



# Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters

Freddie N. Simpson  
*President*

David D. Joynt  
*Secretary-Treasurer*

September 17, 2019

PENN  
BYLAWS

Anthony C. Sessa, General Chairperson  
Pennsylvania Federation  
421 N. 7<sup>th</sup> Street, Suite 299  
Philadelphia, PA 19123

**RE: Pennsylvania Federation Approved Bylaws**

Dear Brother Sessa:

This will acknowledge receipt of your signed originals of the revised Pennsylvania Federation Bylaws.

I have approved the bylaws and enclosed one original signed bylaws for your file.

In solidarity,

Freddie N. Simpson,  
National Division President

ZCV/ama  
opeiu-42

Enclosure

cc: Mr. D. D. Joynt  
Mr. S. D. Gerie  
Mr. Z. C. Voegel

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**CONSTITUTION AND BYLAWS**

**OF THE**

**PENNSYLVANIA FEDERATION**

**BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION**

**of the**

**INTERNATIONAL BROTHERHOOD OF TEAMSTERS**

**AUGUST 2019**

**ARTICLE I  
ORGANIZATION - COMPOSITION**

Section 1. Composition Of. This Organization shall be known as the Pennsylvania Federation of the Brotherhood of Maintenance of Way Employes Division, hereinafter referred to as the Federation. It shall have jurisdiction, subject to the National Division Bylaws, over all employees coming within the jurisdiction of the Brotherhood of Maintenance of Way Employes Division on the:

Akron and Barberton Belt Railroad Co., The  
Amtrak - (Former Penn Central)  
Chicago Union Station Company  
Washington Terminal Company, The  
Canton Railroad Company  
Norfolk Southern Railway Company (Former Consolidated Rail Corporation - Baltimore & Eastern Railroad  
Buffalo Creek Railroad  
Ironton Railroad Company, The  
Lehigh Valley Railroad Company  
Penn Central (PRR)  
Pennsylvania-Reading Seashore Lines  
Monongahela Railway Company)  
CSX Transportation, Inc. (Former Consolidated Rail Corporation - Baltimore & Eastern Railroad  
Buffalo Creek Railroad  
Ironton Railroad Company, The  
Lehigh Valley Railroad Company  
Penn Central (PRR)  
Pennsylvania-Reading Seashore Lines  
Monongahela Railway Company)  
Consolidated Rail Corporation (Former - Baltimore & Eastern Railroad  
Buffalo Creek Railroad  
Ironton Railroad Company, The  
Lehigh Valley Railroad Company  
Penn Central (PRR)  
Pennsylvania-Reading Seashore Lines  
Monongahela Railway Company)  
York Rail (formerly Maryland and Pennsylvania Railroad)  
Middle Fork Railroad Company  
Western Maryland Railway Company

and such other employers where employees affiliate with the Pennsylvania Federation pursuant to the provisions of Section 2 of this Article.

Section 2. Affiliation. Any employees organized into a labor organization or employees the Federation is seeking to represent wishing to affiliate with this Federation, may do so by invitation of the Federation or by making written application through their duly authorized Officers (or by petition if there is no system organization) to the General Chairperson of the Pennsylvania Federation. The General Chairperson will make such agreements or arrangements as may be necessary to effect such affiliation, subject to the approval of the Federation Joint Protective Board and the National Division President. Any employees may be assigned to the Federation by the National Division President, subject to the approval of the Federation Joint Protective Board.

Section 3. Governing Body. The governing body of the Pennsylvania Federation shall consist of the elected Federation Officers; certified as such; and duly elected Local Lodge delegates, as hereinafter provided assembled at the regular Conventions, and said Conventions shall be the true and legitimate source of all authority pertaining to all matters under the jurisdiction of the Federation, its Officers and its members, and, except as provided for in Article XI, Sections 1 and 2, of these Bylaws, there is no power vested in any Officer, committee, or body of members under its jurisdiction to repeal, alter, or change its laws or its decision; it shall enact legislation which is not contrary to, or in conflict with the provisions of the National Division Bylaws of the Brotherhood of Maintenance of Way Employees Division. During the intervening recesses between the Conventions, the Joint Protective Board shall be the governing body and shall be empowered to enact legislation which is not contrary to, or in conflict with the provisions of the National Division Bylaws of the Brotherhood of Maintenance of Way Employees Division. During the intervening recesses between the Conventions, the Joint Protective Board shall be the governing body and shall be empowered to enact legislation for the best interests of the members of the Federation, as prescribed in these Bylaws in Article XI, and not in conflict therewith, subject to the approval of the National Division President.

Section 3.(b) Joint Protective Board. The Joint Protective Board shall consist of all of the elected Federation Officers. During the intervening recesses between the Conventions, the Joint Protective Board shall be the governing body and shall be empowered to enact legislation which is not contrary to, or in conflict with the provisions of the National Division Bylaws of the Brotherhood of Maintenance of Way Employees Division. During the intervening recesses between the Conventions, the Joint Protective Board shall be the governing body and shall be empowered to enact legislation for the best interests of the members of the Federation, as prescribed in these Bylaws and not in conflict therewith, subject to the approval of the National Division President.

Section 3.(c) Representation. Representation at Conventions, on the Joint Protective Board and Local Lodges shall be in accordance with Article II, Section 1(c) and Article VIII, Section 2.

Section 3.(d) Federation Officers. Federation Officers shall consist of the General Chairperson, the Vice Chairperson-Secretary-Treasurer, seven (7) Vice Chairpersons,

and one Executive Board member from each Vice Chairperson district. The Appeal Board shall consist of the elected Federation Officers.

All Federation officers will be considered qualified electors to cast a vote in the event of a vacancy in the office of National Division Vice President or National Division Executive Board member is filled in accordance with the procedures in Article I, Section 7(b) of the National Division Bylaws.

Section 3.(e) In August of 2022 the total number of Vice Chairpersons to be elected during the 2023 general elections will be adjusted by dividing 275 into the total number of dues paying members for June 2022 and this information will be transmitted by the General Chairperson to the Joint Protective Board.

In November of 2022, the General Chairperson shall define the Vice Chairperson Districts for the 2023 elections and submit the proposal to the Joint Protective Board for approval. When the election districts for the 2023 elections are approved, the General Chairperson shall notify all Local Lodge Presidents and Secretary Treasurers. This information will also be transmitted to the membership in the mailing that announces the 2023 general elections.

Should the financial conditions of the Federation require or allow the 275 number to be adjusted up or down, the General Chairperson with the approval of Joint Protective Board may adjust the number in August prior to the election.

Section 4. Effective September 1, 2019 Vice Chairperson districts who do not have an Executive Board member from their district elected in the June 2019 general election of Federation officers shall have a member appointed by the General Chairperson from the district with the approval of the Joint Protective Board to serve on the Executive Board until August 31, 2023. Such newly appointed Executive Board members shall have full voting rights on the Joint Protective Board. This section will automatically be deleted with the June 2023 general election of Federation officers.

Section 5. Districts. The Districts shall be defined by the General Chairperson with approval of the Joint Protective Board. The Districts shall be defined as listed in an attachment at the end of these Bylaws.

## **ARTICLE II CONVENTIONS**

Section 1.(a) Date, Place and Call. The Federation shall convene in regular Convention during the month of August, 2003 and each four (4) years thereafter, in the city and on the dates selected by the Joint Protective Board. Such selection shall be announced on or before January 1 of the Convention year. The General Chairperson shall issue to the Secretary-Treasurer of each of the Local Lodges a Convention Call no

later than January 15 of the Convention Year. The Call shall include the date and place of the Convention and the Credential.

Section 1.(b) Special Conventions. Special Conventions of the Federation may be called by the General Chairperson with the written consent of three-fourths (3/4) of the Joint Protective Board, at the time and place they may select.

In case the membership feels a special Convention of the Federation is required, ten (10) Local Lodges may request the General Chairperson to call said special Convention. The General Chairperson will transmit such request to all Federation Officers; if three-fourths (3/4) of said Federation Officers agree, the General Chairperson shall issue the call at once. Should they refuse to call same, he/she shall at once place a ballot to all Local Lodges who will be entitled to one (1) vote for each paid-up member, requesting that the Lodge decide at a Regular or Special Lodge Meeting whether or not said special Convention of the Federation shall be called, and if a majority of all Local Lodge memberships vote for said special Convention of the Federation, a call shall be issued by the General Chairperson at once, giving at least 30 days' notice in writing to the Local Lodge delegate of the time and place of holding such special Convention and the purpose for which it is called. The ballot shall be sent by the Secretary-Treasurer of the Lodge to the General Chairperson within five (5) days of the vote of the Lodge. No other business except that specified in the notice can be transacted.

In case the majority do not so request, it shall be dropped until the next regular Convention of the Federation.

Questions at regular or special Conventions of the Federation shall be decided by a majority vote, except as is provided for in Article XIII, Section 2.

Section 1.(c) Representation at Regular or Special Conventions. Representation at all regular or special Conventions of the Federation shall be as follows: The elective Officers of the Federation, who will be entitled to one (1) vote each; and the Local Lodge delegate who shall be entitled to one (1) vote for each paid-up member of the Local Lodge he/she represents as provided in Section 1 (d)(3) of this Article.

A majority of the qualified delegates shall constitute a quorum and may legally transact all business that may come before the Federation Convention.

In instances where a weighted roll call vote is taken, the total vote of the Local Lodge in which an elected Federation Officer holds membership will be reduced by one (1) vote so that the aggregate vote will represent the actual membership.

Section 1.(d) (1) Local Lodge Delegates. All delegates or alternates must have established at least twelve (12) months' seniority rights in the departments coming under the jurisdiction of this Federation, shall be members in good standing of some Local Lodge in good standing with National Division and shall meet the twenty four (24) months continuous good standing provision of Article II, Section 4(a)(1) of the IBT Constitution at

the time of nomination and be in good standing as of the date the Federation convenes; provided however that for newly chartered Local Lodges in existence for less than twenty four (24) months, eligibility for nomination shall be governed by the provisions of Article II, Section 4(b) of the IBT Constitution. A Local Lodge Delegate/Alternate shall only serve for the specific Convention for which he/she is elected.

Section 1.(d) (2) The Vice Chairperson-Secretary-Treasurer of the Federation shall furnish, for the use of the Convention, poll lists showing the number of votes to which the delegates are entitled, based upon the number of paid-up members as per National Division records.

Section 1.(d) (3) Representative votes for each delegate shall be as per the most recent National Division records prior to the opening of the Convention, and no votes shall be added and no duplicate credentials shall be accepted after fifteen (15) days before the opening of the Convention.

Section 1.(d) (4) Each Local Lodge shall upon receipt of a call of the Regular Convention and not later than the month of the Regular Convention, elect by secret ballot in special or regular meeting, a Delegate to the Convention, together with an Alternate. Following the election of such Delegate and Alternate, the Secretary of the Local Lodge will notify the General Chairperson of the name and membership number of the Member and Alternate elected. Said Member and Alternate must be eligible for nomination and election as provided under the terms of the Merger Agreement between BMW and IBT and Article II, Section 1 (d)(1) of these Bylaws.

The General Chairperson shall upon issuing the Call of the Regular Convention, provide each Local Lodge Secretary-Treasurer with a credential in duplicate form; the original of which when executed will be given to the member elect and the duplicate returned to the General Chairperson as far in advance of the Regular Convention as is practicable. This credential shall bear the signatures of the President and the Secretary of the Local Lodge together with the seal of the Local Lodge. When the elected Member is unable to serve, the alternate will act in his stead and will serve as the Local Lodge Delegate.

The Federation Officers shall be issued their credentials by the Vice Chairperson-Secretary-Treasurer of the Federation.

Several Local Lodges may elect the same delegate to represent such lodges, if they see fit, in order to save expenses; provided, however, that no delegate representing two or more lodges may represent more than five hundred (500) members unless such members are all members of one Local Lodge. The delegate so elected must have credentials from each of the Local Lodges electing him/her as their delegate.

In the event the position of Local Lodge Delegate or Alternate becomes vacant for any cause, the Local Lodge shall elect a new Delegate or Alternate. The General Chairperson shall be promptly advised the names of the new Delegate or Alternate.

Section 1.(d) (5) Each delegate to the Convention must present to the Credential Committee, his/her credentials, in order to establish claim to a seat in the Convention.

Section 1.(e) (1) Salary and Expenses. Salary and reasonable actual expenses of a delegate, representing a Local Lodge or lodges at a Convention, other than those covered by the Convention Fund Account, shall be paid by the Local Lodge or lodges they represent.

Section 1.(e) (2) There shall be maintained a Convention Fund Account, to which shall be allocated a portion of the dues as provided in paragraph (e) (3) of this Section. The Vice Chairperson-Secretary-Treasurer shall be the custodian of this fund.

Section 1.(e) (3) The sum of fifty cents (\$.50) from each members' monthly dues shall be set aside by the Vice Chairperson-Secretary-Treasurer and placed in the Convention Fund Account, and disbursed as provided for in paragraphs (4), (5), (6) and (7) of this Section 1(e).

Section 1.(e) (4) The Vice Chairperson-Secretary-Treasurer shall, prior to the Convention call, as provided in Article II, Section 1(a), determine, based on the total number of possible delegates and the amount of money available in the Convention Fund Account as of October of the year preceding the Convention, an Expense Allowance to be used to pay for rooms and/or a per diem expense. This amount to be distributed equally to each delegate. Only a delegate representing his/her home lodge shall be eligible for an Expense Allowance.

Section 1.(e) (5) The Vice Chairperson-Secretary-Treasurer will notify in writing each Local Lodge President and Secretary-Treasurer, prior to January 1 of the Convention year the amount to be allocated each Delegate for the upcoming Convention.

Section 1.(e) (6) The money allocated for each delegate that does not attend the Convention shall be returned to the Convention Fund Account.

Section 1.(e) (7) All general expenses incurred in conducting any Convention, including, but not limited to, printing expenses incidental thereto, shall be paid from the Convention Fund Account.

Section 1.(e) (8) The delegates assembled at Regular or Special Convention will be provided access to the previous day's proceedings prior to the opening of the next day's Convention. Within ten days of the closing of the Convention the General Chairperson shall arrange to mail to each delegate, who requests, a copy of the proceedings of the Regular or Special Convention.

Section 1.(e) (9) The Vice Chairperson-Secretary-Treasurer will at the opening of the Convention, submit to each Delegate a report on the status of the Convention Fund account, providing for the following: (a) the amount of members paying dues each month



of each year during his term of office; (b) the total funds in the account as of October 1 in the year preceding the Convention; (c) a listing of lodges by number eligible to send a Delegate; and (d) the amount to be allocated each Lodge should they send a Delegate. The Secretary-Treasurer, commencing with the 1991 Convention and thereafter will include in his report how many Delegates were seated in the previous Convention, the amount of money used from the Convention Fund account for each Delegate, and an accounting of all monies used from the account for printing and other expenses coming under the term "ALL GENERAL EXPENSES STATED IN ARTICLE II, SECTION 1(e) (7)."

### **ARTICLE III ELECTIONS AND FILLING VACANCIES**

Section 1. As of the 2004 elections and thereafter, elected Federation Officers shall consist of the General Chairperson, the total number of Vice Chairpersons as determined by Article I of these Bylaws, one elected from each District, and one Executive Board member from each District elected at large by all of the Federation members. No member may hold more than one elected Federation office at one time. At the regular Quadrennial Convention of the Pennsylvania Federation, the newly elected Joint Protective Board shall select, by secret ballot, one of the newly elected Vice Chairpersons to serve as Vice Chairperson-Secretary-Treasurer. The Federation shall bring all newly elected Federation Officers to the Quadrennial Convention.

Section 2.(a) Election of Federation Officers. The elective Officers of the Federation shall be elected directly by the rank and file in a mail ballot referendum conducted during the first twenty days of June of every Convention year. On or before June 1 of the Convention year, the Federation shall mail to each member of the Federation in good standing, a ballot listing each position to be voted on and the candidates for each position. The positions are described in Article III, Section 1 and Article IV. Ballots shall be mailed by the American Arbitration Association. If the General Chairperson should chose not to use the American Arbitration Association this selection must be approved by the Joint Protective Board. Ballots shall be accepted up to and including June 22 and counted on June 23 or the next business day following June 23 of the Election Year. The candidate receiving a plurality of votes from the members returning ballots shall be declared the winner of the election.

The Federation shall send the outcome of the elections within three days to the Federation email list. All elected Officers shall be installed at the Convention and assume office September 1 of the election year except as provided in Article III, Section 7.

Section 2.(b) Nomination of Federation Officers. Nomination of elective Federation Officers shall be between April 15 and April 30 of the Election Year. Any member who is qualified as prescribed in Article III, Section (3) shall be eligible to be a candidate for elective Federation office.

Section 3. Eligible to be Elected Federation Officers. Every Officer of the Federation must be a member in good standing of some Local Lodge in good standing with the Federation and the National Division and shall have established at least twelve (12) months' seniority rights with some employer coming under the jurisdiction of the Federation and shall meet the twenty four (24) months' continuous good standing provisions of Article II, Section 4(a)(1) of the IBT Constitution and at the time of nomination and must be in good standing at the time of election and assuming office.

Section 4. Vacancies. In the event of a vacancy in any elected Federation office an election shall be conducted to fill the position vacated. The General Chairperson shall, upon notification of the vacancy, contact the appropriate members within 30 days of such notification to nominate candidates for the position vacated. The General Chairperson shall request nominations from the members of the area where the vacancy occurs. There shall be a fifteen (15) day period for nominations. Eligibility for nomination and election to fill a Federation office vacancy shall be governed by the provisions outlined in Article III, Section 3 of these Bylaws. The Federation shall have the appropriate ballot sent to each eligible member thirty (30) days after the close of nominations. Each member shall have twenty (20) days from the date the ballot is mailed to return an appropriately marked ballot to an Honest Ballot Counting Company chosen by the General Chairperson. Whoever receives the largest number of votes shall be declared the winner of the position. The General Chairperson at his/her discretion may appoint a temporary replacement until the election is completed. In the event the General Chairperson position is vacated, the Joint Protective Board will meet and elect by secret ballot, a temporary replacement. The Vice Chairperson-Secretary-Treasurer shall employ the same elections procedure as described above to elect the permanent replacement.

Section 5. Vacancies of Less Than One Year in the Position of General Chairperson. If the position of General Chairperson shall become vacant for a period of less than one year prior to a regular election, the Joint Protective Board, by a majority vote shall select the interim General Chairperson.

Section 6. Vacancies of Less Than One Year in the Vice Chairperson's Position. If a vacancy occurs in any Vice Chairperson's position that will be up for election within one year, the General Chairperson shall convene a meeting of Presidents in the District where the vacancy occurs who shall recommend, by majority vote, one person to hold the position, whom the General Chairperson shall appoint. In the event a vacancy occurs within 3 months of an election, the General Chairperson shall appoint a temporary replacement from the affected district with the approval of the Joint Protective Board.

Section 7. When any vacancy occurs on the Executive Board, the General Chairperson shall appoint a replacement with approval of the Joint Protective Board.

Section 8. Should any candidate for any Federation office be unopposed for office, ballots need not be sent out to the affected membership and the candidate shall be declared the winner by acclamation.

Section 9. Vacancies in office need not be filled when the General Chairperson recommends that they not be filled and this recommendation is approved by a majority vote of the Joint Protective Board.

#### **ARTICLE IV DUTIES, AUTHORITY AND RESPONSIBILITY OF OFFICERS**

Section 1.(a) General Chairperson. The General Chairperson shall exercise general supervision over all the affairs of the Federation. It shall be the duty of the General Chairperson to preside at all sessions of the Federation, and he/she shall submit at each regular session of the Federation, when assembled, a message setting forth, in a general manner, the affairs of the Federation during his/her term of office, including his/her decision in any matter concerning which an appeal may have been taken to the Federation Appeal Board under the Bylaws, together with suggestions for legislation and changes in the Bylaws for the best interests of the Federation members; also, such other suggestions and recommendations as he/she may deem advantageous to the Federation and its members. He/she shall devote his/her entire time to the affairs of the Federation, except such time as may be devoted to other duties pertaining to the Brotherhood.

The General Chairperson shall discharge on behalf of the Federation such duties as may be imposed upon him by applicable law, including the execution and filing of any reports to Federal or State authorities and he/she shall cause to be maintained by the Federation such records as the law requires to be kept for a period of not less than five (5) years in support of such reports.

Section 1.(b) He/she shall decide all questions pertaining to the interpretation or meaning of any clause or section of these Bylaws, as well as all controversial matters which may be appealed from Local Lodges during the recess of the Federation Convention, and, after a careful examination of same, shall forward his/her decision in writing to the Local Lodge from which the appeal is taken.

Such decision or interpretation shall be final, unless reversed by a majority vote of the members of the Appeal Board or upon reversal by an appellate body of the BMWED or IBT with jurisdiction over the matter under appeal.

Section 1.(c) The salaries and benefits of the employee members of System Adjustment Boards, Federation Organizers, or any other Committee, other than elective Federation Officers appointed or assigned by the General Chairperson, shall be determined by the General Chairperson but shall not become effective without the approval of the Joint Protective Board.

They shall be paid semi-monthly, or on the completion of their work, from the funds of the Federation. If their salary or daily wage from their employer on their assigned position, is in excess of the salary set, they shall be paid a daily wage equal to the amount

of their daily wage or salary paid by their employer on their regular assigned position. Reasonable actual expenses shall be allowed and paid from the funds of the Federation, when approved by the General Chairperson.

Section 1.(d) He/she may delegate authority to act for him/her to any Federation Officer whom he/she may designate.

Section 1.(e) He/she shall appoint Federation Organizers, with the approval of the Joint Protective Board, whenever, in his/her opinion, their services will be beneficial to the Federation. Organizers shall have the same eligibility requirements as is required of elective Federation Officers.

Section 1.(f) He/she is empowered to call on any Federation Officer, Local Lodge Officer or Local Lodge Grievance Committeeman to assist in adjusting grievances or conducting any other business of the Federation.

Section 1.(g) He/she shall approve all bills and accounts against the Federation pertaining to the salary and expenses of Officers, clerks, organizers and other help, and such bills as pertain to stationery and supplies for headquarters; this, however, not to include the purchase of new office furniture or equipment, unless same has been authorized by the Executive Board. He/she shall countersign all documents and checks emanating from the Federation.

Section 1.(g)(1) The General Chairperson shall provide a Pennsylvania Federation Monthly Expense Projection on September 1, 1991 and approved in Convention of that year and every convention year thereafter on that date to the Joint Protective Board. The Monthly Expense Projection shall include the expenses of the General Chairperson for his/her term in office.

Section 1.(h) He/she shall convene the Federation Joint Protective Board at any time he/she may deem necessary for the purpose of formulating policies to be pursued during the recess of the Federation Conventions.

Section 1.(i) He/she shall convene local committees and/or Local Lodges when he/she deems such action advisable. He/she shall report to such local committee and/or Local Lodge any member thereof who shall fail to perform his/her duties or shall be guilty of insubordination or sedition.

Section 1.(j) He/she shall appoint all committees not otherwise provided for in these Bylaws.

Section 1.(k) The General Chairperson shall negotiate with management all general revisions of rates of pay and working conditions with the approval of the Joint Protective Board. The General Chairperson shall confer with the affected Vice Chairperson. The General Chairperson shall initiate a referendum vote of the affected members prior to entering into such agreement with management. He/she shall forward

copies of the proposed agreement and detailed information to the affected members. The affected members must be given at least fifteen (15) days before ballots must be returned to the Federation office or other place that may be designated by the Federation Joint Protective Board.

The Federation Joint Protective Board shall establish procedures to insure a proper referendum vote is taken. A simple majority of those members voting shall determine whether the tentative agreement is accepted or rejected. The General Chairperson shall notify all Federation Officers and affected Local Lodge Presidents, Secretary-Treasurers and Local Chairpersons of the results.

Agreements other than those which are general revisions of rates of pay and working conditions (i.e. those which are not the result of Section 6 negotiations), shall be submitted to the affected members for ratification by the General Chairperson. The General Chairperson, at his/her discretion, may employ ratification procedures other than by mail ballot, so long as proper notice and explanation is provided to the affected members, ample opportunity for partaking in the ratification is provided to the affected members and clearly verifiable methods of ratification are employed (such as, but not limited to meetings, with notice, to the affected members). No agreement shall be entered into without such ratification. The General Chairperson shall notify all Federation Officers and affected Local Lodge Presidents, Secretary-Treasurers and Local Chairpersons of the results.

Section 2.(a) Vice Chairperson-Secretary-Treasurer. He/she shall be under the jurisdiction of the General Chairperson.

Section 2.(b) He/she shall keep a true and accurate record of all money received by him. He/she shall pay all just and lawful bills contracted in the name of the Pennsylvania Federation, by check, when approved by the General Chairperson and keep a true and accurate record of all expenditures of Federation funds. All checks, to be valid, must be countersigned by the General Chairperson.

Section 2.(c) He/she shall cooperate with National Division and see that all Local Lodges are properly audited. He/she shall place all money of the Federation in depositories designated by the Executive Board to the credit of the Pennsylvania Federation of the Brotherhood of Maintenance of Way Employes Division. He/she shall invest the funds of the Federation as directed by the Executive Board.

Section 2.(d) He/she shall visit Local Lodges whenever possible to do so and instruct the Secretaries, when necessary, as to the proper methods of carrying on their work.

Section 2.(e) He/she shall deliver to his/her successor (when elected and bonded) all books, papers, money, records and other properties of the Federation in his/her possession, taking receipts of same.

Section 2.(f) He/she shall make a report of all transactions at the regular Convention of the Federation and a report of the financial condition and the membership to the Federation Joint Protective Board on the day following the Executive Board audit in April and October.

Section 2.(g) He/she shall discharge on behalf of the Federation such duties as may be imposed upon him by applicable law, including the execution and filing of any reports to Federal or State authorities, and he/she shall maintain such records as the law requires to be kept for a period of not less than five (5) years in support of such reports.

Section 3.(a) Duties of Vice Chairpersons. It shall be the duty of the Vice Chairperson to assist the General Chairperson in the discharge of his duties and he shall at all times be subject to the orders of the General Chairperson. He/she shall visit Local Lodges, when possible and instruct the Officers and members in their duties and instruct them as to the proper method of adjusting matters in dispute. The jurisdiction of a Vice Chairperson may consist of one or more territories or its equivalent non railroad entity, and in the judgment of the General Chairperson will produce the most effective and efficient representation in the respective territory. The Vice Chairperson shall handle all controversial matters with management. He/she shall render a report of cases handled during the previous month to the General Chairperson, on forms furnished for the purpose, setting forth in detail all the controversial matters handled by himself/herself. He/she shall furnish such information with his/her report that may directly or indirectly affect his/her constituents, and shall perform such other duties as may from time to time be assigned him by the General Chairperson. Bill for service and expenses shall not be approved by the General Chairperson unless and until reports are rendered as provided in this Section.

Vice Chairperson shall remit all money collected by themselves for initiation fees, dues, assessments, or for any other purpose for which they are authorized to collect on the 14th and the last day of each month to the Vice Chairperson-Secretary-Treasurer and they shall remit in full all collections to date.

Vice Chairpersons shall furnish copy of all remittance reports to the Local Lodge Secretary-Treasurer who received credit for the Local Lodge portion of the dues collected.

Section 4. Executive Board. The Executive Board shall meet immediately after the close of the Federation Convention and elect from their number a Chairperson and a Secretary. The Secretary shall keep a true record of all transactions and meetings of the Board, and shall mail copies of same to Lodge Presidents and Federation Officers requesting same within ten (10) days.

Section 4.(b)(1) They shall, in conjunction with the Vice Chairperson-Secretary-Treasurer, authorize any monies requested to be spent by the General Chairperson that exceeds the projected monthly expenses as outlined in Article IV, Section 1.(g)(1).

Section 4.(c) They shall meet during the months of January, April, July and October at the office of the Federation or through conference call at the discretion of the Executive Board Chairperson, to examine and audit the accounts of the Federation. They shall hold special meetings upon written notice given by the General Chairperson or the Chairperson of the Executive Board. Such written notice shall set forth the time, place and purpose of the special meeting. They shall transmit a full report of all business transacted at the ensuing Federation Convention.

Section 4.(d) They shall authorize the purchase of the necessary office furniture, equipment, etc., and the expenditure of any funds of the Federation not otherwise provided for in these Bylaws.

Section 4.(e) They shall prepare and formulate rules to govern and safeguard the investment of the funds of the Federation.

Section 4.(f) They shall have the authority to sell, exchange or encumber any or all real and personal property of the Federation provided, however, that they shall have been previously authorized to do so, in each particular case, by the Convention or by a three-fourths (3/4) vote of the Joint Protective Board.

Section 5.(a) Appeal Board. The Appeal Board shall consist of all elective Federation Officers, except such Federation Officer or Officers as may be directly involved in a dispute being considered by said Board. It shall fairly and impartially pass upon all matters of dispute properly before the Board provided; however, that the Appeal Board shall not hear appeals from decisions of the Trial Board, decisions regarding eligibility for nomination, or any other appeal where National Division and/or the International Brotherhood of Teamsters has jurisdiction.

Section 5.(b) The Appeal Board shall be, within fifteen (15) days from the date of an appeal to it, or other necessity for its meeting, called to convene at the Federation headquarters within sixty (60) days, where it shall meet from day to day until all matters brought before it are disposed of by a majority vote of the Board. Its decision shall be rendered in writing and shall be final, unless reversed by action of the Federation in regular Convention.

Section 5.(c) Legal calls for meetings of the Appeal Board shall be issued by the General Chairperson, or by the Vice Chairperson-Secretary-Treasurer if the General Chairperson is directly involved in the dispute which the Board is called to consider, or by the Chairperson of the Executive Board should the General Chairperson and Vice Chairperson-Secretary-Treasurer both be involved in the dispute.

Section 6.(a) Federation Organizers. Organizers employed by the Federation shall be under the direct supervision of the General Chairperson.

Section 6.(b) It shall be the duty of each Organizer, employed in whole or in part by the Federation, to report to such places as may be designated by the General

Chairperson, after which he/she will report to the Vice Chairperson-Secretary-Treasurer or Vice Chairperson specified. He/she shall make periodic reports on the 14th day and last day of each month to the General Chairperson, with a copy to the Vice Chairperson-Secretary-Treasurer or Vice Chairperson of the territory on which assigned. He/she shall remit all money collected by himself/herself for initiation fees, dues, assessments or for any other purpose for which he/she is authorized to collect, on the 14th and last day of each month to the National Division Secretary-Treasurer and he/she shall remit in full all collections to date.

Section 6.(c) Organizers shall furnish copy of all remittance reports to the Local Lodge Secretary-Treasurer in the territory where collections are made.

Section 6.(d) No Organizer shall be permitted to collect any money from Local Lodge Secretary-Treasurers.

## **ARTICLE V EDUCATION FUND**

Effective September 1, 2011 and each month thereafter the sum of \$1.50 (one dollar and fifty cents) per member per month shall be set aside into a separate fund for the purposes of defraying lost time for members of the Federation who attend educational programs sponsored by the Federation. Members who attend the educational program will be reimbursed for 250 dollars each day of attendance provide they arrive on time and do not leave early and provide that they attend all of the scheduled days of training for that session. Members will fill out an appropriate expense sheet for this reimbursement.

The General Chairperson will design an education program of beginner, intermediate and advanced content for members of the Federation to attend. Members attending these programs will have been selected by the General Chairperson in consultation with the Vice Chairperson/persons who have jurisdiction in the geographic location where the program will be held. The program will be designed to be held in small groups and every effort will be made to evenly distribute the locations of the program by geography and membership density to ensure there is equal access to them.

The General Chairperson may select outside help in helping to teach these programs and their fees, if any, will be paid out the General Fund and not the Education Fund. The education program will include, but not be limited to, instruction to provide members with the skills to interpret and defend the collective bargaining agreement, understand the laws and regulations affecting railroad workers and collective bargaining, regulatory enforcement rules and procedures, organizing effective lodge meetings and grievance committees, organizing members around issues facing the union externally and internally on the job, techniques for lobbying politicians around issues facing the union, use of direct action and other activities to enforce better conditions outside of the traditional grievance procedure, organizing effective strike committees, understanding



labor history and current labor issues, and relevant economic and political theory necessary to understand to successfully advance the interests of the union.

Training aides and materials to support the education program may be paid for out of the Education Fund.

When members are selected and approved by the General Chairperson to attend other education opportunities sponsored by the National Division or other organization actual straight time wage losses may be paid out of the Education Fund.

## **ARTICLE VI FEDERATION WEBSITE**

The Federation will maintain a website ([www.pennfedbmwe.org](http://www.pennfedbmwe.org)) which will be under the editorial supervision of the General Chairperson. The website will have contact information for each of the Federation officers, documents such as collective bargaining agreements, constitution and bylaws of the governing organization and other relevant material that can be accessed by the membership. The website will also have an email sign up function or other electronic information distribution system so that those who sign up can receive timely and relevant updates of the business of the Federation. All members will be strongly and periodically encouraged to sign up for this list.

The General Chairperson will appoint a Federation Officer, with the approval of the Joint Protective Board, to be the web administrator and that person shall receive his regular salary plus \$3,000.00 annually to be computed in equal parts on a monthly basis. The Officer selected by the General Chairperson to be the Federation web administrator will be provided the training, equipment and software necessary for him/her to operate the site. The web administrator will work at the direction of the General Chairperson.

## **ARTICLE VII SALARIES, BENEFITS AND FINANCIAL OBLIGATIONS OF OFFICERS**

Section 1. The General Chairperson shall be paid semi-monthly and will receive an annual salary of \$113,161.11. This new rate will become effective on July 1, 2019.

The Vice Chairpersons of the Federation shall be paid semi-monthly and receive an annual salary of \$102,388.63. This new rate will become effective on July 1, 2019.

The Vice Chairperson-Secretary-Treasurer of the Federation shall receive the salary of the Vice Chairpersons plus an additional \$3,000.00 annually to be computed in equal parts on a monthly basis.

The General Chairperson and the Vice Chairperson shall pay the same health care cost sharing that Amtrak workers' pay under the BMWED/Amtrak Agreement and their salaries will increase in the same manner as workers under the BMWED/Amtrak Agreement from the base salaries established in this section. In the event the Amtrak/BMWED Agreement ceases to exist, the General Chairperson with the approval of the Executive Board shall select a suitable regional or national agreement as a replacement.

Section 2 Benefits for full time elective Federation Officers shall not be less than those benefits received by members working on the various railroads under the jurisdiction of the Pennsylvania Federation.

Full time officers and employees of the Federation who retire in their position or at the end of a term in office and begin collecting at or after age 60 a railroad retirement annuity shall have their medical benefits continued by the Federation for them and their eligible dependents until they are age 65 so long as they continue to remit to the Federation each month the amount equivalent to the supplemental insurance payment made by railroad employees to plan GA-23111 Plan F or its equivalent for each covered person.

Section 3. In no case will advance payment be made on any salaries from the funds of the Federation.

Section 4. All Federation Officers while attending meetings, engaged in work or traveling in the interest of the Pennsylvania Federation, other than at their headquarters, shall be allowed actual expenses, to be paid out of the funds of the Federation, when approved by the General Chairperson.

Section 5. Receipts, when obtainable, for all bills for which reimbursements are requested must be attached to bills for expenses.

Section 6. Bonding. The Officers and employees of the Pennsylvania Federation will be bonded as prescribed in the National Division Bylaws. The premium of said bonds shall be paid from the Federation funds and the bonds shall be held in custody by the Secretary-Treasurer of National Division.

Section 7. Financial Obligations. The Pennsylvania Federation shall not contract, agree or be obligated in any way to pay salary and expenses to any person or Officer, or to incur any obligations of any kind with members or others beyond the extent of Federation funds and current income, without the approval of the National Division Officers. Any obligations incurred contrary to the foregoing provisions shall not create a claim or lien against the Federation or National Division beyond the extent of available funds in the Federation treasury.

**ARTICLE VIII  
CHARGE TRIAL AND APPEAL PROCEDURES**

Except in cases where the National Division or Local Lodge may have jurisdiction, charges against any member shall be filed in writing in accordance with Article XIX of the IBT Constitution. Trials shall be conducted in accordance with Article XIX of the IBT Constitution and Paragraph 4.12 of the Merger Agreement between BMW and IBT.

Appeals from the decision of the Trial Board shall be in accordance with Paragraph 4.12 of the Merger Agreement between BMW and IBT.

Any expense incurred in connection with the hearing of charges against an Officer, conducted as prescribed in this Article, will be paid from Federation funds.

Vacancies created by sustained charges will be filled as provided in Article III, Sections 4-7 of these Bylaws.

**ARTICLE IX  
FISCAL YEAR**

The fiscal year of the Federation shall end on March 31st of each year.

**ARTICLE X  
MEMBERSHIP**

(a) An employee below the rank of General Foreman or its equivalent, actively employed by an employer coming within the jurisdiction of the Federation who is sober, moral and otherwise of good character, is eligible to membership in a Local Lodge of the Brotherhood of Maintenance of Way Employees Division assigned to the Pennsylvania Federation.

(b) Any member who is employed in an official capacity by an employer under the jurisdiction of the Pennsylvania Federation will not be eligible to participate in or take any part in transacting the business of this Federation.

(c) Members have a duty to cooperate, to the best of their ability and knowledge, with the Federation Officers in the policing of the collective bargaining agreements under the jurisdiction of the Pennsylvania Federation. Members shall not voluntarily collaborate with management to violate the collective bargaining agreements under the jurisdiction of the Pennsylvania Federation.

## **ARTICLE XI REVENUE, FEES, DUES AND ASSESSMENTS**

Section 1. Initiation fees for new members and distribution of said initiation fees shall be as is provided for in Article XV, Section 2, of the National Division Bylaws.

Section 2. In addition to National Division dues and assessments and Local Lodge dues and assessments, effective with the payment of dues for the month of January 1996 and January of each succeeding year, Federation dues shall be adjusted to reflect 2.12 times the average straight time hourly rate-of-pay. The average straight time hourly rate of pay will be based on information reflected in Interstate Commerce Commission Statement Number A-300 for Maintenance of Way Employees for calendar year 1994 and each successive year. Said amount to be rounded to the nearest 25 cents, which additional sum shall be taken into consideration when calculating any dues increase for the following year.

In the event that the Interstate Commerce Commission ceases to publish Statement Number A-300 on an annual basis, or alters it materially, the annual statement published by the National Railway Labor Conference will be used as an alternative equivalent formula. In the event that the National Railway Labor Conference ceases to publish the annual statement or alters it materially, an alternative equivalent formula shall be adopted so as to accurately reflect increases in rates-of-pay during the appropriate measurement period.

The General Chairperson in conjunction with the Secretary-Treasurer and with the approval of the majority of the Federation Joint Protective Board may adjust the percentage down. In addition, upon written request from a majority of the Federation Joint Protective Board the General Chairperson shall convene the Federation Joint Protective Board for the purposes of considering proposals to adjust the percentage down. A majority vote of the Federation Joint Protective Board at such meeting may adjust the percentage down. Any increase in the percentage must be done in accordance with the procedures in Article XI of these Bylaws.

Section 3. Local Lodge dues shall be as prescribed in Article XV, Section 3, of the National Division Bylaws and be uniform in compliance with the requirements of Section 11 of the Railway Labor Act or where a member is employed in a non-Railway Labor Act setting, dues shall not be in conflict with applicable law.

Section 4. Each Local Lodge Secretary-Treasurer shall remit to the National Division Secretary-Treasurer all collections received by him/her at least once each month and he/she shall remit all collections to date; except that he/she shall retain in his/her possession for Local Lodge purposes, Local Lodge dues collected for his/her Local Lodge.

Section 5. The Federation Joint Protective Board is authorized to instruct the National Division Secretary-Treasurer to levy such assessments, in advance, upon the

members of the Federation as may be necessary to carry forward their work, and any member failing or declining to pay such assessment shall stand suspended after the last day of payment mentioned in the call.

**ARTICLE XII  
REPRESENTATION - LOCAL LODGES  
GRIEVANCE PROCEDURE AND NEGOTIATIONS**

Section 1. The representation shall consist of Local Lodge Grievance Committee or Committees, Vice Chairpersons, a General Chairperson and a Joint Protective Board.

Section 2. Each Local Lodge on a Division Engineer's or corresponding territory or its equivalent on a non-railroad employer shall elect as provided in Article XVIII Section 9, of the National Division Bylaws, a Grievance Committee, of not less than three (3) members. Where there is a joint Local Lodge with membership from more than one (1) Division Engineer's or corresponding territory or its equivalent on a non-railroad employer, the members from each territory or its equivalent shall elect from among themselves Local Lodge Grievance Committeepersons to represent the membership on their respective territory in that Local Lodge. The elected Chairperson of each committee shall be a Local Chairperson. In addition, each department under the jurisdiction of the Local Lodge, may, at the discretion of the members in such department, elect a three-man Grievance Committee, the Chairperson of which may be a Local Chairperson of that lodge. Each Local Lodge may at its discretion structure its Grievance Committee as it determines to be in the best interest of its members. No member shall be eligible to hold the office of Local Lodge Grievance Committeeperson and Vice Chairperson at the same time. All camp car units shall elect, from among the members of such unit, a Grievance Committee from the unit. One of those members shall be elected as the Local Chairperson. This committee shall handle the first level grievances of the members of that unit and shall communicate directly with the Vice Chairperson of the region where the unit is working. This Grievance Committee and Local Chairperson shall be considered authorized representatives of the Federation and shall have the same rights, with respect to the unit they work in as a Local Chairperson and Grievance Committee in any Local Lodge. The General Chairperson and/or his/her designated representative shall conduct the election in the camp car units.

Section 3. Any member in good standing who has established at least twelve (12) months' seniority rights in the departments coming under the jurisdiction of this Federation; and who meets the twenty four (24) months' continuous good standing provision of Article II, Section 4(a)(1) of the IBT Constitution at the time of nomination, and is a member of good standing at the time of assuming office, will be eligible to hold office of Local Lodge Grievance Committeeperson.

When a Local Lodge has been in existence less than twenty four (24) months, the eligibility requirements of Article II, Section (4)(b) of the IBT Constitution shall apply for the nomination and election of a Local Lodge Grievance Committeeperson from that Local Lodge.

Section 4.(a) Nomination and election of Local Lodge Grievance Committee or Committees shall be held as provided for in Article XVIII, Section 9, of the National Division Bylaws. Immediately following the election, the Local Lodge Secretary-Treasurer shall submit in writing to the General Chairperson, the names, lodges or units, post office address and phone numbers of the members elected. The General Chairperson shall notify all elected Federation Officers of same. Local Lodge Grievance Committeepersons shall serve until their successors are duly elected and installed.

Section 4.(b) Local Lodges which have jurisdiction over more than one employer shall have an elected Grievance Committee for each employer coming under their jurisdiction. The Chairperson of each Grievance Committee shall be a considered Local Chairperson.

Section 5. The Local Lodge Local Chairperson shall assist any member of his lodge to start the handling of controversial matters with his immediate superior. If same is adjusted favorably, the decision shall be reported to the Vice Chairperson. If the decision is unfavorable, all papers and information that can be obtained must be turned over to the Vice Chairperson, who shall then proceed to handle the controversy, with the management. If the Vice Chairperson, or the membership of any Local Lodge, feel that their Local Lodge Local Chairperson should accompany him to meetings with the management, it shall be the duty of the Local Lodge Local Chairperson to do so.

Section 6. Salaries and expenses of Local Lodge Local Chairpersons and Grievance Committeemen shall be paid from Local Lodge funds, except while working for the General Chairperson at the request of the General Chairperson, when they will be paid by the Federation, except that the Local Lodge representative shall not be paid by the Federation for any time not lost from work as a result of a request by the General Chairperson.

Section 7. The Federation shall have jurisdiction, so far as the number and location of Local Lodges is concerned, insofar as it is consistent with the Bylaws of National Division.

### **ARTICLE XIII HEADQUARTERS**

The headquarters of the Federation shall be located in Philadelphia, Pennsylvania, unless changed by a vote of the Joint Protective Board.

### **ARTICLE XIV DISCRIMINATION**

Section 1. It is the intention of this Federation that any reference to race, religion or gender of members of the Pennsylvania Federation is made in a nondiscriminatory manner. It is the intention of the Pennsylvania Federation to consider all members equally, and any referral in the body of the Bylaws to gender of its membership is done so without prejudice.

### **ARTICLE XV BYLAWS - AMENDMENTS**

Section 1. Should any condition arise between Conventions which will affect the life, existence or progress of the Federation, the General Chairperson and the Vice Chairperson-Secretary-Treasurer, acting in conjunction with the Federation Joint Protective Board, shall be empowered to amend any Article of the Bylaws, subject to the approval of the affected membership of the Federation in a special Convention convened by the General Chairperson, or by mail ballot referendum of all members.

Prior to any change in these Constitution and Bylaws becoming effective, the precise language of the change shall be presented to all of the Lodge Presidents of the Federation so that the lodge may elect a delegate to come to the special Convention and instruct such delegate as to whether he/she should vote for or against the proposed change or if a mail ballot referendum is used, a copy of the proposed change will be furnished to the members voting.

Delegate election to special Conventions shall be conducted as is described in Article II of these Bylaws.

Section 2. These Bylaws may be repealed, suspended, altered or amended by a majority vote of the delegates assembled at the quadrennial Convention provided the proposed changes have been submitted to the Vice Chairperson Secretary-Treasurer in March of the Convention year. The Vice Chairperson Secretary-Treasurer will post the proposed changes on the Federation website in the first week of April of the Convention year. The requirement to submit the proposed changes in advance to the Secretary-Treasurer will be explained in the Convention Call. Proposed changes that have not been

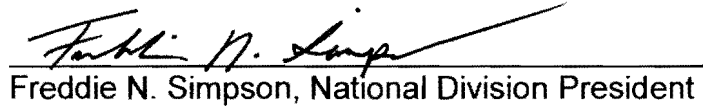
submitted in March of the Convention year will require a  $\frac{3}{4}$  vote of the delegates assembled to become effective.

Section 3. These Bylaws, when approved by the National Division President shall superseded all other Bylaws of the Pennsylvania Federation.



Anthony C. Sessa,  
General Chairperson

**APPROVED:**



Freddie N. Simpson, National Division President

09/16/2019  
Date



## PENNSYLVANIA FEDERATION BMWED-IBT DIRECTORY

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Shop  
Lodges 3011, 3012, 3039, **3095**

**NOTE: 3095 was formerly part of District #3  
and has been transferred to District #2.**

**DISTRICT #3**

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**DISTRICT #4**

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**DISTRICT #5**

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Conrail Shared Assets, Norfolk Southern (former  
Philadelphia, Harrisburg, Allegheny B, Southern  
Tier & New Jersey Districts Conrail) York  
Railway, CSXT Baltimore Service Lane, Albany  
Service Lane & Central East Service Lane  
(former Western Maryland RR & Harrisburg,  
Southern Tier & Buffalo Seniority Districts  
Conrail)  
Lodges 0362, 0400, 0935, 3077,  
Freight Members of 3075, 3063, 3098, 3091,

**3084**

**NOTE: Lodge 3030 has been consolidated  
with 3084 and its members transferred to  
3084.**

**EASTERN REGION DISTRICT**

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3028, 3095, & Amtrak Members of 3075

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Norfolk Southern (former Pittsburgh, Allegheny  
A, and former Monongahela Railroad)  
Lodges 3062, 3023, 3008, 3004, 3006, 3002,  
3047, 3009, 3094

**WESTERN REGION DISTRICT**

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Lane (former Southwest, Columbus District &  
Chicago District Conrail), CSXT Great Lakes  
Service Lane (former Youngstown, Cleveland,  
Pittsburgh Districts Conrail) & Norfolk Southern  
(former Youngstown, Cleveland, Southwest,  
Columbus & Chicago District Conrail), CSXT  
Nashville & Dearborn Division  
Lodges 3086, 3017, 3061, 3060, 3097, 3018,  
3080

**Attachment** for 2019 Pennsylvania Federation  
Bylaws, Article 1, Section 5 – Districts.  
**Effective 9.26.19**