

BYLAWS OF THE BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN, GENERAL COMMITTEE OF ADJUSTMENT – AMTRAK/MBCR/CONNEX

I. Prologue

A. Declaration of Policy

1. To represent the interests of the members employed in passenger service operations on properties represented by this General Committee of Adjustment¹.
2. To further the ideals embodied in the Mission Statement of the Bylaws of the Brotherhood of Locomotive Engineers & Trainmen, a Division of the Rail Conference of the International Brotherhood of Teamsters.

II. Structure and Formation

- A. 1. This Committee shall be known as the Brotherhood of Locomotive Engineers and Trainmen, General Committee of Adjustment – Amtrak/MBCR/Connex.
 2. This Committee shall be comprised of three Regions identified as:
 - a. The Eastern Region, consisting of Local Divisions 11, 14, 35, 57, 77, 312, 459, 482, 483 and 752.
 - b. The Midwest Region, consisting of Local Divisions 12, 17, 18, 19, 27, 40, 45, 197 and 474.
 - c. The Western Region, consisting of Local Divisions 15, 20, 22, 47, 51, 60, 65 and 144.
 3. Local Division(s) added to this Committee subsequent to enactment of these Bylaws shall be assigned to a Region based on geographic location as the General Chairman may direct.
- B. 1. The General Committee of Adjustment will meet Quadrennially during the month of May at such time and place as may be determined by the General Chairman

¹ Reference to the male gender in this document is coincidental and not intended to be gender specific.

and Secretary-Treasurer with the approval of the Executive Committee, or by a majority of the Local Divisions.

2. During the second year following the Quadrennial meeting of the General Committee of Adjustment the Delegates from each Region will meet at such times and places as may be determined by the General Chairman and Secretary-Treasurer with the approval of the Executive Committee.
- C. No new business will be entertained by the General Committee of Adjustment unless sent under the seal of the Local Division, together with the records showing that Local Division has acted upon the merits of the question. A copy of said resolutions(s) must be in the General Chairman's office ninety (90) days before the Committee convenes. A copy of resolution(s) sent to the General Committee of Adjustment shall be forwarded to other interested Local Divisions upon receipt of same by the General Chairman forty-five (45) days before the Committee convenes.
 - D. The working hours for the General Committee of Adjustment while in session shall be 9:00 AM to 5:00 PM, with a lunch break from 12:00 PM to 1:00 PM.
 - E. The General Chairman must appoint the necessary Committees at least thirty (30) days prior to the convening the General Committee of Adjustment and shall notify members of the Committees appointed.
 - F. No message of any kind pertaining to the business of the General Committee of Adjustment in session shall be released by a member of the Committee without the consent of the Committee. No transaction of the Committee shall be released by any member at any time to any other person or members of the Brotherhood while the Committee is in session unless such information is requested by the National President. In all such cases, the requested information will be transmitted by the General Chairman.
 - G. The Secretary-Treasurer shall keep a true and correct record of the proceedings of each meeting of the General Committee of Adjustment and transmit one copy, properly authenticated, within ninety (90) days of the Quadrennial meeting to each Local Division and the General Chairman. No recording devices shall be permitted except as required by the Secretary-Treasurer in the performance of his duties.

III. Representation

- A. Each Local Division with twelve (12) or more active members paying General Committee of Adjustment assessments shall be entitled to one vote in the Committee,

- unless otherwise authorized by the General Committee of Adjustment and the National President.
- B. Any Local Division that is not square on the books of the General Committee of Adjustment will not be entitled to have its Delegate seated at any meeting of the Committee.
 - C. A majority of the Delegates will constitute a quorum for the transaction of business.
 - D. Each Delegate shall be furnished with a Credential from his Local Division, supplied by the General Chairman's office. It is to be signed by the President and Secretary-Treasurer of the Local Division and indicate the number of assessable members in the Local Division.

IV. Order of Business

- A. Call meeting to order without form.
- B. Roll call of Delegates.
- C. Examination of Credentials.
- D. Report of the General Chairman.
- E. Report of the Secretary-Treasurer.
- F. Reports of the Regional Chairmen.
- G. Reports of the Committees.
- H. Old or unfinished business.
- I. New business, including the reading of resolutions and petitions.
- J. Election of Officers.
- K. Reading of minutes for correction before closing in due form.
- L. Adjournment.

V. Officers

- A. There shall be elected at each regular meeting of the General Committee of Adjustment the following Officers who shall serve until their successors have been duly elected, unless they are removed from office:

General Chairman
Vice General Chairman
Secretary-Treasurer
Alternate Secretary-Treasurer
Eastern Regional Chairman
Midwest Regional Chairman
Western Regional Chairman

- B. 1. a. To be eligible for nomination to the offices listed in Article V.A, a nominee must be in active service on one of the railroad properties represented by this GCA. Additionally, a nominee for the office of Regional Chairman must be an active member of a Local Division assigned to the respective Region and be in active service on one of the properties represented by this GCA in that Region.
 - b. To remain in the offices listed in Article V.A, an incumbent must be in active service on one of the properties represented by this GCA. Additionally, to remain in the office of Regional Chairman, an incumbent must be a member of a Local Division assigned to the respective Region and be in active service on one of the properties represented by this GCA within that Region.
 2. Nominees for General Chairman, Vice General Chairman, Secretary-Treasurer and Alternate Secretary-Treasurer shall be from a Local Division in this General Committee of Adjustment. All nominations must be seconded.
 3. a. Nominees for Eastern Regional Chairman shall be from a Local Division in the Eastern Region of this General Committee of Adjustment.
 - b. Nominees for Midwest Regional Chairman shall be from a Local Division in the Midwest Region of this General Committee of Adjustment.
 - c. Nominees for Western Regional Chairman shall be from a Local Division in the Western Region of this General Committee of Adjustment.
- C. All Delegates will vote for all Officers of the General Committee of Adjustment, with the exception that only Delegates representing seniority in their respective Region may vote for their respective Regional Chairmen.

VI. Vacancies – How Filled

- A. Office of General Chairman to be filled by the Vice General Chairman.
- B. Office of Secretary-Treasurer to be filled by the Alternate Secretary-Treasurer.

- C. 1. a. In the event that the office of Vice General Chairman or Alternate Secretary-Treasurer become permanently vacant, the General Chairman shall immediately notify the Delegates to the General Committee of Adjustment of the vacancy and the date and time that the Committee will be convened via telephone conference call for the purpose of seeking nominations to fill the vacant position, which must be within fifteen (15) calendar days after a permanent vacancy occurs.
 - b. In the event that the office of Eastern Regional Chairman, Midwest Regional Chairman or Western Regional Chairman become permanently vacant, the General Chairman shall immediately notify the Delegates from the affected Region of the vacancy and the date and time that those Delegates will be convened via telephone conference call for the purpose of seeking nominations to fill the vacant position, which must be within fifteen (15) calendar days after a permanent vacancy occurs.
 - c. Should a vacancy occur with less than six (6) months remaining in the term of office, the General Chairman, with the approval of the Executive Committee, shall appoint a member who meets the requirements of Article V.B of these Bylaws to fill the remainder of the term.
2. No business other than nominations for vacant positions will be transacted during a convening under the provisions of this Article.
 3. Delegates convened under this paragraph will be compensated in accordance with Article X.A.3 of these Bylaws.
 4. a. Should only one (1) nomination be made for any office, the General Chairman shall cast a ballot to elect the candidate by acclamation and he shall immediately assume the office to which elected.
 - b. Should a vacancy occur as a result of election by acclamation, the General Chairman shall seek nominations for the vacated position during the same convening of the Delegates.
5. If more than one name is placed in nomination for an office, not more than five (5) days following the convening provided in this Article, the Secretary-Treasurer shall prepare a ballot for each vacant office, listing the nominees in alphabetical order. The ballot shall be sent via Certified US Mail, return receipt requested, to each Delegate entitled to vote to fill the vacant office at their last known mailing address. Accompanying the ballot will be instructions regarding how to mark the ballot, the date by which ballots must be returned and two (2) envelopes, one (1) of approximately 3-1/2 x 6-1/2 inches and one (1) of approximately 4 x 9-1/2 inches. The smaller envelope shall be for the purpose of containing the voted ballot and should be sealed and placed within the larger envelope for return of the ballot. The larger envelope must contain space for the Delegate's name and return

address, must have first-class postage affixed thereto, and must be preaddressed to the office of the Secretary-Treasurer of the General Committee of Adjustment.

6. On the first business day following the date by which ballots must be returned, the Secretary-Treasurer shall meet with the General Chairman (or his designee) to open and count the returned ballots. A majority of the ballots returned shall be required for election. If no candidate receives a majority, the two candidates receiving the highest number of votes will participate in a runoff election in the manner prescribed in paragraph E.5. If no candidate receives a majority as a result of the runoff election the names of the candidates will be submitted to the membership of the affected Local Divisions in the manner prescribed by Article VIII.B of these Bylaws.
7. Successful candidates or appointees filling vacancies through the provisions of this paragraph will serve until their successor(s) have been duly elected in accordance with Article V of these Bylaws, unless they are removed from office, or they no longer meet the eligibility requirements of Article V.B of these Bylaws.

VII. Executive Committee

- A. There shall be established an Executive Committee consisting of the General Chairman, Vice General Chairman, Eastern Regional Chairman, Midwest Regional Chairman, Western Regional Chairman and the Secretary-Treasurer.
- B. Duties of the Executive Committee shall be to adjust only subjects referred to it by action of a majority of the full General Committee of Adjustment. This includes all items referred to it as provided for in the Bylaws of this Committee.

VIII. Nomination and Election of Officers

- A. Nominations shall be made at the Quadrennial General Committee of Adjustment meeting, consistent with Brotherhood law and all applicable civil law and recognizing the provisions of Article V.B, which outlines the qualifications for holding office.
- B. At the Quadrennial election of Officers of the General Committee of Adjustment, a majority of the ballots cast shall be required for election. If, after fifteen ballots have been taken and no candidate has received a majority of the votes cast, the names of the two candidates receiving the highest number of votes shall be arranged alphabetically on a ballot and submitted to a secret referendum vote of the active membership on the system or Region within thirty (30) days. The candidate receiving the highest number of votes will be declared elected. The installation of new Officers

will take place on or before the first day of the month following the General Committee of Adjustment meeting.

IX. Duties of Officers and Authority

A. General Chairman

1. The duties of the General Chairman shall be as indicated in Section 11 – General Committee Rules of the BLE&T Bylaws.
2. He may employ necessary office help, and may purchase the necessary and proper equipment to best serve the needs of the membership.
3. He may make decisions in all administrative matters. In the event a dispute arises, within sixty (60) days of said decision the matter shall be referred to the Executive Committee where it shall be decided by a majority vote of same.
4. He may appoint temporary Vice Chairmen with the majority approval of the Executive Committee.
5. He shall be in charge of and direct the operations of the Officers of the Committee.
6. He shall be Chairman of the Executive Committee and no meeting of the Executive Committee shall be legal unless he is involved or authorizes the Vice General Chairman, or in the absence of the Vice General Chairman a member of the Executive Committee, to act in his behalf in any decision or action of said Executive Committee.
7. He shall have the authority to grant annual vacation to all full-time Officers and members and office staff consistent with the National Vacation Agreement for Engineers.
8. He may carry any insurance necessary to protect the office, equipment and employees of the General Committee of Adjustment.²
9. He will not enter into any tripartite agreement with management or any labor organization professing to represent locomotive engineers on the property.
10. The Bylaws of the National Division will govern the making of all agreements by the General Chairman.

² This is not to infer that any mandatory insurance programs can be implemented by the General Chairman which would require a member or Local Division to buy insurance over and above that he/she receives from the Collective Bargaining Agreement.

11. In traveling by air the General Chairman, Vice General Chairman and Secretary-Treasurer may not book passage on the same plane.
12. He shall attend the National Division Convention providing same is not detrimental to the interest of the General Committee of Adjustment.
13. He shall make certain that he is bonded in accordance with the Labor-Management Reporting and Disclosure Act of 1959, as amended, and Section 11(d) – General Committee Rules of the BLE&T Bylaws.
14. The General Chairman will provide a detailed Quarterly Report, including a report from the Secretary-Treasurer showing the financial situation of the Committee to each Local Division.
15. He shall hire a Certified Public Accountant to audit the Secretary-Treasurer's records on an annual basis.
16. He may retain an attorney with the approval of the Executive Committee.
17. He may appoint Legislative Liaisons.³
18. In addition to his Quarterly Reports, he may publish a newsletter. The Committee will maintain a web page on the Internet. The contents will include but not be limited to current events, Public Law Board results, time claim analysis, common claims, general information, rule changes, etc.
19. In the event of a vacancy occurring in the office of Secretary-Treasurer, he shall ensure that a seamless and economically sound process is in place for the assumption of that office by the Alternate Secretary-Treasurer.

B. Vice General Chairman

1. He shall be the next ranking Officer to the General Chairman. He shall assist when called upon. In the absence of the General Chairman he shall assume the duties of the office.

³ In states having Legislative Boards, the General Chairman will not appoint Legislative Liaisons to work within that state without the permission of the Chairman of the State Legislative Board. Also, such Liaisons will have no official standing under Brotherhood law.

2. In the event that the office of the General Chairman is permanently vacated, the Vice General Chairman shall succeed and remain in that office until election of Officers at the next regular Quadrennial election, consistent with the BLE&T Bylaws.
3. Duties shall be in accordance with Section 12 –General Committee Rules of the BLE&T Bylaws.
4. He may not take vacation when the General Chairman is on vacation.

C. Regional Chairmen

1. Regional Chairmen shall work under the direction of the General Chairman consistent with the General Committee Rules of the BLE&T Bylaws and their work assignments will normally be confined to the respective seniority districts represented. However, should conditions warrant, they may be used outside of their defined territory.
2. They will serve as members of the Executive Committee.

D. Secretary-Treasurer

1. It shall be the duty of the Secretary-Treasurer of the General Committee of Adjustment to keep a correct record of proceedings of all meetings of the Committee and transmit one properly authenticated copy to each Local Division and the General Chairman. In addition, he will prepare such documents as may be necessary, levy assessments, receive and pay out all monies, and furnish an itemized statement of same.
2. All checks, drafts, or orders against accounts of the Committee will be signed by him and countersigned by the General Chairman or Vice General Chairman.
3. The Secretary-Treasurer of the General Committee of Adjustment will make a Quarterly and Annual Report of all monies received, disbursements and the balance on hand to the General Chairman, Executive Committee, Delegates (Members) of the General Committee of Adjustment, as well as the Secretary-Treasurer of each Local Division in good standing.
4. He shall preserve the archives and have charge of the books, papers, and property of the Committee and keep a current roster of Local Divisions, with a correct list of members including their dates of service entry and prior rights.
5. It shall be the duty of the Secretary-Treasurer to notify the President and Secretary-Treasurer of each Local Division at least thirty (30) days prior to convening the General Committee of Adjustment of the exact financial status of their respective Local Divisions in regards to dues and assessments.

6. He shall be bonded by a reliable bonding company.
7. He shall visit Local Divisions on behalf of the General Chairman to aid and counsel Secretary-Treasurers having need of same.
8. He shall, at the expiration of his term of office, turn over all papers, monies, books and records to his successor.
9. He may assist the General Chairman, Vice General Chairman and Regional Chairmen in all aspects of their duties as directed by the General Chairman.

X. Finances, Salary and Expenses

- A. 1. The General Chairman will be paid ten hours at the straight time Passenger Engineer rate for each calendar day of the year that he is not working as a Passenger Engineer for Amtrak.
2. The Secretary-Treasurer will be paid seventy-five (75) straight time hours per month at the Passenger Engineer rate. This salary is compensation for the traditional duties of the Secretary-Treasurer as outlined in Article IX, Section D, Items 1 thru 9.
3. Officers of the Committee working at the direction of the General Chairman will be paid on an hourly basis at the straight time Passenger Engineer rate for work performed with a maximum of eight (8) hours per calendar day. If required to lose time, they will be paid lost time.
4. All reasonable expenses properly submitted and supported by receipts will be reimbursed to Officers, members, or staff employees working at the direction of the General Chairman.
5. Officers of the Committee working at the direction of the General Chairman will be made whole for lost time vacation compensation.
- B. 1. Delegates and/or Executive Committee members, excluding the General Chairman, shall receive one basic day at the current applicable Passenger Engineer rate established by Rule 2 of the Agreement as compensation when on business associated with the convening of the General Committee of Adjustment.
2. One travel day in each direction at the basic daily rate will be allowed for travel to and from the convention.
3. Expenses associated with travel, lodging, meals and office supplies/expenses will be paid as determined by the General Committee of Adjustment in session.

- C. Members of the Committee utilized by the General Chairman will be compensated with one day's salary as listed in Paragraph B.1 above.
- D. When absent from their designated headquarters on authorized Brotherhood business, members of the Executive Committee shall be reimbursed for actual reasonable expenses incurred, but only when itemized statements covering such expenditures have been approved and endorsed by the Chairman. Expenses allowed shall be for transportation, lodging, meals, taxi, transfer of baggage, office supplies and expenses, telephone and postage, each of which shall be shown separately and distinctly from each other on the itemized statement.
- E. Use of personal automobile shall be compensated for at the rate allowed by the Internal Revenue Service.
- F. Full-time Officers will receive holiday and vacation compensation commensurate with the provisions of the Holiday and Vacation Agreements.
- G. Each full-time Officer will be provided with a health and welfare policy that provides benefits of not less than those provided to Passenger Engineers employed on the property where the Officer holds seniority.
- H. The Secretary-Treasurer, with the approval of the Executive Committee, may select the financial institution(s) to provide banking services that will meet the operational and record keeping requirements of the Committee. All funds of the Committee must be insured against loss. Financial institutions providing banking services to the Committee must be insured against loss in an amount not less than that provided by the Federal Deposit Insurance Corporation. The Secretary-Treasurer must maintain vigilance to ensure that deposited funds do not exceed the limits of insurance against loss provided by that institution.

XI. Dues and Assessments

- A. 1. All General Committee of Adjustment dues and assessments will be paid in accordance with the BLE&T Bylaws.
- 2. Effective July 1, 2009, the monthly GCA dues for each member will be equal to 1.1 times the 100% Passenger Engineer hourly rate in effect on the first day of the month for which GCA dues are payable, as established by the collective bargaining agreement under which the member is working.

- B. The General Chairman or a majority of the Executive Committee may recommend an increase of General Committee of Adjustment dues. Any such recommendation shall be placed before the members of the Committee whose majority decision will govern.

XII. Procedures

Any point or rule not provided for in these Bylaws will be governed by the BLE&T Bylaws and Robert's Rules of Order. In addition, these Bylaws are subject to changes as may be made necessary by the BLE&T Bylaws.

XIII. Miscellaneous

- A. 1. The General Committee of Adjustment office shall be situated at a location to be chosen by the incumbent General Chairman within the continental United States.
- 2. The General Committee of Adjustment office will be closed on all paid holidays recognized by the Collective Bargaining Agreement on the property unless the General Chairman determines otherwise.
- B. Officers handling funds of the Committee shall be bonded in an amount required by the International Local Division.
- C. Any provision of these Bylaws found to be in conflict with civil law and/or the BLE&T Bylaws will be superseded.

Amended and adopted by the Delegates convened:

May 9, 2009
San Francisco, CA