

***Next year the UTU and the BLE will no longer exist***

*Please take the time to read this carefully.*

December 15, 1998

To All Members

UTU Local 77 and BLE Division 127

Dear Brothers and Sisters:

On November 27<sup>th</sup>, information was received from our respective Internationals that detailed the settlement terms of the dispute between the bargaining representatives of BLE freight engineers and UTU represented freight conductors. If you have been following the story, this ongoing war originated with a collectively bargained agreement that established a 'mandatory promotion system' from conductor to engineer on the freight railroads. As a consequence of this short-sighted agreement, craft distinctions faded and freight railroads were granted the latitude to use engineers and conductors in either capacity on a day to day basis. The UTU, suddenly fearing the loss of its entire membership to the BLE, argued that formerly recognized craft distinctions between conductors and engineers no longer existed and therefore a representational vote for the new craft should be held. The BLE, now fearing they would be overrun by the UTU's larger membership, argued the old craft distinction still existed. Absent the old clear distinctions, a political war over the certified bargaining union for these remaining freight employees emerged that was ultimately waged before the National Mediation Board.

Rather than engage in a prolonged battle and gamble on the loss of one union or the other (and, of course, their executive positions), the leadership of these two Internationals settled their war by agreeing to dissolve both the BLE and UTU and form a new Organization called NARTU - The North American Rail & Transportation Union. It may have been commendable if this new organization was formed out of a genuine concern for the realities of a new work environment or if it originated with a united and sincere effort to improve the conditions of the rank and file members of the UTU and BLE. Unfortunately, the origin of this new union is not quite so noble. As it turned out, it was the application of the poorly conceived collective bargaining agreement for mandatory promotion that provided the catalyst for the creation of this new entity (NARTU) and led to the final demise of both the UTU and the BLE.

The International officers of the newly contrived NARTU want us to believe a viable new union will evolve out of the wreckage of their battle over representation and dues money. We are not so gullible. We have copies of the Agreed-Upon Statement of Principles that will form their Unification Agreement and new Constitution. From our reading, it appears the current discussions are more concerned with protecting the existing hierarchies than they are with protecting the interests of the rank and file. Not surprisingly, one issue these discussions do address is a method of avoiding a reoccurrence of the bargaining fiasco that started the whole mess. For this reason their unification agreement calls for the formation of a joint negotiation committee that will gain a strangle hold on the collective bargaining process.

Considering the unprecedented success Local 77 and Division 127 have had with the settlements of our last 2 collective bargaining agreements, our participation in a scenario like this would be a tragedy. Our negotiating strategy has been predicated on the principle of self-determination that has been achieved through a deliberate and calculated effort to keep the Internationals off our property and out of the picture. When you read the newsletters we receive from the internationals, it is obvious their most optimistic proposals fall far short of what we have already acquired on MetroNorth. That the wage package, benefits and working conditions we have negotiated for ourselves far exceed anything either of these former Internationals have achieved on any of the properties they represent speaks volumes for itself. Frankly, we simply do not profit from the kind of help they offer.

Finally, there is the issue of money. I will not be the next hypocrite to tell you 'it's not about the money'. It's always about the money. Most members are not aware that Local 77 and Division 127 send a combined total in excess of \$250,000 dollars each year to our Internationals for an agenda that is really not in our interest. It makes little sense to continue to subsidize these efforts. \$250,000 dollars could better be used right here to bolster our bargaining and lobbying efforts with the legislatures of New York and Connecticut. This is not only the most effective way for us to achieve the pension and health care improvements we all want, it is the only way.

Our Local Committees have come too far to now reverse direction and blindly follow NARTU's leadership into a new entity created out of the ashes of their failed policies and short-sighted collective bargaining agreements. We cannot afford to spend years in transition while we risk our futures over the debatable ideals and direction of this new organization.

We believe the time has come to act. We can control our future or we can allow the future to control us. We have 2 real choices:

**We can allow ourselves to be gobbled up by NARTU**

**Or**

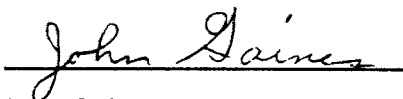
**We can form our own long overdue Commuter Railroad Union, one that protects our craft distinctions, our individual seniority, our collective bargaining process and our current union structure.**

Under Federal Law, the government protects the right of workers to organize and elect representatives of their choosing to bargain for wages, benefits and working conditions. The time has come to exercise our lawful right to self-determination by forming our own organization, ACRE - the Association of Commuter Rail Employees. The newly formed ACRE will be structured to protect individual craft distinctions and provide craft autonomy. It will be led by the same General and Local Committee officers that the members of Local 77 and Division 127 overwhelmingly re-elected not very long ago. Because of their union positions, the General and Local Committee leadership we currently enjoy cannot publicly express their support for this step. However, they can privately express their opinions. If you have any questions, contact them. Do not doubt for one second our resolve, our right or our ability to make this happen.

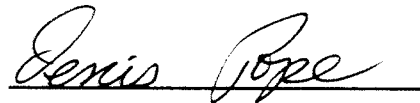
With this letter, the process has begun. You will soon be presented with the fabled "A" card. This is merely an authorization card that expresses to the National Mediation Board your interest in having a representational election (it is not an election itself, that will come later). Obviously, though the NMB protects your right to be represented by the bargaining unit of your choosing they need some mechanism for you to demonstrate your wishes. That's all the "A" card does. We hope you will immediately fill them out when they are presented to you. Remember, they merely propose an election. These A cards do not obligate you to vote in any way once the NMB conducts the secret balloting.

About 7 years ago, engineers were asked to take a chance and go down a new path with new leadership. 4 years ago, conductors and trainmen were asked to take that same chance. To your credit and benefit, you did. This time you are not being asked to take any chance. You will be going down a road you know with leaders you can trust. The final choice will and should be yours. It has been said, "There is nothing in the world more powerful than an idea whose time has come." **This idea's time has not only arrived, it is long overdue.**

Fraternally yours,



John Gaines  
Negotiating Committee Division 127



Denis Pope  
Alternate Legislative Delegate Local 77