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UTU News

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The Official Publication of the United Transportation Union

An organization is born!

United Transportation Union members have ratified a merger with the Sheet Metal Workers International Association (SMWIA), establishing the 230,000-member International Association of Sheet Metal, Air, Rail and Transportation (SMART) Workers.

The merger, previously ratified by the SMWIA, becomes effective Jan. 1, creating the 21st largest (of 4,000) transportation political action committees (PACs), and the 7th largest PAC among labor unions, significantly increasing the effectiveness of UTU and SMWIA congressional and state-legislature lobbying.

The merger was almost three years in planning stage. It had strong support from the AFL-CIO.

The more than 71 percent of UTU-member ballots in favor of the merger reflected the agreement's overwhelming support among UTU International officers, UTU general chairpersons and UTU state legislative directors. The UTU Board of Directors called SMART "the right merger at the right time."

Other labor organizations have indicated an



News and Notes

3 UTU members killed

Three UTU members, **Christopher Blackburn**, **Daniel Riels** and **Gregory Bradley**, were killed in recent accidents.

Blackburn, 37, a BNSF conductor and member of Local 771 at Needles, Calif., was killed July 7 in an industrial-switching accident at Berry, Ariz., near Kingman.

Riels, 46, a member of Local 339 in Jackson, Tenn., was killed in an Illinois Central yard-switching accident in Fulton, Ky., July 27.

Bradley, 35, a bus driver for the LACMTA and member of Local 1564 in Los Angeles, was killed July 26 when a large SUV sped through a red light and crashed into his bus, ejecting him from the huge vehicle and pinning him beneath.

According to reports, Blackburn was riding the point of a string of covered hopper cars being pushed into a siding. Somehow he ended up beneath the wheels of the second car. He died in the helicopter enroute to the hospital.

Riels reportedly was run over and pinned beneath a rail car and suffered what were termed fatal crushing injuries. His brother was working nearby and was one of the first to respond to his call for assistance. It took emergency responders almost two hours to extract him from the rigging — while he remained conscious — but died enroute to the hospital.

Rail safety update

For the latest developments in rail-safety legislation pending before Congress, including the Federal Railroad Safety Improvement Act of 2007 (H.R. 2095), and to learn how you can assist in the passage of these important measures, log onto www.utu.org.

interest in joining SMART. They have asked not to be identified at this time.

UTU International President Paul Thompson said, "SMART will boost the UTU's strength at the bargaining table and bolster substantially the UTU's strength in fighting off attempts by other organizations and carriers to take our jobs."

SMWIA General President Mike Sullivan — who will become general president of SMART — said, "Whether we are sheet metal, production, air, bus operator, bus mechanic, freight railroad, Amtrak, transit, commuter or shipyard workers, we are now one."

Created within SMART will be a trans-

portation division, whose senior officers were those elected at the UTU quadrennial convention the week of Aug. 13. Those officers will have the same duties as they do under the UTU constitution.

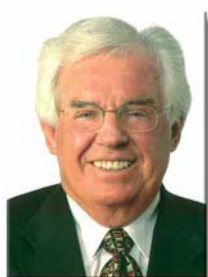
The SMART transportation division will include the UTU's air, bus and rail members, but not existing rail and shipyard divisions of the SMWIA.

No UTU general committee of adjustment or UTU local or UTU state legislative board will be closed as a result of this merger, nor will any UTU general committee or UTU local lose its jurisdiction.

Continued on page 10

Thompson outlines 'state of the union' at Pittsburgh regional meeting

"The financial, organizational and productive strength of the United Transportation Union is excellent," reported UTU International President Paul Thompson in his state of the union talk at UTU regional meetings in Kansas City and Pittsburgh in June and July.



today, not tomorrow, not ever."

Thompson explained how belt tightening, productivity improvements and greater employee efficiency have brought the UTU back from financial chaos to financial stability. "Our merger creating SMART — a merger AFL-CIO Secretary/Treasurer Rich Trumka calls 'solidarity smart' — will provide the UTU

"Every day we must demonstrate that strength to the carriers and to that other organization of scabs and raiders," Thompson said. "The UTU will not cower in front of the carriers or other so-called labor organizations — not

with considerable new bargaining, political and financial strength," Thompson said.

"The role of a union is to obtain for its members job security and better wages, benefits and working conditions. To do so successfully, a union must have resources. That is the core purpose of our merger creating SMART."

Thompson explained how the railroads' envisioned "perfect storm" — an anti-labor White House, anti-labor conservatives in control of Congress, and a rigged carrier-favorable presidential emergency board — would deliver to them all they sought in national handling. "But unlike the perfect storm BNSF's Matt Rose predicted, anti-labor conservatives no longer control Congress. You helped to change that last November at the ballot box.

"Labor's best friends now control Congress and key congressional committees," Thompson said. "Together, they have worked with us to write the toughest rail-safety bill in 30 years. But this does not mean we have a Cracker Jack box

Continued on page 10

Around the UTU

Local 23, Santa Cruz, Calif.

Members working as bus operators for the Santa Cruz Metropolitan Transit District recently marked a number of arbitration victories, said General Chairperson **Bonnie Morr**. A termination related to the local's strike in late 2005 was reversed, as were two suspensions involving transit district investigations. Two other cases are pending.

Local 60, Newark, N.J.

Conductors and trainmen working on NJ Transit recently held a party to benefit **Pete Mongiello**, who is battling cancer, said Local President **Mike Reilly**. A total of \$6,500 was raised for Brother Mongiello and his family, who expressed their heartfelt gratitude.

Local 84, Los Angeles, Calif.

Retired member **Lawson Chadwick**, a founding member of UTU for Life Chapter 3 in Oceanside, Calif., is inviting all interested parties to attend a "no-gifts" champagne reception marking his 70th birthday. The event will be held Sept. 9, from 2 p.m. to 5 p.m., in the Fountain Courtyard of the Rancho Valencia Resort in Rancho Santa Fe. RSVP by Sept. 4 to Brother Chadwick by calling (760) 945-5365 or sending e-mail to llchad@cox.net.

Local 194, Elkhart, Ind.

Members of this Norfolk Southern and Canadian Pacific local enjoyed the annual family picnic held in late June, said Local Chairperson and Legislative Rep. **Robert L. Holbrook**. Special thanks go to Treasurer **Jim Ball's** wife, **Angie Ball**, for making the event a great success.

Local 195, Galesburg, Ill.

Members of this BNSF local participated in the annual Galesburg Railroad Days in June, staffing an informational booth and distributing paper UTU hats and coloring books to children along the parade route, said Legislative Rep. and Delegate **R. W. "Bud" Linroth**.

Local 238, Ogden, Utah

This Union Pacific local commemorated a pair of retired local officers who recently passed away, said Local Chairperson **Bob Pearson**. Southern Pacific and Amtrak Conductor **"Big" Harold Coryell**, a former local chairperson with a firm belief in the union way, died on June 1, Pearson said. Former local chairperson (yard) **John Andrews** passed away on July 5. He had worked for the Southern Pacific and the Union Pacific.

Local 577, Northlake, Ill.

Union Pacific employees in this local are mourning the death of **Mark J. Phillips**, 56, a former Marine, who passed away May 27 (Memorial Day) after a long battle with cancer, Treasurer **Warren Wrobel** said.

Local 904, Evansville, Ind.

A retired member of this CSX local, **George A. Murray**, passed away July 14 at age 81. Brother Murray, a Navy veteran with 38 years on the railroad, also worked for 16 years as a UTUIA field supervisor. He is survived by his wife, four children, 11 grandchildren and 10 great-grandchildren.

Local 933, Jefferson City, Mo.

The members of this Union Pacific local, along with members of UTU Auxiliary Lodge 933, will host their annual fish fry, barbecue and informational seminar on Sept. 7 and 8 at the Wardsville Lions Club, said Legislative Rep. **Ken Menges**. For information, contact Menges by calling (216) 372-6577 or send e-mail to him at krmenges@prodigy.net.

Local 1043, Sparks, Nev.

The recent death of retired conductor **D. A.**



With service as his first priority, Amtrak conductor Mike Delahanty, usually camera shy, agreed to pose with a young passenger who hopes to work on a railroad.

Amtrak conductor creates study aid

Ben Franklin's hobbies gave us the lightening rod. The Wright brothers' hobby gave us the gift of flight. And now an Amtrak conductor's hobby may give us better educated, more proficient and, ultimately, safer passenger rail employees on the Northeast Corridor.

What **Mike Delahanty** has developed is an "unofficial" computer-based educational system that helps operating employees master the Northeast Operating Rules Advisory Council (NORAC) Operating Rules Manual. His contribution may not rank with the airplane, but proficient and well-trained rail employees matter a lot, especially to those on a moving train.

"Rail workers are required to qualify on the operating rules of the carrier they're on," said Delahanty, a member of Local 1522 in Washington, D.C. "On the Northeast Corridor, that means the NORAC rules and signal system."

A self-taught computer hobbyist who owns eight PCs and builds customized, state-of-the-art machines for gamers, Delahanty created a PowerPoint presentation that explains the NORAC operating rules, including the signal system, in a way that gives rail workers "the opportunity to learn and understand on their own terms," he said.

"The carrier has never said anything about my efforts" Delahanty said, "but Amtrak officials who have seen it have no objections."

Delahanty makes the study aid available via a private Yahoo group Web site. "It's private, for security reasons," Delahanty said. "When I become aware of an individual who needs help, I give them access. And I keep a copy on a flash drive to give it to someone who might need it."

A first-generation railroader, former military police officer, and now a road and yard conductor, Delahanty began his rail career with Amtrak's On-Board Services in 1988, bartending and making beds.

"Service has always been my top priority," Delahanty said.

"**Dougie**" **Wright** is being mourned by Union Pacific employees in this local, said Local Chairperson and Assistant State Legislative Director **Rod Nelms**. Brother Wright, who passed away May 14, was 61 years old.

Local 1177, Willmar, Minn.

The Minnesota Legislative Board recently contributed \$200 to a fund to assist **Brenda Reynolds**, wife of BNSF Railway trainman **Troy Reynolds**, in her battle with cancer. The fund also got a boost from a pancake breakfast and raffle. Donations may be sent to: Brenda Reynolds Benefit Fund, Home State Bank, P.O. Box 1620, 1610 E. Hwy. 12, Willmar, MN 56201.

Local 1358, Danville, Ill.

Members of this CSX local offer best wishes for a speedy recovery to Alternate Delegate **Troy Mitchell**, 40, a father of three, who was in a serious motorcycle accident in early July, said Local President and Delegate **Dan Petet** and Treasurer **Steve Young**.

Local 1594, Upper Darby, Pa.

The members of this local who operate buses, trolleys and the Norristown high-speed line on SEPTA's Suburban Division were well represented at the 35th annual American Cancer Society Bike-a-thon, where trolley operator **Stan Bernatowicz** and some of his family members, with the generous backing of the local's members, raised more than \$1,000. Meanwhile, the local is mourning the recent deaths of **Dave Burnett Jr.**, **Joe Shedrick**, **Andre Smith**, **Andre Natson**, **Karl Hamm** and **Olen Gregg**.

Local 1607, Los Angeles

This LACMTA local is making plans for its first family picnic, said Vice Local Chairperson **Ernest Martinez**. The event will be held Sept. 29 at the Santa Fe Dam Recreation Center in Irwindale, and will feature food, live music, games and a karaoke contest. Meanwhile, the local invites everyone to take a look at its new Web site at utulocal1607.org.

Local 1629, Phoenix, Ariz.

Members of this Union Pacific local recently held a party in honor of switchman **Bill Chrisman**, who retired after 42 years of service, said Local Chairperson, Secretary & Treasurer and Delegate **Dave Hayes**. Brother Chrisman began his career on the Southern Pacific in Watsonville, Calif.

Local 1697, Lubbock, Texas

Members of this TNM&O Coaches local are mourning the death of bus operator **James H. "Andy" Anderson**, a 19-year member who served as local trustee. Brother Anderson died July 17 and will be greatly missed, said International Vice President **Roy Arnold**, director of the UTU Bus Department.

Local 1814, Spartanburg, S.C.

Members of this CSX local offer best wishes to recent retiree **Danny R. Kelly**, who served as local chairperson for 19 years. Brother Kelly retired May 31 with 41 years of union membership, said Secretary & Treasurer **Steve White**. Meanwhile, members are mourning the death of **Michael Mitchem**, 24, who died in a car accident June 23.

Local 1846, W. Colton, Calif.

This Union Pacific local will co-host its annual safety picnic with another organization on Aug. 25 at the Yucaipa Regional Park. The event will feature food, door prizes, music and activities for the kids, said Local Vice President **Anthony Brown**. For information, contact Brown at (909) 289-9872.

Local 1869, Williamson, W.Va.

Members of this Norfolk Southern local and their families are invited to attend a picnic Sept. 8 at Grant's Branch Park in McAndrews, Ky., said Local Chairperson, Secretary & Treasurer and Delegate **Jimmie Browning**. The catered event will feature live music and door prizes. For information, contact Browning at (606) 237-4301. Meanwhile, members held a fundraiser in July for engineer **Justin J. Justice**, who's battling cancer. A raffle and hot dog sales brought in \$1,600 for the cause.

Conrail retirees meet for breakfast

Members are invited to join the Conrail retirees who meet for breakfast and camaraderie once a month in Dearborn, Mich., said **Leroy D. Hatfield** of Local 1477 in Dearborn. Hatfield said about 45 retirees meet from 8:30 a.m. to about 10:30 a.m. on the first Tuesday of each month at Leon's Family Dining, 23830 Michigan Avenue. Contact Hatfield at (734) 676-7884.

Arbitrator chooses CN last-best offer

OTTAWA – A Canadian government arbitrator on July 20 chose Canadian National's last-best offer to impose on some 2,800 UTU-represented employees – a three-year agreement providing 3 percent annual wage increases, a \$1,000 signing bonus, and a retroactive payment of an additional 3 percent of gross wages paid between Jan. 1 and July 22, 2007.

Under so-called baseball-style arbitration, the arbitrator could choose either the last-best offer of the UTU or CN in its entirety. Baseball-style, or last-best offer, arbitration is intended to bring the sides closer.

The Canadian government ordered the binding arbitration following a 15-day strike last February and the subsequent rejection of a tentative one-year agreement that was voted down in April by UTU members on CN.

UTU Vice President John Armstrong said following the arbitrator's decision that, "Obviously, we would have liked the arbitrator to have picked the union's final offer. Although the arbitrator picked the carrier's final offer, we are pleased to say that the collective bargaining agreement remains intact.

"That means," Armstrong said, "that significant work-rules changes CN was seeking were not included in their final offer. This victory can be attributed to the fact that the UTU held the line during this final-offer selection process. This was what the direction of our membership was from the outset of this round of bargaining."

UTU obtains protections on FEC, Rail America

The UTU is securing income protection for members who may be adversely affected by the proposed acquisition of Florida East Coast Railway by Fortress Investment Group. Previously, the UTU secured income protection for members employed by RailAmerica, which Fortress acquired in February.

Labor protection, known generally as New York Dock conditions, is imposed by the U.S. Surface Transportation Board (STB) when railroads merge. Similar protections are imposed on line sales and leases and on line abandonments.

In securing labor protection imposed by the STB, UTU general chairpersons on affected railroads – with assistance from the UTU International – negotiate with management so-called implementing agreements that spell out the terms of labor protection.

At a minimum, under New York Dock conditions, such protections assure that no UTU-represented member will suffer a loss or reduction of pre-acquisition income resulting from furlough, displacement or demotion for up to six years following the acquisition.

Remaining intact are mileage limitations, personal leave days and time-off provisions. Additionally, the company did not pursue, in its final offer, an hourly-rated agreement, which was of major concern to the membership.

"In consideration of what was on the table in the final-offer selection process, and further considering we were in baseball-style arbitration, the UTU came out of this in pretty good shape," said Bob Sharpe, also a UTU vice president in Canada. "The decision rendered by Arbitrator Andrew Sims is a fair one and one with which we can live."

Armstrong and Sharpe praised the efforts of general chairpersons Daniel Joannette, John Holliday and Rollie Barr, and thanked UTU International President Paul Thompson and UTU General Counsel Clint Miller for their support.



UTU's Vincent Tessitore Jr. named to New York MTA board

Long Island Rail Road Local 645 (Babylon, N.Y.) Vice President and Chairperson Vincent Tessitore Jr., right, was recently named to the board of directors of the New York Metropolitan Transportation Authority (MTA). He was nominated by LIRR General Chairperson Anthony Simon, left. The MTA is governed by a 17-member board representing New York City and each of the counties in the transportation district, as well as representatives from labor and commuters. All board members are confirmed by the New York State Senate. "I have tremendous confidence that Vincent will represent this organization with respect and integrity as he accepts this MTA board seat," Simon said.



UTU-represented bus drivers move N.J. commuters

Thousands of commuters from the bedroom communities in northern New Jersey depend on Community Transportation in Passaic, N.J., for transportation to and from their jobs in Manhattan and elsewhere. The Coach USA subsidiary also provides local transit and tour services throughout the Northeast. Community Coach drivers are members of Local 759. In the photo above left, from left, are Local 759 driver Nancy McCoy; former UTU



member and driver Sylvester Lawrence, now a Community Coach supervisor/dispatcher/instructor, and Local 759's long-time Secretary/Treasurer Tony Ortiz. In the photo above right, reviewing pending Local 759 grievances are, from left, UTU New Jersey State Legislative Director Dan O'Connell; Community Coach General Chairperson (GO-301) Calvin Studivant and Local 759 Chairperson John Bladek

UTU members eligible for Union Plus benefits

Thanks to the UTU's re-affiliation with the AFL-CIO, active and retired UTU members are now eligible for a variety of money-saving benefits administered by the Union Plus program.

Union Plus programs are designed specifically for working families. Their benefits have added features that are especially helpful in cases of disability or layoffs.

Who can use these benefits? You don't have to join Union Plus; as a member or retiree of the UTU, you and your family are automatically eligible to enjoy these benefits.

The secret of Union Plus? Union power. Just as unions provide strength in the workplace, Union Plus provides strength in the market-



place. It delivers the best benefits through the collective buying power of millions of union members. And they do so without using union member dues.

Benefits available to UTU members include discounts on **car rentals**; discounted **tickets to popular theme parks** such as

Disneyland, Busch Gardens, Six Flags and Sea World; discounts on **air fares, cruises, hotels and condo vacations**; **credit counseling**; online **tax services**; union-made **checks**; **health-club discounts**; Goodyear **tire and service discounts**; **moving-company discounts**; discounts on **home heating oil**; discounts on **flowers**; union-made **clothing discounts**; discounts on online **book stores**; discounts on **Dell computers**; discounts on **AT&T wireless programs**; discounts on **Internet service**, and discounts on **broadband phone service**.

To see the complete list of benefits available UTU members, go to www.utu.org, then click "Promotions."

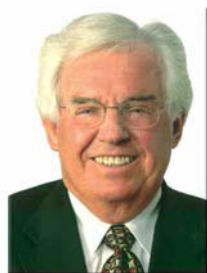
UTU jobs will not be traded for BLE benefit

By Paul Thompson
International President

Notwithstanding the substantial benefits to be realized from our merger creating SMART, the road ahead is as dangerous as the road our troops travel daily in Iraq.

Anti-union carriers, conservative lawmakers and regulators serving with the blessing of anti-union forces constantly have their weapons trained on us.

Sadly, there is another enemy with whom we must contend – a parasite that feeds off other crafts' jobs, yet calls itself a labor union.



Thompson

I'm referring to that organization that first thumbed its nose at solidarity when the UTU was created in 1969, and again turned its back on solidarity when we sought again to merge a few years ago.

It is the organization that once sold the fireman's job for \$1.50 per day, and which now has entered into contracts with BNSF, CSX and NS to take trainmen jobs and eliminate others.

The Brotherhood of Locomotive Engineers and their Teamster handlers may tack the word "trainmen" to the end of their already scandalous name, but an organization that trades away trainmen jobs and signs a contract that ignores entry-level pay for newly hired trainmen is hardly

deserving of being called by the name it chooses – much less being called a labor union.

Other rail-labor unions are about to suffer BLE pillaging as the BLE just signed an agreement with Amtrak permitting Amtrak to contract out work, and which will serve as a pattern for the BMW, signalmen and shopcraft unions who stand to suffer significant member losses from contracting out.

It also opens the door for more contracting out by freight railroads.

For many years, UTU-represented employees have recognized the BLE's strategy is to find other bodies to trade off for their own members' benefit.

Some in rail labor have been critical of the UTU's position in response.

But the cold, hard facts are that the carriers can always count on the BLE to sell out anyone if it will benefit the BLE.

It is unfortunate that the non-ops have not recognized this trait before.

Clearly, and regrettably, we are under attack not only by employers and anti-union lawmakers, but by another organization.

Fortunately, SMART strengthens our protective armor;



Created exclusively for UTU News by Local 257 member Alan Nash.

and our increased numbers provide the additional resources and firepower to fight on behalf of our members – and fight for your jobs and better wages, benefits and working conditions we will.

In national handling, we will continue to fight for improved training and equal pay for equal work.

On Amtrak, we will continue our fight to preserve the assistant conductor as a matter of public safety and national security.

For bus members, we will pursue a just resolution of the

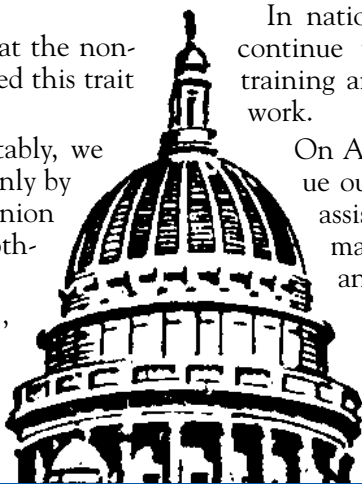
commercial driver's license problem.

And SMWIA President Mike Sullivan will be assisting our bus department at the bargaining table and in grievance handling using his organization's expertise under the National Labor Relations Act.

SMART also will be increasing its organizing of the unorganized on shortlines, bus properties and airlines.

As Brother Debs said, the labor movement is "the most vital and potential power this planet has ever known."

In solidarity, SMART will represent its members with clarity of vision, honesty of intent, and oneness of purpose.



WASHINGTON WATCH

By James M. Brunkenhoefer

They started this war; we intend to end it

President Bush has learned it is easier to start a war than end one.



Brunkenhoefer

His is exactly the strategy railroads have followed in this round of negotiations.

The carriers declared war on UTU members out of anger that your union is demanding the railroads keep their promises to negotiate training and entry level pay, and opposing carrier efforts to implement dangerous one-person

crews and eliminate FELA.

CEOs get very angry when they don't get their way.

During this round of bargaining, the railroads have ratcheted up discipline, looking to terminate you and put you and your family on the street without health care and preventing you from qualifying for full Railroad Retirement benefits.

We've been slowing them down because we also have friends in

Congress, and our general counsel, Clint Miller, has stopped them cold at the courthouse.

Railroads only hear through their pocketbooks. While they work to destroy the UTU, eliminate your job and put your family in the welfare line, they claim we are fouling our own nests by seeking passage of a tough new federal

rail safety bill, by supporting captive-shipper legislation that could eventually include a provision to end the shortline sales and lease scam, and by opposing their grab for massive new subsidies from the government to help finance their stock buybacks.

It is you and your union who will decide when this war ends – and that will not be until we have a ratified contract.

To keep the pressure on the carriers, you must continue to tell your congressional representatives in the House to support H.R. 2095 (the Federal Railroad Safety Improvement Act of 2007) and H.R. 2125 (the Railroad Competition and Service Improvement

Act of 2007), and to oppose H.R. 2116 (the Freight Rail Infrastructure Capacity Expansion Act of 2007).

Also, you must continue to tell your senators to support S. 953 (the Senate version of the Railroad Competition and Service Improvement Act of 2007).

The railroads seem to believe that the war they started against you and your family will end with a carrier-friendly Presidential Emergency Board.

They are as mistaken as President Bush is about Iraq.

We are in this for the long fight.

So when the carriers contact you and try to tell you what a mistake your union is making by opposing their legislative agenda, tell them that the only end to this war will come with a ratified contract that addresses entry level pay, adequate training and an end to their attacks on you and your family.

Let them know in no uncertain terms that those who are trying to take your job and destroy your family's economic security are not to be trusted for one New York minute.

Only a ratified contract will end the UTU's fight with the railroads

UTU News

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State Watch

News from UTU State Legislative Boards

California



UTU's choice for congressman from the 4th District in California, Charlie Brown, came to a meeting of Local 1570 in Roseville recently to thank the members for their support. Meeting with Brown were, front row, left to right, Chris Chamness; Brown; Assistant State Legislative Director Mike Anderson; back row, left to right: Local Vice President Mike Rose; Local Chairperson Norm Gillan III; Local 492 (Sacramento) member Paul Cisneros; Local President Bill Schultz; Secretary/Treasurer, Delegate and Legislative Rep. Norm Lucas II, and retired former Local Legislative Rep. Craig Landis.

United States



UTU state legislative directors have recently been spending a lot of shoe leather working the halls of Congress on behalf of members to try to ensure the passage of H.R. 2095, the Federal Railroad Safety Act of 2007. After a long day of lobbying, five state legislative directors took time to attend a dinner at Washington, D.C.'s grand Union Station in honor of Democratic Speaker of the House Nancy Pelosi, who is serving her 20th year in Congress. Shown at the event, from left to right, are Pennsylvania State Legislative Director Don Dunlevy; Maryland State Legislative Director Larry Kasecamp; South Carolina State Legislative Director Jack Ramsey; North Carolina State Legislative Director Dickie Westbrook, and New England States Legislative Director George Casey.

Kansas



Members of the UTU Auxiliary in Kansas recently attended the state Democratic Party's Washington Day event and fundraiser. Above, Suzanne Barbour and Ericka Hart (second and third from left), both members of Auxiliary Lodge 391 in Emporia, are photographed with former President Bill Clinton and Gov. Kathleen Sebelius. Barbour is the daughter of State Legislative Director Don Lindsey.

New England

The UTU is working with the BLET in Massachusetts to resolve a myriad of problems on the Massachusetts Bay Commuter Rail (MBCR) system.

State Legislative Director **George Casey** and his counterpart from the BLET, George Newman, recently met with Massachusetts State Auditor Joe DeNucci (whose grandfather was a conductor) to try to bring heightened attention to the numerous issues.

The union officers convinced the auditor's office to investigate the performance clauses of Massachusetts Bay Transit Authority's contract with MBCR to operate the commuter-rail service in the greater Boston area.

UTU represents about 300 conductors and trainmen on the MBCR, all members of Local 898, Boston. BLET represents about 120 engineers on the carrier.

"We are trying to bring pressure on the MBCR because we are concerned about the railroad's performance," Casey said.

"We want to bring attention to the myriad of service deficiencies of the MBTA," he added.

"And," Casey said, "obviously the Massachusetts state auditor agrees."

"The MBTA continues to have problems with the training of employees, hiring sufficient numbers of operating personnel, supplying reliable equipment and maintaining their trackage and signals," Casey said.

"We are concerned these many problems will impact the opening of the Greenbush line between Boston and Scituate, scheduled for next month," Casey said.

Casey said he expects a report back from the auditor's office within a few months.

Pennsylvania



Members of Local 1594 in Upper Darby, who operate buses, trolleys and the Norristown high-speed line on SEPTA's Suburban Division, were at the 69th Street Terminal in West Philadelphia in late July when Gov. Ed Rendell signed legislation to bring SEPTA \$156 million more in operating funds and \$58 million for capital projects this fiscal year, preventing potential fare increases and service cuts. From left are Brian Caldwell, Waverly Harris, State Legislative Representative Mario Civera (a member of the state's house appropriations committee) and Michael Meighan. The UTU members are vice local chairpersons from Local 1594.

Bus Department

By Roy Arnold, vice president/director

Lose your temper? Lose your worth

Chuck Norris, remembered for his television role as, "Walker, Texas Ranger," counseled, "Men are like steel. When they lose their temper, they lose their worth."

This is true in all walks of life, and especially in our everyday tasks of representing our members at the bargaining table and in grievances.

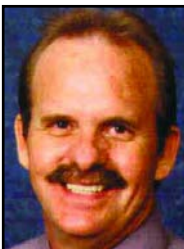
Most union representatives know what I am talking about. It's the times when you are in a grievance hearing or in contract negotiations and management is being darn stubborn, darn arrogant and refusing to listen to sound reasoning.

Don't you feel at such times that you would just like to stand up, reach across the table, grab the jerk by his tie and slap some sense into him? I mean, just once? But, (sigh) you don't. You hold your temper. You remain cool, calm and collected.

The company wants you to become angry and lose your temper. If they succeed, you are more likely to make mistakes or make bad decisions, and you play into the hands of the opposition. That is how you lose your worth as an effective representative.

The key to being a successful union advocate or negotiator is to never lose your temper. Let the other side of the table lose their temper – and lose their worth. Enjoy the comedy, because the more you smile at their uncontrolled antics, the angrier they get.

Brothers and sisters, remember that when you are in the role of a union representative, your worth to your members is invaluable. Use it wisely. Remain tempered, but flexible. Chuck Norris had the right advice, because that's how you win!



Yardmasters

By J.R. "Jim" Cumby, vice president

Report close calls and improve safety

The FRA has introduced a pilot program for rail workers, C³RS, which stands for Confidential Close Call Reporting System.

C³RS allows railroaders who are involved in a close call or minor incident that meets certain criteria to self-report without fear of discipline.

This is accomplished by negotiating what the FRA calls an Implementing Memorandum of Understanding (IMOU). The IMOU is a three-party agreement between labor, the FRA and the carriers.

The thought behind C³RS is to gather information on these incidents and try to identify the causes. In doing so, this will enable the parties (labor, the FRA and the carriers) to make the necessary changes for a safer workplace.

FRA's deputy administrator, Cliff Eby, spoke about this in his luncheon speech at the Kansas City regional meeting, and indicated, in a response to a question, that he would work to ensure the confidentiality of all reports made by railroaders.

A similar close-call program has been in place in the airline industry for some 30 years. The airline program has had in excess of 500,000 reports, but does not contain protection from discipline as does our program.

As the recent FRA report on yardmasters confirmed, yard incidents are more than five times greater than the overall train-accident rating. C³RS gives railroad employees the opportunity to help make the work environment safer for everyone.



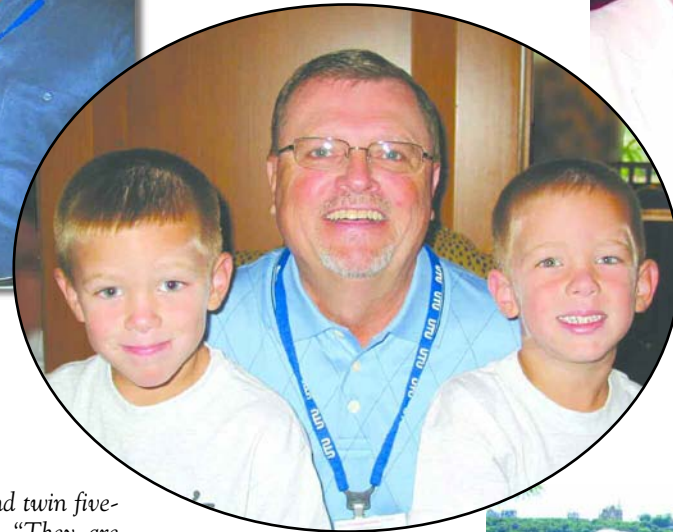


Regional Meeting Photo Scrapbook

Pittsburgh



Enjoying the activities in Pittsburgh are, left to right, Bonnie Morry (L-23, Santa Cruz, Calif.); Ray Cunningham (L-1933, Washington, D.C.); Frank Hickman (L-1175, Duluth, Minn.); Lois Kelly (L-23) and William Bates (L-1933).



NS General Chairperson Delbert Strunk and twin five-year-old grandsons Nate (left) and Nick. "They are future union officers," Strunk crowed.



From left, SMWIA Government Affairs Director Vince Panvini; UTU Assistant President Rick Marceau; AFL-CIO Secretary/Treasurer Rich Trumka and SMWIA Director of Railroads Dewey Garland speak after lunch.



Bus Department members learned valuable skills at the many workshops offered by the department.



Discussing railroad safety were, from left, Illinois State Legislative Director Joe Szabo; Virginia State Legislative Director Walter Yeatts; FRA Associate Administrator for Safety Jo Strang; Margaret Fiala (L-924, Richmond, Va.) and James Chapman (L-924).



Retired L-1033 (Atlanta, Ga.) member Clay Parker, shown here with Connie Thompson (wife of International Vice President Kim Thompson), won the raffle for the "Rose Album" quilt, the proceeds of which will benefit breast-cancer research.



New York State Legislative Director Sam Nasca, left, and Michigan State Legislative Director Jerry Gibson, right, welcome SMWIA General Secretary/Treasurer Joe Nigro.



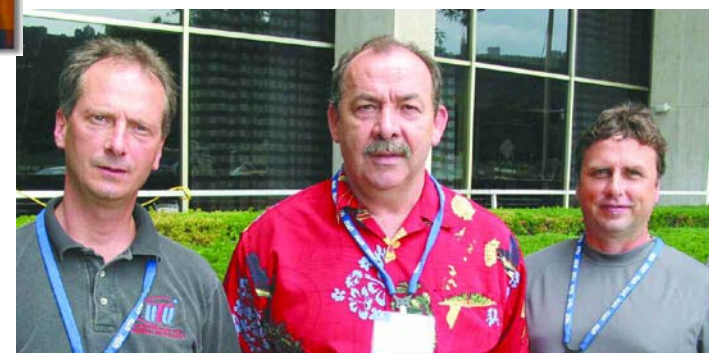
These Keystone Staters made sure the Pittsburgh regional meeting ran smoothly. They are, from left, Charlie Wehr (L-498, Allentown); Sam Marino (L-1374, New Castle); State Legislative Director Don Dunlevy; Richard Blakeney (L-838, Philadelphia) and Ron Koran (L-1594, Upper Darby).



From left, Don Silseth (L-313, Grand Rapids, Mich.); Jeremy Ferguson (L-313) and Bill Wisniewski (L-1765, Grand Rapids) head to a workshop.



Pausing for a photo are Bus Department members (left to right) Franz VonKruger (L-1608, Chatsworth, Calif.); Michael Byrne (L-1558, Bergenfield, N.J.); Nancy VonKruger; International Alternate Vice President-Bus Rich Deiser; Jose Rivera (L-710, Newark, N.J.) with son Miguel, and Nelson Manzano (L-710).



Canadians were well represented at the Pittsburgh meeting, including, left to right, James Flynn (L-1217, Prince George, B.C.); Canadian Legislative Director Tim Secord and Kevin Goring (L-1230, Biggar, Sask.).



Kansas City



UTU International President Paul Thompson, second from left, joins (from left) Tim Baccari, Anthony Brown and John Barrios, all members of Local 1846 in West Colton, Calif., during the Sunday night welcome reception at the Hyatt Regency Crown Center.



Local Chairperson Reuben Reisg of Local 257 in Morrill, Neb., proudly boasts that his son Randall is the "No. 1 union man" in America.



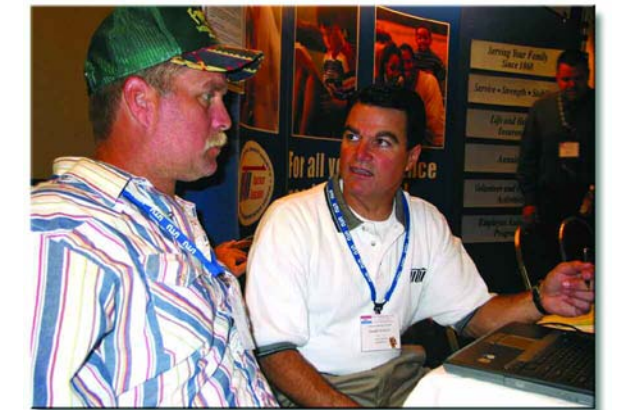
Vice President J.R. Cumby (left) and Alternate Vice President Doyle Turner (both seated) presented a workshop for UTU yardmasters at the Kansas City regional meeting.



Local Chairperson Eric Prado, left, and Local Secretary and Treasurer Sal Armijo, both of Local 1280 at Casper, Wyo., arrive at the regional meeting host hotel. The members of Local 1280 work for the BNSF.



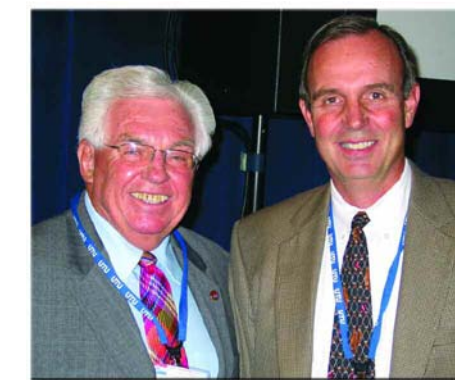
The members of the UTU Local Planning Committee pictured above assisted International staff in preparing for the meeting. They include, from left, Annette Davis, Fred Rayman, Kenny Backes, Jolene Backes, Missouri State Legislative Director Larry Foster, Linda Foster, Gerald "Woogie" Wohlgenuth and International staff member Myles O'Reilly.



UTUIA Field Supervisor Joe Solito, right, discusses insurance alternatives with Local Chairperson Tim Tyson of Local 1420 in Memphis, Tenn. A team of UTUIA field supervisors are available at all regional meetings to assist UTU members and their families with their insurance needs.



BNSF General Committee GO-017 Secretary Danny Young (L-1081), Arizona State Legislative Director Scott Olson (L-1629) and Legislative Representative Greg Hynes (L-1081) stop to chat between workshop sessions in the lobby of the Hyatt Regency Crown Center.



International President Paul Thompson, left, speaks with Federal Railroad Administration Deputy Administrator Clifford Eby following Eby's address to UTU members and guests at the regional meeting luncheon.



Sam Harper of Local 1563 in El Monte, Calif., speaks with Doreen Price of the AFL-CIO's Union Plus Program. UTU members interested in the program's benefits can visit the UTU Web site at www.utu.org and click on "Promotions" for more information about the Union Plus program, or see the article on page 3 of this issue.



The UTU Auxiliary hosted a continental breakfast followed by an informational seminar for the spouses and family members of UTUers attending the Kansas City regional meeting. The Auxiliary is an organization of persons of all ages that works to help family members better understand the work of the UTU and the importance of the union to the member's job.



UTU members participating in the 2nd annual Scott Belden Memorial Motorcycle Ride prepare to leave the Hyatt Regency Crown Center. The ride was in remembrance of former UTU Washington Office Chief of Staff Scott Belden, an avid motorcycle fan, and was a fundraiser for UTU PAC.

UTU for Life

'Current connection' may affect benefits

By V.M. "Butch" Speakman Jr.

Under the Railroad Retirement Act, a "current connection with the railroad industry" is one of the eligibility requirements for occupational disability annuities and supplemental annuities. It is also one of the criteria for determining whether the Railroad Retirement Board (RRB) or the Social Security Administration has jurisdiction over the payment of monthly benefits to survivors of a railroad employee.

To meet the current connection requirement, an employee must generally have been credited with railroad service in at least 12 of the 30 months immediately preceding the month his or her railroad retirement annuity begins.

However, if an employee does not qualify on this basis, but has 12 months' service in an earlier 30-month period, he or she may still meet the current-connection requirement.

A current connection established at the time the railroad retirement annuity begins is permanent. An employee never loses it no matter what kind of work is performed thereafter.

A current connection can be broken by full or part-time work for a non-railroad employer in an interim between the end of the last 30-month period including 12 months of railroad service and the beginning date of an employee's annuity, or the date of death if earlier.

But certain types of work will not break a current connection. For example, self-employment in an unincorporated business will not break a current connection, nor will federal employment with certain agencies or state employment with the Alaska Railroad. Also, non-creditable railroad service in Canada for a Canadian railroad will neither break nor preserve a current connection.

For more information, contact your nearest RRB office or visit www.rrb.gov.

V. M. "Butch" Speakman Jr. serves as labor member of the U.S. Railroad Retirement Board. He was recently reappointed to the post for a term running through Aug. 28, 2009.



V.M. Speakman

Retired member surfaces with undersea memories

If most Americans failed to celebrate on April 11, it's likely the event flew under their radar, or more properly, slipped past their sonar.

The date marks the traditional birthday of the U.S. Submarine Force, which just passed its 107th milepost. Retired former Lehigh Valley Railroad general chairperson **James M. Reilly Jr.** is among those who appreciate its significance.

Brother Reilly, 92, who also served as Conrail vice general chairperson until his retirement in 1980, is one of about 30 former submariners who

belong to the Lehigh Valley Chapter of the U.S. Submarine Veterans of World War II. Members of the group surface once a month at the City View Diner to bring up memories of what they call "the silent service."



Jim Reilly Jr. holds the flag from the submarine he served on during World War II, the USS Atule (SS-403).

A member of Local 498 in Allentown, Pa., Reilly began his rail career as a clerk on the LVRR, and became a trainman shortly afterward, joining Lodge 85 of the Brotherhood of Railroad Trainmen in September 1941. In short order, he got married, got drafted, and volunteered for service aboard the USS Atule (SS-403).

"We had a chief who had done sub service prior to the war," Reilly said. "I was fascinated by his stories and decided that's what I wanted to do."

Reilly was in the service a little over three years, then returned to the railroad, where he became a freight conductor,

passenger conductor, ticket collector and baggage master.

Reilly will meet with fellow LVRR veterans at their 26th reunion on Sept. 15. For information, contact **Eugene K. Schuler** at (619) 432-0631

Retired officers Deering, Barbee pass away

Two retired UTU officers, **Delmar "Del" Deering** and **Jack Barbee**, passed away recently.

Deering, a former UTU International vice president, passed away July 14 in Mount Horeb, Wis. He was 91 years old.

Barbee, general chairperson on Norfolk Southern general committee GO-898 from 1987

Annual C&NW picnic set

All active and retired members associated with the former Chicago & North Western Railway (now part of the Union Pacific Railroad), as well as their spouses, widows and widowers, are invited to a picnic, said retired member **Edward Thompson** of Local 1293 in Altoona, Wis.

The picnic is being held on Sunday, Sept. 9, from 11 a.m. to 3 p.m., at Lake Altoona County Park. Food and beverages will be supplied. (A previous notice regarding this event indicated the wrong date and sponsorship.)

For information, contact retired engineer **Donald Knutson** at (715) 834-4405.

through 1997, passed away July 30, after a long battle with cancer. He was 70.

Deering, a member of Local 312 in Madison, Wisc., started his rail career as a fireman on the Chicago & North Western Railway in 1942. He was elected general chairperson on the C&NW in 1955, he served in that capacity until his election as vice president in 1963. He retained that position when the UTU was formed and was re-elected at succeeding conventions until his retirement in 1981.

Barbee began his railroad career as a brakeman on the Southern Railway in 1965. He retired from Norfolk Southern Railway in 1998 with 33 years of service. The last 11 years of service was spent as general chairperson for GO-898.

Barbee was a member of Local 750 in Knoxville, Tenn.



Deering

THE FINAL CALL

Following are the names of recently deceased retirees who maintained annual membership in the UTU For Life program (formerly known as the UTU Retiree Program), according to reports received at UTU International Headquarters. These brothers and sisters will be missed by their many friends and by fellow UTU for Life members.

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
6	Kiger, Charles J.	Richmond, Ind.	577	Phillips, Mark J.	Lisle, Ill.	1074	Austin, June E.	Oakdale, Pa.
9	Berkley, Noel G.	Slaton, Texas	631	Hofe, Clyde L.	Big Pool, Md.	1074	Madden Jr., Robert R.	Rillton, Pa.
194	Shea, John P.	Indianapolis, Ind.	674	Harley, Edwin L.	North Augusta, S.C.	1074	Smith, Russell B.	Vandergrift, Pa.
195	Moller, Cyril S.	Sun City West, Ariz.	707	Temple, Alvin D.	Marysville, Kan.	1083	Greger, Larry G.	Villa Grove, Ill.
225	Sams, John R.	Willard Ohio	713	MacArthur, James E.	Stellarton, N.S.	1129	Leveridge, Jack E.	Raleigh, N.C.
256	Anderson, Francis F.	Brattleboro, Vt.	771	Phillips, Roy R.	Brownsville, Calif.	1137	Maloney Jr., Alfred E.	E. Grand Forks, Minn.
265	Howes, Boyd H.	Sun City, Ariz.	783	Copple, Chester G.	Tobaccoville, N.C.	1177	Adkins, John M.	Fergus Falls, Minn.
281	Godding, Herbert J.	Shawano, Wis.	792	Beazel, Clarence J.	Massillon, Ohio	1190	Harmeling, Eugene R.	Fort Mitchell, Ky.
281	Smoger, Harold C.	Russell, Ill.	792	Rogers, Mac E.	Fayetteville, Ga.	1291	Moore, James C.	Leeds, Ala.
283	Regan, H. M.	Scappoose, Ore.	792	Chandler, Raleigh D.	Macedonia, Ohio	1221	Thornbury, Howard F.	Homosassa, Fla.
298	Cleland, R. E.	Port Charlotte, Fla.	792	Roba, Leonard B.	Lakewood, Ohio	1227	Mardis, Richard L.	Pratt, Kan.
313	Malicoat, Charles E.	Muncie, Ind.	807	Manning, Gordon A.	Tucson, Ariz.	1245	Cunard Jr., George H.	Hiram, Ga.
320	Woods, James D.	Port Huron, Mich.	847	Glenn, J. W.	Margaret, Ala.	1292	Helsel, William A.	Biwabik, Minn.
322	Lotz, Robert C.	Waupaca, Wis.	911	Haugen, Richard G.	Burnsville, Minn.	1299	Kelly Jr., Walter T.	Thornton, Ill.
385	Pitkat, Robert B.	Edinboro, Pa.	911	Hoiium, Lloyd A.	Minneapolis, Minn.	1299	Walbridge, John H.	Paducah, Ky.
386	Meals Sr., W. J.	Reading, Pa.	942	Liger, Robert F.	Florence, S.C.	1361	Franklin, Wallace S.	West Springfield, Mass.
453	Wright, Clair E.	Beech Grove, Ind.	951	Severance, William M.	Sheridan, Wyo.	1386	Groves, William A.	Newark, Ohio
469	Drennan, Phillip E.	Granite City, Ill.	991	Finnerty, James L.	Mingo Junction, Ohio	1529	Faneuff, Lorin W.	Rincon, Ga.
490	Madison, Larry J.	Vincennes, Ind.	997	Gardner, Harry S.	Harrisburg, Pa.	1736	Vandyke, Henry E.	Allen, Texas
498	Affa, George P.	Easton, Pa.	997	Hummell, Lewis E.	Northumberland, Pa.	1760	Knott, Mornington W.	Dearborn, Mich.
498	Murray, Ronald S.	Shavertown, Pa.	997	Voyzey, Alfred T.	Tyrone, Pa.	1904	Brautigam, Frank G.	Houston, Texas
507	Flaherty, Carl	Muskogee, Okla.	1007	Perry, Raymond A.	Sackets Harbor, N.Y.	1929	Bollinger, Clifford	Cape Fair, Mo.
507	Grober Jr., Walter B.	Muskogee, Okla.				1929	Uhrhan, Bernard K.	East Carondelet, Ill.
565	Devany, Henry T.	Fairview Heights, Ill.				1951	Barkman, Theodore	Feura Bush, N.Y.

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08/07

UTU, FRA team up for passenger-car safety

Acting, in part, on advice from the UTU, the FRA has proposed new federal standards to enhance the strength of key structural components of rail passenger cars to make them more crashworthy.

FRA Administrator Joseph Boardman said Aug. 1 that FRA's new standards will "better protect" rail passengers and train crewmembers.

"Mitigating the potentially damaging forces involved in train accidents is critical to preventing injury to passengers and crew," Boardman said, explaining that crashworthiness can be "significantly enhanced when the structure of a rail passenger car is engineered to absorb more energy and crush in a controlled manner."

UTU passenger safety representatives – Amtrak employees David Brooks Sr. (Local 1470) and Steve Fritter (Local 1933, who also is UTU District of Columbia legislative director), along with UTU Illinois State Legislative Director Joe Szabo and UTU Alternate National Legislative Director James Stem – have been working with the FRA on writing these new crashworthiness standards.

Boardman said the proposed rule "is designed to preserve more space in

which both passengers and train crew members can safely survive a collision with another train, a vehicle at a highway-rail grade crossing, or other object by strengthening the car's forward structure.

"We applaud Mr. Boardman's continuing aggressive approach to passenger and train-crew safety and his enthusiasm in working with UTU experts," UTU International Vice President Tony Iannone said.

UTU International President Paul Thompson said, "Administrator Boardman consistently has ensured that the UTU has a seat at the table, recognizing the importance of labor as a crucial stakeholder in improving the nation's rail safety."

Under the FRA's proposed rule, forward corner posts would have to withstand 300,000 pounds of force before failing, doubling the current federal requirement.

In addition, forward corner and collision posts would have to satisfy new federal standards to absorb a minimum level of energy and bend a specific distance without breaking to maximize the full potential strength of these structural components.

Harry Bates Jr. named UTUIA volunteer of the year

Harry Bates Jr. has been selected as the 2007 UTUIA Volunteer of the Year and was honored at this year's UTU/UTUIA Regional Meeting in Pittsburgh, Pa.

He is employed by Norfolk Southern Railway and is a member of Local 1053 in Selma, Ala.

Bates was selected for this award as a result of his work with the Selma Disability Advocacy Center, a foundation he co-founded with his wife, Carolyn Calhoun-Bates. It is the only multi-needs program of its kind in the state of Alabama.

The center assists children who have a variety of disabilities with academic, alternative and employment programs. The center keeps in regular contact with the city and county school systems and tries whenever possible to help children before they get into serious legal or academic trouble.

Bates and his wife founded and seek annual funding for the program, which has received local and national recognition from renowned individuals, agencies and television news media for serving the communities and teaching disabilities awareness and diversity in Alabama's 7th District.

Job training at the center includes teaching students how to use computers, perform clerical duties and complete landscaping projects. Next year, the center will add sewing, cosmetology and general contracting to its offerings.

"Any type of job skills that they need, or placement that they need, we do it (at the center)," said Carolyn. "This is a one-stop center for children with learning disabilities."

For the past nine years, Bates has diligently spent his vacation and time off attending workshops and conferences to obtain his certificate of training in disabilities and social work. He has also spent many hours prior to work tutoring and transporting special needs and at-risk students.

Students with learning disabilities and students who had failing grades are now honor-roll students getting grades of As and Bs.

It has been reported that Bates even made improvements to his truck



UTU International President Paul Thompson, left, presents the 2007 UTUIA Volunteer of the Year Award to Local 1053 member Harry Bates Jr. and his wife Carolyn, who were honored for their work with special-needs children.

and decorated it so that students with physical limitations could ride in it to participate in the local Christmas parade.

For his selfless commitment to helping the children of his community, Bates was chosen as the UTUIA's Volunteer of the Year.

Bates received a \$1,000 U.S. Savings Bond and a plaque of appreciation from the UTUIA.

FRA boots BNSF from safety program

BNSF Railway's exposure in FELA and other liability lawsuits arising from accidents, derailments and other incidents may rise dramatically after the FRA on May 30 booted the carrier out of a voluntary joint labor/management safety program.

BNSF, the second-largest U.S. railroad, was ousted from the federal safety project because the carrier won't meet a Sept. 30 deadline for voluntary compliance.

The FRA reportedly told BNSF that its lack of commitment to work cooperatively with its operating unions, including the UTU, was the reason for the FRA action.

The safety program, called the Confidential Close-Call Reporting System Demonstration Project, is intended "to capture data that would otherwise not be captured as well as provide railroad carriers and the FRA with opportunities to identify safety issues that require corrective action," the FRA said.

The voluntary project was inaugurated by the FRA in February to create a cooperative environment between rail carriers and their operating employees whereby employees can share

with regulators information about operational errors and near accidents without fear of being disciplined by the carrier.

In the typical adversarial environment existing on railroads – which the FRA sought to neutralize with this voluntary project – employees are reluctant to discuss so-called close calls out

Feds boot BNSF from close-call reporting program

of fear the carrier will dismiss or otherwise discipline them.

Union Pacific and Canadian Pacific remain engaged in the program. UP was the first participant, agreeing in February to involve workers in its biggest rail yard, in North Platte, Neb. The CP participates in the program at its Portage, Wis., yard. BNSF's program would have been at its yard in Lincoln, Neb.

The FRA was aiming to have four pilot projects in place by Sept. 30.

"As a result of the BNSF's being booted from this program for its lack of commitment to safety, it is now at greater risk for damage awards from accidents because this demonstrates that they have greater priorities beyond safe operation," UTU International President Paul Thompson said.

Mistakes reported to the FRA may be as major as misaligned rail switches or as minor as requiring workers to lift too much weight.

The reporting program is modeled on successful efforts in aviation and in other industries overseas, the FRA said.

FRA spokesperson Warren Plateau told Bloomberg that the agency has received an average of one to two tips daily since the program began Feb. 1.

UTU International President Paul Thompson said the UTU has attended every meeting initiated by the FRA on the close-call project and is saddened by BNSF's lack of commitment to the program.

State of the union

Continued from page 1

with the perfect prize at the bottom. It means we have more friends in Congress than we had; it means we can get legislation to the House and Senate floors for a vote we couldn't previously obtain. And that is where you come in.

"Brothers and sisters, as your vote was important last Election Day, your PAC contributions and your telephone calls and e-mails to Congress are especially important now," Thompson said. "We may not get all we want in a rail-safety bill, but we will do much better than we could have when our enemies controlled Congress."

"And if this bargaining round with the railroads goes to a PEB, we are better prepared politically – and the carriers know it. We also have on our side this time many rail captive shippers who are supporting our safety concerns over limbo time," Thompson said.

"Another important issue we are pursuing in Congress is protections for the holder of a commercial driver's license (CDL)," Thompson said. "The jobs of our members are threatened by an existing law that could cause them to lose their CDL because of a minor infraction when driving their personal vehicle. We must get that law changed."

As for Amtrak, Thompson related how the UTU has been negotiating almost eight years in an attempt to secure an equitable new contract, retroactive pay and preservation of the assistant conductor position that Amtrak seeks to eliminate. "The safety and security of Amtrak passengers demands that there be no elimination of the assistant conductor," Thompson said. "We will continue the fight to get Amtrak to do what is right."

As for UTU finances, Thompson said the UTU is now debt free as a result of cost controls and the \$2 dues increase. But because the quadrennial convention will cost some \$7 million, "all our gains of the recent past will be spent before September," Thompson said. "So we will have to start rebuilding again after the convention."

As for UTUIA, Thompson said it had been "turned around" and that the SMART merger would open a vast new pool of potential policyholders, assuring financial security for UTUIA "well into the future."

Thompson warned that because of carrier harassment and intimidation of employees, and their imposition of longer and more harsh discipline, the UTU's Discipline Income Protection Plan has suffered significant increases in claims. "DIPP's competitors also are struggling because of larger claims," Thompson said. "Changes are going to have to be made and we are considering options."

SMWIA's Sullivan thanks UTU members for helping Debs' dream come true

All of us at the Sheet Metal Workers International Association (SMWIA) are encouraged by your decision to ratify our merger, creating the International Association of Sheet Metal, Air, Rail and Transportation (SMART) Workers.

Whether we are sheet metal, production, air, bus operator, bus mechanic, freight railroad, Amtrak, transit, commuter or shipyard workers, we are now one. Our number-one task is to move to an integrated union in which there is a shared future, shared responsibilities, shared prosperity, and, most importantly, shared values – a partnership that builds on our common interests.



Sullivan

Let me commend your officers, particularly your International President Paul Thompson, for their dedication and cooperation in negotiating a merger that paid due diligence to the interests of all of our respective members. That effort, now successfully endorsed by your ratification vote, will accrue significant benefits to our new union as we work to assure job security, fair wages, improved benefits, proper work rules and workplace safety.

On the legislative front, I see no equal to the team that will take our causes and issues to the Congress, state legislatures, local governments, and federal and state agencies.

We also stand ready to share our expertise in training resources and our experience in organizing the unorganized. In turn, we will learn much from your vast experience at the national level in industry negotiations. It is a win/win situation for both of our organizations.

I speak for every member of this great International when we say, "Welcome and all aboard for the ride of our lives as believers in the principles and passion of Eugene V. Debs."

SMART merger

Continued from page 1

The UTUIA will remain autonomous within SMART, and have opened to it a vast new pool of potential policyholders, allowing the UTUIA to expand.

UTU Assistant President Rick Marceau said that UTU members "will benefit from the SMWIA's organizing expertise and strength." The SMWIA traditionally spends some 40 percent of its receipts on organizing, and intends to commence organizing unorganized shortline railroads, bus properties and airlines.

Sullivan shares a special bond with the UTU, as he also is president of the Eugene V. Debs Foundation. Debs helped to organize one UTU predecessor union and was an officer of another.

Debs first advanced the theory of union solidarity, craft autonomy and job protection – objectives that continue to be the UTU's guiding principles. Debs counseled that when labor embraces the power of solidarity, "it can demand and command."

The SMWIA, representing members of the nation's building trades, production workers, and rail and shipyard employees, traces its roots to 1887, with rail shop workers having affiliated with the SMWIA early in the 20th century.

"In solidarity, SMART will represent its members with clarity of vision, honesty of intent, and oneness of purpose," Thompson said.

Trumka

Continued from back cover

Washington. We have momentum on our side. We are organizing 30,000 new workers every week because they want a voice.

"The average CEO in America earns more before noon on Jan. 1 than the lowest paid workers earn all year working 40-hour weeks," Trumka said. Meanwhile, "45 million people, or 15 percent of all American families, have no health insurance."

The way for working families to fight their way out of that box "is through increased membership recruitment and political action," Trumka said.

"George Bush showed us how to reward supporters by putting hard-nosed business executives and conservative government-wreckers top to bottom in every federal agency," Trumka said. "We need a new president who will do exactly the opposite, and replace the Bush appointees with trade unionists and our progressive allies – women and men who will repair the damage, rebuild our government and restore our international reputation."

"We need a new President of the United States who is just as loyal, just as compassionate, just as hard-working and just as unselfish as members of our unions," Trumka said. "We can do it – and we will do it – because of our values, our love of our country and because of our solidarity and our loyalty to each other."

UTU policy concerning fees objectors

1. Any person covered by a UTU union shop or an agency shop agreement in the United States who elects to be a non-member has the legal right to object to political and ideological expenditures not related to collective bargaining, contract administration, or other activities germane to collective bargaining. Each non-member who objects shall pay the reduced fees.

To the extent permitted by law, a non-member cannot participate in Union elections as a voter or as a candidate; attend Union meetings; serve as delegate to the Convention, or participate in the selection of such delegates; or participate in the process by which collective bargaining agreements are ratified.

2. The objecting non-members shall provide notice of objection by notifying the International General Secretary/Treasurer of the objection by first-class mail postmarked during the month of September each year or within thirty (30) days after he/she first begins paying fees and receives notice of these procedures. The objection shall contain the objector's current home address. Once a non-member objects, the objection shall stand until revoked. Objections may only be made by individual employees. No petition objections will be honored.

3. The following categories of expenditures are chargeable:

- a. All expenses concerning the negotiation of agreements, practices and working conditions;
- b. All expenses concerning the administration of agreements, practices and working conditions, including grievance handling, all activities related to arbitration, and discussion with employees in the craft or class (or bargaining unit) or employer representatives regarding working conditions, benefits and contract rights;
- c. Convention expenses and other union internal governance and management expenses;
- d. Social activities and union business meeting expenses;
- e. Publication expenses to the extent coverage is related to chargeable activities;
- f. Litigation expenses related to contract administration, collective bargaining rights, and internal governance;
- g. Expenses for legislative and administrative agency activities to effectuate collective bargaining agreements;
- h. All expenses for the education and training of officers and staff intended to prepare the participants to better perform chargeable activities;
- i. All strike fund expenditures and other costs of economic action, e.g., demonstrations, general strike activity, informational picketing, etc., that benefit members of the bargaining unit or craft represented by UTU;

4. The International shall retain a certified public accountant to perform an independent audit of the records of the International and subordinate units maintained by the International General Secretary/Treasurer. The International shall also retain a neutral referee for the purpose of determining the percentage of expenditures that fall within the categories specified in Section 3. The amount of the expenditures that fall within Section 3 shall be the basis for calculating the reduced fees that must be paid by the objector. The neutral referee shall also give an opinion concerning the adequacy of the escrow amounts maintained pursuant to Section 17, and later will verify the existence and the amounts of money in any escrow accounts.

5. The neutral referee shall complete the report no later than July 31. This report shall include an analysis of the major categories of union expenses that are chargeable and non-chargeable.

6. Each person entitled to receive the referee's report may challenge the validity of the calculations made by the neutral referee by filing an appeal with the International General Secretary/Treasurer. Such appeal must be made by sending

Percentage of chargeable fees determined by neutral review for calendar year 2006	
International	84.4*
General committees of adjustment ¹ , including locals under jurisdiction	
GO 001 Burlington Northern Santa Fe	100.0*
GO 049 CSX-B&O	98.9*
GO 769 Conrail	99.8*
GO 953 Union Pacific-Eastern	98.5*
State legislative boards ²	
LO 018 Iowa	87.7*
LO 030 Nebraska	71.3*
LO 035 New York	87.2*
LO 038 Ohio	95.5*
¹ Unreviewed GOs will have the historical average of chargeable percentages of GOs audited of 99.6 applied to any new objectors.	
² Unreviewed SLBs will have a 0% chargeable percentage applied to new objectors.	
* Estimate. Final ratio forthcoming.	

a letter to the International General Secretary/Treasurer postmarked no later than thirty (30) days after issuance of the independent referee's report.

7. After the close of the appeals period, the International General Secretary/Treasurer shall provide a list of appellants to the American Arbitration Association (AAA). All appeals shall be consolidated. The AAA shall appoint an arbitrator from a special panel maintained by the AAA for the purpose of these arbitrations. The AAA shall inform the International General Secretary/Treasurer and the appellant(s) of the arbitrator selected.

8. The arbitration shall commence by October 1 or as soon thereafter as the AAA can schedule the arbitration. The arbitrator shall have control over all procedural matters affecting the arbitration in order to fulfill the need for an informed and expeditious arbitration.

9. Each party to the arbitration shall bear their own costs. The appellants shall have the option of paying a pro-rata portion of the arbitrator's fees and expenses. The balance of such fees and expenses shall be paid by UTU.

10. A court reporter shall make a transcript of all proceedings before the arbitrator. This transcript shall be the official record of the proceedings and may be purchased by the appellants. If appellants do not purchase a copy of the transcript, a copy shall be available for inspection at the International during normal business hours.

11. Appellants may, at their expense, be represented by counsel or other representative of choice. Appellants need not appear at the hearing and shall be permitted to file written statements with the arbitrator instead of appearing. Such statement shall be filed no later than fifteen (15) days after the transcript becomes available, but in no case more than thirty (30) days after the hearing closes.

12. Fourteen (14) days prior to the start of the first hearing, appellants shall be provided with a list of all exhibits intended to be introduced at the hearing and a list of all witnesses intended to be called, except for exhibits and witnesses that may be introduced for rebuttal. On written request from an appellant, copies of exhibits (or in the case of voluminous exhibits, summaries thereof) shall be provided to them. Additionally, copies of exhibits shall be available for inspection and copying at the hearing.

13. The International shall have the burden of establishing that the reduced fees set forth in the neutral referee's report are lawful.

14. If the arbitrator shall determine that more than one day of hearings is necessary, hearings shall be scheduled to continue from day to day until completed. The parties to the appeal shall have the right to file a brief within fifteen (15) days after the transcript of the hearing is available, but in no case more than thirty (30) days after the hearing closes. The arbitrator shall issue a decision within forty-five (45) days after the submission of post-hearing briefs or within such other reasonable period as is consistent with the rules established by the AAA.

15. The arbitrator shall give full consideration to the legal requirements limiting the amounts that objectors may be charged, and shall set forth in the decision the legal and arithmetic basis for such decision.

16. If an objector receiving an advance reduction wishes to continue objection, he/she shall continue to pay the reduced fees that he/she is currently paying until the neutral referee issues the report. As soon as possible after the issuance of the neutral referee's report, he/she shall pay the amount of the reduced fees calculated by the neutral referee. Persons objecting for the first time shall be sent a copy of the report prepared by the neutral referee for the previous year and shall pay the reduced fees as soon as possible.

17. Each month thereafter for all objectors, an amount shall be put in an interest-bearing escrow account equal to 25 percent of the reduced monthly fees, or such other greater amount as the neutral referee may recommend. All objectors from the previous year shall be paid the amount of non-chargeable money that is in the escrow account as determined by the neutral referee's report as soon as practicable after its issuance. The appropriate unit of UTU shall not, however, take its portion of the monies in the escrow account until fifteen (15) days after the conclusion of the period within which an objector may appeal the report of the neutral referee, or upon the issuance of the decision of the arbitrator, whichever is later.

18. When the decision of the arbitrator is announced the monies remaining in the escrow account shall be distributed in accordance with the decision.



News items culled from the UTU's Daily News Digest, posted every morning on the UTU Web site, www.utu.org.

UTU bus driver, officer wins arbitration case

O.N.E. Bus driver **James Powell**, who also serves as vice general chairperson for Local 710 in Newark, N.J., is back at work, thanks to the UTU.

Powell was driving his bus recently when a passenger told him that smoke was coming from the engine compartment. Powell could find no apparent problem and continued his run. At the depot he told a supervisor; a mechanic found a faulty manifold and smoldering heat shield.

Powell was charged with operating a bus in an unsafe manner. An arbitrator, however, ruled the company had violated its own contract provisions and ordered Powell back to work.

"The arbitrator admitted before the case began he thought it was a slam dunk for the company and that the union would lose the case, but after hearing the strong defense of UTU he changed his mind," Vice President Roy Arnold said.

Arnold commended O.N.E. Bus General Chairperson **Nelson Manzano** and Alternate Vice President – Bus – **Rich Deiser** for their hard work.

Members on TNM&O ratify new contract

Members of Local 1697 in Lubbock, Texas, employed by Texas, New Mexico and Oklahoma Coaches, have ratified a new three-year labor agreement with the carrier.

The UTU represents about 65 over-the-road bus drivers on the property. The previous contract had expired in March.

The new agreement provides for wage hikes, better job security and a new mediation process that will save the local thousands of dollars in arbitration costs.

Vice President Roy Arnold, director of the UTU's Bus Department, praised the work of General Chairperson **Greg Hansen**.

"Greg Hansen did a good job in preserving the members' benefits," Arnold said. "The company really wanted to cut health insurance costs and boost the premiums paid by our members, but we fought back and, as a result, the health insurance premiums will not increase."

Hansen thanked all the drivers for their support during the negotiations.

Laidlaw to equip school buses with GPS

School bus operator Laidlaw has equipped 50 of the Santa Rosa County, Fla., School District's 313 buses with GPS tracking systems.

The systems, which will cost the district about \$50,000, are capable of monitoring maintenance problems, speed, location and idle time, which may reduce transportation operation costs.

The systems relay information in real time. If a driver is incapacitated in an accident, excessively idling on the side of the road or running late, school officials will be able to locate the bus.

Officials will also be able to ensure that drivers are not speeding with children on the bus.

District officials also foresee students eventually wearing personal tracking systems that will monitor when they get on and off the bus.

The district may outfit more buses in the future, but officials are waiting to see how the upcoming school year's effort pans out.

THIS MONTH'S WINNING PHOTO:

The UTU Public Relations Department awards UTU gear to the union member who submits the best photograph during the previous months.

The winning photo will be published in the *UTU News*. Exceptional photographs will be included on the UTU website.

The UTU would like to see photographs or digital photographs 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 News, 14600 Detroit Ave., Cleveland, OH 44107-4250.

High-resolution digital photographs should be in the JPEG format and e-mailed to utunews@utu.org.

With each photograph, please include your name and UTU 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 the UTU.

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



This month's winning photograph was taken by Adam Vester, a CSX conductor and member of Local 1393 in Buffalo, N.Y. "This 15-second time exposure reveals two brand new BNSF units slowly clearing CP 431 in Depew, N.Y., as a fast intermodal train thunders by on track 2. All we see of the passing locomotive is it's brilliant high-beam lights!" Vester said.



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Trumka: Solidarity SMART

PITTSBURGH – Attention Teamsters and your wholly owned BLET subsidiary: Stop your raiding of UTU jobs because the AFL-CIO and its 55 member unions representing 10 million working families are watching and growing increasingly displeased.

That was the thrust of a simple, pointed and up-front message delivered July 16 by AFL-CIO Secretary/Treasurer Rich Trumka as he spoke to some 900 UTU members attending their eastern regional meeting here.

Trumka also urged ratification of the proposed UTU-SMWIA merger creating the International Association of Sheet Metal, Air, Rail and Transportation (SMART) Workers.

Said Trumka to the roar of sustained applause: "I've been involved, President (John) Sweeney has been involved, and we think this merger is the key to defeating what is nothing more than common raiding of UTU jobs by organizations outside the AFL-CIO who apparently don't have the capability or the inclination to get out and organize workers who don't already have a union.

"We guarantee," Trumka said, speaking of the AFL-CIO, "that we will be there today, tomorrow and the next day to stop all this nonsense.

"Combining memberships for more power in the yards and in the streets is SMART," Trumka said. "Combining financial resources so you can fight harder in the courts and corporate suites is SMART.

"And creating new bonds of brotherhood and sisterhood so you can stand up against greedy forces that are ripping at our labor movement is more than ordinary SMART – it is solidarity SMART – and every union in the AFL-CIO is standing with you in that solidarity," Trumka said.

Trumka also urged continued political activism on the part of trade unionists. "On Election Day 2006, we were one of every four voters at the polls, and union member voters went 75 percent for our endorsed candidates," Trumka said.

"Because union members refused to stay on the sidelines, we took back control of the House of Representatives and the Senate. We also took back important governorships and state legislatures, and we passed minimum wage ballot initiatives in six states," he said.

"Now, for the first time in seven years, working families and their unions have some real influence again in



Continued on page 10

Inside this issue of the UTU News:



Conductor Mike Delahanty helps train Amtrak workers. See page 2.



Local 759's Tony Ortiz keeps N.J. commuters rolling. See page 3.



Photos from the Kansas City, Pittsburgh regionals. Pages 6 and 7.



James Reilly Jr. remembers the "silent service." See page 8.