

VOLUME 101 ISSUE NO. 1



THE
Train Dispatcher



Painting by Val Wolly

Legal Notice – Dues

Article 2, Section 4(b) defines the national dues rate. Effective October 1, 2016, the national dues rate is \$97.55 per month. System dues are determined separately by each system committee as shown below. To determine your monthly obligation, add the system dues amount shown below to the national dues rate. Dues are payable monthly in advance.

4b. (1) The monthly National dues of all Active members of this Association, except as otherwise provided in this Section shall be determined annually by multiplying the average truck rail traffic controller (train dispatcher) total daily rate of pay (eight hours straight time pay plus allowances) in effect on July 1 by .295 and rounding up to the next five cents, provided such dues shall not be less than what was in effect on the preceding June 30.

(2) The monthly National dues for active members holding positions rated less than \$200.00 per day shall be determined annually by multiplying the average daily rate of pay (eight hours straight time pay plus allowances) in effect on July 1 for each craft by .295 and rounding up to the next five cents, provided such dues shall not be less than what was in effect on the preceding June 30.

System Dues Rates – Effective October 1, 2016

ALASKA \$20.00	KEOLIS \$13.40	NS NKP \$15.75
AMTRAK \$15.55	KIAMICHI \$10.00	PanAm \$13.40
BNSF \$18.95	L&I \$9.00	PATH \$18.15
BRC \$18.35	METRA \$15.95	SOO \$16.20
CONRAIL \$16.65	MRL \$16.10	SIRT \$17.75
CSX \$25.00	NICTD \$12.15	SUNRAIL \$13.80
CSXTE \$17.30	NJT-P \$15.75	TRA \$28.15
IHB \$18.35	NJT-TD \$16.70	WC \$17.70
KCS \$17.95	NS INT \$15.75	

Death Benefit Beneficiary

The Executive Board adopted the following policy change:

"If you have not designated a Beneficiary at the time of your death for any amount of benefits payable because of your death, the benefit amount will be paid to:

1. your surviving spouse, if any;
2. your surviving children, if there is no surviving spouse; or
3. your estate, if there are no surviving children.

Any payment will discharge our liability for the amount so paid."

If you would like to establish a beneficiary or modify an existing beneficiary form, go to our website www.ata.org go to member forms and select ATDA Beneficiary Form. Print out the form and once completed, return the form to the Office of the Secretary-Treasurer.

AMERICAN TRAIN DISPATCHERS ASSOCIATION

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Cleveland, Ohio 44135
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*Affiliated with the A. F. L./C.I.O
and the Transportation Trades
Department/Rail Division*

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From the President



As the saying goes, "what's old is new again". Upon receiving this edition of The Train Dispatcher magazine, you will notice we have changed from a newsletter style to the "throwback" magazine that many of our more

veteran dispatchers remember and recognize as the look of our original journal. We hope you like and enjoy reading our new publication and see the many positive benefits available to our members. The ATDA scholarship fund has yearly provided financial assistance to help our members defray the costs of providing a college education for their children. We congratulate the winners this year and extend a thanks to our three member scholarship committee, Soo Line General Chairman Gordon Smith, CSXT-E General Chairman Phil Houle and Alternate Trustee Teresa Hudson (BNSF) for their hard work and dedication. The enclosed names and pictures of our newly elected system committee officers attending training classes this past March is another benefit our members receive through proper representation in the grievance and discipline areas. This training was provided by the National officers and staff. Assistant Directors of Research Ken Bennett and Paul Arden can be reached at National Headquarters in Cleveland at 216-251-7984 for assistance on any matter relating to collective bargaining issues. VP Broyles is in charge of Arbitration and you will find enclosed his summary of ATDA Public Law Board Awards and the familiar Status of Disputes report. Along with welcoming our new members to our ATDA family, you will also find those long-term members who were honored and granted their 25 year service pin. Also, information on the \$2,000 ATDA Life Insurance benefit is enclosed

which is available to our active members, as well as those members who retired on or after January 1, 2004. For more information, contact Secretary-Treasurer L. Ed Dowell at 216-251-7984 in Cleveland. We have much to be thankful for as we celebrate our 100 Year Anniversary in 2017.

Many of you have been asking about the status of national bargaining. As you are aware, in the rail industry, a union member is never working without a contract. Under the Railway Labor Act, agreements remain in effect until changed by agreement between the parties or by the procedures provided for in Section 6 of the RLA. The Act places an obligation on both management and labor to make and maintain agreements and "to provide for the prompt and orderly resolution of disputes and to avoid interruption of essential commerce." Anyone working on the railroad realizes resolution of contracts is never "prompt", but it is fair to say the process imposed by the Act is orderly. This round of bargaining is no different. We are in our third year of bargaining with the Carriers and are part of a coalition named the Coordinated Bargaining Group (CBG) together with the BLE-T, UTU, BRS, NCFO and IBB. We have invoked mediation under the guidance of the National Mediation Board (NMB) in the hopes of reaching a voluntary settlement. H&W remains a major issue with the cost of the National Plan averaging around 2.5 billion dollars a year. If we are unsuccessful in mediation, a proffer of arbitration would be made to the parties. Both the Carriers and the Organizations must agree to this proffer. If either party rejects arbitration, a Presidential Emergency Board would most likely be set up by the Trump Administration to resolve the differences of the parties.

A handwritten signature in blue ink that reads "Leo McCann". The signature is fluid and cursive, with the first name "Leo" being particularly prominent.

Leo McCann
President

American Train Dispatchers Association

2017 TRIENNIAL TRAINING

The 2017 Triennial Training was held March 21st and 22nd in Las Vegas, NV. The two full days of training encompassed areas of discipline and claim handling, discipline investigations, System Treasurer training, and various other topics for your newly elected System Committee Officers. The ATDA National Officers would like to thank all the System Committee Officers in attendance for their active participation, making this 2017 Triennial Training a success.



\$2000 ATDA Life Insurance Benefit

In 2011 the Delegates of the Thirty First General Assembly passed the following resolution:

BE IT RESOLVED: This Thirty First General Assembly hereby removes the twelve thousand dollar (\$12,000) annual limit and establishes a two thousand dollar (\$2000) death benefit payable to the beneficiary of each member in good standing or those members who die after retiring while in good standing as of January 1, 2004, but will not be applied retroactively.

CSXT Serves Notice to Relocate Eight Division Offices to Jacksonville, FL

On June 2, 2017, CSXT served notice on the CSXT East and CSXT South members to relocate the following Train Dispatching offices to Jacksonville, FL: Albany NY, Atlanta GA, Baltimore MD, Chicago (Calumet City IL), Florence SC, Indianapolis IN, Louisville (Cincinnati OH), Nashville, TN.

General Chairman Phil Houle and General Chairman Matt Stewart are meeting with CSXT to reach an implementing agreement.

In Memorium

Brother Robert "Bob" Aldridge passed away Saturday, December 10, 2016. Bob retired from BNSF in 2010. Bob served on the BNSF System Committee as Vice General Chairman.

Brother Kenneth R. Fletcher passed away June 12, 2017. Brother Ken, Kenny, or "Stretch" as many called him was a CSXT Train Dispatcher for over 40 years.

Retired CSXT-East Selkirk Train Dispatcher Brother James J. "Thumper" McDonald passed away on Saturday, December 17, 2016. Jimmy had retired January 8, 2009.

Brother John R. McLemore passed away Sunday, April 16, 2017. He was a Train Dispatcher for CSXT in Jacksonville, FL.

Brother Daniel Henry McNeill, 92, of Florence, SC, husband of Claire Russell McNeill, died peacefully on May 30, 2017. Born May 14, 1925 in McColl, SC, he was the son of the late Henry George McNeill and the late Lida Harris McNeill. Mr. McNeill was a Technical Sergeant in the United States Armed Forces and a World War II veteran. He retired from CSX Transportation (formally ACL Railroad) after 45 years of faithful service as a train dispatcher.

Brother Richard "Stretch" Yocum passed away Tuesday, May 23, 2017. He was a Train Dispatcher for CSXT in Jacksonville, FL.

New ATDA Members

<i>New Member</i>	<i>System Committee</i>	<i>New Member</i>	<i>System Committee</i>
Amos, Marcus L	Wisconsin Central Committee	Forney , Robert	Norfolk Southern, NKP Committee
Bagby , Arthur P	Louisville and Indiana Committee	Foster, Jeanelle A	KCS Committee
Bancroft , Lucas J	SOO Committee	Gafgen, Sean T	Amtrak Committee
Bartlett, Kyle J	CSXT-East Committee	Gardner , Shawn A	Amtrak Committee
Belcher , Matthew G	Norfolk Southern Integrated Committee	Gomez, Raul A	Wisconsin Central Committee
Belinak, Debby J	Montana Rail Link Committee	Gonzalez , Israel	METRA, NIRC Committee
Blair II, Robert E	Norfolk Southern Integrated Committee	Goodarz, Darius	New Jersey Transit - Train Dispatchers Committee
Booher, Eric J	Amtrak Committee	Green, James	Kiamichi Committee
Bowen , Benjamin R	Alaska Committee	Guetschow , David A	Wisconsin Central Committee
Callahan, Timothy J	Amtrak Committee	Guth , Jonathan R	Norfolk Southern Integrated Committee
Cannon, Latonya R	SOO Committee	Haley, Brian J	Staten Island Rapid Transit Committee
Carr, Daniel J	Amtrak Committee	Hartley, Joshua D	Norfolk Southern Integrated Committee
Carr , Ashley N	Norfolk Southern Integrated Committee	Hays , Christyne M	KCS Committee
Cuevas , Hector L	Amtrak Committee	Heinrichs, Dustin M	SOO Committee
Curran, Joseph M	Amtrak Committee	Hill, Codi F	MBCR Committee
Cybenko, Stephen	Amtrak Committee	Honeycutt , Randy J	Amtrak Committee
Dauenhauer, Tyler A	Montana Rail Link Committee	Humphrey , Jeffrey L	Wisconsin Central Committee
Debald, Brian R	NICTD	Johnson, Wayne S	MBCR Committee
Dennis , Chad M	Montana Rail Link Committee	Jozwiak, Matthew J	Wisconsin Central Committee
Dilday, Scott A	Wisconsin Central Committee	Kirkland , James R	Louisville and Indiana Committee
Dimond, David R	Norfolk Southern Integrated Committee	Kline , Jared T	Amtrak Committee
Doherty , Edward J	Amtrak Committee	Largmann, Kathy V	New Jersey Transit - Train Dispatchers Committee
Egal , Yusuf W	Wisconsin Central Committee	Leblanc Jr, Ralph W	Norfolk Southern Integrated Committee
Fancher , Melissa C	Amtrak Committee	Levasseur , Naholyta J	Staten Island Rapid Transit Committee
Farnes , Kendra L	Montana Rail Link Committee	Lewis , Edward W	Amtrak Committee
Fasel, Mitchell L	Wisconsin Central Committee	Little , Jason C	Norfolk Southern Integrated Committee
Feil , Melanie	Amtrak Committee	Lloyd , Richard L	Montana Rail Link Committee
Ferrell, Marhna J	Norfolk Southern Integrated Committee	Lord , Eric P	Norfolk Southern Integrated Committee
Fitzgerald , Patrick T	Wisconsin Central Committee		

New ATDA Members

<i>New Member</i>	<i>System Committee</i>	<i>New Member</i>	<i>System Committee</i>
Lumpp, Andrew V	Norfolk Southern Integrated Committee	Sattler, Anthony V	Norfolk Southern Integrated Committee
Marzette , Meeka N	Norfolk Southern Integrated Committee	Schager, James D	CSXT-East Committee
May, Andrew M	Amtrak Committee	Schall III, Ralph J	Norfolk Southern Integrated Committee
May, David	Amtrak Committee	Schreiber , Colby W	Norfolk Southern Integrated Committee
McBride, Warren D	Wisconsin Central Committee	Scott , Cliff B	Norfolk Southern Integrated Committee
McClintock, Cody T	Amtrak Committee	Serino IV, Frederick A	Amtrak Committee
McMonagle, Patrick J	Amtrak Committee	Shaw , Brian R	Wisconsin Central Committee
McNeese , Taylor B	Norfolk Southern Integrated Committee	Shinn, Lauren L	Alaska Committee
Meadows , Troy S	Louisville and Indiana Committee	Sipla, Edward D	Wisconsin Central Committee
Medlin, Max P	Montana Rail Link Committee	Slate , Tyrel A	Kiamichi Committee
Mobley , Edward R	Louisville and Indiana Committee	Spolar , Patrick J	Norfolk Southern Integrated Committee
Morphew , Michael J	Wisconsin Central Committee	Sramek, Gary M	Wisconsin Central Committee
Naisteter, Jonathan	METRA, NIRC Committee	Stager , James J	Norfolk Southern Integrated Committee
Nauch, Rick	Louisville and Indiana Committee	Staniszkeski, Jason C	Wisconsin Central Committee
Nelson , Daniel M	MBCR Committee	Susdorf , Justin J	Wisconsin Central Committee
Oakley , Robin B	Amtrak Committee	Swords, Trevor J	Amtrak Committee
Oconnor , Matthew S	Amtrak Committee	Tennison, Steven E	Alaska Committee
Odle , Johnie P	Louisville and Indiana Committee	Thatcher, Kristin M	MBCR Committee
Ogram, James W	Amtrak Committee	Tripoli, Mark G	Amtrak Committee
Otero-Williams , Ilia M	Amtrak Committee	Van Warner , Zachary W	CSXT-East Committee
Pardini, Frank	Amtrak Committee	Vanmeerbeke, Kenneth G	Amtrak Committee
Phillips, Heidi L	SOO Committee	Williams , Solomon E	Louisville and Indiana Committee
Rabara, William J	Norfolk Southern Integrated Committee	Younger , Samantha D	Norfolk Southern Integrated Committee
Ritchie , Rodger L	Louisville and Indiana Committee	Zinno, Thomas F	Amtrak Committee
Rodgers , Jaymie D	MBCR Committee		
Ross , Andrew P	Wisconsin Central Committee		
Ryan, Daniel	Port Authority Trans-Hudson Committee		
Sakowski Sr, Christopher M	Amtrak Committee		

Recognizing 25 YEARS

Camper, Steven P

Montana Rail Link Committee

Clifton, Michael E

Norfolk Southern Integrated
Committee

Emmons, Cary E

CSXT-East Committee

Fisher, Thomas J

BNSF Committee

Florence, Jeffrey L

BNSF Committee

Frank, Scott E

BNSF Committee

Hayter, Randy L

BNSF Committee

Knapp, Stephen M

BNSF Committee

Manley, Michael P

CSXT-East Committee

McCall, Robert J

MBCR Committee

Miller, Richard A

CSXT Committee

Nichols Jr, Bobby R

Norfolk Southern Integrated
Committee

Parker, Joseph A

MBCR Committee

Peterson, Donald A

BNSF Committee

Reilly, Deborah A

CSXT-East Committee

Rooks, Jeffrey J

BNSF Committee

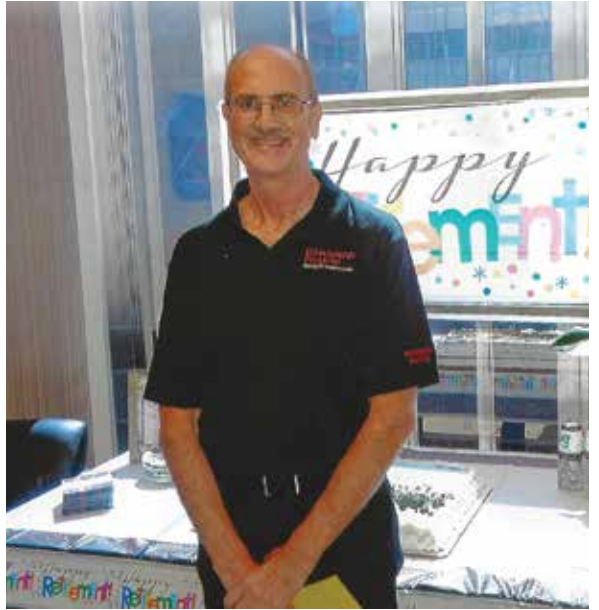
Traubert, Douglas J

Norfolk Southern Integrated
Committee

Trentor, Kerri

BNSF Committee

Retiring James T. Malek



After 42 years of service, James T. Malek has retired as a Train Dispatcher for the SOO Line Railroad. Jim began his railroad career with the Milwaukee Road in June 1974 working on the Maintenance of Way. In June 1975, he began working as a Relief Agent covering agencies from Marquette to Canton in Northern Iowa, Madison to Calmer in Southern Minnesota, and Canton to Rapid City in South Dakota.

Jim began dispatching in February 1979 in Austin, Minnesota. After about a year and a half he moved to Ottumwa, Iowa. He remained in Ottumwa for another year and a half until he moved to Milwaukee. Jim worked in Milwaukee for about 17 years before moving to Minneapolis, MN when the railroad consolidated offices at the Company Headquarters.

Jim was always very positive and enthusiastic in his work and was always extremely proud to be a member of the ATDA. His retirement plans include taking Amtrak trips around the country, attend high school, college and pro sporting events. He also plans on volunteering and donating his time to help out; and plans to work out every morning and stay healthy and positive throughout his retirement years.

***The ATDA recognizes the
following newly elected
System Committee Officers
for the term January 1, 2017 –
December 31, 2019***

Diehl , Ryan A.....	ARR-GC
Elison, Caitlin M.....	ARR-ST
Cirard, Brian A.....	Amt-VGC
Cross Jr, Barry A.....	Amt-GC
Elie, Gerard J.....	Amt-LC
Kubiak Jr, Robert F.....	Amt-LC
Mantle, Stephen J.....	Amt-ST
Pardini, Christopher M.....	Amt-LC
Polk, Christopher J.....	Amt-LC
Roberts, Richard S.....	Amt-LC
Sarno, Anthony J.....	Amt-LC
Taylor, Alan J.....	Amt-LC
Liston, Justin M.....	BELT-GC
Calderon, Joe E.....	BNSF-VGC
Fadi, Louie A.....	BNSF-VGC
Keller, Corey R.....	BNSF-VGC
Ketcham , Kevin M.....	BNSF-ST/VGC
McCall, Dave M.....	BNSF-VGC
McDade , James D.....	BNSF-VGC
Neaderhiser, John P.....	BNSF-VGC
Porter, Kevin S.....	BNSF-GC
Sparks, Joseph M.....	BNSF-VGC
Stone, Jessica D.....	BNSF-VGC
Thornburg, Nathan D.....	BNSF-VGC
Ursini, David W.....	BNSF-VGC
Watson, Jonathan W.....	BNSF-VGC
Whitt, Chris C.....	BNSF-VGC
Wood, Chad W.....	BNSF-VGC
Wright, Angela M.....	BNSF-VGC
Kajkowski, Keith A.....	Conrail-VGC
Vaccarella, Vincent.....	Conrail-ST
Wood, Bart J.....	Conrail-GC
Craft , Ernest B.....	CSXT-VGC/LC
Davis Jr, Gregory P.....	CSXT-VGC/LC
Marshall, Jeffrey C.....	CSXT-ST/VGC
McCann, James R.....	CSXT-VGC/LC
Serwe, George B.....	CSXT-VGC/LC
Stewart, Matthew D.....	CSXT-GC
Thurman, William C.....	CSXT-VGC/LC
Federico, Patrick M.....	CSXT-East-ST
Hamilton, David M.....	CSXT-East-VGC
Hill, David M.....	CSXT-East-LC
Holman, Sean B.....	CSXT-East-VGC
Houle, Philip R.....	CSXT-East-GC
Spotten, Charles T.....	CSXT-East-LC
Bergamo, Robert G.....	IHB-GC
Bissonnette, Joseph B.....	IHB-ST
Turner, Jeffrey W.....	KCS-GC
Webb, Paul V.....	KCS-VGC
Zeiler , Rachael M.....	KCS-ST
Burgess, Chabon S.....	KRR-VGC

***Scholarship
Recipients***

Michael P. Cahill
Hannah Cross
Ashley Donovan
Courtney Dowell
Mitchell Dressler
Audrie Elsenbeck
Austin Fladland
Kenneth Fuqua
Madison Grigsby
Alexis Hall
Spencer Hall
Bryon Garrett Hammons
Brendan Kadlick
Michael Kadlick
Danielle Largman
Gracie Marble
Sarah McClain
Victoria McVicar
Hunter Morse
Haley Parker
Julian Ramos
Eric Ramos
Matthew Shafer
Matthew Stewart
Donald Wilfong Jr.

In an effort to inform the membership of some Arbitral Awards, below are summaries of some recent awards.

PLB 7494 Case No. 86 Neutral Kraus

Claimant in this dispute was charged with dishonesty and subsequently dismissed when on Friday, July 10, 2015, at 1340 hours, Claimant sent the Chief Dispatcher a text message stating, "Hey, I need to be marked off should I call the DTO or are you at work". The Chief Dispatcher responded, "I am at work. I'll mark you off." Claimant in turn responded, "Thank you."

The carrier provided evidence on the record that, on that date, Claimant was not sick and actually flew to Dallas, Texas where he joined his flag football team and participated in a tournament at Cowboy's stadium.

The ATDA argued that the Claimant did not request sick leave and that his text did not contain the word "sick".

The Neutral in this dispute found that "unlike the procedure for marking off sick, a Dispatcher, requesting personal or vacation days is required to give 48 or 24 hours notice, respectively. Claimant testified that when he texted the Chief, he intended to request personal leave, not sick leave. However, he did not follow the procedure for requesting personal leave. The Claimant used the procedure for requesting sick leave and his text was not sent sufficiently in advance to request personal leave. The Carrier charged the Claimant with dishonesty. "The taking of sick leave when one is not sick constitutes dishonesty. Carrier notes that arbitral precedent supports the penalty of dismissal for a single incident of dishonesty." However, in the instant matter, there are mitigating factors. Claimant has been a Dispatcher for ten (10) years and has no prior disciplinary record. While Claimant exercised very poor judgment, under the circumstances herein, the penalty of dismissal is excessive. Accordingly, Claimant shall be reinstated, but without any backpay. Claimant must recognize that future conduct of this nature may result in dismissal." **Claim sustained in part.**

PLB 7494 Case No. 92 Neutral Kraus

The Organization filed a continuous claim for multiple Claimants for a difference in pay between the Train Dispatcher's rate of pay and the Chief Dispatcher's rate of pay. The reasoning for the claim is that on June 8, 2015, the Carrier required Claimant Train Dispatchers to perform Chief Dispatcher duties by requiring them to input information regarding car, locomotive, signal to track malfunctions, accidents, and defects reported to them into the Dispatcher Incident Reporting Tool ("DIRT"), a job duty formerly performed by the Chief Dispatcher, and his Assistant Chief Dispatcher. In summarizing the Neutral's findings, it stated;

"Prior to the introduction of DIRT, Dispatchers received reports of incidents from train crews in the field. Typically they would manually write down the information and hand it to the Chief Dispatcher or leave it on his desk. The Chief Dispatcher would then enter the information, and forward it to the appropriate department. After the introduction of DIRT, the Train Dispatcher continued to receive reports of incidents from train crews. However, instead of manually recording this information on paper and delivering it to the Chief Dispatcher, the Dispatcher inputs the information directly into a computer, and the computer automatically determines which Department should receive the information, functions previously performed by the Chief Dispatcher. Dispatchers before and after the introduction of DIRT recorded and continue to record the same information. The content and type of information entered is not materially different than the information previously recorded on paper."

"Contrary to the ATDA, the Dispatchers do not determine to which Department inputted information should be referred. Rather, this determination is made automatically by DIRT. Effectively, ATDA is arguing that they are doing more than simply inputting information into a computer because of what the computer does with the inputted information. But this assertion cannot withstand scrutiny. Effectively, the DIRT has replaced one facet of Chief Dispatcher responsibilities, but these responsibilities have not been transferred to Dispatchers. Because no transfer has occurred, Dispatchers are not entitled to a higher rate of pay." **Claim Denied.**

PLB 7468 Case No. 29 Neutral Gavin

The Organization appealed the discipline issued to the Claimant, a 60 day suspension (30 actual/30 deferred) after an investigation for a violation of Carrier rules regarding Granting Authority and Correct Repeats. The Organization argued that the investigation was not fair and impartial when the Hearing Officer engaged in improper questioning despite Organization objections. We further argued that although the track warrant was not transmitted as created in the control system, the crew repeated it correctly and occupied the track without incident. The crew remained protected and the discipline was unwarranted and extreme.

The Carrier argued that the Claimant issued authority in the control system to MW12035, yet verbally issued the authority to MW12036.

The Neutral concluded that "the charges were proven and that the investigation was fair and impartial. The evidence does not support a finding that the Claimant was in any way prejudiced by the actions of the Carrier during the investigation." Furthermore, the logic of the Neutral stated, "It is undisputed that the Claimant incorrectly issued the track warrant. And although the authority was read and repeated as being issued to the MW12036, Claimant failed to recognize the error. The error constituted a major and infraction under the Carrier's Disciplinary Policy. The safety of the railroad is dependent on train dispatchers following rules and being precise. Employees requesting authority to occupy a section of track rely on dispatchers to protect them. The record supports the Carrier's actions. **The claim is denied.**"

PLB 7468 Case No. 30 Neutral Gavin

The Claimant in this dispute has been employed by the Carrier since 2003 and as a train dispatcher since 2007. The Claimant was charged with failing to properly perform his duties on July 11, 2014. After investigation, Claimant was found guilty and dismissed.

The Carrier argued that the first shift dispatcher was having difficulty voiding track warrant 7112 as requested by the train crew. A review of the facts and recordings uncovered that the Claimant had issued track warrant 7113, but the train crew repeated track warrant 7112 in error without the Claimant recognizing the error and correcting the train crew.

The Organization argued that the Claimant did not attempt to hide what happened or shirk his responsibilities. He accepted his culpability. The incident did not cause any hardship, injury and/or damage to anyone or to any property. It was nothing more than an error with one number, and at no time was the train unprotected.

The Neutral wrote in the findings, "The Board finds the record supports a finding of guilt. The record established by substantial evidence that the Claimant's culpability in the instant manner. The Railroad is an industry that demands strict adherence to safety protocols. There is simply no room for error. Rules and regulations are in place to insure as much as humanly possible the safety of those involved. Crucial to success in that endeavor is the role of train dispatchers. Carelessness whether through inadvertence or inattentiveness can have dire consequences. In this instance, thankfully, nothing happened, but that in no way relieved the Claimant of his errors when he failed to properly perform his duties as a train dispatcher. **This claim is denied.**"

STATUS OF DISPUTES

<i>Docket</i>	<i>Carrier</i>	<i>Claimant</i>	<i>Subject</i>	<i>Submitted</i>	<i>Status</i>
PLB-6744-50	NS	P. L. Incarnato	Discipline	3/18/16	Sustained in part 12/2/2016
PLB-6744-51	NS	L. Kay-Jackwack	Discipline	3/18/16	Denied 12/2/2016
PLB-6744-52	NS	A. N. Crist	Discipline	3/18/16	Denied 12/2/2016
PLB-6744-53	NS	J. R. Carr	Discipline	3/18/16	Sustained in part 12/22/2016
PLB-6744-54	NS	C. M. Luteran	Discipline	3/18/16	Sustained in part 12/2/2016
PLB-6744-55	NS	S. S. Gilreath	Discipline	3/18/16	Sustained 12/2/2016
PLB-6744-56	NS	D. K. Bush-Smith	Discipline	3/18/16	Denied 12/2/2016
PLB-7403-49	NS	A. N. Crist	Discipline	1/11/17	Assigned to Neutral Ray
PLB-7403-50	NS	D. A. Kinsey	Discipline	1/11/17	Assigned to Neutral Ray
PLB-7403-51	NS	T. J. Young	Discipline	1/11/17	Assigned to Neutral Ray
PLB-7403-52	NS	B. A. Linsenmayer	Discipline	1/11/17	Assigned to Neutral Ray
PLB-7403-53	NS	W. W. Nnochironye	Discipline	1/11/17	Assigned to Neutral Ray
PLB-7403-54	NS	J. M. Jones	Discipline	1/11/17	Assigned to Neutral Ray
PLB-7403-55	NS	G. A. Orr	Discipline	1/11/17	Assigned to Neutral Ray
PLB-7403-56	NS	D. K. Bush-Smith	Discipline	1/11/17	Assigned to Neutral Ray
PLB-7403-57	NS	R. L. Robinson	Discipline	1/11/17	Assigned to Neutral Ray
PLB-7494-83	CSXT	A. N. Williamson	Appendix 6 violation	3/21/16	Sustained 3/14/2017
PLB-7494-84	CSXT-E	T. E. Wilcox	Article 3(d) violation	3/21/16	Dismissed 3/14/2017
PLB-7494-85	CSXT-E	T. E. Wilcox	Article 11 violation	3/21/16	Dismissed 3/14/2017
PLB-7494-86	CSXT-E	N. D. Vanoven	Discipline	3/21/16	Sustained in part 3/14/2017
PLB-7494-87	CSXT-E	D. M. Hamilton	Work R/D	7/20/16	Dismissed 3/14/2017
PLB-7494-88	CSXT-E	T. M. Storey	Runaround	7/20/16	Sustained 3/14/2017
PLB-7494-89	CSXT-E	T. M. Storey	Personal Days	7/20/16	Sustained in part 3/14/2017
PLB-7494-90	CSXT-E	E. W. Hague	Personal Days	7/20/16	Sustained in part 3/14/2017
PLB-7494-91	CSXT-E	D. K. Johnson	Personal Days	7/20/16	Sustained in part 3/14/2017
PLB-7494-92	CSXT	C. J. Boehm	Scope	7/20/16	Denied 3/14/2017
PLB-7494-93	CSXT	V. W. Outlaw	Discipline	8/5/16	Denied 3/14/2017
PLB-7494-94	CSXT	L. A. Barras	Discipline	8/5/16	Dismissed 3/14/2017
PLB-7494-95	CSXT	L. A. Barras	Discipline	8/5/16	Denied 3/14/2017
PLB-7494-96	CSXT	L. A. Barras	Discipline	8/5/16	Dismissed 3/14/2017
PLB-7494-97	CSXT	L. A. Barras	Discipline	8/5/16	Dismissed 3/14/2017
PLB-7494-98	CSXT	L. B. Stevens	Discipline	8/5/16	Denied 3/14/2017
PLB-7494-99	CSXT	D. W. Dufford	Discipline	8/5/16	Sustained 3/14/2017
PLB-7494-100	CSXT	E. J. Christos	Discipline	8/5/16	Sustained 3/14/2017
PLB-7494-101	CSXT	E. J. Christos	Discipline	8/5/16	Denied 3/14/2017
PLB-7494-102	CSXT	S. D. Rell	Discipline	8/5/16	Denied 3/14/2017
PLB-7494-103	CSXT	H. L. Heilman	Discipline	8/5/16	Sustained 3/14/2017
PLB-7494-104	CSXT	C. T. Goodale	Discipline	8/5/16	Denied 3/14/2017
PLB-7650-25	CSXT-E	J. D. Heichel	Discipline	9/30/15	Sustained in part 10/19/2016
PLB-7650-26	CSXT-E	A. C. Johnson	Discipline	9/30/15	Denied 10/19/2016
PLB-7650-27	CSX	M.P. Koehler	Art 5(c) Move	2/22/17	Assigned to Neutral Zusman
PLB-7650-28	CSX	C.J. Boehm	Art 5(c) Move	2/22/17	Assigned to Neutral Zusman
PLB-7650-29	CSX	M. Stewart	Art 6 violation	2/22/17	Assigned to Neutral Zusman
PLB-7650-30	CSX	W.J. Wilson	Discipline	2/22/17	Assigned to Neutral Zusman
PLB-7650-31	CSX	G.G. Anderson	Discipline	2/22/17	Assigned to Neutral Zusman
PLB-7650-32	CSX	T.A. Rice	Discipline	2/22/17	Assigned to Neutral Zusman
PLB-7650-33	CSX	T.M. Bell	Discipline	2/22/17	Assigned to Neutral Zusman
PLB-7679-10	CSXT-E	E. W. Hague	Discipline	11/24/15	Denied 1/9/2017
PLB-7679-11	CSXT-E	D. A. Reilly	Discipline	11/24/15	Denied 1/9/2017
PLB-7153-5	KRR	J. Fulton	Discipline	8/26/15	Argued 10/19/16 Decision Pending
PLB-7153-6	KRR	B. Eaton	Discipline	4/7/17	Assigned to Neutral Grey
PLB-7153-7	KRR	S. Smith	Discipline	4/7/17	Assigned to Neutral Grey
PLB-7543-3	TRRA	Multiple Claimants	Scope	1/21/16	Sustained in Part 2/3/17
PLB-7543-4	TRRA	P. Dohogne	Discipline	6/30/16	Denied 2/3/17

STATUS OF DISPUTES

<i>Docket</i>	<i>Carrier</i>	<i>Claimant</i>	<i>Subject</i>	<i>Submitted</i>	<i>Status</i>
PLB-7560-43	BNSF	R. L. Wood	Discipline	1/27/16	Denied 5/19/17
PLB-7560-44	BNSF	R. L. Wood	Discipline	1/27/16	Denied 5/19/17
PLB-7560-45	BNSF	A. R. Ramirez	Discipline	1/27/16	Denied 5/19/17
PLB-7560-46	BNSF	N. Rahlouni	Discipline	1/27/16	Denied 5/19/17
PLB-7560-47	BNSF	M. L. Penney	Discipline	1/27/16	Argued 2/16/2017 Decision Pending
PLB-7560-48	BNSF	D. M. Gonzales Rosas	Discipline	1/27/16	Denied 5/19/17
PLB-7560-50	BNSF	C. W. Wood	Discipline	1/27/16	Denied 10/3/2016
PLB-7560-51	BNSF	T. D. McCracken	Discipline	1/27/16	Sustained in part 5/19/17
PLB-7560-52	BNSF	R. K. Russell	Discipline	1/27/16	Sustained in part 5/19/17
PLB-7560-53	BNSF	T. A. Gray	Discipline	1/27/16	Sustained in part 5/19/17
PLB-7575-24	BNSF	D. M. Ramsey	Discipline	9/26/14	Denied 8/11/16
PLB-7575-26	BNSF	D. M. Ramsey	Discipline	9/26/14	Denied 8/11/16
PLB-7575-29	BNSF	S. C. Clyde	Discipline	9/26/14	Sustained in part 8/11/16
PLB-7575-30	BNSF	D. M. Ramsey	Discipline	3/13/15	Denied 3/10/2017
PLB-7575-31	BNSF	T. L. Vierkant	Discipline	1/27/16	Denied 3/10/2017
PLB-7575-32	BNSF	T. L. Vierkant	Discipline	1/27/16	Denied 3/10/2017
PLB-7575-33	BNSF	J. J. Casey	Discipline	1/27/16	Sustained in Part 10/3/2016
PLB-7575-34	BNSF	M. E. Carter	Discipline	1/27/16	Denied 10/3/2016
PLB-7575-35	BNSF	D. L. Karch	Discipline	1/27/16	Denied 10/3/2016
PLB-7575-36	BNSF	J. J. Casey	Discipline	1/27/16	Denied 10/3/2016
PLB-7575-37	BNSF	J. S. Fields	Discipline	1/27/16	Denied 10/3/2016
PLB-7575-38	BNSF	A. S. Archbold	Discipline	1/27/16	Denied 10/3/2016
PLB-7575-40	BNSF	T. C. Ross	Discipline	1/27/16	Denied 10/3/2016
PLB-7576-32	BNSF	M. M. O'Loughlin	Discipline	9/30/15	Denied 10/17/2016
PLB-7576-33	BNSF	C. W. Wood	Discipline	9/30/15	Denied 10/17/2016
PLB-7576-34	BNSF	D. L. Karch	Discipline	9/30/15	Sustained in Part 10/17/2016
PLB-7576-35	BNSF	S. T. Halpenny	Discipline	9/30/15	Denied 10/17/2016
PLB-7576-36	BNSF	D. M. Berry	Discipline	9/30/15	Denied 10/17/2016
PLB-7576-37	BNSF	M. E. Cure	Discipline	9/30/15	Denied 10/17/2016
PLB-7576-38	BNSF	J. M. Sanchez	Discipline	9/30/15	Sustained in Part 10/17/2016
PLB-7576-39	BNSF	R. R. Warren	Discipline	9/30/15	Denied 10/17/2016
PLB-7576-40	BNSF	D. L. Johnson	Discipline	5/4/16	Denied 5/19/17
PLB-7576-41	BNSF	A. D. Kilgore	Discipline	5/4/16	Sustained in part 5/19/17
PLB-7576-42	BNSF	A. A. Caveny	Discipline	5/4/16	Sustained in part 5/19/17
PLB-7576-43	BNSF	P. W. Hunt	Discipline	5/4/16	Denied 5/19/17
PLB-7576-44	BNSF	A. R. Yarbough	Discipline	5/4/16	Denied 5/19/17
PLB-7576-45	BNSF	S. Jefferson	Discipline	5/4/16	Denied 1/4/17
PLB-7576-46	BNSF	B. S. Smith	Discipline	5/4/16	Denied 1/4/17
PLB-7576-47	BNSF	A. M. Doorman	Discipline	5/4/16	Denied 1/4/17
PLB-7576-48	BNSF	A. L. Busboom	Discipline	5/4/16	Sustained in part 5/19/17
PLB-7576-49	BNSF	J. D. Woodard	Discipline	7/30/16	Sustained in part 5/19/17
PLB-7576-50	BNSF	T. Weitzel	Discipline	7/30/16	Denied 1/26/17
PLB-7576-52	BNSF	N. L. Carter	Discipline	7/30/16	Argued 1/25/17 Decision Pending
PLB-7576-53	BNSF	M. J. Watkins	Discipline	7/30/16	Denied 1/26/17
PLB-7576-54	BNSF	S. Kennedy	Discipline	7/30/16	Argued 1/25/17 Decision Pending
PLB-7576-55	BNSF	D. L. King	Discipline	7/30/16	Argued 1/25/17 Decision Pending
PLB-7576-56	BNSF	D. L. King	Discipline	7/30/16	Argued 1/25/17 Decision Pending
PLB-7576-57	BNSF	D. L. King	Discipline	7/30/16	Denied 1/26/17
PLB-7576-58	BNSF	D. L. King	Discipline	7/30/16	Argued 1/25/17 Decision Pending
PLB-7576-59	BNSF	J. T. Adams	Discipline	3/1/17	Assigned to Neutral O'Brien
PLB-7576-60	BNSF	E. M. Gant	Discipline	3/1/17	Assigned to Neutral O'Brien
PLB-7576-61	BNSF	S. S. Harver	Discipline	3/1/17	Assigned to Neutral O'Brien
PLB-7576-62	BNSF	S. M. Carmichael	Discipline	3/1/17	Assigned to Neutral O'Brien
PLB-7576-63	BNSF	T. C. Ross	Discipline	3/1/17	Assigned to Neutral O'Brien
PLB-7576-64	BNSF	T. C. Ross	Discipline	3/1/17	Assigned to Neutral O'Brien
PLB-7576-65	BNSF	A. M. Wilkenson	Discipline	3/1/17	Assigned to Neutral O'Brien
PLB-7576-66	BNSF	J. T. Adams	Discipline	3/1/17	Assigned to Neutral O'Brien

STATUS OF DISPUTES

<i>Docket</i>	<i>Carrier</i>	<i>Claimant</i>	<i>Subject</i>	<i>Submitted</i>	<i>Status</i>
PLB-7814-01	BNSF	K. D. Carter	Discipline	1/6/17	Assigned to Neutral Bell
PLB-7814-02	BNSF	K. N. Clifford	Discipline	1/6/17	Assigned to Neutral Bell
PLB-7814-03	BNSF	M. L. Penny	Discipline	1/6/17	Assigned to Neutral Bell
PLB-7814-04	BNSF	S. A. Hudson	Discipline	1/6/17	Assigned to Neutral Bell
PLB-7814-05	BNSF	J. A. Weber	Discipline	1/6/17	Assigned to Neutral Bell
PLB-7814-06	BNSF	M. D. Thomas	Discipline	1/6/17	Assigned to Neutral Bell
PLB-7814-07	BNSF	A. B. Alter	Discipline	1/6/17	Assigned to Neutral Bell
PLB-7814-08	BNSF	J. G. Rios	Discipline	1/6/17	Assigned to Neutral Bell
PLB-7814-09	BNSF	J. A. Weber	Discipline	1/6/17	Assigned to Neutral Bell
PLN-7814-10	BNSF	J. A. Weber	Discipline	1/6/17	Assigned to Neutral Bell
PLB-7814-11	BNSF	J. D. Weber	Discipline	1/6/17	Assigned to Neutral Bell
PLB-7814-12	BNSF	T. G. Dethmers	Discipline	1/6/17	Assigned to Neutral Bell
PLB-7769-1	Keolis	Various Claimants	Office Relocation	11/16/15	Denied 11/10/16
PLB-7769-2	Keolis	M. Glover	Disqualification	11/16/15	Sustained in Part 11/10/16
PLB-7520-11	AMT	Various Claimants	Office Relocation	8/26/15	Denied 10/14/2016
PLB-7520-12	AMT	Various Claimants	Office Relocation	8/26/15	Denied 10/14/2016
PLB-7520-13	AMT	O. Silva	Discipline	8/26/15	Sustained in Part 10/14/2016
PLB-7644-20	WC	Various Claimants	Scope	7/17/15	Denied 11/9/2016
PLB-7644-21	WC	J. Nekich	Discipline	8/14/15	Sustained 11/9/2016
PLB-7644-22	WC	J. Nekich	Discipline	8/14/15	Sustained in Part 11/9/2016
PLB-7644-23	WC	M. Cleve	Discipline	11/16/16	Assigned to Neutral Radek
PLB-7644-25	WC	S. Deemer	Withheld from Service	5/15/17	Assigned to Neutral Radek
PLB-7644-26	WC	J. Hoogeveen	Discipline	5/15/17	Assigned to Neutral Radek
PLB-7644-27	WC	C. Driver	Discipline	5/15/17	Assigned to Neutral Radek
PLB-7468-25	KCS	J. M. Cross	Discipline	1/13/15	Denied 3/16/2017
PLB-7468-26	KCS	M. W. Mitchell	Discipline	1/13/15	Denied 3/16/2017
PLB-7468-27	KCS	J. M. Cross	Discipline	1/13/15	Denied 3/16/2017
PLB-7468-28	KCS	K. C. Dupree	Discipline	1/13/15	Denied 3/16/2017
PLB-7468-29	KCS	K. C. Dupree	Discipline	1/13/15	Denied 3/16/2017
PLB-7468-30	KCS	K. C. Dupree	Discipline	4/1/15	Denied 3/16/2017
PLB-7468-31	KCS	P. Webb	Discipline	4/1/15	Denied 3/16/2017
PLB-7468-33	KCS	P. Webb	Discipline	7/15/16	Denied 3/16/2017
PLB-7724-7	SOO	C. Blair	Discipline	5/13/15	Argued 5/9/2017 Decision Pending
PLB-7724-8	SOO	C. Blair	Discipline	5/13/15	Argued 5/9/2017 Decision Pending
PLB-7724-11	SOO	C. Blair	Discipline	7/10/15	Argued 5/9/2017 Decision Pending
PLB-7724-12	SOO	H. Spokane	Discipline	8/26/15	Argued 5/9/2017 Decision Pending
PLB-7724-13	SOO	A. Cimbalknik	Discipline	9/14/15	Argued 5/9/2017 Decision Pending
PLB-7724-14	SOO	A. Cimbalknik	Discipline	10/5/15	Argued 5/9/2017 Decision Pending
PLB-7724-15	SOO	J. J. Krohn	Discipline	1/16/16	Argued 5/9/2017 Decision Pending
PLB-7724-16	SOO	E. Quinn	Discipline	3/24/16	Argued 5/9/2017 Decision Pending
PLB-7724-17	SOO	J. Miller	Discipline	4/1/16	Argued 5/9/2017 Decision Pending
PLB-7724-18	SOO	Meyer	Discipline	7/14/16	Argued 5/9/2017 Decision Pending
PLB-7746-1	Pan Am	Munsey/Hill	Order of Call	2/2/16	Denied 1/24/2017
PLB-7746-2	Pan Am	D. Peck	Order of Call	2/2/16	Denied 1/24/2017
PLB-7746-3	Pan Am	C. Pitarys	Order of Call	2/2/16	Denied 1/24/2017
PLB-7746-4	PanAm	C. Pitarys	Order of Call	2/2/16	Sustained 1/24/2017
PLB-7746-5	Pan Am	C. Pitarys	Order of Call	2/2/16	Sustained 1/24/2017
PLB-7746-6	Pan Am	R. A. Ruiz	Discipline	2/2/16	Denied 1/24/2017
PLB-7746-7	Pan Am	G Rediker	Order of Call	2/2/16	Sustained 1/24/2017
PLB-7747-8	Pan Am	D Peck	Order of Call	2/2/16	Sustained 1/24/2017
PLB-7578-9	NIRC	H. Gray	Discipline	7/14/16	Assigned to Neutral Newman
PLB-7578-10	NIRC	H. Gray	Discipline	7/14/16	Assigned to Neutral Newman
PLB-7730-3	CR	C. G. Mitchell	Discipline	8/8/16	Assigned to Neutral Fagnani
PLB-7801-1	MBCR	Multiple	Office Relocation	9/6/16	Assigned to Neutral Litton
PLB-7323-4	MRL	T. D. Downard	Discipline	4/18/17	Assigned to Neutral Campagna

Procedures Regarding Dues and Fee Objectors

The following policy adopted by the Executive Board is mailed to each new member upon acceptance of their application and is published annually in the Train Dispatcher. The Executive Board has adopted the following procedure regarding maintenance of union membership and dues obligations under the union shop agreements between ATDA and the employers for whom its members work, in order to comply with interpretations of the U.S. Constitution and the Railway Labor Act by the United States Supreme Court:

1. Any employee whom the ATDA represents who is required to be a member of the union under a union shop agreement, but who objects to joining or remaining a member of the union, will be deemed to have met the requirements of the union shop agreement if the employee pays to the ATDA an amount equal to the periodic dues, fees and assessments (not including fines and penalties) uniformly required of all members of the union within the time limits provided for in the union shop agreement. Such employee shall be known as a "service fee payer." Service fee payers are not union members; they may not vote in union elections or be candidates for union office, attend union meetings, serve as delegates to union conventions or participate in the delegate selection process, or vote on the ratification of collective bargaining agreements.

2. Any employee subject to a union shop agreement who is not a member of the ATDA has the legal right, through timely written objection, to limit his/her service fee payment to expenditures that are necessarily or reasonably undertaken by the union to represent employees for whom it is the exclusive representative, i.e. activities of the union that are related to collective bargaining, contract administration and grievance handling. In such case, expenses unrelated to these activities, will be excluded from the service fee calculation. Such "non-chargeable expenditures" include contributions of money or paid union staff time to political parties, candidates, and charities and other organizations; expenses to recruit new members; legislative lobbying expenses not directly related to collective bargaining agreement negotiation or administration, including time of union officers and employees; AFL-CIO and affiliated organization dues; costs of portions of the union's newsletter and magazine publications not related to the employment interests of the employee; members-only benefit expenses; and expenses for litigation that does not directly concern the objector, his bargaining unit, or the union as an institution.

3. An employee who wants to submit such an objection must do so initially within 30 days after he/she first begins paying a service fee and receives notice of this procedure and thereafter annually in writing to the Secretary-Treasurer postmarked during the month of July each year. The objection must

include the employee's name, home address, social security number, employer, job title, work location, and home and office phone numbers. The service fees of new employees who file such objections shall be reduced retroactively to the date he/she first begins paying a service fee; the service fees of all other employees who file such objections shall be reduced for the twelve-month period beginning the subsequent October 1st after the objection is received and ending September 30th of the following year. Prior to the beginning of this twelve month period, each employee who has filed an objection will be provided with a full explanation of the basis for the reduced fee, and an explanation of the procedure for challenging the calculation of that reduced fee.

4. The union shall maintain records of the amount of time, dues/assessment/fee income, and assets that are expended for chargeable and non-chargeable activities. Such records shall be subject annually to an independent audit in order to determine the amount of reduced fee to be charged service fee objectors.

5. An employee may challenge the union's calculation of the reduced fee via arbitration before an impartial arbitrator in accordance with the Rules for Impartial Determination of Union Fees of the American Arbitration Association. In such an arbitration, the union bears the burden of proving the propriety of its calculation. To invoke arbitration, the employee must submit his/her challenge in writing to the International Secretary-Treasurer postmarked within 30 days of his receipt of the fee explanation. Pending resolution of the challenge, the union shall place in an interest-bearing escrow account a sufficient portion of the fees being paid by those employees who have filed challenges to ensure that the portion of the fee reasonably in dispute will not be expended. After the issuance of the arbitrator's ruling, the union shall promptly distribute the escrowed monies in accordance with the ruling and, if required by the ruling, adjust the amount of the reduced fee.

6. This procedure shall be administered in a manner that is completely fair to service fee payers who register objections. The Secretary-Treasurer is authorized to determine the amount of the reduced fee each year, to provide proper notice of this procedure to service fee payers, and to recommend to the Executive Board the establishment of such other procedures as may be required by state or federal laws for the accommodation of service fee objections.

7. This procedure shall be published by the union in its newsletter or magazine, and sent to each service fee payer, annually. It shall also be provided to each new employee when he/she first becomes subject to a union shop agreement after the adoption of this procedure.



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