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# UTU News

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The Official Publication of the United Transportation Union

## UTU fights for safer vans for railroad crews

UTU state legislative directors in a number of states are pushing to get enacted legislation that would protect their members and others who ride in company-provided vans.

Driving the effort are Wyoming State Legislative Director **Stan Blake**, Kentucky State Legislative Director **David Miracle**, Michigan State Legislative Director **Jerry Gibson**, Georgia State Legislative Director **Howell Keown**, Virginia State Legislative Director **Walter Yeatts** and Missouri State Legislative Director **Ken Menges**.

They hope to build on the success achieved last year when Arkansas lawmakers, with the full support of the UTU, passed legislation bringing contract carriers who transport rail employees under strict state safety standards.

The Arkansas law imposes minimum driver-hiring qualifications and disqualification standards, establishes hours of service limitations for drivers, subjects drivers to drug testing, requires

annual state DOT inspections of vehicles that transport rail crews, and requires DOT certification of weekly vehicle maintenance inspections and repair records.

Each vehicle is required to have fully functioning heat and air conditioning, secure locations for baggage, and fully operational seat belts.

Wyoming's Blake recently testified before the state's House Transportation Committee that Wyoming trainmen too often must take "dead-head" or "dog catching" vans that are unsafe.

Blake said the vans, because they carry eight or fewer passengers, are exempt from federal regulations that govern interstate passenger carriers operating large buses.

The UTU and BLET have asked the Wyoming House Transportation Committee to back proposed legislation that would require regular inspection of the vans, require drivers to obtain restrictive licenses, require testing drivers for drug and alcohol use, and impose other safety rules.

Blake and others told frightening tales of being picked up in vans in questionable condi-



tion with bald tires. They told tales of van drivers so tired they fell asleep at the wheel or who appeared to be under the influence of alcohol or other drugs. One trainman reported boarding a van only to have it back into a moving train. Van companies suffer from tremendous turnover in their roster of

drivers, the state director said.

Blake, who also serves as the ranking minority member of the Wyoming House Transportation, Highways and Military Affairs Committee, said railroad officials have ordered him to board vans they knew would be driven around safety barriers closing Interstate 80. Refusal to do so would result in a charge of insubordination and firing from his job, he said.

Committee Chairman Roy Cohee has asked Blake to submit a request for an interim study that would include attention to other industries that use the small vans.

In Kentucky, Miracle reports that rail van safety legislation passed out of the legislature's Labor and Industry Committee last month with

*Continued on page 11*

## News and Notes

### Lynx Aviation grounded

Republic Airways Holdings Inc. said last month it will shut down Lynx Aviation, the regional flying unit it acquired along with Frontier Airlines last year, reports the Associated Press.

Most flying done by Lynx, using turboprop aircraft and a Denver hub, will be replaced by regional jets operated by Republic crews.

(The UTU represents Lynx pilots. UTU International President Mike Futhey said the UTU would do all it is able to help the pilots through this difficult time. Lynx said most Lynx employees who will initially lose their jobs will be offered other positions within Republic.)

Lynx was the regional airline of Frontier Airlines. Republic, whose pilots are represented by another labor union, bought Frontier out of bankruptcy protection last year.

### SEPTA local elects two

Members of Local 1594, which represents more than 230 bus and trolley operators on the Southeastern Pennsylvania Transportation Authority's (SEPTA) Red Arrow Division, have elected two new officers in a run-off election.

**Eric Goodwin** was elected local legislative representative, while **Rodney Jones** was elected local delegate.

In the race for vice local chairperson, none of the seven candidates (**Michael Meighan**, **John Jackson**, **Curtis Fulmore**, **David Stinsman**, **James Shedrick Jr.**, **Rodney Jones** and **Donald Taylor**) received a majority of the vote. The slate of candidates will be reduced to five and another run-off election will be conducted. The vote is scheduled for March 19.

In an election held last year, members chose **Waverly Harris** as their general chairperson, **James Shedrick Jr.** as vice president, **Eric Goodwin** as secretary, **Harold Jones** as alternate delegate, and **Dana Cherry** as alternate legislative representative.

## Obama budget funds rails, transit

President Obama's proposed federal budget for fiscal year 2011, which begins Oct. 1, would further boost funding for high-speed rail corridors, provide Amtrak with a strong federal subsidy, accelerate modernization of the air traffic control system, increase federal oversight of transit safety, and increase the number of FRA safety inspectors.

The president's proposed budget is a blueprint that begins a complicated and lengthy federal budget process that ultimately is decided by Congress.

High-speed rail corridors, to which some \$8 billion in American Recovery and Reinvestment Act stimulus funds, and another \$1 billion in fiscal 2010 budget funds, were recently allocated, would receive another \$1 billion in federal funding, if Congress eventually concurs with the Obama budget request.

Amtrak would receive a \$1.1 billion appropriation.

The FRA's proposed budget would provide \$4.5 million to add 31 fulltime safety inspectors and grants specialists. Some \$244 million is proposed for FRA safety and operations programs for fiscal 2011.

Some \$30 million of the proposed Federal Transit Administration's \$10.8-billion appropriation would be used to establish a federal transit safety oversight program to ensure adherence to uniform federal safety standards across all transit systems. It would include the hiring of 130 full-

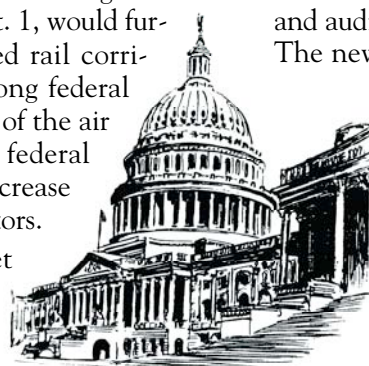
time safety inspectors to conduct investigations and audits of equipment and operating practices. The new oversight program would replace what the budget calls "the current patchwork of state safety organizations" with national standards and federal enforcement.

Also, some \$2.8 billion of the proposed Federal Transit Administration budget appropriation would be allocated for transit infrastructure improvements to move transit systems nationwide to a "state of good repair." Another \$1.8 billion would be used for new transit projects.

The Federal Motor Carrier Safety Administration budget for fiscal 2011 would include \$7 million to add 59 new fulltime safety inspectors so as to increase commercial motor carrier (including bus) safety inspections and compliance audits.

The Federal Aviation Administration's proposed budget would include \$1.1 billion to help speed replacement of a technologically outdated ground-based radar surveillance system in favor of state-of-the-art satellite technology. Some \$14 million would be allocated to adding 82 new fulltime safety and certification inspectors. The proposed FAA budget also would freeze expansion of the essential air services program, but allocate \$182 million for existing essential air service.

The House and Senate budget committees will now decide whether to accept, decrease or increase Obama's proposed federal spending for fiscal 2011.



**FISCAL BUDGET 2011**



# Around the UTU

## Local 240, Los Angeles, Calif.

Members **Hung A. Vo** and **William J. Watkins** retired last month after 34 and 32 years of service, respectively, Local Chairperson **Harry Garvin** said. "From all the members of Local 240, we wish them and their families well and many, long years of retirement." Garvin also reported the deaths of member **Dennis G. Jackson** and Dolly Grader-Gallagher. Dolly was the wife of deceased former General Chairperson **Glenn Gallagher** and had served as the office secretary for Local 240 and UTU GO-887 for over 30 years.

## Local 313, Grand Rapids, Mich.

Member **Paul Mitchell** died Feb. 2 from complications due to the H1N1 flu virus, State Legislative Director **Jerry Gibson** reported. Mitchell, a conductor who hired on with CSX in 1999, was 32. He is survived by a daughter, Moriah.

## Local 500, Grand Junction, Colo.

Members of this Union Pacific local are mourning the unexpected death of Local Chairperson **David Schoening**, who passed away Feb. 21. Schoening, 56, had served the local as chairperson for almost 20 years. "He was a really great guy, the glue that held that local together. He will really be missed," said State Legislative Director **Rick Johnson**. His father, John, was local chairperson for 30 years. "Dave followed in his footsteps. He was local chairperson for 18 years and also served as delegate."

## Local 650, Minneapolis, Minn.

Two member of this local passed away last month, according to Local Chairperson **Randy Raskin**. **Jeffrey Scott Busse**, 41, was killed in a snowmobile accident Feb. 4. He is survived by his parents, a daughter and step-daughter. Also, retired member **Joseph G. Koempel**, 87, died Feb. 3. "Our hearts and prayers go out to the family, friends, and loved ones of our fallen brothers," Raskin said.

## Local 750, Knoxville, Tenn.

Former Local Chairperson **Harvey Boles** is running for Knox County's 8th District school board seat. Boles, a ward chairperson and a member of the Knox County Democrat Executive Committee, also serves as president of the Northeast Knox United Democrat Club.

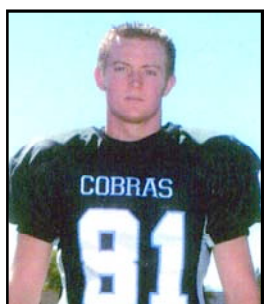
## Local 1000, Minneapolis, Minn.

State Legislative Director **Phil Qualy** urges all UTU members to consider a donation to the Lundy Family Memorial Fund. **Samuel Lundy**, 44, was a 17-year member of Local 1000. He died when a rail car jumped its tracks and pinned him against a building Dec. 29. He is survived by his wife, Jackie, and three children. The fund is being administered by the St. Paul Regional Labor Federation, AFL-CIO, 411 Main St., Ste. 202, St. Paul, MN 55102. Call Qualy at (651) 222-7500.

## Local 1003, Kankakee, Ill.

**Steven R. Cardosi**, 61, of Englewood, Fla., passed away at his residence Feb. 14, UTUIA Field Supervisor **Aaron Combs** reports. He was a third-generation trainman and began his career in 1968, retiring in 2007 with 39 years of service. He was also assigned the job of training student engineers and gained many young friendships. "Everyone looked up to him – he would have done anything for anybody," Combs said. Cardosi is survived by his wife, Mary, and three sons.

## Local 1081, Glendale, Ariz.



Michael Nolan

Michael Nolan, the son of conductor **Steve Nolan**, has been nominated by the coaching staff of Cactus High School to represent the state of Arizona and the school in the Down Under Bowl in Australia, State Legislative Director **Greg Hynes**



Former SEPTA assistant conductor **Brian Shannon**, left, receives a Pennsylvania Senate citation for outstanding service to the disabled from State Sen. **Greenleaf**.

## SEPTA employee Shannon honored for 'helping hand'

For his outstanding service to blind, disabled and handicapped passengers on South-eastern Pennsylvania Transportation Authority trains, **Brian Shannon** was presented with a 2009 Pennsylvania Senate citation.

A SEPTA assistant conductor and member of Local 61 at Philadelphia since 2007, Shannon received the citation for "essentially, helping the blind and disabled get tickets, finding them a seat, assisting them in recognizing their destinations, among other things," he said.

Prior to receiving the citation, Shannon had received numerous commendations from SEPTA for assisting blind, disabled and elderly passengers. The commendations were the result of passengers or their family members contacting SEPTA and recognizing an employee's exemplary service.

"SEPTA's rail division does an exceptional job in assisting the disabled," Shannon said.

He had also received in 2009, along with fellow UTU member **Ruben Morales**, an "Award for Excellence" from the Freedom Valley Disability Center. The center, Shannon said, helps newly handicapped individuals adjust to their disabilities.

Shannon explained that many people have a fear of the disabled because they are unsure of how to act around them, but "they just want to be treated as a person," he said. "As a manufacturing manager for my previous employer, I was trained by the Lehigh Valley Council in the 1980s to assist the disabled, especially the blind," Shannon said.

The citation was presented to Shannon in the office of State Sen. **Stewart J. Greenleaf** (R), who also happens to be a board member of SEPTA. "Sen. Greenleaf is union-friendly and an asset to the UTU in Pennsylvania. There are about 12 UTU members in his neighborhood and he knows that it is a good union," Shannon said.

"I have been in the same town (Willow Grove) and active in my community for 25 years and have gotten to know Sen. Greenleaf through a variety of family days, community events and other projects. I have tried to be a community activist in a positive manner," Shannon said.

In January 2010, Shannon transferred from his job as an assistant conductor to a terminal job as a passenger operations clerk. "I'm 62, you know," he said.

As for his Senate citation, "I did my job and I got recognized for it. That's all," he said.

reports. In order to participate, Michael is trying to raise \$4,500 to pay his expenses for the trip. A contribution of \$100 or more would make a donor eligible to win a trip for two, valued at \$10,000, to see the game. For more information, contact the Nolans at (602) 885-5237.

## Local 1440, Staten Island, N.Y.

Members of this Staten Island Railway local collected 155 coats for the underprivileged that were presented to the Project Hospitality program, Secretary & Treasurer **Vincent LaBella** reported. LaBella also reminds members that they can find more local news on the Web sites Facebook (become friends with UTU Treasurer) or Twitter (visit [www.twitter.com/utulocal1440](http://www.twitter.com/utulocal1440)). Motorman **Louis Taliento** retired after 30 years of service as "the smoothest operator" on the Staten Island. On a sad note, LaBella reported the death of retiree **James Maloy**, a 31-year member who was part of the inaugural class of retirees honored at last year's holiday/retirement party.



Local 1440 officers **Kerry Halvorsen**, **Jaime Brownell**, **Steven Uitto** and **Jerry Ruggiero** display just one of the 155 coats they and their fellow local members collected for the Staten Island Project Hospitality program.

## Local 1503, Marysville, Kan.

This Union Pacific local has established a Web site for its members at <http://local-1503.utu.org>.

## Local 1570, Roseville, Calif.

Switchman **Bill Chambers** has filed initial campaign papers with the state and said he'll be running for governor for a third time, according to Local President **Michael Rose**. Chambers ran for the office in the 2003 recall special election and the 2006 primary election, both times losing to Gov. **Arnold Schwarzenegger**. In 2006, Schwarzenegger polled 1.72 million votes to Chambers' 64,487. Chambers does note that he finished third overall in the 2006 Republican primary for GOP gubernatorial candidates and second in Placer County. "We need to restore responsibility and accountability to Sacramento," he said.

## Local 1732, San Jose, Calif.

On Feb. 20, Amtrak Conductor **Steve Ceballos**, working Train 749 from Sacramento to Oakland, was attacked by a passenger, Local Chairperson **Raymond Belluomini** reported. According to newspaper reports, Ceballos attempted to speak to an allegedly inebriated passenger. "He grabbed the wine bottle and hit the conductor over the head with it," said **Mikaela Falwell**, a student who witnessed the attack. "The conductor was already on the floor and the guy was punching him in the face," Falwell added. Police said Gregory Valencia was arrested after running from the train in Suisun City. Belluomini said Ceballos is recovering.

## Oakland Old Rails Club to host dinner, social

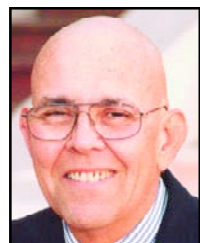
The Oakland Old Rails Club is finalizing plans for a dinner and get-together at Dino's Restaurant in Castro Valley, Calif., on Sunday, April 18. Happy hour will kick off at noon and will be followed by dinner an hour later. Tickets will be on sale at the March and April meetings, or can be purchased through club Secretary **Gilbert Sanchez** at 5030 Trask St., Oakland, CA 94601, or by calling (510) 533-4338. Entrees include steak with mashed potatoes or spaghetti, salmon Alla Bella or broiled half chicken with mashed potatoes or spaghetti. The cost of each entree is \$25. All are welcome.



## Second article on rail contract negotiations by former GS&T Dan Johnson

# The UTU seeks a mutually acceptable contract

In the February issue of *UTU News*, it was explained that the Railway Labor Act (RLA) is purposely designed to encourage both sides to reach a mutually acceptable solution that keeps the trains running.



Johnson

Railroad contracts have no expiration date, but do contain a moratorium prohibiting either side from seeking amendments until an agreed upon date when the contract may be reopened for amendment.

The current national rail contract between the UTU and most of the nation's major railroads was reopened for amendment on Jan. 1. There is no time limit during which the negotiating process must be completed. While some contract amendments have been negotiated within a few months, some negotiations have stretched on for years.

The RLA defines numerous steps rail labor and management must take in negotiating amendments to contracts covering wages, rules and working conditions. These steps include intervention by the National Mediation Board (NMB), whose experts seek to guide the parties toward a productive outcome.

### NMB cools tempers

While the NMB cannot force an agreement on either party, it has the authority to keep the negotiators at the bargaining table, indefinitely, plus other numerous tools to help cool tempers during stressful periods.

In January 2008, within 30 days of taking office, President Futhey and his negotiating team reached a tentative agreement with the carriers that was overwhelmingly ratified by the membership. This tentative agreement concluded several years of hostile bargaining between the previous administration and the railroads.

The moratorium on that agreement expired Dec. 31, 2009; prior to this date, the UTU and carriers exchanged desired amendments. A list of those desired amendments – as well as updates on

contract negotiations – may be viewed on the UTU Web site by clicking on the “National Railroad Contract” link in the lower right-hand corner of the home page.

The current UTU negotiating team, led by President Futhey, has had initial meetings with the carriers, and those meetings will continue periodically to explain each side's desired amendments, exchange data supporting each side's position, and move both sides closer to a tentative agreement.

### President Futhey subscribes to “interest-based bargaining,” by which each side explains to the other why they are seeking each contract amendment.

President Futhey subscribes to a progressive negotiating process known as “interest-based bargaining,” by which each side explains to the other why they are seeking each contract amendment – in fact, joint problem solving.

By the sides' exploring each other's problems, and mutually suggesting a range of trade-offs, negotiations typically jell into mutually acceptable solutions. This is in contrast to each side simply announcing demands and contentiously seeking surrender of the other side – a process that, more often than not, results in Congress forcing both sides to a settlement neither fully desires.

If the parties, notwithstanding the efforts of the NMB, cannot reach a voluntary settlement, the RLA provides for binding arbitration (which must be accepted by both parties) or investigation by a White House appointed presidential emergency board (PEB).

If the recommendations of the PEB do not lead to a settlement, the RLA has run its course and the carriers may unilaterally impose their desired contractual changes and/or labor can strike. Because of economic and national security concerns, Congress has rarely allowed a railroad work stoppage to continue more than a few days. Typically, this translates into Congress imposing, through a back-to-work order that serves as an amended contract, the recommendations of the PEB.

First and foremost, the RLA is a law designed

to avoid railroad strikes and lockouts and the resultant interruption of interstate commerce.

With that said, and with the parties at the negotiating table since early January, what is next? That will be the subject of next month's column.

*(Dan Johnson was UTU International GS&T from 2001 until his retirement in 2007. He hired on as a Southern Pacific trainman, Tucson Division, in 1966. He was elected vice local chairperson, local chairperson and legislative representative for Local 807, and was Arizona State Legislative Board chairperson from 1975-1983. He was vice general chairperson and general chairperson for Southern Pacific/Union Pacific Western Lines from 1981-1997; and a UTU International vice president from 1997 until his election as GS&T in 2001. Brother Johnson earned an undergraduate degree in government and history from the University of Arizona, where he also did graduate studies.)*

## NTSB urges stronger transit cars

The National Transportation Safety Board (NTSB) is asking the government to require transit-rail operators to meet safety standards that would prevent passenger-rail cars from crumbling in crashes.

Additionally, legislation to give the govern-

ment jurisdiction over rail-transit safety was introduced last month by Rep. Jim Oberstar (D-Minn.), who chairs the Transportation and Infrastructure Committee.

Regulators should also require that cars be designed to be more accessible to first responders, and that equipment failing to meet standards be removed, the NTSB said.

“There are no standards” for crashworthiness of transit rail cars, NTSB Chairman Deborah Hersman said. “That doesn't make any sense.”



“The growth in transit ridership is almost triple the growth rate of the population, and substantially more than the growth rate for vehicle miles traveled on our nation's highways,” Oberstar said. “This public transportation renaissance taking place in cities across America further elevates the importance of transit safety, while also spotlighting an issue that is inextricably linked to safety – the state of good repair of public transit systems.”

“According to the Federal Transit Administration (FTA), more than one-third of the total assets of the largest rail systems in the country are in either marginal or poor condition, and the estimated maintenance backlog for the nation's rail transit systems exceeds \$80 billion.

“Currently, there are no nationwide mandatory minimum standards for rail transit safety. Unlike the Federal Aviation Administration and the Federal Railroad Administration, the Federal Transit Administration does not have the authority to directly regulate public transit systems,” Oberstar said.

## Colon cancer: A silent killer

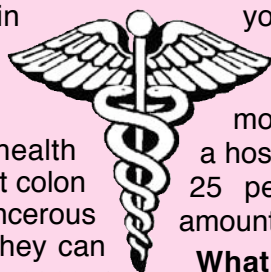
March is National Colorectal (Colon) Cancer Awareness Month, and here are some things you should know.

Colon cancer is usually found in people age 50 or older, and the risk of getting it increases with age.

If you are covered by private health insurance or Medicare, you can get colon screening tests to help find pre-cancerous polyps (growths in the colon) so they can be removed before they turn into cancer. Treatment works best when colon cancer is found early.

**How often is testing covered by Medicare?** Fecal occult blood test: once every 12 months; flexible sigmoidoscopy: once every 48 months; screening colonoscopy: once every 24 months (if you're at high risk); once every 10 years, but not within 48 months of a screening sigmoidoscopy (if you're not at high risk); Barium enema: your doctor can decide to use this test instead of a flexible sigmoidoscopy or colonoscopy. This test is covered every 24 months if you are at high risk for colon cancer and every 48 months if you aren't at high risk. (Limitations also may apply to those with private health insurance.)

The above limits apply to people with Medicare age 50 and older, except there is no minimum age for having a screening colonoscopy.



**What are your costs in the original Medicare plan?** You pay nothing for the fecal occult blood test. For all other tests, you pay 20 percent of the Medicare-approved amount after the yearly Part B deductible. If the flexible sigmoidoscopy or colonoscopy is done in a hospital outpatient department, you pay 25 percent of the Medicare-approved amount after the yearly Part B deductible.

**What factors increase risk for colon cancer?** Risk for colon cancer increases if: You have had colon cancer before, even if it has been completely removed; you have a close relative, such as a sister or brother, parent, or child, who had colorectal polyps or colon cancer; you have a history of polyps; you have inflammatory bowel disease (like ulcerative colitis or Crohn's disease).

Those with private health insurance may also be eligible for colon-cancer screening benefits; consult your health-care plan for benefits and limitations.

**Risk for colon cancer increases with age.** It is important to continue with screening, even if you were screened before you entered Medicare.

For more information, see the column by UTU Medical Consultant Dr. Norman Brown posted on the “Healthcare” page of the UTU Web site, [www.utu.org](http://www.utu.org).



# We need a national health care plan

I agree with President Obama on health care legislation: "Let us find a way to come together and finish the job for the American people."

We, as a nation, Democrats and Republicans, conservatives and liberals – patriots, all – must find a way to make health care insurance easier to obtain, more difficult to lose, and more affordable for all Americans.

Health care insurance – the lack of it for tens of millions of Americans; the cost of it for the rest of us – is a crucial component of our economy, and we can't strengthen the American economy until we fix our health care problem.

The problem is not a shortage of health care in America.

The problem is the cost of health care insurance to those who have it;



## International President's Column

By Mike Futhey, International President  
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and the cost of delivering health care to those without health care insurance – a cost increasingly borne by those with health care insurance.

You see, those without health care insurance typically delay seeking routine medical care until a health crisis occurs, which dramatically increases the cost of their treatment.

Those costs do not disappear. The

staggering hospital and other medical costs incurred by the uninsured – when they do fall ill – is beyond their ability to pay. Those costs are thus shifted to those with health care insurance because, in the end, hospitals, physicians and drug manufacturers must bill someone to stay in business.

While it is near impossible to determine precisely, we know that a meaningful portion of the health

Increasingly, carriers are attempting to force a greater share of these health care insurance costs on workers through increased cost sharing.

And make no mistake: the carrier does not pay the remainder of the premium as a goodwill gesture.

Too often, available wage increases must be sacrificed at the bargaining table because of the soaring cost of health care insurance.

Many smaller employers are actually eliminating company-paid group health care insurance, creating thousands more Americans daily without health care insurance and whose health care costs eventually will fall on those with health care insurance.

Members of Congress must put aside their political differences and stop trading evening-news sound bites.



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

## Soaring health care insurance costs eat away at available wage increases

care insurance costs of our employers include the costs of treating the uninsured.

Medical-cost inflation also is a big factor in the soaring costs of health care insurance. Since 2004, the cost to major railroads of providing employee health care insurance has soared by 41 percent, to \$15,671 per employee annually (of which the employee pays \$2,400, and the carrier the remaining \$13,271).

Only when we extend health care insurance to the tens of millions of Americans now lacking it, prohibit the denial of coverage to those already sick, help low-income families pay for health care insurance, and take meaningful steps to bring health care inflation under control, will we, as a nation, have truly looked into our individual souls and done right by each other.

# Your focus must be on job safety

The Federal Railroad Administration's primary function is to make America's railroads safer by establishing and enforcing federal regulations on railroad safety.

Our emphasis on the importance of safety is reflected in our staffing ratio. Of 895 positions, 684 are assigned to the Office of Railroad Safety. Many FRA employees are former railroad employees. The largest single group of employees comprises railroad safety inspectors, assigned to work among eight regions in the contiguous U.S. and Alaska.

The inspectors are assigned to one of five inspection disciplines: Motive power and equipment, operating practices, hazardous materials, signal and train control, or track and structures.

The FRA's field complement includes program managers for the FRA's Highway/Rail Grade Crossing Safety and Trespass Prevention Program, bridge structure specialists, and industrial hygienists. Passage of the Rail Safety Improvement Act of 2008 created a new Passenger Rail Division, Risk Reduction Division, and Positive Train Control (PTC) Team.

More information on our organization and the implementation of new initiatives can be found on the FRA's Web site at [www.fra.dot.gov](http://www.fra.dot.gov).

We are always happy to attend union meetings to explain the FRA's



## A message to UTU members from FRA Associate Administrator for Safety Jo Strang

regulations and how they are enforced.

The FRA also works closely with labor organizations as part of the Railroad Safety Advisory Committee (RSAC), comprising 31 organi-

Changes to the hours-of-service laws for freight railroad employees and upcoming changes for passenger railroad employees will serve to reduce fatigue and improve quality of life.

**"Our jobs demand a focus on performing our assignments safely, in compliance with federal regulations and the carriers' rules."**

zations representing labor, railroads, suppliers and manufacturers, states, and passenger advocates — plus advisers from the Federal Transit Administration, Transportation Security Administration, National Transportation Safety Board, the nations of Canada and Mexico, and other interest groups. The RSAC's unique partnership allows collaboration in the development of new rules and the review and revision of existing rules.

The conductor certification regulations will result in better training for freight and passenger conductors.

But, despite all this good news, railroads remain inherently hazardous places to work, because rail transportation involves the movement of large vehicles on fixed guideways in all weather conditions.

Our jobs demand a focus on performing our assignments safely, in compliance with federal regulations and the carriers' rules. It's the standard I expect of all FRA employees, including myself; it's the standard I expect from railroad supervisors and officers; and it's the standard I expect from you.

Recently, the FRA hosted a Switching Operations Fatality Analysis (SOFA) working group forum where labor, management and the FRA discussed the progress of the SOFA working group and held a series of problem-solving exercises. We were delighted that UTU International President Mike Futhey and other UTU leaders participated in the meeting.

Recently, FRA Administrator Joe Szabo issued a sobering reminder that, in 2009, 16 railroad employees left for work and never returned home.

He asked us all to focus on doing our jobs safely to eliminate these tragedies.

I echo his comments and ask you to join with the FRA in working toward zero railroad employee fatalities; it's the only number we can all live with.

(Jo Strang is FRA's associate administrator for railroad safety/chief safety officer, having previously been FRA's deputy associate administrator for railroad development and deputy regional administrator in Chicago. Earlier, she was associate director for railroad and transit accident investigation at the National Transportation Safety Board. She earned an undergraduate degree in economics and geology from the University of Cincinnati, and a master's degree in economics from Marquette.)



# State Watch

## News from UTU State Legislative Boards

### New Jersey

State Legislative Director **Dan O'Connell** testified recently in opposition to Gov. Chris Christie's proposal to reduce New Jersey Transit's (NJT) operating subsidy by more than \$32.7 million.

The UTU represents more than 1,000 train and engine service employees on NJT. They are members of Locals 60 (Newark) and 800 (Jersey City).

Testifying before the state assembly's transportation committee, O'Connell lashed out at charges made by the governor of "rich union contracts" and his call to end "the patronage hiring that has typified its past."

O'Connell countered that NJT rail workers are paid the lowest in terms of hourly wages out of four metropolitan area commuter railroads. He also said that rail workers pay into a 401(k) plan and toward their health benefits and are not covered by the state pension or health plans.

"For the governor to blame UTU members and say we should revisit our contracts is not unfair, it's wrong. Our labor agreements are an evolution, taking place over more than 27 years.

"I won't have our members made scapegoats over a global economic meltdown that has affected them as it has all New Jersey residents," O'Connell said.

"I have worked in the railroad industry for more than 35 years and for NJT since 1983. I remember the days of old, worn-out equipment. I remember delays because of switches not working as they should or problems with the overhead electrical lines. I would hope we think long and hard before making changes that would return us to those days," O'Connell said.

### Maryland

State Legislative Director **Larry Kasecamp** reports that the UTU worked with other labor organizations and associations to pass the Maryland "Flexible Leave Act," which entitles employees to utilize their earned paid leave for the purpose of caring for an immediate family member who is ill.

"If the employee is entitled to more than one

### Missouri



Missouri is slated to receive \$31 million in economic stimulus funds earmarked for high-speed passenger rail to make improvements to railroad tracks between Kansas City and St. Louis. The tracks, owned by Union Pacific, are used by Amtrak and the state of Missouri for passenger trains that cross the state.

On hand to celebrate the announcement was, left to right, Gerald Wohlgemuth (Local 226, Moberly, secretary of the state legislative board); State Legislative Director Ken Menges; U.S. Rep. Russ Carnahan; Justin Shacklette (Local 1823, St. Louis, alternate state legislative board secretary) and Jason Hayden (Local 1405, St. Louis, chairperson of the state legislative board).

form of earned leave, the law allows the employee to choose which earned paid leave is to be utilized for this purpose," Kasecamp said.

"The legislation also prohibits an employer from discharging, demoting, suspending, disciplining, or otherwise discriminating or threatening to take any of those actions against an employee because they have taken earned leave under these provisions of the law.

"We have had in the past single parents who have had to choose between taking care of their ill children and facing disciplinary action from their employer or going to work, even though they held earned paid leave but were not authorized to use it.

"That is a choice a parent should not have to make," Kasecamp said.

Kasecamp also reports he was elected an area vice president of the Maryland State and District of Columbia AFL-CIO at their recent convention.

### Arizona



State Legislative Director **Greg Hynes** and Local 113 (Winslow) Treasurer and Safety Coordinator **Mike Branson** recently attended a meeting in Phoenix with U.S. Secretary of Labor **Hilda Solis**.

"We discussed President Obama's policies and their impact on Arizona labor," Hynes said. "We also talked about the jobs bill, extended unemployment benefits, national rail and infrastructure projects and the need to support our friends of labor this congressional cycle."

Others in attendance included U.S. Reps. **Ed Pastor** (D-Ariz.), **Harry Mitchell** (D-Ariz.) and **Ann Kirkpatrick** (D-Ariz.). Pictured above, left to right, are Hynes, Solis and Branson.

### Nevada

State Legislative Director **Rod Nelms** is urging members in the Silver State to support **Jessica Sferrazza** in her campaign for lieutenant governor. "I feel Sferrazza has a proven record of



Sferrazza

effectiveness and willingness to work with others," Nelms said. "Her record of accomplishments as Reno city councilwoman is exemplary. Representing more than 500 retired and active railroad workers in Nevada and 125,000 active and retired members nationally, the UTU is very proactive in local, state, and national politics. That's why I am urging members in Nevada to support Ms. Sferrazza; she understands our issues."

## DOT eyes new funding standards for transit

In a dramatic change from existing policy, U.S. Transportation Secretary **Ray LaHood** has proposed that new funding guidelines for major transit projects be based on livability issues such as economic development opportunities and environmental benefits, in addition to cost and time saved, which are currently the primary criteria.

In remarks at the Transportation Research Board annual meeting, LaHood announced the Obama Administration's plans to change how projects are selected to receive federal financial assistance in the Federal Transit Administration's (FTA) New Starts and Small Starts programs.

As part of this initiative, the Federal Transit Administration is rescinding budget restrictions issued by the Bush administration in March of 2005 that focused primarily on how much a project shortened commute times in comparison to its cost.

"Our new policy for selecting major transit projects will work to promote livability rather than hinder it," said LaHood. "We want to base our decisions on how much transit helps the environment, how much it improves development opportunities and how it makes our communities better places to live."

The change will apply to how the Federal Transit Administration evaluates major transit projects going forward. In making funding decisions, the FTA will now evaluate the environmental, community and economic development benefits provided by transit projects, as well as the congestion relief benefits from such projects.

"This new approach will help us do a much better job of aligning our priorities and values with our transit investments" said FTA Administrator **Peter Rogoff**. "No longer will we ignore the many benefits that accrue to our environment and our communities when we build or expand rail and bus rapid transit systems."

The FTA will soon initiate a separate rulemaking process, inviting public comment on ways to appropriately measure all the benefits that result from such investments.

## Bus members ratify pact



Thirty-two of the UTU's newest members – bus operators employed by First Student in San Mateo, Calif. – have ratified their first contract.

The drivers are members of Local 1741, with their own officers. Helping to negotiate the agreement were, above, from left, UTU negotiating secretary **Debbie Belluomini**, Local Chairperson **Donnie Darty**, First Student official **Kim Mingo**, First Student official **Susan Moorehead**, Alternate Vice President, Bus Department (West) **Bonnie Morr**, Vice Chairperson **Peggy Reich**, Local 1741 General Chairperson **Paul Stein**, and First Student official **Javier Rodriguez**.

"This agreement was negotiated in the midst of difficult economic times nationally and in the State of California," Morr said. "We are grateful for the leadership of Paul Stein and the hard work and patience of our new First Student members."

## Bus officer seeks election

SANTA CRUZ, Calif. — UTU's alternate vice president of the Bus Department, **Bonnie Morr** (Local 23), is seeking a city council seat here in November, reports the *Santa Cruz Sentinel*.

She said she wants to foster greater collaboration between city officials and residents as budget cuts threaten vital services.

Morr, age 61, a long-time Santa Cruz resident, is employed as a bus operator by the Metropolitan Transportation District. She has served on the city's public works commission and unsuccessfully ran for a council seat in 2000.





# SEE YOU AT THE 2010 REGIONAL MEETINGS!

The 2010 UTU/UTUIA regional meetings have been designed to provide a grand sense of fraternalism, lots of worthwhile education and tons of fun for the whole family.

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

**UTU meeting registration and hotel reservations can be made online by visiting [www.utu.org](http://www.utu.org) and clicking on the “Meetings” tile in the blue menu bar at the left-hand side of the UTU homepage.**

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

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

Ave., Cleveland, OH 44107, 10 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 2010 regional meetings is \$150 per member, spouse or child over age 11, the same fee charged the last five years. Additional fees apply for the golf outings. You must make your own room reservations, and certain deadlines apply.

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

You may cancel your 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.

## Phoenix, Ariz., July 26-28

**ARIZONA BILTMORE RESORT & SPA**  
**2400 E. MISSOURI AVE.**  
**PHOENIX, AZ 85016**

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

**Hotel reservations:** (800) 950-0086 toll free; (602) 955-6600 direct; (602) 381-7600 fax  
**Reservation code:** UTURM  
**Daily room rate\*:** \$120 single/double, plus taxes and gratuity; rates good for three days before and after the meeting, depending upon availability. (This rate includes a \$28 daily resort fee.)  
**Reservation deadline:** June 23, or until all rooms being held for the UTU are reserved  
**Parking:** \$27 per day valet; \$12 per day self park  
**Golf outing:** The regional meeting golf outing will be held Sunday, July 25, at the Arizona Biltmore Golf Club. The cost is \$80 per golfer, which includes golf, lunch and more.

\*The Arizona Biltmore will charge an early checkout fee for guests departing prior to their reserved checkout date. When making a room reservation, guests will be charged a first and last night's deposit (refundable up to 14 days in advance of their arrival date). All credit cards used to make a hotel reservation will be charged this deposit immediately. All room reservation cancellations must be made 14 days prior to the scheduled arrival date. Cancellations placed within 14 days of arrival will result in a charge for the days the guests were scheduled to have stayed.



*Clockwise from above: The luxurious Arizona Biltmore; the pool at the Arizona Biltmore; the Phoenix skyline.*

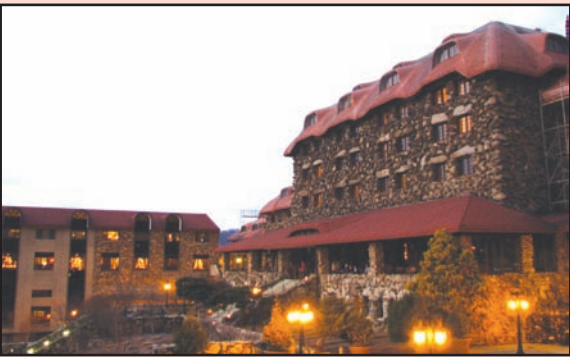


## ASHEVILLE, N.C., Aug. 23-25

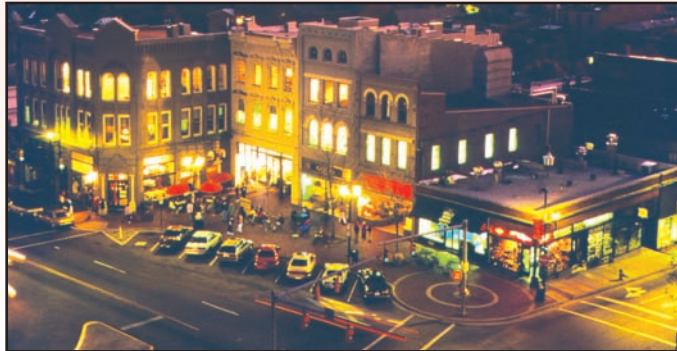
**GROVE PARK INN RESORT & SPA**  
**290 MACON AVE.**  
**ASHEVILLE, NC 28804**

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

**Hotel reservations:** (800) 438-5800 toll free; (828) 252-2711 direct  
**Reservation code:** 68N3AM  
**Daily room rate:** \$130 single/double, plus tax. Room rates are good three days before and after the meeting, based upon availability.  
**Reservation deadline:** July 10, or until all rooms being held for UTU are reserved.  
**Parking:** \$20 per day valet; free self parking  
**Golf outing:** The regional meeting golf outing will be held Sunday, Aug. 22, at The Grove Park Inn Golf Course. The cost is \$80 per golfer, which includes golf, lunch and more.



*Clockwise, from lower left: downtown Asheville; the Grove Park Inn is sited in the mountains of western North Carolina; a view of the back of the hotel.*



## TWO SPOUSE TOURS SET

The UTU is arranging two different tours of local attractions at both regional meetings. They will take place the day before, as well as the first day of, each regional meeting. Tour fees are shown on the registration form at right.

In Phoenix, there will be a Sunday tour of the city and suburbs, or a Monday tour of Frank Lloyd Wright's Taliesin West. In Asheville, on Sunday participants will visit Chimney Rock Park; a Biltmore estate tour will take place Monday.

Check out the "Meetings" page of [www.utu.org](http://www.utu.org) for complete details.

## UTU ARRANGES DISCOUNT AIRFARES, CAR RENTALS

Continental Airlines is offering discounts of 2 percent to 10 percent off published fares to UTU members and others attending the Phoenix and Asheville regional meetings. To receive the discount, call your travel agent or Continental Airlines MeetingWorks at (800) 468-7022 and provide the Z Code **ZGUC** and Agreement Code **BOGHT4**. There will be \$20 service fee collected, per ticket, for all tickets issued 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 a service fee and receive an additional 3 percent discount, book your reservations online at [www.continental.com](http://www.continental.com). Enter both the UTU's Z Code and Agreement Code, with no space (**ZGUCBOGHT4**), in the Offer Code box. The additional 3 percent discount applies to published fares only.

The UTU also has arranged with Avis Rent-a-Car to offer discounted rates to UTU members attending the 2010 regional meetings. To reserve a car, contact Avis at (800) 331-1600 and use the UTU's Avis Worldwide Discount (AWD) number: **D150699**. Or reserve online at [www.avis.com](http://www.avis.com).

## UTU REGIONAL MEETING REGISTRATION FORM

Registering before the regional meetings speeds sign-in procedures, helps organizers plan more accurately, and saves on meeting costs. **Each person attending the regional meeting, including family members and guests, MUST be registered in order to attend any event. Please note that these meetings last 2 1/2 days and conclude on the afternoon of the third day.** Registration fees are \$150 per person; children 11 years of age and under are complimentary. On-site registration is \$200 per person. All fees must be paid in U.S. funds. Canadian funds will be returned, possibly delaying your registration. If you have questions, consult your bank. Registration forms with payment must be received at the UTU International 10 days prior to the start of the meeting for the member/spouse to be considered pre-registered.

**Which regional meeting will you be attending?** ☐ Phoenix ☐ Asheville

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

Transportation type: ☐ Automobile ☐ Air ☐ Other

### Member registration

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

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

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

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

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

**Spouse registration** ☐ Phoenix ☐ Asheville

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

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

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

**Child registration** ☐ Phoenix ☐ Asheville

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

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

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

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

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

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

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

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

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

**Guest registration** ☐ Phoenix ☐ Asheville

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

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

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

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

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

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

**Golf registration** ☐ Phoenix ☐ Asheville

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

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

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

### Payment options

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

Credit card ☐ VISA ☐ MasterCard

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

Signature \_\_\_\_\_

Should additional space be needed, make copies of this form and attach to the original. This form and payment of \$150 per person over the age of 11, plus golf registration fees of \$80 per golfer (if applicable) and spouse/guest tour fees (if applicable), must be received at the UTU International Headquarters, 14600 Detroit Ave., Cleveland, OH 44107-4250, 10 days prior to the regional meeting for the member/spouse to be considered pre-registered. 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 choose to register at the meeting site will be charged a \$50 penalty fee. Space on the tours is limited; reservations are first-come, first-served.



UTU  
Alumni

UTU Alumni Association


News, information for members of the UTU Alumni Association

## If things change, let the RRB know

By V.M. “Butch” Speakman Jr., labor member, Railroad Retirement Board

Entitlement to benefits under the Railroad Retirement Act carries the responsibility for reporting events that may affect the payment of these benefits to the employee or to members of the employee’s family.

Railroad Retirement annuitants must notify the RRB if they:

- 

Speakman
- Work for any railroad employer;
  - Work in any type of employment, including self-employment, after their annuity begins;
  - Have changes in their employment earnings;
    - File for any Social Security benefits, or if there is a change in the amount of those benefits (except for the annual cost-of-living adjustment);
    - Begin to receive a federal, state or local government pension, or certain other payments not covered by Railroad Retirement or Social Security, such as from a non-profit organization or from a foreign government or employer;
    - Are receiving a disability annuity and their condition improves, or they are told by their doctor that they are able to work;
    - Receive worker compensation payments, or any other public benefit based on disability, or if the amount of those payments changes;
    - Are imprisoned or confined;
  - Change their address;
  - Want to use direct deposit for their payments; or
  - Receive an age and service annuity or an occupational disability annuity and become totally disabled before full retirement age.

Survivors of an annuitant must notify the RRB in the event of the annuitant’s death.

Auxiliary beneficiaries, such as spouses, or those receiving benefits on behalf of minor or disabled children, must also report any change in their marital status or if a qualifying child leaves their care.

To notify the RRB about the events, or if you’re unsure whether a report is necessary, call (877) 772-5772. You may also review the RRB’s publication “Employee and Spouse Annuities – Events That Must Be Reported” (Form RB-9), available on the Web at [www.rrb.gov](http://www.rrb.gov).

## Tour Alaska with the UTU

The UTU is offering the members of the UTU Alumni Association the vacation of a lifetime – an 11-day excursion to Alaska – at a group-tour price that is hard to beat.

This tour includes a seven-day cruise up the Inside Passage, a flight to Fairbanks and a two-day tour aboard the McKinley Explorer, a luxury train with domed passenger cars.



Vacationers will depart Vancouver, B.C., Aug. 15 aboard Holland America’s M.S. *Statendam*.

Stops will include Ketchikan; Juneau (including the Tongass National Forest and the Mendenhall Glacier); Skagway (home to the Klondike Gold Rush National Historical Park and the White Pass & Yukon Route Railroad), and a cruise of Glacier Bay National Park and Prince William Sound.

After a flight from Anchorage to Fairbanks, you will board the luxurious McKinley Explorer train where you will take in the sights and sounds of the Alaska Railroad. You will arrive at Denali National Park lodge that evening.

The next day is for exploring and side trips. Then you will reboard the Explorer for a trip over the Hurricane Gulch Bridge back to Anchorage. You will depart Anchorage the next morning, or stick around and explore if you desire.

The UTU, through its association with Landfall Travel/American Express, is able to offer this once-in-a-lifetime trip beginning at only \$1,352 per person. Certain other fees and taxes apply.

This tour is open to all UTU Alumni Association members, family and friends; other UTU members are welcome to join them as space permits.

For more information contact Landfall Travel toll free at (800) 835-9233; log onto the UTU Alumni Association page at [www.landfalltravel.com](http://www.landfalltravel.com), or email [travel@landfalltravel.com](mailto:travel@landfalltravel.com).



## The good old days...

This photo was sent by retired Chicago & North Western (now part of UP) conductor Mac Thornes, a member of Local 316, Clinton, Iowa. “This is my daughter, Carrie Thornes, when she was young. It was taken around 1966 in Cedar Rapids, Iowa. When I came home from work, the kids would get into my lunchbox because sometimes I would have candy in it. Carrie is wearing my cap with a Brotherhood of Railroad Trainmen badge on it. There’s another on the lunchbox.”

## THE FINAL CALL

Following are the names of recently deceased members who maintained annual membership in the UTU Alumni Association (formerly known as the UTU for Life Program), 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
6	Cox, Gilbert D.	Indianapolis, Ind.	653	Arthur Jr., John T.	Tinley Park, Ill.	1289	O'Dell, Henry H.	Cushing, Okla.
18	Vinall, Delbert G.	Los Angeles, Calif.	630	Akers, Rudolph	Martin, Ky.	1374	Delboccio, Patrick	Girard, Ohio
23	Jones, Ruth	Gilroy, Calif.	655	Clark Jr., Walter W.	Bluefield, W. Va.	1375	Smith, Clyde W.	Beverly Hills, Fla.
48	Strickland, Paul E.	Conway, S.C.	792	Heller, William R.	Cleveland, Ohio	1378	Burris, Harvey E.	Bear, Del.
60	Rafferty, John P.	Bronxville, N.Y.	794	Ferguson, Jason A.	Wellington, Kan.	1386	Cadden, Robert D.	Upper Sandusky, Ohio
94	Rowe, William R.	Scranton, Kan.	821	Gabbert, J.E.	Del Rio, Texas	1423	Ptasnik, John	Kewanee, Ill.
95	Boest, William R.	West Davenport, N.Y.	830	Kile, Walter L.	Enola, Pa.	1477	Kosmalski, Benjamin J.	Dearborn Heights, Mich.
194	Cooper, Vernon W.	W. Terre Haute, Ind.	830	McLaughlin, Charles M.	Lehigh Acres, Fla.	1505	McElroy, Robert A.	Sandpoint, Idaho
194	Osmon, Robert J.	Terre Haute, Ind.	830	Pines, Thomas R.	Marysville, Pa.	1529	Murphy, Frank	Dearborn, Mich.
202	VonKaenel, Merl	Thornton, Colo.	830	Radle, Robert D.	Harrisburg, Pa.	1557	Hanna, James B.	Johnson City, Tenn.
240	Delap, James C.	Yucca, Ariz.	891	Dahl, Philip M.	Eagle, Idaho	1570	Pettitt, Leo J.	Reno, Nev.
243	Beavers Sr., James E.	Ravenna, Texas	904	Free, Dennie R.	Central City, Ky.	1594	Price, Howard L.E.	Radnor, Pa.
284	Richards, Thomas R.	Port Washington, Ohio	933	Schmidt, Charles L.	Tipton, Mo.	1709	Spence, Lewis R.	Statesville, N.C.
309	Thompson, Leslie F.	Osceola Mills, Pa.	951	Gustafson, Larry W.	Big Horn, Wyo.	1722	Platts, Samuel R.	Millsboro, Del.
318	Willard, Lester O.	Selinsgrove, Pa.	1003	Cardosi, Steven R.	Wilmington, Ill.	1780	Andrews, Dell A.	Peculiar, Mo.
320	Badgley, Thomas B.	London, Ont.	1016	Shrum, Leon N.	El Reno, Okla.	1800	Atwater, Claude A.	Bend, Ore.
386	Adams, Wallace D.	Pine Grove, Pa.	1031	Dugger, James L.	Newington, Ga.	1869	Fields, Shirrel A.	Pinsonfork, Ky.
498	Schuler, Eugene K.	Allentown, Pa.	1058	Powell, Hyrum S.	Nampa, Idaho	1881	Ford, Vernon E.	Glen Rock, Pa.
513	Henderson, Leroy T.	Gainesville, Texas	1062	Ferguson, Clive	Proctorville, Ohio	1951	Platt, John W.	Rochester Hills, Mich.
587	Pogodinski, Henry S.	Wilbraham, Mass.	1075	Hilterbran, Carey R.	Hillsboro, Ohio	1962	Smawley, Edgar J.	Toledo, Ohio
627	Schuller, Charles F.	Wymore, Neb.	1202	Meyer, Leroy C.	New Haven, Ind.			



# Accidental Death and Dismemberment

## New UTUIA policy offers guaranteed approval for active transportation employees!

UTUIA's new Accidental Death and Dismemberment policy includes all the following benefits:

- \$180,000 for death caused by common carrier
- \$90,000 for death caused by automobile
- \$60,000 for accidental death
- \$30,000 for dismemberment
- Intensive care confinement benefits of:
  - \$600 per day
  - \$60 per day for family lodging
  - \$30 per day for family meals
  - Up to \$1,800 for air ambulance
  - Up to \$300 for surface ambulance
- Optional rider for spouse/children

This policy provides benefits for accidents and not sickness. Some benefits provided to the policy owner are greater than those provided under the optional family rider. Some benefits may vary by state of residence.

For more information, complete and mail the coupon at right or call the UTUIA, toll-free, at (800) 558-8842.



Call toll-free:  
**1-800-558-8842**

### Information, please

I would like more information on the Accidental Death and Dismemberment plan.



Please print

Full name	Date of birth	UTU local number	
Address	City	State	ZIP
Telephone number with area code	Sex	Male <input type="checkbox"/>	Female <input type="checkbox"/>

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

03/10

# Attention called to railyard exhaust hazards

The Cicero, Ill., intermodal facility, where giant cranes shift cargo containers between trains and trucks 24 hours a day, 365 days a year, is one of the largest freight transfer points in the country's largest rail hub, and one of the most toxic, according to the *Chicago Reporter*.

Few people realize that the Cicero rail yard might be as much of a health risk as a nearby coal-fired power plant, the *Reporter* said.

Diesel exhaust from locomotives, trucks and other rail yard equipment is a likely carcinogen and contains similar components found in coal-burning power plant emissions: particulate matter, smog- and particulate-forming nitrogen oxide, carbon monoxide, sulfur dioxide and other toxic compounds, the *Reporter* said.



The locomotives that work in the Chicago area burn a much dirtier diesel fuel than trucks, containing up to 500 parts per million sulfur, whereas trucks since 2006 have been limited to fuel with 15 parts per million sulfur, the *Reporter* said.

The EPA, according to the *Reporter*, has listed diesel exhaust as a likely carcinogen and says pollutants in diesel lead "to serious public health

problems that include premature mortality, aggravation of respiratory and cardiovascular disease, and aggravation of existing asthma, acute respiratory symptoms and chronic bronchitis."

A 2006 report called "Smokestacks on Rails" by the Environmental Defense Fund, estimated that locomotive emissions would be responsible for more than 3,000 premature deaths, more than 4,000 nonfatal heart attacks, more than 60,000 cases of acute bronchitis and exacerbated asthma in children nationwide.

So what can be done to make rail yards cleaner? "The easiest things to do are to use the cleanest fuel possible and limit idling. Locomotives aren't really required to use cleaner fuel until 2012, but it is widely available now," said Brian Urbaszewski of Respiratory Health Association of Metropolitan Chicago, which has studied the problem extensively.

## Residents near rail yards said more at risk for disease

Diesel exhaust can be of particular concern since it is emitted close to the ground and contains more of the ultrafine particles that can penetrate deep into the lungs and cross into the blood stream, the *Reporter* said.

According to a *Chicago Reporter* analysis, residents within a half mile of the Cicero rail yards could suffer a cancer risk more than 10 times higher on average than people four miles away.

Residents near rail yards would also be expected to suffer asthma attacks and other respiratory and cardiac disease – and premature death – at a higher rate. L. Bruce Hill, a senior scientist for the national advocacy group Clean Air Task Force, said cardiac disease is an even bigger concern than cancer, since particles from the exhaust can get into the blood stream.

The ill effects of such rail traffic are felt by nearby residents. The *Reporter* analysis said that about 57,000 people – a majority of them minority – live within a half mile of Chicago's 15 biggest "intermodal" rail yards, where shipping containers are transferred between trains and trucks or ships.

## Discipline Income Protection Program: It Pays!

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

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

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

**Who is eligible for coverage?** UTU members in the U.S. and Canada may enroll as members on a voluntary basis.

**How do I get more information?** Contact your field supervisor or local insurance representative, or write to: Discipline Income Protection Program, UTU, 14600 Detroit Ave., Cleveland, OH 44107-4250, or e-mail "dipp@utu.org" or check out the Discipline Income Protection Program page on [www.utu.org](http://www.utu.org).





# More jobs at core of new DOT transport grants

Some \$1.5 billion in 51 separate federal grants for innovative transportation projects were awarded last month by the Department of Transportation.

The 51 winners were carved from almost 1,500 applications that totaled some \$60 billion.

The Transportation Investment Generating Economic Recovery (TIGER) discretionary grants are heavy on rail projects, which received

## DOT gives grants for NS, CSX, KCS, MBTA, Amtrak and bus lines.

almost \$800 million of the \$1.5 billion in grants awarded. A focus of each winning project is creation of jobs, said the Obama administration.

Transportation Secretary Ray LaHood said the winning applications will provide "the kind of major transportation projects that have been difficult to build under other funding programs."

"This will help us meet the 21st century challenges of improving the environment, making our communities more livable and enhancing safety, all while creating jobs and growing the economy."

The rail projects include \$105 million for a Norfolk Southern Crescent Corridor intermodal project in Alabama and Tennessee; \$100

million for rail congestion mitigation in the Chicago area – the Chicago Region Environmental and Transportation Efficiency (CREATE) Program; \$98 million for a CSX intermodal corridor through Maryland, Pennsylvania, West Virginia and Ohio; \$34 million for expansion of the Alameda Corridor east of Los Angeles; and \$20 million for improvements linking the Port of Gulfport, Miss., with Kansas City Southern Railway.

Commuter rail projects receiving grant money include \$78 million for extension and improve-

ment of Boston-area MBTA service, while Amtrak's Moynihan Station project in Manhattan (to replace Penn Station that serves Amtrak, Long Island Rail Road, PATH and New Jersey Transit) will receive \$83 million.

Also, \$59 million for improved bus transportation in the Washington, D.C., area; \$35 million for a St. Paul, Minn., multimodal transit and transportation hub; and \$22 million for a multimodal transportation center in Normal, Ill.

## UTU members rally to fight LIRR cutbacks, potential layoffs



## GC Simon: LIRR and MTA should cut management jobs first

## Retired member runs for Congress

Retired UTU member Tom Berry (Local 528, Chicago) has been endorsed by the Texas Democratic party to run for the U.S. House of Representatives in November.



Berry

Berry hopes to represent the Fifth Congressional District, which includes portions of Dallas.

It will be an uphill battle for Brother Berry. His Republican opponent, four-term congressman Jeb Hensarling, won with 84 percent of the vote in 2008.

Berry supports health-care reform and opposes privatization of Social Security. "We need stability, sustained growth and good, high-paying jobs. We don't need downsizing, profit-taking and being left in the dust," he said.

Berry retired from Union Pacific in 2006. He served five four-year terms (from 1971 to 1991) as Local 528 chairperson, and also served as UTU's Illinois state legislative director.

To learn more, log onto the following Web site: [www.tomberryforcongress.com](http://www.tomberryforcongress.com).

Several hundred UTU members on the Long Island Rail Road rallied recently in protest of proposed service cuts and potential layoffs.

Represented were members of locals 29, 645, 722 and 1831, all of Babylon, N.Y.

LIRR General Chairperson Anthony Simon blasted MTA's decision to eliminate train service east of Ronkonkoma and reduce service on several other lines. He proclaimed that labor would stand strong and maintain their commitment to the LIRR ridership.

Simon also stated that he would "hold the feet of the LIRR and MTA to the fire to make sure that they eliminate the countless management and redundant administrative jobs that have been created before I will stand for any service cuts or layoffs of union members."

Three U.S. congressmen attended and spoke at the rally.

Rep. Pete King (R-N.Y.) said it was an outrage that the MTA would consider removing well-trained conductors from trains when there have been direct terrorist threats made against the LIRR and "when we need every resource available to keep our riding public safe."

Rep. Tim Bishop (D-N.Y.) said he was a member of the committee that appropriated funds to the MTA through the American Recovery and Reinvestment Act of 2009 and that the money was supposed to be used to maintain service and keep the men and woman of labor working. He said he was shocked that the MTA went the complete opposite direction and decided to cut service and use the stimulus money for capital projects. He vowed to join the UTU in the fight against the MTA.

Rep. Steve Israel (D-N.Y.) said he was sick and tired of agencies such as the MTA "believing that they can balance their budgets on the backs of the middle class and hard-working families."

Above, Simon (photo on right, sixth from left) stands with the many state and federal lawmakers and other union leaders who turned out in support of the UTU.

## THE UTU INTERNATIONAL STAFF: HERE TO SERVE YOU

### WENDY CONRAD

Wendy Conrad started at the UTU in 1998. She worked in the accounting, insurance and supply departments before being appointed to the UTU PAC Department in 2008. "I keep track of and disburse funds to state and federal candidates and provide information to the national and state legislative directors as needed. I file monthly reports with the Federal Election Commission and other state entities. I process incoming UTU PAC donations and make sure those who donate get acknowledged. Always remember, you can't be heard if you don't vote!"



### ROBERT MCCARTY

Robert McCarty is an attorney in the Legal Department. He has served in that capacity since 1971, handling the licensing of the UTU-IA and its agents. "I review legislation and regulations which affect UTU-IA operations and institute procedures to comply with those requirements. I file numerous reports with state insurance departments. I am responsible for the UTU-IA's anti-fraud and anti-money-laundering programs. I also am involved with the DIPP program and various pension plan matters."



### TAMMY KRAMER

Tammy Kramer serves the UTU and UTU-IA as a Supply Department representative. She started with the organization in 2008. "I compile and mail out new-member kits, years-of-service pins and certificates, and packets of information to new Alumni Association members. I keep inventory of supplies, sort the mail and occasionally serve on the switchboard. I help in any way I can. Every day is different and new in the Supply Department; it's never boring here."





# NTSB urges photo, audio monitoring of train crews

The National Transportation Safety Board on Feb. 23 officially recommended to the Federal Railroad Administration that it “require installation, in all controlling locomotive cabs and cab-car operating compartments, of crash- and fire-protected inward- and outward-facing audio and image recorders.”

The audio and image recorders, recommended the NTSB, should be “capable of providing recordings to verify that train crew actions are in accordance with rules and procedures that are essential to safety as well as train operating conditions.

“The devices,” said the NTSB, “should have a minimum 12-hour continuous recording capability with recordings that are easily accessible for review, with appropriate limitations on public release, for the investigation of accidents or for use by management in carrying out efficiency testing and systemwide performance monitoring programs.”



FEDERAL RAILROAD ADMINISTRATION

which killed 25 and injured more than 100 – was caused by the failure of the Metrolink engineer “to observe and appropriately respond” to a red signal “because he was engaged in prohibited use of a wireless device, specifically text messaging.”

The agency said the Metrolink engineer sent 21 text messages, received 20, and made four calls from his cell phone while he was at the controls of the commuter train that day – all in violation of the General Code of Operating Rules and his employer’s operating rules.

The NTSB also concluded that the conductor of the freight train had sent or received 41 text messages while on duty – 35 of them while the train was moving – and was also in violation of operating rules.

“The nature of rail operations makes enforcement of certain operating rules extremely difficult, if not impossible,” said the NTSB. “No reasonable method exists for management, by personal observation, to determine whether the engineer (or other crew member) boards the train with a personal wireless device in his or her possession, and once the train leaves the station, no mechanism is currently in place to determine whether the device is in use.”

While the NTSB acknowledged that the FRA, in the wake of the Chatsworth accident, had issued Emergency Order 26, requiring immediate termination of employment as discipline for unauthorized use of wireless devices on moving trains, the agency said, “making the vio-

lation more serious or the penalty more severe does not address the difficulty in identifying violators.”

Thus, said the NTSB, “because of the privacy afforded by a locomotive cab or train operating compartment, routine efficiency testing and performance monitoring practices are inadequate to determine whether or to what extent engineers or other crewmembers may not be complying with safety rules such as those regarding use of wireless devices or allowing access by unauthorized persons.”

Additionally, the NTSB said that “an employee who is aware that his or her activities in the train control compartment are subject to review by management will be much less likely to engage in conduct – such as using a wireless device or allowing unauthorized persons in the locomotive cab – that could lead to an accident.

“Regular review of in-cab audio and image recordings would give managers insight into oth-

## The NTSB wants video and audio recordings for efficiency testing and performance monitoring

Moreover, the NTSB recommended that the FRA “require that railroads regularly review and use in-cab audio and image recordings (with appropriate limitations on public release), in conjunction with other performance data, to verify that train crew actions are in accordance with rules and procedures that are essential to safety.”

The NTSB has no regulatory authority and may only make recommendations. The FRA, however, has authority to impose and enforce such regulations.

The *Los Angeles Times* reported in late January that the NTSB would be formally making such a recommendation to the FRA.

The NTSB recommendation follows an NTSB determination that a Sept. 12, 2008, crash in Chatsworth, Calif., between a Metrolink commuter train and Union Pacific freight train –

## Only the FRA may impose and enforce safety regulations

er potential safety issues or unsafe operating practices that may not be revealed by any other means and of which the crews themselves may be unaware,” the NTSB said in its recommendation to the FRA.

“The NTSB therefore concludes that a train crew performance monitoring program that includes the use of in-cab audio and image recordings would serve as a significant deterrent to the types of noncompliance with safety rules engaged in (by crew members involved in the Chatsworth crash) and would provide railroads with a more comprehensive means to evaluate the adequacy of their safety programs.”

To read the NTSB’s complete recommendation, enter the following address in your Web browser: [http://www.nts.gov/Recs/letters/2010/R10\\_001%20\\_002.pdf](http://www.nts.gov/Recs/letters/2010/R10_001%20_002.pdf).

## UTU seeks to improve van safety

*Continued from page 1*

a vote of 14 yes, two no, despite the testimony of two lobbyists who objected to every part of the legislation.

“This is the same bill that passed in Arkansas last year,” Miracle said. “It will now go to the House floor for a full vote.”

In Michigan, Gibson reports that he is promoting the “Railroad Employees Transportation Act” to protect rail workers in his state.

“I am attempting to gain stronger driver testing; a flashing amber light when the vehicle is loading/off loading curb side (when the van doors are open they often cover the tail lights, creating a dangerous situation for our members who can/have been struck); a storage rule that eliminates loose articles in the cab area, and language that covers anyone who transports crews, including railroad employees and officers,” Gibson said. “I had to add this after recent issues with the CN. In attempts to save money, the CN has trainmasters transporting crews even after admittedly being up over 24 hours.

“On Feb. 11, I had a CN crew that was being transported by a trainmaster who was driving at excessive speeds (42 mph in a 30 mph zone.) He was pulled over and found to have a suspended driver’s license. The trainmaster was arrested and taken to jail, leaving the crew to find a ride to their off-duty location,” Gibson said.

Georgia State Legislative Director Howell

Keown reports that a rail-van safety bill was introduced during the last year’s legislative session (but never passed) and has been recommit- ted to this year’s session.

The legislation would require that rail-van drivers must hold a commercial driver’s license; pre-employment drug and alcohol testing, as well as testing for suspicion and randomly at least once a year; limits to time on duty and guaranteed time off, and minimum insurance liability limits.

“I have the support of both NS and CSX lobbyists on this one,” Keown said. “Getting it through a Republican-dominated rules committee will be the key to passage. We did it last year with legislation to reroute school buses away from unprotected grade crossings and actually this time we have two Republican co-signers, so hope is alive.”

Virginia State Legislative Director Walter Yeatts said he tried to get similar legislation passed last year but “it got blown out of the water by NS and CSX. We even dropped the liability section and still nothing. We have a Republican-controlled House of Delegates. Nothing against Republicans, but, here in Virginia, they are to the right of Rush Limbaugh!”

Missouri State Legislative Director Ken Menges said, “We have been working on a van bill, also. We reached out to the carrier lobbyists and tried to work with them, but they do not want to see the unions succeed in any of their efforts.”

## The UTU seeks tougher driver testing, hours-of-service rules and better insurance coverage

## China invests big in high-speed rail

Can high-speed rail in America challenge short-haul airline routes?

Consider the situation in China, where *Bloomberg* news reports that China Southern Airlines and Air China are slashing prices to compete with the country’s new high-speed trains in a battle that Europe’s airlines have largely already ceded.

China Southern cut economy-class tickets by 80 percent on flights between Guangzhou and Changsha after a high-speed train started on the route in December. The trip now takes 2 1/2 hours by train instead of nine.

A new high-speed rail route linking Beijing with Shanghai will reduce rail travel time from 10 hours to just four.

Meanwhile, in Europe, where train routes have been cut to three hours or less, airlines have either seen their share slashed or quit flying the routes altogether.

By 2020, China expects more than 11,000 miles of high-speed railways will connect all of its provincial capitals, serving more than 90 percent of the population.

While the Obama administration this year provided some \$8 billion in high-speed rail seed money, the Chinese are investing almost \$120 billion on high-speed trains this year.



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## 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 Web site.

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.

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 of a snowy Amtrak wheel set was taken by **Jason Berg**, an assistant conductor with Amtrak and member of Local 117, Shelby, Mont. "Traveling across North Dakota during the night, Amtrak Train 7, 'The Empire Builder,' accumulated a lot of ice and snow while rolling through the below-zero temperatures. This shot was taken at Minot, N.D., the morning of Feb. 9; the temperature was nine below," Berg said.



The Official Publication of the United Transportation Union

## FRA sets PTC plan deadline for April 16

The Federal Railroad Administration has issued its final implementation rule on positive train control (PTC), according to *Progressive Railroading* magazine.

The 30 roads affected by the PTC mandate – including the Class Is, Amtrak and 22 commuter lines – have until April 16 to review the rule and ensure their implementation plans comply before they submit them to the FRA.

The final rule governs PTC implementation on major U.S. rail lines, as well as commuter and intercity passenger-rail routes. PTC systems, which feature digital radio links, global positioning systems and wayside computer controls, are designed to help dispatchers and train crews safely manage train movements.

The Rail Safety Improvement Act of 2008 mandated that interoperable PTC systems be installed on most passenger-rail routes and lines used to move certain hazardous materials by the end of 2015. Closed passenger-rail systems, such as light-rail, rapid transit and subways, will not be required to adopt PTC.

The rule specifies PTC systems' required functionalities, including interoperability; the means by which the systems will be certified; the contents of implementation plans required by law; and the process for submitting



implementation plans to the FRA for approval.

The rule also stipulates that railroads must provide separate onboard screens for the engineer and conductor so each crew member in the locomotive cab can receive the same PTC information.

"The FRA pushed aside railroad arguments against requiring a separate PTC screen display for each crew member in a cab," UTU International President Mike Futhey said.

One part of the final rule railroads will review are the exceptions granted to Class II and III railroads.

For example, the rule enables regionals and short lines to operate non-PTC-controlled locomotives for up to four origin-destination movements daily and for trip distances up to 20 miles on PTC-equipped lines.

Until Dec. 31, 2020, those locomotives also will be permitted on PTC-equipped lines for more than 20 miles; afterwards, regionals and short lines must install PTC devices on locomotives to operate them more than 20 miles on PTC-equipped lines.

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



UTUer Brian Shannon helped SEPTA riders in need. See page 2.



First Student drivers ratify first contract. See page 5.



Phoenix, Asheville host UTU regional meetings. See pages 6/7.



Retired member Tom Berry is running for Congress. See page 10.