) Charlie Miller voted yes/in favor of the resolution
- 4.) James Cranker voted yes/in favor of the resolution
- 5.) David Houlihan voted yes/in favor of the resolution
- 6.) David O'Connor voted yes/in favor of the resolution
- 7.) Richard Heuer voted yes/in favor of the resolution

8.) Robert Randall voted yes/in favor of the resolution

9.) John Miller voted yes/in favor of the resolution

Both dispensations passed by unanimously vote.

Charlie Miller made motion to adjourn the call, seconded by Rick Heuer, motion carrier  
unanimously and meeting was adjourned at 6:10 PM