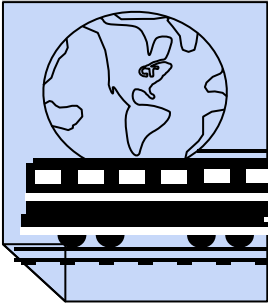


“Moving the People who Move the World”



ACRE

SUMMER 2010

A Publication for the Members of ACRE

Collective Bargaining 2010

The Carrier served their section 6 notices to all ACRE Locals

When all the contracts of agreement employees expire on July 15, 2010 the state of New York and the MTA finds itself in one of its worse financial conditions in its history. Metro-North filed section 6 notices to all ACRE locals demanding concessions in every area of our agreement. In an effort to drum up public support for their demands MTA board members have publicly attacked labor’s work rules as the main culprit behind the financial problems of the MTA. They claim that our work rules not only affect their financial condition now but will continue to affect it well into the future. Numerous print media have joined in the MTA’s campaign with editorial after editorial lambasting public sector unions and contracts.

To that end, the carrier served their section 6 notice on June 14, 2010. Included in the notices are demands for health and welfare contributions totaling as much as 25% of the premiums from all employees and increased pension contributions. Furthermore, they are seeking rules concessions from all crafts that would negatively impact every existing contract. We have listed many of their demands on page two that are common to all the crafts. For specific notices to your craft please refer to the A.C.R.E. website at goacre.com where each General Chairman will post those demands. Continued on page 2.....

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**ACRE
SPECIAL
OUTINGS
BACK
COVER**



Collective Bargaining 2010



Continued from front cover

In addition to the Notices they filed, the railroad rejected Metro-North's Labor Council's request to bargain as a Coalition on all common issues. Metro-North's refusal makes it quite clear they hope to divide and conquer in this round of bargaining on Wages, and Health & Welfare issues. The Metro-North Labor Council has protested the Carriers decision and have formally complained to the National Mediation Board, notifying them we believe the railroad is in violation of the Railway Labor Act. Since we have rejoined the Metro-North Labor Council the unified voice of the crafts in this round has sent some shock waves through the MTA and Metro-North.

There is no doubt the railroad and MTA will initiate the strategy of 1995 and attempt to force and fast track collective bargaining. Their strategy in 1995 included attacking the Railway Labor Act, by attempting to force a strike, in the hopes of changing the law to remove us from the Railroad Retirement System and the laws other provisions. As we were then, we are prepared for a very difficult round of bargaining. Rest assured our experience from 1995 will be invaluable and every resource we have will be used to protect and maintain our Agreements. ●

Major Demands from Metro-North for all Crafts

Listed below are some of the major demands served on all crafts by Metro-North. To view the complete list and if you wish to view all the craft specific notices they have served to each Local please go to our website at **Goacre.com**.

No Strike Clause

Amend all Collective Bargaining Agreements to provide for a no strike clause.

Healthcare

1. Establish an employee contribution toward Health Insurance equal to 10% and 25% of the premium for single and family coverage, respectively.
2. Spouses/partners who are both employed by any MTA agency shall be eligible for one family and one single plan.

Pensions

New pension tier for employees hired on or after June 16, 2010:

- a) Delay vesting from five (5) to ten (10) years of service.

Continued on the next page.....





Metro-North Demands continued:

- b) Increase the current requirement of ten (10) years of service to receive retiree health benefits to twenty (20) years.
- c) Employee contribution of 6% of pensionable wages to be paid during an employee's entire career.
- d) Minimum age for a full pension is 62 with 30 years of service.
- e) Exclude overtime earnings from pensionable salary and other retirement benefits, such as the death benefit.
- f) Upon commencement of a Railroad Retirement disability pension, its full amount shall be deducted from the Metro-North Railroad service pension.

Bi-Weekly Payroll

Establish a bi-weekly payroll for all employees.

Contracting Out

Amend all Collective Bargaining Agreements to allow Metro-North to contract out any work at its sole and exclusive discretion.

Paid Meal and Meal Periods

All provisions which require the Carrier to provide paid meals, paid meal periods, or allowances in lieu thereof shall be eliminated from the Agreements. The Carrier may change shift times to include an unpaid meal period. Restrictions on the hours when meal periods may be provided shall be eliminated from the Agreements.

METRO-NORTH LABOR COUNCIL SECTION SIX NOTICE OF THE RAILWAY LABOR ACT ON BEHALF OF THE FOLLOWING LABOR ORGANIZATIONS

Association of Commuter Rail Employees

American Railway & Airway Supervisors Association, TCU: Lodge 5041

International Association of Machinists & Aerospace Workers: District Lodge 19

International Brotherhood of Electrical Workers: System Council 7

International Brotherhood of Electrical Workers: Local 1573

National Conference of Firemen & Oilers District 32BJ/SEIU

Sheet Metal Workers International Association

Transportation Communications Union: Unit 86 and Locals 227, 1043 & 1402

Transport Workers Union of America: Local 2001 & Local 2055

Continued on page 4.....





Continued from page 3.....

Listed below are the common Section 6 Notices filed by the above mentioned Organizations. **These Notices do not include Craft Specific Notices, they can be read at <http://goacre.com/crafts.htm>.**

Since the Railway Labor Act allows the parties to amend, add to and delete from these notices we are encouraging anyone who has any suggestions to send them to our Webmaster, Paul Holland, at pholland5@aol.com. Paul will then forward them to the respective General Chairman and the General Committees of the various crafts will evaluate them for inclusion.

1) WAGES:

Metro-North is to provide a wage increase based on the following term:

[The first wage increase shall occur on July 16, 2010.](#)

[The second wage increase shall occur on January 1, 2011.](#)

[The third wage increase shall occur on January 1, 2012.](#)

[The fourth wage increase shall occur on January 1, 2013.](#)

The cost of living increases in the New York, Connecticut Metropolitan areas shall be a factor in determining such wage increases. Such prospective wage increases will be consistent with previous and recent wage increase patterns established pursuant to the collective bargaining process between the New York State Metropolitan Transportation Authority and the Transport Workers Union Local No. 100. Accordingly, all employees represented by the Metro-North Labor Council shall receive a wage increase over a four year period which will be of a fair and equitable nature based on the foregoing factors.

2) HEALTH & WELFARE:

a) Provide a Supplemental Medical Insurance Policy to supplement Medicare to Labor Council represented employees which includes the same benefits currently provided to retired Metro-North management employees.

b) Extend COBRA coverage for Dental and Vision benefits to all employees represented by the Metro-North Labor Council to the same extent as such benefit is provided to Metro-

3) DISCIPLINARY RULE MODIFICATION:

Incorporate within all Metro-North Labor Council respective Organizations' Controlling Agreements the following language regarding the Carrier's ability to assess discipline for an employee's use of contractually mandated sick days:

"Employees will not be subject to disciplinary jeopardy by Metro-North upon such employee's use of contractually mandated sick days."

4) MTA PENSION BOARD:

A Representative from Labor will sit and have voting rights on the MTA Pension Board. •

PAC FUND

ACRE's establishment of a Political Action Committee fund (PAC) came after much discussion about the realities of American politics and our role in providing an important service to the riding public. Our employment with MTA/Metro-North Railroad places us in a very unique position. Because we work in the public sector, our jobs are more politically influenced than those in the private sector. Therefore, it is only logical that the more political capital we can create the easier it will be for us to promote a legislative agenda that benefits our members. It has never been more important than today.

In addition, considering the economic environment and anti-labor atmosphere that we now live in, it is imperative that ACRE extend campaign aid to state and federal politicians who realize the importance of the work we do and remain committed to protecting our interests.

With this in mind, our PAC has been recognized in Albany as well as Hartford. We have been very active in both state capitals addressing several important issues affecting our members. For example, our political friends in Albany invited ACRE to testify in front of an investigative legislative panel concerning Identity Theft. This empowered ACRE to pressure the Federal Trade Commission into covering all members involved with a seven year fraud alert. Furthermore, assault bill legislation has been passed in both states addressing the need for our members to be protected from violent on-board activity.

In Connecticut, our legislative representatives work alongside politicians in Hartford on the Transportation Strategy Board to ensure branches of the New Haven Line remain open and that we are included in Connecticut's future transportation endeavors.

In New York, our legislative representatives remain in constant communication with the Authorities Commission, the only political force overseeing the MTA. All these issues and many more are politically related.

We can not emphasize how important it is that we sponsor and support the many candidates that lean towards labor. A contribution of \$10, \$5, or \$2 per month is a very small price to pay to protect your standard of living. Remember, under the law union dues cannot be used to support or sponsor political candidates. Voluntary contributions to Political Action Committees are the only legal means to achieve our political objectives. An application form will be included in this newsletter. You can return it to the union office or mail it to: ACREPAC, 420 Lexington Ave, Suite 215, New York 10170.

For all those already contributing our heartfelt thanks. •

We can not emphasize how important it is that we sponsor and support the many candidates that lean towards labor.

**PAC Form
Page 9
Please help us help
you!**

Accidents Do Happen

ACRE works with Metro-North to provide everyone with a safe work place. Unfortunately, accidents do happen. When that happens, it is important that you notify your local chairman so ACRE can be made aware of the facts and circumstances surrounding your accident. We will make every attempt to prevent it from occurring in the future. We are not covered by Worker's Compensation, but instead, by the Federal Employer's Liability Act (FELA), 45 USC Section 51. This law requires Metro-North to provide employees with a reasonably safe place to work. In order to recover wages and damages under FELA an injured employee must show that Metro-North failed to provide a reasonably safe place to work.

ACRE would like to remind its members that if they are injured, they are entitled to the legal representation of their choice. ACRE has two "recommended" council whose experience and results speak for themselves;

The Law Offices of Kantor & Godwin (1-877-752-6867),
and Cahill & Goetsch (1-800-654-7245),
are the two firms who have earned the ACRE "recommendation."

Are you ready to retire?

If you answered yes to this question, here is a list of important documents that you need to provide Railroad Retirement and the MTA Pension Plan;

Your Birth Certificate

Your Spouse's Birth Certificate

Your Marriage Certificate

Void Check

Railroad Retirement requires that you provide them with **ORIGINAL DOCUMENTS**. The MTA just needs copies. You can send these certificates to them at any time and they will be returned to you after the board records the certificate.

The MTA Pension Plan requires that you provide them with a copy of your documents at the time you submit your pension paper work. The void check is for direct deposit and should be provided at the time of retirement. Please keep in mind that you should start the application process 90 days before your retirement date. Paper work is required to be submitted at least 30 days in advance of your retirement date. **There are no exceptions to the 30 day notice of retirement rule.** Your MTA Pension will be paid on the first of every month following your retirement date. Railroad Retirement will begin on the first of the second month after you retire.

Please call Chris Faherty or Joe Lindenberg and they will walk you through the process in addition to filing all forms, (212) 599-5856.

Prescription Drugs

In keeping with its mandate to place the highest priority on safety and security the Federal Railroad Administration (FRA) is continuing its crack-down on the use of certain prescription drugs while performing service. A list of prescription drugs which preclude you from performing service is available on our website at www.GoACRE.com/Conductors.htm or www.GoACRE.com/Engineers.htm

If you are seeing a physician who recommends a treatment plan which includes prescription or over the counter medications it is important that you make them aware of the FRA's program. Ask them to examine the list of banned substances to insure you will not be in violation of the federally mandated regulations. In the event you or your physician are not sure they can call Angela Pitaro at the Medical Department at 212-499-4725 or 4720.

Unfortunately, the FRA's enforcement program has resulted in some employees being removed from service. Once removed employees will not be permitted to return until such time as there are no traces of the medication in their system. If you are currently taking a prescription that is on the list of banned medications it is highly recommended that you seek the advice of your physician for an alternative medication.

This FRA crack-down is the result of a series of accidents in which banned prescription drugs were found in the employees' systems. As a result, transportation departments all over the nation have been left with no discretion in allowing employees to work even if there are only small traces of banned medications in the employee's systems. Until such time as the FRA and the Department of Transportation allows the carriers some discretion in applying these regulations we advise everyone to please consult with their physicians in the event they might be taking a banned substance.

All safety sensitive employees are responsible for notifying the medical department of any medical condition or medication they are taking that could affect their performance or appears on the list of banned substances. If you have any questions please don't hesitate to call the union office (212) 599-5856. ●

This newsletter would not be possible without the help of the following officers:

General Chairman Anthony Bottalico

General Chairman Michael Doyle

Director of Legislation Ken Curry

Vice General Chairman Local 9 John Potthast

Treasurer Local 1 Mark Amorello

General Committee Secretary and Arbitration Officer Local 1 Andy Steimle

Local 1 Secretary Paul Holland



ACRE SCHOLARSHIP UPDATE

ACRE is proud to announce our scholarship fund allotted a record 48 scholarships to the children of ACRE members enrolled in the 2010-2011 school year. A check will be sent on behalf of each student to the College or University they have selected to enroll in. The total number of recipients receiving an ACRE scholarship award has now reached 252 since its inception 8 years ago. Special thanks to Ken Curry, Mark Amorello and Mike Shaw. In addition, we want to thank everyone who helped out with our fundraising events and contributed their time and efforts.

2010-2011 ACRE SCHOLARSHIP RECIPIENTS:

ACRE Local # 1

Brianna Bartlett
Alvin Cabell
Kaela Diomedede
Archibald Doyle
Ry-Anne Forster
Dolley Hall

Daniel Holland
Caitlyn Kenny
Breanne Longo
Allison McDonough
Michael Prestreau
Katie Regan

Angela Romano
Maria Sanzari
Chris Seger Jr.
Erin Shaw
Kimberly Whyte

ACRE Local # 9:

Meredith Bauer
Thomas Cremmins
Kathryn Felicetta
Krystal Haight
Molly Hutchev
Daniel Jensen

Steve Keindl
Carmine Lamanaco
Anthony Lato
Alyssa Maher
Conor McDonough
Alexis Morgan

Nicole Pacapelli
Anthony Paveglio
Ian Potthast
Alexis Scanlon
Casey Schulze
Adam Sierzputowski
Jaime Vreeland

ACRE Local #113:

Krystal Judge
Carolyn King
Shane McCracken

ACRE Local #166:

Catherine Grace
Hayden Kautz
Ryan Lawrence
Justine Maclsaac

Mathew Ordway
Michael Ordway
Michelle Ordway
Mathew Spano

ACRE Local #37:

Richard Reynolds

Congratulations to all the recipients and good luck in your college life!

As we proudly send forth our 2010-2011 students into the college world it is time to prepare for our next group. The deadline for ACRE scholarship applications for students enrolling in the 2011-2012 school year will be June 3, 2011. The application must be hand delivered or postmarked no later than the above date. ACRE will not be responsible for applications lost in the mail. We suggest you contact the union office to verify the application has been received. Applications can be downloaded at our web site, www.GOACRE.com or picked up at our union office. We will begin to accept applications January 1, 2011.

As we head into the ninth year of our scholarship program, the ACRE committee would like to express our heartfelt thanks to the membership for your support in making the ACRE scholarship fund a success. Without your participation in the ACRE functions and fundraisers, we would not be able to continue with this worthy endeavor. If you should have any questions please contact Ken Curry (212) 599-5856 ext. 30. •

Join our E-mail list

Log onto the craft links at www.GoACRE.com for access to our latest crew book, relief day slip, deadhead mileage forms, qualification slips, employee benefits summary, railroad retirement annuity estimate requests and much more. In addition, join the hundreds of ACRE members receiving regular e-mail updates from our union. A few members have reported that they have stopped receiving e-mail updates. The majority of these members have Yahoo e-mail accounts which are mistaking our mail for spam since there are hundreds of recipients. If you are experiencing this difficulty, go to your on-line e-mail settings and insert pholland5@aol.com as an address you will always accept e-mail from.

Contact Paul Holland pholland5@aol.com or (203) 948-5067, if you would like to be added to the e-mail list or if you are having any problems.

ACRE PAC FORM

How Do I Join

Join by simply completing this ACREPAC membership form and returning it to the union office or by mailing it to: **ACREPAC, 420 Lexington Avenue, Suite 215, NY 10170**

Name _____

Address _____ City _____ State _____ Zip _____

E-mail _____ Craft _____ Employee # _____

I authorize a Monthly payroll deduction in the amount of:

\$2.00

\$5.00

\$10.00

Other

Signature _____

STUFF HAPPENS PROTECT YOURSELF

Under our new agreement we now have the option of engaging in pre-trial hearings to discuss and hopefully resolve rules violations short of having a formal investigation. If you find yourself in a situation that you are not sure about please contact the union office 212-599-5856.

If you are scheduled to attend an investigation please contact Local 1 Hearing Officer Lloyd Fishbeck. His work has led to many cases being overturned either in appeal conferences or at arbitration. He works tirelessly at keeping the costs of the investigations down by working them into his regular assignment.

While some investigations are unavoidable there are an equal number that are avoidable. Failure to turn in cash fare reports is one such violation of the rules that in the past year has caused the expense of representing a member to climb dramatically. There is no justification in repeatedly turning in cash fare reports late.

Once again should you be scheduled for an investigation please call Lloyd at (914) 827-9270. Please remember the union is not notified of pending investigations. It is imperative that if you want representation you must call Lloyd.

If I am notified to attend an investigation am I automatically marked off?

No, if the crew notifies you by phone or you receive a letter to attend a hearing you must mark yourself off. Many employees try to attend during their normal work hours so please make sure you mark off with the dispatchers or your job will not be covered. •

College Benefits Card

With another college year about to begin, it is important you make sure your dependents Health Care Coverage remains current. Anyone who needs help should contact Metro-North Benefits Specialist, Ms. Terry Jeffers at (212) 340-2658 to order a benefits card for your dependent. She will also advise you if any paper work is needed. You will need to supply the Benefits Department with a fall semester enrollment verification certificate showing your child is a full time student.

In September of this year, we will have clarification from the Federal Govt. concerning dependants and the new Healthcare Legislation. The new laws on healthcare will take effect on January 1, 2011. •

Yankee Stadium

We have negotiated for some regular assigned jobs to receive a 14/17b for performing service related to Yankee Stadium. If you not sure whether or not your entitled, please call the union office and speak with your local chairman. Please use work order 80236 when claiming overtime or 14b/17b payments concerning Yankee Stadium. •

DISABILITY

PROTECT YOURSELF

Matt Parr and Jack Kohen continue to offer Aflac Disability, Cancer, and Accident plans, through payroll deduction. Matt Parr also offers brokerage services for Life Insurance)

Matt Parr has in addition geared up with Brett Kulamn to offer a Medicare Supplement products and Long Term Care. Brett Kulman has 20 years of experience in elder care products and we have a vast product line to offer. Medicare open enrollment runs from November 15, 2009 to December 31, 2009 every year. This field is very competitive and many options are available, but knowledge of language and contractual wording is important to get a plan that fits your needs and finances best.

Long Term Care is a natural progression from Disability Insurance. It protects your assets, house, pension, and keeps you living in your house where you are most comfortable.

Please call Matt Parr at 845-399-4869 or email at mparr@hvc.rr.com. Please note Long Term Care, Life Insurance, and Medicare products are available to active employees and retirees.

**GOOD
LUCK!**

ACRE Retirees Local 113

Dennis Labisi- Chief Dispatcher
Randy Murray- Chief Dispatcher
John Linehan- Chief Dispatcher

ACRE Local 1 Congratulates Our Latest Retirees!

Denis Beyer
Pete Coleman
Bill Crosby
Rich Hatch
Michael Normoyle
Sue Patel
Eileen Turco
Ken Vieira
Vince Woolsey



10th Annual ACRE Rail Classic
Saturday, September 18th
12:00 p.m. Registration

Join us for a great time at our ACRE Rail Classic. Our New York Golf Tournament will be held once again at Casperkill Golf Club in Poughkeepsie, New York. Casperkill was formerly the IBM Country Club and is located just minutes up Route 9 off I84 Exit 13N. This beautiful course provides an enjoyable and challenging round for both experienced and beginner players. A great dinner will be provided as well as many prizes, special 10th anniversary giveaways & refreshments. Whether you have played golf for years or are just starting out, you are welcome to join us for a great time at our Rail Classic Golf Tournament.

For further information contact Pete Paglia at Paglia@goacre.com, Paul Holland at Holland@goacre.com, Mike Shaw at Shaw@goacre.com, Anthony Aprea, Mike Bellucco, Tom Cooper, Ken Curry, Doug Mullen, Keith Smith or call our union office 212.599.5856

Association of Commuter Rail Employees
420 Lexington Avenue
Suite 215
New York, New York 110170

Members Share Camaraderie
at 2010 Rail Open

Thank you to Mike Shaw and the members of our Entertainment Committee for once again organizing a golf tournament!

Our members thank our sponsors, including Attorneys Cahill, Goetch & Perry, the law firm of Kantor & Godwin, Philip Dinhofer Attorney at Law, Dr. Benja-Athon Massage & Acupuncture, Ducci Electric & Attorneys Holm & O'Hara. Our members are strongly encouraged to recognize our sponsors participation by utilizing their services whenever possible.

Congratulations to all our trophy winners including:
1st Place All-ACRE: C.P. Kelly, Ken Curry, Mike Scaperotti & Vic Scaperotti
2nd Place All-ACRE: Joe Porcelli, John DePalma, Bill Porto & Howie Bischoff
1st Place Mixed: Coyle, Hogan, M. Friello, Kivell
2nd Place Mixed: Murphy, Shaw, R. Friello, ShirtGuy
Closest to the Pin: Howie Bischoff & Kevin Collins
Longest Drive: Joe Porcelli & Jeff Morgan