

# SMART

## Transportation Division News

Volume 45 • Number 4 • April 2013

International Association of Sheet Metal, Air, Rail and Transportation Workers

## Safety task force urges in-cab communication

The UTU-SMART Rail Safety Task Force, charged with combating unacceptable loss of life and career-ending injuries among union members, has issued a safety alert to all railroad workers.

Leading the task force is UTU-SMART Arizona State Legislative Director **Greg Hynes**, who is working with Arkansas State Legislative Director **Steve Evans** and Michigan State Legislative Director **Jerry Gibson**.

The safety alert is as follows:

In-cab communication is an essential element in overall railroad safety. Too many fatal accidents and injuries have been attributed to a lack of, or insufficient, "in-cab communications."

**Peer-to-peer interaction is the key component to effective in-cab communications.**

Everyone knows someone who can benefit from peer-to-peer interaction. Post-accident discussions often include statements like "I knew this would happen" or "it was just a matter of time." It is absolutely critical that we speak up before an incident.

At the end of the day, we all want the same things. We all want to be able to go home to our families the same way we left them. It is our responsibility as union members to speak up any time, anywhere, a risky behavior or unsafe action comes up.

You never want to have the thought, "I wish I had said something." We owe it to ourselves, as



well as our other brothers and sisters, to speak up and communicate frequently in the locomotive cab about the operations of the train.

The following behaviors should be practiced during every train assignment:

- **Continuous job safety briefings:** Crewmembers need a complete understanding of the work to be performed, with conversations about potential risks and other job-related exposures. Don't

be timid about asking questions. There are no stupid questions. Your question may save a life. So, speak up if you're unsure about a move;

- **Maintaining situational awareness:** This includes planning and preparing for the task ahead, doing your best to avoid distractions, distributing your work load, communicating with your crew members and recognizing a deteriorating situation. Develop your own technique to minimize the loss of situational awareness. This may include your own personalized method of staying aware or making a check list that you go through repetitively;

- **Attention to details:** Go over any details that could be overlooked. Follow procedures to ensure all tasks are performed safely. Perform routine or repetitious tasks with care and attention;

- **Courage and confidence to speak up when necessary:** Don't be afraid to speak up regardless of craft, seniority, organization or gender. You may save someone's life. You may even save your own life.

- **Electronic devices:** Be the person on your crew to demonstrate that your cellphone is off and stowed away when prohibited by rules or regulations. It's not only because of the rules and regulations that we should do this. It's the right thing to do to insure safety for ourselves and other crew members.

- **Lead by example:** As union workers, we must always demonstrate that we are the best and safest workforce money can buy.

## UTU-SMART, Amtrak reach deal on wages, H&W mods

After more than two years of negotiations, three UTU-SMART general committees representing some 2,300 Amtrak members have reached a deal with the passenger carrier on a new contract.

General Chairpersons **Bill Beebe**, **Robert Keeley** and **Dirk Sampson** represent Amtrak conductors, assistant conductors, yardmasters and dining car stewards.

The parties first began negotiations in 2010 and were initially unable to resolve their differences on the terms and conditions of a new contract. After a number of sessions, the services of the National Mediation Board were requested and a Federal mediator was assigned.

UTU-SMART Assistant President John Previsich, who assisted in the negotiations, said that, although the progress remained slow and difficult, the mediator was ultimately successful in moving the parties forward to a satisfactory conclusion.

The tentative agreements must now be ratified by affected members under provisions of the UTU (SMART Transportation Division) Constitution. Ballots have gone out by mail and the tentative deadline for their return is April 10.

The proposed agreements follow the pattern of pay increases and health and welfare modifica-



tions reached by other organizations in earlier settlements. The increases are effective beginning back to 2010 and, as a result, employees covered by the new agreements will receive a significant amount of back pay once the contract is ratified, Previsich said.

"In addition, the parties were successful in resolving the difficult issue of financial recognition for the increased obligations and rule modifications that are required by Federal certification of conductors," Previsich said.

General Chairpersons Beebe, Keeley and Sampson thanked Previsich for his assistance during the negotiations and also pointed to the valuable contributions and perseverance of Vice General Chairpersons **Gary Hopson**, **Charlie Yura** and **Charles Fowler**.

"I commend Chairpersons Keeley, Sampson and Beebe for the professionalism and dedication to the membership exhibited during this very difficult round of negotiations," Previsich said.

"Their commitment, along with the knowledge and contributions of the vice general chairpersons, resulted in tentative agreements that stand as testimony to the value of working together for the benefit of the men and women who we represent," Previsich said.



SMART Transportation Division members who are interested in reading The Members' Journal of the International Association of Sheet Metal, Air, Rail and Transportation Workers, seen above, can find the publication online at [www.smwia.org](http://www.smwia.org). The latest issue of the journal can be found at the bottom left-hand side of the homepage in .pdf format. In 2013, the journal will feature an abridged version of SMART's history, beginning with a look backward to the very beginning of the SMWIA and UTU.



# Around the UTU

## Local 30, Jacksonville, Fla.

Two Amtrak conductors were recognized by the carrier's *Southern Division News* after their actions resulted in the arrest of a New York murder suspect, Secretary & Treasurer **David K. Lee** reports. **Bruce Brown** and **Jeremy Lindstam** contacted Amtrak Police Det. Steve Chambers after a passenger reported to them a conversation overheard by the suspect in Spanish in which he supposedly discussed the murder. Brown was able to identify the suspect using his e-ticketing mobile device after the suspect approached him regarding the train's arrival time. He was later arrested by U.S. marshals. "It was shocking that someone like that was on the train, but I was glad we were able to help apprehend him," Brown said.

## Local 196, Beardstown, Ill.

Local Chairperson **Robert C. Taylor** reports that **Richard Whiteman**, 64, is retiring after 10 years of service. "Rich started out kind of late on the railroad, but we all wish him the very best in his retirement," Taylor said.

## Local 199, Creston, Iowa

This BNSF Railway local, in December, held a retirement party for numerous members and former members who retired in 2012, Local Chairperson **Billi Vavra** reports. She also noted the deaths of former retired Local President **Dale Weeds** and retired member **Edwin Roberts**.



Pictured at the 2012 retirement party, from left, are **Denris C. Gross**, **Vic Sloan**, **Bob Culberson**, **Roger Jackson**, **Bruce Brown**, **Bob "Nummy" Williams** (back), **Keith Hoepker** (front), **Mark Bacon**, **Rich Springer** (back), **Keith Moore** (front), **Butch Penno**, **Jim Mason**, **Rick Van Pelt**, **Randy Goodrich** (back), **Mark Hayes** (front) and **Roger Fry**.

## Local 498, Allentown, Pa.

This CSX local has established a website at [www.utusmart498.org](http://www.utusmart498.org), webmaster and Vice Local Chairperson **Joanna Sedler** reports. Areas on the site include News & Topics, Penalty & Claim Q&A and Safety Concerns, as well as the local's monthly meeting schedule. Members should contact a board member to access the site's password-protected area.

## Local 594, Mineola, Texas

At a joint meeting of Locals 439, 594 and 976 March 4 in Longview, Texas, International Vice President **Troy Johnson** and GO 927 General Chairperson **Steve Simpson** presented engineer and Local Chairperson **Ronnie Burris** with a pin commemorating 40 years of active rail service.

## Local 607, Thayer, Mo.



Vice Local Chairperson **Fred Komm**, center, and Local Chairperson **Doug Cozort** present a check in the amount of \$500 Feb. 13 to radio station **KKcountry 95 (KAMS)** Manager **Lynn Hobbs** during the station's annual radiothon in support of **St. Jude Children's Research Hospital** in Memphis, Tenn. Local President **Chris Skaggs** said the local has supported the hospital through the radio station for the past five years.



Cousins **Dillon McAndrews**, **John P. Lusk**, **Jarrod J. Smith**, **Joshua R. Smith** and **Jeremy B. Smith** hold a brief family reunion aboard a BNSF Railway train.

## For proud retiree McAndrews, railroading is 'all in the family'

For the grandsons of UTU Alumni Association member **James P. McAndrews Sr.**, railroading is all in the family. Five of McAndrews' grandsons are employed by BNSF Railway Company and work out of Needles, Calif.

**John P. Lusk**, currently working in engine service, was the first of McAndrews' grandsons to join BNSF. Brothers **Jeremy B. Smith**, **Jarrod J. Smith**, **Joshua R. Smith** and cousin **Dillon McAndrews**, who are all members of UTU Local 771 at Needles, followed him.

Railroading is in the family's blood.

"My dad was a conductor on Monongahela Railway in Pennsylvania, and my uncle also," McAndrews said. "I used to ride the trains with my uncle when he could take me."

After moving west, McAndrews hired out with Atchison, Topeka & Santa Fe Railway, but his employment didn't last long. "I lied about my age and was dismissed," he said.

After serving in the Navy during the Korean War, McAndrews was able to get his job back. "In November 1953, I met the firemen's grievor. My aunt introduced me to him. He wrote letters from November 1953 to May 1954 so I could rehire. The trainmaster knew me and my family and I appreciated it ever since."

McAndrews became active in his local and served as both a local chairperson and a vice general chairperson. "I was called Archie Bunker out here because I raised a lot of hell out here, but they put up with me."

"Because of my grandfather, I got involved in the union right off the bat," said **Jeremy Smith**. "I was a member of the board of trustees and then in 2006, I became the brakemen's local chairperson. In January of this year, I was nominated and ran unopposed for the conductors' local chairperson job."

Like **Jeremy**, **Joshua Smith** went to college and looked forward to a career in teaching and coaching. "My brother and I both kind of thought the pay wasn't that great for us. Then **Jarrod** and I hired out with BNSF in the same class," **Joshua** said. Today, **Joshua** is the secretary & treasurer for Local 771.

The Smiths' father was also a railroader whose career was ended in a wreck, but it didn't deter his sons. "He didn't blame the railroad," **Joshua** said. "He always told us it was a great job for you and your family, as long you put the utmost importance on safety for you and your crew."

**Joshua** said "Grandpa" still shows up at some local meetings and talks about history and local issues. "I appreciate what this organization has done for us," McAndrews said. "It wasn't easy for a long time, but we got a good job out here. The boys are into the union and that's what I wanted."

## Local 662, Richmond, Va.

Former Secretary & Treasurer **Jimmy Galbraith** reports that **Sam and Steve's House of Beef**, located at 10753 Jefferson Ave. in Newport News, was chosen as the local's new meeting location during odd-numbered months. A 6 p.m. social hour will precede the 7 p.m. meetings. Meetings during

even-numbered months will remain at **Carini Italian Restaurant**, located at 3718 Williamsburg Rd. in Richmond, at the times above. Following adoption of new bylaws separating the offices of local secretary and treasurer, the local will be holding a special election to fill the local secretary position. In other "good news for our members," **Galbraith** said that **CSX** announced many furloughed trainmen will be called back to work by the end of the second quarter, 2013.

## Local 1557, Memphis, Tenn.

**Ronald Dunn**, 42, lost his foot in a switching accident early Feb. 28 at the Canadian National/Illinois Central's Johnson Yard in Memphis, Tenn. Dunn, who had a UTU seniority date of less than one year, has been in therapy at the Rehabilitation Institute of Saint Louis.

## Local 1957, Silsbee, Texas



State Legislative Director **Connie English** presents a plaque to Local Legislative Rep. **Roy McLeod** and members of this BNSF Railway local for their outstanding PAC contributions per person. "Roy and Vice Local Chairperson **Jeremy McCart** have worked hard signing up the local's membership in **Beaumont**, **Lafayette**, **Conroe** and **Longview** for contributions to our PAC," said Secretary & Treasurer **Steve Soffes**. Pictured, from left, are Local Chairperson **James "Mike" Wilson**, **April Blaze**, **McLeod**, **English**, **Gerald Maze**, **Sean Gaffney**, **Mario Gobert Sr.** and **Soffes** (seated).

## CSX GO 347

This general committee of adjustment has established a website for CSX yardmasters and for a number of short line railroads that fall under the committee's jurisdiction, webmaster **Steve Cline** reports. The site can be found at [www.go347.org](http://www.go347.org) and contains news, officer contact information, agreements, claim forms and other information.

## Long Island Rail Road GO 505

The UTU's Long Island Rail Road General Committee of Adjustment is hosting its annual golf classic May 13 to benefit families on Long Island affected by autism. The gold classic will tee off at 9:30 a.m. at the Hamlet Wind Watch Golf & Country Club in Hauppauge, N.Y., and GO 505 is seeking both sponsors and participants for the event. The cost for participation in the tournament is \$225 per person, which includes breakfast, 18 holes of golf with cart, drinks, snacks, cocktails and buffet dinner with dessert. A registration form for participants and sponsors can be found at [www.utulocal645.com](http://www.utulocal645.com) by clicking on the Social Events tab. For more information, contact GO 505 Vice General Chairperson **Vinnie Tessitore** at (631) 661-3500.

## Transportation Division needs your assistance

The SMART *Transportation Division News* needs your input to keep this publication fresh and informative. If you have news about heroes in your local, local meetings, party or picnic information, or things of interest to your fellow members, we would like to hear about it. Just drop us a line or send us an email message, and we'll do the rest. You can reach the SMART Transportation Division Public Relations Department by telephone at (216) 228-9400 or by email at [news\\_TD@smart-union.org](mailto:news_TD@smart-union.org). Information can also be sent by mail to SMART Transportation Division, SMART TD News, 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333.



# UTU-SMART: “No knives on aircraft”

Airline passengers will soon be able to carry small knives, souvenir baseball bats, golf clubs and other sports equipment onto aircraft, and transportation workers represented by UTU-SMART and others are not happy about it.

The new Transportation Security Administration (TSA) policy permits folding knives with blades that are 2.36 inches or less in length and are less than a half-inch wide. The policy is aimed at allowing passengers to carry pen knives, corkscrews with small blades and other knives.

Passengers also will be allowed to bring onboard as part of their carry-on luggage novelty-sized baseball bats less than 24 inches long, toy plastic bats, billiard cues, ski poles, hockey sticks, lacrosse sticks and two golf clubs, the TSA said.

The policy goes into effect April 25.

## “Pilots are vulnerable to attacks by passengers”

The announcement drew an immediate outcry from UTU-SMART and other unions that represent flight attendants and other airline workers.

“UTU-SMART, along with all other airline unions and the Transportation Trades Department of the AFL-CIO have objected to this unilateral decision made independently by TSA,” SMART Transportation Division National Legislative Director James Stem said. “We are exploring all options to overturn this sudden decision.”

“The TSA’s recent decision to allow knives, sports bats, sticks, and pool cues into the aircraft cabin is both self-serving and ill advised,” Great Lakes Aviation Vice General Chairperson **Diane King** said. “It goes against the TSA’s own mission statement, which states: ‘TSA has established

## Southland Transit workers okay contract

After two years of negotiations, and a few unfair labor-practice charges, UTU-SMART represented workers at Southland Transit in Perris, Calif., have finally approved a first contract.

The deal covers approximately 200 van drivers, mechanics, service workers and office employees at Southland, which provides transit service for riders with disabilities and other on-demand service in Riverside County, Calif.

All are members of Local 1700 at Perris, Calif.

Southland workers tried to join the UTU in 2011, but it was discovered that the company was videotaping the voting, Vice President Bonnie Morr and Vice President John England, who assisted the negotiations, explained.

Charges were filed and another representation election was held in 2012. The UTU was selected overwhelmingly to represent the group.

Negotiations slogged on for months and finally, with the assistance of a mediator, a deal was reached, which was approved by the members last month.

The two-year contract provides for standardization of rates of pay, an increase in medical payments by the company, vision and dental insurance coverage and the variety of protective services only union members enjoy.

Morr praised the hard work and perseverance of General Chairperson **Gary Miller** and local Secretary & Treasurer **Rachel Gleason** during the negotiations.

“These members finally have the protections and services that only a labor union can provide,” Morr said.



UTU-SMART Transportation Division Alternate National Legislative Director John Risch, right, joins with others on Capitol Hill to protest plans to allow knives on aircraft.

guiding principles to maintain the security of the traveling public and continuously set the standard for excellence in transportation security.”

“There is a widely held belief that all flight decks on commercial aircraft have had ballistic doors installed since 9/11. This is simply not true,” King said.

“The vast majority of our fleet is comprised of Beechcraft 1900s, which have nothing more than a curtain separating the pilots from the passengers. Furthermore, the FAA does not require a flight attendant for these aircraft. With the pilots’ attention necessarily focused forward on their instruments, radios, changing weather, the landscape, etc., they are unable to monitor passengers, especially during critical phases of flight.

“Without the benefit of a flight attendant to stand as a final defense between the passengers and the flight deck, these pilots are completely

vulnerable to attack by an irate passenger, or a terrorist.

“We are unable to protect our passengers, the flight deck, or ourselves if a passenger wielding a golf club takes out our kneecaps, cuts our throats with a knife, punctures our eyeballs with a corkscrew, or inflicts a severe head injury with a baseball bat, pool cue, ski pole, or lacrosse stick,” King said.

“The admitted ‘convenience factor’ for TSA agents does not, and absolutely should not, outweigh the safety concerns of passengers and crewmembers onboard an aircraft. This latest TSA decision does nothing to maintain the security of the traveling public; on the contrary, it severely compromises both crew and passenger safety,” King said.

## FRA to test for more drugs

The Federal Railroad Administration (FRA) is adding certain non-controlled substances, drugs that have potentially impairing side effects, to the list of substances it tests for after railroad accidents.

The change becomes effective May 6.

This rule will add over-the-counter, legal drugs (uncontrolled), such as Tramadol and a variety of sedating antihistamines, to the panel of drugs for which testing is done in post-accident testing only (not in random testing).

The FRA will not include the results of this testing in post-accident reports, nor release its results to the railroads or tested employees, it said.

The results will be used, according to the FRA, to conduct research studies on the effects these non-controlled substances may have on accidents and incidents in the rail industry, among affected railroad workers.

The FRA believes that the use or abuse of these substances is a possible contributing factor in rail accidents and incidents, and it’s hoping that this rule by itself will deter the use, misuse or abuse of some non-controlled substances.

Employees may authorize a release of the tests’ results to themselves and their employer by giving permission. However, the FRA did not specify what form of communication constitutes “permission by the employee.”

Therefore, it is important that UTU members be aware that releasing these test results is purely voluntary and that anyone coercing them to

do so, orally, in writing or by any other means, may be subject to action by the affected employee in legal or administrative venues.

SMART Transportation Division National Legislative Director James Stem noted that the UTU, along with others in rail labor, filed official comments with FRA’s Director of Drug and Alcohol Programs, Lamar Allen, opposing the rule.

## FRA will now test for some over-the-counter drugs

“Labor has been able to postpone this at least two years,” Stem said. “We objected to this and tried to stop this. All the data collected will be kept confidential by FRA and not released to the railroads or the public, but FRA will now have a post-accident data base on the use of tramadol and sedating antihistamines like Benadryl.

“The bottom line is nothing has changed for the employee,” Stem said. “FRA now has the right to test the post-accident samples they receive through the existing regulations for non-controlled substances in addition to the controlled substances listed, and they will keep this new data stream confidential.”

Local officers are requested to post this information and inform UTU members at union meetings and in briefings as appropriate.



**"It was the labor movement that helped secure so much of what we take for granted today. The 40-hour work week, the minimum wage, family leave, health insurance, Social Security, Medicare, retirement plans. The cornerstones of the middle-class security all bear the union label." – Barack Obama**

# UTUIA has your security in mind

The UTUIA is not just another insurance company that is focused on making a profit or that is trying to constantly push you toward obtaining products you may not want or need. The UTUIA is an insurance company run by members for its members. This makes a difference because we know what you face, day in and day out on the job, and work hard to provide you with products that relate to you.

Our field supervisors are all members who have been where you are. They've worked on the road and they know the dangers that you



## SMART Transportation Division President's Column

By Mike Futhey

Nicholas DiCicco, a former president of Midwest Life Insurance Company; Frank Riha, a CPA who has spent most of his time on accounting and finance for insurance companies and is a member of

insurance covers our members while off work with hospitalizations due to cancer or cancer treatments. Cancer can strike unexpectedly at any given time and can happen to anyone. Don't you want to make sure that you're covered in case this disease strikes you or your family?

Some other policies that we offer are term and whole life insurance, disability income replacement, VSTD, accidental death and dismemberment, accident indemnity, traditional and Roth IRAs and

annuities. We also offer scholarships to the sons and daughters of our policyholders. Each year we award \$500 to 50 lucky applicants. Scholarships awarded continue throughout the student's time in college, totaling up to \$2,000 per student for up to four years of education.

Should you have a claim, our claims department will work with you to get you the benefits you deserve and are focused on you and your needs. The interests of our members are of the utmost importance and always come first. We don't want you to fail or face tragedy, but, as life is so unpredictable, we're here with a helping hand when or if an accident or illness strikes. Your field supervisor is ready to discuss your insurance needs and guide you to understanding the policies available to you. Find out who your field supervisor is by visiting [www.utuia.org](http://www.utuia.org).

### We know what you face, day in and day out, so we provide products that you need

face. They believe in the products that they offer because they know just how much you may one day need one of the very products that they sell.

The members of the UTUIA board are all there because they have a common interest: you. The board consists of eight members. Four are members just like you and the other four are independent of the company. The board members are SMART Transportation Division President Mike Futhey; SMART Assistant President John Previsich; UTUIA GS&T Bruce Feltmeyer, and National Legislative Director, James Stem. The independent board members are

the Ohio Department of Insurance; William Thompson, former Ohio state legislative director and conductor; and Billy Ryan, an attorney whose focus has been on labor and employment law.

All of these highly qualified board members work together to bring you products that are tailor-made to your wants and needs.

The Discipline Income Protection Program (DIPP) was specifically made to protect our members while they are off work due to disciplinary issues. Many of our members have needed this insurance and were able to maintain their standard of living while sifting through issues concerning disciplinary action. Our cancer



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**For the latest news, visit [www.utu.org](http://www.utu.org); also, sign up on the UTU website to receive news alerts via email.**

# Rail unions born to fight discrimination

Discipline's roots in the rail industry reach back nearly 150 years. Following the Civil War, the industry was expanding at a breakneck speed, with Congress and the American public being hornswoggled on a continual basis by the robber barons of the day.

From the "every other tie" strategy of Union Pacific to Southern Pacific's importation of Chinese laborers by the boatload, the railroads were in a race for territory that required not only the rapid expansion of employees and track, but also the need for experienced managers at every level.

### Former military officers, hired by the railroads, brought discipline to the work force

Where, in that era, could a company find management expertise that was familiar with a widely spread work force that was largely self-supervised while in the field? There was really only one source and, interestingly enough, that source fit almost perfectly into the requirements of the time.

The country was awash with ex-military personnel newly released from their Civil War obligations,



## Officers' Column

By Assistant President/Vice President  
General Secretary & Treasurer

John Previsich

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both enlisted men and officers, most of whom were looking for work anywhere they could find it. Once hired into the railroad industry, the new employees helped to define discipline and labor practices that mirrored those of their former military careers and that continue to influ-

handling of employee issues, but instead they proved to be a poor substitute for due process, and employees were too often on the receiving end of unfair and discriminatory job practices. Consequently, it wasn't long before the employees' fraternal associations blossomed into full-fledged collective bargaining organizations.

The unions fought long and hard

employees and railroad, with unfair labor practices and service interruptions a common occurrence.

The railroads were the primary mode of transport for people and goods in that era and such interruptions had an enormous impact on the economic vitality of the country and the day-to-day convenience of the newly prosperous and mobile population.

As a result, the voting population grew weary of the continual turmoil and demanded that something be done to stabilize the industry.

During that era, unlike today, when the voters spoke Congress listened. The result, passed in 1926, was the Railway Labor Act, the law that to this day still governs the handling of disputes in our industry.

### Workers were too often on the receiving end of unfair and discriminatory job practices

from the waning years of the 19th century all of the way through World War I to obtain the collective bargaining rights to which our members were entitled and the due-process handling of discipline and grievances they deserved.

Such battles promoted an adversarial relationship between the

In my next column, we will explore the relevance of the Railway Labor Act to modern times and how it affects our members in today's world.

To read Brother Previsich's earlier article on discipline, go to [www.utu.org](http://www.utu.org) and click on "Leadership Messages."



State Watch

News from UTU-SMART State Legislative Boards

Kansas



Pictured, left to right, are Mark Shughart (Sheet Metal Workers International Association Local 2, Kansas City, Mo.); Ryan Bohannon (secretary & treasurer, legislative representative, Local 794, Wellington, Kan.); Hilda Solis (25th United States Secretary of Labor); State Legislative Director Ty Dragoo and Chad Henton (assistant state legislative director, local chairperson, legislative representative, Local 506, Herrington, Kan.)

The Kansas Democratic Party held its “Washington Days” dinner in Topeka last month, and UTU-SMART was well represented.

“The event focused on Kansas workers and how to best assist them,” State Legislative Director **Ty Dragoo** said. “I spoke at length to former Secretary of Labor Hilda Solis and she was very informative and appreciative of UTU’s commitment to working Kansans.

“One thing we discussed was the assault on teachers in this state and attempts by state lawmakers to diminish their collective-bargaining rights. We will fight these efforts as an attack on one unionist is an attack on all unionists,” Dragoo said.

Virginia

The Virginia Senate last month passed a transportation bill that will allow Virginia to become (with the governor’s expected signature) the first state to designate a dedicated, sustainable, long-term funding source for the benefit of its intercity and high speed passenger rail system, State Legislative Director **Patrick Corp** reports.

Over the next decade, the commonwealth will have the ability to invest some \$568 million in its passenger rail system, and \$230 million into its freight rail system via the Rail Enhancement

Fund, for a total investment of \$798 million in Virginia’s rail network, Corp said.

Among other items, the law will allow for the continued operation of Virginia’s six Amtrak regional services, the expansion of Amtrak regional services, infrastructure improvements, and allow Virginia to attract federal transportation funding.

“The UTU actively lobbied on behalf of this valued transportation legislation that ultimately contained the benefits listed above, and stayed true to the values of UTU-SMART,” Corp said.

Utah



State Legislative Director Jay Seegmiller, right, thanks state Senator Karen Mayne for her efforts to improve rail-crossing safety in the state.

This year, Sen. Karen Mayne (D, West Valley City) and Rep. Craig Hall (R, West Valley City) sponsored, and got passed, legislation to increase training, education and testing of applicants’ knowledge and awareness of rail grade-crossing laws before they can receive a license, State Legislative Director **Jay Seegmiller** reports.

“This was a bi-partisan effort that received only four ‘no’ votes throughout the entire process, thanks to the hard work of these sponsors and the support of UTU-SMART and others who backed the bill,” Seegmiller said.

Seegmiller encouraged members in Utah to send a thank-you email to the two sponsors for their concern and help in passing legislation to improve safety at railroad grade crossings: Karen Mayne: [kmayne@le.utah.gov](mailto:kmayne@le.utah.gov); Craig Hall: [chall@le.utah.gov](mailto:chall@le.utah.gov).

DONATE TO UTU PAC!



IT DOESN’T COST, IT PAYS!

UTU joins group to support Los Angeles/Las Vegas train

The UTU has joined with other supporters of passenger railroad service to urge funding for XpressWest, a new Los Angeles-to-Las Vegas high-speed rail line.

UTU recently joined with the National Association of Railroad Passengers, the U.S. High Speed Rail Association, Californians for High Speed Rail, and the Midwest High Speed Rail Association to support the project.

The Los Angeles/Las Vegas corridor is the second busiest end-point pair in the United States, trailing only Los Angeles-San Diego, the group wrote to Transportation Secretary Ray LaHood.



“The completion of XpressWest will be a critical step toward meeting the President’s goal of connecting 80 percent of the American public to modern intercity passenger trains within 25 years,” the group told LaHood.

“XpressWest will be a convenient, energy-efficient alternative to the heavily traveled Interstate 15, a congested and dangerous highway. The initial 185-mile segment would have the capacity to

divert more than two million annual automobile trips, saving an estimated 440,000 barrels of oil each year.

“The train would also provide a safer travel alternative: the Las Vegas/Los Angeles segment of Interstate 15 has been found to be one of the most dangerous highways in America, and a 2010 study found that 1,069 people died in 834 automobile accidents on the road over a 15-year period,” the group said.

“It is consistent with the desire of Americans for good train travel. This is reflected in the fact that Amtrak has set ridership records in nine of the last 10 years. Moreover, as a recent Brookings Institution report noted, Amtrak ridership from 1997 to 2012 at 55 percent grew faster than domestic aviation ridership (20 percent), highway vehicle-miles traveled (16.5 percent), U.S. population (17 percent) and real gross domestic product (37 percent).

“Upon full consideration of the above listed factors, we believe this project has merits worthy of (FRA support),” the group said.

Bus Department

By Bonnie Morr, vice president  
[bonniemorr@sbcglobal.net](mailto:bonniemorr@sbcglobal.net)

Why do we join together to speak as one?  
The union voice lets us be heard

As I work with our members from around the country I hear about struggles that we are facing.

Whether it is discipline where our members may be losing their jobs, or a legislative issue that will impact our work, the union voice is there.



Morr

All of us deal with negotiations. Some negotiations are for our labor agreements, some are with our supervisors about which job I will have that day.

Some negotiations deal with our pay claims, but whatever the situation, we are always negotiating.

There is nothing better or stronger than the collective voice.

We have seen that around the country as we fight for the rights of workers, health and safety issues and pensions.

I am thankful that we have the union voice to get our message out and to let our voices be heard.

If we did not have the union voice, things would be a lot different.

The people would not be heard and our needs would go unmet.

Because we have the union voice, we can negotiate for things such as better working conditions, raises and time off.

I get calls from our membership asking about how we can assist them in various situations with the resources we have.

With the union voice I can reach out to many different areas, both in our organization and to other unions and government agencies to get the answers our members need and deserve.

When we come together we have the union voice and we are all stronger.



# Why should I belong to a labor union?

The purpose of the SMART Transportation Division is to provide workers with a stronger voice and greater bargaining leverage in the continued struggle for better wages, improved benefits such as health care insurance, workplace safety and quality of life.

It has long been recognized that an individual stands little chance when going alone to an employer and seeking improved wages, benefits and working conditions. Even major league baseball, basketball, football and hockey players, whose skills are rare and unique, are represented in contract negotiations by agents.

Unions engage in collective bargaining with the employer on behalf of workers represented by the union.

Through collective bargaining, unions improve wages, benefits and working conditions. Unions also help employees resolve conflicts in the workplace, such as ensuring they are not subject to harsh and arbitrary discipline and making sure the employer honors all terms of the employment contract. When necessary, the union goes to court on behalf of its members to enforce contracts.

In short, unions look after the best interests of workers. Indeed, history demonstrates that those who work under union-negotiated contracts earn higher wages, enjoy better benefits and a have safer workplace.

## Wages are main reason most union members seek representation

From the earliest days of the American colonies, when apprentice laborers in Charleston, S.C., went on strike for better pay in the 1700s, to the first formal union of workers in 1829 who sought to reduce their time on the job to 60 hours a week, our nation's working people have recognized that joining together is the most effective means of improving their lives on and off the job.

Our 21st century workplace rights and protections – like the eight-hour day and laws covering safety and health on the job – have been won by the struggles and sacrifices of working women and men who were empowered by the strength of solidarity and whose actions embodied the America dream of fairness and an opportunity for all to succeed.

### Strength in numbers

Unions are about a simple proposition: By joining together, working women and men gain strength in numbers so they can have a voice at work about what they care about.

They negotiate a contract with their employer for things like a fair and safe workplace, better wages, a secure retirement and family-friendly policies such as paid sick leave and scheduling hours.

They have a voice in how their jobs get done, creating a more stable, productive workforce that provides better services and products.

Always adapting to the challenges of our nation's evolving workforce, unions are meeting the needs of workers in today's flexible and non-traditional work environments.

Because no matter what type of job workers are in, by building power in unions, they can speak out for fairness for all working people in their communities and create better standards and a strong middle class across the country.

### Collective bargaining

Collective bargaining is the process in which working people, through their unions, negotiate contracts with their employers to determine their terms of employment, including pay, benefits, hours, leave, job health and safety policies, ways to balance work and family and more. Collective bargaining is a way to solve workplace problems.

After the rights of public employees to collectively bargain for a middle-class life came under attack in 2010, working people in all kinds of jobs as well as students, community

supporters, faith leaders and others united to defend this basic right.

The United States has long lagged behind other industrialized nations in collective bargaining coverage for public- and private-sector workers. Yet the right to collectively bargain is essential so that working men and women have the strength to improve their living standards, provide for their families and build a strong middle class.

### Wages

Union members earn better wages and benefits than workers who aren't union members. On average, union workers' wages are 27 percent higher than their nonunion counterparts.

Unionized workers are 54 percent more likely to have employer-provided pensions.

More than 83 percent of union workers have jobs that provide health insurance benefits, but only 62 percent of nonunion workers do. Unions help employers create a more stable, productive

workforce – where workers have a say in improving their jobs.

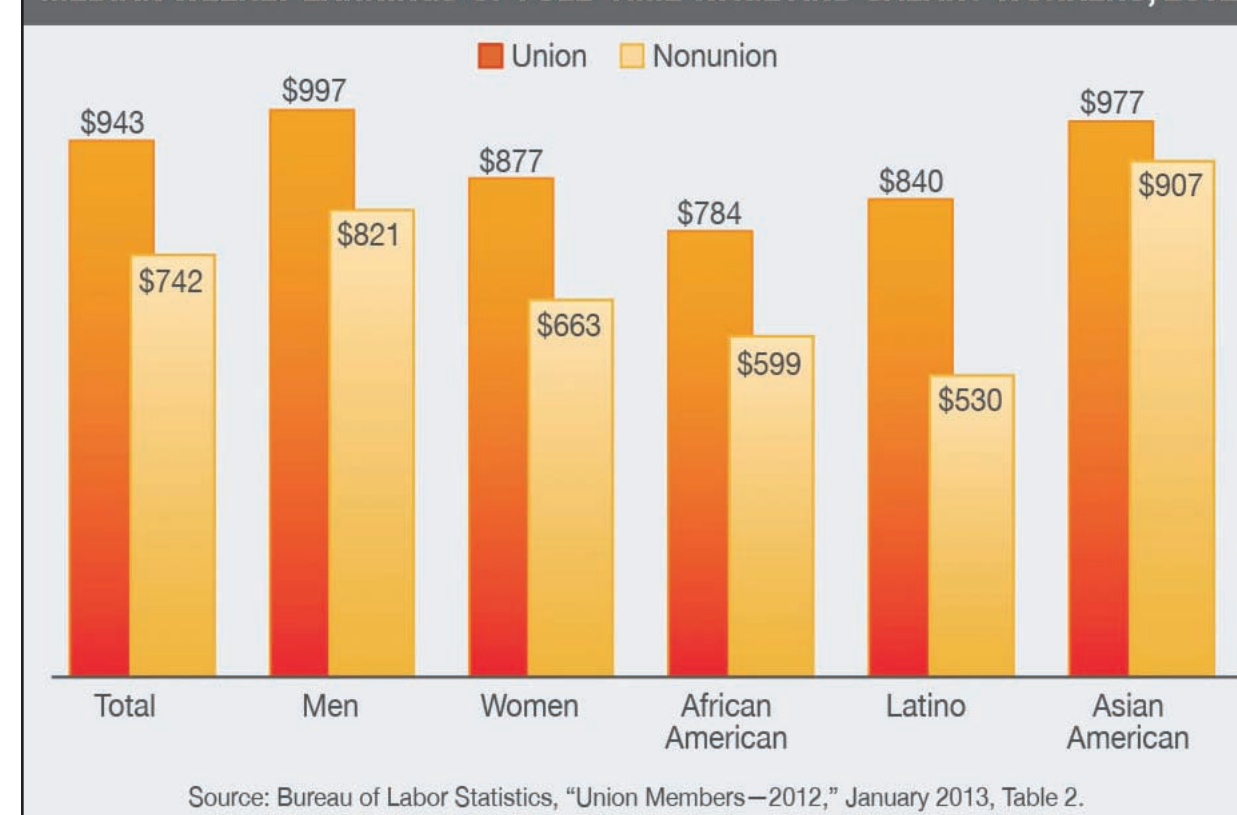
Unions help bring workers out of poverty and into the middle class. In fact, in states where workers don't have union rights, workers' incomes are lower.

So-called right to work laws that limit workers' rights to collectively bargain contracts (including wages and benefits) are a bad deal for all workers. In 2010, average pay in so-called right to work states was 14 percent lower than in states where workers have the freedom to form strong unions.

### Pensions, Healthcare

As the chart illustrates, 88 percent of workers in unions participate in pension plans versus 49 percent of nonunion workers. Seventy-eight percent of union workers have guaranteed pensions, compared with 19 percent of nonunion workers. Roughly 84 percent of workers in unions have paid sick leave compared with 64 percent of nonunion workers.

**MEDIAN WEEKLY EARNINGS OF FULL-TIME WAGE AND SALARY WORKERS, 2012**



In 2012, among full-time wage and salary workers, union members had median usual weekly earnings of \$943, while those who were not union members had median weekly earnings of \$742. In addition to coverage by a collective bargaining agreement, this earnings difference reflects a variety of influences, including variations in the distributions of union members and nonunion employees by occupation, industry, firm size or geographic region.

## AFL-CIO grants SMART its official member charter



The International Association of Sheet Metal, Air, Rail and Transportation Workers was presented with its official charter by AFL-CIO President Richard Trumka, center, at a meeting of the AFL-CIO's Executive Council in February. Accepting the charter on behalf of SMART are SMART General President Joe Nigro, right of Trumka, and SMART Transportation Division President Mike Futehy. They were joined by AFL-CIO Secretary-Treasurer Elizabeth Shuler, left, the youngest officer ever to sit on the federation's Executive Council. She has been at the forefront of progressive labor initiatives like green job programs and the fight for workers' rights for many years, starting as an organizer at her local union. At far right is AFL-CIO Executive Vice President Arlene Holt Baker.

## Benefits of membership in the SMART Transportation Division

As participants in one of the most effective unions in all of organized labor, UTU members have the benefit of many years of successful representation in government and in national collective bargaining negotiations. As a result, UTU-SMART members enjoy some of the highest standards of living in organized labor.

### EXCELLENT WAGES

UTU-SMART members are among the best paid employees in organized labor.

### SENIORITY RIGHTS

The longer a UTU-SMART member works, the better his or her choice of jobs and working locations. Seniority also means increased protection against layoffs.

### ESTABLISHED RULES AND PROCEDURES

Every UTU-SMART rail member is covered by a contract that specifies job responsibilities, working conditions and pay. It is legally enforceable through established grievance procedures. Bus and other members also derive their grievance rights from their labor agreements.

### HOURS OF SERVICE LIMITS

Under federal law, UTU-SMART rail members working under the Hours of Service Act cannot be forced to work more than 12

hours a day and they must have time off for meals and rest. Bus, airline and other members' hours also are governed by federal regulations.

### VACATIONS AND HOLIDAYS

UTU-SMART members enjoy paid holidays and paid annual vacations, based upon length of employment and the negotiated labor agreement.

### HEALTH AND WELFARE BENEFITS

UTU-SMART rail members have comprehensive health and dental insurance plans, as well as unemployment and sickness benefits to protect them in case of layoff or prolonged illness. Bus and other transportation members also enjoy many of these benefits, depending upon the labor agreement.

### EXPERIENCED REPRESENTATION

UTU-SMART members are represented on a local, state-wide and national basis by leaders experienced in negotiation and thoroughly familiar with all aspects of labor law, contracts, work rules and national labor trends.

### LEGISLATIVE STRENGTH

UTU-SMART's strong legislative department functions not only through elected representatives but also through member participation in the UTU-SMART Political Action Committee, a voluntary political action group that works

on behalf of transportation labor interests at the local, state and federal levels.

### UNION INSURANCE

The UTU Insurance Association (UTUIA) offers a wide range of affordable, voluntary life and disability insurance products and savings plans to its members and their families. In fact, UTUIA is among North America's highest rated insurance companies.

Products include income-replacement policies in case of disability, policies to cover costs associated with the treatment of cancer, and accidental death or dismemberment protections.

The UTUIA Scholarship Program provides members, their children and grandchildren with financial assistance for college. Each year, the UTUIA awards 50 continuing \$500 scholarships to UTUIA-insured members, their children or grandchildren, or the child of a deceased UTU or UTUIA-insured member. Recipients are expected to maintain a satisfactory academic record to keep the scholarship for the full four years.

### EMPLOYEE ASSISTANCE

UTU-SMART initiatives have guided employer-financed programs that give many members access to alcohol, drug, individual and family counseling.



UTU Alumni

UTU Alumni Association

News, information for members of the UTU Alumni Association

# Retired member hits it big playing slots

A retired railroad conductor and UTU member from Nebraska has been celebrating his good fortune after winning more than \$1.03 million from a slot machine at the Prairie Wind Casino in South Dakota.

**Gordon “Bud” Thompson**, a member of Local 934, Alliance, Neb., from Alliance in Box Butte County, Nebraska, a city of 8,500 inhabitants and whose main attraction is housing a model of Stonehenge constructed out of 38 vehicles.

For the past 18 years, Thompson has been a



loyal customer of Prairie Winds Casino, located a four-hour drive away on the Pine Ridge Indian Reservation. Apparently, the 80-year-old had visited the casino on Valentine’s Day along with his wife of 60 years, Donna, and ended up hitting the life-changing sum after placing around \$9 of quarters into a slot machine.

Thompson had been playing the Freedom Rings slot, a three-reel machine, when he hit the jackpot.

## BNSF retiree and wife had visited casino for 18 years

“I didn’t even realize what had happened right away. All at once, it hits you in the fanny and you just don’t know what to think,” he told casino representatives.

Soon after, a casino worker verified the win to Thompson and he says he is now expecting to receive the huge payout this spring. Equally excited about his remarkable slots win is his family, which includes his wife, three sons, 12 grand children and 17 great-grandchildren.

When asked what he now intends to do with his winnings, Thompson replied: “A family meeting will decide the outcome of the funds,” before adding; “We’ve been pretty well satisfied with what we’ve got.”

# UTU offers tour of Canadian Rockies



The UTU Travelers Club is offering Alumni Association members a nine-day motor-coach tour of the Canadian Rocky Mountains and Glacier National Park.

The trip will kick off Sept. 13 in Calgary, Alberta, and wind up Sept. 21 in Calgary.

Trip highlights include the **Waterton-Glacier International Peace Park**; **Glacier National Park**, including a ride aboard the “Red Jammers,” restored vintage touring coaches; a trip to Banff and **Banff National Park**, home to more than 53 species of mammals; a gondola ride to the summit of 7,486-foot **Sulphur Mountain**; a float trip on the scenic **Bow River**; a visit to **Lake Louise** on your way to a two-night stay in a lodge in **Jasper National Park**; a visit to **Maligne Lake**, fringed by dramatic snow-capped peaks, and a ride across the surface of Columbia Icefield’s **Athabasca Glacier** in an all-terrain vehicle (weather permitting).

This tour includes all breakfasts and three dinners, gratuities, airport transfers and more.

Prices start at \$1,495 per person, double occupancy, plus air fare and applicable taxes and fees.

All arrangements are being made through Landfall Travel, the Alumni Association’s designated travel provider.

For more information call (800) 835-9233, or see the Alumni Association webpage at [www.landfalltravel.com](http://www.landfalltravel.com). You do not need to be a member of the Alumni Association to take advantage of this offer.

# Retired general chair ‘Terry’ Reed dies

Retired former CSX (B&O) General Chairperson **John T. “Terry” Reed**, 71, died March 5.

Reed, a member of Local 14 at Cincinnati, Ohio, began his railroading career as a brakeman with the Baltimore & Ohio Railroad in Cincinnati in 1966.



Reed

He was accepted for membership by UTU predecessor Brotherhood of Railroad Trainmen later that year and maintained 37 years of continuous membership. He became active in the affairs of Local 1517 (later merged with Local 14) and was elected local chairperson in 1971 and served

in that capacity until 1987. He also served as the local’s delegate at four UTU International conventions.

Prior to being elected as CSX (B&O) GO 49 general chairperson in 1992, he had served as both secretary and vice general chairperson of the general committee.

Reed was appointed to the UTU’s national negotiating committee in 1994 and 1999 and to the union’s national health and welfare agreement negotiating committee in 2002. He also served on the UTU wages and rules panel in 1996 and 2002.

## THE FINAL CALL

Following are the names of recently deceased members who maintained annual membership in the UTU Alumni Association, according to reports received at UTU International Headquarters. These brothers and sisters will be missed by their many friends and by fellow UTU Alumni Association members.

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
1	Calkins, Nelson D.	Warsaw, N.Y.	544	Kralich, John M.	Big Sandy, Utah	1405	Brown, James J.	Fairview Heights, Ill.
2	Pethtel, Donnie E.	Fayetteville, W. Va.	556	Welch, Wayne D.	Lake Forest Park, Wash.	1409	Kerr, Marvin H.	Tonganoxie, Kan.
5	Bartkowski, Frank E.	Kansas City, Mo.	587	Mincher, James B.	Waterford, N.Y.	1505	Dooley, Michael J.	Spokane, Wash.
5	Mullane, John T.	Sun City, Ariz.	631	Rohrer, Robert W.	Hagerstown, Md.	1557	Skinner, Robert B.	Paducah, Ky.
6	Roll, Thomas C.	Bellefontaine, Ohio	662	Ball, Troy E.	Mechanicsville, Va.	1563	Fisher Jr., Charles C.	Los Angeles, Calif.
14	Reed, John T.	Jacksonville, Fla.	762	Smith, Jimmy W.	Webb, Ala.	1570	Erler, Jerry L.	Yuba City, Calif.
168	McGregor, S.F.A.	Hawthorne, Calif.	769	Ratcliff, John S.	Huntingtown, Md.	1574	Lawrence, Jack W.	Vancouver, Wash.
206	Florence, L.C.	Oakwood, Ohio	847	Mize, Charles E.	Pleasant Grove, Ala.	1594	Spence, Donald C.	New Castle, Del.
238	Freestone, Joseph E.	Ogden, Utah	872	Heim, Jerald A.	Plattsmouth, Neb.	1628	Kaczka, Joseph E.	McKeesport, Pa.
277	Fournier, Alvin L.	Enfield, Conn.	904	Bullock, Charles W.	Henderson, Ky.	1770	Hatch, Richard B.	LaVerne, Calif.
292	Lostumbo, Dominick A.	Sun City, Ariz.	942	Hinds, Harvey C.	Florence, S.C.	1874	Ash, Wilfrid R.	Brandon, Man.
292	Salter, James P.	Parish, N.Y.	998	Sapp, Robert F.	Waycross, Ga.	1874	Garlinski, Ignace F.	Dauphin, Man.
313	Bowles, Richard F.	Ada, Mich.	1074	Smith, Albert L.	Greensburg, Pa.	1962	McNutt, Lawrence P.	Pickerington, Ohio
322	Seils, Frederick C.	Beloit, Wis.	1074	Zanardelli, John R.	Homestead, Pa.	1962	Miller, Donald E.	Grand Rapids, Mich.
330	Plumb, George W.	Poplar Bluff, Mo.	1136	Snyder, Herman A.	Sterling, Colo.	1963	Lawson, John R.	Avon, Ind.
349	Bell Jr., Bill	Kansas City, Kan.	1313	Price, Larry M.	Amarillo, Texas	1975	Musser, John R.	Saint Joseph, Mo.
363	Poindexter, Donald O.	Bedford, Va.	1366	Howell, Charles B.	West Jordan, Utah	1978	Turnbull, Robert R.	Stamford, Conn.
375	Denison, Laurel D.	Cheyenne, Wyo.	1374	Amicone, Gaetano	Youngstown, Ohio			
486	Evinrude, Russell L.	Glendive, Mont.	1374	Barletto Jr., Michael A.	New Castle, Pa.			
533	Ballinger, Danny K.	Smithville, Mo.	1377	Douglas, Kenneth H.	Greenup, Ky.			



# UTUIA offers protection against accidental death and dismemberment

## UTUIA policy offers guaranteed approval for active transportation employees

UTUIA’s accidental death and dismemberment policy includes all these benefits for **only \$19.50 per month**:

- \$180,000 for death caused by common carrier
- \$90,000 for death caused by automobile
- \$60,000 for accidental death
- \$30,000 for dismemberment
- \$600 per day for intensive-care confinements
- \$60 per day for family lodging
- \$30 per day for family meals
- Up to \$1,800 for air ambulance transportation
- Up to \$300 for surface ambulance transportation
- Optional family rider for your spouse and children

This policy provides benefits for accidents only. These benefits are not available for sickness. Some benefits provided under the optional family rider are less than those provided to the policyholder.

**For details, mail the coupon at right or call or email the UTUIA.**

*Some benefits may vary based on state of residence.*

**Call or email today:  
(800) 558-8842  
sales@utuia.org**



### Information, please

I would like more information on UTUIA’s accidental death and dismemberment plan.

Please print



Full name

Date of birth

UTU local number

Address

City

State

ZIP

Telephone number with area code

Sex

Male

☐

Female

☐

Complete and mail to: UTUIA, 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333 4/13

## Budget cuts reduce railroad unemployment, sickness benefits

As a result of recently implemented budget cuts, the Railroad Retirement Board (RRB) has reduced railroad unemployment and sickness insurance benefits by 9.2 percent.

The reduction affects more than 7,600 current recipients of unemployment/sickness benefits, the RRB said.

These reductions stem from a sequestration order that President Obama filed March 1 in accordance with the requirements of the Budget Control Act of 2011. The sequestration order sets aside a total of \$6 million in funding under the railroad unemployment and sickness insurance program. Given the total amount of spending under the program, a cut of this size made benefit reductions necessary, the RRB said.

The 9.2-percent reduction in railroad unemployment benefits will reduce the maximum daily benefit rate from \$66 to just under \$60, RRB said. As a result, the total maximum amount payable in a two-week period covering 10 days of unemployment will drop from \$660 to \$599.28.

Certain railroad sickness benefits are reduced for regular tier I railroad retirement taxes of 7.65 percent. Applying the additional 9.2-percent reduction to these benefits will result in a daily benefit rate of \$55.34 and a maximum two-week payment of \$553.44, RRB said.

The maximum daily benefit rate will increase to \$68 on July 1, RRB said. For days of unemployment and sickness after that date, the reduction will result in a maximum daily benefit rate of \$61.74 and a maximum two-week payout of \$617.44. The maximum daily benefit rate for sickness benefits subject to tier I payroll taxes will be \$57.02, with a maximum two-week total of \$570.21.

This initial reduction will remain in effect through Sept. 30. The initial reduction amount is based upon projected claims and benefits and may be adjusted as needed. Congress will subsequently determine the amount of any reductions in future years.

## BNSF eyes locomotives powered by natural gas

BNSF Railway, one of the biggest U.S. consumers of diesel fuel, plans this year to test locomotives that use natural gas for power.

BNSF, the largest railroad in the nation, is estimated to be the second-largest user of diesel in the country, after the U.S. Navy.

A gallon of diesel fuel cost an average \$3.97 last year, according to federal statistics. The equivalent amount of energy in natural gas cost 48 cents at industrial prices.

BNSF is moving to retrofit existing road locomotives if the pilot locomotives prove reliable. The pilot trains are expected to get rolling this fall in the hopes retrofitting could begin about a year later.

BNSF is working with manufacturers to develop a locomotive that can run on both diesel and gas, which could lower fuel costs and help the railroad meet federal air-pollution standards that take effect in two years.

The new locomotives are being developed by units of General Electric and Caterpillar.

BNSF said preliminary tests indicated that liquid natural gas-powered trains could go farther before refueling than diesel trains and have comparable towing power.

A shift to gas faces many hurdles, however, including getting approval from federal regulators on fuel-tank safety. Introducing gas also will require different fuel depots, special tanker cars to carry the fuel and training for depot workers.

Like municipal bus fleets, which have converted to engines running on compressed natural gas in Los Angeles and other cities, trains are easier to fuel than other modes of transportation because they repeatedly travel on fixed routes. That makes it less cumbersome to build enough fueling depots.



# FRA issues report on fatigue in the railroad industry

The Federal Railroad Administration (FRA) has issued a new report on the status of fatigue among railroad industry employees.

In 2001, the FRA began examining the fatigue status of safety-critical railroad employees by using logbooks to collect work and sleep data over a period of two weeks from a representative sample of employees in each group.

The research in this report was conducted prior to implementation of the Railroad Safety Improvement Act of 2008 (RSIA), which made significant changes to limitations on hours of work for railroad employees. Consequently, the information in this report can serve as a baseline for examining the adequacy of existing statutory or regulatory limitations on hours of work to prevent worker fatigue.

## Accident risk much higher for fatigued workers

This report draws on the results of several prior studies, all conducted with similar methodology, to characterize the prevalence of employee fatigue in the U.S. railroad industry.

Data from logbook surveys of signalmen, maintenance of way workers, dispatchers, and train and engine service employees were combined to examine the relationship between work schedules and sleep patterns.

Railroaders make up for lack of sleep on workdays by sleeping longer on rest days. This strategy is used to a greater extent among certain groups such as signalmen working four 10-hour days, first shift dispatchers, and train and engine service workers on jobs with a fixed start time.

T&E workers in passenger service with a split assignment have a shorter primary sleep period than those working straight through or working extra board assignments, but they have similar total daily sleep because they sleep during their interim release.

Overall, U.S. railroad workers are more likely than U.S. working adults to get less than seven hours of total sleep on workdays, but railroad workers average more total sleep when sleep on workdays and rest days are combined.

Logbook data for work and sleep indicates that operating personnel and third shift dispatchers have the most fatigue exposure and passenger railroad workers have the least. Railroad workers in all groups had less fatigue exposure than those involved in human factors accidents.

The key findings of this report are as follows:

- The risk of a human-factors accident is elevated 11 to 65 percent above chance by exposure to fatigue.
- The economic cost of a human-factors accident when an employee is very fatigued is approximately \$1,600,000, compared to \$400,000 in the absence of fatigue.



- Amount of sleep and the time of day when sleep occurs account for 85 to 96 percent of fatigue exposure. Work schedules determine the amount and time of day of sleep.
- Dispatchers and operating railroaders have the highest exposure to fatigue. They are also the groups that have the longest work hours and work at night.
- Operating railroaders as a group had significant fatigue exposure, but passenger railroaders are the group with the least fatigue exposure. The predictability of passenger railroad schedules and less nighttime work explains this difference.

- The fatigue exposure of all groups is less than that of employees involved in human-factors accidents, which indicates a relationship between fatigue and accidents.
- Significant differences resulting from job type and schedule exist in the sleep patterns of railroad workers. Analysis of data collected through a logbook study allows for identification of the differences that are not otherwise apparent.
- The sleep pattern of railroad workers differs from that of U.S. working adults. Railroad workers are more likely to get less than seven hours of total sleep on workdays, which puts them at risk of fatigue.

- Railroad workers in all groups reported sleep disorders that exceeded U.S. norms for working adults. Of these, all but 2.4 percent were receiving treatment.
  - The FRA fatigue model (FAST) provides a valid method of assessing fatigue exposure as a function of work schedule and sleep pattern.
- These findings suggest that strategies for reducing railroad worker fatigue include improving the predictability of schedules and educating workers about human fatigue and sleep disorders.

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Call 1-800-848-6466 to speak to a mortgage counselor.

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## UTU needs your photos

The UTU International is seeking good railroad, bus and airline photos, taken by its members, for the annual calendar and other uses.

High-resolution digital photographs should be emailed to "news\_td@smart-union.org."

Printed photographs should be mailed to UTU News, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.



Include the photographer's name and local number, the name(s) of the person(s) in the photo (left to right) and any other information.

All photographs submitted become property of the UTU.



# Get ready for the 2013 regional meetings

The 2013 UTU/UTUIA regional meetings have been designed to provide a grand sense of fraternalism, lots of worthwhile education and tons of fun for the whole family.

As before, each regional meeting will run for 2-1/2 days, ending early on the afternoon of the third day. The evening of the first day has been left unscheduled so you, your family and friends will be free to explore and enjoy the many offerings of the regional meeting cities.

UTU regional meeting registration and hotel information, as well as web links to make hotel reservations online, can be accessed by visiting [www.utu.org](http://www.utu.org) and clicking on the “Meetings” box.

All those attending the regional meetings must be registered in order to attend any planned social function. Children ages 11 and under who are pre-registered are complimentary. The registration form is on the right.

A completed registration form listing each attendee, regardless of age, and complete payment in U.S. funds must be received at the UTU International, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333, by June 21 for the Boston meeting or by July 19 for the Anaheim meeting or the registrant will be charged an on-site registration fee of \$200.

The pre-registration fee for the 2013 regional meetings is \$150 per member, spouse or child over age 11, the same fee charged the last six years. Additional fees apply for the golf outings. You must make your own room reservations, and certain deadlines apply.

The \$150 registration fee covers all workshop materials; a welcoming reception the night before the meeting; three lunches and one evening meal. Those wishing to attend only the workshops do not need to pay the registration fee. No one-day registrations are offered.

You may cancel your meeting registration 10 days prior to the first day of the meeting or the golf outing without penalty. Call the International at (216) 228-9400 or email [rganath@smart-union.org](mailto:rganath@smart-union.org) immediately regarding any changes or cancellations.

## Boston, July 1-3:

**Westin Boston Waterfront, 425 Summer St., Boston, MA 02210;** (888) 627-7115 toll free; (617) 532-4600 direct

**Room rate:** All rooms at the Westin Boston Waterfront have been reserved. The overflow hotel is the Seaport Hotel, 200 Seaport Blvd., Boston. For reservations call (877) 732-7678. Rates are \$149 a night, and the deadline for reservations is May 31 or until all rooms held for UTU are taken. Mention “SMART union” to get this rate.

**Golf outing:** The regional meeting golf outing will take place Sunday, June 30, at a course to be announced. The cost is \$80 per golfer, which includes golf, lunch and more.

## Anaheim, Calif., July 29-31:

**Hilton Anaheim, 777 Convention Way, Anaheim, CA 92802;** [www.resweb.passkey.com/go/2013SMART](http://www.resweb.passkey.com/go/2013SMART)

**Reservations:** (877) 776-4932 toll free; (714) 750-4321 direct; reservation code: SMT

**Room rate:** \$140 single/double, plus taxes; rates good for three days before and after meeting, depending upon availability.

**Reservation deadline:** June 25, or until all rooms being held for the UTU are reserved.

**Parking:** \$22/day valet; \$16/day self park

**Golf outing:** The regional meeting golf outing will take place Sunday, July 28, at a course to be announced. The cost is \$80 per golfer, which includes golf, lunch and more.

## Spouse tours, discounts

At both the Boston and Anaheim regional meetings, the UTU will be offering spouse tours of regional attractions. The union also has arranged discounts on airfare (to Anaheim only) and Avis rental cars (both locations). Go to the “Meetings” page of [www.utu.org](http://www.utu.org) for complete details.

# UTU REGIONAL MEETING REGISTRATION FORM

Registering before the regional meetings speeds sign-in procedures, helps organizers plan more accurately, and saves on meeting costs. **Each person attending the regional meeting, including family members and guests, MUST be registered in order to attend any event. Please note that these meetings last 2-1/2 days and conclude on the afternoon of the third day.** Registration fees are \$150 per person; children 11 years of age and under are complimentary. On-site registration is \$200 per person. All fees must be paid in U.S. funds. Canadian funds will be returned, possibly delaying your registration. If you have questions, consult your bank. Registration forms with payment must be received at the UTU International by June 21 for the Boston meeting and by July 19 for the Anaheim, Calif., meeting for all members, spouses and guests to be considered pre-registered.

Which regional meeting will you be attending? ☐ Boston ☐ Anaheim, Calif.

Arrival date: \_\_\_\_\_ Departure date: \_\_\_\_\_

Transportation type: ☐ Automobile ☐ Air ☐ Other

### Member registration

Name \_\_\_\_\_ Local \_\_\_\_\_ Title (if any) \_\_\_\_\_

Home address \_\_\_\_\_

City/State/ZIP \_\_\_\_\_

Phone number ( ) \_\_\_\_\_ Email \_\_\_\_\_

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Lunch ☐ No meal

Spouse registration ☐ Boston ☐ Anaheim, Calif.

Spouse name \_\_\_\_\_ Title (if any) \_\_\_\_\_

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Lunch ☐ No meal

Spouse/guest tour: ☐ Sunday or ☐ Monday (\$35/tour per registered spouse; \$75/tour per unregistered spouse)

Child registration ☐ Boston ☐ Anaheim, Calif.

Child name \_\_\_\_\_ Age \_\_\_\_\_

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Lunch ☐ No meal

Child name \_\_\_\_\_ Age \_\_\_\_\_

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Lunch ☐ No meal

Child name \_\_\_\_\_ Age \_\_\_\_\_

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Lunch ☐ No meal

Child name \_\_\_\_\_ Age \_\_\_\_\_

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Lunch ☐ No meal

Tour: ☐ Sunday or ☐ Monday (\$35/tour per registered child; \$75/tour per unregistered child) No. attending \_\_\_\_\_

Guest registration ☐ Boston ☐ Anaheim, Calif.

Guest name \_\_\_\_\_ Relationship to member \_\_\_\_\_

Home address \_\_\_\_\_

City/State/ZIP \_\_\_\_\_

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Lunch ☐ No meal

Spouse/guest tour: ☐ Sunday or ☐ Monday (\$35/tour per registered guest; \$75/tour per unregistered guest)

**Special needs?** (Circle appropriate responses): Registrant / spouse / child / guest is:  
hearing impaired / visually impaired / in wheelchair / other: \_\_\_\_\_

Golf registration ☐ Boston ☐ Anaheim, Calif.

Name \_\_\_\_\_ Handicap \_\_\_\_\_ Name \_\_\_\_\_ Handicap \_\_\_\_\_

Name \_\_\_\_\_ Handicap \_\_\_\_\_ Name \_\_\_\_\_ Handicap \_\_\_\_\_

(Golf fees are \$80 per golfer; include in total payment. Please provide names of others if foursome.)

### Payment options

Check/money order enclosed (U.S. funds only) \$ \_\_\_\_\_

Credit card ☐ VISA ☐ MasterCard

Card number \_\_\_\_\_ Exp. date \_\_\_\_\_ Total charged \$ \_\_\_\_\_

Signature \_\_\_\_\_

Should additional space be needed, make copies of this form and attach to the original. Make checks or money orders payable in U.S. funds to “UTU Regional Meeting” and mail to UTU Regional Meeting, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333. Persons who do not pre-register for the regional meeting but choose to register at the meeting site will be charged an additional \$50. Space on the tours is limited; reservations are accepted on a first-come, first-served basis.





www.utu.org / www.utuia.org

APRIL 2013

ISSN 0098-5937

Published monthly (except for combined months of December/January and July/August) by UTU-SMART, 24950 COUNTRY CLUB BLVD., SUITE 340, NORTH OLMSTED, OH 44070-5333 • Periodicals postage paid at Cleveland, Ohio, and additional mailing offices • Mike Futhey, Transportation Division President; John Previsich, General Secretary & Treasurer • This publication available on microfilm from National Archive Publishing, P.O. Box 998, Ann Arbor, MI 48106.

**POSTMASTER: Send address changes to UTU-SMART News, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.**



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Mailing Offices



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## Photo of the month

UTU-SMART is always looking for good photos, and awards prizes to monthly photo winners.

UTU-SMART seeks photographs or digital images of work-related scenes, such as railroad, bus or mass transit operations, new equipment photos, scenic shots, activities of your local, or photos of your brothers and sisters keeping America rolling.

Printed photographs should be mailed to UTU-SMART, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.

High-resolution digital photographs should be in the JPEG format and emailed to "news\_td@smart-union.org".

With each photograph, please include your name and UTU-SMART local number, the names of the persons in the photo (left to right), where the photo was taken, and all other pertinent information.

All photographs submitted become property of UTU-SMART.

Remember to review your employer's policies regarding use of cameras on the property or during work hours.



This photo was taken by retired Norfolk Southern conductor **Kenneth Taylor** of Local 1418, Conway, Pa. "I took this photo in 1990 while on a trip to Reno, Nev.," Taylor said. "The bus was in use at that time." Union Pacific maintained a fleet of buses to shuttle passengers to make connections with passenger trains throughout its service area.



# SMART

## Transportation Division News

Volume 45 • Number 4 • April 2013

International Association of Sheet Metal, Air, Rail and Transportation Workers

## OSHA hits NS, UP with harassment fines

Railroad workers worried about harassment and intimidation by their employers got more good news last month.

In the first case, the Occupational Safety and Health Administration (OSHA) has ordered Norfolk Southern to pay more than \$1.1 million to three former workers merely for seeking medical attention for on-the-job injuries.

The incidents involved a crane operator in Fort Wayne, Ind., and a welder and welder's helper in western Pennsylvania, OSHA said. The employees were not named. All were members of the Brotherhood of Maintenance of Way Employees.

OSHA also ordered NS to clear the workers' disciplinary records, post notices on employees' "whistleblower protection rights" and inform workers of those rights.

In the second case, Union Pacific was ordered to reinstate, and pay more than \$309,000 to, a locomotive conductor who was unlawfully fired for reporting a co-worker's on-the-job injury.

The action stemmed from a 2009 incident where the locomotive engineer "banged his elbow" on a steel armrest that was missing its padding. Union Pacific fired the

conductor after he reported the injury, the OSHA investigation determined.

The Federal Railroad Safety Act (FRSA) provides all railroad workers, including UTU-SMART members, with rights and remedies against unlawful railroad company retaliation for reporting injuries, seeking medical attention, and raising safety and security concerns.

Since 2012, OSHA has ordered NS to pay about \$3 million in back pay, compensatory and punitive damages, and attorney fees and costs to employees for violating their rights under the FRSA.

"The Labor Department continues to find serious whistleblower violations at Norfolk Southern, and we will be steadfast in our defense of a worker's right to a safe job, including his or her right to report injuries," acting U.S. Labor Secretary Seth Harris said in a statement.

UTU designated legal counsel are ready to assist members in reporting to OSHA violations of the law. If you have been threatened, intimidated or disciplined for reporting safety hazards, injuries or seeking medical attention, contact your general committee representative or state legislative director.



### Inside this issue of *UTU-SMART News*:



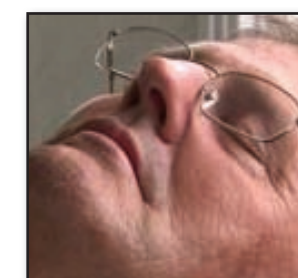
Railroading is in the McAndrews family's blood. See page 2.



UTU protests decision to allow knives, bats on airplanes. See page 3.



Membership in a labor union really pays off. See pages 6 & 7.



FRA releases report on fatigue in the railroad industry. See page 10.