

# Policies and Procedures Manual

Revised June 2022



**MANUAL OF  
POLICIES AND PROCEDURES**

**Authorized May 1996**

**Revised May 2010**

**Revised May 2012  
Resolution # 5**

**Revised May 2014**

**Revised May 2018**

**Amended (11:04)  
Revised by Finance  
(4:08) Page 5**



**Resolution # 6 Page 15 and  
Adopted  
Committee, Resolution #7**

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"Let your aims be such as all men count honourable. If possible, so far as it lies with you, live at peace with all men."

Romans 12:17-18  
The New English Bible


## **1:00 INTRODUCTION**

The Policies and Procedures Manual is prepared as a result of Resolution #2 adopted by delegates at the NARVRE 1996 National Convention in Albuquerque, NM.

## **2:00 TRADEMARK**

### 2:01 GENERAL INFORMATION



- A. Federal Registration of NARVRE Logo. The NARVRE logo, , referenced herein as the “Logo”, is a federally registered collective membership mark. The Logo consists of the text “N.A.R.V.R.E.” within a design that resembles the front of a locomotive. The Logo is used by NARVRE for “Indicating Membership in the National Association of Retired and Veteran Railway Employees.” NARVRE’s Logo was registered under Class Number 200 in the Principal Register of the United States Patent and Trademark Office (USPTO), as Registration Number 1,121,654, on July 3, 1979.
- B. Control of NARVRE Logo and Exclusive Use to Indicate Membership. In order to obtain federal registration of the Logo, NARVRE had to demonstrate that it was exercising legitimate control over the use of the Logo. NARVRE’s members have consistently and exclusively used the Logo as a symbol indicating membership in NARVRE since the registration of the Logo with the USPTO in 1979.
- C. Compliance with Federal Trademark Filing Requirements to Maintain Registration of Logo. NARVRE has complied with federal filing requirements for maintaining the registration of the Logo by submitting Declarations of Use and Applications for Renewal periodically. Some of the more recent filings submitted to the USPTO by or on behalf of NARVRE in order to comply with federal requirements include, but are not limited to, the following:
1. On April 2, 2009, NARVRE, by and through its former attorney of record for trademark matters, John W. Hall, filed a Combined Declaration of Use in Commerce and Application for Renewal of Registration of the Logo under Sections 8 and 9 of the Trademark Act, 15 U.S.C. §§1058 and 1059. On April 20, 2009, the USPTO accepted the Declaration and granted the Renewal of Registration of the Logo.
  2. On October 2, 2019, NARVRE, by and through its current attorney of record for trademark matters, Allison S. Raines, filed a Combined Declaration of Use in Commerce and Application for Renewal of Registration of the Logo under Sections 8 and 9 of the Trademark Act, 15 U.S.C. §§1058 and 1059 and updated its records with the USPTO regarding the change of legal counsel of record for trademark matters from John W. Hall to Allison S. Raines. On December 4, 2019, the USPTO accepted the Declaration of Use and granted the Renewal of Registration of the Mark.
- D. Incontestable Status of Logo. NARVRE has obtained incontestable status for the federal registration of the Logo. On December 17, 2019, NARVRE, by and through its attorney of record, Allison S. Raines, filed a Declaration of Incontestability for the Logo under Section 15 of the Trademark Act, 15 U.S.C. §1065. On June 26, 2020, the USPTO acknowledged that the Declaration of Incontestability satisfied the requirements for incontestable status under Section 15. Thus, the federal registration of the Logo constitutes conclusive evidence of the validity of the Logo as a registered mark, NARVRE’s ownership of the Logo, and NARVRE’s exclusive right to use the Logo.
- E. Distinctiveness of Marks in Materials. As a directive on the usage of trademarks in general, marks are used as source identifiers, and, as such, they should be distinctive both in headlines and text so

that the marks stand out from the rest of the material - such as all capital letters, italics, bolder print, larger size, prominent placement, etc.

- F. No Changes to Existing Marks. The text, punctuation, and/or designs included within registered marks of NARVRE or other marks used by NARVRE may not be changed. Unapproved variations of NARVRE's marks may not be used. Changes to, and variations of, NARVRE's marks may result in unintended legal consequences. Any changes or variations to existing marks, or proposed new marks, must be submitted to, and approved by, the Governing Board prior to use.
- G. Notice of Federal Registration. When a mark, such as NARVRE's Logo, is federally registered, a registration notice should be used at least once in the most prominent place in every article, booklet, brochure, or other publication. The owner of a mark registered with the USPTO may give notice that a mark is registered by displaying with the mark the words "Registered in United States Patent and Trademark Office," the abbreviation "Reg. U.S. Pat. & Tm. Off.," or the letter R enclosed within a circle, ®. 15 U.S.C. §1111.
- H. Use of Registration Symbol ® for Federally Registered Marks. The registered trademark symbol, ®, is statutory notice that a mark is registered with the USPTO. Use of the ® symbol enables the owner of a federally registered mark to claim profits and damages from a defendant who has infringed the mark. Thus, for federally registered marks, such as the NARVRE logo, it is best practice to always use the ® symbol in conjunction with the mark to put the public on notice of the federal registration, protect against infringement, and allow for relief to the owner if infringement occurs. The ® symbol can only be used for the mark as it is displayed on the registration certificate. The ® symbol may not be used with variations of a registered mark or with marks that are not actually registered with the USPTO. Even if an application for federal registration is pending or a state registration has been obtained, the ® symbol may not be used unless and until the mark is registered with the USPTO. The terms and symbols "trademark", "TM", "service mark", and "SM" may be used regardless of whether a mark is registered, as these are not official or statutory symbols of federal registration.
- I. Authorized Uses of NARVRE's Marks. Chartered constituent bodies of NARVRE are authorized to use all trademarked symbols of NARVRE on letterheads, membership cards, and other official documents, stationery, and jewelry. Individual members, so long as they continue their membership in good standing, are authorized to wear NARVRE emblems and use trademarked symbols of NARVRE on letterheads and professional cards to identify themselves as members of NARVRE. The use of trademarked symbols of NARVRE on other printed material or for any other purpose is expressly prohibited to individual members unless specifically authorized by the Governing Board or the material is printed directly under the authority of NARVRE. No person(s) (members and agents of NARVRE included) acting alone or on behalf of NARVRE, may use the Logo, NARVRE's name, or any other marks of NARVRE to express personal opinions or lobby public officeholders on any issue unless expressly requested to do so by the Governing Board.
- J. Infringement of NARVRE's Marks. Any uses of the Logo, NARVRE's name, or any other common law or registered mark(s) of NARVRE, which are not expressly authorized herein or by



the Governing Board, constitute infringement of NARVRE's marks. Any suspected infringement of NARVRE's trademarks should be reported to NARVRE's Governing Board immediately.

### **3:00 SELF-GOVERNMENT**

#### **3:01 GENERAL INFORMATION**

- A. NARVRE works in cooperation and conjunction with any organization on specific issues as approved by the Governing Board or by the membership in convention.
- B. In order to maintain the autonomy of NARVRE, and to protect the interests of the NARVRE membership and the collective opinion of this association, any correspondence, use of facilities, or names of the membership through mailings, etc., is directed by and through the national headquarters of NARVRE, and is not permitted by individual actions or activities.
- C. The Transportation Trade Departments are recognized as the following thirteen labor unions:
  - 1. American Train Dispatchers Department
  - 2. Brotherhood of Locomotive Engineers
  - 3. Brotherhood of Maintenance of Way Employees
  - 4. Brotherhood of Railroad Signalmen
  - 5. Hotel Employees and Restaurant Employees
  - 6. International Association of Machinists
  - 7. International Brotherhood of Boilermakers
  - 8. International Brotherhood of Electrical Workers
  - 9. National Conference of Firemen & Oilers, SEIU
  - 10. Sheet Metal Workers International Association
  - 11. Transportation Communications Union
  - 12. Transport Workers Union
  - 13. United Transportation Union
- D. The National Association of Retired and Veteran Railway Employees, Inc. is the only federally chartered organization whose sole purpose is the protection and preservation of the Railroad Retirement System. (Harold Endy - 1984 Convention)
- E. Legislation is recognized as the single most important influence on the membership of NARVRE. Under no conditions will the name of NARVRE be used to promote or discourage, 1) any candidate for public office, or 2) any religious affiliation. However, the interests and awareness of legislation pending or considered to be beneficial to the membership is promoted at all levels of membership within NARVRE.
- F. Any correspondence to person or organizations outside NARVRE concerning legislative matters must conform to the adopted policies of NARVRE, and may not reflect the personal opinion(s) of any individual if written in the name of this association.

#### **4:00 MEMBERSHIP AND DUES**

- 4:01 Membership in NARVRE is made by application on an official form obtained through the national headquarters office, or other National Officers.
- 4:02 The official membership roster of NARVRE is maintained by the national headquarters office.
- 4:03 No one may be a member of a unit unless also a member of NARVRE as an Active Member, Honorary Member, Social Member, or a Member-at-Large.
- 4:04 801 Members-at-Large do not belong to a unit either by choice or they do not live within proximity of a unit.
- 4:05 The officers of each unit are responsible for notifying the national headquarters office of all additions and deletions to their membership rolls.
- 4:06 Membership dues for the Association as amended by the biennial convention of 2022 in Oakland, CA and are herein currently established as:

Unit Single Member \$29.00

Unit Couple Member \$36.00

801 Single Member \$31.00

801 Couple Member \$38.00

Membership dues have been historically structured in recent years as follows:

	1988	1993	1994-2002	2012	2018	2022
Unit Single Member	\$7.50	\$8.50	\$9.50	\$10.50	\$23.50	\$29.00
Unit Married Couple	\$12.50	\$14.50	\$16.50	\$17.50	\$30.50	\$36.00
801 At-Large Single Member	\$10.00	\$11.00	\$12.00	\$13.00	\$26.00	\$31.00
801 At-Large Married Couple	\$15.00	\$17.00	\$19.00	\$20.00	\$33.00	\$38.00
LIFE Single Member	\$75.00	\$90.00	\$110.00	\$120.00	NA	NA
LIFE Married Couple	\$100.00	\$120.00	\$150.00	\$160.00	NA	NA
10-YEAR Single Member	\$50.00	\$70.00	\$80.00	\$90.00	NA	NA
10-YEAR Married Couple	\$75.00	\$100.00	\$110.00	\$120.00	NA	NA
5-YEAR Single Member	\$35.00	\$40.00	\$45.00	\$50.00	NA	NA
5-YEAR Married Couple	\$40.00	\$65.00	\$75.00	\$80.00	NA	NA

NA = No longer available

- 4:07 Membership in Multiple Units: Must pay the required dues to each unit as well as per capita to national. If a member becomes a delegate to a convention, his/her dues for the year must be paid to the unit in January to confirm his/her credentials.
- 4:08 A member is only liable to pay per capita (dues) to NARVRE National only once annually, and, they can become a member of several units. However, they must meet (the) unit dues portion for each unit they claim membership (in), over and above the annual per capita. (Resolution #1, of the 1998 convention.)

### **5:00 GENERAL POLICIES**

- 5:01 No purchases are made for office furniture, fixtures, equipment or other similar expenditures, except for use in the Headquarters Office. Any purchase amount in excess of the budget must be approved by the Governing Board.
- 5:02 Officers are not allowed to include on their expense statements any expenses for local unit activities or their own personal use.
- 5:03 Purchases for use by Area Directors and Legislative Committeemen are to be authorized to carry on the business of NARVRE. Equipment such as FAX machines should be transferred to their successors.
- 5:04 NARVRE (shall) operate within a balanced budget. (Resolution #17, of the 1988 convention.)
- 5:05 Counsel for NARVRE may be appointed by the President upon a need basis, with the Governing Board's approval and consent.

### **6:00 AREA DIRECTORS**

#### 6:01 OBJECTIVES:

- A. To establish new units.
- B. Stay in touch with established units.
- C. Be a good salesman and public relations person.
- D. Use common sense when working with others.

#### 6:02 METHODS OF COMMUNICATION:

- A. Telephones.
- B. Fax, letter, or E-Mail.
- C. Face to Face Meeting(s)

#### 6:03 COMMUNICATION:

- A. An Area Director's job is to communicate with the National Office and the local units; he is a member of the Governing Board which is responsible for implementing the policies of the National Association between conventions.

- B. All Area Directors must keep in touch with the National Vice President and inform him of activities in his/her area.

6:04 GENERAL:

- A. When an Area Director or Assistant Director starts a unit in another's territory, the Director for that area should be notified as a common courtesy. When a charter is presented to the new unit, the Director for that area, within reason, should be present so the new unit will know who their Director is.
- B. When the Area Director and his/her assistant have worked together in starting a new unit and a charter is presented, the bonus will be split between them, but if the assistant is responsible for starting the unit, he/she shall receive the bonus.
- C. When an Area Director's term is up, he/she shall turn over to his/her successor all papers and NARVRE equipment of his/her office.

6:05 LEGISLATIVE MATTERS:

Area Directors shall be informed by the National Legislative Director regarding the NARVRE legislative agenda. They, in turn, shall assist the National Legislative Committeemen in contacting members of Congress on these issues.

6:06 AREA DIRECTOR'S BONUS

When an Area Director or Assistant Area Director starts a new unit, he/she should receive his/her bonus no later than five days after the unit has received the charter. The assistant should work closely with his/her Director to achieve their goals.

**7:00 EXPENSES ACCOUNTS**

7:01 Expense accounts shall be sent in at the end of each month.

1. The National President shall send his/her expense statement to the National Vice President for approval.
2. The National Vice President shall send his/her expense statement to the National President for approval.
3. The National Secretary-Treasurer shall send his/her expense statement to the National President for approval.
4. All Area Directors shall send their expense statements to the National Vice President for approval.

5. All expense statements, when approved, shall be sent to the National Secretary-Treasurer for payment.
6. The Assistant Area Directors shall send their expense statement to the Area Director for approval and forwarding to the National Secretary-Treasurer.
7. The National Legislative Director shall send his/her expense statement to the National President for approval.
8. The National Legislative Committee Members and the Assistant National Legislative Committeemen and Committee Women shall send their expense statements to the National Legislative Director for approval.

7:02    **Require Accountability**

1. All expense statements submitted for approval and payment shall have attached thereto the prescribed form listing the following information as it relates to travel expense, e.g., meetings attended, purpose of travel, number of persons attending, what information was presented, where information obtained, what benefit was derived and how many were signed as NARVRE members.
2. All telephone bills submitted for reimbursement must be accompanied by the standard billing indicating the call, date, time, minutes, called number, location, and call charges. (The plain telephone billing charges will not suffice.)
3. Such information outlined above shall be used by the Officer of NARVRE to determine payment if such expenses claimed comply with the above standards.
4. The National Secretary-Treasurer shall prepare the prescribed form for use in compiling the required information. Such forms shall be furnished to all those NARVRE Representatives who submit expense statements.

**8:00 GOVERNING BOARD**

8:01    **RECORDS OF THE BOARD:**

- A. Board members will receive copies of the minutes of the Board, as well as all financial statements prepared on a monthly basis.
- B. Minutes of the Governing Board shall be sent to all unit Presidents upon written request.
- C. The National Secretary-Treasurer shall make an annual report of the Governing Board at all conventions held by the organization, regarding Board activities and the financial position of NARVRE.

## 8:02 MEETINGS:

There should be a Governing Board teleconference meeting about every four months and should not last more than an hour; all matters before the Board should be resolved in that time, if possible.

## **9:00 CONSTITUENT DIVISIONS**

### 9:01 FORMING A STATE ASSOCIATION:

In 1972, National President Elliott called the convention at Kansas City, Kansas to order. One of the items during the convention proceedings was a proposed amendment to the national bylaws, introduced by a member in the state of Kentucky stating: "In states where two or more units are located, a state meeting may be held each year at a mutual agreed time and place." The purpose was to work in close harmony with other retirement organizations and with State Legislative representatives of the Standard Railway Labor Organizations to promote benefits applicable to retired people.

#### A. First, one NARVRE member or a unit decides to form a State Association.

1. Select a place and time for the initial meeting to establish the State Association.
2. Purpose of the \_\_*(name)*\_\_\_\_ State Association.
3. Write letter to the President of each unit in the state and have many unit members in attendance.
4. Have NARVRE officers in attendance and possibly be speakers
5. Name of the State Association.

#### B. If units willing to vote in favor of a State Association, officers must be elected.

1. President, Vice President, Secretary, Treasurer (or Secretary-Treasurer), and Legislative Representative.
2. Establish where and how often to meet, monthly, quarterly, yearly, etc.
3. Dues structure to be established e.g. (Florida assess 50¢ per year per member). The State Association maintains their own treasury.
4. Bylaws written (See Guidelines for State Association Bylaws).
5. Need an IRS EIN number. The National Office will assist.
6. Copy of minutes of the State Association meetings sent to the National Office and Officers.
7. Copy of Annual Audit to the National Office.

- C. Notify National Office when the State Association is to be established. A Charter will be issued from the National Office listing the units in the state.
- D. The State Association does not control the units. The units make up the State Association.

9:02 STATE ASSOCIATIONS:

- A. Charter applications to form a state association are secured from the National headquarters office.
- B. Two copies of the proposed bylaws for the state association shall be sent with the charter application to the National Office.
- C. Any necessary or recommended changes to the proposed bylaws shall be sent in writing to the group who submitted the application.
- D. Following approval of the proposed bylaws, one copy shall be retained by the National headquarters office and one copy returned to the state association.

9:03 LOCAL UNITS:

- A. Procedure for application for charter shall be the same as for associations.
- B. The unit bylaws shall include provisions for:
  - 1. Unit number (city and state) issued by the National headquarters office.
  - 2. NARVRE members only may be members of a unit.
  - 3. Social members shall not exceed twenty percent (20%) of the total unit membership and must also be members of NARVRE.
  - 4. The minimum elected officers of a unit shall be a President, a Secretary-Treasurer, and a Legislative Representative.
  - 5. Units shall be audited annually and upon the vacancy of office of the President and/or the Treasurer (or other finance officer). An original copy of the audit shall be sent to the National Secretary Treasurer annually.
  - 6. Upon dissolution of any unit, the NARVRE original charter shall be sent to The National headquarters office and members placed in 801 membership-at-large list.

## **10:00 CONVENTIONS**

- 10:01. A convention fund of up to \$1,500 shall be advanced to the unit hosting the convention if they request it. All profit remains with the host unit after return of any monies loaned by the National Office. (Required by Resolution #2, of the 1988 convention)
- 10:02 Delegates are elected to act only as an authorized representative at the biennial convention. Delegates are not elected to serve a term of office on a two-year period. We have one convention and that is their one duty, which is to serve at that one function.
- 10:03 The daily minutes of the NARVRE national convention shall be prepared for review, correction, and/or approval by the minutes committee for the following morning. The minutes of the final day of the convention shall be prepared and approved by the minute's committee before passing out to convention delegates the following morning. If delegate is not available, they are to be mailed to the delegate.

## **11:00 CONVENTION ACTIVITIES**

National Association of Retired and Veteran Railway Employees, Inc.

### **31<sup>st</sup> Biennial Convention in 1998**

#### **11:01 Resolution #2**

**(voided & amended at 42<sup>nd</sup> Biennial Convention in 2022 by Resolution # 2 - see 11:05 below)**

WHEREAS, Anyone who worked around steam locomotives or in roundhouses, back shops, car shops, and other repair facilities was probably exposed to asbestos; and

WHEREAS, Asbestos-caused diseases are not confined to any particular job titles or descriptions and the worker need not have personally touched or worked with the asbestos to breathe contaminated air, and;

WHEREAS, Evidence has been discovered that shows that the railroad doctors knew about asbestos-caused disease and its prevention in the 1930s, and in 1935 the railroad doctors wrote about the corrections in their minutes of the annual Medical Section of the Association of American Railroads, but nothing was done to carry out such recommendations to protect railroad employees; and

WHEREAS, The railroads, in fact, did little or nothing regardless of it being common knowledge in the industry that exposure to asbestos could result in injury to its employees; and

WHEREAS, NARVRE members being railroad retirees are in the particular age category to be in the class of railroad workers most likely affected by asbestos related diseases and is still entitled to compensation for injuries caused by the railroad's negligence; so therefore

BE IT RESOLVED, The National Association of Retired and Veteran Railway Employees, Inc. (NARVRE) designate a law firm that has demonstrated the ability to promote the organization and fairly represent retired railroad workers and their families in asbestos related diseases and; therefore



BE IT FURTHER RESOLVED, The delegates here assembled concur in the designation of the MOODY, STROPLE AND KLOEPPPEL, INC law firm as the official law firm to represent the National Association of Retired and Veteran Railway Employees, Inc. in asbestos related diseases, and; therefore

BE IF FURTHER RESOLVED, Such designation approved at the 31<sup>st</sup> National Convention of NARVRE be effective as of the adoption hereof and spread upon the Minutes of such convention assembled.

#### **11:02 Resolution #4**

WHEREAS, We of NARVRE are concerned with protecting the rights of the retired railroad employees and since these rights are directly affected by current conditions of active employees, and since many spin-off railroads have been sold land contract employees have replaced employees that had previously worked under the Railroad Retirement Act.

THEREFORE, BE IT RESOLVED, That NARVRE actively influence all legislative and regulatory bodies to include all employees under the Railroad Retirement Act.

National Association of Retired and Veteran Railway Employees, Inc.  
38<sup>TH</sup> Biennial Convention

#### **11:03 Resolution # 5**

Adopted at the 38<sup>th</sup> BIENNIAL CONVENTION May 2012 RESOLUTION SUPPORTING LEGISLATION regarding the freezing of cost-of-living increases for Widows and Widowers under the Railroad Retirement and Survivors' Improvement Act of 2001 better known as WIMA.

WHEREAS: the Railroad Retirement and Survivors' Improvement Act of 2001 has an inequity in the law known as the "widows initial minimum amount "(WIMA) that needs to be corrected.

WHEREAS: NARVRE has tried to correct this inequity in the past while seniors Widows and Widowers are short changed in the Cola increases of their annuity and

WHEREAS: NARVRE was not at the table when the 2001 legislation was agreed to by the parties, and

WHEREAS: every January NARVRE officers get calls from widows as well as the Railroad Retirement Board on not receiving COLA'S, an issue we would never have signed off on freezing widows and widowers cost of living increases for some 25 percent of railroad surviving spouses, and

WHEREAS: under current law those widow and widowers will not see a Cola until at least 5 to 7 years after the death of their spouse (railroad retiree). In the future upon the death of the railroad retiree the widow or widower also will have their COLA frozen because of this section of the law, and

WHEREAS: Railroad Retirement Trust Fund had a surplus of \$32.7 billion as of September 2007 and increase of \$13.3 billion since the enactment of the law in 2001 while there is also another section of law that also penalizes widows and widowers called the "takeback" provision which was tacked on in 1983

when the Trust Fund was facing financial problems. That case is no longer true today and which at that time, Tier II benefits were reduced by 5 percent which had the effect of permanently reducing benefits upon the death of the railroad retiree, the widow or widower than had their annuity reduced by the 5 percent,

THEREFORE BE IT RESOLVED, that NARVRE officers, at the appropriate time, will seek to move Legislation to correct and remedy this situation in the law, and

BE IT FURTHER RESOLVED, that this Resolution shall be forwarded to all the Rail Labor Unions and the Rail industry covering Railroad Retirement pension benefits and to the Congress.

Submitted by San Antonio NARVRE Lodge # 163 in support (Tony Padilla) Delegate. Upon notice from NARVRE, locate your Member of Congress on the NARVRE website [www.narvre.info](http://www.narvre.info) by clicking on contacting Congress or call the Toll Free number to ask support from your Senate and House Representative at 1-877-668-3864

#### **11:04      Resolutions # 6**

N.A.R.V.R.E. VS. CITIZENS UNITED:

WHEREAS; The Supreme Court, (year 2010), ruling “Citizens United” has proven to be falsely Titled, devious of content, a miss interpretation of the 1<sup>st</sup> Amendment, and,

WHEREAS: such bias ruling has usurped the integrity of a fair and viable campaign funding system, and

WHEREAS: said ruling has allowed a system of excessive corporate dollars, wealthy individuals and lobby groups monies of unlimited amounts, through separate and laundered monies through such front groups, such as Americans for Prosperity, etc.

THEREFORE BE IT RESOLVED: THE N.A.R.V.R.E. Organization incorporating all Units and Membership, to work singularly, or jointly including efforts with other National Organizations, in requesting, and directing your Congressional Senators and Representatives to work Unilaterally, and in a bi-partisan way, to reverse, overturn, or otherwise amend, the Supreme Court’s ruling, ‘Citizens united’, so as to reestablish the Founding Fathers original principles of the 1<sup>st</sup> Amendment of the Bill of Rights.

**11:05      Resolution # 2**  
**42<sup>nd</sup> Biennial Convention, Oakland, CA**  
**Replaces & amends 11:01 Resolution # 2 from 31<sup>st</sup> Biennial Convention**

WHEREAS, at the 31<sup>st</sup> Biennial Convention in 1998, Resolution 2 was adopted designating MOODY, STROPLE AND KLOEPPEL, INC law firm as the official law firm to represent the National Association of Retired and Veteran Railway Employees, Inc. in asbestos related diseases; and

WHEREAS, the referenced law firm has provided supported NARVRE at past conventions; and

WHEREAS, the referenced law firm has either elected not to support NARVRE at its conventions, or has failed to respond to NARVRE's request for support; and

WHEREAS, the law firm of JONES AND GRANGER, ATTORNEYS AT LAW, has elected to provide support to NARVRE for the 2022 Convention; and

WHEREAS, the Jones and Grainger law firm has shown interest in providing support for future NARVRE conventions; therefore,

BE IT RESOLVED, Resolution 2 of the 31<sup>st</sup> Biennial Convention in 1998 is null and void; and

BE IT FURTHER RESOLVED, the delegates here assembled concur in the designation of the JONES AND GRANGER, ATTORNEYS AT LAW to be as the official law firm to represent the National Association of Retired and Veteran Railway Employees, Inc. in asbestos related diseases, and

BE IT FURTHER RESOLVED, the representation by JONES AND GRANGER, ATTORNEYS AT LAW, will be reviewed with the law firm by the NARVRE National President and National Secretary Treasurer every two (2) years, and

BE IT FURTHER RESOLVED, after review by the NARVRE National President and National Secretary Treasurer, recommendations will be made to the Governing Board on whether to renew NARVRE's designation of the JONES AND GRANGER, ATTORNEYS AT LAW firm.

**ETHICS RESOLUTIONS**

APPROVED MAY 17, 18, 19, 1992  
WICHITA, KANSAS

**NATIONAL ASSOCIATION OF RETIRED AND VETERAN  
RAILWAY EMPLOYEES, INCORPORATED**

**12:00   CODE OF ETHICS**

**12:01   RESOLUTION ON ETHICS**

Submitted by the Ethics Committee, E. L. Kitchell, Jr., Chairman

**WHEREAS,** The image of the National Association of Retired and Veteran Railway Employees, Inc., is reflected by the conduct of its members and officers to the public and prospective members;  
**BE IT RESOLVED THAT,** The following “Standard Code of Ethical Conduct for Members of the National Association of Retired and Veteran Railway Employees, Inc.” be adopted.

## **12:02 STANDARD CODE OF ETHICAL CONDUCT**

ALL OFFICERS, VOLUNTEERS, MEMBERS AND STAFF WILL SUBSCRIBE TO THE FOLLOWING PRINCIPLES AND STANDARDS:

- A. A N.A.R.V.R.E. member shall have the ethical responsibility of assisting the Ethics Committee in the performance of its duties.
- B. A N.A.R.V.R.E. member shall refrain from gratuitously making adverse comments about the work, knowledge, fitness, or other qualifying aspect of another N.A.R.V.R.E. member.
- C. A N.A.R.V.R.E. member shall uphold the integrity and honor of this Association; encourage respect for the Association, its members, and the positions and opinions advanced regarding the issues of concern adopted; support other Association members through devoting time and effort as their standing and ability reasonably permit; and conduct themselves so as to reflect credit on the Association and inspire the confidence, respect and trust of the public.
- D. A N.A.R.V.R.E. member shall avoid circumstances which prevent the exercise of prudent judgment in favor of personal gain or conflict of interest.
- E. A N.A.R.V.R.E. member shall prohibit soliciting for themselves, or for a third party, anything of value from anyone in return for business, service, or confidential information of N.A.R.V.R.E.
- F. A N.A.R.V.R.E. member shall recognize and discharge the responsibilities of office in compliance with all applicable laws, regulations, bylaws, policies, and procedures as each relates to N.A.R.V.R.E.
- G. A N.A.R.V.R.E. member shall not knowingly reveal a confidence gained in performing any duties of office entrusted to them by the members of the Association.
- H. A N.A.R.V.R.E. member shall not use intentional inaccuracies or embellish actual facts either orally or in writing in order to gain leadership or to persuade another to their point of view.
- I. A N.A.R.V.R.E. member shall not publicly refute decisions made by a properly constituted authority of the Association. All objections to decisions made have proper redresses, and a N.A.R.V.R.E. member will submit their concerns in proper fashion

according to the necessary procedure to be followed. No N.A.R.V.R.E. member shall use any method of redress to intimidate or persecute by besetting with annoyances, threats, or demands.

A VIOLATION OF ANY OF THE ABOVE SHOULD BE BROUGHT TO THE ATTENTION OF THE NATIONAL ETHICS COMMITTEE FOR IMMEDIATE HANDLING.

## **12:03 RULES FOR DISPOSITION OF COMPLAINTS BY THE ETHICS COMMITTEE**

BE IT RESOLVED THAT, The following “Rules for Disposition of Complains by the Ethics Committee” be adopted.

**RULE 1. COMPLAINTS.** Complaints alleging a violation of the “Standard of Ethical Conduct for Members of the National Association of Retired and Veteran Railway Employees, Incorporated” against a member of the Association shall:

- A. Be sent to the Chairman of the Ethics Committee,
- B. Be in writing and signed by the complainant, and
- C. State fully the facts surrounding the acts or omissions complained of and the nature and extent of the violations alleged.

**RULE 2. PROCESSING OF COMPLAINT.** Copies of a complaint with any accompanying documents shall be sent by the Chairman to all members of the Ethics Committee who:

- A. Shall conduct, under the supervision and control of the Chairman, such investigation as they may deem appropriate, and
- B. Shall decide by vote, which may be by mail, one of the following:
  - 1. That the complaint be dismissed as inconsequential or frivolous or because it fails to comply with the requirements of **RULE 1, C.**, or
  - 2. That efforts shall be made to resolve the alleged violation without the necessity of a hearing, or
  - 3. That the accused shall be afforded a hearing on charges and specifications growing out of the complaint.

**RULE 3. ARRANGEMENTS FOR HEARING.** When a hearing is to be afforded an accused, the Chairman of the Ethics Committee shall:

- A. Draw up appropriate and inclusive charges and specifications covering the nature and extent of the violation alleged.
- B. Serve a copy of the charges and specifications signed by the Chairman, on behalf of the Committee, on the accused.
- C. The Chairman of the Committee shall:

1. Schedule a hearing on the charges and specifications at a location reasonably accessible to the accused not less than thirty (30) days after the mailing of the charges and specifications to the accused,
  2. Notify the accused and the complainant of the date, time and place of the hearing, that they may appear and present evidence, and that they may be represented by legal counsel, if desired, it being understood, however, that legal counsel for the complainant may be present at the hearing only during such times as the complainant is called upon to testify.
  3. Notify any necessary witnesses for the committee to appear and present evidence.
- D. The hearing shall be conducted as provided in the Robert's Rules of Order, Newly Revised, "Trial Procedure", pages 652-656. The Committee shall act as the managers for the Association unless another manager is appointed by the President.

#### **RULE 4. REPORT OF THE COMMITTEE**

- A. After the conclusion of the hearing, The Committee shall, by majority vote, agree to a written report of its findings of fact, conclusions as the guilt or innocence of the accused of the charges and specifications, and the Committee's recommendations as to the appropriate disposition of the matter.
- B. The Committee may recommend exoneration of the accused or one of the following penalties:
  1. Require that the accused take certain remedial action failing which a further penalty may be imposed,
  2. Reprimand with or without the requirement that an apology be made to an aggrieved party,
  3. Suspension from membership for a definite period,
  4. Expulsion from membership status with or without the right to apply for reinstatement after the expiration of a definite period,
  5. Expulsion from membership.
- C. The Chairman of the Committee shall promptly transmit to:
  1. The accused its report and recommendations
  2. The National Secretary:
    - a. The charges and specifications
    - b. The report and recommendations.

#### **RULE 5. DISPOSITION BY THE GOVERNING BOARD**

- A. The National Secretary shall inform the accused of his right within thirty (30) days to submit a written statement in defense to the National Secretary for distribution to the Governing Board.
- B. Upon the receipt of a written statement in mitigation from the accused, or the expiration of the time provided for such submission, the National Secretary shall transmit to all members of the Governing Board the documents received from the Ethics Committee and the accused.

- C. A penalty of any form of expulsion shall require a two-thirds vote for its imposition. Exoneration or all other forms of penalties shall require a majority vote for adoption.

#### **RULE 6. APPEAL**

- A. An accused may appeal the decision of the Governing Board by written notice of appeal sent to the National Secretary within thirty (30) days of the mailing of notice of decision of the Governing Board.
- B. All documents considered by the Governing Board shall be transmitted to all members of the Governing Board in advance of its next meeting. At the next meeting of the Governing Board, the accused and the complainant shall be afforded a personal hearing, but the appeal shall be otherwise decided on the record as submitted to the Governing Board originally.
- C. The National Secretary shall promptly notify the accused of the decision of the Governing Board on the appeal.

**RULE 7. CONFIDENTIALITY OF PROCEEDINGS.** All proceedings and documents connected with disciplinary procedures shall be sealed and held at the National Office in strict confidence except:

- A. Appropriate officers, members, or employees of the Association may be given such information regarding a disciplinary proceeding as is necessary and proper for the effective execution of any penalty imposed, and
- B. With respect to any penalty of expulsion, notice shall be published in the National Newsletter of the Association that the subject of the penalty is no longer a member or the holder of membership status, as the case may be.

**RULE 8. NOTIFICATION TO THE ACCUSED.** All notices required by these rules to be given an accused shall be by certified mail, return receipt requested, delivery restricted to addressee.