



UTU News

www.utuia.org

www.utu.org

The Official Publication of the United Transportation Union

Worker input crucial to reducing rail risks

If a congressionally ordered railroad risk reduction program is to be effective, the Federal Railroad Administration must include railroad employees and their labor unions in the process of evaluating and managing the program.

That is the message seven rail labor organizations sent to the FRA Feb. 8 in response to an earlier FRA notice of proposed rulemaking implementing a risk reduction program.

The program was ordered by Congress in the Rail Safety Improvement Act of 2008 (RSIA). Its purpose is to reduce the consequences and rates of railroad accidents, incidents, injuries and fatalities.

The UTU was joined by the American Train Dispatchers Association, Brotherhood of Locomotive Engineers and Trainmen, Brotherhood of Maintenance of Way Employees, Brotherhood of Railroad Signalmen, Brotherhood of Railway Carmen and Transport Workers Union in commenting to the FRA.

Congress specifically concluded that having railroads "unilaterally decide issues of safety would not be in the public interest," the UTU and the other labor organizations told the FRA. Yet, the notice of proposed rulemaking "undermines" that congressional intent.

To ensure an effective risk reduction program,

Federal Railroad Administration Risk Reduction Program

UTU Input This Exit



the FRA must solicit rail labor input and participation, said the labor organizations. Specific to train and engine workers, such participation must include:

- Technology implementation.
- Fatigue management.
- Risks posed by joint operations, including passenger and commuter trains.
- Security risks.
- National Transportation Safety Board recommendations.

- Disclosure of all carrier bonus, incentive and compensation systems that reward management employees for meeting or exceeding safety related goals, targets, benchmarks or milestones.

- Disclosure of policies and data related to waiver and discipline practices that in any way discourage accurate reporting of accidents, incidents, injuries or close calls.

The labor organizations also asked the FRA to develop historical data on the following:

- Number of disciplinary charges filed for rule violations.
- Number of whistleblower cases filed by employees.
- Number of employee dismissals.
- Number of FRA-reportable injuries.

Streamlining decertification process UTU's highest priority

- Number of meet and confer sessions related to safety.
- Safety records of regional and shortline railroads.
- Retaliation, intimidation and overall culture, attitude and policy toward safety reporting by employees.
- Safety incentive programs and policies that create peer pressure within work groups not to

Continued on page 10

'He ain't heavy. He's my brother'



UTU conductor Dale Smith points to spot below a CSX bridge where he pulled his UTU brother Alvin Boguess to safety from the Jackson River. At right is Local 623 (engineers) Chairperson Travis Thornton.

COVINGTON, Va. – The Jackson River, a tributary of the James, meanders east through the hollows of west-central Virginia. Flowing under CSX tracks in Covington, some 200 miles west of Richmond, the Jackson is only about two-feet deep – which partially saved the life of UTU Local 623 member Alvin "A.J." Boguess.

Partially, because Boguess would not today be alive save for the caring, daring and speed of his UTU brother, Dale Smith, who likely was the

fastest human on earth the evening of Feb. 8 as he galloped down a steep embankment and dashed into the partially frozen water to aid Boguess.

Boguess, age 24, had tumbled some 55-feet from the bridge into the river, just after dark, in 19 degree temperature with the wind whipping at 20 mph.

With assistance from engineer and BLET

Continued on page 10

Federal judge rules on SMWIA merger cases

WASHINGTON – U.S. District Court Judge John Bates issued several rulings March 4 in the pending cases regarding the UTU and the Sheet Metal Workers International Association – SMWIA v. UTU and Murphy et al. v. SMWIA.

Initially, Judge Bates granted the motion to consolidate the cases before him.

He also ruled that the claims regarding whether the merger ever took place, as well as other merger-related claims, should go before an arbitrator to decide, and that he could make no ruling on those issues.

With regard to Labor Management Reporting and Disclosure Act (LMRDA) Title I and Title V claims – brought by UTU members and concerning the validity of the merger – Judge Bates found that those were not within the arbitrator's jurisdiction and would remain with him.

However, he ruled that he will hold those claims in abeyance pending the outcome of the arbitration.

Judge Bates also granted the individual UTU members' motion to intervene with regard to the LMRDA claims.

Around the UTU

Local 240, Los Angeles, Calif.

Retired member **Frank S. Carmona** is holding the 10th annual FSC Rail Classic, a golf tournament for railroaders, Monday, May 2, at Sierra Lakes Golf Course at 2 p.m., Local Chairperson **Harry Garvin Jr.** reports. There will be a four-person scramble, shotgun start. A \$75-per-person entrance fee includes tri-tip barbecue banquet, great prizes and fun. All railroaders, friends and relatives are welcome. Call Carmona at (951) 301-6525 or (909) 770-3366, or Garvin at (909) 481-7261. Please commit and remit by April 5.

Local 281, Milwaukee, Wis.

Former Marine and UTU member **David Miles** will be participating in the Wounded Heroes Ride VI from May 18-22 to raise money for the Wounded Heroes Foundation, Inc., reported GO-721 General Chairperson **Barry Abbott**. The foundation raises funds to assist wounded military personnel and their families. If you would like to contribute to the foundation or sponsor Miles, visit the foundation's website at www.woundedheroesfund.net. Click on "How You Can Help" to make a contribution by credit card and enter "for David Miles" in the comment field. "Ninety-seven percent of money donated goes to our wounded and their families," Miles said.

Local 582, Stevens Point, Wis.

Local Legislative Rep. **Jeff Thompson** is asking fellow members to assist the family of long-time Local Chairperson **Wayne Raschka** as he continues his battle with cancer. "Wayne was recently married and has two teenage step-daughters. One of his biggest concerns is their ability to finance their education after high school. As union brothers and sisters, it is our responsibility to help Wayne and his family during this difficult time," Thompson said. Cards or gifts may be sent to The Family of Wayne Raschka, 501 Green Ave., Stevens Point, WI 54481. Thompson also reported that the annual UTU/BLET summer picnic will be held from noon to 10 p.m. June 15 at Pfiiffner Pioneer Park in Stevens Point. Members will be mailed an official invitation when all details of the picnic have been finalized.

Local 1043, Sparks, Nev.

Conductor **Mike Wolicki** has retired after more than 41 years on the former Western Pacific and Union Pacific, according to State Director **Rod Nelms**. "Mike is one of the most dedicated and hard-working individuals I ever met. It has been a pleasure knowing him all these years. I wish him a long and happy retirement," Nelms said.

Local 1177, Willmar, Minn.

Members of this local honored former State Legislative Director **Willis Croonquist** following 55 years of continuous membership. "The list of those that Willis has been a friend and mentor to seems endless. His commitment to unionism and our right to stand together and bargain collectively is as strong today as when he hired out in 1955 on the Great Northern. He's been a tremendous humanitarian and a great Minnesotan," State Legislative Director **Phil Qualy** said.



Former Minnesota State Legislative Director **Willis Croonquist**, center, proudly displays the brass lantern presented to him by fellow Local 1177 members at their December meeting.

Local 1440, Staten Island, N.Y.

UTU members employed by the Staten Island Railway congratulate Vice Local Chairperson **Darrell Jicha** on the birth of his first grandson, Calvin. "Calvin David Jicha just may be a



Nathan Wilson, left, made his first over-the-road run as a locomotive engineer with his father, James, right, at his side as the conductor.

Engineer's first road job is with father as the conductor

Most parents can remember when they drove in a car with their son or daughter behind the wheel for the very first time. UTU member **James A. Wilson** recently relived that experience with his son **Nathan**, who was behind the throttle of a 200-ton locomotive.

James and **Nathan Wilson** are both CSX conductors, with son **Nathan** holding seniority over his father. James is a member of Local 1315 at Covington, Ky., while **Nathan** is a member of Local 1310 at Loyall, Ky.

In January, the father and son were riding in a pick-up truck in Cincinnati, Ohio, when **Nathan** received a telephone call from a CSX dispatcher. **Nathan**, who had successfully completed locomotive engineer training, was asked to operate the locomotive on his first over-the-road trip from Queensgate Yard in Cincinnati to Corbin Yard in Corbin, Ky.

"They were out of engineers and I was the first one out," **Nathan** said. "When I said 'yes,' they had to fill the conductor side and that's what they did."

Moments later, James received a call on his cellular telephone.

He saw where the call was coming from. "I wasn't sure if I should take the call," he said.

A conductor was needed for a road trip from Queensgate Yard to Corbin Yard. James stepped up for the assignment, albeit hesitantly.

The father and son worked together on **Nathan's** first assignment as locomotive engineer on an over-the-road train trip.

"I was nervous, I have to admit," James said.

The 194-mile trip went off without a hitch.

"We might work together another 10 years and something like that would not happen again," James said. "But **Nathan** did fine. He did a great job."

Unlike many instances when a son follows his father into a railroading career, **Nathan** was actually in the business first.

"When I first applied, my Dad took me. He said, 'While I'm here, I'll apply too.' But he wasn't that interested," **Nathan** said. "I was six months in when my dad called me and asked how I liked it. I told him it was different, but that it was a good job. That's when he entered conductor training."

James was proud to add that his other son, **Nicolas**, was awarded a UTU/UTUIA four-year continuing college scholarship in 2009.



Calvin Jicha

future trainman or conductor himself. I have a multitude of stories to tell **Calvin** to encourage him to become a future UTU member. I hope he will enjoy the profession of railroading as well," said **Jicha**, a former local president and UTU member since 1971.

Local 1201, Stockton, Calif.

The members of this Union Pacific local chose to fund a needy family's Christmas, Local Secretary & Treasurer **Scott Brent** reported. Following a motion by member **Michael Stevens**, members of this local voted to assist the Stroman-Brown family from Stevens' church in Stockton. Purchases included two jackets, a baseball bat, a baseball mitt, board games and a bottle of perfume. In addition, complete turkey and ham dinners were purchased for the family from Marie Callender's Restaurant. Members of the local presented the gifts to the Stroman-Brown family at the church on Dec. 22. "From the outcome of this meeting, we have decided to make this an annual event," Brent said.



A meeting of Local 1201 members and the Stroman-Brown family included, from left, **Monique Brown**, **Jermiah Brown**, **Mrs. Stroman**, **Michael Stevens**, Local Chairperson **Chris Phillips**, **Ryan Phillips**, **Kamryn Phillips**, **Jennifer Phillips**, Local Vice President **Jamie Alvarez** and Local President **Roland Krapf**.

Local 1216, Kansas City, Mo.

The members of this local have established a fund to assist Vice Local Chairperson **Matthew F. Crawford** and his daughter, GO 687 General Chairperson **Jason Boswell** reports. After suffering from pneumonia, **Crawford**, 51, was moved to an intensive care unit for weeks with blood clots. Surgery was required and his future health and ability to return to work are still uncertain, **Boswell** said. Donations may be sent to the Blue Ridge Bank & Trust, Attn: **Matt Crawford Fund**, 621 N.W. Duncan Rd., Blue Springs, MO 64014.

Local 1760, Detroit, Mich.

Officers of this CSX local have announced the retirement of **Dennis Kehoe**, who held the position of safety chairperson of the Metro Detroit safety committee for 20 years until his retirement March 1. **Kehoe** leaves with 40 years of service as a conductor, having worked in almost every yard in the state of Michigan. The members of Local 1760 thank **Dennis** for his commitment to the safety process and wish him a healthy and happy retirement.

North Dakota locals hosting meetings in April

All active and retired members of North Dakota locals will have the opportunity to visit with UTU International and general committee officers and representatives from the Railroad Retirement Board, health-and-welfare benefit providers and designated legal counsel at a series of informational meetings from April 12-15. Members and their spouses are welcome to attend any of the four meetings, according to State Legislative Director **Marc Halvorson**. For further information, call (701) 223-0061 or send e-mail to utu4nd@gmail.com. The schedule is as follows:

- Tuesday, April 12, Local 525; 2 p.m. meeting followed by free lunch at Grand Forks Ramada Inn.

- Wednesday, April 13, Locals 887, 980, 1137; 1 p.m. meeting followed by free lunch at Fargo Howard Johnson Inn.

- Thursday, April 14, Local 1344; 1 p.m. meeting followed by free lunch at Mandan Eagles Club.

- Friday, April 15, Local 1059; 1 p.m. meeting followed by a 6 p.m. social and 7 p.m. retirement banquet at the Minot Vegas Motel.

CSX yardmasters ratify consolidation pact

CSX-employed yardmasters represented by the UTU have ratified a coordination-of-operations agreement affecting CSX eastern district (former Baltimore & Ohio) and northern district (former Conrail) lines.

The agreement was negotiated in response to a CSX filing with the U.S. Surface Transportation Board to “transfer, consolidate, coordinate and merge train operations and the associated work force” in the eastern and northern districts of CSX.

An implementing agreement between CSX and the UTU was required under provisions of so-called New York Dock labor protection.

The ratified agreement contains negotiated enhancements, including automatic certification for employees at locations where assignments will be affected by the coordination, prior rights to consolidated work, and an increase to the highest yardmaster pay rates for all positions in the territory not currently at the high rate.

Additionally, the ratified agreement establishes around-the-clock yardmaster coverage at a new CSX intermodal facility at North Baltimore, Ohio, and places the newly acquired work under the jurisdiction of the former B&O collective bargaining agreement.

UTU International Vice President John Pre-

visich, who assisted with negotiations, commended General Chairpersons **Richard DeGenova** (CSX, GO 247) and **Robert Keeley** (CSX, GO 342) “for their commitment and tenacity in seeking improved conditions for their members during the long and difficult negotiating period of this agreement. Their efforts were instrumental in securing enhancements rarely obtained in Section 4 negotiations.”

BNSF conductor loses legs in yard accident

WILLMAR, Minn. – A 31-year old BNSF conductor, a UTU Local 1177 member, suffered the amputation of both legs in a yard accident here Feb. 3, the second UTU member to endure such an accident in 2011.

Corey Lynn Kluver, the father of three young children, reportedly was making a cut of cars in a snow-covered yard when the accident occurred.



Kluver

Kluver was airlifted to a local hospital after two surgeons arrived on the scene to free him.

According to local news reports, hydraulic jacks were used to lift the rail car that pinned him.

Minnesota State Legislative Director **Phil Qualy** said the issue of snow removal in the yard was raised with BNSF officials at a Jan. 21 safety meeting, and a letter had earlier been sent by Qualy to BNSF regarding snow removal in the yard.

Kluver's local has established a fund to aid him and his family. Donations to the “Corey Kluver Benefit Account” should be sent to the Lake Region Bank, 16990 1st South, P.O. Box 1740, Willmar, MN 56201, or call (320) 235-5900.

Members on two rails ratify pacts

UTU members employed by Florida East Coast Railway (FEC) and the Nebraska Central Railroad have ratified pacts with their employers.

Members on the FEC have ratified two new four-year agreements affecting wages, benefits and working conditions.

Conductors, engineers, trainmen and yardmen ratified their tentative agreement by a 75 percent plurality, while Florida East Coast yardmasters represented by the UTU were unanimous in ratifying their new agreement.

Both agreements are retroactive to Jan. 1, 2009, extend through Dec. 31, 2012, and include retroactive pay.

UTU negotiators included General Chairperson **John Hancock** and Vice General Chairperson **John Whitaker** (both GO 851), Local 903 (Jacksonville, Fla.) Chairperson **Jim Bush**, and Local 1138 (Miami) Chairperson **Jim McCorkle**.



The UTU negotiating team was assisted by UTU International Vice President Robert Kerley.

Florida East Coast is a Class II, or regional, railroad, operating more than 350 miles of mainline track along Florida's east coast. During 2010, the railroad completed 2,000 consecutive days of on-time service to UPS – a record for any transportation company serving the logistics giant. During that almost 5 1/2 year period, FEC delivered 125,000 on-time intermodal trailers and containers.

Nebraska Central

Members of Local 367 in Omaha, Neb., which represents all crafts working on Nebraska Central Railroad, have ratified a wage, rules and working conditions agreement with an 80-percent plurality.

The five-year agreement provides for a signing bonus, wage increases, a minimum-hours guarantee and improved working conditions.

Assisting Local 367 in the negotiations were UTU International Vice President John Previsich, Union Pacific General Chairperson **Rich Draskovich** and Union Pacific Vice General Chairperson **Brent Leonard** (both GO 953).

The three praised the efforts of Local 367 Chairperson **Brandon Glendy** in determining member concerns prior to negotiations, and then assisting with negotiations and explaining to members the tentative agreement prior to its overwhelming ratification.

The local lost one of its members in June 2010 when 38-year-old conductor **Jeffrey Scholl** died in the collapse of a railroad bridge into the flood-swollen Elkhorn River. Two other members of Local 367 were injured in the bridge collapse.

Members on MBCR vote on new pact

BOSTON – Some 450 UTU-represented conductors and assistant conductors on Massachusetts Bay Commuter Railroad (MBCR) have a tentative new agreement covering wages, benefits and working conditions.

A ratification vote is currently underway, with ballots to be counted March 17.

The tentative four-year agreement is retroactive to July 2009, and may be reopened for amendment in July 2013 under provisions of the Railway Labor Act.

Included in the tentative agreement are retroactive pay, a signing bonus, a 13.7 percent overall increase in wages by July 2013, certification pay for conductors, a cap on health care cost sharing, and a provision that discipline records will not be retained beyond a maximum of 36 months (other than substance abuse violations, which are subject to record keeping under federal law).

Noteworthy in the tentative agreement is an increase in compensation for release time – from the decades-old 50 percent of the full-time rate to 62.5 percent.

The agreement was negotiated by General Chairperson **Roger Lenfest** and Assistant General Chairperson **Dirk Sampson** (both Amtrak, GO 769), with assistance from International Vice President John Previsich. Praised was Local 898 Chairperson **Don Wheaton** for his input and participation in all aspects of the negotiations.

The BLET has reached a separate tentative agreement with the MBCR. The UTU and the BLET negotiated jointly to reach those separate craft agreements, with the expectation that a better agreement for each craft would result if negotiations were held jointly.

The Transportation Communications Union and shopcrafts recently were released from mediation with the MBCR by the National Mediation Board, but a presidential emergency board has yet to be appointed.

Sign up for *UTU News* alerts

The UTU International has created a special e-mail list so that UTU members may voluntarily sign up to receive periodic e-mails on important UTU news and events.

Register for e-mail alerts by visiting www.utu.org and clicking on the “E-mail Alerts” tile on the UTU home page. Be sure to double check the information for accuracy before sending your e-mail registration.

Amtrak close-call group meets in Chicago



The UTU is participating with the BLET, FRA and four railroads in a confidential close calls reporting system – non-punitive reporting that produces safety data to help identify and mitigate risks before another serious incident occurs. The four railroads include Amtrak, Canadian Pacific, New Jersey Transit and Union Pacific. Above, participating in the Amtrak project in Chicago, are, from left, BLET engineer Greg Luiz; UTU Local 1525 Chairperson Dennis Jacobs; Amtrak Assistant Superintendent Tim Cooper; UTU GO 769 officer Dirk Sampson; FRA official Dennis Van Horn, and UTU Local 1732 Chairperson Ray Belluomini. For more information on close calls reporting, visit www.utu.org and click on “Transportation Safety” in the blue tile box, and then click on “Close Call.”

“Take not from the mouths of labor the bread it has earned.” – Thomas Jefferson

In the face of adversity, we are stronger than ever

Americans are not happy with the actions of states wanting to deprive public-sector workers of their collective bargaining rights. A Gallup poll found Americans are opposed to such union busting by a two-to-one margin.

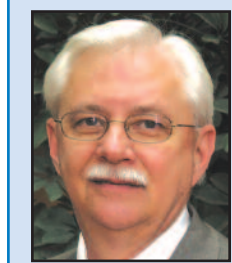
The sinister objective behind union busting is not to balance budgets, but to impede the ability of working families to participate in the political process. Wisconsin Gov. Scott Walker made that clear in a recorded telephone conversation with someone he mistakenly thought was one of his financial backers. In fact, Wisconsin public-employee unions had agreed to negotiate concessions to help balance that state's budget, but Gov. Walker wanted only to destroy the bargaining table and dictate his demands.

Workplace despotism over workplace democracy is a war against citizens

Gov. Walker also claims the battle is one of the “public-sector haves” and the “private-sector have-nots.”

Let's cut to the facts:

- The public-employee unions have agreed to each economic demand of the governor.
- During the previous administration, those same unions accepted a three percent pay cut for their members, who have not received a pay raise in two years.
- While Gov. Walker demands more from state workers, he has been making sweetheart deals with some big political donor corporations, including pushing for sizeable



International President's Column

By Mike Futhey, International President
(216) 228-9400; president@utu.org

tax breaks for them and no-competitive-bid sales of state assets.

- As for the governor's assertion that the public employees are the “haves,” census bureau data say it's not so. In Wisconsin, where 60 percent of state employees are college trained, they are earning \$13,000 less annually than their private-sector counterparts – \$51,258 annually for a college-trained state worker versus \$64,000 annually for a private-sector

worker with college training.

- It is true that these workers pay less for health insurance or have a better pension plan than some of their private-sector counterparts, but it is the result of accepting less in wages during arms-length negotiations at the bargaining table.

Wisconsin Gov. Walker and governors elsewhere intent on busting unions are choosing workplace despotism over workplace democracy. I recall President Ronald Reagan, remarking on the Polish uprising led by Lech Walesa, that “the Polish people have been betrayed by their own government. By persecuting solidarity, the Polish government wages war against its own people.”

At one point, Gov. Walker threatened to call out the National Guard against his own fellow citizens who

**We are not going away.
We will not forget.**

were doing no more than peacefully exercising their First Amendment rights to assemble and engage in free speech opposing union busting.

I sadly recall, in my hometown of Memphis, Tenn., when the National

Guard was ordered to put down a peaceful demonstration in 1968: Dr. Martin Luther King gave his famous “Mountain Top” speech to the striking public-sector employees the night before he was assassinated.

Throughout its history, organized labor has been a guardian of the social conscience.

You can be assured that UTU will not stand idly by and passively allow those intent on destroying America's middle-class to succeed – and I know our members will not stand idly by, either.

To lawmakers intent on busting unions, I say this: “We are not going away. We will not forget. And thanks to the values of the union movement and our members, THE UTU IS STRONGER THAN EVER!”



utunews@utu.org

Mike Futhey, International President
president@utu.org

Arty Martin, Assistant President
asstpres@utu.org

Kim Thompson, General Secretary and Treasurer
gst@utu.org

James Stem, National Legislative Director
jamesastem@aol.com

Contact the UTU:

Phone (216) 228-9400; fax (216) 228-5755

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

We must fight attacks on collective bargaining

The attack on public-employee collective bargaining rights by right-wing extremists is intended to destroy labor unions.

Union busting is something expected in the private sector; that's why we have laws to level the playing field, with most differences settled at the bargaining table or in neutral arbitration – not through management dictatorship, as being attempted in Wisconsin and other states.



Officers' Column

By Assistant President

Arty Martin

(216) 228-9400; asstpres@utu.org

rations, financial institutions and wealthy investors bankrolling right-wing extremist lawmakers. A Supreme Court decision virtually

ly, the economic security unions provide working families.

If labor-union survival and the economic survival of all working families is going to be preserved, we in organized labor must respond to the attacks on our collective bargaining rights.

We must maintain our right to join a union, our right to unify and our right to make political donations (if we so choose) through payroll deduction to those politicians supporting workplace democracy.

We cannot match the level of donations of the huge corporations and others financially backing the attacks on labor, but we have something our enemies don't have – millions and millions of members who can vote for labor-friendly candidates.

The UTU Political Action Committee (UTU PAC) helps identify labor-friendly candidates, helps finance their election campaigns, and helps to get out the vote for labor-friendly candidates on Election Day.

Please consider joining this voluntary effort and contribute to the UTU PAC. If you already are a member, please consider increasing your contribution. Our job security and the economic security of our families hang in the balance.

I have never witnessed such blatant attacks on working families

Should right-wing extremists succeed in destroying public-sector unions, the assault will spread to the federal government workforce and then the private-sector.

In my 45 years as a proud union member and officer, I have never witnessed such blatant attacks on working families.

The source of the attacks is corpo-

removing caps on corporate political donations certainly helped the effort.

Many right-wing candidates use emotional words such as gun control, school prayer and abortion to stir the emotions of union members, recruiting many to inadvertently participate in destroying the right of collective bargaining and, eventual-

UTU PAC helps identify labor-friendly candidates

Let's not forget that the attacks on labor we are witnessing today have not been seen in generations, and what is happening in Indiana, Ohio, Wisconsin and elsewhere is only the beginning if we don't stand in solidarity to protect the rights labor fought so long, so hard and at such a great cost to achieve.

State Watch

News from UTU State Legislative Boards

Illinois, Indiana, Michigan, Minnesota, Wisconsin



Seated, left to right, are Wisconsin State Legislative Director Tim Deneen; Indiana State Legislative Director Kenny Edwards; FRA's Tim McQuaid and Michigan State Legislative Director Jerry Gibson. Standing, left to right, are Minnesota State Legislative Director Phil Qualy; FRA's Robert Butcher, Dennis Van Horn, James Schwichtenberg, Michael Long, Ed Staehlin, Gerry Stout and Illinois State Legislative Director Bob Guy.

Five UTU state legislative directors – from Illinois, Indiana, Michigan, Minnesota and Wisconsin – recently met with FRA senior staff members to get an update on safety, regulatory and other issues. They also shared information with the rail officials on areas of concern conveyed to them by numerous UTU members.

“The meeting with the FRA officials was a positive and productive meeting,” Minnesota State Director Phil Qualy said. “We will meet with them any time, any place, if it helps to make the transportation workplace safer.”

Kansas

The UTU and the Northern Flyer Alliance recently hosted a meeting to keep legislators and the public updated on the groups' efforts to expand passenger rail service between Kansas City and Dallas/Fort Worth.

“Expanding Amtrak's existing Southwest Chief and Heartland Flyer routes would bring a passenger rail line to Wichita and create an important Midwest corridor,” State Director Ty Dragoo said.

“UTU has aggressively lobbied for this expansion,” Dragoo said. “If enacted, it will bring many jobs to the industry in this region and provide a vital link in the national passenger-rail network.”

New Jersey

The father of State Legislative Director **Dan O'Connell** died Feb. 25 in Mt. Laurel, N.J., at age 89.

Michael L. “Mickey” O'Connell Jr. was a decorated World War II Navy veteran and a brakeman and conductor with Conrail and two of its predecessors, Pennsylvania Railroad and Penn Central. He retired in 1982.

The elder O'Connell was a member of Local 1390, Trenton, N.J., and predecessor Brotherhood of Railroad Trainmen. During his retirement years, he frequently attended UTU retiree meetings.

In addition to son Dan O'Connell, Mickey O'Connell is survived by his wife of 66 years, Rita, one daughter, a sister and grandson.

Chestnut Ridge bus drivers ratify new three-year pact

SPRING VALLEY, N.Y. – UTU-represented bus operators on Chestnut Ridge Transportation, all members of Local 153 here, have ratified a new three-year agreement with the company.

The new pact was ratified in late January and will run through the end of June 2013.

The new contract includes wage increases for each of the contract years; the first increase will be retroactive to Sept. 1, 2010.

The new contract also includes improvements in personal days, training pay, bereavement leave and other improvements.

“Even though the company asked for concessions on issues of the existing contract, none were given,” said State Legislative Director **Sam Nasca**, who assisted with negotiations.

The negotiating committee consisted of General Chairperson **Wilner Baptiste**; President **Frantz Filsaime**; Vice President **Canez Francois**; Treasurer **Barbara McIntosh** and Secretary **Wilfred Hatch**. They were assisted by Vice President Rich Deiser and Nasca.

Chestnut Ridge provides school bus service, buses for special-needs individuals and charter service.

School bus drivers return to UTU

RIVERSIDE, Calif. – School bus-driver members employed by First Student here have voted to return to the UTU, and an agreement negotiated prior to their departure has been implemented.

First Student also agreed to provide retroactive pay in addition to wage increases, and the 120 drivers covered by the agreement also obtained advancement of seniority and seniority pay scales that had been frozen during the period the drivers were represented by another organization.

UTU Bus Department Alternate Vice President Bonnie Morr, who assisted with the negotiations, praised the efforts of First Student drivers **Roman Lara** and **Chris Hubbell**. Both had been officers of Local 1496 before its members chose to affiliate with another organization. “They really made a difference,” Morr said. Preparations for new elections are underway.

Deal okays Mexican buses in U.S.

Mexican buses and trucks operated by Mexican drivers would be permitted to cross into and travel through the United States under an agreement reached March 3 between President Obama and Mexican President Felipe Calderon.

Congress, however, must approve the agreement, with details to be worked out between Mexico and the U.S. Department of Transportation's Federal Motor Carrier Safety Administration should Congress approve the measure.

The Mexican vehicles would be required to meet U.S. safety and environmental regulations, and Mexican drivers would be required to demonstrate an ability to read English.

Bus Department

By Vic Baffoni, vice president - bus
v_baffoni@utu.org

Tough times for transit

These are troubling times for our nation, states and municipalities. Budget problems are forcing cutbacks in a wide variety of public services, and public transit often is targeted for cuts.

At the extreme is the union busting going on in Wisconsin, Indiana, Ohio and other states. But even where labor union collective bargaining isn't under attack, we are facing severe challenges at the bargaining table and with cutbacks in service.

In the not-too-distant past, when the good times seemed as they would never end, government agencies borrowed and committed to future obligations. The future is now here and it is not a pleasant environment.

The UTU has negotiated some of the best contracts out there, but the economic landscape is now very different. Transit systems have laid off thousands of employees and reduced funding for services.

In Los Angeles, where the UTU represents more than 5,000 rail workers and bus operators, negotiations with the Los Angeles Metropolitan Transportation Authority are slow moving and tense.

The State of California has been furloughing workers, while many cities and counties have frozen wages and benefits as they struggle to pay their obligations. The mood of taxpayers is that taxes should not rise.

Too often, the lawmakers who approve budgets – even those who historically have been union friendly – are turning a deaf ear to the needs of working families, who are struggling to keep their homes and put food on the table.

In this environment, I commend LACMTA General Chairperson **James Williams** (GO 875) and his negotiating committee, which includes **Robert Gonzales**, **Lisa Arredondo**, **Ulysses Johnson**, **Eddie Lopez** and **John Ellis**. They are committed to protecting and preserving everything in our contracts and are working tirelessly to improve working conditions and job security for the membership.

I remain confident in their abilities. They are among the best of the best at the bargaining table, as is evidenced by the contracts produced in the past.

In addition to fighting for members at the bargaining table, Mr. Williams and Local 1608 Chairperson John Ellis have recently won a significant arbitration case on behalf of bus operator **Adalid Morgana**, who had been terminated following an accident.

Working on Mr. Morgana's behalf, the UTU prevailed on evidence presented in the arbitration and won for him back pay and benefits.



United we bargain, divided we beg

UTU members march in solidarity with their union brothers and sisters across the nation who are facing the loss of their collective bargaining rights

This could be labor's finest hour.

We've heard the stories from our grandfathers and great-grandfathers of the battles, hardships and setbacks in the struggle to gain a right to join a labor union free of employer interference, to require employers to engage in collective bargaining with their workers' union, and the right to strike when all productive efforts at the bargaining table failed.

"Without the right to collective bargaining, a union is little more than a social club." — *Chicago Tribune columnist Clarence Page*

We've heard and read about Pinkerton detectives enforcing employers' vigilante justice in the workplace, of federal troops using bayonets and bullets against fellow citizens exercising their First Amendment rights to demonstrate and picket, and of workers jailed, murdered and even hanged because they advocated workplace democracy.

"It is better to jaw-jaw than to war-war." — *Winston Churchill*

We know the result was passage of the 1926 Railway Labor Act and the 1935 National Labor Relations Act, giving private-sector workers the rights for which they risked their lives, economic security and family honor to achieve. It wasn't until 1959 that state employees – and 1962 that federal workers – gained similar rights.

"It is downright obscene to strip workers of unions while deficit-spending tax breaks to the rich are being handed out as they are in Wisconsin."

— *Stanford University Law Professor William B. Gould*

And now, in state after state controlled by right-wing extremist legislatures, egged on by right-wing extremist governors, and financed by



UTU International Accounting Department Representative Carl Morgano traveled to Columbus, Ohio, recently to protest efforts to eliminate collective bargaining.

extremist right-wing CEOs, financial interests and wealthy investors, those rights for which workers so gallantly fought are under attack.

"This is pure, unadulterated union busting." — *Nationally syndicated columnist Eugene Robinson*

Whether we are public employees, federal workers or private-sector employees, we know the stakes. If extremist right-wing legislatures are successful in revoking collective bargaining and union-membership rights of state employees, it will be federal workers and private-sector employees whose rights to join a union, engage in collective bargaining and strike will next be attacked.

Tens of thousands of union members, joined by equally concerned non-union-member citizens, have taken to streets in cities throughout America in recent weeks demonstrating



Members in Wisconsin let their voices be heard: SB 11 must not be enacted. From left are retired Local 590 (Portage) member Dan Stanley; Ben Deneen (son of State Legislative Director Tim and a returning combat veteran); CP/Soo Line General Chairperson James Nelson (GO 261); Local 590 Vice Local Chairperson Leath Sheppard; Tim Deneen and wife Susan Deneen.

Labor contributions to American society

Eight-hour day
40-hour work week
Overtime pay
Vacation pay
Holiday pay
Minimum wage
Sick leave
Unemployment insurance



Equal pay for equal work
Health care plans
Retirement plans
Equal opportunity
Workplace bias protection
Workplace safety laws
Grievance machinery

against these unprovoked and dastardly attacks on organized labor.

In Ohio, a Republican majority in the House and Senate backed legislation allowing lawmakers to have the final word in ending labor impasses – instead of the current system in which neutral arbitrators play that role.

"It does no one any good when public employees are denigrated or vilified or their rights are infringed upon." — *President Barack Obama*

Now, in Ohio, organized labor will have to wait until the next general election to change the make-up of the legislature and, eventually, the governor.

We can expect losses in other states whose legislatures are dominated by right-wing extremists, but as President Futhey states in his column on page 4 of this newspaper, "We are not going away. We will not forget. And thanks to the values of the union movement and our members, the UTU is stronger than ever."

In the words of Winston Churchill during the dark days of World War II, "We shall fight on the beaches, we shall fight on the landing grounds, we shall fight in the fields and in the

streets, we shall fight in the hills; we shall never surrender."

As the photos and quotations on this page make clear, organized labor is prepared for the fight.

"Collective bargaining, mediation and voluntary arbitration are the most important steps in the maintaining of peaceful labor relations and should be encouraged."

— *Republican Party platform, 1924*



"Collective bargaining is machinery for peace rather than a manual for war." — *Former Pennsylvania Railroad President W.W. Atterbury*



UTU members show their support for organized labor outside the capitol building in Sacramento, Calif.

Global Solidarity

Citizens in the following nations pledge solidarity with public employees in Wisconsin:

Afghanistan	Germany
Australia	Japan
Austria	Kenya
Belgium	Norway
Bulgaria	Netherlands
Canada	Pakistan
Czech Republic	Philippines
Egypt	Poland
Fiji Islands	Sweden
France	Turkey
Granada	United Kingdom

"Wisconsin Gov. Scott Walker isn't interested in saving money. He's interested in crippling the unions that didn't support him last fall." — *Linda Kaboolian, Harvard University*

UTU allocates funds to fight union busting

The United Transportation Union Board of Directors Feb. 28 voted that funds from the UTU's Education Fund be made available to assist union brothers and sisters in various states whose collective-bargaining rights, right to strike, union membership and check-off privileges for PAC contributions are under attack by extreme right-wing lawmakers.

UTU International President Mike Futhey, a member of the AFL-CIO Executive Council, met recently in Washington, D.C., with

federation President Rich Trumka and other AFL-CIO Executive Committee members on strategies and events that will be most effective in combating union-busting efforts of state legislatures.

The UTU will coordinate its activities with the AFL-CIO and other federation unions.

Also under discussion is creation of a nationwide fund to which other unions and union members might contribute to assist in the effort to combat union-busting.



Pictured, left to right, are retired Local 768 (Decatur, Ill.) member Mark Pittman, Local 768 Vice Chairperson Steve Woosley, Local 768 member Chris DeJanyes, retired Local 768 member Roger Snively, Local 453 (Clinton, Ill.) Legislative Rep. Lloyd Holman, Illinois State Legislative Director Bob Guy and his son, Bobby, outside the state capitol building in Springfield, Ill., Feb. 26 as they protest the war on the middle class.

UTU
Alumni

UTU Alumni Association

News, information for members of the UTU Alumni Association

RRB adjusts withholding for annuitants

The Railroad Retirement Board reports it has adjusted benefits – effective with February benefits checks – for more than 140,000 beneficiaries to reflect new federal income tax withholding rates.

The new rates comply with provisions of the congressionally passed Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act of 2010.



The new rates apply to withholding from the non-Social Security equivalent portion of Tier I, Tier II, vested dual benefits, and supplemental annuity payments, and will remain in use for the remainder of 2011.

The Railroad Retirement Board says that in the absence of a request not to withhold federal income tax or to withhold the tax at specific amounts, the board will withhold taxes only if the combined portions of the non-Social Security equivalent portion of Tier I, Tier II, vested dual benefit, and supplemental annuity payments are equal to or greater than an annual threshold amount.

In that case, the RRB withholds taxes as if the annuitant were married and claiming three allowances.

The annual threshold amount for 2011 is \$1,587.99. The threshold amount for 2010 was \$2,063.51.

Annuitants can use form RRB W-4P (Withholding Certificate for Railroad Retirement Payments) to request:

- No federal taxes be withheld from their Railroad Retirement payments;
- Federal taxes be withheld based on the marital status and the number of allowances they wish to claim;
- An additional amount be withheld from Railroad Retirement payments.

Form RRB W-4P may be downloaded at www.rrb.gov by clicking on “Benefit Forms and Publications,” and then clicking on “Income Tax.”

Annuitants who have questions regarding their tax liability should contact the nearest office of the IRS or visit www.irs.gov.

Palmetto expands services to retirees

Palmetto GBA/Railroad Medicare is offering new and expanded services to rail retirees enrolled in Railroad Medicare.

When you call (800) 833-4455 (TTY: 877-566-3572), weekdays from 8:30 a.m. to 7 p.m., eastern time, you can:

- Order duplicate Medicare summary notices;
- Receive information on claim denials;
- Receive claim status information;
- Order replacement cards;
- Report address changes;
- Receive information on covered and non-covered services.

Palmetto GBA/Railroad Medicare also has a webpage at www.palmettogba.com/medicare.

Accessible at the webpage are articles explaining the difference between “Crossover” and “Medigap” insurance, how to avoid fraud, how to appeal a claim denial, information on Medicare Secondary Payer, and Privacy Act provisions.

Palmetto GBA/Railroad Medicare later this year will be launching a Facebook page, providing an interactive forum on Railroad Medicare benefits.

UTU offers tours, cruises for Alumni

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

Genuine Italy tour, May 16 – 25: Tour includes Venice, Cinque Terre, Florence, San Gimignano/Tuscany, Montalcino, Orvieto, Assisi, Rome.

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

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

Three-day weekend cruise, Aug. 12 – 15: Aboard the “Majesty of the Seas.” Itinerary includes Cococay and Nassau, Bahamas.

Seven-day Caribbean cruise, Aug. 13 – 20: Aboard the “Oasis of the Seas.” Itinerary includes Nassau, Bahamas; St. Thomas, Virgin Islands, and St. Maarten.

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

Cruise of Hawaii, Oct. 15 – 22: This is a seven-day Hawaiian cruise aboard Norwegian Cruise Line’s “Pride of America.” Itinerary includes Honolulu, Maui, Hilo, Kona and Kauai.

Call Landfall toll free at (800) 835-9233; check out the Alumni Association page on www.landfalltravel.com or e-mail travel@landfalltravel.com for more information. These tours are open to all UTU Alumni Association members, family and friends; other UTU members are welcome to join them as space permits.

W. Va. rail retirees meet

Railroad retirees in the Charlestown, W. Va., area, many from Local 631, meet the second Tuesday of the month at 11:30 a.m. for lunch at the Hollywood Casino. All members, active and retired, are invited to attend.

THE FINAL CALL

Following are the names of recently deceased members who maintained annual membership in the UTU Alumni Association, according to reports received at UTU International Headquarters. These brothers and sisters will be missed by their many friends and by fellow UTU Alumni Association members.

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
1	McKellop Jr., John A.	Erie, Pa.	662	O’Neil, Richard W.	Gloucester, Va.	1361	Gilbert, Jairus C.	Franklinton, N.C.
2	Campo Jr., Paul	Swanton, Ohio	679	Thompson, Charles	Richfield Springs, N.Y.	1390	McCann, Basil F.	Woodland Park, N.J.
14	Brosmore, Arthur P.	Edgewood, Ky.	756	O’Connell, Robert A.	Fredericksburg, Texas	1393	Morrell, Douglas P.	Guntersville, Ala.
98	Bassford, John C.	San Luis Obispo, Calif.	769	Parker, Larry J.	Fort Washington, Md.	1462	Patterson, Brent O.	Naples, Fla.
199	Heckart, Duane L.	Ottumwa, Iowa	792	Hoffman, Robert L.	Broadview Heights, Ohio	1470	Phillips, Grover W.	Selbyville, Del.
202	Saindon, Royce J.	Arvada, Col.	792	Swingle, John W.	Wooster, Ohio	1548	George, William H.	Indianapolis, Ind.
259	Kelley, Marion R.	St. Joseph, Mo.	832	Tufnell, James J.	Gladstone, Mich.	1571	Passage, Leon T.	Albuquerque, N.M.
265	Friedel, Carl M.	Pocatello, Idaho	835	Wetmore, Winfield A.	Fresno, Calif.	1597	McLynn, John M.J.	Tampa, Fla.
298	Hunt, Gerald A.	Logansport, Ind.	911	Amundson, Gary L.	Savage, Minn.	1628	Grill, Thomas E.	Monroeville, Pa.
322	Conrad, George	Racine, Wis.	911	Bednarek, Thomas B.	Hudson, Wis.	1628	Shubert, Joseph M.	Turtle Creek, Pa.
333	Clark, Robert L.	North Vernon, Ind.	950	Briggs, George W.	Southaven, Miss.	1672	Frazer, Grenville N.	Wakefield, R.I.
421	Burnham, James A.	Conneaut, Ohio	991	Byers, Chase M.	Toronto, Ohio	1732	Buller, Daniel	Stockton, Calif.
426	Garcia, Francis R.	Spokane Valley, Wash.	1042	Gibson, Kenneth W.	Oklahoma City, Okla.	1831	Gangi, Vincent P.	Bethpage, N.Y.
446	Soran, Daniel P.	Cheyenne, Wyo.	1074	Gill, Robert E.	Oakmont, Pa.	1883	Fraizer, James W.	Riverdale, Ill.
462	Massey Jr., William W.	Huntsville, Ala.	1106	Mitchell Jr., James W.	Rocky Mount, N.C.	1892	Ginn, Albert R.	Tomball, Texas
471	Grover, Owen L.	Eugene, Ore.	1188	Arnold Jr., Sam	Lexington, Okla.	1908	Bellanti Jr., Dominic S.	Lackawanna, N.Y.
483	Stadnyk, Nicholas	Caledon East, Ont.	1216	Giunta, Pat	Lees Summit, Mo.	1978	Frengs, Harry G.	Stamford, Conn.
601	Dean, Thomas W.	Marion, Ohio	1227	Mullen, Robert J.	Geneseo, Kan.			
610	Rau, Frederick W.	Upperco, Md.	1312	Booth, Doyle G.	Pensacola, Fla.			
645	Rich, James W.	Brentwood, N.Y.	1313	Smith, Kenneth P.	Amarillo, Texas			

Retire wisely...

Make your money work for you!

With so many Americans living paycheck to paycheck, some may wonder how it is possible to save for retirement when there is no money left at the end of the week.

The answer is spending less than you earn.

There are a lot of ways to reduce expenses. Some may be challenging, but some may be easier than you think.

Determining where to cut corners is an individual decision, but once you free up some cash, it's important to get that money into a savings vehicle as soon as possible. Even small amounts can make a big difference, given enough time.

Here's an example: A 20-year-old who invests just \$600 per year into a UTUIA IRA can expect a guaranteed annuity value of \$69,708 at the end of the year of age 70. Just by investing \$600 per year. That's less than \$1.75 per day.

Call (800) 558-8842 today for your free annuity illustration or visit www.utuia.org.



Money-saving tips

- ✓ Bring your lunch, coffee, pop or bottled water to work with you.
- ✓ Seek out free entertainment such as museums, parks and free concerts.
- ✓ Stop impulse buying. Before buying anything, ask, "Do I really need this?"
- ✓ Borrow movies and books from the library instead of buying books or paying for the theater.
- ✓ Get rid of the cable movie channels and cut back to basic cable.
- ✓ Cook your own meals instead of eating out. Buy store brands instead of name brands.

IRA Information, please

I would like more information on retirement savings plans. Please print.

Full name

Address

City

State

ZIP

Date of birth

UTU local number

Telephone number with area code

Are you currently working?

☐ Yes

☐ No

03/11

Mail to: UTUIA, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333

NMB honors UP general chair

UTU General Chairperson **Rich Draskovich** (Union Pacific, GO 953) has been recognized by the National Mediation Board (NMB) for "a special achievement" in helping reduce the agency's backlog of rail-labor grievances.

In presenting the award, NMB Chairman **Harry Hoglander** said Draskovich, on behalf of the UTU, and in concert with Union Pacific and CSX, provided "essential support, leadership, dedication and expertise" in helping the NMB launch a program to attract a diversified pool of 91 new rail arbitrators.

Draskovich served as a classroom instructor at a CSX facility and on three multi-facility tours of Union Pacific across Nebraska, explaining rail operations and craft assignments and skills to more than 255 potential new arbitrators who responded to a recruitment drive by the NMB.



Rich Draskovich, right, receives his award from NMB Chairman Harry Hoglander.

The addition of qualified rail arbitrators is intended to speed further the determination of grievances that reach public law boards and special boards of adjustment created under provisions of the Railway Labor Act.

NMB arbitrators have been "overloaded with cases in recent years, and justice delayed is justice denied," Hoglander said.

To assure new arbitrators understand the rail industry and rail culture, Draskovich helped to develop and initiate the training program.

Included in the training was the presentation of 33 examples of discipline and rules violations that typically might be heard by a railroad arbitrator.

In recent years, the NMB has reduced the backlog of grievances from more than 5,500 to around 300, with some 2,700 new cases being filed annually.

Two appointments to UTU executive posts

Two executive vacancies have been filled by the UTU Board of Directors.

General Chairperson **John Lesniewski** (CSX, GO 049) was elected second alternate vice president – east, to fill a vacancy created by the retirement of now former General Chairperson **Jim Huston** (BNSF, GO 009).

Also, UTU Local 1422 (Los Angeles) Chairperson **Robert Resendez** was elected an alternate on the executive board, filling a vacancy created by the resignation of General Chairperson **Troy Johnson** (Union Pacific, GO 927).

Signalmen official nominated for RRB seat

Walt Barrows, secretary/treasurer of the Brotherhood of Railroad Signalmen since 1999, has been nominated by President Obama to fill the labor chair on the three-member Railroad Retirement Board, succeeding Butch Speakman, who is retiring.

The nomination requires Senate confirmation.

Barrows began his railroad career as a signalman with Norfolk & Western Railway (now part of Norfolk Southern) in 1974.

Since 2004, Barrows has been the labor trustee of the National Railroad Retirement Investment Trust, a position earlier held by former UTU GS&T Dan Johnson.

Former Missouri SLD Clark dies

Former Missouri State Legislative Director **Dennis P. Clark Sr.**, a member of Local 469 and resident of Lake St. Louis, Mo., died Feb. 20 at age 67.



Clark

Clark held the position of state legislative director from 1978-1991. He retired from railroad service in 1994.

He is survived by his wife, Mary Jo Clark, two sons and two daughters. The family has asked that remembrances be sent in Clark's name to the American Cancer Society.

LACMTA operator drives home a real deal for statue

LOS ANGELES – A Thursday morning in February started like most for bus operator and Local 1564 member **Darwin Dawson** – making fruit and vegetable protein shakes for fellow Division 18 workers as part of the Los Angeles County Metropolitan Transportation Authority’s health and wellness program.

By afternoon, Dawson was standing on the set of the *Jimmy Kimmel Live* show in Hollywood, collecting \$650 in cash from host Kimmel – and it had nothing to do with buses or fruit and vegetable protein shakes (the latter a southern California thing, so don’t ask).

So let’s back up and sit a spell for this yarn, as Dawson is one fascinating fellow.

It begins in the garage of Dawson’s home in Redondo Beach, which he converted to a private sports bar for his friends and family. On display everywhere were old leather football helmets, antique cleats, brightly colored neon beer signs, five television screens – a memorabilia laden man-cave if ever there was one.

Jimmy Kimmel buys statue as birthday present for Jordan

And, somehow, there was room for Dawson also to restore vintage Chevy pick-up trucks – the source of cash to keep those friends and family in beer and pretzels during Angels, Clippers, Dodgers and Rams ballgames.

Somehow, some hard-to-find ’49 Caddy parts found their way into the garage – the source of a barter that would lead to the Kimmel show. But let’s not get ahead of this story.

Some years back, in exchange for ’49 Caddy chrome bumper and other parts, Dawson acquired a 100-pound, 6’7” fiberglass statue of basketball legend Michael Jordan, which fit oh so well in the home sports bar aka Dawson’s garage.



Late-night television host Jimmy Kimmel, right, pays UTU member Darwin Dawson for the Michael Jordan statue, seen at rear.

Man-caves can change, and when Dawson recently decided it was time to redecorate – from a sports bar motif to an auto/bus motif – the Jordan statue become surplus. So Dawson put it up for sale at \$650 on Craigslist.

Then came the call from producers of the Kimmel show. Kimmel wanted the statue as a gift to present Jordan on his birthday. So, with help from Dawson’s 12-year-old son, into a Dawson-restored ’68 Chevy pick-up went the 100-pound statue, and down the road went Dawson and his son to the *Jimmy Kimmel Live* set in nearby Hollywood – a building but 100 yards from the route of the LACMTA bus Dawson drives.

In his driver’s uniform – at Kimmel’s request – Dawson gained his few minutes of national fame, selling the statue to Kimmel not for the \$600 Kimmel offered, but the \$650 Dawson insisted on receiving. Hey, he’s a UTU brother, and UTU brothers and sisters don’t let even the Jimmy

Kimmels of the world get the better in negotiations.

Basketball fans may notice something amiss in the photo. Yes, Jordan’s jersey shows #32, not the #23 Jordan wore with the Chicago Bulls.

Kimmel noticed that discrepancy, and Dawson had the answer. The statue was never “authorized” by Jordan – as were the legendary Nike Air Jordan shoes – but was created in the Philippines, perhaps by a dyslectic sculptor of knock-offs.

While insomniac Americans watched Dawson on Kimmel’s late night show, Dawson was sound asleep. He begins his day with the LACMTA at 4 a.m.

Risk reduction

Continued from page 1

report injuries in order to preserve incentive prizes.

- A carrier’s past response to risk, hazards, defects, near misses and safety complaints reported by employees.
- The effectiveness of operating rules and practices in risk reduction.
- The effectiveness of safety and training programs.

Additionally, the labor organizations asked the FRA to “pay particular attention to railroads that regularly intimidate employees to cut corners [and] hold formal hearings and discipline employees whenever accidents or injuries are reported.”

The process for evaluating and managing a risk reduction program must also include direct employee input, said the labor organizations. “There is no substitute for interviewing employ-

A risk-reduction program must include employee input

ees actually doing the work,” and such interviews should mask the identity of employees to ensure “they may speak freely.”

Of special importance to train and engine workers is the implementation of a fatigue management plan. “A human being cannot possibly be rested to work safely unless that human being knows when they must report for service,” said the labor organizations. “Often, safety critical employees are forced to report for service even when fatigued, or [they] face disciplinary hearings and loss of employment.

“We encourage the FRA to take immediate action to require 10 hours of advance notification for all operating employees not otherwise on assignments with defined start times,” said the labor organizations.

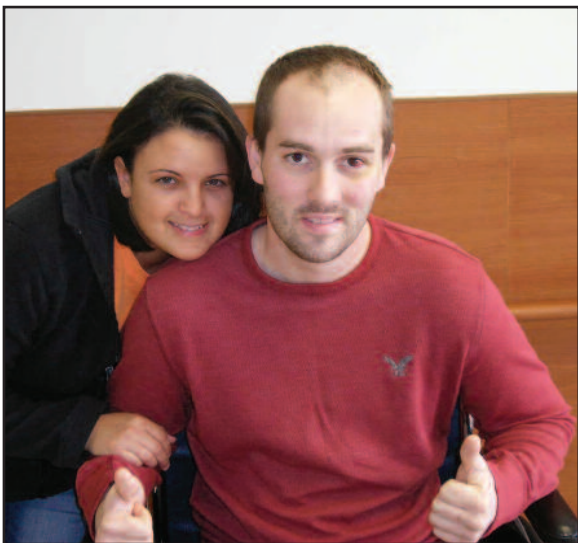
‘He ain’t heavy. He’s my brother’

Continued from page 1

member Chad Burdette, Smith pulled the badly injured Boguess to safety on the bank.

The three were working a shoving movement into a Westvaco paper plant when Smith, initiating a job briefing, lost radio contact with Boguess.

“I lost my foreman,” Smith radioed to Bur-



Alvin “A.J.” Boguess, his wife Shannon by his side, gives “thumbs up” from his hospital room where he is recovering.

dette, who stopped the train. Smith, followed by Burdette, began walking the tracks back to the trestle, when Smith spotted the yellow safety vest clinging to Boguess in the dark water below.

“Emergency. Emergency. Emergency. Man in river,” yelled Smith, age 48, to CSX dispatchers via his radio as he broke into his gallop down the embankment and through the thick brush.

“Barely moving, Boguess managed to keep his head above the water for the several minutes before Smith and, then, Burdette arrived.

Airlifted to a Roanoke hospital, some 60 miles south, Boguess’ body temperature had dropped to a life threatening 96.5 degrees.

Smith was taken to a closer hospital by ambulance, treated for slight hypothermia and a knee injury, and is now back at work.

Boguess, an American warrior who had returned in August from a tour in Iraq, had been called back to work just a few weeks earlier.

He is now in rehabilitation at the Roanoke hospital – his wife and mother by his side each day and evening – and is expected to make a full recovery.

“Don’t call me a hero,” Smith pleaded. “A.J. is my brother. He would have done the same for me.”

Western Rail Road workers join UTU

Employees of Western Rail Road in Braunfels, Texas, a wholly owned subsidiary of Cemex USA, have voted to be represented by the UTU.

The railroad moves crushed rock, cement and other aggregates for interchange with Union Pacific at Dittlinger and Stonetown, Texas.

UTU International President Mike Futhey praised the work of UTU organizer **Mike Lewis** in “bringing first-class representation to another hardworking group of railroad workers.”



Regional meetings offer education, fraternalism

The 2011 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 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.

The pre-registration fee for the 2010 regional meetings is \$150 per member, spouse or child over age 11. Additional fees apply for the golf outings and spouse tours. You must make your own room reservations, and certain deadlines apply. Tours are booked first come, first served.

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.

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, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333, 10 days prior to the scheduled start of the meetings or the registrant will be charged the on-site registration fee of \$200.

You may cancel your registration by June 6 for San Antonio or June 20 for New York without penalty. Please fax any changes or cancellations immediately to the UTU International Headquarters at (216) 228-5755, or call (216) 228-9400.

SAN ANTONIO, JUNE 20-22

HILTON PALACIO DEL RIO
200 S. ALAMO ST.
SAN ANTONIO, TX 78205
WWW.HILTON.COM

Hotel reservations: (800) HILTONS toll free; (210) 222-1400 direct; (210) 270-0761 fax
Reservation code: UTU
Daily room rate: \$139 single/double, plus tax; rates good for three days before and after the meeting, depending upon availability
Reservation deadline: May 18, or until all rooms being held for the UTU are reserved
Parking: Valet: \$35.50 per night; Self: \$22
Golf outing: The regional meeting golf outing will be held Sunday, June 19, at a course to be determined. The cost is \$80 per golfer, which includes transportation, golf, lunch and more.

NEW YORK CITY, JULY 4-6

GRAND HYATT NEW YORK
109 E. 42ND ST. AT GRAND CENTRAL
NEW YORK, NY 10017
WWW.GRANDNEWYORK.HYATT.COM

All rooms being held for the UTU at the Grand Hyatt New York have been reserved.

The overflow hotel is the Roosevelt Hotel, 45 East 45th St., New York, NY 10017 (a seven-minute walk to the Hyatt). Telephone (888) 833-3969; mention UTU when reserving rooms. Rates are \$199 single/double, \$239 triple, \$279 quad. Room rates are good July 1 to July 9. Cut-off date for reservations is June 11 or until all rooms being held for the UTU are taken. Parking is \$55 per 24 hours.

DISCOUNT AIRFARES, CAR RENTALS

Continental Airlines is offering discounted airfares to UTU members and others attending the San Antonio and New York regional meetings. See the “Meetings” page of the UTU website, www.utu.org, for details.

The UTU also has arranged with Avis Rent-a-Car to offer discounted rates to UTU members attending the 2011 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.

TWO SPOUSE TOURS SET

The UTU is arranging **two different tours of local attractions** at both regional meetings. The tours will take place the day before, as well as the first day of, each meeting. Fees are \$35 per registered spouse, guest or child, or \$75 per unregistered spouse, guest or child in San Antonio, \$50 per registered spouse, guest or child, \$90 per unregistered spouse, guest or child in New York. Check out www.utu.org for complete details.

UTU REGIONAL MEETING REGISTRATION FORM

Registering before the regional meetings speeds sign-in procedures, helps organizers plan more accurately, and saves on meeting costs. **Each person attending the regional meeting, including family members and guests, MUST be registered in order to attend any event. Please note that these meetings last 2-1/2 days and conclude on the afternoon of the third day.** Registration fees are \$150 per person; children 11 years of age and under are complimentary. On-site registration is \$200 per person. All fees must be paid in U.S. funds. Canadian funds will be returned, possibly delaying your registration. If you have questions, consult your bank. Registration forms with payment must be received at the UTU International by June 6 for the San Antonio meeting or June 20 for the New York meeting for the member/spouse to be considered pre-registered.

Which regional meeting will you be attending? ☐ San Antonio ☐ New York

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 ☐ San Antonio ☐ New York

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 in San Antonio; \$50 per registered spouse, \$90 per unregistered spouse in New York)

Child registration ☐ San Antonio ☐ New York

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 in San Antonio; \$50 per registered child, \$90 per unregistered child in New York) No. attending _____

Guest registration ☐ San Antonio ☐ New York

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 in San Antonio; \$50 per registered guest, \$90 per unregistered guest in New York)

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

Golf registration ☐ San Antonio

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 _____

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, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333, by June 6 for the San Antonio meeting or June 20 for the New York 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.

Published monthly (except for combined months of December/January and July/August) by the UNITED TRANSPORTATION UNION, 24950 COUNTRY CLUB BLVD., SUITE 340, NORTH OLMSTED, OH 44070-5333 • Periodicals postage paid at Cleveland, Ohio, and additional mailing offices • Mike Futhey, International President; Kim Thompson, General Secretary & Treasurer • This publication available on microfilm from National Archive Publishing, P.O. Box 998, Ann Arbor, MI 48106.

POSTMASTER: Send address changes to **UTU News**, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-



Photo of the month



This 1963 photo, by Alumni Association member Donald Hill, a retired conductor and member of Local 202, Denver, shows Colorado and Southern engine #641, a 2-8-0 steamer, taking water near Leadville, Col. The engine is now on display at the old C&S depot in Leadville, Hill said.



The government does not get to decide if we are a uni

We thank those who have paid their dues

Union-busting efforts across the nation have nothing to do with balancing out-of-control budgets, as President Mike Futhey and Assistant President Arty Martin explain in their columns on page 4 of this newspaper.

In fact, right-wing extremist legislatures are seeking to turn back the clock.

Following is a sampling of what the workplace was like before the 1926 Railway Labor Act and 1935 National Labor Relations Act gave workers rights to join a union free of employer interference and to bargain collectively.

Previously, the American judicial system was modeled on English common law, which considered any combination of workers seeking wage increases a criminal conspiracy, punishable by prison. Even picketing an employer was considered an unlawful restraint of trade.

Workers typically put in a 12-hour day, six days a week, with no overtime pay, no paid vacations, no employer-provided health care insurance, no process for worker grievances to be heard and no compensation for on-the-job injuries.

In 1855, Chicago railroads hired Pinkerton detectives to spy on workers, blacklisted troublemakers

and informed them in writing that if injured on the job, the railroad had no responsibility.

In 1867, Central Pacific financier Charles Crocker responded to a work stoppage by denying workers food, telling them it was he who made the rules and if they did not return to work he would pay them nothing for the work already performed and for which they were owed.

“Robber barons prevailed in their pursuit of endless treasure at the expense of their employees,” wrote a federal judge in 2006, describing 19th century working conditions.

During the late 1800s, federal troops were used to put down work stoppages. In 1877, 20 rail workers were killed and another 29 wounded in clashes with 3,000 soldiers brought in to end a work stoppage.

In 1891, the Colorado legislature established 18 consecutive hours – with no overtime pay – as a lawful day’s work for railroad workers.

Turn back the clock? As President Futhey says, “We are not going away. We will not forget. And, thanks to the values of the union movement and our members, THE UTU IS STRONGER THAN EVER!”



Inside this issue of the *UTU News*:



Father works as conductor on engineer son’s first run. See page 2.



UTU members march to support unionized state workers. See pages 6/7.



UP General Chairperson Draskovich honored by NMB. See page 9.



LACMTA driver sells Jordan statue on television. See page 10.