

**BY-LAWS**

**OF THE**

**NEBRASKA STATE**

**LEGISLATIVE BOARD**

**BROTHERHOOD**

**OF**

**LOCOMOTIVE ENGINEERS**

**AND TRAINMEN**

Adopted February 7th, 2007

## **Executive Committee Members**

Randy D. Meek  
Chairman NESLB-BLET  
Member Division 98  
801 West Helen Circle  
Lincoln, Nebraska 68521  
(402) 476 2913  
(402) 476-2920 (Fax)  
E-mail: rmeek@bleteam.org

Jeff T. Vogt  
Secretary-Treasurer NESLB-BLET  
Member Division 98  
301 West Jennifer Drive  
Lincoln, NE 68521  
(402) 476-3630  
E-mail: jvogt@bleteam.org

William C. Hunt  
First Vice-Chairman NESLB-BLET  
Member Division 88  
3205 Sunset Drive  
North Platte, Nebraska 69101  
(308) 534-8310  
(308) 530-8661 (Cell)  
E-mail: bhunt@bleteam.org

Samuel J. Caruso  
Legislative Representative  
Member Division 183  
3341 South 112th Street  
Omaha, Nebraska 68144  
(402) 330 6348  
(402) 679-1722 (Cell)  
E-mail: hogger79@cox.net

Ronald B. Ross  
Legislative Representative  
Member Division 621  
5620 Buffalo Circle  
Lincoln, Nebraska 68516  
(402) 423-0292  
E-mail: rros1@neb.rr.com

## **Auditing Committee Members**

Samuel J. Caruso  
3341 South 112th Street  
Omaha, Nebraska 68144  
(402) 330 6348  
(402) 679-1722 (Cell)  
E-mail: hogger79@cox.net

Charles E. Bacon  
PO Box 23126  
Lincoln, Nebraska 68542  
(402) 432-6257 (Cell)  
E-mail: cbacon@bleteam.org

Ronald B. Ross  
5620 Buffalo Circle  
Lincoln, Nebraska 68516  
(402) 423-0292  
E-mail: rros1@neb.rr.com

## **Other Officers**

Pat S. Pfeifer  
Second Vice-Chairman NESLB-BLET  
1006 22nd St  
Gothenburg, Nebraska 69138  
(308) 537-3998  
E-mail: idriveatrain@yahoo.com

# **Delegates to the Nebraska State Legislative Board**

## **DIVISION 622**

Lance Flohr  
Legislative Representative  
300085 Lakeside Drive  
Minatare, Nebraska 69356  
(308) 783-2648  
(308) 641-4978 (Cell)  
E-mail: lancef@scottsbuff.net  
District 49

## **DIVISION 88**

William Hunt  
First Vice-Chairman  
3205 Sunset Drive  
North Platte, Nebraska 69101  
(308) 534-8310  
(308) 530-8661 (Cell)  
E-mail: bhunt@bleteam.org  
District 42

## **DIVISION 183**

Sam Caruso  
Legislative Representative  
3341 South 112th Street  
Omaha, Nebraska 68144  
(402) 330 6348  
(402) 679-1722 (Cell)  
E-mail: hogger79@cox.net  
District 12

## **DIVISION 621**

Ronald Ross  
Legislative Representative  
5620 Buffalo Circle  
Lincoln, Nebraska 68516  
(402) 423-0292  
E-mail: rros1@neb.rr.com  
District 29

## **DIVISION 303**

Ted Counter  
Legislative Representative  
2735 Applewood Road  
Gering, NE 69341  
(308) 635-7490  
(308) 641-5185 (Cell)  
E-mail: tedcounter47@yahoo.com  
District 48

## **DIVISION 98**

Charles Bacon  
Legislative Representative  
PO Box 23126  
Lincoln, Nebraska 68542  
(402) 432-6257 (Cell)  
E-mail: cbacon@bleteam.org  
District 27

## **DIVISION 623**

Thomas Buresh  
Legislative Representative  
1212 Norris Avenue  
McCook, Nebraska 69001  
(308) 345-5441  
(308) 340-6911 (Cell)  
E-mail: tnburesh@msn.com  
District 44

## **PREAMBLE**

THE purpose of this Legislative Board, herein known as the Nebraska State Legislative Board of the Brotherhood of Locomotive Engineers and Trainmen, will be to unite the members with a view of securing the enactment and enforcement of legislation that will promote the welfare and safety of BLET members in the State of Nebraska. The Board shall promote such legislation through election of candidates with our best interest and encourage our members to support those candidates with personal resources and time. Further, it will stimulate the political education of the members, to help them understand their political rights and use the ballot intelligently to the end that the government may remain a government of, for, and by the people.

## **BYLAWS**

### **ARTICLE I — GENERAL**

**SECTION 1:** This organization shall be known as the **NEBRASKA STATE LEGISLATIVE BOARD of the BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN**. This organization shall also be known as **NESLB-BLET** and hereinafter referred to as The Board or Board.

**SECTION 2:** Membership and Credentials shall be as provided for in the Bylaws of the Brotherhood of Locomotive Engineers and Trainmen (BLET), A Division of the Rail Conference of the International Brotherhood of Teamsters, and the Constitution of the International Brotherhood of Teamsters (IBT).

**SECTION 3:** The elected officers of the Board shall consist of a Chairman/State Legislative Representative, First Vice-Chairman, Second Vice-Chairman, Secretary-Treasurer, an Executive Committee, and an Auditing Committee. The Executive Committee will consist of five (5) members (if there are sufficient nominations) of which the Chairman, First Vice-Chairman, and Secretary-Treasurer shall be members, and two (2) of which shall be members of the Local Divisions under the jurisdiction of the Board. These officers shall be elected by the majority vote of all the delegates present, and the terms of office shall be for three years, or until successors are elected or appointed, and qualified. The Chairman and Secretary-Treasurer will not be members of the Auditing Committee.

**PARAGRAPH a:** Should an equal number of votes have been cast for two (2) or more members for any one (1) office, a second ballot, and if necessary a third ballot will be cast. If, after a third ballot a tie still exists, the tie shall be decided by lot.

**PARAGRAPH b:** All business that occurs during the regular Triennial meeting or special meetings of the NESLB-BLET shall be voted on by all delegates and officers of the board except Auditing Committee members who are not also delegates, 1<sup>st</sup> Vice Chairman, 2<sup>nd</sup> Vice Chairman, or Executive Committee members. Only delegates will be allowed to vote on matters before the Board during special or regular Triennial meetings that involve election of officers, dues rates, or compensation rates.

**SECTION 4:** Any officer's position may be filled by any qualified member of a Local Division which is a part of or is affiliated with the Board. Nominations for officers other than delegates must be accompanied by a letter signed by the nominee indicating willingness to accept the office or indication of such acceptance by the nominee either in person or by telephone where no less than two (2) delegates are witness to the conversation. If there is only one (1) nomination for any office and sufficient time has been allowed for further nominations, the presiding officer will cast a ballot to elect such officer by acclamation. Nominations for officers shall be made verbally from the floor and must be accompanied by a second.

**SECTION 5:** All monies, books or other Board property held by outgoing officers will be promptly delivered to their successors at the expiration of their term of office.

**SECTION 6:** Any member of a Local Division, which holds membership in another labor organization other than the Brotherhood of Locomotive Engineers and Trainmen, which represents any craft or class of railroad employee, is ineligible to hold any office of the Board.

## **ARTICLE II — DUTIES**

### **DUTIES OF THE CHAIRMAN**

**SECTION 1:** It shall be the duty of the Chairman to preside at all meetings of the Legislative Board and of the Executive Committee, to preserve order, decide all questions of order, subject to appeal of the Board. The Chairman shall appoint all Committees not otherwise provided for.

**SECTION 2:** The Chairman shall require strict observances of the laws of the Board, and shall have the deciding vote in case of tie. The Chairman, or a majority of the Executive Committee, shall call special meetings of the Board or Executive Committee when necessary, and perform such other duties as are required by the laws and regulations of the Board.

**SECTION 3:** The Chairman shall be the Legislative Representative of the Board at the Capitol during the session of the Legislature unless otherwise provided.

**SECTION 4:** The Chairman is authorized to be a member of and attend meetings of the Association of Legislative Chairmen.

**SECTION 5:** The Chairman may participate in the joint State Legislative Committee proceedings or IBT Joint Council meetings.

**SECTION 6:** The Chairman will issue a quarterly report to members of the Board.

**SECTION 7:** The Chairman will represent the Board in all National Legislative and National Division affairs when called to do so.

**SECTION 8:** The Chairman is authorized to represent the Board at BLET Regional Conventions.

**SECTION 9:** The Chairman may authorize any BLET member under jurisdiction of the Board to attend meetings called by the National Division, governmental meetings, and BLET or IBT regional or state meetings where education of the member, testimony, or special knowledge provided will benefit the members of Nebraska or the BLET as a whole. The Chairman will make cost/benefit considerations to the members when making such authorizations and shall exercise due diligence to reduce expenses incurred in authorizing attendance. Expenses and salary of members authorized to represent interests of the Board or Officers of the Board, will be paid in accordance with Article IV except where expenses can be minimized by other means.

### **DUTIES OF THE FIRST VICE-CHAIRMAN**

**SECTION 10:** The First Vice-Chairman shall act as Chairman until the next election in the absence of the Chairman due to resignation, removal, death, or otherwise.

### **DUTIES OF THE SECOND VICE-CHAIRMAN**

**SECTION 11:** The Second Vice-Chairman shall act as First Vice-Chairman until the next election in the absence of the First Vice-Chairman due to resignation, removal, death, or otherwise.

### **DUTIES OF THE SECRETARY-TREASURER**

**SECTION 12:** It will be the duty of the Secretary-Treasurer to keep an accurate account of the proceedings of the Board and the Executive Committee, and to receive all money, giving a receipt for same. The Secretary-Treasurer shall pay all orders when drawn and endorsed by the Chairman. Direct payment of payroll taxes by electronic transfer may be paid without endorsement. The Secretary-Treasurer shall attend to all correspondence pertaining to the Legislative Board. The Secretary-Treasurer shall have all accounts ready for the Auditing Committee at the meeting of the Board. Prior to the regular triennial session, but within not less than thirty (30) days, the Secretary-Treasurer of the Board shall notify each Local Division Secretary-Treasurer and Legislative Delegate of the Board meeting and issue credentials on the proper form. The Secretary-Treasurer of the Board shall provide the BLET National Office and each Local division in the state the names and addresses of the officers of the board. Upon request, the Secretary-Treasurer shall provide each Local Division in the state a copy of the minutes of each board meeting, and, in addition, an annual financial statement containing expenditures of committees and representatives, showing dates of claims.

**PARAGRAPH a:** On entering term of office the Secretary-Treasurer shall be suitably bonded as directed by the National Division of the BLET and Article X of the IBT Constitution. The expense of the bond shall be paid by the Legislative Board.

### **DUTIES OF THE EXECUTIVE COMMITTEE**

**SECTION 13:** The Executive Committee shall have charge of all legislative matters. They shall draft all bills ordered by the Board and have presented to the Legislature, doing all in their power to have them enacted into laws subject to approval by the National Legislative Board.

**PARAGRAPH a:** It shall be their duty to examine all proposed legislation and to oppose with all power any legislation that would be injurious to organized labor as citizens of the State. They will, as soon as practicable after the adjournment of the Legislature prepare a report of the work done at the session of the Legislature and mail a copy to the Secretary-Treasurer of the Board. These duties are to be performed by the Chairman in the absence of the Executive Committee.

**PARAGRAPH b:** The Executive Committee will meet as the business of the Board requires and provide a written and email report of the proceedings to the members of the Board. A conference call will constitute a meeting. Three members shall constitute a quorum.

**PARAGRAPH c:** Contributions must be authorized by the Executive Committee.

**PARAGRAPH d:** In case of a vacancy of an elected office of the Board for any reason, the Executive Committee shall fill, by appointment, the vacancy for the unexpired term if no alternate is available.

**PARAGRAPH e:** The Executive Committee, having received a request from a Local Division for payment of affiliation dues to an authorized AFL-CIO local labor council, shall convene to vote for approval or disapproval. A signed Solidarity Charter or other paperwork approved by the BLET National must accompany request for payment. When approved, The NESLB-BLET shall pay said affiliation dues on behalf of the Local Division. The Executive Committee may rescind payment of dues on behalf of all affiliated Local Divisions in lieu of raising the NESLB-BLET dues assessment. If rescinded, the payments will be discontinued after 30 days notice to the affected Local Divisions.

## **DUTIES OF AUDITING COMMITTEE**

**SECTION 14:** It shall be the duty of the Auditing Committee permanent members to review and verify the books of the Legislative Board on a monthly basis. Additionally, they shall examine the books at the regular triennial meeting convened to elect officers to verify all expenditures, other than electronic payroll tax payments, that are supported by vouchers drawn by the Chairman.

## **DUTIES OF LOCAL DIVISIONS**

**SECTION 15:** All legislation desired by Local Divisions must be presented in writing, and not exceed one resolution on each sheet of paper, signed by the President and Secretary-Treasurer, no later than thirty days prior to the session of the Legislature. A Local Division without a Legislative Delegate due to vacancy must fill the office in the manner prescribed in the Bylaws of the of the Brotherhood of Locomotive Engineers and Trainmen, Local Division Rules.

**SECTION 16:** No member of the Nebraska State Legislative Board acting as a representative of the Board or its members will be permitted to leave the State to devote their time to political or legislative activities without the written consent of a majority of the State Legislative Delegates.

## **ARTICLE III — MEETINGS**

**SECTION 1:** The Nebraska State Legislative Board of the Brotherhood of Locomotive Engineers and Trainmen shall meet in the City of Lincoln, Nebraska, triennially, at such time as the Chairman shall order, or at such time as a majority of Local Divisions of the State shall instruct the Secretary-Treasurer to order a meeting (subject to 30 days notice); a quorum shall consist of three members of the Legislative Board.

**SECTION 2:** After being called to order, the Chairman will (1) conduct a roll call of the Local Divisions and (2) appoint a Committee on Credentials. The Chairman shall (3) call for the report of said Committee and the regular order of business shall proceed as hereinafter provided.

**SECTION 3:** Order of Business

4. Reading of Minutes of Previous Meeting.
5. Report of Chairman.
6. Report of Secretary-Treasurer.
7. Report of Executive Committee.
8. Election of Auditing Committee
9. Appointment of Tellers, Bylaws, and Finance Committees.
10. Report of Auditing Committee.
11. Report of other Committee's (Bylaws and Finance).
12. Reading of Communications of Resolutions.
13. Unfinished Business.
14. Election of Officers.
15. New Business.
16. Reading of Minutes for Correction.
17. Closing.

## **ARTICLE IV — COMPENSATION**

**SECTION 1:** Delegates and officers attending State Legislative Board meetings and meetings of the State Legislature or otherwise shall receive a salary of \$250 per day including one day for travel to and one day travel from the place of the meeting and meals and incidental expenses (M&IE) per diem of the current allowable I.R.S. rate. Hotel expenses at the single room rate and parking expenses will be paid by the Board with the Delegate or Officers being responsible for excess room charges. Delegates or Officers who have the meeting city as their tax home under I.R.S. guidelines will not qualify for (M&IE) per diem, travel days, or mileage.

**SECTION 2:** The most economical means of transportation readily available is to be used. A traveling expense will be allowed of the current federal reimbursement rate as set by the I.R.S. per mile, when required to drive a personal vehicle to Board meetings or meetings of the State Legislature.

**SECTION 3:** The Chairman, when performing business of the Board shall receive a salary of \$250 per day and shall receive two days pay per month minimum. The Chairman will be allowed 8% of his annual Board salary for compensation in lieu of vacation pay. The Chairman, where covered by profit sharing agreements under his/her collective bargaining agreement (CBA), shall be compensated for loss of income. The lost compensation will be paid annually by subtracting 24 days of the board salary rate from the Chairman's total annual salary. The resulting number will be multiplied by the profit sharing rate due under the CBA for the year and paid as a lump sum.

**SECTION 4:** The Board is authorized to spend, not to exceed, \$175 per week for itemized office expense acquired during the time the State Legislature is in session.

**SECTION 5:** The Chairman shall receive the current federal reimbursement rate as set by the I.R.S. for the use of a personal vehicle in or out of State, and shall be reimbursed for any monies spent for fare or car rental while conducting business of the Board.

**SECTION 6:** The Chairman shall be permitted to obtain assistance to protect the interests of members of the BLET on curtailment or abandonment cases or legislative matters not to exceed \$250 per diem unless approved by the Executive Committee.

**SECTION 7:** The Secretary-Treasurer shall receive each month, a minimum of two days salary of \$250 per day and shall petition the Chairman for additional days as needed to conduct the necessary business of the Board. The Board shall pay directly or the Secretary-Treasurer shall be reimbursed for all office expense.

**SECTION 8:** The Board shall pay directly or the Chairman shall be reimbursed for all expenses for meals, transportation, office expense, phone charges, cell phone equipment and lodging incurred when performing business of the Board except meals may be compensated at the current federal per diem rate. Office expense incurred for equipment, which exceeds \$100, shall become property of the Board and will be recorded. The Secretary-Treasurer may call for a meeting of the Executive Committee, who shall have power to deny or modify any expense considered unreasonable. Expenses under this section, which would exceed \$10,000 annually, must be approved by a majority of the Board.

**SECTION 9:** Local Division Legislative Representatives or persons acting at request of the Board, may submit to the Chairman itemized expenses which they incur in performing duties which are beneficial to the purposes of the Board. The Chairman may modify, approve, or deny payment or convene the Executive Committee to modify, approve, or deny payment of submitted expenses.

**SECTION 10:** The Chairman may elect to enroll in the Brotherhood of Locomotive Engineers and Trainmen General Chairmen/Legislative Chairmen 401K program with approval of a majority of the Executive Committee. Any setup, administrative, or participant plan fees not paid by the Chairman per plan rules, to be paid by the Board.

**SECTION 11:** No (M&IE) per diem or mileage reimbursement shall exceed the allowable rate under I.R.S rates. All (M&IE) per diem or mileage reimbursement rates shall be effective the entire year and will be set at the allowable I.R.S. rates in effect as of January 1st of each year.

## **ARTICLE V — DUES**

**SECTION 1:** The dues to the Legislative Board shall be a monthly assessment of six dollars per member. Dues are delinquent after the twentieth (20) day of the next succeeding month. In the event it becomes necessary, the Board shall have the authority to levy a special assessment to cover necessary expenses. The assessment is payable to the GCA Secretary-Treasurer. Increases or assessments are subject to a sixty (60) day notification to Local Division Secretary-Treasurers.