



# UTU News

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## The Official Publication of the United Transportation Union

### Record pay boost in UTU tentative rail pact

A 17-percent pay increase, retention of the \$200 monthly cap on health care cost sharing, FRA certification pay, a faster process for new hires to reach full pay rates, and no rollback of the January 2011 cost-of-living adjustment (COLA) highlight the tentative five-year national rail agreement negotiated between the UTU and the National Carriers' Conference Committee (NCCC).

Railroads represented by the NCCC include BNSF, CSX, Kansas City Southern, Norfolk Southern, Union Pacific and many smaller railroads. Some 38,000 UTU members, including yardmasters, are covered by the tentative new agreement.

#### General chairpersons unanimously recommend deal

UTU District 1 general chairpersons voted unanimously June 2 to submit the tentative agreement to the membership for ratification under the craft autonomy provisions of the UTU Constitution.

The general chairpersons also voted unanimously to recommend ratification.

General chairpersons had until June 20 to submit questions regarding details of the tentative agreement. The questions were submitted to the NCCC for answers.

The agreed-upon questions and answers will become part of the tentative contract submitted to the membership for ratification.

Additionally, forums will be scheduled nationwide at which UTU International officers will brief members on the contract's details and respond to member questions. A ratification vote will be scheduled later.

"In the 41-year history of the UTU, this wage increase is the highest in excess of the current

and projected Consumer Price Index," said UTU International President Mike Futhey. The Consumer Price Index, or CPI, is a barometer of prices for goods and services as measured by the federal Bureau of Labor Statistics.

"Combined with the previous agreement this administration reached with the NCCC in January 2008, our members will realize a more than 40-percent increase in their base wages at the conclusion of this agreement, if it is ratified," Futhey said.

"A UTU member earning \$80,000 in 2007 will be earning about \$112,000 on the same job by 2015."

The tentative agreement is retroactive to Jan. 1, 2010, and extends through Dec. 31, 2014.

The contract provides that retroactive pay, commencing with the July 1, 2010, increase, will be made by the carriers within 60 days of the effective date of the final agreement.

The cap on employee health care cost contributions is a major provision of the tentative agreement.

The \$200 cap on monthly contributions compares with an average of more than \$330 monthly paid by workers in other industries.

Without the negotiated \$200 cap, and under provisions of current UTU agreements, UTU member health care cost contributions could soar to \$355 monthly by 2015.

To retain the current \$200 monthly cap, adjustments will be made to copayments to reflect more economical ways to purchase medicines and reduce plan costs.

A new annual deductible is capped at \$200 per

individual (\$400 per family), and an out-of-pocket maximum of \$1,000 per individual (\$2,000 per family) can be reached only if family medical costs exceed \$40,000, which statistically affects only two percent of members.

The national rail agreement's five-year entry rates provision has been amended to four years. Individuals under the five-year plan – as of May 1 and until the effective date of the final agreement – will receive a one-time \$3,000 payment.

Individuals on properties with modified service-scale rules will receive a one-time payment of \$1,200.

Individuals under entry-rate agreements that commence at 90 percent, and increase to 100 percent within two years, shall not receive a bonus payment.

Additionally, the tentative agreement provides that local agreements may be negotiated – not subject to binding arbitration if the sides cannot agree – for alternative compensation, compensated leave, compensation enhancement, and electronic bidding and bumping.

Yardmasters have essentially the same agreement, but with additional pay increases unique to their craft.

The UTU national negotiating team, in addition to Futhey, included Assistant President Arty Martin; National Legislative Director James Stem; UTU International Vice Presidents Robert Kerley and Delbert Strunk; and General Chairpersons John Lesniewski (CSX, GO 049), Pate King (NS, GO 680) and Doyle Turner (CSX, GO 347).

To read the tentative national agreements, log onto [www.utu.org](http://www.utu.org).

**17%  
WAGE BOOST  
OVER 5 YEARS;  
HEALTH CARE  
CONTRIBUTIONS  
CAPPED!**

#### UTU launches new website

The UTU International has a new website. The redesign responds to member requests for greater emphasis on material and news of interest to all UTU members.



One new feature is the "Member's Toolbox," which contains answers to the most frequently asked questions regarding membership, representation and benefits of union membership.

The new website also allows members to offer construction suggestions for website improvements through a "feedback" feature. Also, the search engine has been improved.

The site also offers quick links to change addresses, receive email updates and view the latest issue of *UTU News* online.

Check it out at [www.utu.org](http://www.utu.org).

### Two members killed; others injured

Two UTU members have died in rail accidents and two were seriously injured.

CSX conductor and Local 970 (Abbeville, S.C.) member **Phillip E. Crawford Jr.**, 33, was killed May 24 in a rear-end collision involving two CSX freight trains south of Charlotte, N.C. Also killed was locomotive engineer Gregory Hadden, 36. Two unidentified crewmembers of the lead train, which was hit from the rear, were injured.



Crawford

Amtrak conductor and Local 166 (Salt Lake City) member **Laurette Lee**, 68, of South Lake Tahoe, Calif., was killed June 24 when a tractor-trailer combination slammed into the side of Amtrak's eastbound *California Zephyr* at a highway-rail grade crossing 70 miles east of Reno, Nev. Lee's nephew, **Ben Rankin**, is an Amtrak



Lee

conductor and member of Local 1732 (San Jose, Calif.).

Seriously injured in the Amtrak accident was assistant conductor and Local 166 member **Richard d'Alessandro**, 49, of Elk Grove, Calif.

On BNSF in Fort Worth, Texas, May 23, switch foreman and Local 564 (Cleburne,

Texas) member **Paul Young**, 28, of Haslet, Texas, lost both legs and an arm after being hit by a train while performing a gravity switch at an ethanol plant.

The accidents are under investigation by the Federal Railroad Administration and the National Transportation Safety Board, which was assisted at the scene of the CSX and Amtrak accidents by members of the UTU Transportation Safety Team.



# Around the UTU

## Local 756, San Antonio

Local Chairperson **John Dunn** recently became a point of light, personally stepping up to the plate on behalf of his striking Teamster brothers and sisters with a random act of kindness. Filling his pickup truck bed with 10 cases of Gatorade he purchased at a local store, Dunn headed out to the picket line one afternoon in May to distribute the beverages to the striking Pioneer workers outside the Pioneer Flour Mill. The mill had been using managers and temporary workers to operate during the strike, and Union Pacific was utilizing managers to switch cars of corn, wheat and starch across picket lines into the mill, according to the *San Antonio Express* newspaper.

## Local 768, Decatur, Ill.

Active and retired railroad workers from all crafts and all properties in the Decatur area, along with their families, are invited to attend the second annual multi-craft family picnic sponsored by this local and the designated legal counsel firm of Brennan Law Offices, Secretary & Treasurer **Dan Calhoun** reports. The event will be held at the main covered pavilion from 11 a.m. to 7 p.m. Sept. 9 at Spitler Woods Park in Mt. Zion, Ill. Meats (burgers, brats and hot dogs) and beverages (beer, soda and water) will be provided and attendees are asked to bring a side dish to share. For more information, contact Local Chairperson **Steve Woosley** at (217) 412-9818, Vice Local Chairperson **Dru Bennett** at (217) 855-8195 or Calhoun at (217) 454-5040.

## Local 982, Rochester, N.Y.

This local will hold its annual Labor Day Clambake and Family Days event for all members and their families in the Rochester and Syracuse, N.Y., areas from 1-5 p.m. on Labor Day, Sept. 5, at the Spinning Wheel Family Entertainment Center in North Syracuse, according to Local Chairperson **Dave Murphy**. Tickets are \$25 per person and include all-day access to the entertainment center, drawings, prizes, games and dinner. Contact Murphy at (315) 468-1867 for additional information.

## Local 1292, Proctor, Minn.

Former Local Chairperson **Matthew Just Weir Jr.**, 60, who retired Feb. 7, died June 4 at the Solvay Hospice House, State Legislative Director **Phil Qualy** reported. Weir began his railroading career on the DM&IR Railroad and worked as a trackman, brakeman and conductor. According to his obituary in the *Duluth News Tribune*, "Weir was a firm believer in the union movement. He took great pride in serving his fellow workers as a local chairman of the United Transportation Union. In 1986, he briefly went to work for the DM&E Railroad in southern Minnesota. In his short time there, he helped the trainmen organize and establish their first union." Weir is survived by his wife, Laura, and son, Josh.



Weir

## Local 1374, New Castle, Pa.

Friends and former co-workers of **John "Lumpy" Crews**, 40, who died March 9, will be holding a Night at the Races to benefit his wife and daughter. The fundraiser, sponsored by Local 1374 and Auxiliary Lodge 711, will be held July 30 from 5-11:30 p.m. at the Union Township Fire Hall, 304 Scotland Lane in New Castle. It will also include 50/50 raffles, a Chinese auction and a raffle for a flat-panel television donated by the designated legal counsel firm of Berman, Sobin, Gross, Feldman & Darby. Tickets may be purchased from local officers or at the door for \$10. Donations by check payable to Amy Crews can be mailed to UTU Auxiliary Lodge 711, P.O. Box 146, Volant, PA 16156.

## Local 1400, South Portland, Maine

Henry Westphal, the grandson of Alumni Association member and former Local Chairperson **Jim Allen**, won the national championship among nine- and 10-year-olds and best overall shooter at



*Eye of the Tiger, winner of the ninth race at Fonner Park in Grand Island, Neb., is covered by a blanket from the UTU locals that sponsored the race.*

## 'Eye of the Tiger' wins as 66 UTU members show

When Local Chairperson **Rich Mohr** (286) decided to promote a little fraternalism amongst his fellow local members, he had no idea of the turnout by post time.

While meeting with Union Pacific co-workers prior to a day at the track, Mohr suggested a UTU day at Fonner Park to entice some of their younger members to take stock in their union. Fonner Park is a thoroughbred-racing track in Grand Island, Neb.

"We were just trying get the younger members involved," Mohr said. "I practically grew up that track."

Many members expressed an interest, so Mohr decided to have the local sponsor a race at the track.

Before long, he started hearing from the other locals in North Platte (7, 200) and around the state.

"I took a call from the local chairperson in Omaha and he asked, 'Are we welcome?' And then I heard from some BNSF workers, and a local in Cheyenne (Wyo.)."

"I said, everybody's welcome."

Sixty-six members from 12 UTU locals attended UTU day at Fonner Park.

The locals sponsored the ninth race at Fonner Park on April 9, and Mohr had the local number of each local represented printed on a blanket that would be presented to winning horse's owner.

Members of UTU Locals 7, 200, 286, 305, 367, 446 (Cheyenne, Wyo.), 626, 627, 707 (Marysville, Kan.), 934, 962 and 1503 (Marysville, Kan.) were in attendance.

"Eye of the Tiger," an eight-year old gelding ridden by jockey Ashley Dill, won the ninth race.

"We were able to go out into the winner's circle," Mohr said. "They read aloud that we were the UTU, representing railroad workers. We've already decided to do this again next year."

the Elks National Hoop Shoot Championship at Springfield College in Springfield Mass. Westphal will be presented with the prestigious Getty Powell Award at the Elks National Convention in Phoenix in July. Out of 72 contestants, Westphal sank 25 out of 25 baskets.

## Local 1670, Laredo, Texas

UTU member and Valley Transit bus operator **Guadalupe Ruiz** escaped injury May 12 when his bus was sideswiped by a pickup truck in Victoria, Texas. The Associated Press reported that one of the bus passengers was killed and 21 other riders injured in the accident. According to reports, the bus was traveling from Houston to McAllen,

Texas, on U.S. 77, when it was sent crashing into a light pole after being sideswiped. Witnesses told the Associated Press that Ruiz didn't have time to react when the pickup sideswiped the right side of the bus. The pickup truck driver, who was not injured, was issued a citation for failing to yield the right-of-way at an intersection.

## Local 1741, San Francisco

On June 11, exuberant members of this school bus local pedaled and drove into Los Angeles after enduring a week-long, 545-mile ride from San Francisco to raise money and awareness in the fight against AIDS. The cyclists and their support-worker "roadies" from Team United First Against AIDS were part of AIDS Lifecycle's 10th anniversary ride, team member **Shane Hoff** reported. A total of 2,500 cyclists and 600 support workers raised \$13 million for this important cause. The UTU team was led by member **Beau Thomson**.



## Local 1760, Detroit

Secretary & Treasurer **Gerald D'Ortenzio** reports that Local Chairperson **Joe Wheat** retired in April and was presented with a UTU desk clock, a GPS navigator and a gas station gift card for his 16 years of service to the local. An avid motorcyclist, Wheat retired after 38 years as a CSX conductor in the Plymouth and Detroit areas. "All in Local 1760 wish Joe much health and happiness in the years to come," D'Ortenzio said.



*Pictured, from left, are President Dan Noble, Secretary & Treasurer Jerry D'Ortenzio, and Wheat, with Local Trustee George Haddad in the background.*

## BNSF GO 009, Kansas City, Mo.

Members, friends and family celebrated the retirement of Alternate Vice President - East and General Chairperson **Jim Huston** in Kansas City March 5. Huston joined the UTU June 1, 1969, while working for the Atchison, Topeka & Santa Fe Railway in yard service. He previously had served as secretary & treasurer, local chairperson, delegate and local trustee of Local 1532 in Kansas City, Kan. He served as secretary of the general committee from 1991 to 1999, and as chairperson since 1999. He was elected to the International executive board at the 1991 convention and was re-elected at all subsequent conventions. He was elevated to the position of alternate vice president in October 2009.



*UTU International President Mike Futhy, left, and General Secretary & Treasurer Kim Thompson, right, joined Huston at his retirement celebration.*



# Former UTU president warns of extremists

By Al Chesser

The objective of political extremists – those holding elective office and those seeking elective office – is to destroy labor unions, which are among the most patriotic and democracy-loving organizations in our nation.

When dictators take over a country, one of their first objectives is to destroy labor unions. If this no-compromise, labor-union-hating group takes control of the U.S. House of Representatives and U.S. Senate – as they have taken control of both chambers in a number of state legislatures – America could cease to be a democracy.



Chesser

This group of extremists not only is targeting collective bargaining rights; it is intent upon destroying Railroad Retirement, Social Security and Medicare, threatening the financial security of current and future retirees.

If these political extremists are able to destroy organized labor, they will destroy the many achievements of the labor movement, and the principles we have worked and sacrificed so hard for on behalf of working families.

Overtime pay, paid vacations, employer-provided health care, retirement benefits and workplace safety laws and regulations all exist because of labor unions – and all are coming under attack by political extremists.

I am grateful for the opportunity to contribute \$500 to the UTU's Collective Bargaining Defense Fund to help fight this war against organized labor and working families.

I say to every labor union officer and union member: Don't get caught asleep at the switch.

Don't let these political extremists fast talk you. If they destroy organized labor, our financial security will be a shambles. Our earnings, benefits and workplace safety will no longer be collectively bargained. We will be at the mercy of employers.

To my railroad brothers and sisters, I tell you that this would set us back to the 1800s, when the lives of working men and women were nearly the equivalent of slave labor.

The threat from today's political extremists is

the most dangerous we have faced since before enactment of the Railway Labor Act and the National Labor Relations Act.

Light the fire in your belly and join our fight. We can, will and must beat back this attack from those who want to destroy the union movement in America.

Please contribute to the UTU Collective Bargaining Defense Fund, and participate in the UTU Political Action Committee.

*Former UTU International President Al Chesser (1972-1979) is now 97 years old, and the fire in his belly in support of organized labor has never dimmed.*

*This item was written by Chesser in response to creation by UTU International President Mike Futhey of the Collective Bargaining Defense Fund, intended to create public awareness of – and opposition to – the attack on collective bargaining rights by political extremists in scores of states and in Congress. Before his election as UTU International president, Chesser was the UTU's national legislative director.*

## G&F workers vote for UTU

Maintenance-of-way employees on Georgia & Florida Railway, where train and engine workers have been UTU members since 2006, have voted unanimously in favor of UTU representation.

UTU organizer **Mike Lewis**, who has secured numerous previous organizing wins, led the organizing drive. Lewis thanked UTU International President Mike Futhey for "his continued strong commitment to organize non-union workers on railroads, transit and bus properties, and regional airlines.

"Since Mike Futhey was elected International president in 2008, we have organized 21 properties: 14 shortlines, three regional airlines, two commuter railroads, and two bus properties," Lewis said.

The UTU organizing department is headed by **Rich Ross**. In addition to Lewis, International organizers include **Billy Moye, Carlos Wallace, Bonnie Morr, Ed Carney, Larry Grutzius** and **Calvin Studivant**.

Georgia & Florida Railway, an OmniTrax property, is a 264-mile shortline serving south-central Georgia, including the cities of Albany, Adel, Thomasville and Valdosta, and extending into Foley, Fla. It interchanges with CSX and Norfolk Southern. Its principal commodities include beer, wood pulp, ethanol and agricultural products.

## UTU, SMWIA await arbitration decision

A decision by an arbitrator to determine whether the merger agreement between the UTU and the Sheet Metal Workers International Association is an enforceable agreement is not expected before September.

The UTU and the SMWIA made presentations before arbitrator Michael H. Gottesman in early and mid-June.

Briefs by both sides are to be delivered to Gottesman by July 29.

Gottesman was named to arbitrate the dispute by AFL-CIO President Rich Trumka following a March 4 ruling of Federal District Court Judge John Bates.

Judge Bates, in his March 4 ruling, said a separate action by several UTU members challenging the validity of the merger is not within the arbitrator's jurisdiction and he would delay a ruling on that complaint pending the outcome of the arbitration.

## An update on Amtrak negotiations: Working to win the best agreement

By International Vice President  
John Previsich

Collective bargaining with Amtrak over revisions to the current wages, benefits and work rules agreement continues.

This report to the membership follows a briefing we provided the general committee during its recent quadrennial meeting.

Railway Labor Act Section 6 notices were exchanged with Amtrak in January 2010, and numerous bargaining sessions have been held since, with Amtrak General Chairpersons **Roger Lenfest** and **Bill Beebe** leading the UTU negotiators. I am serving as an adviser.



Previsich

The most recent bargaining session was held this month.

Discussed in Philadelphia were improvements to the rates of pay, rules and working conditions, including conductor certification pay and an improved away-from-home meals allowance.

Given that Congress recently slashed federal assistance payments to Amtrak – and Amtrak is responding with an attempt to cut all its costs across the board – the negotiations are especially difficult.

In the face of these challenges, our negotiating team is working closely with the UTU's financial and health care experts and the UTU National Legislative Office to ensure we are fully armed with concrete facts and data to support the items in our Section 6 notice.

At the most recent negotiating session, Amtrak restated its position that funds are not available for any costs beyond those already contemplated in its earlier proposal to the UTU. Amtrak says that given the difficult economic times, it isn't possible to improve their initial offer.

In response, our UTU negotiating team advised Amtrak that their proposal is not acceptable – that it is "bare bones" and does not address many of the issues of concern to UTU members.

We told Amtrak that items in our Section 6 notice come directly from the membership as a result of membership outreach efforts by general chairpersons Beebe and Lenfest, and that each and every item requires good faith consideration during the negotiating process.

We continue to utilize an interest-based bargaining approach that takes into account the needs of both parties when crafting a final settlement. Interest-based bargaining historically has proven very effective in obtaining a satisfactory

resolution, oftentimes producing results that are more favorable than those that can be obtained from a traditional demand-based negotiating process.

However, for the interest-based process to be successful, both parties must be fully committed to considering the needs and desires of each participating group.

We maintain that a "take it or leave it" offer by Amtrak flies in the face of interest-based bargaining – and we have made that clear to Amtrak.

Amtrak responded it is fully prepared to discuss the items set forth in our Section 6 notice.

While the UTU will continue to employ an interest-based strategy in negotiations, our negotiating team is fully prepared to move forward with a more traditional style of negotiations if at any time it appears that would be a more productive route.

The objective of the UTU negotiating team remains obtaining the best possible agreement for our members during these challenging economic times.

As such, we will employ whatever proves to be the most effective strategy in accomplishing our goal.

Updates will be provided to UTU members following all bargaining sessions.

### Breaking news as it happens: Register for *UTU News* alerts

Information is power and your UTU wants to give you as much information as it can, as soon as possible. Savvy members have learned to log on to [www.utu.org](http://www.utu.org) at least once daily to check the latest transportation news and any important new happenings within the UTU.



We want important UTU news to reach you even faster. So we are updating our special e-mail list by which UTU members may voluntarily sign up to receive e-mail on important UTU events.

**Register for email alerts by visiting [www.utu.org](http://www.utu.org) and clicking on the "Email Alerts" tile on the UTU homepage. Be sure to double check the information for accuracy before sending your email registration.**

Your email address will be kept confidential. It will not be sold, traded nor given to anyone else.





**"Only a fool would try to deprive working men and working women of their right to join the union of their choice." - Dwight D. Eisenhower**

# Our new rail agreement deserves to be ratified

Perhaps you recall the television series, "Hill Street Blues," and the signature line of Chicago Police Sgt. Phil Esterhouse: "Hey, let's be careful out there."

Today, he could be talking about the American economy.

More than 10 million jobs have been lost since 2006. One of every nine workers is unemployed. For many with jobs, wages have been cut and health care insurance premiums increased significantly. More than 46 million Americans have no health-care insurance.

In these troubling times, many unorganized workers are looking to labor unions for protection. The UTU's success at the bargaining table has energized many of the unorganized to knock at our door. We have organized a new air, bus, rail or transit property on the average of once every seven weeks since 2007.

**Those earning \$80,000 in 2007 will earn \$112,000 by 2015.**

The tentative national rail agreement is a reason why the UTU is looked upon so favorably.

This tentative agreement provides for the highest wage increase in excess of the Consumer Price Index in the 41-year history of the UTU – 17 percent, or more than 18 percent compounded – and contains no work-rules givebacks.

It folds into the base wage the cost-of-living increases paid while the agreement was negotiated. In our 2008 agreement, the UTU was the only organization to negotiate a COLA, and there is no COLA offset in this agreement.



## International President's Column

By **Mike Futhey**, International President  
(216) 228-9400; [president@utu.org](mailto:president@utu.org)

Combined with the 2008 ratified national railroad agreement, this agreement provides members with a 40-percent increase in base wages despite the longest and deepest economic recession since the Great Depression.

Bottom line: If you were earning \$80,000 before we negotiated the 2008 agreement, you will be earning \$112,000 by 2015.

The tentative agreement also reduces five-year entry rates to four

schedule of reduced-rate services that have not been provided previously.

The caps on premiums and co-

I mention federal workers because if this agreement is not ratified, and we wind up before a presidential emergency board, the third parties imposing an agreement on us will include, or be advised by, those federal workers.

In these troubling economic times, millions of workers are struggling merely to find fulltime employment. Millions more are seeing their wages decrease and their health care insurance eliminated or the insur-

**Voluntary settlements always produce more than third-party imposed terms.**

pays were negotiated despite substantial increases in health care premiums and co-pays assessed workers in other industries, as well as by federal employees and congressional staff. Moreover, federal workers are under a two-year wage freeze.

ance premium raised substantially.

Experience has taught us that when we reach a voluntary settlement we do far better than allowing third parties to impose an agreement. This agreement deserves to be ratified.



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

# Union-busting efforts face glare of sunlight

Former Supreme Court Justice Louis Brandeis coined the term, "Sunlight is the best disinfectant."

Indeed, sunlight cast by labor-union members on the dark-of-night action by political extremists in the Wisconsin legislature is having a meaningful impact in Wisconsin and beyond.

Recall that the Wisconsin legislature's Republican majority voted in March to eliminate collective bargaining rights for public employees. They gathered on less than two hours' notice in the dark of night to vote without a single Democrat in the chamber.

Although State Judge Maryann Sumi granted an injunction against the law's implementation, and chastised those Republican lawmakers for the method in which they conducted the vote, the Wisconsin Supreme Court overturned the ruling.

The state supreme court decision would have gone the other way had a labor-friendly challenger to the incumbent won that seat on the court in a recent election.

The challenger, written off early as unelectable, came within a few



## Officers' Column

By Assistant President

**Arty Martin**

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thousand votes of victory only because the state's attack on collective-bargaining rights enraged Wisconsin voters. The outrage followed labor-union activism made possible

The UTU Collective Bargaining Defense Fund will assist in educating Wisconsin voters and helping to energize them to go to the polls and cast votes to recall those lawmakers.

**UTU Collective Bargaining Defense Fund has one objective: Remind officials labor is political force**

by the UTU Collective Bargaining Defense Fund and similar programs initiated by other labor organizations.

In fact, labor-union activism in Wisconsin generated such substantial support that many of the lawmakers who voted to strip public employees of their collective bargaining rights now face recall elections this summer.

Almost immediately after that in-the-dark-of-night Wisconsin senate vote, union members – joined by tens of thousands of citizens – began demonstrating against union busting by political extremists.

If the recall is successful, it is probable that the Wisconsin law will be changed by a more moderate Wisconsin legislature where many lawmakers who supported the anti-union meas-

ure are now rethinking their votes in light of the public outrage.

The Wisconsin outrage spread to other states where similar legislation was passed or was pending.

In Ohio, where extremists passed a similar union-busting law, union demonstrations also induced public outrage, and petition signings that have put the Ohio union-busting measure on hold pending a voter referendum on the law in November.

The UTU's Collective Bargaining Defense Fund has one objective: Reminding elected officials that organized labor is a potent political force able to mobilize millions of voters, and to set the stage for recall elections of anti-union lawmakers.

To learn more about the UTU Collective Bargaining Defense Fund, go to [www.utu.org](http://www.utu.org) and click on the "Bargaining Defense Fund" button.

The UTU Collective Bargaining Defense Fund finances efforts to raise public awareness and support workplace democracy. Please make your contribution today by writing a check to "UTU Collective Bargaining Defense Fund" and send to United Transportation Union, Suite 340, 24950 Country Club Blvd., North Olmsted, OH 44070-5333.



# State Watch

News from UTU State Legislative Boards

## Arizona



Front row, left to right, are Mike Branson, Greg Hynes and Jim Polston; back row, left to right, are Chris Todd and John Carmody Jr. (vice Local 113 chairperson).

The 292 members of Local 113, Winslow, have almost doubled their monthly PAC contributions. "They have a lot of pride and they talk about the UTU PAC at every meeting," said State Legislative Director **Greg Hynes**. "All the officers of this local are dollar-a-day PAC members or more – and some contribute \$50 monthly."

Three local officers made clear why they are active in the UTU PAC:

Alternate Delegate **Chris Todd**: "UTU PAC is our political voice. Without it, we're just rolling the dice on our future."

Local Chairperson **Jim Polston**: "I was able to convey to our membership the importance of UTU PAC. Once you do that, the members are proud to help out."

Treasurer **Mike Branson**: "I contribute to our UTU PAC because, without action, there would be no union."

## Montana



Newly re-elected Montana AFL-CIO Executive Board member Fran Marceau addresses the delegation.

Montana State Legislative Director **Fran Marceau** was recently re-elected to the 46,000-member Montana AFL-CIO Executive Board at the group's 55th annual convention.

AFL-CIO President Rich Trumka was the keynote speaker at the convention, Marceau noted.

## West Virginia

With prompting from UTU, West Virginia lawmakers enacted legislation to protect railroad workers in the state from pesticides.

State Legislative Director **Mark Mewshaw** said the law requires railroads provide pesticide safety information, advance notice regarding pesticide application and annual safety training.

"The UTU backed the bill and, with the help of the BLE, we were successful in getting it passed," Mewshaw said. "Before we got this law passed, we didn't know when and what they were spraying, and it can affect our health."

## Wisconsin



State Legislative Director **Tim Deneen** urges members to support Democratic candidate Jessica King for state senate. Pictured above, left to right, are **Chris Tassone** (legislative representative, Local 581, Green Bay); King; **Craig Peachy** (legislative representative, Local 583, Fond du Lac), and **Andy Hauk** (vice local chairperson, Local 583).

## Illinois

Gov. Pat Quinn has named State Legislative Director **Bob Guy** to a group studying the feasibility of 220-mph passenger rail service between Chicago, Urbana-Champaign and beyond.

The study will complement the continuing construction of a regional 110-mph network that will connect Chicago to 40 cities in the Midwest, while supporting Quinn's vision to create jobs, enhance regional mobility and improve the environment.

"Illinois is leading the nation with our work to expand high-speed and passenger rail," Quinn told the *Chicago Tribune*. "This study will provide greater insight into how we can make 220-mile-per-hour rail service a reality."

## Bus workers at two properties choose UTU for representation

Bus employees in California and North Carolina have voted "UTU, yes," bringing to 23 the number of successful UTU organizing drives – air, bus and rail – since January 2008. This is an average of almost one organizing victory every seven weeks.

In Perris, Calif., unorganized drivers and mechanics employed by Southland Transit voted by an almost four-to-one margin for UTU representation.



Morr

In Charlotte, N.C., drivers employed by Charlotte Area Transit System (CATS) chose UTU as their bargaining representative by more than a two-to-one margin.

Southland Transit is a community transit operation serving the disabled and elderly the Southern California counties of Riverside and San Bernadino, providing transportation on both on-demand and over fixed routes.

"In these difficult economic times, it takes courage to vote against management's wishes," said UTU Bus Department Alternate Vice President Bonnie Morr, who led the organizing drive. "These 136 dedicated and previously unorganized workers reached out to the UTU and we will provide the resources necessary to negotiate a wage, benefits and working conditions contract they can be proud of."

Working with Morr on the organizing drive were General Chairperson (BNSF, GO 20) **John England**, Local 1496 (Riverside, Calif.) Secretary & Treasurer and Alternate Delegate **Chris Hubbell**, and Local 23 (Santa Cruz, Calif.) Vice Local Chairperson and Delegate **Eduardo Montesino**.

Assisting was Southland Transit employee **Gary Miller**, whom Morr said "worked tirelessly and with great determination to organize his fellow workers and bring home this victory."

"This was a very difficult process," Morr said. "It was a second election following a successful appeal to the National Labor Relations Board that the employer had engaged in improper conduct during the first vote. The workers persevered."

In Charlotte, where CATS mechanics and maintenance employees have long been represented by the UTU, the 546 drivers will now return to representation under Bus Department General Committee TMM. A new local will be created for the drivers.

Working with UTU Director of Strategic Planning **Rich Ross** in the organizing drive were TMM General Chairperson **Alvy Hughes**; TMM Assistant General Chairperson **Craig Patch**; Local 1596 (Charlotte, N.C.) members **Billy Belcher**, **Dwayne Cureton** and **Brenda Moore**; Bus Department Alternate Vice President Calvin Studivant, and International organizers **Mike Lewis** and **Billy Moye**. Ross praised the team's "tireless efforts and determination."

Studivant and Lewis crafted a get-out-the-vote drive, culminating with almost 75 percent of the eligible drivers casting ballots.



England

## Bus Department

By Vic Baffoni, vice president  
v\_baffoni@utu.org

### Recipe for success? Safety first

UTU bus members are the most dedicated and safe drivers in the country. They carry men and women to work, medical appointments, grocery stores and recreational outings. They also transport the most precious of cargos – children – to and from school.

I recently spoke with Local 1785 (Santa Monica, Calif.) member **William Alvarenga**, who has driven a motorcoach for more than 30 years and who has been commended for his safe and courteous driving record.

I asked Brother Alvarenga his recipe for success. "Put safety first and schedule second," he said. "I treat passengers like I want to be treated, and I never, never let anything upset me while working."

Wise words. If we all strive to live by Brother Alvarenga's simple rules, we will all succeed.

Not all is tranquil on our properties, however.

At many of our locations, we are experiencing an increase in disciplinary actions. Charges are being filed and harsher discipline is being assessed, along with more strict enforcement of work rules.

We have seen this before prior to and during contract negotiations.

Our remedy: More strict enforcement of our contracts by our officers, and education of our members as to their rights under our contracts.

Your Weingarten Rights are very important. They take their name from a 1975 U.S. Supreme Court case (NLRB v. Weingarten) where the court ruled that unionized employees possess a right to have a union representative present during investigatory interviews when a supervisor questions an employee to obtain information that might be used as a basis for discipline, or asks an employee to defend his or her conduct.

If an employee has a reasonable belief that discipline or other adverse consequences may result from what he or she says, the employee has the right to request union representation.

Never give up your right to be represented.

On a more pleasant note, congratulations are due those who worked so hard during recent representation elections, where workers voted, "UTU, yes." The Bus Department will now work to deliver on its promises.



**Strict enforcement  
of contracts is essential**





Left to right are Local 1066 (New Orleans) President and Local Chairperson Gerald Fiorello; Local 11 (Houston) President Stanley Davis; Port Terminal Railroad Association General Chairperson and Local 1886 (Houston) Chairperson Carl Farnie.



UTU Executive Board Chairperson and Transportation Safety Team member Steve Dawson (Local 811, San Bernardino, Calif.), left, with Alternate National Legislative Director John Risch.



The San Antonio regional meeting local committee (left to right): John Dunn (local chairperson and delegate, Local 756, San Antonio); William Jones (local chairperson, Local 857, San Antonio); Texas State Legislative Director Connie English; Artemio Barron (secretary, Local 1670, Laredo, Texas) and Russell Castillo (secretary & treasurer, Local 489, San Antonio).



Connie Thompson (left, in white jacket; wife of UTU International General Secretary and Treasurer Kim Thompson) and April Futhey (right, in black and white print top; wife of UTU International President Mike Futhey) teach an unidentified young man how to line dance.

# San Antonio, Texas

## UTU/UTUIA 2011 Regional Meeting

### 'Stronger Than Ever'



UTU International President Mike Futhey, left, and Vice President John Previsich, right, greet Arbitrator Dr. Frank X. Quinn, who helped conduct a live Public Law Board arbitration on the second day of the meeting.



Officers of Local 367, Omaha, donated \$5,000 to UTU International officers for the union's Collective Bargaining Defense Fund. From left are Local Chairperson and Delegate Dick Casey; UTU International Secretary & Treasurer Kim Thompson; Local President Jimmy Conteras; UTU International Assistant President Arty Martin and Local Chairperson John Vaughan.



Second Alternate Vice President-West and UTU Transportation Safety Team member John England (left) and Southeastern Pennsylvania Transportation Authority Vice General Chairperson and Human Rights Committee member David Stinsman (right) with Alternate Bus Vice President-West Bonnie Morr.



Those attending the meeting of the UTU Auxiliary pose for a photo during a break.



These motorcyclists participated in the Scott Belden memorial motorcycle ride, which raised funds for UTU PAC. They are, left to right, Gary Schaaf (L-331, Temple, Texas); Dewayne Casteel (L-1957, Silsbee, Texas); Melvin Hickman (L-293, Houston); Auxiliary Secretary & Treasurer Charlie Belden (widow of Scott); UTU International GS&T Kim Thompson; Anna and Ruben Ramirez (L-1565, West Hollywood, Calif.) and Carolyn and Jerald Howell (L-857, San Antonio).



Administrative Assistant to the President Bruce Feltmeyer, left, with Arkansas State Legislative Director Steve Evans, center, and Arizona State Legislative Director Greg Hynes. Evans and Hynes serve on the UTU Rail Safety Task Force. (See article on Feltmeyer on page 10.)



Local 11 (Houston) Chairperson Andrew Cheselka, right, learns about the benefits of UTUIA insurance and investment products from (left to right) UTUIA Field Supervisors Art Rayner, Joe Solito, Dan McElley and Serge Decoste.



UTU organizers Mike Lewis, left, and Rich Ross.



Tom Rodgers (vice general chairperson, local chairperson, legislative rep., secretary & treasurer, Local 1973, Chicago) and family: Peyton, Dillon, John, McKenzie and Jillian.



Back, left to right: David Bartee (L-331, Temple, Texas); Lamont Whitfield (L-331); Gary Schaaf (L-331); Joe Stubbs (L-773, Galveston, Texas); Jeremy McCart (L-1957, Silsbee, Texas); front, left to right, are Chad Adams (L-331); UTU International Vice President Paul Tibbit; Gerald Casteel (L-1957), and Jamie Light (L-331).



Local 835 (Bakersfield, Calif.) Chairperson and Delegate Russ Brucker wears goggles that simulate drunkenness and tries to walk a straight line. He is supported by Local 367 member Matt Schumacher, who serves as Union Pacific's Operation RedBlock coordinator.



Left to right are Assistant California State Legislative Director Mike Anderson, Randy Russ (local chairperson, delegate, L-283, Portland, Ore.) and Greg Boam (assistant Oregon state legislative director and UTU Transportation Safety Team member, L-471, Eugene, Ore.)



Frank Hickman, left, who serves as Local 1175 (Duluth, Minn.) chairperson and delegate, stands with UTU Designated Legal Counsel Coordinator Mark Allen and Local 937 Legislative Rep. and Delegate Glen Johnson. Both Hickman and Johnson serve on the UTU's Human Rights Committee.



Local 1974 (Fort Worth, Texas) Chairperson James Holmes, left, speaks with North Carolina State Legislative Director Dickie Westbrook (center) and North Carolina Assistant State Legislative Director Glenn Lamm about hazardous materials awareness at the National Labor College booth.



From left are Local 1299 (Chicago) Chairperson Dale Dekeyser; UTU International Vice President Robert Kerley; Local 1000 (Minneapolis) Chairperson Jeremy Brown and Treasurer Vince Fike.



Local 1534 (Chicago) Legislative Rep. and Delegate Joe Ciemny with wife Jessica.



UTU  
*Alumni*

UTU Alumni Association

News, information for members of the UTU Alumni Association

# Alumni Association member Shelley to appear in movie

UTU Alumni Association member **Jim Shelley** has found a new vocation: movie star.

Shelly, of Sequim, Wash., who also serves as organizer of UTU Alumni Association Chapter 1, is playing the role of Ed Pennington in “Serenity Farm The Movie,” which is being filmed in and around Sequim.

Earlier this year, Shelly saw an ad in the paper for “Serenity Farm.” Intrested, he called and left a message.

“When they called me back they said I was exactly what they were looking for,” Shelly said. “They liked my voice.”

One thing led to another and Shelly got the part. Pennington is “a rather unscrupulous attorney



Shelley

who is the executor of a will being left to a young fellow in California,” Shelley said. “If the young fellow hadn’t shown up, I would have had the deed to Serenity Farm, the island, and this makes me a little angry.”

“The young fellow shows up in my office and I have to explain the inheritance and what’s involved in owning it to him,” Shelly said. “I kind of try to get him to just give it up, playing it down a bit, but I’m not able to.”

Shelly’s character then gives him the impossible task of getting the island operating normally in just 10 days. But his role doesn’t end there. Later in the movie, the Ed Pennington character goes to the island and doesn’t come back, Shelly said.

Shelly has worked as an extra in 15 movies during the early 1990s but never pursued the occupation. He has appeared in a few well-known movies, including “Assassins” with Sylvester Stallone, in which he played a gangster, and “Sleepless in Seattle,” in which he played a New Year’s Eve patron.

“It’s a lot of work,” Shelley said. “I’ve never done dialogue and there’s a lot of it, but everybody is very patient and if I make a mistake it’s not the end of the world – it’s just making a movie.”

A promotional trailer about the movie can be viewed online on the film’s Facebook.com page.

For more information about the movie, visit [www.serenityfarmthemovie.com](http://www.serenityfarmthemovie.com).

## RRB unveils new webpage

The Railroad Retirement Board (RRB) recently implemented changes to the home page of its website – [www.rrb.gov](http://www.rrb.gov) – to make it easier to navigate and more visually appealing.

The new home page organizes information by audience and subject in a more clear, more logical manner, and uses animation in the form of cascading and scrolling menus to make it easier to reach secondary pages.

One of the biggest improvements is the addition of a log-in box that will allow customers to access online services directly from the home page.

In addition, the new design includes a new website logo designed by agency staff, and streamlines navigation.

The new design also does a better job of highlighting the agency’s toll-free number (877-772-5772), which customers can call to be connected to their local RRB office, and offers video-based presentations on topics of interest to railroad beneficiaries and employers.

## UTU offers tours, cruises for members

One of the benefits of membership in the UTU Alumni Association is discounts on tours. Here are the latest offerings:

**Cruise to Alaska, July 28 – Aug. 7:** This Holland America Cruise Line cruise to Alaska runs 11 days (four days land; seven days cruising). Itinerary includes Denali National Park (McKinley Explorer Rail), Fairbanks, Anchorage, Seward, Ketchikan, Juneau, Skagway, Glacier Bay National Park and College Fjord Scenic Cruising. The cost is \$2,140 per person.

**Post-convention cruises:** UTU members and retirees can enjoy a Royal Caribbean Cruise Line cruise following the UTU Quadrennial Convention in Hollywood, Fla.

**Three-day weekend cruise, Aug. 12 – 15:** Aboard the “Majesty of the Seas.” Itinerary includes Cococay and Nassau, Bahamas. The cost is \$450 per person.

**Seven-day Caribbean cruise, Aug. 13 – 20:** Aboard the “Oasis of the Seas.” Itinerary includes Nassau, Bahamas; St. Thomas, Virgin Islands and St. Maarten. The cost is \$1,375 per person.

**British Isles cruise Aug. 16 – 28:** This Princess Cruise Line cruise of the British Isles is aboard the “Crown Princess.” Itinerary includes London/Southampton (departure port), St. Peter Port, Cobh, Dublin, Liverpool, Belfast, Greenock, Invergordon, South Queensferry, Paris. The cost is \$1,923 per person.

**Cruise of Hawaii, Oct. 15 – 22:** This is a seven-day Hawaiian cruise aboard Norwegian Cruise Line’s “Pride of America.” Itinerary includes Honolulu, Maui, Hilo, Kona and Kauai. The cost is \$1,217 per person.

Call Landfall at (800) 835-9233; check out the Alumni Association page on [www.landfalltravel.com](http://www.landfalltravel.com) or email “[travel@landfalltravel.com](mailto:travel@landfalltravel.com)” for more information. These tours are open to all UTU Alumni Association members, family and friends; other UTU members are welcome to join them as space permits.

## 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
32	Hatfield, Harold E.	Carson, Calif.	496	Harrold Jr., Javen A.	Williamson, W. Va.	1263	Williams, William H.	Valdosta, Ga.
32	Woody, William R.	Pomona, Calif.	500	Richter, Verne	Grand Junction, Colo.	1312	McCrary, Tolbert	Milton, Fla.
94	Booe, Chester A.	Leawood, Kan.	556	Salo, K.P.	Vancouver, Wash.	1313	Holman, Lester E.	Amarillo, Texas
94	Harper, William R.	Independence, Mo.	623	Johnson, Charles B.	Pence Springs, W. Va.	1313	Pride, P.S.	Amarillo, Texas
94	Reinhardt, Kenneth E.	Chanute, Kan.	631	Newman, Joseph W.	Fairfax, Va.	1328	Broadhurst, Joseph D.	Fort Smith, Ark.
168	Choate, Norman W.	Southfield, Mich.	645	Lasala, Charles J.	Franklin Square, N.Y.	1328	Reynolds, Lucian W.	Louisville, Ky.
168	Harby, Thomas C.	St. Charles, Mo.	645	Sztabnik, John G.	Port Jefferson Station, N.Y.	1365	Hansen, William C.	Kent, Ohio
194	Brown, Robert M.	Shipshewana, Ind.	650	Quitney, Richard H.	Mason City, Iowa	1365	Holbrook, Victor P.	Niles, Ohio
202	Bohlen, Robert E.	Thornton, Colo.	656	Cornelius, John B.	Fort Lauderdale, Fla.	1373	Bozarth, Joseph P.	West Chester, Pa.
212	Cary Jr., Carl I.	Coxsackie, N.Y.	662	Reed, Verlin R.	Yorktown, Va.	1390	Reinhard, George M.	Rockaway, N.J.
225	Helmink, Edward S.	Ferndale, Mich.	730	Joswiak, Stanley J.	Riverside, Calif.	1393	Eichelberger, S.A.	Niagara Falls, N.Y.
239	Jefferis, Donald J.	Otis, Ore.	733	Glass Jr., Warren J.	Texarkana, Ark.	1393	Hall, Earl W.	Erie, Pa.
240	Doughty, L.R.	Auburn, Wash.	771	Leivas, John S.	Needles, Calif.	1393	Harris, James L.	Springville, N.Y.
256	Barkyoub, Lawrence N.	Colchester, Conn.	782	Sharpe, Timothy D.	Statesville, N.C.	1393	Watts, William R.	Buffalo, N.Y.
259	Ambrozi, Martin	Stewartsville, Mo.	792	Harden, Roy E.	Toronto, Ohio	1458	Humphreys, Albert E.	Loranger, La.
265	Burback, Rodney L.	Payson, Ariz.	792	Hauck, William L.	Steubenville, Ohio	1501	Landry, Willie J.	Metairie, La.
265	Petersen, Eldon H.	Idaho Falls, Idaho	792	Houser, Ralph J.	Cleveland, Ohio	1518	Innis, Elbert C.	Lafayette, Ind.
281	Zuelsdorf, William F.	Milwaukee, Wis.	832	Shega, Charles A.	Hibbing, Minn.	1558	Maxon, Norman A.	Auburn, Ga.
306	Rollison, Neal E.	North Sioux City, S.D.	847	Wallace, Charles E.	Birmingham, Ala.	1563	Reed, Donnell	Los Angeles, Calif.
320	Maikrzek, Leonard J.	Ubly, Mich.	860	Craig, Darrell D.	Point Pleasant, W. Va.	1628	Bealko, Edward W.	Indiantown, Fla.
324	Pickard, A.R.	Allyn, Wash.	886	White, Chester D.	Escanaba, Mich.	1628	Heatley, George R.	Hampton, Ga.
328	Hackett, Lynwood R.	West Haven, Conn.	903	Hicken, David W.	Jacksonville, Fla.	1628	Martello, John L.	Jeannette, Pa.
331	Hardt, Charles T.	Temple, Texas	982	Chamberlin, Howard J.	Rochester, N.Y.	1628	Valosen, John	Perryopolis, Pa.
363	Thaxton, Paul W.	Roanoke, Va.	982	Kaminski, Raymond J.	Poland, N.Y.	1687	Harmon, Leroy	Nogal, N.M.
407	Peek Jr., Julian M.	North Charleston, S.C.	1053	Tennimon, Cecil L.	Jones, Ala.	1687	Kimball, Paul E.	Belen, N.M.
427	Ritchie, Jones E.	McComb, Miss.	1058	Tines, Edwin D.	Nampa, Idaho	1840	Gilchrist, Elmer D.	Glasgow, Mont.
430	Heath, James H.	Sun City Center, Fla.	1075	Slatton, Frederick C.	Carleton, Mich.	1963	Wicks, David H.	Henderson, Ky.
430	Kean, Daniel H.	Christmas Valley, Ore.	1166	Little, Billy M.	Charlotte, N.C.	1971	Davis, William P.	Marshville, N.C.
439	Price Jr., Roy L.	Ennis, Texas	1216	Swenson, Harry A.	Pasadena, Texas	1973	Morgin Jr., John M.	Monticello, Ind.





## UNITED TRANSPORTATION UNION INSURANCE ASSOCIATION

# NOTICE OF PRIVACY POLICY

The reason we collect information about you is to better serve your needs. Having accurate information permits us to provide you with an appropriate range of insurance products.

The non-public personal information that we collect about you varies according to the products, services or benefits you request, and may include:

- Information we receive from you on applications or other forms, such as name, address, Social Security number, assets and income;
- Information about your transactions with us, our affiliates or others, such as name, address, Social Security number, policy coverage, premiums and payment history;
- Information we receive from consumer reporting agencies, such as a credit history.

We may share the above non-public personal information we have about you with the United Transportation Union. Sharing this information assists us in:

- Processing the payment of your insurance premiums;

- Maintaining your insurance policies in force;
- Providing you with better customer service.

We may share the above non-public personal information we have about you with persons or companies that perform services on our behalf and to other financial institutions with which we may have joint marketing agreements.

We may share this non-public personal information with affiliated or non-affiliated third parties as permitted by law. We do not disclose personal medical information about you except as permitted by law or as you may authorize.

We restrict access to non-public personal information about you to those employees who need to know that information in order to provide products or services to you.

We maintain physical, electronic and procedural safeguards to guard your non-public personal information.

This privacy policy applies even if you no longer have any policies or a relationship with us.

6/2011

## Fla. Tri-Rail members approve new contract

MIAMI – By a four-to-one margin, UTU-member train and engine workers employed by Veolia Transportation – operator of South Florida Tri-Rail – have approved a new agreement. The UTU represents both sides of the cab on Tri-Rail.

The agreement includes pay increases retroactive to July 1, 2010, an increase in certification pay for engineers, certification-pay parity for conductors, overtime pay for employees assigned to training classes or examinations on rest days, improvement in bereavement leave, restrictions on the use of videos for purposes of discipline, a cap on health care insurance contributions, and the addition of a vision plan.

UTU International Vice President John Previsich assisted with negotiations. He congratulated the negotiating team, which included General Chairperson **Roger Lenfest** (Amtrak, GO 769), Local 30 (Jacksonville) Chairperson **Andy D'Egidio** and Vice Local Chairperson **Steven Klemm** for “an excellent job of bringing the membership’s wishes to the negotiating table.

“Because of their efforts, the negotiating team was successful in securing the excellent pay increases, certification pay and positive changes to the contract that the members desired,” Previsich said.

South Florida Tri-Rail operates over 71 miles for former CSX track linking West Palm Beach, Fort Lauderdale and Miami, and is owned by the South Florida Regional Transportation Authority.

In January, employees of Tri-Rail’s operations center voted to be represented by the UTU.



## Lollapalooza of event aids injured conductor

Norfolk Southern conductor **Larry McVay**, 43, caught a bad break Jan. 3 when he lost his right arm and right leg in a horrendous switching accident near Lafayette, Ind.

Within hours, his brothers and sisters in Local 768 and NS General Committee of Adjustment 687 established a fund for the McVay family, but they didn’t stop there.

Recently, Local 768 member **Craig Wilson** opened the tavern he owns in Decatur, Ill., for a

silent auction to encourage further donations to the McVay benefit fund.

Donations are still being accepted, and may be sent to the Larry McVay Benefit Fund c/o Land of Lincoln Credit Union, 2890 N. Oakland Ave., Decatur, IL 62526. More information may be obtained from the credit union by calling (217) 875-1300. Those with PayPal accounts may also make contributions by sending funds to the email address “benefitlarry@yahoo.com.”



From left, with McVay, are Local 768 member Craig Wilson, at whose tavern the silent auction was held; Local 768 conductor Jason Baines, credited with helping to save McVay’s life; UTU International Vice President Delbert Strunk; NS General Committee GO 687 Senior Vice General Chairperson Mark McKee; NS General Committee GO 687 Senior Vice General Chairperson Dan Calhoun, who organized the silent auction; and NS General Committee 687 Chairperson Jason Boswell.

## RRB to withhold Medicare Parts C&D premiums from benefits checks

The Railroad Retirement Board began June 1 to withhold from benefits checks premiums for Medicare Part C (Medicare Advantage plans) and Medicare Part D (prescription drug plans).

Withholding is **voluntary**, and beneficiaries should contact their plans to request withholding by the Railroad Retirement Board of these premiums from their monthly benefits payments.

Part C and Part D premiums vary according to the plan and provider.

Note that a new federal law requires some Part D beneficiaries also to pay an additional monthly adjustment amount, depending on a beneficiary’s or married couple’s modified adjusted gross income.

While the RRB will be able to deduct the regular Part D premiums for individuals who elect to have them withheld from their benefits payments, Part D enrollees subject to the monthly adjustment amount will continue to receive a bill for that portion as the Railroad Retirement Board says it is unable to deduct those amounts from benefits at this time.

The Part D income-related monthly adjustment amounts are \$12, \$31.10, \$50.10 or \$69.10, depending on the extent to which an individual beneficiary’s modified adjusted gross income exceeds \$85,000, or a married couple’s income exceeds \$170,000. The Social Security Administration determines if a monthly adjustment amount is due, based upon the most recent tax return information available from the IRS.

The Railroad Retirement Board also reminds Medicare beneficiaries that the annual enrollment period for Part C and Part D coverage will be between Oct. 15 and Dec. 7 this year, rather than Nov. 15 through Dec. 31, as it was in previous years. Changes and enrollments made during this period will still be effective Jan. 1, 2012.



# UTU, TRRA seek anti-terror training grant

The UTU and the Terminal Railroad Association of St. Louis (TRRA) are jointly seeking an anti-terrorist security grant from the Department of Homeland Security (DHS).



Feltmeyer

If the grant is approved – with a DHS decision expected in August – the UTU and TRRA will collaborate on a three-year project to train front-line TRRA employees to enhance security awareness.

The project, with UTU International employee **Bruce Feltmeyer** (Local 1402, St. Louis) leading the UTU team, proposes joint UTU/TRRA creation of a security awareness manual, plus emergency preparedness classroom training, drills and exercises that will present various terrorist scenarios

and means of recognizing, reporting and responding to terrorist threats against TRRA facilities.

The TRRA is a major railcar switching facility, with yards in downtown St. Louis and in the shadows of the Gateway Arch.

Daily, carloads of hazardous materials and other security-sensitive cargo are interchanged among most major railroads by TRRA train and engine workers. “The nature of TRRA’s operation, its importance to national rail-network reliability, and its location in the heart of a major U.S. city could make TRRA a high-priority target for foreign terrorists as well as disturbed individuals,” Feltmeyer said.

The UTU is currently working with Amtrak to develop training of conductors, assistant conductors, on-board service personnel and yard

employees to enhance their abilities to recognize behavioral traits and deal with unruly passengers. That project is funded with forfeiture proceeds from federal drug-busts.

Additionally, discussions are underway with Class I freight railroads regarding joint UTU/railroad applications for federal grants to develop similar training programs for front-line Class I employees.

Feltmeyer, who is administrative assistant to UTU International President Mike Futhey, says the knowledge and understanding of vulnerability demonstrated by TRRA Police Chief George Muraski and former Amtrak Police Chief Ron Frazier will “help to make a strong case for DHS funding of this joint UTU/TRRA project.”

At UTU regional meetings in San Antonio and New York City in June and July, Feltmeyer led educational workshops on recognizing, reporting and responding to terrorist threats.

“Bruce Feltmeyer is uniquely qualified for this leadership task,” Futhey said. “During his years of rail service, he has developed training programs for the on-line UTU University; and, as a Union Pacific employee, he helped to develop customer-service related training materials for conductors and newly hired managers.

“Bruce also taught business software as an adjunct professor at a St. Louis community college,” Futhey said.

## LIRR committee holds fundraiser

Long Island Rail Road (LIRR) General Committee 505 recently hosted a fundraiser for Autism Speaks, which raised more than \$6,000 to benefit families on Long Island affected by Autism. More than 100 attended.

LIRR General Chairperson **Anthony Simon** introduced International President Mike Futhey to a room full of railroad workers and supporters.

Futhey rallied the room and vowed that “the UTU will lead the way against any attacks on working families here in New York or anywhere in the country.”

Simon and his committee thanked Futhey for his support and leadership during these difficult times and are committed to moving toward the future with him in solidarity.



From left to right are Long Island Rail Road General Chairperson Anthony Simon, Town of Babylon Supervisor Steve Belone, UTU International President Mike Futhey and Vice General Chairperson Vinnie Tessitore.

## RRB mails service, compensation form

The Railroad Retirement Board mailed to railroad workers in June their annual Certificate of Service Months and Compensation (Form BA-6), showing creditable railroad service and compensation for 2010.

If you did not receive Form BA-6 by July 1, or if you find the information to be incorrect or incomplete, contact your nearest Railroad Retirement Board field office by calling the RRB’s toll-free hotline at (877) 772-5772.

In checking the 2010 compensation total, be aware that only annual earnings up to \$106,800 were creditable for Railroad Retirement purposes in that year. That is the annual maximum on which Railroad Retirement Tier I taxes are paid and for which income is credited for Railroad Retirement benefits calculations.

Form BA-6 also shows the number of months of verified military service creditable as service under the Railroad Retirement Act.

## Great Lakes flight attendants ratify pact

Great Lakes Airlines flight attendants represented by UTU Local 40 have unanimously ratified a four-year agreement.

The UTU represents some 300 flight attendants and pilots on this regional airline based in Cheyenne, Wyo., and with hubs in Albuquerque, N.M.; Billings, Mont.; Denver; Kansas City; Los Angeles; Milwaukee; and Phoenix.

The ratified flight attendants’ contract provides for wage increases, a signing bonus, a per diem rate, a doubling of the sick-leave accrual rate, improvements to the uniform allowance and relocation expenses, and enhancements in working conditions.



Also included in the contract is a significant improvement in the discipline rule, which now requires the carrier to hold an investigation, issue a formal decision, respond to an appeal of the UTU, and hold a conference, if requested. An agency shop rule also is included in the ratified agreement.

UTU International Vice President John Previsich, who assisted with the negotiations, praised the efforts of Local 40 officers “for doing a good job of polling the membership to identify the needs and desires of the workgroup and for attending every session fully prepared and ready to negotiate.

“They did their homework, knew the contract inside and out, and did thorough research on industry-standard pay and rule provisions,” Previsich said. “Their efforts were essential in obtaining such a favorable contract at a time when the country and the airline industry struggle in a very challenging economic and political climate.” Previsich also thanked UTU International Vice President Paul Tibbit for his participation and “wise counsel.”

The UTU continues to negotiate on behalf of Great Lakes pilots, with negotiating sessions scheduled for June and July.

Great Lakes Airlines serves 48 of its destinations through the Essential Air Service program and is the nation’s largest provider of Essential Air Service. Great Lakes Airlines operates 30-passenger Embraer aircraft and 19-passenger Beechcraft airplanes.

## Supreme Court declines to weaken FELA

WASHINGTON – In a significant victory for injured railroad workers, the Supreme Court earlier this month declined to tighten the standard of proof injured railroad workers must demonstrate to win an award under the Federal Employers’ Liability Act (FELA).

CSX sought a ruling that the employer’s action must be the “primary cause” of the injury.

But the court ruled that a railroad may be held accountable if a jury concludes the railroad’s “negligence played a part – no matter how small – in bringing about the injury.”

A listing of UTU Designated Legal Counsel is provided at [www.utu.org](http://www.utu.org) in the “About the UTU” dropdown menu.

A listing also may be obtained from local union officers or your general chairpersons.

If you are injured on the job, the FELA and your UTU Designated Legal Counsel are the best friends you and your family have.



# State of the union

*Continued from page 12*

dures and fewer absentee voting days,” Futhey said. “We will do all we can to protect the integrity of the voting system.”

At the UTU International, said Futhey, automated billing and auditing, coupled with targeted cost cutting, reassignment of functions and upgrading of information technology allowed UTU International funds to increase from \$7.5 million to nearly \$16 million. “There is no proposal for a dues increase at the upcoming quadrennial convention,” Futhey said.

The Discipline Income Protection Program reserve fund was turned from a \$2 million loss in 2007 to a positive balance of more than \$5 million today, “allowing sufficient funds to provide the protection UTU members expect and deserve,” Futhey said. “The UTU Insurance Association surplus has been made stronger and now stands at near \$26 million.

“Our computer-based UTU University – a classroom without walls – is training officers to better serve their members at the negotiating table and in grievance handling,” Futhey said. “The awards data search engine has been improved, regional meeting workshops have been expanded to meet member requests, iLink provides better access to controlling awards and offers secure chat rooms for various levels of elected officers to exchange information and ideas.”

Among other achievements cited by Futhey:

- **The redesigned UTU website** includes a ‘Membership Toolbox’ with answers to member concerns and questions; and allows feedback to UTU officers. “Member questions and concerns will be answered,” Futhey said.

- **A federally funded agreement was reached with Amtrak** for the UTU to train employees to deal with unruly passengers; and another is being finalized with Terminal Railroad Association of St. Louis to train workers to recognize, respond to and report terrorist threats. Discussions are underway to expand these training programs to other carriers.

- **Legislative activities succeeded in gaining conductor certification**, minimum training standards, a requirement that an injured employee’s doctor – not the carrier – determine when the person can return to work, a prohibition against denying injured workers medical care or disciplining them for reporting injuries, and installation of positive train control.

- **The UTU is working with friends in Congress** to amend the Rail Safety Improvement Act

to require a 10-hour call for all unassigned road service; allow regular yard jobs only eight hours off duty between shifts; require yardmaster assignments be covered by hours-of-service provisions; require advance notice of interim release periods; and a limitation on limbo time to a maximum of two hours for each tour of duty.

- **On behalf of bus and transit members, the UTU is working to gain limitations on revocation of a commercial driver’s license** for traffic violations when operating a personal automobile, a better appeals process for drivers taken out of service, limitations on civil actions against drivers, mandatory training for drivers, federal grants to assist with training of bus officers in negotiating skills, and

greater flexibility to use transit capital grants for operating costs to preserve service and jobs.

- **On behalf of airline members the UTU is working to preserve Essential Air Services** grants and improve safety provisions for pilots and flight attendants.

- **The UTU is working within the AFL-CIO to prevent privatization of Railroad Retirement, Social Security and Medicare.** “Political extremists will not mess with your retirement,” Futhey said.

“This administration has delivered on its promises,” Futhey said. “Our record speaks for itself. We will never back up. We will never back down. We will always move forward.”



UTU International President Mike Futhey, second from left, speaks with fellow members at the Henry B. Gonzalez Convention Center in San Antonio. With Futhey, from left, are Local 756 (San Antonio) Vice Chairperson Bobby Flores, Local 1670 (Laredo, Texas) Alternate Legislative Rep. Martin Vacca and Local 1670 Secretary & Treasurer Mauricio Gonzales.

## Feds finalize new bus operating rules

The Federal Motor Carrier Safety Administration has published a final rule – effective for drivers in 60 days – amending the commercial driver’s license (CDL) knowledge and skills testing standards, and establishing new minimum federal standards for states to issue the commercial learner’s permit (CLP).

The final rule requires that a CLP holder meet virtually the same requirements as those for a

CDL holder, meaning that a driver holding a CLP will be subject to the same driver disqualification penalties that apply to a CDL holder.

The final rule requires:

- Successful completion of the knowledge test – currently a prerequisite for the CDL – prior to issuance of a CLP.
- States to use FMCSA pre-approved driver and examiner reference materials, state testing questions and exercises, and state testing methodologies.
- A prohibition on the use of foreign language interpreters in the administration of the knowledge and skills tests to reduce the potential for fraud.
- Each driver applicant obtain a CLP and hold it for a minimum of 14 days before applying for a CDL.
- A minimum age of 18 for issuance of a CLP.
- The CLP be a separate document from the CDL, and that it be tamperproof and include the same information as the CDL.
- Bus operator CLP endorsements be limited to a restricted passenger endorsement and/or a school bus endorsement. Also, states must use standardized endorsement and restriction codes on CDLs.
- That states, prior to issuing a CLP, perform a check of the driver’s previous driving record to ensure the driver is not subject to the sanctions based on previous motor vehicle violations. If the state discovers the driver is subject to such sanctions, it must refuse to issue a CLP to the driver.
- States verify the applicant’s Social Security number with the Social Security Administration.
- Limited initial and renewal periods for CLPs and CDLs.
- Motor carriers to prohibit using a driver who does not hold a current and appropriate CLP or CDL.

Go to [www.utu.org](http://www.utu.org) then to the Bus page to read the final rule published by the Federal Motor Carrier Safety Administration.

## Amtrak general committee donates \$10,000 to UTU Collective Bargaining Defense Fund



UTU General Committee of Adjustment GO 769, which represents Amtrak workers, recently donated \$10,000 to the UTU Collective Bargaining Defense Fund, which is raising money to finance efforts to raise public awareness and support for workplace democracy. Above, presenting the check to Assistant President Arty Martin (fourth from left) are (left to right) General Committee Secretary Charles M. Yura; UTU International Vice President John Previsich; Vice General Chairperson Dirk A. Sampson and General Chairperson Roger M. Lenfest.



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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.

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

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 photo was taken by retiree **Don Case Jr.** of Local 924, Richmond, Va. It shows a waterspout over the St. John's River in Jacksonville, Fla., headquarters of the CSX Corp., shown in the foreground.



The Official Publication of the United Transportation Union

## State of union: 'Stronger than ever'

SAN ANTONIO – Stronger protections for members, improved finances, successful organizing drives and superior wage and benefits agreements characterize the United Transportation Union in 2011, International President Mike Futhey told some 600 attendees in his state-of-the-union report at the first of two 2011 regional meetings here June 22.

"Before this administration took office Jan. 1, 2008, people said we couldn't organize, couldn't negotiate with carriers and couldn't solve the union's financial problems," Futhey said. "We proved them wrong on each allegation. The UTU is stronger than ever.

"As this administration completes its fourth year in office," said Futhey, "an average of one new air, bus, rail or transit property has been organized every seven weeks, two national rail agreements have been negotiated providing a combined 40 percent wage increase, the latest tentative agreement provides the highest increase in excess of the Consumer Price Index in the UTU's 41-year history, and UTU and UTUIA finances have been improved dramatically.

"The UTU Collective Bargaining Defense Fund helped finance a petition drive in Ohio that put on hold – pending a November voter referendum – a bill to eliminate collective bargaining rights," Futhey said. "In Wisconsin,



UTU members were among the leaders of a successful petition drive forcing supporters of an anti-union bill to face recall elections in July and August. The Ohio and Wisconsin efforts forced political extremists in Indiana to shelve legislation to eliminate collective bargaining rights.

"UTU political activism has awakened and outraged voters in numerous states where political extremists are attacking middle-class values, including efforts to curtail their ability to vote through tougher registration proce-

*Continued on page 11*

## Inside this issue of the *UTU News*:



UTU members show for night at the races. See page 2.



Former UTU President Al Chesser warns of 'extremists.' See page 3.



Photo highlights of the San Antonio regional meeting. See pages 6/7.



Amtrak general committee donates big to UTU fund. See page 11.