



Brotherhood of Locomotive Engineers
General Committee of Adjustment
AMTRAK

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Mark B. Kenny
General Chairman

August 16, 2002

Mr. T. M. Kelley
Vice Local Chairman - Division 14
Brotherhood of Locomotive Engineers
1244 Edgewood Court
Salisbury, NC 28144-2086

COPY

Dear Brother Kelley:

Enclosed for your review and division files are two documents. First, please find a copy of the new, and long-awaited, employee protection arrangement replacing the C-2 protective scheme extinguished by the 1997 Amtrak Reform and Accountability Act. As you know, the Act defined a time line and process for arbitration if a negotiated agreement could not be achieved between the parties. This protective arrangement is the result of that arbitration process and was a collective effort between most of rail labor functioning as a "Coalition" for that purpose. Thus, the provisions of this negotiated settlement bind all Amtrak employees equally.

Upon examination, you will find there are actually two (2) documents related to the protection issue. The first is the original award issued by Referee Mittenthal. The second is an interpretative decision and the result of further arbitration necessitated by disagreement between the parties as to protection "triggers". This agreement has not been tested thus far, and therefore I can only assume there will be subsequent interpretive disputes as to its intent and application. If you have any questions in this regard, please call.

The second document is the "Amicus Brief" submitted to the National Mediation Board in the BLE/UTU dispute on the Kansas City Southern Railroad. The arguments contained therein are representative of the BLE position as viewed by the "Passenger Coalition" comprised of five BLE GCA's representing the overwhelming majority of passenger and commuter service in the United States. I believe our position, insofar as the obvious distinctions between passenger and freight service, was effectively argued and well worth the cost of our unified effort and incurred financial obligation. Trusting you will find this information helpful, with warmest regards, I remain

Fraternally yours,

Mark B. Kenny
General Chairman

cc: GCA Executive Committee

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