



National Association of Retired & Veteran Railway Employees, Inc.

NARVRE National Office

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NARVRE NEWSLETTER

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FROM THE NATIONAL PRESIDENT —

The season is upon us once again when it comes to personal income taxes. Every year about this time I will get calls or emails about whether the states can tax railroad retirement on individuals annuities. Most CPA's or recognized tax experts such as H&R Block seem to know about the federal law prohibiting taxation of our benefits. There are individuals who also do taxes where we have some problems from time to time. Railroad Retirement is fully taxable on the federal level. All other income you may have is also taxable by most states.

Back in 1988 a Minnesota NARVRE member filed suit against the State of Minnesota for starting to tax all income as income such

as state pensions, workers' compensation, unemployment compensation and other federal pensions in addition to railroad retirement. The state's argument was that they believed it was unconstitutional to not tax railroad retirement in lieu of taxing other pensions plans. NARVRE Unit 109 hired an attorney to plead our case. Once the lawsuit was filed and after presenting the federal statute to the state Attorney General he declined to defend the law in court agreeing that the federal law super ceded the state law that was enacted in 1986. He agreed with the plaintiff and the State of Minnesota had to hire outside counsel to defend the law. The judge was a former tax commissioner in Minnesota and he ruled against the State of Minnesota in his decision in 1989. By that decision some \$2 million dollars

were returned to any railroad retiree who was taxed at that time.

The federal statute is the same today as it was back then. Keep in mind this only pertains to railroad retirement annuities nothing else.

§231m. Assignability; exemption from levy field-end: head field-start: statute

(a) Except as provided in subsection (b) of this section and the Internal Revenue Code of 1986 [26 U.S.C. 1 et seq.], notwithstanding any other law of the United States, or of any State, territory, or the District of Columbia, no annuity or supplemental annuity shall be assignable or be subject to any tax or to garnishment, attachment, or other legal process under any circumstances whatsoever, nor shall the payment thereof be anticipated.

— Tom Dwyer, National President

From the National Legislative Director —

We're all aware that America has a terrible and declining situation with our transportation and infrastructure (T&I) and it's getting worse year by year. Transportation experts have been warning the Congress that they must invest in these immediate problems and thankfully, those people are ramping up their activity and messages for this new Congress. Whether it be with traffic gridlock, rail transit shortages, or bridge closures, they all are a direct result of a lack of maintenance and funding. The **American Society of Civil Engineers (ASCE)** has been reporting on the lack of attention to these key issues for years, as political gridlock in our nation's capitol has blocked any serious action or constructive investment to move our country forward. ASCE has introduced "**Save America's Infrastructure**", a detailed plan seeking to change the national conversation on infrastructure in the U.S. by highlighting our poor roads, bridges, waterways and transit systems and calling attention to how infrastructure affects our economy and our everyday lives. Their plan details how

infrastructure investments create jobs, builds better communities, and makes our nation safer. They are urging elected officials to take action and invest in America's future, sooner rather than later. They're literally tracking and analyzing Congress, state legislatures, and local initiatives to make the point that Congress must act. NARVRE agrees with this plan as these issues are effectively tied to the many T&I issues we work on in every Congress. We agree that transportation and infrastructure is the driving force of our economy and the country's future.

Important discussions and hearings are now ongoing in the House & Senate on the need for long term action on these T&I problems, but the differences in how to fund these projects is always a major impediment in passing legislation. We have seen innovative ideas to fund these projects by repatriating corporate revenue that is currently being held in foreign offshore accounts. The MAP-21 surface transportation bill has to be reauthorized as that two-year legislation runs out of funding on May 31st. While MAP-21 was a bipartisan and innovative undertaking, no credible proposal today can use short term formats like that if they want to be taken seriously. Also, suggestions across the aisle are looking for supporters that

will agree to raise the national gas tax as the Highway Trust Fund (HTF) is again teetering on the brink of insolvency. Experts agree that the HTF needs an increase of \$30 billion per year to remain solvent and efficient. Time is of the essence on these subjects, as the HTF is critical to the states, and most state & local transportation planners are gun-shy when having to rely on Congress in order to plan and jump-start T&I projects. In my home state of Michigan, as example, about 29 percent of total spending on transportation comes from the federal government, and those funds must be fixed in a signed piece of legislation before they start their job projects. NARVRE members are aware of the need for HTF funds in order to finalize agreements between specific states and Amtrak to forge the partnerships required to allow those trains to operate within those states. ASCE's "Save America's Infrastructure" covers the gamut of facts and figures on all aspects of infrastructure, in airports, waterways, surface transportation, electricity, and water issues. ASCE also releases a report card every four years and the grading depicts the condition and performance of the nation's infrastructure. **America's infrastructure GPA**

continued on page 3 ►►

From the National Vice President —

Although we are still behind on renewing dues, I am confident that our members will soon be renewing their membership. I cannot stress enough how important it is for Unit officers to implement a communications committee to remind our members by phone or by U.S. Mail (card) to renew their membership. We already talked about many railroad retirees do not know about NARVE and never heard of us. While railroads suffered an exodus of retirees during the passage of the Railroad Retirement and Survivors' Improvement Act Of 2001 which allowed railroaders to retire at 60 years with 30 years of service, NARVRE did not gain many of those retirees. So we must concentrate on targeting those that are about to retire. That is why it is so important to promote NARVRE. We did the bulletin board flyers and posters for railroad Employee bulletin boards which also will be used in a variety of meetings and conventions. **Most important task is we must continue to make an effort to establish new units. Keep up and update your Area Director's on your website.**

Also, the Labor Member of the RRB just sent us the Spring Schedule of Informational Conferences and Pre-Retirement Seminars, they will be holding throughout the country. I encourage the Area Directors and Unit Officers to make every attempt to participate in this RRB conferences (for prospective retirees) to expose, promote and recruit NARVRE members.

Make sure to call the RRB Area Manager to let them know that you will be attending as a Representative of NARVE. Contact the RRB toll-free at 1-877-772-5772 and request that you be added to the agency's invitation database. E-mail Caldwell@rrb.gov to receive RRB updates. The schedule is as follows: Registration for each conference begins at 8 a.m., with the program starting at 8:30 a.m. and concluding at 12:15 p.m.

Informational Conferences will be held in 22 locations across the country, beginning March 13 in Covina, CA. Pre-Retirement Seminars are planned for several locations during the spring, with the first to be held April 17 in Albuquerque, NM.

Spring 2015 Informational Conference Schedule

MARCH	APRIL
13 – Covina, CA	10 – Richmond, VA
20 – Baltimore, MD	16 – Westbury, NY
27 – Oakland, CA	17 – St. Louis, MO
27 – Birmingham, AL	17 – Newark, NJ
24 – St. Paul, MN	
24 – Detroit, MI	
MAY	JUNE
8 – Omaha, NE	5 – Billings, MT
8 – Little Rock, AR	5 – Indianapolis, IN
15 – Kansas City, MO	12 – Portland, OR
15 – Cleveland, OH	12 – Huntington, WV
29 – Denver, CO	19 – Chicago, IL
29 – Cincinnati, OH	19 – Fargo, ND

I wanted to feature the work of our new Area 8 Director AREA DIRECTOR Richard Olson Representing (AZ-CA-NV-UT) who energetically took off his new position in just a short time. He was assigned to the position on 11/19/2014. He lives in San Diego California. His bio shows as follows:

Rick Olson is the Area 8 Director of NARVRE. Rick is a second generation railroader, who started out one summer in 1970 on the

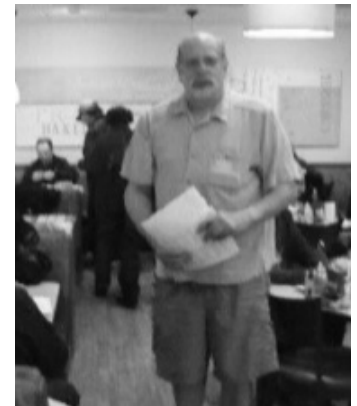
DM & IR Ry. and later in 1978 on to the BN and BNSF Railway for 32 ½ years as a brakeman/switchman/conductor and locomotive engineer. The last seven of those years he was appointed by the UTU General Chairman as Safety Coordinator for the Twin Cities Division. His duties included trying to get labor and management to work together for a safer workplace. In 1998, Rick received the BNSF's highest safety award, the Hill-Holliday Founders Award along with other team members regarding a safer workplace. In 2010, Rick received the Brass Lantern Award from the UTU for again striving for rail safety. In 2011-12, Rick worked for one of rail workers Designated Law Firms of Rossi, Cox & Vucinovich as a legal representative. During Rick's many years as a legislative rep. and local chairman he fought for the rights of his fellow union members. As Area 8's Director Rick will again take up the fight for all rail workers when it comes to our railroad retirement benefits. To contact Rick call 760-310-0179 or by e-mail at railguardian@yahoo.com Here are some of the activities he has endeavored as his report shows...

1. NARVRE Area 8 News - Assistant Area 8 Director Bob Bloomer and I attended the January, 2015 Barstow, CA Unit # 098's monthly meeting. Unit President David Rosse ran a very informative meeting along with his fellow officers who assisted him during this packed house meeting in downtown Barstow. There were newcomers attending this meeting and NARVRE applications were handed out.

2. Future Area 8 scheduled events include a NARVRE Informational Booth being set up in Needles, CA during Centennial Train Day weekend events, starting on Friday, March 13th throughout the weekend. Visit www.bullheadareachamber.com for times and events. Also, NARVRE Area 8 officers including Assistant Directors Jackie Kuehl and Bob Bloomer will be setting up an informational meeting in Reno, NV in the near future for the possible start-up of a new NARVRE Unit in Reno.

3. This February, I was invited to attend NARVRE Unit 27's Los Angeles Monthly Meeting on Wednesday, Feb. 4th @ 10 AM at the Hometown Buffet at 5535 N. Rosemead Blvd, in Temple City, CA. All Railroaders, active and retired are free to attend! In March, I will be attending the BLET Division 56 Union Meeting in West Covina, CA to speak on the importance of belonging to NARVRE.

— **Tony Padilla**
National Vice President



(National Legislative Director from page 1)

was a D+ (2013)...which means Congress needs to act.

The following disturbing facts/figures are from the ASCE reports on a) investments needed, b) funding expected, and c) the obvious gap in funding by the year 2020:

Airports---Investment needed \$134 billion, funding expected \$95 billion (**Gap = \$39 billion**).

Seaports & Waterways---Investment needed \$30 billion, funding expected \$14 billion (**Gap = \$16 billion**).

Surface Transportation---Investment needed \$1.7 trillion, funding expected \$877 billion (**Gap = \$846 billion**).

Electricity---Investment needed \$736 bil-

lion, funding expected \$629 billion (**Gap = \$107 billion**).

Drinking Water/Wastewater---Investment needed \$126 billion, funding expected, \$42 billion (**Gap= \$84 billion**).

ASCE states that without increased investments, transportation delays, blackouts & brownouts and water main breaks will lead to increased costs of \$1.2 trillion to businesses and \$611 billion to households by the year 2020. Unless we move aggressively to invest in our infrastructure, businesses and global competitiveness will suffer. However, an additional investment of \$94 billion per year will create millions of new jobs and protect over a million existing high skilled jobs. It will improve the American family budget by an average of \$1,060 each year, make businesses more productive, and grow the economy. Inaction

threatens the economy, American rail jobs and railroad retirement.

In the months ahead we will be keeping an eye on the passenger rail reform legislation (PRIIA) in the House T&I committee, as it needs to be amended to adequately fund Amtrak and passenger train service. While the President's 2016 Budget offers good increases for Amtrak and passenger rail, other proposals from the President's 2016 Budget contains threatening language to Medicare beneficiaries. We turned back harmful actions in the last Congress, and we will continue to fight against any efforts to place an unfair financial burden on the budgets of seniors and retirees. We will keep you posted as all of these issues progress through the Committees.

— Gary M. Faley, Legislative Director

From the National Secretary-Treasurer

Last month's newsletter had the amounts of the per capita that Units send in to the National Office, as \$13.50 Single and \$20.50 Couple this is correct as of May 2014 when the financial committee recommended the \$3.00 raise which was adopted on the convention floor by all voting members present, each unit can set their membership dues over and above these amounts and not all units charge the same dues to their members. I have had several calls and want to clarify this information so everyone will understand why there dues may be different from other members that belong to other units.

Unit 801 dues which are handled by the National Office are as follows \$16.00 Single member and \$23.00 for a Couple. Unit 801 members should have a letter stating these amounts and cards within that letter which also state these amounts. Unit 801 members please send in the appropriate amount as listed on the letter and cards or call the National Office if in doubt as to what the payment is for 2015.

Your National Office has been very busy processing Unit and 801 members' dues, but there is no reason to think that all the work is done. We still have 4553 members that paid dues in 2014 that have not renewed with NARVRE. Units need to be working hard to get there portion of 3697 members contacted to renew and the National office is ready to send reminders to the Unit 801's which number 845.

We have a request to post the dues of Unit 140 Topeka, KS they are Single \$16.00 and Couple \$29.00 per annual assessment. Please send your membership to this Unit Treas. Alda

Evans, 2620 S W Bingham Ct., Topeka, KS.

We have lost about 4,000 members in the last 4 to 6 years and that is not because of our members passing away, mostly is due to the fact that our members have not renewed their memberships this may be do to a miss conception about what the Government can give in a law such as the Railroad Retirement Act, and take away with another law that overrides the original, the only way to protect our Railroad Retirement, is to stand strong in membership numbers and call your congressmen and women to let them know how you feel about changes that are purposed by our congressional bodies.

Please send in your local unit dues to your Local Unit Treasurer's or Sec/Treasurer's, there is important work to be done by NARVRE in the protecting of your Railroad Retirement Tier I, to keep it from being removed and put into the Regular Social Security fund which would lower your income each month. I can't express enough how IMPORTANT the work of NARVRE is to all of our NARVRE members or all the active railroaders that are not members across the country.

Reminders that Audits are due from local units and IRS 990N reports should be completed soon. Call the National office if you cannot complete this IRS 990N epostcard, and we will handle that report for your unit. Thanks to all Unit Treasurer's that are getting this important work done and sent to the National Office. If you need your tax ID number we have that on file. We have a new password for the 990-N please call the National Office before logging in to the IRS Site to report the 990N.

You may need to change your password to change to a new one per IRS request. If you get a letter from the IRS form 941 or 940 please call Joyce at the National Office. Or

any other correspondence from the IRS.

I don't like to think about units closing and we have had our share in late 2014 and 2015. If your unit is having trouble getting officers or members to attend, and you live in close proximity to another local unit you can merge with that unit, please let your local Area Director and the National Office know, so that we can possibly help in keeping the Unit member in good standing and participating in NARVRE.

Attention Calling ALL FLORIDA UNITS:

FLORIDA State Meeting, (Unit 501) set tentatively for NOVEMBER 7, 2015, Host Unit 011 Sebring, FL is working hard to contact all Florida Unit Presidents of this meeting. They have a hotel and meals planned. Jerry and Nancy Tressa of Unit 011 are working hard to make this event happen.

Their Phone # 863-441-4418 and more information to follow in our newsletters. Don't let this valuable Florida State Association collapse.

This Association was Chartered on October 23, 1973, 42 years ago, please help in continuing to make this an important part of your Florida NARVRE heritage.

LIKE NARVRE on FACEBOOK, we have many friends signed on to Facebook sending pictures and comments.

We have had several hundred January & February newsletters that have come back to the National Office for postage due, because of being temporarily away from the home address?? Or no forwarding or no address, when you leave home please make arrangements to contact either NARVRE or the postal system, it is expensive to print and pay postage twice for these newsletters. We appreciate your cooperation in this matter

— Joyce A. Burton, National Sec/Treas

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NARVRE Ohio Biennial State Meeting

The NARVRE Ohio Biennial State Meeting will be held May 18, 2015 at the Holiday Inn in Strongsville, OH. Speakers will be our National President, Tom Dwyer; National Vice President, Tony Padilla; National Legislative Director, Gary Faley and a representative of the Moody Law Firm. We will also have a speaker from United Health, Medicare, Railroad Retirement and Whitey Westphal, Unit 19 Legislative Director. A luncheon will be served the day of the meeting of which there is no charge. A block of rooms has been reserved for anyone wishing to stay overnight. For more information or for a reservation contact Ruth Teper, Ohio State President at 216-749-2786 or rbt@cox.net.

From Palmetto, GBA

Medicare's Coverage of Dental Services

In most cases, Medicare does not cover dental services, specifically, services related to the care, treatment, filling, removal, or replacement of teeth, or structures directly supporting teeth. This would include check-ups, cleanings, and dental devices (such as dentures, dental plates, dental implants, or bridges) as well as extractions or other procedures performed to prepare the mouth for dentures (including reconstruction of the ridge) or titanium implants.

Medicare does not change its coverage based on how complex, difficult or necessary the care may be. For example, removing or replacing teeth that are impacted or broken would not be covered, even though the services are medically necessary. In addition, if a patient is hospitalized for treatment, it would not automatically allow coverage to exist.

- Medicare may cover dental services specifically related to:
- Treatment of a fractured jaw
 - Cancer treatment
 - Extraction of teeth PRIOR to radiation treatment of the jaw (but not after)
 - Dental exam PRIOR to a kidney transplant or heart valve replacement
 - Removal of oral lesions or tumors

If a covered procedure is performed in connection with an excluded service, such as preparing the mouth for dentures, both services are non-covered. If a non-covered service or procedure is an essential part of a covered service or procedure, such as removal of a tooth that is preventing the removal of a tumor, both services may be covered. You should contact your provider to determine if a specific service or procedure is covered by Medicare.

Generally speaking, dental services not covered by Medicare are also not covered by group health plans (health plans offered to individuals or spouses who are still working), supplemental plans or secondary coverage insurance. However, if applicable, it is advisable that you check with your specific plan to be sure, as plans can differ from each other.

If you have questions about what Medicare will pay for dental services, you can call our Beneficiary Contact Center at 800-833-4455, Monday through Friday, from 8:30 a.m. to 7 p.m. ET. For the hearing impaired, call TTY/TDD at 877-566-3572. This line is for the hearing impaired with the appropriate dial-up service and is available during the same hours Customer Service Representatives are available.

We encourage you to visit our Facebook page at <https://www.facebook.com/myrrmedicare>. We also invite you to join our listserv/e-mail updates. Just select the 'E-Mail Updates' in the 'Stay Connected' section on the lower left-hand side of our main webpage at www.PalmettoGBA.com/RR/Me.

— Jennifer Johnson