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Federal court orders UP to put BLET officers, member back to work

INDEPENDENCE, Ohio, June 4 — A federal judge in El Paso, Texas has ordered Union Pacific Railroad (UP) to reverse the unlawful suspensions of a group of six members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) — five of whom are elected officers of Division 192 in El Paso. The judge ruled that all these union members had been wrongfully suspended by the UP in violation of the Railway Labor Act (RLA). UP had suspended these union members for a physical altercation at a private union meeting that was off-duty and completely off company premises.

On June 2, the U.S. District Court for the Western District of Texas, El Paso Division, issued a Temporary Restraining Order (TRO) to halt Union Pacific's unjust suspension of the union officers, and the member, and condemned UP for its illegal interference in union activities. The court order further prohibits the railroad from spying on union activities.

"The TRO is in the public interest because the public has a strong interest in vindicating the RLA's public policy permitting employees to organize, choose their own representatives and bargain collectively free from interference, influence, or coercion by carriers," the

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Court wrote.

The court further determined that UP's suspension of the employees "... sends a clear message that the Carrier is willing to violate the law to coerce employees in their choice of representatives." Under the TRO, UP is restrained from subjecting BLET officers and members to surveillance, and is "restrained from unlawfully interfering with the Union in its representation capacities, including without limitation disciplining members of the Union and Union leadership for their involvement or support for the Union and its interests, objectives and/or concerted protected activities."

BLET National President Dennis R. Pierce said the court's ruling was a victory not only for the BLET and its members, but for all of organized labor.

"The court vindicated our rights as union members to conduct our business, hold meetings, and elect representatives without outside interference from railroad carriers," President Pierce said. "The BLET will continue to stand up for the rights of our members throughout the United States."

As of today, UP has not complied with the judge's Order by reinstating the union members to work in their former jobs. Instead, on June 3, UP filed a motion for reconsideration with the court to try to dissolve the injunction.

A copy of the TRO is available here (PDF): www.ble-t.org/pr/pdf/122_Order_Granting_TRO.pdf.

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