



UTU News

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The Official Publication of the United Transportation Union

BNSF changes policies on injury reporting

BNSF Railway has agreed to change policies that federal officials say discouraged workers from reporting injuries and safety violations.

As part of the deal announced last month by the Occupational Safety and Health Administration (OSHA), BNSF will make settlement offers in 36 cases involving employees who filed whistleblower complaints alleging they were harmed by company policies.

Workers faced retaliation for reporting injuries

Between 2007 and 2012, 1,206 railroad whistleblower complaints were filed, OSHA said. Of those, more than 60 percent involved an allegation that a worker faced retaliation for reporting an on-the-job injury.

The settlement announced last month was unique to BNSF, but other railroads still have policies in place that discourage reporting of injuries, Labor Department spokeswoman Diana Petterson said.

"The complaints involved a variety of work-related injuries resulting from train collisions, accidents in the rail yards and cumulative trauma from many years of work," Petterson said.



"These injuries occurred to a variety of workers, including track workers, signalmen and locomotive engineers," she added.

"OSHA was concerned with BNSF's policies that treated injured employees differently than non-injured employees and could reasonably dissuade railroad employees from reporting injuries."

"The combined efforts of our local officers, our Designated Legal Counsel and the UTU International, working in concert with OSHA, are get-

ting results which will greatly benefit our members," UTU International President Mike Futhey said.

"This accord makes significant progress toward ensuring that BNSF employees who report injuries do not suffer any adverse consequences for doing so," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels.

"It also sets the tone for other railroad employers throughout the U.S. to take steps to ensure that their workers are not harassed, intimidated or terminated...for reporting workplace injuries," Michael added.

Other rails still have policies discouraging reporting

BNSF officials said the company, which is owned by investor Warren Buffett's Berkshire Hathaway, had already made some policy changes in recent months to address the concerns.

"Employees play a critical role in ensuring the safety of themselves, their co-workers and the communities in which we operate," said Mark

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UTU supports crackdown on unsafe bus companies

The UTU has joined other affiliates of the Transportation Trades Department of the AFL-CIO to support efforts to halt unsafe motorcoach operations.

Bus operators that blatantly and repeatedly disregard federal safety laws should have their operating authority revoked or suspended, the UTU and TTD told the Federal Motor Carrier Safety Administration (FMCSA).

"With the rise of unsafe bus carriers that under previous Administrations managed to evade federal safety regulators, we have made it a priority to remove bad actors in the bus industry from our roads," the TTD said. "This crackdown will lead to safer bus transportation for the American people."

Proposed FMCSA rules set procedures to suspend or revoke the operating authority of bus carriers that demonstrate a pattern of willful disregard for safety regulations, and establishes stiffer penalties for noncompliance.

The rule also goes after those ordered out-of-

service by the DOT from simply re-applying for operating authority under a new name, a common practice according to the FMCSA.

The UTU, TTD and its affiliates have long argued for increasing enforcement of federal safety regulations and cracking down on motor carriers that try to evade compliance.

In May 2012, the FMCSA ordered 26 curbside bus operators (those that pick up and drop off on city streets, not from an established bus terminal) to discontinue service because of their threat to public safety. FMCSA found that each carrier had committed several offenses.

Bus operators that blatantly disregard laws are targets

Transportation Secretary Ray LaHood and FMCSA Administrator Anne Ferro have demonstrated that improving transportation safety has been the top priority on their watch, particularly by proposing rules that will strengthen operating and enforcement standards and ensure that unsafe bus operators are taken off the road.

Besides the UTU, the TTD represents 30 other affiliated unions, including several that represent workers who operate over-the-road buses and other commercial motor vehicles.

Alt. Vice President Larry Barrilleaux has retired

Alternate UTU International Vice President Larry Barrilleaux, 61, has retired, effective Jan. 15.

A member of Local 1836 at New Orleans, Barrilleaux began his railroad career in 1973 as a switchman on Texas Pacific/Missouri Pacific Railroad in New Orleans.



Barrilleaux

Barrilleaux was elected to various offices before being appointed vice chairperson in 1993. In 1995, he was elected general chairperson of GO TMP for switchmen at the New Orleans Terminal on Union Pacific Railroad.

Barrilleaux participated in negotiations from 1996 to 1998 to protect union members during the merger of the Union Pacific with the Southern Pacific, and the subsequent merging of Local 1880 into Local 1836.

"I have enjoyed working for the UTU and I sincerely appreciate the support provided to me during my years as part of the organization," Barrilleaux said. "While I look forward to enjoying my retirement, I will miss being a part of our team and the organization."

UTU International President Mike Futhey commended Barrilleaux's service to his fellow workers and to the UTU.

Scholarship deadline March 31

The deadline to apply for a UTUIA scholarship is March 31. The application form printed in the January 2013 issue of *UTU News* is the only one that should be submitted. Contact the UTU International if you need an application form.

Around the UTU

Local 240, Los Angeles

Local Chairperson **Harry J. Garvin Jr.** reports that the local's 2013 monthly meetings will be held at Ozzie's Diner at 7780 E. Slauson Ave. in Los Angeles off 5 FWY between 710 FWY and 605 FWY. The diner's telephone number is (323) 726-0300. Meetings will be held the second Wednesday of each month at 1 p.m. during odd-numbered months and at 7 p.m. during even-numbered months.

Local 219, Hannibal, Mo.

Members of this BNSF local again voted to make a generous food donation to the Salvation Army branches in Hannibal, Quincy, Ill., and Keokuk, Iowa. Secretary & Treasurer **Buddy Striker** reports. "We would like to thank the membership of Local 219 for voting to help the less fortunate in our communities so everyone could have a nice dinner during the holidays," Striker said. "We were able to purchase 2,600 pounds of food for distribution at the Salvation Army."



Pictured, from left, are Vice Local Chairperson Jeff Willis, Local Chairperson Lance Sonnenburg and Local Chairperson Virgil Peters as they make a delivery to the Salvation Army.

Local 286, North Platte, Neb.



North Platte Locals 7, 200 and 286 annually sponsor a little league baseball team, and a picture of their billboard at Legion Baseball Field has appeared in the UTU News. When Vice Local Chairperson Kevin Winder asked Local 286 to sponsor his daughter's traveling basketball team, the local jumped at the chance, Legislative Rep. Steve Coleman reports. Above is Local 286's new favorite team, with Ashtyn Winder at far left.

Local 582, Stevens Point, Wis.

Canadian National conductor **James E. Stewart** and engineer Steve Polanski were awarded Chippewa Falls Community Service Awards Dec. 4 by Mayor Greg Hoffman, according to a report in the *Leader-Telegram*, for "heroic actions in helping to save the life of a citizen in need." The two were riding an eastbound train and saw what appeared to be someone on the ground waving a hat. They notified their dispatcher, who immediately called police. Shortly thereafter, police and EMT personnel found Don Shilts, 86, lying near the tracks. Shilts had suffered a stroke while raking leaves in his yard and fell down a hill near the tracks. He had been on the ground for more than four hours and his body temperature was down to 88 degrees. He then suffered a heart attack in the ambulance on the way to the hospital, but has recovered.

Local 626, McCook, Neb.

Conductor **Chris Corbett**, 29, was severely injured while working near Hudson, Colo., on the BNSF Brush Subdivision Jan. 1, and was air-



First Student employees at Buffalo, N.Y., load the sports utility vehicle that served as Santa's sleigh after they decided to deliver Christmas to a family that lost everything in a house fire.

Bus operators, mechanics deliver Christmas to kids

"First Student bus drivers and mechanics from Local 1908 are so much more than just people who get your children to and from school," said Local Secretary **Joann Ehrhardt**.

If you need proof, just ask some of those children.

After a Buffalo, N.Y., School District family of six lost everything to a Dec. 1 house fire, the members of Local 1908 set their holiday wheels in motion.

It all started when Pam Przybylak, the manager at First Student's Gruner Road Terminal, posted a flyer looking for donations for the family.

Local 1908 members, along with management employees and Buffalo Board of Education bus aides, were suddenly transformed into Santa's elves.

"Pam gave us a list of the children's ages and clothes sizes, and people just went shopping," Ehrhardt said. "We collected presents for the whole family, along with non-perishable food items."

"Some people collected food from a local food bank, some donated cash and others picked up donated items from one member's church."

On Dec. 21, the presents, food, blankets, towels and more were delivered to the family.

"One of the bus aides even bought a Christmas tree, and another bought ornaments, and they actually decorated the tree for them," Ehrhardt said.

"This truly was collaborative effort," Ehrhardt added. "Everybody in our terminal contributed."

It's really nothing new at Local 1908. First Student employees also adopted a family, whose father had recently lost his job, and delivered gifts and food to them. "We usually call Catholic Charities and get the name of a family in need, along with children's clothing sizes and whether they have boys or girls," Ehrhardt said. "We do that every year."

The local also represents drivers in the communities of Cheektowaga and Williamsville and bus mechanics in Rochester.

Ehrhardt said that at a recent local meeting, one of the Local 1908 members asked why their local was never in the *UTU News*, "so I thought I would send this in."

lifted to a Denver area hospital, Colorado State Legislative Director **Carl Smith** reports. Corbett suffered multiple fractures of his pelvis. "Chris and his wife are expecting a child in two months and they will have some obvious hardships. We are asking anyone that can to help our brother and his family during this difficult time," Smith said. Contributions may be sent c/o Chris Corbett to UTU, 3222 Tejon St., Unit B., Denver, CO 80211-3471.

Local 662, Richmond, Va.

At this local's Jan. 9 meeting, **Cecil L. Pinner** was sworn in as local secretary & treasurer following the retirement of former Secretary & Treasurer **James Galbraith**. Pinner ran unopposed in a special election and was elected by acclamation. In other news, Galbraith reports that retired former Local Chairperson **Howard Knight**, 73, died Dec. 28. He is survived by his wife, Carolyn.

Locals 262, 1462, Boston

The members of Amtrak Locals 262 and 1462 turned their annual holiday party in December into a fundraiser for conductor **John Newman**, who was paralyzed from the chest down in a November automobile accident. Following their lead, Local 1462 Treasurer **Dave Bowe** reports, Newman's sister, Jeannie Nocera, opened a bank account in Newman's name for anyone wishing to assist him financially. Contributions may be sent to Liberty Bank, Attn.: Cindi Whitehouse, John Newman Charitable Fund, 315 Main St., Middletown, CT 06457. "Rehabilitation has been slow, but Newman is improving," Bowe said.

Local 1608, Chatsworth, Calif.

Local Secretary **Jack Dedrick** and the members of this bus local representing employees of Los Angeles Metro congratulate the following brothers and sisters who retired in 2012 and wish them health, happiness and success: **James C. Sherman** (35 yrs.), **Martin Crespi** (33), **Norma Uribe** (31), **Cynthia De Gruy** (30), **James Johnson** (25), **Walter W. Brady** (24), **Robert Anderson** (23), **Harry Fradejas** (23), **Estelle Plasencia** (23), **Victor Granillo** (23), **Luis Lopez** (23), **Mary Montgomery** (10) and **Nelson Duncan** (10).

Local 1741, San Francisco



Local members in the drivers' room at the San Francisco bus yard on Sept. 21, 2012, were watching on television as the space shuttle Endeavour was flying piggyback over the Golden Gate Bridge to its final destination at the California Science Center in Los Angeles when, everyone in the bus yard started jumping and shouting, member **Judith Hoff** reports. The space shuttle was flying directly overhead at about 1,500 feet. Everyone ran out of the drivers' room to see lead mechanic Alex Ageev take this picture.

UTU Day at Fonner Park

UTU locals from Nebraska and surrounding states will be holding their third UTU Blanket Day at Fonner Park in Grand Island, Neb., April 12, beginning at 3 p.m., GO 953 Vice General Chairperson **Rich Mohr** reports. Last year, more than 75 UTU members representing different UTU locals attended the event. A blanket adorned with the SMART logo, sponsored by Local 1503 at Marysville, Kan., will be presented to the owner of the horse that wins the UTU/SMART race. Last year's blanket sponsor was Local 367 at Omaha. Admission to the park is free. For more information and to confirm attendance, contact Local 7 Vice Local Chairperson **Cliff Gordon** by calling (308) 530-5766 or at cgordonutue@hotmail.com, or Local 286 member **Ed Mueller** by calling (308) 530-6711 or at meeko@kdsi.net. Reduced room rates are available at the Midtown Holiday Inn in Grand Island. Mention code "United Transportation Union" or "SMART" when making a reservation at (308) 384-1330.

UTU challenges union busting at Progressive

Several dozen UTU members picketed for three hours in frigid temperatures last month at Progressive Rail, Inc., (PRI) in Minnesota to protest anti-union actions taken by the carrier.

Ever since the UTU was certified in August 2009, and even after UTU members ratified a deal with PRI in February 2012, management has tried to bust the union by intimidating and firing eight workers, said **Phil Qualy**, state legislative director. The fired workers have been replaced with anti-union employees, he said.

Progressive Rail seeking to break UTU with a sham union

PRI management has attempted to replace UTU/SMART with a sham union, Qualy said. "PRI replaced UTU members with anti-union employees who have refused to pay union dues in a timely manner to remain in good standing," Qualy said. "Anti-UTU members at PRI were properly informed by the local of their assessments and responsibility to protect their standing and seniority. PRI management did nothing to assure enforcement of our UTU contract with their new employees."

The company coerced UTU members into signing letters requesting a National Mediation Board (NMB) election and applied to the NMB for a representation election of the sham union, which was scheduled for Jan. 29, Qualy said. "UTU supporters (signed the letters) while on duty in fear for their livelihoods," he said.



UTU members picket the headquarters of Progressive Rail to protest anti-union actions taken by the carrier. Minnesota State Legislative Director Phil Qualy is in the red hat, standing left. (Photos courtesy The Union Advocate.)

Stewart Howe, one of the workers fired by Progressive Rail, thanked the members of UTU/SMART Locals 64 (Huron, S.D.), 650 (Minneapolis), 1000 (Minneapolis) and 1614 (St. Paul, Minn.) and others who participated in the picketing. Howe said he was terminated last August because of his activity to support the union. He has filed grievances under the union contract, two of which have gone to arbitration.

Qualy said the group of workers at Progressive Rail is small in number, but any violation of worker rights will be met with a strong response by UTU/SMART.

"We sent a message today," he told the crowd at the picket. "It's not just four or five guys. It's 1,200 [UTU/SMART] members in Minnesota."



UTU raises money for Sandy victims

Days after super storm Sandy hit the New York Tri-State area, Long Island Rail Road (GO LIRR) General Chairperson **Anthony Simon** established the "UTU Hurricane Sandy Relief Fund" for Long Island Rail Road members in need.

Through both mail-in and boots-on-the-ground donation campaigns, the LIRR general committee raised more than \$9,000 to kick off its effort.

On Dec. 14, all UTU LIRR locals transformed their annual holiday party to a Hurricane Sandy relief event. More than \$12,000 was raised and the fund totaled more than \$21,000. That did not include a later contribution from the UTU International's storm relief fund.

At the recommendation of UTU International President Mike Futhey, a committee consisting of Simon, Alternate International Vice President – Bus Calvin Studivant and New Jersey Transit member **Patricia Smith**

(Local 60) was formed to determine the equitable distribution of the funds. They allocated the funds at the discretion of four independent, non-officer LIRR members.

Local 645 (Babylon, N.Y.) member and Sandy storm victim, conductor **Dennis O'Driscoll**, said, "This type of event demonstrates the true meaning of solidarity and helping one another. I only wish even more members could have been apart of it. The UTU was there for me during my time of need."

"The entire LIRR general committee would like to thank President Futhey for his guidance and support in our relief effort for the UTU membership on the LIRR," Simon said.

Distribution of a portion of the UTU International's storm fund, which received contributions from locals and individuals across the country, is still pending.



Long Island Rail Road General Chairperson Anthony Simon, left, and Vice General Chairperson Vincent Tessitore present a check to Sandy storm victim and LIRR conductor Colleen Drennan.

UTU members on CIR ratify five-year deal

UTU-represented train and engine service members employed by the Central Railroad Company of Indiana (CIR), members of Local 440, Sharonville, Ohio, have ratified a new five-year collective bargaining agreement that became effective Jan. 1, 2013.

The contract, ratified by an overwhelming margin, provides for annual wage increases, an additional paid holiday, flex days, enhanced overtime provisions, enhanced instructor allowance, additional meal allowance and improved bereavement leave.

UTU International Vice President John Lesniewski, who assisted with the negotiations, thanked General Chairperson **Andy Combs**, Vice General Chairperson **Tony Livengood** and General Committee Secretary **Bruce Huff** for their "exceptional dedication and commitment to securing the most beneficial agreement possible for their members, which resulted in substantial improvement of their wages and working conditions."

Central Railroad Company of Indiana is a Class III short-line railroad owned by RailAmerica. It stretches through five southeastern Indiana counties and into Ohio, operating 96 miles of track. CIR interchanges with CN, CSXT and NS, and provides an integral link between Indiana and Ohio. CIR moves more than 11,000 cars per year of the major commodities of automobiles, chemicals, metals and aggregates.

UP reports record safety

Union Pacific Railroad's 2012 employee safety performance was the best in the company's 150-year history, the company reports.

Employees achieved a 1.01 reportable injury rate, surpassing the previous best of 1.15 established in 2011. From 2002-2012, Union Pacific employees improved their reportable injury rate by 58 percent.

Amtrak negotiations continue

Contract talks with Amtrak are continuing, General Chairperson **Dirk Sampson** reports. "As these negotiations are ongoing and sensitive, I am not a liberty to release the details," he said.

"My main priority is getting this contract settled," Sampson said. "Mediation talks are ongoing. Currently, mediation sessions are scheduled for Feb. 13/14 and March 20/21. We are still trying to resolve a few difficult issues. The negotiation team will continue to press its demands with the assistance and guidance of Assistant President John Previsich."

FRA reports 2013 was safest in rail history

Last year was the safest year in the history of the railroad industry, based on performance measures tracked by the Federal Railroad Administration (FRA).

For the fifth fiscal year in a row, the industry has improved on all six of the FRA's official safety performance measures, including the rate of grade crossing incidents, human factor-caused train accidents, track-caused accidents, equipment-caused accidents, signal and miscellaneous train accidents, and non-accidental rail hazmat releases, FRA said.

In 2012, six members of the UTU were killed while on active railroad duty. That is the least number of UTU rail members killed on active duty since 2009.

**"If any man tells you he loves America, yet hates labor, he is a liar.
If any man tells you he trusts America, yet fears labor, he is a fool." -- Abraham Lincoln**

We pledge allegiance, in solidarity

We are one! Not only as a result of our recent merger, but also by the pledge we make to one another as union brothers and sisters.

The strength of organized labor lies in the hearts and minds of every union member who understands the meaning of allegiance.

President Obama used that term so effectively to set the theme of his second inaugural address: *"What makes us exceptional – what makes us American – is our allegiance to an idea articulated in a declaration made more than two centuries ago: 'We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness.'"*

His call for collective action – action to address new challenges with new responses that still remain faithful to those founding principles – is no different from the pledge we made when we joined the SMWIA or the UTU.



Officers' Column

By SMART General President
Joe Nigro

SMART's membership in bus operations, to reduce costs, and to keep our members informed about our finances and policies.

I can assure the UTU membership that the autonomy of the general committees of adjustment and the state legislative boards is not an issue that will derail our collective progress.

Now, we must work together – all of us, members and leaders – to ensure our representation is what it should be.

What does representation involve? What purpose does it serve? What does it mean to one who represents and to one who is represented?

when they know, and listen to, the members they represent, when they understand members' problems and challenges.

Our members are on the front lines with their employers and know

ly informed on any condition of employment that affects them or their family.

Our diversity in solidarity is our strength. As we reaffirm our allegiance to each other and to our union ideals, we can and will reach new heights. Together, we will use this year to brand SMART as the union of choice in sheet metal, air, rail, and transportation work.

This year we celebrate the 125th anniversary of this great union, born in Toledo, Ohio, on Jan. 25, 1888. The story of our past and its effect on our present and our future

We reaffirm our allegiance to each other and to our union ideals

first-hand whether the employers are living up to their labor agreements. Our members have to know that their union representatives want them to be recognized for the work they do every day, to be involved in the work of the union, and to be ful-

will unfold throughout the year through the commemorative theme: SMART Expertise Since 1888.

Please visit www.SMART125.com to learn more about the commemoration.

We need to address new challenges with new responses faithful to our founding principles

We pledged our allegiance then, and we must reaffirm that commitment every day, to collectively make our merged union stronger and smarter.

When realizing a merger such as ours, we cannot always avoid spending time on issues like autonomy, titles, responsibilities and other minor details. Still, we have made real progress together to build

Representation is what unions offer workers. It's a big choice, in some cases, to put your job on the line to join a union. Once in the union, we as members want to be sure that we get what we pay for – that we're not just a source of dues.

Strong representation is essential in such a diverse organization as SMART. Those who represent SMART members can do so only



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For the latest news, visit www.utu.org; also, sign up on the UTU website to receive news alerts via email.

With elections past, our work begins

As a new Congress begins its largely partisan struggles, which are sometimes difficult to understand and frequently disturbing, the job of the National Legislative Office is to convince lawmakers that the legislative agenda of SMART members is the ideal recipe.

The education process itself can be brutal, as evidenced by these numbers: In this Congress there are 84 new House members, 11 new senators and 17 new members of the House Transportation & Infrastructure Committee, where air, bus, rail and transit legislation often has its beginning.

The job of the National Legislative Office and the state legislative directors is to provide members of Congress with facts and be available as a resource when they have questions or are approached with different points of view by others.

High on the list of issues important to SMART members is a stable and sufficient source of funding for Amtrak and mass transit, which are carrying record numbers of riders and which are expected to swell further with demands from budget travelers, seniors and those frustrated with airline delays and increasing highway congestion.



Officers' Column

By National Legislative Director
James Stem
jamesastem@aol.com

Of importance to the safety of rail members is preventing further delay in implementation of positive train control, and refining some of the language in the hours-of-service law passed by Congress in 2008.

As discussions proceed on how to deal with America's substantial debt and deficit spending, we are working with other labor organizations to ensure that middle-class Americans don't face the brunt of the problem. For example, it is imperative we preserve the home mortgage-interest tax deduction and that Congress does not attempt to require employees to pay income taxes on their

health care benefits.

Preserving the financial integrity of Social Security is another issue. Also, we expect conservative lawmakers, who don't understand that Railroad Retirement is entirely fund-

covered service instead of immediately following service. We also want all yardmaster assignments to be covered under hours-of-service regulations and that there be a two-hour limit on limbo time per tour of duty.

Our plate is full, but we are heartened that much, if not all, of the anti-labor conservative agenda expected to be proposed will be defeated either by a more sober-thinking House majority or in the Senate, where the labor-friendly majority was increased in the November elections.

In 2012, UTU PAC played a meaningful role in reducing the anti-worker majority in the House and increasing the labor-friendly majority in the Senate.

Your UTU PAC contributions continue to be a great tool in facilitating face-to-face conversations with members of Congress and helping keep our friends in office.

I urge you to become a PAC member if you are not yet one, or increase your PAC contributions to a minimum of a dollar-a-day level. UTU PAC contributions are one of the most effective investments you can make in job security, improved wages and benefits.

We must provide the new members of Congress with the facts to support our point of view

ed by the taxes of rail workers and railroads, to seek again to fold Railroad Retirement into Social Security.

Returning to hours-of-service regulations, among our objectives is to gain new legislative language providing predictable and defined work/rest periods, a 10-hour call for all those in unassigned road service, and a mandate that the 10-hour undisturbed rest period be immediately prior to performing



State Watch

News from UTU State Legislative Boards

Michigan



Local 313 (Grand Rapids) Local Chairperson Justin Van Houdt (left) and State Legislative Director Jerry Gibson protest the passage of right-to-work legislation.

While Michigan lawmakers may have passed right-to-work (for less) legislation recently, the fight is far from over, State Legislative Director **Jerry Gibson** reports.

"Michigan labor has a new rally cry of '2014,'" Gibson said. "That will be the next round of elections and if we can win a majority in the House, Senate and the governor's seat, we can overturn this."

"Our state government has turned its back on working families, attacking the very foundation of what built this great country: the middle class via collective bargaining," Gibson said.

"What is amazing to me is that so many have forgotten how the 40-hour work week came about, or the eight-hour day, or health and retirement benefits, vacation, sick days, paternity leave, safety regulations...things many take for granted, things most all employees now have, whether they belonged to a union or not. It all was won through collective bargaining."

"I am upset, angry that I could not have done more, yet determined to do more in the future" Gibson said. "This is why we ask for donations to UTU PAC, why we support those that support us. Look at the names, the party they affiliate with and ask yourself once again: 'Who is with me and who is against me?' And never forget that the next time you vote!"

Arizona



State Legislative Director **Greg Hynes** attended the Obama inauguration in Washington, D.C., last month. While there, he attended a meeting of labor leaders and talked with Democratic House leader Nancy Pelosi.

"She was very interested in the many issues facing working families in this country," Hynes said. "She also thanked me for the UTU's help in getting out the vote across the country. I look forward to the next four years with a renewed sense of optimism."

North Carolina

Ron Ingerick has been elected North Carolina state legislative director. He succeeds **Dickie Westbrook**, who retired Dec. 31 after 36 years as an officer in the UTU.



Ingerick

"I want to thank Dickie Westbrook for his years of service to this union," Ingerick said. "We have lost a mentor and friend. I hope to follow in his footsteps to make North Carolina respected throughout the nation."

Ingerick, 46, a member of Local 782 in Asheville, started railroading in 1996 on Norfolk Southern as a conductor. He was elected legislative representative and assistant local chairperson in 2000 and local chairperson in 2002. He also served as delegate from his local the past two conventions.

Wyoming

State lawmakers listened to the UTU last month and defeated legislation that would have given railroad security officers the power to arrest, issue citations and use firearms when necessary.

Current law allows companies to name reserve deputies in each county. The deputies are trained to handle emergency situations on rail cars or at loading stations. With 900 miles of track, the Burlington Northern Santa Fe and the Union Pacific railroads only have one trained security officer each.

State Legislative Director **Stan Blake**, who also serves as a state representative for the 39th House District, lobbied against the legislation.

"I said in committee that special agents don't answer to the people of Wyoming; they answer to a corporation," Blake said.

Other lawmakers agreed, saying they were not comfortable giving corporations jurisdiction and authority that's reserved for law enforcement.

Blake told his fellow lawmakers that he's been accosted by transients in the railyard late at night. He said a security officer wouldn't have helped him, especially if there's only one covering 900 miles of track throughout the whole company.

"You have to handle the situation immediately," he said.

Wyoming's current security laws differ from the federal government's. Every other state, excluding Minnesota, complies with Washington's rules and gives railroad companies significant jurisdiction to police their railroads and rail cars.

"We've had situations where it's taken two hours for law enforcement to respond," said Cathy Norris, spokeswoman for BNSF.

Lawmakers weren't convinced the bill would be a game changer for both rail companies, the only two in the state.



Blake

A message to UTU members from Local 1892 (Houston) Chairperson Daniel Holak

Who is a local chairperson?

The local chairperson has the single most important position in the union. A local chairperson often wears more than one hat. He is, first, your union brother. He is your friend. He is a protector of agreements in time of need and can be a comforter in time of sorrow. His job often calls for him to be a lawyer, a psychologist, an inspiration and a leader.



Holak

At times he can suffer from an overdose of agreement violations. Too often, acts of alleged rules and agreement violations go unnoticed. The truth can be buried under all the criticism.

The local chairperson rarely discredits his position. A local chairperson is an ordinary person who is called upon, at times, for extraordinary representation of his members. Many times his job may seem routine, but the interruptions can be moments of frustration. He is the man who faces the manager, who rescues the wrongly accused, who challenges the carrier, who does more behind the scenes more often than we realize. He or she deserves our respect and profound thanks.

The local chairperson stands between you and the carrier, ready to protect. He or she is the major reason you may receive a lighter sentence or keep your job. Imagine what might happen if there were no local chairperson.

Try to think of ways to make their job more rewarding. Show them the respect they deserve. Offer them a smile and a kind word. See that they don't have to work for less than their regular assignment to raise their families on less-than-adequate salaries.

Oftentimes they do the work of two people, but only get compensated for one. Thank god for all the men and women who said they would be a local chairperson and all who kept their promise.

I hope you feel the same way and I hope you will show it so that there will always be enough good local chairpersons to represent the members.

Bus Department

By Bonnie Morr, vice president
bonniemorr@sbcglobal.net

Healthy drivers are happy drivers



Morr

As the year kicks off, I must ask you: "How are you doing?"

"I am healthy and happy" is the answer I'd love to hear, but, sadly, it's the answer I hear less and less.

Consider our work schedules, and the nature of our jobs: We sit all day strapped in a seat. We tend to bounce around as we vibrate down the road. Meals are often on the run. We are usually rushed and often eat whatever we can get our hands on.

As drivers, we also are exposed to all types of chemicals, as well as noxious exhaust fumes.

Also, our work schedules can range anywhere from eight hours to upwards of 15 hours.

But help is on the way. A group of researchers are working on the health of the bus operator. Federal funding has been set aside specifically to study what has been happening to our health.

Preliminary findings are that drivers are at increased risk of contracting diabetes, high blood pressure, poor circulation and respiratory problems, as well as weight problems.

At our upcoming regional meetings (see the center of this paper), we are hoping to have some presentations on bus operator health concerns. Don't forget to register as soon as possible.

Also, we in the UTU stand in solidarity with New York City school bus operators who are currently on strike. The city and Local 1181 of the Amalgamated Transit Union are in dispute over seniority and other issues. If you see a striking school bus operator please give them a thumbs up.

Get ready for 2013 UTU/UTUIA 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 and clicking on the "Meetings" box on the bottom of the UTU homepage.

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 printed 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

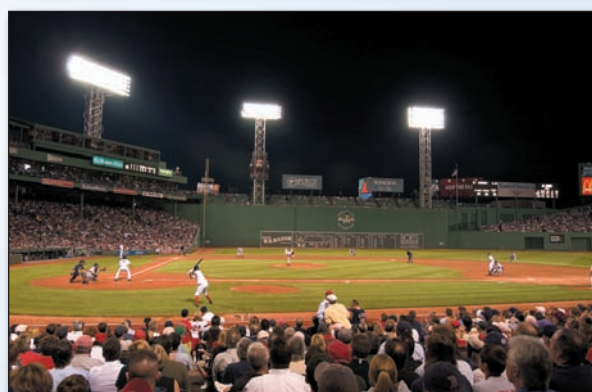
over age 11, the same fee charged the last six years. Additional fees apply for the golf outings. You must make your own room reservations, and certain deadlines apply.

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 immediately regarding any changes or cancellations.



Boston, July 1-3: Westin Boston Waterfront, 425 Summer St., Boston, MA 02210, www.starwoodmeeting.com/book/smartconference2013
Reservations: (888) 627-7115 toll free; (617) 532-4600 direct **Reservation code:** UTU or SMART **Room Rate:** \$144 single/double, plus taxes; rates good for three days before and after meeting, depending upon availability.
Room reservation deadline: May 31, or until all rooms being held for the UTU are reserved **Parking:** \$22 per day self park
Golf outing: The regional meeting golf outing will take place Sunday, June 30, at a golf course to be determined. 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, <https://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.
Room reservation deadline: June 25, or until all rooms held for the UTU are reserved **Parking:** \$22 per day valet; \$16 per day self park
Golf outing: The regional meeting golf outing will take place Sunday, July 28, at a golf course to be determined. The cost is \$80 per golfer, which includes golf, lunch and more.

Avis Rent-a-Car offers discounts

The UTU has arranged with Avis Rent-a-Car to offer discounted rates to UTU members attending the 2013 regional meetings.

To reserve a car, contact Avis at (800) 331-1600 and use the UTU's Avis Worldwide Discount (AWD) number: **D150699**.

For the Boston and Anaheim, Calif., regional meetings, UTU members and guests can also reserve a car online. Visit the UTU website at www.utu.org, select the "Meetings" link at the bottom of the UTU homepage, then select the appropriate regional meeting city.

When renting a car online, be sure to use the same Avis Worldwide Discount (AWD) number as listed above: **D150699**.



United Airlines offers discounts

United Airlines offers discounts off published fares up to 10 percent or zone fares for the Anaheim, Calif., regional meeting.

(Due to the Boston meeting being held so close to a national holiday, the UTU was unable to negotiate similar airfare discounts to that destination.)

Call your travel professional or United at (800) 468-7022 for reservations. Refer to Z Code (ZNJA) and Agreement Code (314218).

There will be a \$25 service fee collected, per ticket, for all tickets issued through United Airlines ticketing facility.

Or, save an additional three percent by booking your own reservations at www.united.com. Choose your flight times and access your meeting discounts by inserting the Z Code and Agreement Code in the Offer Code box, without a space between the two codes (ZNJA314218).

A direct link to United's online reservation system can also be found on the UTU's website by visiting the "Meetings" page.



Two regional meeting tours to be offered

The UTU is arranging two different tours of local attractions at both the Boston and Anaheim, Calif., regional meetings.

They will take place the day before, as well as the first day of, both regional meetings.

Tour fees are \$35 per tour for each registered attendee or guest, or \$75 per tour for each unregistered attendee or guest.

Details of the two tours in Boston and Anaheim, Calif., are still being ironed out and will be announced soon on the "Meetings" page of www.utu.org. Select the "Meetings" link at the bottom of the UTU homepage.



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

UTU Alumni

UTU Alumni Association

News, information for members of the UTU Alumni Association

UTU members support kids



UTU retiree Jerry Lambert (center, yellow hat) and yardmaster member Larry Larson (standing, second from left) helped distribute coats, hats and gift certificates to needy children.

Thousands of Northeast Ohio children are warmer and more comfortable during the cold winter months thanks to retired CSX (Conrail) conductor **Jerry Lambert**, yardmaster **Larry Larson** and their UTU brothers and spouses.

For years, Lambert, former local president of Local 378 in Cleveland, and Larson, an active yardmaster in Cleveland and member of Local 1951, have handed out coats to deserving children as part of the annual Coats for Kids campaign.

Lawson Chadwick dies

Longtime UTU supporter **Lawson Chadwick**, 75, passed away Dec. 9.

Chadwick was Alumni Association Chapter 3 coordinator, former member of the California State Legislative Board and former president of Local 84, Los Angeles.

He served 42 years in the railroad industry, retiring from Amtrak in 2000.



Chadwick

Lambert, who started railroading in 1970 for the Penn Central at Ashtabula, Ohio, and who retired in 2010, was part of a crew of UTU, BLET and other rail workers and their friends and spouses who passed out coats last December at a massive warehouse set up specifically for the event.

“We passed out about 10,000 coats that day,” Lambert said. “We had a crew of about 20 people who participated, mostly retirees and wives. Most of us have done this five years or more, and every year the line of kids needing coats seems to grow longer.”

Each child was given a coat, a toy, a Cleveland Browns stocking cap and a gift card to a local supermarket chain, Lambert said.

“I had one lady who was supposed to get six coats for her six children. When she came through, she said she only needed five; one child had passed away a few weeks earlier.

“You see people who are truly in need. Their children would not have winter coats except for us. It continues to grow each year. You are amazed at the number of people in need,” Lambert said.

UTU offers Alumni Association coach tour of Ireland



The UTU Alumni Association’s Travelers’ Club is offering a “Country Roads Tour of Ireland.” Travelers will depart May 17 and return May 29, 2013.

This is a deluxe, 40-seat motorcoach tour with stops in Dublin, Belfast, Carrickfergus, Londonderry, Belleek, Galway, Connemara, Limerick, Killarney, Dingle Peninsula, Cahir and Kilkenny.

The package includes 11 full breakfasts, one celebration dinner and four three-course evening meals.

Participants will visit the Custom House in Dublin, the Belleek Pottery Center, the Titanic Museum, and a variety of castles, cathedrals and other attractions.

The cost is \$2,599.00 per person/double occupancy, plus air fare. Those paying in full by Feb. 28 will receive a seven-percent discount.

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

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

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
14	Wenrick, Floyd E.	Piqua, Ohio	655	Pack, Orville	Seminole, Fla.	1168	Holley, Robert L.	Spring City, Tenn.
72	Wellington, Darwin	Battle Creek, Mich.	663	St. Peter, Sandy C.	Caribou, Maine	1190	Thomas, Gordon K.	Cincinnati, Ohio
138	Burkholder, Welty C.	Lima, Ohio	759	Cole, Joseph W.	Montgomery, N.Y.	1202	McDaniels, Jerry L.	Las Vegas, Nev.
202	Williams Jr., Mark	Steamboat Springs, Colo.	771	Mills, Roy A.	Needles, Calif.	1252	Brown, Wayne A.	Grove, Okla.
204	Hagge Jr., Clarence S.	Pueblo, Colo.	772	Parker Jr., George W.	Killeen, Texas	1279	Gruber, F.	Greybull, Wyo.
219	Zedialis, John T.	New London, Mo.	774	Uhl, Donald D.	Lancaster, Kan.	1334	Fleenor, James D.	Northport, Ala.
225	Lowe, James P.	Florence, S.C.	781	Broussard, Ragon E.	Warner, Okla.	1334	Jordan, Floyd	Eight Mile, Ala.
265	Gayhart, Edward E.	Pocatello, Idaho	807	Elmer, Delbert R.	Yuma, Ariz.	1358	White, Joe A.	Danville, Ill.
277	Berardesca Sr., Albert	Woodbridge, Conn.	811	Smith, Darrell E.	San Bernardino, Calif.	1370	Scalzo, Mario J.	Port St. Lucie, Fla.
298	McLaughlin, Wilbur E.	Huntington, Ind.	832	Ostrander, James R.	Stevens Point, Wis.	1390	Herdman, Samuel	Milledgeville, N.J.
298	Prior, John B.	Peru, Ind.	898	MacGray, Claude R.	Fitchburg, Mass.	1390	Nuttall, Kenneth D.	Easton, Pa.
318	VanDusen, Claude A.	Penn Yan, N.Y.	924	Orton, Ronnie A.	North Chesterfield, Va.	1393	Pierakos, James G.	Hamburg, N.Y.
322	Carr, Arthur S.	Sheboygan, Wis.	931	Atkins, Elmer M.	Greenville, S.C.	1402	Mays, James J.	Troy, Ill.
338	Moore, Alex G.	Chattanooga, Tenn.	934	Reeh, Carroll L.	Alliance, Neb.	1420	Hammond, Harold W.	Southaven, Miss.
367	Hubenthal, Gordon B.	Norfolk, Neb.	980	Mykland, Lincoln A.M.	Wadena, Minn.	1447	Landa, Irving A.	Cropseyville, N.Y.
376	Newton, Arthur F.	Shepherdsville, Ky.	1007	Buszak, Lee D.	Calcium, N.Y.	1477	Pawelski, Leo	Munising, Mich.
418	Frerichs, Arnold N.	Sioux City, Iowa	1016	Vail, Maurice R.	Neodesha, Kan.	1525	Metcalfe Jr., Roy L.	Clarksville, Tenn.
498	Connell, Paul J.	Brick, N.J.	1059	Bossert, Aloysius J.	Bismarck, N.D.	1563	Douglas, Herman W.	Fontana, Calif.
498	Wajda, Casimer P.	Wilkes Barre, Pa.	1066	Bonura, Anthony L.	New Orleans, La.	1614	Ollanketo, Paul R.	Menasha, Minn.
586	Lewis, Charles E.	Marion, Ohio	1074	DeJeet, Samuel F.	New Eagle, Pa.	1709	Cozart, Roy F.	Flushing, Mich.
632	Jackson, Matthew I.	Salix, Pa.	1074	Petruso, Russell J.	Meadville, Pa.	1846	Dodson, Norman C.	Yucaipa, Calif.
645	Smalling Jr., William A.	Bellmore, N.Y.	1138	Davis, John H.	Greenwood, S.C.	1910	Sorrow, Roger D.	Forsyth, Ga.
650	Abbott, Ralph G.	Minneapolis, Minn.	1166	Hall, James A.	Harrisburg, N.C.			



Do not let cancer eat your life savings


Cancer is often a lingering disease that strikes all age groups. It may require repeated, extensive treatment, resulting in the person being unable to work, high hospitalization bills and loss of income.

The National Cancer Institute reports that cancer will strike in three out of four families.

UTUIA's Cancer Hospital Indemnity policy offers peace of mind. The benefits are paid directly to the policyholder to use as he or she sees fit: to help meet household expenses and other continuing expenses. This policy supplements regular hospitalization insurance, thereby protecting savings. *Some benefits may vary based on state of residence.*

With monthly premiums starting as low as **\$9 per month**, this plan fits into any budget.

"I sold UTUIA cancer plans for years because I believed in the product and thought everyone should have the protection. Then, all of a sudden, there I was, confronted with cancer in my own family. Even with our great medical insurance, the out-of-pocket costs of cancer were significant. Now, having experienced cancer first hand, I believe even more strongly that everyone should include cancer insurance in their family's protection portfolio."
— Retired UTUIA Field Supervisor Don Dysart



The American Cancer Society projects that more than 93 million Americans alive today will be diagnosed with cancer during their lifetimes. That is the equivalent of every man, woman and child living in the red-shaded states above.

UTUIA's Cancer Hospital Indemnity policy offers:

- ✓ **\$300 per day for hospital confinement**
- ✓ **\$600 per day in extended stay benefits**
- ✓ **\$100 per day for home recovery**
- ✓ **\$2,000 first diagnosis benefit for internal cancer**
- ✓ **\$15,000 bone marrow transplant benefit**



Call or email today:
(800) 558-8842
utuiasales@utu.org

2/12

Percentage of workers in unions dropped last year to 11.3 percent

The percentage of American workers in labor unions took an unusually large fall last year, dropping to 11.3 percent last year from 11.8 percent in 2011, the Bureau of Labor Statistics (BLS) announced.

The total number of union members also took an unusually big drop, by 400,000, to 14.366 million, even though overall employment in the United States rose by 2.4 million last year, the BLS said. From 2010 to 2011, the number grew by 50,000, and the percent unionized fell only 0.1 percentage point.



The declines came during a period when labor unions have been on the defensive. Wisconsin enacted a law in 2011 that curbed the collective bargaining rights of most of the state's government employees, while Indiana and Michigan passed "right to work" laws last year that are likely to encourage more private-sector workers to drop their union membership so they do not have to pay union dues or fees.

The number of union members is down from 17.7 million in 1983, the first year for which comparable numbers are available, when 20.1 percent of the nation's workers belonged to labor unions.

In recent months, however, there has been an uptick in union activity among nonunion workers, as evidenced by labor protests at Walmart stores and a one-day strike by fast-food workers in New York City in November. In those job actions, the workers were protesting what they said were low wages and meager benefits. But union officials acknowledge that it is often hard, in the face of intense employer resistance and employee fears of layoffs, to persuade a majority of workers at a big-box store or other workplaces to vote to unionize.

Richard L. Trumka, president of the AFL-CIO, responded to the labor report in a statement, saying, "Working women and men urgently need a voice on the job today, but the sad truth is that it has become more difficult for them to have one, as today's figures on union membership demonstrate."

Among states, North Carolina had the lowest unionization rate, 2.9 percent, the BLS said. New York had the highest rate, 23.2 percent.

National Labor College offers railroad hazmat workshops

The National Labor College will conduct regional hazardous materials training workshops for railroad workers at various locations throughout the United States in 2013.

The first two workshops are five-day Hazardous Materials Chemical/Emergency Response Training Programs, which will be held in Houston, Texas, April 14-20, and Laurel, Md., May 5-10.

The workshops present Occupational Safety and Health Administration and Department of Transportation required training and also address procedures for different levels of response and worker protection in a hazardous materials emergency or release, as well as weapons of mass destruction awareness.

The training also provides components required to complete the OSHA 10-hour outreach certification.

The training includes classroom instruction, small-group activities, hands-on drills and a simulated hazmat response in full safety gear.

The Rail Workers Hazardous Materials Training Program is funded to provide this training by a federal grant from the National Institute of Environmental Health Sciences and is targeted at rail workers at the local level.

Applicant selection will be in the following order: local residents not requiring lodging, followed by those within a 500-mile driving radius. Those requiring air transportation to attend will then be considered.

Interested parties are urged to register as soon as possible. All questions should be directed to Freddie Thomas at (301) 431-5457 or fthomas@nlc.edu.

A stipend of \$625 per week is available to all training participants in these programs, except those who are able to secure regular pay through their employer, or are paid union officers.

For more information or to register online, visit: www.nlc.edu.



Advice from the UTU's medical consultant on living longer and healthier

Good diet, weight control, exercise the keys to healthy living

By Dr. Norman K. Brown
UTU medical consultant

We have known for a long time that inadequate oxygen from poor heart or lung function, or poisonous gases such as carbon monoxide carried from breathing into our lungs, can injure our brains.

Recent studies of women exposed to second hand smoke showed statistical increases in dementia over time as compared to unexposed women. Similarly, particulate air pollution exposure appears to increase the chance of dementia in later years.



Brown

People with periodontal gum disease have a higher incidence of Alzheimer's disease.

However, brushing your teeth and seeing your dentist for a cleaning regularly will help greatly to prevent gum disease.

Recently, it has been found that two major components of our so-called Western diet, namely saturated fatty foods – think French fries – and simple carbohydrates such as sugar in soda pop, can alter brain cell function.

Most interestingly, it is theorized that one result of this impaired hippocampus is a tendency to overeat, leading to a vicious cycle of ongoing weight gain.

Although it seems paradoxical, our brains depend upon sugar for all their energy; yet, sugar

surges in the blood stream from high sugar foods can apparently be difficult for the brain. Our brains need a steady, continuous flow of the sugar glucose from our blood, such as from complex carbohydrates like starch in fruits and vegetables, but jolts such as after drinking soda may be not so good.

Cut down on sugar intake to lead a healthier life

There is some consensus that the following food items may help our brains to function better longer:

- Complex sugars (e.g., vegetables, fruits) that are embedded with fiber so the payout of sugar to our bloodstreams is slow and steady.
- Antioxidant-containing foods: berries, especially blueberries, spinach, and tomatoes.

• Omega 3 containing fish, especially salmon, flax seed oil, cod liver oil, or fish oil pills.

• Bananas for potassium.

• Avocados and nuts, raw or dry roasted, which contain unsaturated fat.

Please also think about some of the conditions in your family such as diabetes, high cholesterol and high blood pressure, for which a double effort to prevent these conditions will in turn benefit your general health, including your brain.

I believe in the concept that in future years there will be more tests available to detect a genetic tendency toward particular condition and, furthermore, that there will be some biochemical interventions to help certain patterns.

But before that time, please work on the basics: good diet, weight control, supplements and exercise, which we know are good for all of us.

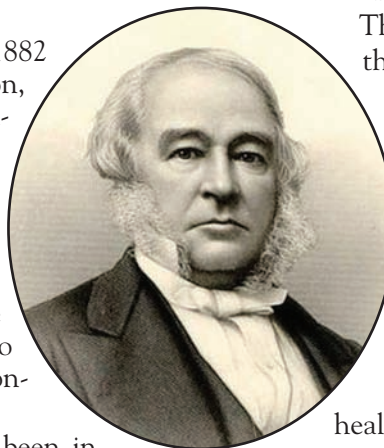
Foundation offers aid to rail daughters

The John Edgar Thomson Foundation offers financial assistance to daughters of deceased railroad parents.

The foundation, established in 1882 and endowed by the will of Thomson, the third president of the Pennsylvania Railroad, is accepting applications for aid.

Thomson (Feb. 10, 1808 – May 27, 1874) was an American civil engineer, railroad executive and industrialist. He was president of the Pennsylvania Railroad from 1852 to 1874 and oversaw the railroad's conversion from wood to coal.

The deceased parent must have been in the active employ of any railroad in the United States at the time of death; the cause of death need not be work related and the parent, while on the "active role" of the railroad, may have been receiving disability or sick-leave benefits.



Eligibility is dependent upon the daughter and surviving parent remaining unmarried.

The monthly allowance made under the grant may cover the period from infancy to age 18; under certain circumstances to age 24 to assist grantees who are pursuing higher education goals.

The amount of the award depends on the financial situation of the recipient; there are no upper or lower limits.

The foundation also offers special health-care benefits.

For further information, contact Sheila Cohen, Thomson Foundation, 201 S. 18th St., Suite 318, Philadelphia, PA 19103. Phone (215) 545-6083 or (800) 888-1278 toll free. Email Cohen at sjethomson@aol.com.

Workers on shortlines vote on agreements

UTU-represented workers on shortline railroads Alabama & Tennessee River Railway (ATN), Georgia & Florida Railway (GFRR) and Nebraska, Kansas & Colorado Railway (NKCR) have reached tentative agreements, with the assistance of the National Mediation Board.

Negotiations were led by Vice President Troy Johnson and Alternate Vice President and CSX (GO 347) General Chairperson Doyle Turner, who heads the UTU's shortline outreach program.

The tentative agreements are now out for membership ratification. Meetings are being held at locations on each railroad to discuss the deal.

ATN operates over 120 miles of track extending from Birmingham, Ala., to the rail barge terminal at the Port of Guntersville, Ala. ATN interchanges with CSX at Boyles Yard in Birmingham and with Norfolk Southern at Alabama City, Ala. Customers currently served by the ATN include CMC Steel, Progress Rail, Goodyear Tire and Rubber, Cargill, Tyson, Schnitzer Southeast, and National Cement.

GFRR is a network of approximately 264 miles of track commencing from its Albany, Ga., headquarters, and extending into northwestern Florida near the Gulf of Mexico. GFRR's commodity mix is quite diverse, with carloads split between wood pulp, beer, ethanol, agricultural commodities, limestone/aggregate and a multitude of other commodities. Customers include Miller Brewing, Southwest Georgia Ethanol, Procter & Gamble (P&G), and Buckeye Technologies.

NKCR owns and operates approximately 559 miles of track in three states and carries a diverse mix of traffic including wheat, corn, coal, and fertilizer. The carrier has benefited from its ability to attract high throughput grain elevators to its lines due to its superior service record and excellent relationship with BNSF. More specifically, NKCR recently made considerable track improvements in conjunction with upgrade investments by the owners of grain elevators at Venango, Loomis and Maywood, Neb., each of which now loads 110-car shuttle trains. In addition to grain, NKCR ships inbound coal to the largest power plant in Nebraska.

BNSF changes policy on reporting injuries

Continued from page 1

Schulze, BNSF vice president of safety, training and operations support.

"These policies will continue to be a valuable tool to hold employees accountable for rules violations that could lead to injuries."

The whistleblower provisions of the 22 statutes enforced by OSHA protect employees who report violations of various commercial motor vehicle, airline, nuclear, pipeline, environmental, railroad, public transportation, maritime, consumer product, health care reform,

securities, food safety, and consumer financial reform laws and regulations.

Employees who believe that they have been retaliated against for engaging in a protected activity may file a complaint with the secretary of labor for an investigation by OSHA's Whistleblower Protection Program.

Detailed information on employee whistleblower rights is available online at www.whistleblowers.gov and on the UTU website at www.utu.org.

BNSF has agreed to make the following changes to make it easier to report on-the-job injuries:

•BNSF's disciplinary policy will change so that injuries no longer play a role in determining the length of an employee's probation following a suspension for a serious rule violation. As of Aug. 31, 2012, BNSF had reduced the probations of 36 employees who were serving longer probations because they had been injured on the job;

•The carrier eliminated a policy that assigned points to employees who sustained on-the-job injuries;

•BNSF revised a program that required increased safety counseling and prescribed operations testing so that work-related injuries will no longer be the basis for enrolling employees in the program. As part of the deal with OSHA, BNSF removed from the program approximately 400 workers;

•The carrier has instituted a higher level review by BNSF's upper management and legal department for cases in which an employee who reports an on-duty personal injury is also assessed discipline related to the incident giving rise to the injury;

•BNSF has implemented a training program for its managers and labor relations and human resources professionals to educate them about their responsibilities under the Federal Railroad Safety Act. The training will be incorporated into BNSF's annual supervisor certification program.



Railroads report mixed 4Q, yearly earnings

Note: In the earnings reports below, “operating ratio” is a railroad’s operating expenses expressed as a percentage of operating revenue, and is considered by economists to be the basic measure of carrier profitability. The lower the operating ratio, the more efficient the railroad.



CANADIAN NATIONAL

Profit increases 8%
(2012 vs. 2011)
Operating ratio
62.9%
(2012)

Canadian National Railway reported its income in the fourth quarter of 2012 was \$613.8 million, increasing three percent from \$595.7 million in the fourth quarter of 2011.

Revenue in the fourth quarter increased by seven percent year-over-year to \$2.5 billion.

For the full year of 2012, profit was \$2.7 billion, up eight percent from \$2.5 billion in 2011.

Yearly revenue increased by 10 percent to \$10.0 billion.

CN’s operating ratio improved to 62.9 percent for the year.

CN is primarily a Canadian railroad. Its U.S. holdings include what were formerly Detroit, Toledo & Ironton; Elgin, Joliet & Eastern; Grand Trunk Western; Illinois Central, and Wisconsin Central.



CANADIAN PACIFIC

Profit declines 3%
(4Q 2012 vs. 4Q 2011)
Operating ratio
96%
(4Q 2012)

Canadian Pacific Railway reported net income of \$15 million for the fourth quarter, down 93 percent from the \$221 million it earned for the same period last year.

Revenue improved nearly seven percent during the quarter to \$1.5 billion on the back of a one-percent improvement in carloads and a four-percent increase in revenue ton miles.

The operating ratio was 96 percent in the fourth quarter if all the unusual items are included and 74.8 percent on an adjusted basis.

Canadian Pacific is primarily a Canadian railroad. Its U.S. holdings include Class I Soo Line and regional railroad Delaware & Hudson.



CSX

Profit increases 1%
(2012 vs. 2011)
Operating ratio
70.6%
(2012)

Increases in merchandise and intermodal shipments were slightly offset by declines in coal haulage, so CSX reported earnings of \$1.9 billion for calendar-year 2012 compared to \$1.8 billion for calendar-year 2011. Fourth-quarter revenue of \$2.9 billion was down two percent from the comparable quarter in 2011.

CSX’s operating ratio increased 60 basis points to 72.1 percent in the fourth quarter, but for the full year, the operating ratio improved 30 basis points to 70.6 percent.

“CSX continues to demonstrate the underlying strength of its business model, the ability to respond quickly to significant events in the marketplace, and a steadfast focus on creating substantial shareholder value over the long term,” CSX Chairman, President and CEO Michael Ward said.

CSX operates some 21,000 route miles in 23 states and the District of Columbia.



KANSAS CITY SOUTHERN

Profit increases 5%
(2012 vs. 2011)
Operating ratio
69.9%
(2012)

Kansas City Southern’s operating income for the fourth quarter of 2012 was \$174 million, compared with \$150 million a year ago, a 15 percent increase. For the year, revenue rose from \$2.1 billion to a company record \$2.2 billion, and net income rose from \$328.7 million to \$377.1 million.

For the full year, KCS’ operating ratio was 69.9 percent, a 2.2-point improvement to the full year 2011 operating ratio of 72.1 percent.

“The company successfully navigated its way through a host of challenging economic and climatic issues to make 2012 one of the best years in its 125-year history,” said President and CEO David Starling.

KCS operates some 3,500 route miles in 10 states in the central and south-central U.S., as well as Kansas City Southern de Mexico, a primary Mexican rail line.



NORFOLK SOUTHERN

Profit decreases 3%
(2012 vs. 2011)
Operating ratio
71.7%
(2011)

Norfolk Southern reported fourth-quarter 2012 net income of \$413 million, compared with \$480 million earned in the fourth quarter of 2011. Net income for 2012 was \$1.7 billion, compared with \$1.9 billion earned in 2011.

Income from railway operations was \$714 million, 11 percent lower compared with fourth-quarter 2011, and \$3.1 billion for 2012, three percent lower compared with 2011.

The railway operating ratio increased three percent to 73.4 percent during the fourth quarter and rose one percent to 71.7 percent for 2012 compared with the same periods of 2011.

Norfolk Southern operates some 20,000 route miles in 22 states and the District of Columbia.



UNION PACIFIC

Profit increases 20%
(2012 vs. 2011)
Operating ratio
67.8%
(2012)

Union Pacific’s fourth-quarter profit chugged ahead seven percent because the railroad raised shipping rates and collected more fuel surcharges.

The carrier reported earnings of \$1.04 billion during the quarter, compared to \$964 million in the fourth quarter 2011. Revenue grew three percent to \$5.25 billion. UP said its coal shipments were down 17 percent and agricultural volume was off by nine percent. Shipments of chemicals and automotive products grew 14 percent and nine percent, respectively.

For all of last year, UP’s net income surged 20 percent to \$3.94 billion on revenue of \$20.93 billion. That’s up from 2011’s \$3.29 billion on revenue of \$19.56 billion.

UP’s operating ratio in 2012 was 67.8 percent, improving 2.9 points compared to 2011.

Union Pacific operates some 32,000 route miles in 23 states in the western two-thirds of the U.S.

Discipline Income Protection Program: It Pays!

What is the Discipline Income Protection Program? This program pays you a specific amount of money over a length of time if you are suspended, dismissed or removed from service by the carrier for alleged violation of rules or operating procedures, provided that such violations are not on the list of exceptions not covered.

What benefits are paid? You choose the level of benefits paid, from \$6 to \$200 per day, all at low monthly assessments. The term of benefits, from 250 to 365 days, depends on how long you have been enrolled in the program.

Who sponsors the program? The United Transportation Union International sponsors the Discipline Income Protection Program.

Who is eligible for coverage? All UTU members may enroll on a voluntary basis.

How do I get more information? Contact your field supervisor or local insurance representative, or write to: UTU, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333, or email “dipp@utu.org” or check out the Discipline Income Protection Program page on www.utu.org.

DISCIPLINE INCOME PROTECTION PROGRAM

New Jersey Transit sets on-time record

New Jersey Transit says its trains achieved record on-time performance in 2012, the Associated Press reports.

The agency says its trains were on time 96.4 percent of the time, even though it was operating nearly 23 percent more trains than the previous record year of 1995. That was when trains had an on-time performance score of 96.2 percent.

NJ Transit attributes the performance to its Scorecard initiative in which passengers rate the railroad.

NJ Transit is the second largest transit system in the U.S. with 164 rail stations, 61 light rail stations and more than 19,000 bus stops.





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Photo of the month

The UTU International is always looking for good photos, and awards UTU gear to monthly photo winners.

The UTU 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.

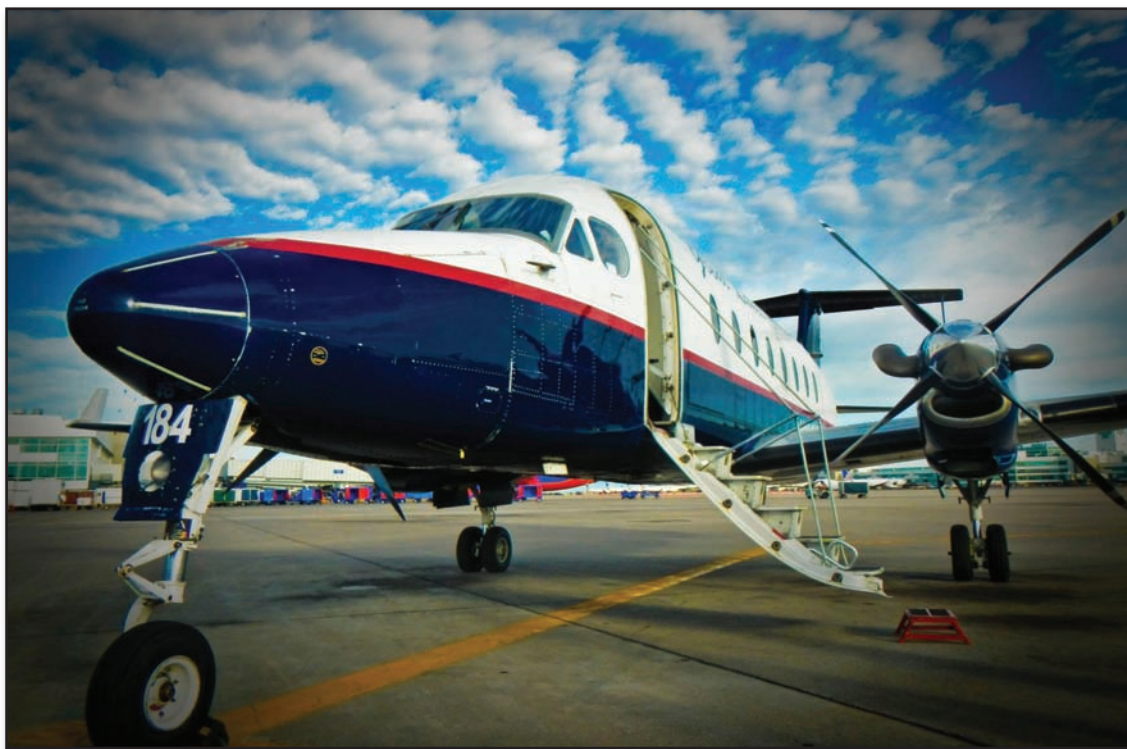
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Remember to review your employer's policies regarding use of cameras on the property or during work hours.



This photo was taken by Great Lakes Aviation crewmember **Erik Axthelm** of Local 40, Denver, Colo. "This is a photo of a Beechcraft 1900D that just came into Denver from Farmington, N.M.," Axthelm said. "I was commuting in on the flight (riding in the back) and when I got off I thought that it would be a good picture."



The Official Publication of the United Transportation Union

Quick action saves member's life

Quick thinking by two UTU members may have saved the life of their union brother, and a state legislative director thinks they should be honored for their actions.

On New Year's Eve, CSX conductor **Mathew Gaffney**, a member of Local 1473, Boston, who had been on the job just two years, hopped off his engine to line a switch.

As the engine moved ahead, Gaffney fell and sustained serious injuries to his legs and pelvis.

Gaffney could have been killed, however, had it not been for the quick actions of his union brothers, utility man **Frank Walsh** and foreman **Michael Prizio**, also members of Local 1473.

The two witnessed Gaffney being struck by his train and made immediate radio contact with the train's engineer to make an emergency stop, probably saving Gaffney's life.

The two then assisted Gaffney



Michael Prizio, left, and Frank Walsh

and made the proper contacts to emergency services and the carrier.

New England States Legislative Director **George Casey** thought so highly of the actions of Walsh and Prizio that he is submitting their names to the Department of Transportation for its recognition program.

Local 1473 Chairperson **John Raymond** said Walsh and Prizio deserved recognition "for their quick, level-headed actions under a highly stressful situation.

"Their actions epitomize what every member of our union should strive for. As secretary & treasurer and local chairperson, I am proud to say Frank Walsh and Michael Prizio are members of my local.

"As we all know, the carrier will probably not do anything to recognize these men, but I will," Raymond said.

Inside this issue of the *UTU News*:



Bus operators, mechanics delivery Christmas to needy. See page 2.



UTU protests anti-union moves at Progressive Rail. See page 3.



Get ready to attend the 2013 regional meetings. See pages 6 & 7.



UTU members aid the needy by handing out coats. See page 8.