



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

Freddie N. Simpson  
*President*

Perry K. Geller, Sr.  
*Secretary-Treasurer*

October 17, 2005

David M. Laney, Esq.  
Chairman of the Board  
National Railroad Passenger Corporation  
60 Massachusetts Avenue, N.E.  
Washington, D.C. 20002

Dear Mr. Laney:

The Brotherhood of Maintenance of Way Employes Division - IBT (BMWED) and Amtrak have engaged unsuccessfully in collective bargaining since January 1, 2000. Given that in recent times the term of collective bargaining agreements in the railroad industry generally run five years, the parties have used up an entire contract term bargaining. The BMWED believes it is time to bring this round of bargaining to an end so that we can move forward.

On May 5, 2005, I sent the enclosed letter to Mr. Gunn proposing that the parties engage in binding interest arbitration to resolve this dispute. Arbitration would take place before any arbitrator who had been selected to a Presidential Emergency Board within the past twenty years to investigate a collective bargaining dispute between Amtrak and our predecessor, the Brotherhood of Maintenance of Way Employes or an arbitrator mutually acceptable to BMWED and Amtrak. The ground rules for the arbitration were simple, "We [BMWED] will present our case, and you [Amtrak] will present yours." Our proposal would resolve the outstanding bargaining dispute without any possibility of an interruption to service. Nevertheless, on May 26, 2005, Mr. Gunn sent the enclosed letter back to me refusing BMWED's offer of arbitration.

10 G Street, N.E., Suite 460  
Washington, DC 20002  
Telephone 202.638.2135 Facsimile 202.737.3085  
[www.bmwe.org](http://www.bmwe.org)

Mr. David M. Laney  
Re: Amtrak Bargaining  
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I cannot see how Amtrak's refusal to engage in binding interest arbitration with BMWED under the ground rules presented makes any sense whatsoever. Clearly the parties cannot resolve their differences at the bargaining table - almost six years' experience demonstrates that proposition. Therefore, this dispute will end one of two ways: through binding arbitration without an interruption to service, or through the parties' exercise of self-help which, by definition, will disrupt Amtrak's service to the public. One must assume that unless Amtrak's senior operational management desires a work stoppage; our offer of arbitration is the preferred alternative for both parties.

Accordingly, I am making this request to you and the other members of Amtrak's Board of Directors: direct Mr. Gunn to accept BMWED's offer of arbitration. I hope that you and the other Board members make a decision that makes sense for BMWED's members, Amtrak and the traveling public. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Freddie N. Simpson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Freddie N. Simpson  
President