



DIVISION 98

Brotherhood of Locomotive Engineers and Trainmen

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December 1, 2009

All BLET Local Divisions
c/o Division Secretary-Treasurers

Dear Brothers and Sisters:

Enclosed is an Initiative Petition, with Attachment, prepared in accordance with the provisions of National Division Rules Section 4 of the BLET Bylaws. This Petition is being jointly sponsored by several Divisions, and is intended to restore representative democracy by returning the right to elect ND Officers to our Delegates to the 2010 National Division Convention. This method of electing our leadership has served our Brotherhood well from its founding in 1863 through our most recent election in 2006.

We probably will be accused of being undemocratic or anti-democratic, but the facts will prove otherwise. We believe that when your members consider the situation, they will agree that the changes we propose are necessary because the current election structure is a bad deal for our Brotherhood and a bad deal for all BLET members.

When the Election Rules for next year's ND elections were published in July we were stunned with the level of complexity that is required in order to comply with the current Bylaws. Between requirements for setting up finance committees, tracking every contribution that comes in, separating campaign expenses from legal and accounting expenses, and making quarterly reports, our heads were spinning. The rules looked like those that govern federal elections, which scares the daylight out of us, considering how business in Washington is conducted.

The cost of a single letter to the membership would exceed \$16,000 in postage alone, plus many thousands more in printing costs, supplies, and processing fees. How can a working locomotive engineer possibly even consider running for office? Do we really want our ND Officers traveling all over the country doing fundraisers? Once the nominations have been made, do we expect incumbent officers to stay at their posts, even if not campaigning costs them their jobs? If they have a right to campaign, does that mean the National Division basically shuts down for a month every four years? Who's going to pay for all the lawyers and accountants that will be needed to make sure someone doesn't inadvertently violate the rules? Maybe that type of process works when you have 1.4 million members, like the Teamsters, but we are convinced it will be a disaster for our much smaller Brotherhood.

Pure democracy only works when the people stay informed and involved. Since the vast majority of people in most societies don't have the time or the inclination to become and remain informed and involved, those societies have developed representative democracy, like our federal, state and local governments, and like the BLET and the labor movement, as a whole. Representatives who

are well known and familiar to the people are chosen to become the “experts” on the issues for their constituents and to act on their behalf.

The BLET is no different from the American society at large because the majority of members are not involved in the day-to-day affairs of the union. When Division 316 circulated its Petition that resulted in the current election process in October of 2005, they intended to have the process completed prior to the 2006 Convention. However, that Petition almost failed to meet the 25% threshold in the Bylaws, and only reached 25.22% with less than a month remaining in the time they had. That Initiative was sent to the membership on the basis of support from Divisions representing 9,334 active members, out of a total of 37,008 members. In other words, Divisions representing 74.78% of the membership either opposed the Petition or took no position.

Division 316's Initiative had even less support among the active membership. Only 7,360 ballots were cast, which is 1,974 fewer than the claimed support for the Petition, and the 6,993 ballots that were counted as valid represented less than 19% of the active membership. Of the three proposals contained in the ballot, Proposal #1 had the support of less than 11.7%, Proposal #2 was backed by less than 11.9%, and Proposal #3 had barely more than 12% of the active membership's support. We don't doubt Division 316 was well intentioned and mean no disrespect, but you can't claim membership support when 88% of the membership didn't support you.

Contract ratification votes routinely have a less than 50% rate of return. As reported at the regional meetings, only one in 40 members registered in the Flexible Spending Account provision of our National Agreement's Health and Welfare plan, which provides a direct tax savings of \$1,000 or more at no cost, causing us to lose this important benefit. When a rank and file election for IBT delegates was held in 2006, the rate of ballot return on one GCA was below 22%. Earlier this year a poll of the membership was conducted to help our National Wage Committee in preparing this year's Section 6 notices. We learned at the regional meetings that only 32.4% of those in the random sample provided a valid response, and less than 2.1% of the remaining membership participated in the parallel online survey. This lack of involvement is not just a BLET problem. In 2006 only 21% of Teamsters members participated in the election of IBT International Officers and the turnout in 2001 was only slightly larger.

This consistent level of under-participation means that, contrary to what the supporters of the 2006 Initiative said in advocating their proposal, the future course of the Organization will not be decided by the majority of the membership. It will be determined by a small minority of the membership, the vast majority of whom will have no opportunity to learn about a candidate or the issues, outside of what is contained in campaign materials. Restoring Delegate election of officers guarantees that candidates appear, debate and respond to questions on their background and their position on issues of importance.

Without making this change, qualified candidates from small railroads will never receive the attention they deserve, and the current relative regional balance of representation on the Advisory Board is likely to be upset. It even is possible that a smaller region of the country could be completely shut out of representation on the Advisory Board. And the hundreds of thousands of dollars in increased costs necessary to conduct the election in accordance with the Bylaws and the Election Rules will fall on the shoulders of all active members.

The current election system is good in theory, but very bad for the BLET in practice. We urge your Division to vote to support the Initiative Petition, and to mobilize your membership to vote in favor of the changes when we reach the 25% requirement and the question goes out to all active members.

Fraternally yours,

A handwritten signature in black ink, appearing to be 'RH' with a long horizontal stroke extending to the right.

Roy Helm
President, BLET Division 98

Enclosure

Cc: All Division Presidents (w/o enclosure)

Initiative Petition

Mr. Paul T. Sorrow
National President
Brotherhood of Locomotive Engineers and Trainmen
1370 Ontario Street – Mezzanine
Cleveland, OH 44113

Dear Sir and Brother:

In accordance with the provisions of National Division Rules Section 4 of the Bylaws of the Brotherhood of Locomotive Engineers and Trainmen, several Divisions have requested that the following proposals be submitted to a referendum of the active membership.

The Divisions propose changes to the National Division Rules of the BLET Bylaws as follows: amend the first two paragraph of Section 1(b); amend Section 6(a); amend Section 40, Item #6; amend Section 44(f); and delete Section 49. The purpose of these proposals is to provide for election of National Division officers by the Delegates in Convention assembled.

A complete and accurate copy of all of the proposed changes as proposed in this Petition is on file with the National Division. Each Division casting a vote declares that they have read and explained to their members eligible to vote, the complete initiative proposal submitted to them for their consideration. In the proposed changes below, new language appears in bold and is underlined, and deleted language is struck through.

NATIONAL DIVISION RULES

Section 1(b) – the first two paragraphs shall be amended to read as follows:

(b) The officers of the ND shall be elected from the membership by the delegates in convention assembled ~~direct membership voting~~ and shall be: National President, First Vice President, who will be Alternate National President, National Secretary-Treasurer, and eight (8) vice presidents, one of which shall be the National Legislative Representative. These officers collectively shall constitute the Advisory Board.

In addition, there shall be elected from the membership ~~by direct membership voting~~ an Alternate National Secretary-Treasurer, an Alternate Vice President and National Legislative Representative, and nine (9) alternate vice presidents from the United States, to be known as Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9.

Section 6(a) – shall be amended to read as follows:

(a) All national officers shall be elected by a majority vote of the duly elected delegates at each quadrennial convention ~~direct membership voting~~ to serve for a term of four (4) years, except as provided in Section 1(c) – National

Division Rules, or until their successors are elected and installed, unless they be removed for cause, except the National Guide and National Chaplain, who will be appointed by the National President at each convention from the membership.

Section 40, Item #6 – shall be amended to read as follows:

6. Report of Standing Committees (Section 33 – National Division Rules) and ~~nomination~~ **election** of officers.

Section 4(f) – shall be amended to read as follows:

(f) In the election of officers, a paper or electronic ballot will be used. ~~The candidate receiving the highest number of votes for each office shall be declared elected. In the event of a tie vote that determines election to any office, there shall be a rerun election between the tied candidates.~~ **A majority of the votes cast will be necessary to elect; if there is no election on the first ballot, only the two (2) leading candidates shall be eligible on the second ballot.**

Section 49, which is titled “Rules Governing Direct Membership Election of National Division Officers” shall be deleted in its entirety. Refer to the Attachment to this Petition for the provisions of the Section that will be deleted.

For the Petition _____

Against the Petition _____

Action to submit this Petition to you was taken at a meeting of Division _____ held on _____, 20____.

Fraternally yours,

Secretary-Treasurer Division _____

**PLEASE SEND ONE (1) COPY TO THE NATIONAL DIVISION
AND RETURN ONE COPY TO THE DIVISION THAT SENT IT TO YOU**