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The Official Publication of the United Transportation Union

## THE VOICE OF TRANSPORTATION LABOR

“The race to the bottom is ugly; it’s a fool’s errand that hurts every union member.”  
– UTU International President Paul Thompson (See column, page 5)

### News & Notes

#### Amtrak funding continues

President Bush on Feb. 15 signed a resolution that continues to fund most federal programs, including Amtrak, at fiscal-year 2006 levels through the end of fiscal year 2007, which ends Sept. 30.

The national intercity passenger railroad will receive \$1.3 billion in fiscal year 2007, well below the railroad’s \$1.6-billion basic request and \$1.9-billion full request.

Amtrak’s full request included \$100 million for a U.S. Department of Transportation-administered state corridor development program; \$100 million for debt reduction; \$50 million to help freight railroads address chokepoints that cause passenger train delays, and \$25 million for Americans with Disabilities Act compliance.

Amtrak also has asked Congress for \$1.53 billion in funding for fiscal 2008, a nearly 18 percent increase from the \$1.3 billion Amtrak is getting this year and nearly twice the amount proposed by President Bush.

The carrier says the increase reflects the need for infrastructure investments, including continued improvements on the heavily traveled Northeast Corridor.

In the funding request it sent to Congress, Amtrak said it had improved efficiency and increased revenues since reform efforts began at the government-owned corporation in 2005. Long-term debt has fallen from nearly \$4 billion in 2002 to less than \$3.5 billion, it said.

Amtrak’s request for operating funding is the same as what it received this year and in 2006: \$485 million. The company characterized that as an improvement, saying it will be able to compensate for inflation by improving efficiency to the tune of \$82 million.

Amtrak and its unions have been in negotiations for a new contract since August 2000, with little progress made.

#### FRA bumps reporting limit

Effective Jan. 1, FRA raised the monetary threshold for reporting certain railroad accidents/incidents from \$7,700 to \$8,200 involving property damage that occurs during calendar year 2007.

“This action is needed to ensure that FRA’s reporting requirements reflect cost increases that have occurred since the reporting threshold was last computed in 2005,” FRA said.

The FRA defines a “rail equipment accident/incident” as a collision, derailment, fire, explosion, act of God, or other event involving the operation of railroad on-track equipment (standing or moving) that results in damages to railroad on-track equipment, signals, tracks, track structures, or roadbed, including labor costs and the costs for acquiring new equipment and material.

## Lawmakers urge rails to end worker fatigue

Rail employee fatigue too often leads to deadly accidents – on and off the railroad – and it is time for a science-based regulatory approach to cure the problem, the chairman of the House Transportation and Infrastructure Committee said Feb. 13 at a rail subcommittee hearing investigating rail safety.

Rep. Jim Oberstar (D-Minn.) promised legislation that will bring the century-old hours of service statute into the 21st century and assure that rail employees in safety-sensitive positions are properly rested. This approach has support from the Bush administration, with Federal Railroad Administrator Joseph Boardman advocating giving regulators authority to measure, modify and monitor each carrier’s approach to reducing employee fatigue.



Oberstar

UTU National Legislative Director James Brunkenhoefer cautioned against scrapping the existing hours of service statute as Boardman proposed, urging, instead, that Congress retain the statute and give the FRA broad regulatory authority within the confines of the statute. Brunkenhoefer expressed concern

that without a strong statute, future regulators, perhaps less concerned with rail safety than Boardman, might seek to dilute safety regulations aimed at reducing and eliminating employee fatigue.

Currently, railroads are the only mode of transportation where its federal safety regulator has no authority to adjust maximum hours of service and minimum uninterrupted rest periods. Boardman said the FRA would seek a consensus for such regulations through the Rail Safety Advisory Committee (RSAC).

In comments that appear aimed at the railroads’ chief labor negotiator, Bob Allen, the subcommittee’s ranking Republican, Bill Shuster (R-Pa.), said it would be better if railroads and their labor unions could come to a negotiated agreement on safety issues because the federal government is likely to “screw things up worse.” Rail Subcommittee Chairperson Corrine Brown (D-Fla.) suggested labor and railroad negotiators “lock the door” and not come out until they reach agreement.

Brunkenhoefer earlier had explained that Allen has steadfastly refused to discuss safety issues at the bargaining table even though the

*Continued on page 10*

## Canadian officers relieved of duty

Four Canadian National general chairpersons have been removed from office and suspended from membership by the UTU Board of Directors in the wake of charges they engaged in an unauthorized strike against CN and were attempting to negotiate a merger agreement with the Teamsters.

Directed to take their place at the bargaining table with CN, under provisions of Article 85 of the UTU Constitution, were UTU Canadian Vice Presidents John Armstrong and Robert Sharpe, who immediately moved to be in compliance with the UTU Constitution.

Subsequently, UTU International President Paul Thompson declared the strike against CN to be authorized. (For more detail on this matter, see the article on page 3 of this issue, “Thompson answers questions regarding CN strike.”)

*Continued on page 10*

## Workers report UP ‘close calls’

Employees at the nation’s largest rail yard, the Union Pacific yard in North Platte, Neb., can now voluntarily and anonymously report “close-call” incidents that could have resulted in an accident, but did not, without fear of sanction or penalty from their employer or the federal government.

The program, initiated at the request of UTU and BLET, is part of a new rail-safety pilot project announced by FRA Administrator Joseph Boardman Feb. 2, 2007.

“Having the opportunity to learn about and analyze these close calls will help us identify and correct problems across the industry,” Boardman said, noting that the aviation industry already has a similar program.

FRA currently requires railroads to report a wide range of accidents and inci-

*Continued on page 10*

# Around the UTU

## News from around the U.S.

### Local 194, Elkhart, Ind.

The members of this Norfolk Southern local now have their own Web site featuring agreements, meeting dates, contact information and other useful data. View it at [www.utulocal194.com](http://www.utulocal194.com).

### Local 240, Los Angeles, Calif.

This Union Pacific local offers condolences to the families of **Joey Argusa**, 24, and 35-year-old **Jeremy D. Salinas**, said Trustee **Fred G. Comeau**. Both passed away in December 2006. Brother Salinas was injured in an on-the-job accident and was in an induced coma for about a week. (See story on Page 3.)

### Local 331, Temple, Texas

This BNSF local enjoyed a holiday party in December that drew more than 180 active and retired members and their spouses, said Local Chairperson and Legislative Rep. **C. L. Wickliffe**. Honored were former General Chairperson **Garland Neal** and current General Chairperson **P. W. Tibbit**. Meanwhile, local chairpersons **Bryan W. Mazza** (yard), **Wickliffe** (conductors), **Robert Goates** (enginemen) and **John Hancock** (brakemen) attended the quarterly combined Division Central Safety Committee/Local Chairpersons' meeting Feb. 6 in Spring, Texas. Addressed were fatigue, new-hire mentoring, train lineups, lodging conditions and held-away-from-home-terminal issues. The local also held its sixth new-hire labor agreement class, where **Brett McDaniel** took top honors; and marked the retirement of longtime Secretary and Treasurer **Robert Gillmore**, who held the post for more than 20 years, as well as other positions, including local chairperson for enginemen.

### Local 469, Madison, Ill.

An annual crappie tournament is being cosponsored by members of this local, who work for Conrail and the Terminal Railroad Association of St. Louis, and members of Local 1929 in E. St. Louis, Ill., who work for the Union Pacific and the Alton & Southern Railway. Secretary and Treasurer **John I. Payer** said the event, to be held April 21 at Mark Twain Lake in northeast Missouri, will feature cash prizes and trophies, as well as a barbecue and refreshments. All UTU members are invited to enroll. For information, contact Payer at (618) 452-0775 or Local 1929 Secretary and Treasurer **Rick Karraker** at (618) 791-5600.

### Local 492, Sacramento, Calif.

The 30th annual retirement dinner for Union Pacific workers from this local and from Local 1570 in Roseville, Calif., will be held at 5 p.m. on March 24 at the Roseville Elks Club, said Local Chairperson, Secretary and Treasurer and Delegate **Daryl M. Stinchfield**. Tickets are \$25, seating is limited and reservations are required. For information, contact **Norm Lucas**, secretary of the California State Legislative Board, at (916) 284-3737, or send e-mail to him at [wb6rvr@aol.com](mailto:wb6rvr@aol.com).

### Local 607, Thayer, Mo.

BNSF Railway workers from this local recently participated in a charity event with a local radio station and donated \$250 to the St. Jude Children's Research Hospital in Memphis, Tenn., said Local President **Chris**



Among the 12 UTU-represented employees who recently graduated as L.A. Metro rail operators were (from left) **Norma Martinez** of Local 1565 in West Hollywood, Calif.; **Andrea Watkins** and **Bonita Geyen** of Local 1607 in Los Angeles, and class valedictorian **Jeanne Henderson** of Local 1563 in El Monte, Calif. (Photo by Gayle Anderson of Metro Communications.)

### Becoming rail operator part of American dream

A job as a UTU-represented rail operator is part of the American dream for **Jeanne Henderson**. Being voted class valedictorian was icing on the cake.

Henderson, a member of Local 1563 in El Monte, Calif., and currently a Los Angeles Metro bus operator, came to the U.S. from the Republic of Cameroon in west Africa with the specific goal of becoming a train operator. Due to her seniority ranking, it's just a matter of time before she moves over to rail operations on a full-time basis.

One of a dozen UTU-represented employees who recently passed the Los Angeles County Metropolitan Transportation Authority's rail operator training program, Henderson was singled out by her classmates after the intensive seven-week course for the honor of being class valedictorian.

"I wasn't really paying attention to who had the best grades, and had no idea about being valedictorian," Henderson said, "but I really appreciated all the help I got from my instructors and especially from my classmates, who helped me with the 'railroad' language. I could never have learned everything without their help."

The other newly certified rail operators who passed the course in November 2006 include **Arthur Fontanez**, **Tonisha Moore** and **Ernest Matthews** of Local 1564 in Los Angeles; **Darrell Wuest**, **Richard Lira** and **Hector Garcia** of Local 1563; and **Armando Medina**, **Edward de Hoyos**, **Andrea Watkins** and **Bonita Geyen** of Local 1607 in Los Angeles.

"There was no opportunity like this in my native country," said Henderson. "My sister was here, and my parents wanted me to come to the U.S. to go to school, so that's how I ended up in Los Angeles."

Growing up in Cameroon, Henderson's first language was French. "I started going to school here and learned English, but I wanted to work on the train, so I applied for a job with the MTA."

She became a UTU member in late 2001 and went to work as a bus operator. "The bus is okay," Henderson said. "But that wasn't my goal. I always wanted to end up working on the trains."

**Skaggs**, Local Chairperson **Mike King** (enginemen), Local Chairperson **Jim Holloway** (conductors) and **Shane Wilson**, UTU representative for the Thayer South Safety Committee.

### Local 976, Shreveport, La.

Members of this Union Pacific local now have their own Web site at [www.utu976.org](http://www.utu976.org), said Webmaster **Steve Cline**. Though it's a work in progress, members are invited to log on to access news, meeting information, the text of agreements and other links.

### Local 982, Rochester/Syracuse, N.Y.

Members working for CSXT and New England Lines wish a speedy recovery to New England Lines conductor **Kevin R. Venne**, who was injured while relieving a train crew in the CSXT yard in Syracuse, N.Y., said Local Chairperson **Dave Murphy**. Meanwhile, the local newsletter last month included information to help familiarize new employees with contract matters and claims, and included a post-accident-testing flow chart. For a copy of the newsletter, telephone Murphy at (315) 468-1867, or send e-mail to him at [dmm123@aol.com](mailto:dmm123@aol.com).

### Local 1043, Sparks, Nev.

Members of this Union Pacific local are mourning the death of retired conductor **W. K. (Mully) Mulleneaux**, who passed away Jan. 14 at age 73, said Local Chairperson and Nevada Assistant State Legislative Director **Rod Nelms**.

### Local 1626, Anchorage, Alaska

Members working on the Alaska Railroad have established a fund to aid **Sean A. Janes** and his wife and four children, said vice general chairperson **George W. Huling**. Brother Janes was seriously injured in a rail accident in November 2006, suffering numerous injuries to his internal organs, as well as brain damage. Alaska Railroad workers aren't covered by the Railway Labor Act, Railroad Retirement or FELA, said Secretary and Treasurer **Mark Bear**, so the family's only source of income is workers' compensation. Donations may be sent to the AlaskaUSA Credit Union, P.O. Box 198613, Anchorage, AK 99519-6613. Checks should be made payable to **Jenni Janes** and directed to account #12965462 JANES. To learn how to donate electronically or by phone, call (800) 525-9094.

### Local 1846, W. Colton, Calif.

Members of this Union Pacific local recently learned of the death in December 2006 of retired conductor **Darold D. Tucker**, 65, said Local President **Richard Escamilla**. Brother Tucker's health problems led to his retirement last summer. He began his career in 1959 with the Pacific Electric Railway, which became part of the Southern Pacific in 1961 and the UP in 1996. "We will all miss his fantastic roll-bys on our way to Yuma, Ariz.," Escamilla said.

### Local 1963, Louisville, Ky.

Retired member **Joe Alenduff** is again organizing an annual picnic for railroaders in the vicinity of St. Petersburg, Fla. The event, set for March 17, will run from 11 a.m. to 3 p.m. at Ft. DeSoto Park in St. Petersburg. Coffee and iced tea will be furnished. Participants are urged to bring two covered dishes to share, their own place settings and a cup. All railroaders, their friends and relatives are welcome and encouraged to pass the word. For information, contact Alenduff at (727) 522-6808 or send e-mail to him at [jalen-duff@tampabay.rr.com](mailto:jalen-duff@tampabay.rr.com).



# Thompson answers questions regarding CN strike

Numerous questions have been submitted by members to the UTU International with regard to the Canadian situation. UTU International Paul Thompson responds to the questions below.

**Q: Why does the UTU call the strike by our brothers and sisters in Canada unauthorized, but the Canadian Industrial Relations Board found the strike to be legal?**

A: These are two completely different issues.

As to the legality of the strike, the UTU International never took a position that the strike violated the Canadian Labor Code.

Canadian National Railway challenged the legality of the strike notice and the Canadian Industrial Relations Board ruled against the railroad.

What the UTU International said is that the four general chairpersons who were removed from office by the UTU Board of Directors failed to follow the UTU Constitution.

The UTU Constitution is a body of law that affects every member and every officer of the UTU. All officers are required to take an oath of office that they will abide by the UTU Constitution.

The UTU Constitution contains specific procedures that must be followed before a strike may be declared. Chief among them is that only the UTU International president may authorize a strike.

The general chairpersons took it upon themselves to authorize a strike. They were informed, in writing, on two occasions precisely what procedures are required under the UTU Constitution.

Instead of seeking to clarify and follow those procedures, they ignored the procedures and took it upon themselves to call a strike, which was a blatant violation of the UTU Constitution.

Had the general chairpersons followed the provisions of the UTU Constitution, it is almost certain that the

International president would have authorized the strike. Indeed, the current Canadian negotiators are following the UTU Constitution and the International is 100 percent in support of the strike now that provisions of the UTU Constitution are being followed.

**Q: If the UTU International supports the strike, why were the general chairpersons removed?**

A: The general chairpersons were removed for specific violations of the UTU Constitution.

Specifically, the UTU Board of Directors cited the general chairpersons for engaging in a strike without requesting the assistance of the International pres-

ly has supported its brothers and sisters in Canada.

Two Canadians hold positions of full-time International vice president, and there is a full-time Canadian legislative director — three positions that are funded entirely by the International.

Two Canadians sit on the UTU Board of Directors, one Canadian sits on the UTU Executive Board, and one Canadian sits on the UTU Board of Trustees.

Each month, our brothers and sisters in the United States contribute some \$100,000 to fund operations in Canada. This is because Canadian dues receipts do not cover the expenses of Canadian operations.

In fact, U.S. members contributed in excess of \$1.3 million in dues dollars to finance UTU Canada during calendar year 2006.

Moreover, now that provisions of the UTU Constitution are being followed, the UTU International will start strike pay from the date the two Canadian vice presidents were properly assigned under Article 85 of the UTU Constitution.

If the proper procedures had been followed by the removed general chairpersons, strike pay would have already been paid.

As for whether the International has taken the side of Canadian National CEO Hunter Harrison, that is an allegation that belies the facts.

The UTU International fully supports its members on Canadian National and agrees with each of their concerns related to on-the-job safety and working conditions.

That is why the UTU International opposes agreeing to a cooling-off period as proposed by the carrier.

The UTU International does not want to see members go back to work on CN until our Canadian negotiators achieve a fair settlement at the bargaining table.

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**The UTU supports its members in Canada. Each month, our brothers and sisters in the U.S. contribute some \$100,000 to fund operations in Canada. Canadian dues do not cover the expenses of their operations.**

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ident and without his approval of said strike in plain violation of Article 85, lines 9-21, of the UTU Constitution.

Also, the UTU Board of Directors cited the general chairpersons for negotiating with the TCRC (Teamsters) with respect to affiliation with that union, thus engaging in the prohibited conduct of dual unionism in plain violation of Article 41, lines 32-36 and 39-42, of the UTU Constitution, and Article 23, lines 21-24.

Under the UTU Constitution, only the UTU Board of Directors may consider and implement plans of unification, affiliation or merger with another labor union.

The UTU International has always supported our membership and their right to self help, but consistent with the provisions of the UTU Constitution.

**Q: Why doesn't the UTU International support its brothers and sisters in Canada; and why has the UTU International taken the side of Canadian National CEO Hunter Harrison?**

A: The UTU International consistent-

## Salinas dies of injuries; Rodriguez by gunshot

The UTU International has received word of the deaths of two members: **Jeremy Salinas** and **Angel Rodriguez**.

Salinas, 35, a member of Local 240 in Los Angeles, Calif., was riding the point of a train at about 9:45 a.m. on Dec. 4 when a truck at a crossing slammed into him and pinned him against the car upon which he was riding.

According to Fred G. Comeau, trustee for Local 240 and formerly its secretary and treasurer, "It took 18 to 22 minutes for paramedics to remove the truck pinned on him. He was transported to the hospital and induced into a coma. After the doctors tried everything, his wife and family made the decision to remove him from life support."

Brother Salinas died Dec. 11, 2006. He leaves behind a wife and two young children.

Rodriguez was a Union Pacific switchman at West Colton, Calif., and member of Local



Angel Rodriguez (right) and family

1813 there. He was killed hours after celebrating his 25th birthday.

Rodriguez and another man were shot early on the morning of Sat., Jan. 20, outside a party in Colton, Calif. Rodriguez died at the scene;

the other man was shot several times and hospitalized in critical condition. A 17-year-old boy has been arrested in the crimes.

"He was at the wrong place at the wrong time," said Local Legislative Rep. Richard Acuna. "Every guy out there knew him and liked him; he was real friendly with everybody. He was well liked by all his fellow members, friendly, outgoing, inquisitive and safe. He was from a bad neighborhood and was trying to better himself."

Rodriguez was married and left four young children, Acuna said.

"Local 1813 is trying to assist Angel's wife, Sally, and their four children," Acuna said. "We have set up a memorial fund in his name." Any donations should be sent to the "Angel Rodriguez Fund" at the Washington Mutual Bank, Riverside/Pedley Branch, 7800 Limonite Ave., Riverside, CA 92507.

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## Training vital to security

The latest weapon used by terrorists to kill civilians in Iraq is chlorine gas, which *The New York Times* describes as "fatal after only a few concentrated breaths." The U.S. Naval Research lab says chlorine gas leaking from a single rail tank car could kill 100,000 people in a densely populated area.

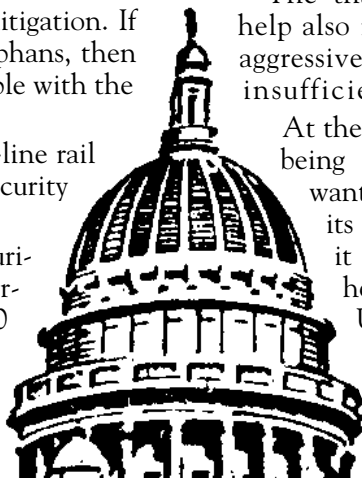
Don't sniff now, but chlorine gas is what railroads transport on most main lines and through population-dense areas. One mishap and, well, remember Graniteville, S.C., and Macdonia, Texas?

When Association of American Railroads President Ed Hamberger told Congress Feb. 16 that, "Nothing is more important to railroads than the safety and security of their operations," he shamelessly ignored that rail employees are not being properly trained to understand and deal with security threats.

The solution is improved employee training and fatigue mitigation. If railroads are not in the business of producing widows and orphans, then their chief labor negotiator, Robert Allen, should be at the table with the UTU and the BLET to solve the problem.

We must now look to Congress to require that every front-line rail and transit employee receive comprehensive, mandatory security training.

And we need more than the token 100 Transportation Security Administration professionals now assigned to oversee a surface transportation system of 140,000 miles of track, 7,000 miles of urban rail transit lines and 165,000 miles of bus routes.



## WASHINGTON WATCH

By James M. Brunkenhoefer

## Together we will advance the UTU agenda

UTU scored very well in the November elections. Although the UTU has many friends in both parties, it is the Democrats who are the most interested in advancing UTU's agenda.

The Senate is preparing to move a rail security and an Amtrak bill. The House has had two days of hearings on rail safety, and another day on fatigue.



Brunkenhoefer

This office has spent more than 100 hours preparing for these hearings. We draft testimony and then it is redrafted over and over.

Exhibits are made and we must get clearance from our legal advisers. We want to get as close to perfect as we can.

President Thompson has presented the Legislative Department with a lengthy list of goals we will work to have enacted into law – not just Amtrak and rail safety, but also labor protection and changes in the commercial drivers' license disqualification standards.

But before we get too excited, hear reality. The Democrats' margin in the House is only 13.

This means that to win a vote along party lines, the UTU would need a 97 percent favorable vote of the Democrats.

**Amtrak, rail safety,  
labor protections  
top our wish list**

## DM&E loan? No deal

By Paul Thompson  
International President

The Dakota, Minnesota & Eastern Railway is seeking a \$2.3-billion federal loan that is opposed by the UTU.

Historically, the UTU supported every railroad's request for a federal loan, loan guarantee and economic deregulation.

When times were tough, we agreed to concessions. The carriers promised that when times got better, so would our compensation, job security and working conditions.

The UTU always delivered on its promises. Management did not.

The UTU supported economic deregulation, and what happened? Railroads cut the workforce by more than half and now demand one-person crews.

The UTU supported billions of dollars in federal loans and loan guarantees for the carriers.

After pocketing the cash, the carriers sold track to non-union short lines paying lower wages and benefits, and used a regulatory loophole to avoid paying labor protection.

The thanks we get for past help also includes arbitrary and aggressive discipline and insufficient training.

At the DM&E, an old tune is being played. Management wants the UTU to support its federal loan request so it can compete head to head with BNSF and Union Pacific – to be one of the big boys.

But what do its employees get? They want us to stay on the porch.

The DM&E wants us to accept health and welfare benefits below what are paid by the big boys.

The DM&E wants to prevent its employees from taking advantage of 60/30 retirement provisions by not providing the same bridge as the big boys.

And the DM&E wants to scrap work rules we obtained at a price in past negotiations, plus wants us to accept a wage package below the national average.

The DM&E wants to force the UTU into a race to the bottom.

It wants to compete with BNSF and UP by having lower labor costs.

But once the DM&E starts competing with BNSF and UP for coal out of the Powder River Basin, it will be BNSF and UP who will demand similar labor concessions – only causing the DM&E to demand even more givebacks.

The race to the bottom is ugly – it's a fool's errand that hurts every union member.

The UTU always has been there for the carriers. It's time now for the DM&E – and other railroads in high cotton – to return the favor.

No longer will the UTU be a button the carriers press for support unless the carriers similarly do the right thing for their employees, who are entitled to wages, benefits, rules and working conditions that reflect the reality of the growth and success the DM&E promises its investors.



Thompson

That is why we keep a good relationship with both parties.

In the Senate, we have one Democrat who is currently under medical care and unable to participate in the process. It appears that that will remain unchanged for much longer.

Thus, Democrats have only 50 votes and Republicans 49. And since it takes 60 votes to stop a filibuster in the Senate, you can see how precarious is the Democratic majority.

Then there is the threat President Bush will use his veto pen, and a two-thirds majority in Congress is necessary to override a presidential veto.

The good news is that at least we do not have to look over our shoulders for what Congress will do to us. With Democrats in charge, those days are over.

It appears that the railroads and the other transportation companies are not as arrogant and cocky as they were just a few months ago, although not all of them have gotten the message that this no longer is a pre-November 2006 world.

We expect employers will fully recognize the reality of the new world as pro-union legislation piles up in the House and Senate.

Congress no longer stands to rubber stamp carrier objectives. For the first time in 14 years, labor is poised to accomplish some of its goals.



# State Watch *News from UTU State Legislative Boards*

## Indiana vs. Illinois

It started with some good-natured taunting via e-mail, and ended with the UTU PAC benefiting.

Indiana State Legislative Director **Tom Hensler**, an Indianapolis Colts fan, and Illinois State Legislative Director **Joe Szabo**, a Chicago Bears fan, went head to head recently via e-mail about which favorite team would win the Super Bowl.



Hensler

"You are talking smack, Tom," Szabo wrote. "You just know my Bears are going to win! A Colt is nothing but a young, weak animal waiting to be devoured by a big, bad Bear.



Szabo

"Do you know what Colts stands for? Count On Losing The Super Bowl," Szabo continued.

"Opening day for Bear season in Indiana is Feb. 4, city slicker," Hensler countered. "I am looking forward to having a bear skin rug in front of the fireplace. Even though Koala bears make a rather small rug I will enjoy it lying there anyway."

The two agreed that the loser would donate \$100 to the winner's UTU PAC fund.

Szabo's check is expected to arrive at the UTU International any day.

"I guess I talked him into this little match," Hensler said, "but in the end we had fun with it and the members in Indiana will benefit. I guess Joe is still licking his 'Bear' wounds."

"While the Bears were defeated, the real winners are the members in Indiana, and nationwide, who will benefit when, thanks to the UTU PAC, we elect people to office who understand the needs of working families," Szabo said.

## Minnesota



State Legislative Director **Phil Qualy** recently presented former BNSF General Chairperson **Dave Snyder** with a UTU Brass Lantern for the outstanding leadership and fine work he performed for his committee membership and the entire union.

The award was presented at the annual oyster feed held by Local 1177, which represents BNSF members working at Willmar; the event was attended by some 70 members and retirees.

"Brother Snyder's work has set a high bar for the rest of the UTU," Qualy said. "He has been a quiet, clear, and no-bull leader who has done well for our union.

"Please accept our UTU Brass Lantern with respect for a good switchman who has had one hell of a great shift on the lead," Qualy said in presenting the award.

## Delaware

**William Stone** is the new state legislative director for Delaware. He took over the post from former director **Nelson Seeney**, who retired in January. Stone has been serving as alternate state legislative director. He also serves as local chairperson and delegate for Local 1378 in Wilmington, which serves members working for CSX. For 33 years, Stone has been employed as a conductor for the CSX (formerly Chessie/B&O), working out of Wilmington.



Stone

## Texas



Texas State Legislative Director **Connie English Jr.** and members of the Texas Legislative Board Executive Committee have been working closely with the AFL-CIO and other groups to prevent the passage of House Bill 360, which would drastically restrict the venues where personal injury trials may be held.

"The Federal Employers Liability Act is under attack in Texas and we are fighting back," English said.

On a recent visit to Austin, members of the committee walked the halls of the Capitol to visit with all 181 members of the Texas Legislature to let them know the UTU's position.

Pictured outside the state AFL-CIO office are, left to right, English Jr. (L-489, San Antonio); Chairperson **Kenny Holman** (S&T, legislative rep., L-1524, Houston); AFL-CIO Secretary/Treasurer **Becky Moeller**; Vice Chairperson **James Homan Jr.** (legislative rep., delegate, L-524, Palestine); Assistant State Legislative Director **David Arterburn** (legislative rep., L-1313, Amarillo); AFL-CIO President **Emmett Sheppard** and Vice Chairperson **David Bludau** (local chairperson, legislative rep., L-953, Victoria).



## Bus Department

*By Roy Arnold, vice president/director*

### Progress to report in negotiations

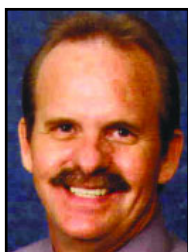
Local 1697 in Lubbock, Texas, (which represents members working for Texas, New Mexico and Oklahoma Coaches), with the assistance of the UTU International, has completed two full days of negotiations, with success in many areas, but still with a long way to go. More talks are scheduled for March and General Chairperson **Greg Hansen** is confident the local will reach a tentative agreement.

The UTU is also assisting PARSEC General Chairperson **Albert Collie**, Vice Chairperson **Alvin Green** and President **Juan Ucanan** in contract negotiations for members of Local 1900 in Miami/Ft. Lauderdale, Fla. Brother Collie has a positive attitude and is optimistic a successful agreement will be reached.

Local 1589, in Somerset, N.J., representing members working for Suburban Transit, will be opening contract negotiations in the near future and has requested the assistance of the Bus Department, which will be there for them.

The Bus Department has assisted Local 1741 in an arbitration case involving wrongful termination of First Student drivers in San Rafael, Calif.

In addition, Local 1741 is going to FMCS-provided mediation over huge increases in health insurance premiums that was passed on to the membership by the employer. (See article, page 11). It is the contention of the local that this was a direct violation of the labor agreement. I am confident that the local committee of adjustment, headed by General Chairperson **Diane Johnson**, with the assistance of President **Angie Beloy** and long-time member **Paul Stein**, will prevail. The Bus Department will assist if requested.



## Yardmasters

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

### Railroads sidetrack hazmat training

In this post-9/11 era, the nation's railroads are not doing their part when it comes to substantive and efficient training, especially relating to hazardous materials. Too often, the railroads' idea of training is a division or superintendent's notice, with no personal interaction with our members who most likely would be the first responders should a rail car be involved in a derailment and/or be found leaking in a rail yard.

The Association of American Railroads reports that rail carriers transport some 1.7 million carloads of hazardous material annually. Although railroads allege they work to ensure employees are prepared to respond quickly and efficiently, they spend only token time on hazmat training.

In Texarkana, Texas, on Oct. 15, 2005, Union Pacific suffered a rear-end collision of two freight trains that resulted in the puncture of a tank car containing propylene, a compressed flammable gas. When the National Transportation Safety Board adopted its final report on this accident, it recommended that Union Pacific "implement measures to ensure that all of your field personnel understand and comply with your procedures for responding to hazardous materials incidents." It was only after the fact that Union Pacific did any real training on hazmat in Texarkana.

Have you had yard-specific hazmat training? Does your yard have an evacuation plan? Is there a wind sock so you know in which direction to evacuate? If the answer is no to any of these, please contact your general chairperson and/or state legislative director for handling.

Rail employees, and the innocent citizens in the communities in which we work, deserve this basic protection. Help us hold the railroads accountable.





# SEE YOU AT THE 2007 REGIONAL MEETINGS!

The 2007 UTU/UTUIA regional meetings have been designed to provide a grand sense of fraternalism, lots of worthwhile education and tons of fun for the whole family.

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

Neither Kansas City nor Pittsburgh has been designated the joint U.S./Canadian regional meeting; Canadian members are free to choose the meeting that interests them.

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

A completed registration form listing each attendee, regardless of age, and complete payment in U.S. funds must be received at the UTU International Headquarters, 14600 Detroit

Ave., Cleveland, OH 44107, 30 days prior to the scheduled start of the meetings or the registrant will be charged an on-site registration fee of \$200.

The pre-registration fee for the 2007 regional meetings is \$150 per member, spouse or child over age 11. Additional fees apply for the golf outings. You must make your own room reservations, and certain deadlines apply.

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

You may cancel your regional meeting registration 10 days prior to the first day of the meeting or the golf outing without penalty. Please fax any changes or cancellations immediately to the UTU International Headquarters at (216) 228-5755.

## KANSAS CITY, MO., JUNE 11-13, 2007

**HYATT REGENCY CROWNE CENTER, 2345 MCGEE ST.,  
KANSAS CITY, MO 64108**

[www.crowncenter.hyatt.com/hyatt/hotels/index.jsp](http://www.crowncenter.hyatt.com/hyatt/hotels/index.jsp)

**Hotel reservations:** (800) 233-1234 toll free or (816) 421-1234 direct to the hotel.

**Reservation code:** "UTU1"

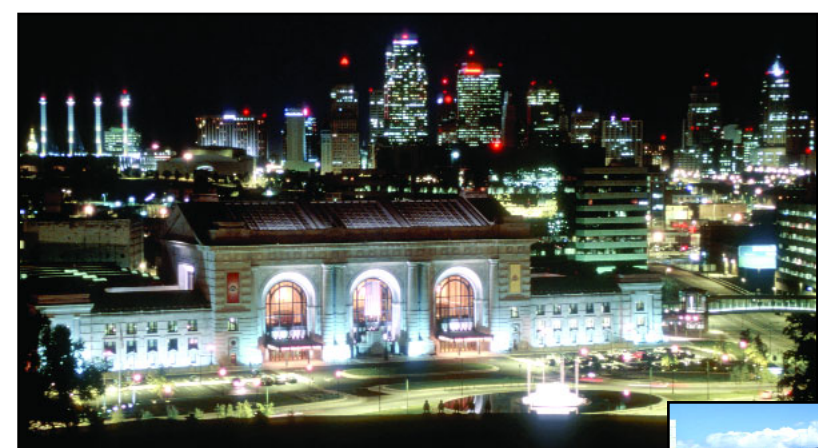
**Daily room rate:** \$105.00 single/double, \$130.00 triple/quad; rates good for three days before and after the meeting, depending upon availability.

**Reservation deadline:** May 7, 2007, or until all rooms being held for the UTU are reserved.

**Parking:** Self park: \$13.50 per night; valet park: \$16.50 per night.

**Golf outing:** The golf outing will be held on Sunday, June 10, at a golf course to be determined. The cost is \$80 per golfer, which includes transportation, golf, lunch and much more.

*Make your reservations early!*



From the restored Union Station (top left) to Bartle Hall (top right, Kansas City's dramatic convention center) to Crowne Center (bottom right, a three-level shopping, dining and entertainment center) to some of the best BBQ in the nation, Kansas City has something for everyone. Also, the Royals will be playing at Kauffman Stadium June 12 and 13.

## PITTSBURGH, PA., JULY 16-18, 2007

**HILTON PITTSBURGH, GATEWAY CENTER,  
600 COMMONWEALTH PLAZA, PITTSBURGH, PA 15222**

[www.hiltondirect.com](http://www.hiltondirect.com)

**Hotel reservations:** (800) HILTONS (445-8667) toll free or (412) 391-4600 direct to the hotel.

**Reservation code:** "UER"

**Daily room rate:** \$99.00 single/double, \$119.00 triple/quad. Room rates are good three days before and after the meeting, based upon availability.

**Reservation deadline:** June 14, 2007, or until all rooms being held for the UTU are reserved.

**Parking:** \$15.00 per day.

**Golf outing:** The UTU regional meeting golf outing will be held Sunday, July 15, at a golf course to be determined. The cost is \$80 per golfer, which includes transportation, golf, lunch and much more.

## UTU ARRANGES DISCOUNT AIRFARES, CAR RENTALS

UTU members and others attending the 2007 UTU regional meetings are eligible to receive discounted airfares of two percent to 15 percent from Continental Airlines. To take advantage of the discount, call your professional travel agency or Continental Airlines MeetingWorks at (800) 468-7022 and provide the Z code "ZUCA" and agreement code "AYW9D0."

There will be a \$10 service fee collected, per ticket, for all tickets issue through MeetingWorks reservations or any Continental Airlines ticketing facility. The service fee is non-refundable and applies to all itineraries, one-way or roundtrip. To avoid this service fee and receive and additional 3 percent discount, book your reservations online through Continental's Web site, [www.continental.com](http://www.continental.com). Enter both your Z code and agreement code in the offer code box. The additional 3 percent discount applies to published fares only. The discounts are available to Kansas City June 2-19 and Pittsburgh July 7-24.

Avis Rent a Car is offering discounted rates to those attending either regional meeting. To take advantage of these special rates, call (800) 331-1600. You can also reserve online at [www.avis.com](http://www.avis.com). The UTU's Avis Worldwide Discount Number is D150699.



Pittsburgh isn't just steel mills; it has a softer side where opera, dance and theater play their role. Along with Iron City beer-drinking sport enthusiasts are artists, writers, musicians and actors. There are world-class universities such as Carnegie-Mellon, Duquesne and the University of Pittsburgh, and a thousand and one other things for UTU members and their families to see, do, experience and enjoy. Also, the Pirates will be playing at PNC Park July 16-18.

## UTU REGIONAL MEETING REGISTRATION FORM

Registering before the regional meetings speeds sign-in procedures at the meeting site, helps organizers plan more accurately, and saves on meeting costs. These savings will be passed on to each pre-registered attendee. **Each person attending the regional meeting, including family members and guests, MUST be registered in order to attend any planned event. Please note that these meetings last 2 1/2 days and conclude on the afternoon of the third day.** Registration fees are \$150 per person; children 11 years of age and under are complimentary. On-site registration will be \$200 per person. All fees must be paid in U.S. funds. Canadian funds will be returned, possibly delaying your registration. If you have questions, consult your bank. Registration forms with payment must be received 30 days prior to the start of the meeting.

**Which regional meeting will you be attending?** ☐ Kansas City ☐ Pittsburgh

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

Transportation type: ☐ Automobile ☐ Air ☐ Other

### Member registration

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

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

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

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

Meals: Day 1 ☐ Lunch ☐ No meal  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Buffet breakfast ☐ No meal

**Spouse registration** ☐ Kansas City ☐ Pittsburgh

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

Meals: Day 1 ☐ Lunch ☐ No meal  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Buffet breakfast ☐ No meal

**Child registration** ☐ Kansas City ☐ Pittsburgh

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

Meals: Day 1 ☐ Lunch ☐ No meal  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Buffet breakfast ☐ No meal

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

Meals: Day 1 ☐ Lunch ☐ No meal  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Buffet breakfast ☐ No meal

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

Meals: Day 1 ☐ Lunch ☐ No meal  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Buffet breakfast ☐ No meal

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

Meals: Day 1 ☐ Lunch ☐ No meal  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Buffet breakfast ☐ No meal

**Guest registration** ☐ Kansas City ☐ Pittsburgh

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

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

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

Meals: Day 1 ☐ Lunch ☐ No meal  
Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals  
Day 3 ☐ Buffet breakfast ☐ No meal

**Golf registration** ☐ Kansas City ☐ Pittsburgh

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

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

(Golf fees are \$80 per golfer; include in total payment.)

### Payment options

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

Credit card ☐ VISA ☐ MasterCard

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

Signature \_\_\_\_\_

Should additional space be needed, make copies of this form and attach to the original. This form and payment of \$150 per person over the age of 11, plus golf registration fees of \$80 per golfer (if applicable), must be received at the UTU International Headquarters, 14600 Detroit Ave., Cleveland, OH 44107-4250, 30 days prior to the regional meeting. Make checks or money orders payable in U.S. funds to "UTU Regional Meeting." Those who do not pre-register for the regional meeting but instead choose to register at the meeting site will be charged a \$50 penalty fee.



# UTU for Life

## Widow(er)s benefits sometimes reduced

By V.M. "Butch" Speakman Jr.

Widow(er)s who receive monthly Railroad Retirement survivor benefits should be aware that reductions may be applied to their annuities under certain conditions.

The full retirement age for a widow(er)'s annuity is gradually rising from age 65 to 67, depending on the applicant's year of birth. Full retirement age means the age at which a person can receive full benefits with no reduction for early retirement.

A widow(er) whose annuity begins at full retirement age or later receives a full Tier I amount unless the deceased employee received an annuity that was reduced for early retirement.

Under the Railroad Retirement Act, the Tier I portion of a survivor annuity is also subject to reduction if any Social Security benefits are payable, even if the Social Security benefit is based on the survivor's own earnings. This reduction follows the principles of Social Security law which, in effect, limit payment to the highest of any two or more benefits payable to an individual at one time.

In addition, the Tier I portion of a widow(er)'s annuity may be reduced for the receipt of any federal, state or local government pension based on the widow(er)'s own earnings record.

For more information about the reductions applied to a widow(er)'s or other type of survivor's annuity, contact the nearest office of the Railroad Retirement Board by calling the automated toll-free RRB Help Line at 1-800-808-0772, or from the RRB's Web site at [www.rrb.gov](http://www.rrb.gov).

V.M. "Butch" Speakman Jr. serves as labor member of the U.S. Railroad Retirement Board.



V.M. Speakman



## UTU for Life, UTU PAC pay dividends to retired members

Anyone who joins the UTU for Life program or contributes to UTU PAC is a winner. But four retired members are especially noteworthy because their names were chosen in a pair of drawings connected to contests boosting these two programs.

John J. Roy of Local 598 in Mobile, Ala., recently received a wall clock created by noted railroad artist H.L. "Scotty" Scott III when his name was drawn from among those who joined the UTU for Life program in 2006 or renewed their memberships in that year.

Vincent Gonzales of Local 544 in Havre, Mont., won his choice of one of the UTU watches showcased on the UTU Web site when his name was drawn from among retirees who donated \$100 or more to UTU PAC in 2006.

The second- and third-place winners in



J.J. Roy holds the wall clock he won when he renewed his membership in the UTU for Life program.

the UTU PAC drawing, who received their choice of jackets bearing the UTU logo, were William H. Brown of Local 490 in Princeton, Ind., and James E. Stubblefield, a member of Local 891 in Whitefish, Mont.

"I keep my membership in the UTU for Life program to support my union," said Roy, 79, who started his career as a switchman on the Alabama State Docks Terminal and retired as a yardmaster in 1989. "The union helped me make my wages and improved our conditions."

"I think it's important for everyone to support UTU PAC," said the 64-year-old Brown, who began as a conductor on the Southern Railway in 1970 and retired on disability in 2000. "When we get a politician on our side, we have to keep him in office."

"UTU PAC is what got us the 30/60 retirement," said Gonzales, 75, who started his career on the Northern Pacific in 1956 and retired in 1993. "I believe in what it does for active and retired members."

## Huston Kitts Sr., 71, retired Va. SLD, dies

Former UTU Virginia State Legislative Director Huston W. Kitts Sr., of Christiansburg, Va., passed away Jan. 26, 2007. He was 71 years old.

A member of Local 48 in Norfolk, Va., Brother Kitts began his rail career as a brakeman on the Norfolk & Western Railway and joined Brotherhood of Railroad Trainmen Lodge 492 in November 1956. He retired as a Norfolk Southern conductor March 29, 1995. He became state legislative director in 1976, and held the post until his retirement.

Kitts played semi-pro baseball for a number of years, and served on both the national and Virginia transportation safety boards.

He is survived by his wife, Sarah "Sallie" Strauss; a daughter, two sons, three grandchildren, two brothers and his former wife, Eloise Kincaid Kitts.



Proud of his union and nostalgic for his days on the railroad, Soo Line retiree Harvey V. Western of Local 832 in Superior, Wis., displays the certificate which accompanied his UTU 50-year membership pin.

## 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
6	Steele, Loren R.	Richmond, Ind.
14	Jump, Theodore R.	Columbus, Ind.
18	Fulk, George E.	Chandler, Ariz.
27	Jeffrey, Troy E.	Chapmanville, W. Va.
48	Kitts Sr., Huston W.	Christiansburg, Va.
94	Gordon, Howard A.	Mountain Grove, Mo.
118	Lilly, David H.	Nimitz, W. Va.
194	Pierce, William H.	Terre Haute, Ind.
195	Scott, Richard J.	Galesburg, Ill.
198	Law, Leland L.	Tucson, Ariz.
202	Russell, Lawrence W.	Pueblo, Colo.
240	Coates, D. M.	Hemet, Calif.
240	Cosner, Robert W.	Hacienda Heights, Calif.
298	Noyes, Jack W.	Crossville, Tenn.
298	Savage, Peter A.	Sebring, Fla.
300	Podolsky, Samuel	Arlington, Va.
300	Truehart, Ernest B.	Andalusia, Pa.
311	Williams, Larry E.	Onalaska, Wis.
316	Gay, Marvin W.	Des Moines, Iowa
320	Buckley, Ernest W.	Tiffin, Ohio
320	Taylor, Richard M.	Saginaw, Mich.

Local	Name	City/State
320	Webb, James E.	Sand Point, Mich.
333	Nimmicht, Louis Q.	Evansville, Ind.
378	Schmitt, Donald C.	Waterford, Pa.
385	Harupa, John P.	Franklin Square, N.Y.
421	Scoville, Edward F.	Ashtabula, Ohio
453	Williams, Charles F.	Dewitt, Ill.
527	Clarke, George W.	Parsons, Kan.
586	Dunn, Edward H.	Marion, Ohio
586	Wygle, Herman L.	Marion, Ohio
645	Frank, George F.	Boynton Beach, Fla.
663	Myrand, Guy J. D.	Lewiston, Maine
706	Aliff, Charles H.	Salem, Va.
706	Peters, Theron D.	Burkeville, Va.
744	Anderson, Francis C.	Frankfort, Ind.
762	Ash, Hunter W.	Flomaton, Ala.
762	Traweek, Marvin N.	Wetumka, Ala.
763	Phillips, Gordon F.	Sun City, Ariz.
783	Gray, Wilson H.	Spencer, N.C.
792	Yedlicka, Robert C.	Cleveland, Ohio
835	King, Robert E.	La Pine, Ore.

Local	Name	City/State
847	Robbins, Fred W.	Birmingham, Ala.
898	Michalak, A. J.	Lynnfield, Mass.
953	Harris, Sydney J.	Victoria, Texas
971	Crenshaw, Lynwood E.	Victoria, Va.
976	Johnson, Jessy W.	Keithville, La.
1000	Olson, Carl L.	St. Paul, Minn.
1011	Loving, James Richard	Cameron, N.C.
1043	Tucker, Glenn T.	Sparks, Nev.
1059	Brezinski, Edmund A.	Bismarck, N.D.
1059	Vogel, Richard W.	Minot, N.D.
1137	Onsum, James B.	Glyndon, Minn.
1221	Patterson, Daniel D.	Gainesville, Fla.
1301	Thomas, Clarence E.	Blaine, Tenn.
1308	Conger, James T.	Lexington, Tenn.
1312	Harcus, George E.	Caryville, Fla.
1314	Carney, Winston W.	Etowah, Tenn.
1328	Bogges Jr., James P.	Louisville, Ky.
1378	Wooldridge, Harry C.	Cape Charles, Va.
1382	Callahan, John J.	Milwaukee, Wis.
1397	Marshall, Charlie	Bradner, Ohio
1397	Turner, James W.	Reynoldsburg, Ohio
1730	Baugh, Cleatus C.	Placerville, Calif.



# If only knowing the future was this easy...

## Prepare today, provide for tomorrow

Some say there are no guarantees in life. But there is one guarantee in life for all of us; we will all one day breathe our last breath. Nobody knows when this inevitable event will occur. But it's going to happen whether you choose to think about it or not.

Are you prepared?

By securing a life insurance policy **TODAY**, you're providing for tomorrow. You're preparing for final expenses that will need to be paid and providing financial security for your loved ones upon your demise.

At UTUIA, we know about preparing. Our agents have devoted months to studying the ins and outs of life insurance so that they can assist you in determining which policy would most benefit you and your loved ones. Our agents will take the time to explain the different types of life insurance available at UTUIA. They will discuss and calculate, at no cost or obligation, an insurance plan prepared exclusively for you.

Call toll-free (800) 558-8842 now for a free, no-obligation quote.



### Information, please

I would like more information on UTUIA's life insurance plans.

Please print

Full name

Date of birth

UTU local number

Address

City

State

ZIP

Telephone number with area code

Sex

Male ☐

Female ☐

Complete and mail to: UTUIA Sales Dept., 14600 Detroit Ave., Cleveland, OH 44107-4250

03/07



## Discount tours offered UTU for Life members

The UTU is offering two exciting travel opportunities for members of the *UTU for Life* program.

They are a trip aboard the luxurious **Rocky Mountaineer train** across Canada and a **national parks tour**.

The opportunity to take discounted trips with fellow UTU members is one of the many benefits of membership in the *UTU for Life* program.

The trips are being coordinated by Gone With the Wind Travel, the program's official travel agency.

The Rocky Mountaineer train trip includes two days aboard the spectacular Rocky Mountaineer, including passage through the Fraser Canyon and spectacular Rogers Pass; a motorcoach tour of Banff and Banff National Park; a visit to Vancouver; Yoho National Park, and a visit to beautiful Calgary, Alberta.

Rocky Mountaineer Rail Vacations include all the elements you need: rail journey, accommodations, attractions, sightseeing tours, luggage handling and transfers. Vacations are non-escorted, giving you the freedom to explore on your own.

Tour start dates from Vancouver (eastbound) begin Mondays, Wednesdays and Saturdays from April 2-Oct. 12.

The national park tour includes Las Vegas; the Grand Canyon National Park; Monument Valley; the Painted Desert; Lake Powell and the Glen Canyon Dam; Bryce Canyon National Park; Rainbow Bridge; Zion National Park; the Mormon Temple at St. George, Utah.

These trips are available only to *UTU for Life* program members. If the trips do not sell out, other UTU members will be permitted on a first-come, first-serve basis.

Also, all first-time travelers will receive a rebate of their annual *UTU for Life* dues (\$9) plus an additional \$9.

For complete details, for airline tickets or to make reservations call the UTU's designated travel agent, Marcia Naso, at Gone With the Wind Travel, toll free at (800) 886-4989, or at (216) 221-2121, or via e-mail at [marcia@gwtw.webmail.com](mailto:marcia@gwtw.webmail.com). For more information, click on the UTU tile at [www.gonewiththewindtravel.com](http://www.gonewiththewindtravel.com).

## Members' children need our assistance

The children of two UTU members need our help.

They are Victoria Love Houston, the two-year-old daughter of Brian and Valisha Houston, and Kevin Driscoll, the 16-year-old son of Tom and Dianne Driscoll.

Houston, legislative rep. of Local 750 in Knoxville, Tenn., and secretary of the Tennessee Legislative Board, is a Norfolk Southern engineer. Driscoll is local chairperson, legislative rep. and delegate from Local 262 in Boston and secretary of the New England States Legislative Board. He is employed as a conductor on CSX.



Houston

In early 2006, Victoria underwent surgery in Boston to remove a bowel obstruction that turned out to be a malignant tumor. Her entire lower intestine had to be removed. She is undergoing chemotherapy while awaiting a transplant. She has been transferred to Children's Hospital in Cincinnati for continued treatment.

"The separation during treatment in Boston has been very hard on the family. Cincinnati is still a long way from Knoxville, but it's much easier to travel there than it is to get to Boston," Houston said.

Kevin, a skateboarder and Patriots fan, was seriously injured in January in an automobile accident. He currently is undergoing extensive and expensive treatment at Spaulding Rehabilitation's Brain Trauma Center in Boston.

UTU members in Knoxville have established a fund to assist the Houston family. Those wishing to help should send contributions to the Victoria Love Houston Fund, New South Credit Union, 3161 N. Mall Rd., Knoxville, TN 37924.

"Tom Driscoll is a dedicated union officer and great guy, and our hearts go out to him, his wife Dianne and Kevin's five older brothers," New England States Legislative Director George Casey said. "Anything our UTU brothers and sisters can do to help this family would be greatly appreciated."

Donation checks made out to "Kevin's Cause" should be sent to Sovereign Bank, 175 Centre St., Pembroke, MA 02359.



# Fatigue

Continued from page 1

carriers had signed an agreement several years ago promising to do so. In fact, after the carriers and labor agreed to language (in another area of safety) that was enacted into law by the Illinois legislature, the carriers then sued in federal court to overturn the law.



Boardman

Rep. Grace Napolitano (D-Calif.) chided the railroads for lack of formal employee training aimed at assuring employees understand the dangers associated with sleep deprivation and science-based methods to manage their fatigue.

Also testifying was Tom Pontilillo, director of regulatory affairs for the Brotherhood of Locomotive Engineers and Trainmen, who said, "There is no question in our minds that safety degradation because of fatigue is a ticking time bomb in the rail industry."

Additionally, sleep scientist Steven Hursh, a

consultant to the FRA, explained that sleep during daylight hours is not as restorative as nighttime sleep, and that as workers shift from days to nights, their internal body clocks, known as circadian rhythms, "get out of sync with sleep demands."

Under the statute, rail employees subject to hours of service limitations may be kept on duty up to 12 hours, followed by only a single 10-hour rest period; and then be called back to work a second time for another 12-hour shift within a single 24-hour period.

Moreover, carriers may – and often do – require train crews to remain in the locomotive cab (to maintain locomotive security) for four, six or eight hours more after their 12-hour shift, followed by 10 hours off duty, at the end of which they can be ordered to begin another shift.

Hours spent on the locomotive after the 12-hour shift are known as "limbo time" because they count neither as time on duty or off duty.

"Limbo time," Oberstar said, "can and has kept railroad operating crews effectively on duty for well over 12 hours; and, in the case of the Union Pacific engineer involved in the 2004

Macdona, Texas, accident (which killed three), 22 hours (12 hours on duty and 10 hours of limbo time)."

Oberstar observed that if a carrier ends an on-duty shift just one minute before the 12-hour maximum, the carrier is required to provide only an eight-hour rest period – even if additional limbo time is involved – before ordering a train crew back on duty. "Since the required eight or 10 hours of off-duty time includes commuting, leisure and personal time, the duration of any period available for sleep could be even less than that," Oberstar said.

During questioning by subcommittee members, Brunkenhofer said, "Our membership lives in jet lag for their 30-year career. They don't know when they will be called to duty, how long they will be on the job, or when they will go home. The result is divorce, troubled children and destruction of family values." He asked that legislation be enacted to eliminate limbo time and prohibit carriers from calling train crews during their minimum rest periods.

Brunkenhofer also thanked UTU officers on BNSF Railway for providing him with helpful data on fatigue and rail safety.

# Canada

Continued from page 1

"It should be clearly understood," Thompson said, "that we have always supported our membership and their right to self help, but consistent with the provisions of the UTU Constitution."

Removed from office and suspended from UTU membership were General Chairpersons Rex Beatty (GO-105), Bryan Boechler (GO-129), Raymond Lebel (GO-121) and Sylvia Leblanc (GO-759).

Also suspended by the UTU board were full-time Vice General Chairpersons Gary Anderson, Roland Hackl and James Robbins. The four CN general committee offices were secured by the UTU.

The general committee officers may appeal to the UTU Executive Board their removal and suspension of UTU membership. If the appeal is not successful, elections for new general committee officers will be conducted.

In the meantime, Armstrong and Sharpe will remain in control of the affected general committees. The four removed officers are not eligible to hold other UTU posts owing to having their UTU memberships suspended.

The UTU Constitution, ratified by the UTU membership in Canada as well as in the U.S., is an internal code of conduct that all UTU officers take an oath to uphold.

Specifically, the UTU Board of Directors cited the removal of the general chairpersons for engaging in a strike of the Canadian National in

Canada "without requesting the assistance of the International president and without his approval of said strike in plain violation of Article 85, lines 9-21, of the UTU Constitution."

Also, the board cited the four removed general chairpersons for "negotiating with the TCRC (Teamsters) with respect to affiliation with that union, thus engaging in the prohibited conduct of dual unionism in plain violation of Article 41, lines 32-36 and 39-42, of the UTU Consti-

as C\$150,000," Thompson said.

"Moreover, Mr. Beatty accepted C\$660,000 from Canadian National Railway, with more than C\$250,000 of that money placed by him in his general committee's separate Canadian bank account rather than the International's as required by the UTU Constitution, which Beatty admitted to only after I discovered its existence following a slip of the tongue by Beatty," Thompson said.

## The evidence shows that Beatty, and perhaps others, sought to steer UTU Canadian members into the Teamsters Union in exchange for full-time jobs with the Teamsters and other payoffs.

tution, and Article 23, lines 21-24."

Under the UTU Constitution, only the UTU Board of Directors may consider and implement plans of unification, affiliation or merger with another labor union.

"It is truly unfortunate that our UTU members in Canada were given to suffer by these actions in violation of the UTU Constitution," Thompson said. "Had the general chairpersons followed the UTU Constitution and sought the assistance of the International president as required by our constitution, the membership would not have been on picket lines without the full support of the International."

"It appears from the evidence that Mr. Beatty, and perhaps the others...[sought] to steer UTU Canadian members into the Teamsters Union and receive positions with the Teamsters, and payoffs to their general committees of as much

"Early in 2006, I began receiving reports indicating that certain UTU general chairpersons in Canada had contacted the Teamsters and offered to deliver UTU Canadian membership to that organization in exchange for guarantees that they would receive full-time jobs with the Teamsters and their committees would receive payments from the Teamsters of up to C\$150,000," Thompson said.

Each of these facts is documented in a 62-page package available at [www.utu.org](http://www.utu.org) and by clicking on the button, "CN strike update."

That package also was mailed to all UTU members in Canada as well as UTU International officers, general chairpersons and state legislative directors.

To keep current on this and other UTU issues, go to [www.utu.org](http://www.utu.org).

# Close calls

Continued from page 1

dents that actually occur. The close-call information will be studied to determine areas of potential risk and to develop solutions to prevent accidents in the future.

The Confidential Close Call Reporting Pilot Project involves Union Pacific Railroad (UP), UTU and BLET. Each has entered into an agreement with the FRA to allow railroad employees to anonymously contact the U.S. Department of Transportation's Bureau of Transportation Statistics (BTS) to report potentially dangerous situations or near misses.

Examples of close calls could be as minor as employees lifting objects that place them at risk for minor injuries, or more serious events, such as a train operating in non-signaled, or dark, territory proceeding beyond its track authority, or a train crew member's failure to properly test an air brake before leaving a yard, which could lead to a runaway train.

The pilot project at the UP yard in North Platte began Feb. 1, 2007, and FRA plans to extend it in the coming months to other yards, including BNSF Railway's yard in Lincoln, Neb., and the Canadian Pacific facility in Portage, Wis.

Close-call reports will be taken for five years to permit researchers enough time to collect a sufficient number of incidents for thorough analysis.

Importantly, a review team will evaluate the reports as they are received in order to make safety recommendations for those that require immediate attention. FRA is also currently in discussion with commuter railroads to launch a fourth pilot project location.

Boardman said the close-call project is one of the key elements in FRA's National Rail Safety Action Plan, a comprehensive effort designed to reduce the causes of train accidents.

The UTU and others in transportation labor also are asking Congress to strengthen employee whistleblower protections nationwide so that rail employees need not fear carrier harassment and intimidation when reporting safety defects or concerns.





# UTU BUS LINES

News items culled from the UTU's Daily News Digest, posted every morning on the UTU Web site, [www.utu.org](http://www.utu.org).

## TSA chief defends bus, transit security

Transportation Security Administrator Kip Hawley last month sought to blunt Democratic allegations that his agency had neglected rail and mass transit security while focusing most of its attention on the terrorist threat to aviation.

"Effective measures are in place" to protect rail systems, Hawley said in appearance before a House Homeland Security subcommittee. Whereas the government provides for all the security personnel in the aviation sector, "most of the people in the rail and transit environment are paid for locally," he explained, adding that in the case of these systems, federal aid comes in the form of sharing information and technical assistance, and "does not include direct financial support."

Top subcommittee Democrats, however, skewered TSA for failing to produce the comprehensive rail mass transit security plan mandated by a 2003 White House executive order. "It is three years overdue," said Homeland Security Chairman Bennie Thompson (D-Miss.).

## L.A. Metro seeks to cut dozens of bus routes

Seeking to improve overall service and shrink a \$104-million deficit, the Los Angeles MTA has proposed cutting about three dozen bus lines, the *Los Angeles Daily News* reports.

The changes would be implemented by June 24 if adopted this spring by the San Fernando Valley Service Sector, a community-based governance arm of the MTA.

The long list of proposed changes was triggered by the MTA's twice-yearly evaluation designed to ensure maximum use of its 2,500-bus fleet, officials said. Decisions are based on the previous six months of reports on passenger loads and on-time service.

The MTA has proposed cutting down on operating service on three bus lines that have low ridership during the early afternoon, at night and on weekends.

It also wants to shorten other lines, dividing 30-mile routes into shorter distances to improve on-time service since longer trips are more likely to get bogged down by traffic.

## Cell phone ban sought for school bus drivers

The American School Bus Council is recommending that school bus drivers be prohibited from using cellular phones or other portable electronic devices – even those equipped with hands-free devices – while driving.

The group also advocates banning the use of cellular phones by drivers supervising the loading and unloading of students.

"The research is clear that cell phones cause drivers to lose focus," group co-director Pete Japikse said. "We don't want those distractions to be part of the school bus driver's environment."

Japikse said the group also will urge state lawmakers to take action.

There are at least a dozen states with laws or regulations prohibiting school bus drivers from talking on the phone.

The council's recommendation follows one from the National Transportation Safety Board, which said all bus drivers should be banned from using cell phones while driving.

## Health care premiums stagger L-1741 drivers

The members of UTU Local 1741 in San Francisco have filed a grievance against Laidlaw Transportation after being sucker-punched by health-care premium increases that in some cases increased more than 760 percent in one month and wiped out some of their paychecks.

Members of the local drive school buses for the San Francisco public schools. Laidlaw has the contract to provide bus service to the school system and employs the bus operators.

The local filed a grievance against Laidlaw, claiming the health insurance premium increase violated their contract, and proposed an expedited mediation.

"Laidlaw can raise the rates, but contractually, not until September," said Local President Ange Beloy. "But Laidlaw is not interested in an expedited arbitration and rejected that proposal." Mediation with Laidlaw officials could last until September or longer.

Premiums for single employees went up from \$18 to \$155 a month, Beloy told the *San Francisco Daily*. For employees with one dependent,

the rate increased from \$29 to \$345, and for those on the family plan, it went from \$35 to \$455, she said. That means a driver under the family plan now will pay more than \$5,000 per year for health insurance premiums, compared to last year's \$420.

Though the bus operators are employed by Laidlaw and not the school district, Local Vice Chairperson Brock Estes recently asked the school board to pressure Laidlaw to speed up the arbitration.

In the meantime, the bus operators find themselves between a rock and a hard place. With average annual earnings of about \$30,000, Beloy told the *San Francisco Daily* that many are having trouble putting gas in their cars for work.

The rate increase took the bus operators completely by surprise, said Estes, with some discovering on payday that their paychecks were completely consumed by the sneak-attack increase.

Four operators picked up their pay personally that day, Estes said, and at least one was driven to tears.

At a recent meeting attended by 75 of the local's 240 members, it was discovered that two in attendance had negative paychecks, four had zero-dollar paychecks and 25 received checks for less than \$25.

"Part of why people take this job is because health care costs were decent," Beloy said. "But working with kids, drivers get sick a lot."

Estes said he thinks the increase may cause some bus operators to quit.

He also said that between the toll increase that went into effect on the Bay Bridge and the premium increase, many simply will need to find work closer to home.

Beloy said many bus operators have dropped their health-care coverage and are trying to get on public assistance. Others are considering applying for jobs with the municipal bus system.

"This will be a shame that someone who meets the criteria to hold a school bus certificate will be doing a job that does not require the strict regulations we work under," Beloy said.

## Fired railroad workers win right to appeal

Rail workers who lose their jobs after failing background checks suggested by the government will now be able to appeal, according to the Associated Press.

At least three dozen railroad workers, mostly in the Chicago area, said they were fired unjustly because they failed criminal background checks recommended by the Department of Homeland Security.

Some had been hired by railroad contractors as part of work-release programs. Some had convictions for crimes that they said had nothing to do with terrorist activities, such as drunken driving.

The Department of Homeland Security is

expanding its efforts to secure critical infrastructure, including railroads and ports.

As a result, an increasing number of workers are finding that they must pass background checks to get security badges if they want to keep their jobs.

Ed Hamberger, president of the Association of American Railroads, told a congressional panel last month that the industry would give workers the right to appeal, something only their employer could do in the past. He also said the industry would make the appeals process clear to workers.

The Transportation Security Administration, a part of the Department of Homeland Security,

also issued guidelines outlining which crimes could disqualify workers from getting security badges, something that had been unclear. The TSA says ex-felons should be given a chance to keep their jobs if they could prove they have turned their lives around.

Civil rights activist Jesse Jackson, who took up the cause of the fired workers, said he was pleased with the guidelines and the appeals process.

"These guys can't afford lawyers," said Jackson. "They're just thrown back to the wolves."

According to Jackson, 12 workers were rehired after publication of an Associated Press story about the firings.



# 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 **Stephen Noyes**, a member of Local 1525 in Carbondale, Ill. "This picture was taken Oct. 28, 2006, at Hazelton, Kan.," Noyes said, "on the BNSF Transcon route between Wellington, Kan., and Amarillo, Texas. This is a westbound stack train headed for California."

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## UTU officer working on degree from National Labor College

Smarter is always better. Just ask CSX conductor Yvonne Hayes.

Hayes is taking time from her busy work and union-representation schedule to earn a twin-major college degree from the National Labor College.

The National Labor College, located in Silver Spring, Md., offers a bachelor of arts degree with majors in various areas of labor studies. During the 2006-2007 academic year, NLC will offer more than 70 week-long labor education classes in areas such as arbitration, organizing, negotiations, safety and health, union building and leadership development.

(The NRC also offers hazardous materials transportation/chemical emergency response training programs that many UTU members have attended.)

It was while attending the hazmat-training course that Hayes decided to expand her educational horizons at NLC.

Hayes, who serves as vice general chairperson and local chairperson for Local 1138, which represents CSX workers in the Miami, Fla., area, said that at NLC "you can take classes that enable you to be an integral part of building your union; those same union-building classes can start you on the path to finishing the bachelor's degree you have always yearned for."

"The NLC's degree programs are tailored to accommodate the schedules of union activists and folks with hectic work schedules. Reduced tuition and other benefits accrue to members of AFL-CIO affiliated unions, so this is one of the 'perks' that members of the UTU can take advantage of," Hayes said.

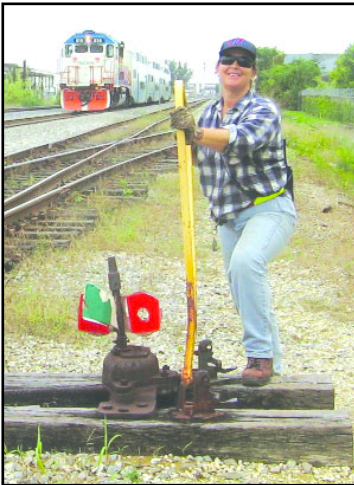
"My majors are labor education and labor safety and health," Hayes said. "Most of the courses are online. It's four weeks online with a chat room, then a week in residence in Maryland with intensive classroom time, then two more months online and writing your final papers. Some courses are all online. It's designed for people who work for a living."

Hayes said the tuition is quite affordable, and that tuition is reduced for members of AFL-CIO-affiliated unions, such as the UTU.

Some railroads also offer tuition-reimbursement plans, she said.

"This training will make me a better conductor because of the focus on safety and health," Hayes said. "I will be in a better position to advocate for safer working conditions."

UTU members and others who are interested in pursuing educational opportunities should visit the Web site of the National Labor College at [www.nlc.edu](http://www.nlc.edu).



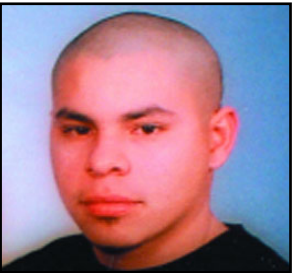
Hayes



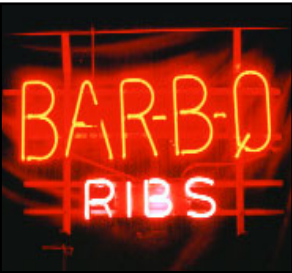
### Inside this issue of the UTU News:



Jeanne Henderson has come a long way in life. See page 2.



UTU members rally to aid family of Angel Rodriguez. See page 3.



The regional meetings are coming up. See pages 6 and 7.



Members' children need our financial assistance. See page 9.