



www.utuia.org

# UTU News

www.utu.org

The Official Publication of the United Transportation Union

## News and Notes

### Board delays internal trials

The UTU Executive Board has delayed, until at least July, the start of trials against six UTU International vice presidents and the UTU national legislative director.

The officers have been charged internally with improper conduct relative to a merger between the UTU and the Sheet Metal Workers International Association (SMWIA).

The Executive Board will hear the internal charges as prescribed by Article 25 of the UTU constitution.

The rescheduling was at the request of legal counsel designated by the accused to represent them.

The Executive Board said it would "consider whether to continue the postponement on or about July 1."

Facing internal trial by the UTU Executive Board are UTU International vice presidents John W. Babler, Vic Baffoni, Roy G. Boling, J.R. "Jim" Cumby, John D. Fitzgerald and C.A. "Tony" Iannone, and National Legislative Director James Brunkenhoefer.

### Members ratify deal

UTU members employed by the Northern Indiana Commuter Transportation District (NICTD) have approved a new four-year contract with the company.

The 90 workers, employed as locomotive engineers, conductors and collectors, are all members of Local 1526, Michigan City, Ind.

The NICTD primarily transports commuters between northern Indiana and Chicago.

The contract ratified by the UTU extends through Dec. 31, 2011.

General Chairperson **Anthony Wojasinski** reports the ratified agreement provides good wage hikes with no changes in work rules.

The employees also will pay the same contributions to health-insurance premiums paid by NICTD management employees.

"The company has a new attitude," Wojasinski said. "This was the smoothest negotiation in 20 years. Business has been steadily increasing, just like the price of gas. It was one of the few times we didn't have to give up rules to get raises."

Wojasinski thanked International Vice President Tony Iannone and Vice Local Chairpersons **Kennitha Harmon** and **Robert Kehoe** for their hard work on behalf of the members.

### Dist. 1 GCs elect leaders

The UTU District 1 Association of General Chairpersons on March 25 elected new officers. Under Article 91 of the UTU constitution, District 1 includes all rail lines in the United States.

Elected were:

**R.S. "Randy" Knutson** (GO 245, BNSF) as chairperson;

**Paul E. Emert** (GO 898, Norfolk Southern) as vice chairperson;

**George T. Casey** (GO 081, New England Lines) as secretary, and

**Luther "Pate" King** (GO 680, Norfolk Southern) as treasurer.

## Court extends order halting SMART merger

A temporary restraining order (TRO) that halted implementation of a merger between the UTU and the Sheet Metal Workers International Association has been extended until at least early June by a federal district court in Akron, Ohio.

The merger would have created the International Association of Sheet Metal, Air, Rail and Transportation (SMART) Workers.

Federal Judge John R. Adams issued the TRO Dec. 27, and twice extended it. The judge's latest extension – until early June – was ordered by him on April 10.

The TRO is in response to a complaint before Judge Adams that UTU members had not been given sufficient information on which to make an informed decision when they voted last year to approve the merger creating SMART.

Judge Adams extended the TRO into June as part of a rescheduling until May 28 of a hearing on a motion by former UTU President Paul Thompson, six UTU International vice presidents and the UTU national legislative director that they be permitted to intervene in the case.

Following the federal district court's ruling with regard to the petitioners' request to intervene, the court will schedule a second hearing to consider whether to lift the TRO and permit the merger to proceed, or make the injunction permanent.

**The TRO is in response to a complaint before Judge Adams that UTU members had not been given sufficient information on which to make an informed decision when they voted last year to approve the merger creating SMART.**

The federal district court action, leading to the TRO, was initiated by a group of UTU members who successfully complained to the court that UTU members should have been provided – prior to the merger ratification vote – with a copy of the SMART constitution into which the UTU constitution was to be inserted intact.

The complaint was filed following allegations that UTU members were not made aware of conflicts between the two constitutions.

In late March, the U.S. Sixth Circuit Court of Appeals dismissed a petition asking that it vacate Judge Adams' temporary restraining order (TRO) that halted implementation of the merger.

The appellate court petitioners had tried to argue that the lower court lacked "subject-matter jurisdiction."

The unsuccessful petitioners are former UTU President Paul Thompson, six UTU International vice presidents and the UTU national legislative director.

Essentially, the Sixth Circuit Court of Appeals found that the federal district court in Akron should be allowed to decide the motion to intervene in the first instance, and any party aggrieved thereafter can appeal at that time.

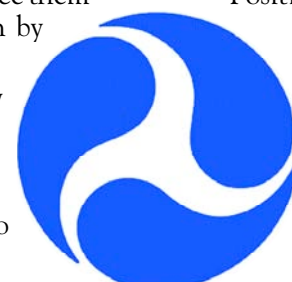
## FRA delays imposing railroad-worker fines

New Federal Railroad Administration rules imposing civil penalties on rail workers who violate certain operating rules went into effect April 14, although the agency says it will enforce them judiciously while it considers a petition by the UTU and others to revise them.

The FRA initially said it would delay implementation of the new penalties, but the intended action was announced beyond the legal deadline to do so. Thus, the agency was forced to put the rules into effect.

The UTU and others in transportation labor have raised a variety of questions about the new rules, and accompanying penalties that could be levied against railroad workers.

For example, the UTU and other rail labor organizations had requested reconsideration of a portion of the new rules that would establish rail-worker liability for failure to properly position switches and derails, not protecting the point on shoving movements, and not leaving cars in the clear of adjacent tracks and crossovers.



FEDERAL RAILROAD ADMINISTRATION

The challenged final rule also permits the FRA to conduct operational tests without a carrier officer present, and allows the required Switch Position Awareness Form to be discontinued.

The labor organizations' request for reconsideration itemized reasons that civil penalties are not good public policy for improved railroad safety; and includes an alternative form of analysis of existing FRA data in support of reconsideration.

Alternate National Legislative Director James Stem, who represents the UTU on many safety issues before the FRA, said, "Railroad employees who understand how to work by the existing operating rules will see no change from the application of this new regulation. All three of these issues are just basic common sense railroading.

"However, the imposition of civil penalties would encourage an employee not to

Continued on page 10



# Around the UTU

## Local 95, Rensselaer, N.Y.

Mike Shaw, employed as a conductor aboard Amtrak's Downeaster and resident of Standish, Maine, is campaigning to win a seat on the Maine Legislature. Hoping to represent residents of House District 102, Shaw is challenging incumbent Gary Moore, who is seeking a fourth term. Moore beat Shaw in 2006 after a close recount.

## Local 161, Seattle, Wash.

Local President Brian Donald reported that co-worker and Vice Local Chairperson Kiki Garrison passed away last month following a courageous battle against cancer. "She touched the lives of all who knew her," Donald said. Also, at the April monthly meeting, members approved a new local-dues structure after a lengthy and thoughtful discussion.

## Local 240, Los Angeles, Calif.

Local Chairperson Harry Garvin reported that the following members have retired in the last few months from service with the Union Pacific: William A. "Bill" Hicks (45 years), Donald H. Graham (41-1/2 years), Jimmy W. Fleeman (40-1/2 years) and Benny Volpe (44 years). "All of the members and officers of Local 240 thank them for their loyalty and dedication to this great union," Garvin said.

## Local 283, Portland, Ore.

President Steve Smith of this Union Pacific local recognized the uncompensated work of Vice President Ed Nicolai, Vice Local Chairperson John McKeown and Vice Local Chairperson Bart Doern by presenting them with knives with "UTU Local 283" engraved in the handles, reported Secretary & Treasurer Jack Coryell.

## Local 453, Clinton, Ill.

Members of the local should make note of the new meeting place and time for local meetings, Secretary & Treasurer Lloyd R. Holman reports. Meetings will now be held at 7:30 p.m. on the third Tuesday of each month at the International Brotherhood of Electrical Workers' Hall #146, located at 3390 N. Woodford St. in Decatur.

## Local 465, Gillette, Wyo.

This BNSF Railway local lost a good friend, railroader and union brother on March 25 upon the death of Donald Cass, said Local President Billy Montgomery. Cass, who was 70 years old, was planning on retiring soon.

## Local 663, Bangor, Maine

Members of this New England Lines local are backing Local Chairperson David Higgins in his race to win the Maine House District 39 seat, which represents residents living in the Bangor area. Higgins narrowly lost election to the job in 2006 (by 18 votes out of more than 4,400 cast) and is said to be working hard to gain the post.

## Local 811, San Bernardino, Calif.

Monnie L. McRae, a retired member of this BNSF local, passed away on Aug. 25, 2007, three days short of his 95th birthday, son James A. McRae reported. James is also a retired UTU-represented yardmaster with 38 years of service.

## Local 951, Sheridan, Wyo.

On March 7, member Carol Rosalez and UTU Auxiliary State Legislative Director Nancy Drummond met with Sen. Hillary Clinton as she campaigned in Wyoming prior to the state's Democratic



Sen. Hillary Clinton with Carol Rosalez



The scoreboard in the outfield of Field 7 at the Merrill Complex in Raynham, Mass., honors the memory of deceased UTU member Stephen M. Parker.

## UTU's Parker will live on at his 'field of dreams'

In honor of a fallen UTU member, the Raynham (Mass.) Youth Baseball Softball Association has renamed one of the fields at its Merrill Complex the Stephen M. Parker Field.

Parker, formerly of UTU Local 262 at Boston, Mass., died May 3, 2007, of a heart attack while working as a flagman for Amtrak. He had been riding on a forklift that was stuck and then dragged by an Amtrak train.

New England States Legislative Director George Casey said Parker, an Amtrak employee for 31 years, was a former local chairperson. "He was a great family guy. He always remained active in local union activities up until his untimely death. He is survived on the railroad by his brother, John Parker, who is an Amtrak conductor," Casey said.

For years, Parker had volunteered his services to RYBSA. An avid landscaper, Parker put his skills to use at the local ballparks.

"Steve ran the field crew here for the 2000 Cal Ripken New England Regional Tournament," said Bob McCabe, RYBSA president. "It rained every day of the tournament, but we never had a game rained out. You'd see him out here working on the field at night. He wouldn't rest until the grass was exactly the regulation height of 1-1/2 inches. He also took on the role as head contractor for our new concession stand."

Chris Bodensieck, Raynham's park commissioner, said: "Steve was a friend and neighbor. He stayed with the league even after his kids were no longer involved...He gave to the community and asked nothing in return."

Fellow Amtrak employee Ed Radovich also praised Parker's efforts. "What a fantastic tribute to a wonderful guy. All of Steve's friends at the railroad are very proud of him. He was the best, and his spirit of dedication to his family and his friends lives on as an inspiration to us all," he said.

The scoreboard in the outfield of Field 7, now known as Stephen M. Parker Field, features a photo of Parker, along with his mantra: "Enjoy the game. Most of all, enjoy the kids. They are the reason for the season."

On Raynham's traditional opening day this year, players from every team in the league surrounded the infield at Field 7. Parker's children, Kelly and Greg, threw out the first pitches in the first baseball and softball games.

"My dad was a family man," said son, Greg. "This is a place he loved."

primary. Also in attendance at the campaign stop were Local Chairperson Bruce Drummond, members Hugh Miller and Larry Jacobsen, retired member Rod Reckard, and Local 465 President Bill Montgomery and Legislative Rep. Mike Stufflebean.

## Local 1168, Clovis, N.M.

Members of this BNSF local presented a check for \$500 to the youth services librarian at Clovis-Carver

Public Library in support of their 2008 summer reading program, reported Legislative Rep. Randy Dunson. The program begins the first week in June and runs through July 31. The donation will be used to provide prizes to the kids as they reach the required program goals. UTU member Efren Bocanegra and his wife, JoNella, are strong supporters of the program and it was through their efforts that this donation was made, Dunson said.



Pictured, from left, are Clovis-Carver Library Director Marilyn Belcher, Local 1168 President Greg Blevins, Librarian Krissie Carter and Dunson.

## Local 1293, Altoona, Wis.

UTU member Duane G. Zunker and family are mourning the loss of his son, Jason, a Chippewa County deputy who was killed in the line of duty in January. Jason, 31, was diverting traffic off a highway to avoid a semi-truck fire when he was struck from behind by a passing motorist. More than \$60,000 has been raised for a memorial and scholarship in his name.

## Local 1529, Walbridge, Ohio

Members of this CSX local have established a savings account to aid fellow brother Neil D. Emerson, who lost his left arm April 1 when he was struck by a moving railcar. Emerson, 23, is married with two small children. Anyone interested in donating to the fund should contact CanDo Credit Union, 113 S. Main St., Walbridge, OH 43465, or call (419) 666-3113, said Secretary & Treasurer Mike Obrock. "We are rallying behind Brother Emerson and his family in their time of need," Obrock said.

## Local 1904, Houston, Texas

For members who are unaware, the local has a Web site at [www.utu1904.com](http://www.utu1904.com), Port Terminal Railroad Association Vice General Chairperson Kenneth Rainer reports.

## UTU Local 171 to host Tri-State Rail Conference

UTU International President Mike Futhey will be among the guests attending this year's Tri-State Rail Conference in Chicago on Saturday, May 17. The conference, organized by Chris Taus, Burlington Northern Santa Fe Railway local chairperson of UTU Local 171 at Aurora, Ill., will be held at the Stadium Restaurant, 4015 Algonquin Rd., in Rolling Meadows.

The conference will be from 10 a.m. until 2 p.m., and is free of charge for all UTU members. Also scheduled to participate in the conference are UTU International Vice President John Babler, Illinois State Legislative Director Joe Szabo, and representatives from the Federal Railroad Administration.

The first Tri-State Rail Conference was organized in late 2003 with the objective of promoting unity, strength, effectiveness and constructive relationships among UTU locals, their members and their officers in Illinois, Indiana and Wisconsin. The conferences allow attendees to exchange information on common issues rail employees face.

Retired Local 1433 President Al Schoo, who organized the first Tri-State Rail Conference, said: "I believe in relationships, action and union principles and this conference is the place to encourage those ideas." For more information, call Schoo at (815) 222-6159.



# FRA says CSX harassed railroad workers

Federal rail regulators, in a stinging report on safety practices at CSX Transportation, say officials at the railroad created a “chilling” atmosphere which discouraged workers from reporting injuries, and that actions by CSX officials likely have violated the law, *Traffic World* magazine reports.

The FRA said the alleged violations “cannot be treated as proven.” But the report said the agency’s Office of Safety is recommending 30 civil penalty violation assessments against the railroad and a single assessment of individual liability against a CSX officer.

The FRA said it is issuing warning letters to CSX officials, including warning letters from the FRA’s Office of Chief Counsel.

CSX, in a letter by Executive Vice President and Chief Operating Officer Tony Ingram sent to the FRA last October and included in the report, said it has undertaken “remedial actions” in response to the incidents that were investigated “to prevent such conduct from occurring.”

The report came after an investigation into allegations from rail unions that CSX has harassed and intimidated workers, discouraging workers from reporting on-duty injuries and from receiving proper medical treatment.

“The consensus of the investigative team was that certain CSX officers had created an atmosphere or culture that tends to have a chilling effect on employee injury/illness reporting and that ultimately sends a message to employees that if they report an on-duty injury, they will be subject to adverse consequences,” the report said.

The FRA report said investigators found CSX field officers often discuss federal reporting standards with workers who have been injured and “will sometimes ‘remind’ an injured employee” that a reportable injury would be included in personnel records and “may have an adverse effect on his or her career.”

“This behavior violates the law,” the report said.

A spokesman for the railroad said the railroad “does not tolerate harassment and intimidation of employees” and “we have taken appropriate action where we have identified isolated instances of that behavior.”

Spokesman Gary Sease noted CSX has reduced employee injuries by 46 percent since 2004, saying, “We have a culture of safety in this company.”



## Three International employees step up, save the day

Three UTU International employees – Wade Arnold, Bruce Karl and Cary Nitschke – stepped up recently to assist an injured comrade and keep the wheels of the UTU and UTUIA rolling smoothly.

Late last March, third-shift computer operator Bruce Terrell began to feel unwell at work. He finished his overnight-Friday shift at 6 a.m. and walked straight to the emergency room, where he was admitted with intestinal problems.

Terrell’s illness could not have come at a worse time for the UTU and the UTUIA: there were end-of-month treasurers’ reports to process, get printed and get in the mail; there were checks to be processed, printed and mailed to beneficiaries of the DIPP program, UTUIA insurance policyholders, general committees and state legislative boards for expenses and payrolls; there was a ton of stuff that had to be done.

“Bruce got sick on our busiest day of the month,” said Matt Dolin, the UTU International



Pictured, left to right, are Wade Arnold, Bruce Karl and Cary Nitschke.

al’s director of information services. “The timing was awful.”

But the UTU and UTUIA had the expertise in the bullpen to get these jobs done.

On Monday, March 31, Assistant Director of Information Services Bruce Karl stepped up to the plate and worked his usual 6:30 a.m.-to-3

p.m. shift, then took a short break and returned to the UTU at 8 p.m. for a 12-hour shift in the computer room.

On Tuesday, April 1, Computer Operator Wade Arnold pulled his usual 7 a.m.-to-3:30 p.m. shift, then came back in at 10 p.m. and worked until 3 p.m. the next afternoon, a grueling 17-hour workday.

That same day, Senior Information Services Specialist Cary Nitschke also helped out by working his normal shift of 8:30 a.m. to 5 p.m., then coming back in at 10 p.m. and working until 2 a.m.

“A lot of the monthly processes that Bruce handles would have been delayed a week or more had these three individuals not stepped up,” Dolin said.

“I thank these three for their hard work and dedication on behalf of UTU members and UTUIA and DIPP beneficiaries,” UTU International President Mike Futhey said.

## United Transportation Union 2008 budget

Pursuant to Article 19 of the UTU constitution, below is the 2008 budget for the United Transportation Union. This budget reflects the ambitious goal of reducing International operating costs by 10 percent.

International funds	January 1, 2008 (valued in U.S. dollars)	Receipts and Other Additions	Disbursements and Other Deductions	December 31, 2008 (valued in U.S. dollars)
General Fund	\$2,103,193	39,225,000	(36,347,000)	\$4,981,193
Education and Training Fund	2,521,429	878,000	(191,700)	3,207,729
Maintenance of Membership Fund	(636,501)	876,000	(712,800)	(473,301)
Public Relations Fund	(197,766)	244,000	(46,800)	(566)
Strike Fund	1,842,361	592,000	(560,700)	1,873,661
Convention Fund	1,923,165	1,627,000	-	3,550,165
Total International Funds	\$7,555,881	\$43,442,000	(\$37,859,000)	\$13,138,881

## MEET YOUR DESIGNATED LEGAL COUNSEL

There is no more dangerous work environment than on the railroads, where injuries too often are severe. The Federal Employers’ Liability Act (FELA) makes railroads accountable for unsafe working conditions.

Railroads retain skilled attorneys to protect their interests. You also have access to skilled and experienced attorneys who understand the railroad industry, its safety hazards, and every aspect of the FELA. They are the UTU

Designated Legal Counsel, chosen for their special knowledge and experience. Their job is to represent you.

This continuing column introduces you to all of the UTU Designated Legal Counsel. For a complete listing, go to the UTU home page at [www.utu.org](http://www.utu.org) and click on the blue tile “Designated Legal Counsel.”



**F. TUCKER BURGE**  
Burge & Burge  
2001 Park Place, Ste. 850  
Birmingham, AL 35203  
(205) 251-9000  
(800) 633-3733 toll free  
[tucker@burge-law.com](mailto:tucker@burge-law.com)



**P. MATTHEW DARBY**  
Albertini & Darby  
3201 N. Charles St., Ste. 1A  
Baltimore, MD 21218  
(410) 243-9400  
(800) 248-3352 toll free  
[www.albertinidarby.com](http://www.albertinidarby.com)

“Contacting a UTU Designated Legal Counsel (DLC) immediately following an on-duty injury is the wisest step a railroad employee can take. DLC are highly skilled lawyers who specialize in protecting your valuable FELA rights. They can guide you through the maze of traps and pitfalls that railroads rely upon to avoid paying full compensation for injuries. Don’t take chances with your financial future. Get in touch with DLC right away.”

“Most veteran rail workers know a co-worker who has been seriously injured or killed on the job. Safety takes a backseat to profits for most rail employers. The FELA is a strong tool to motivate railroads to provide safe workplaces. DLCs seek not only fair and just compensation for their clients, but also help create a safer work environment for everyone.”



# UTU ramps up organizing efforts

Elsewhere in this issue is an article on two of our most energetic members who have completed an intensive one-week course in organizing at the National Labor College.

I selected Billy Moyer and Carlos Wallace in recognition of their dynamic communication skills and their currently being union officers.

The increasing diversity of our membership also was a factor.

Our UTU Organizing Department should reflect the make-up of current and future union members; and, as union brothers Moyer and Wallace both told me, "the head should reflect the body" in terms of the Organizing Department reflecting the membership.

Brothers Moyer and Wallace have proven their presentation and recruiting skills.

Brother Wallace built an E-committee from 11 to 125 members.



By International President Mike Futhey

Brother Moyer is a hazmat instructor and new-hire mentor.

At the National Labor College

organizing, building the local organizing committee, record keeping, countering the employer campaign, and campaign strategy and tactics.

## Do you know workers who would benefit from union representation? Help them by calling the UTU's Organizing Department

they received rigorous training in the building blocks of the organizing process, including research techniques and resources, communication skills, labor law applying to

These new UTU organizers now will put their skills to work with a diverse audience as we assist the unorganized in organizing under the UTU flag.

We already have begun increasing our efforts at organizing bus operations, and one challenge we still must meet is organizing at locations where languages other than English may be preferred.

We will require organizers able to connect to this environment, and we are working to put organizers in the field who are bilingual.

Recently, we organized a bus local in New Jersey where the members are primarily Haitian.

We were fortunate to find bilingual support within that community.

Organizing is becoming an increasingly complex process, and we are finding that religious and civil organizations are anxious to help, especially in right-to-work (for less) states, or in areas where union-member density is particularly low.

It is a proven fact that organizers having an affinity with the target audience will be more successful than organizers whose match is not quite right.

Race or ethnicity, gender, regional accent, age and work experience play a crucial role in mounting a successful organizing campaign.

When unorganized workers identify with their organizers, they are more likely to quickly develop the trust and understanding necessary to execute a successful organizing campaign.

It is only because of unions that American workers gained what so many take for granted today: paid overtime, paid vacation, paid holidays, employer-provided health-care insurance and the right to grieve without fear of losing their jobs.

Help us spread the word of "Union, Yes!" by being alert to unorganized properties where workers would benefit from UTU representation.

Pass that information on to our Organizing Department by calling the International Headquarters at (216) 228-9400.



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 M. Brunkenhoefer, National Legislative Director**

utunld@aol.com

**Contact the UTU:**

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

## Some Republicans deserve support



**If John McCain is elected president, we will be looking back on the George Bush years as the good old days.**



Often I am asked why the UTU makes PAC contributions to Republicans. Well, we have a few Republican friends in Congress who stand up for working families.

As Election Day draws near, we will be endorsing some of them.

The fact is that Democratic lawmakers most often are the friends of labor, and Republican lawmakers most often are friends of management.

And this union believes in rewarding its friends.



Brunkenhoefer

Overall, most Republicans in Congress have not been helpful to the labor agenda. The White House staff and George Bush frequently treat us with contempt.

In almost all cases, it is the Democrats who have consistently stood up for working families in Congress and in state legislatures.

Political handicappers are expecting a very good year for the Democrats at the polls.

Although it is rare that one party makes major gains in two consecutive elections, it is appearing that that will be the case this Election Day.

By Jan. 20, we could very well have a Democrat in the White House and a House and Senate still controlled by Democrats – and with larger majorities.

If that occurs, it is far more likely that Congress will pass laws benefiting working families.

Let me digress for a moment and talk about one of the presidential candidates, Sen. John McCain, whom I have spent a lot of time with on Capitol Hill. He is a man of strong beliefs, a military hero, the son of a decorated Navy admiral, and well respected on both sides of the Senate aisle.

John McCain also has sponsored legislation to repeal the Railway Labor Act and require compulsory arbitration of disputes. And that arbitration, no doubt, would be by carrier-friendly arbitrators, because Sen. McCain sponsored that legislation at the request of railroads.

**John McCain also would eliminate Amtrak.**

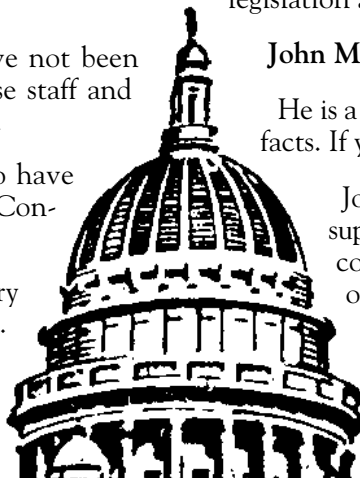
He is a man who, once he makes up his mind, refuses to listen to additional facts. If you try to provide those facts, his well-known temper kicks in.

John McCain's friends are corporate America, which just happens to supply the private aircraft in which he flies and much of his campaign contributions – all while Sen. McCain tells the unsuspecting that he opposes special interests.

If John McCain is elected president, we will be looking back on the George Bush years as the good old days.

There are Republicans who deserve the support of working families. We will be inspecting the voting records and history of all political candidates before Election Day.

Our support will go to those whom we trust will support working families.



## WASHINGTON WATCH

By James M. Brunkenhoefer



# State Watch

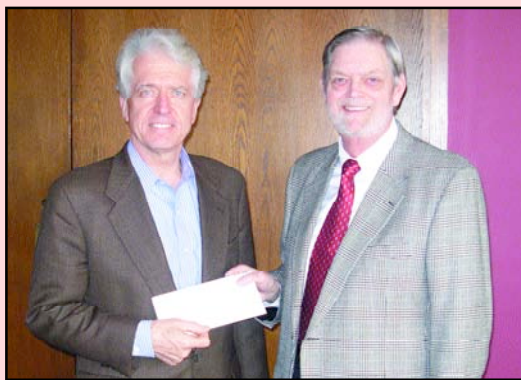
## News from UTU State Legislative Boards

### Wisconsin



State Legislative Director Tim Deneen was invited recently to attend the signing of SB 72, which includes the State of Wisconsin in the Midwest Rail Passenger Compact. The purpose of the compact includes promoting the development and implementation of improvements to intercity passenger-rail service in the Midwest; coordinating interaction among states on passenger-rail services, and supporting efforts of transportation agencies that are developing and implementing passenger-rail service in the Midwest. From left, Steve Hiniker (representing 1000 Friends of Wisconsin); State Assembly Rep. Eugene Hahn; Deneen and State Sen. Fred Risser observe Gov. Jim Doyle (seated) signing the legislation.

### Kansas



State Legislative Director Don Lindsey is urging members in the Sunflower State to support Jim Slattery (D) for the U.S. Senate in his run against incumbent Sen. Pat Roberts.

"Jim served in the Kansas House of Representatives from 1972 thru 1978," Lindsey said. "He ran for, and was elected to, six terms in the U.S. House of Representatives. Jim ran for Kansas governor in 1994 and was defeated by Bill Graves in a year when Republicans were swept into many offices all across the country.

"In meeting with Slattery to give him the UTU's endorsement and UTU PAC assistance for his upcoming Senate race, he related his fond memories of UTU's help in all of his political endeavors and especially enjoyed his relationship with former Kansas State Legislative Director, Jack McGlothlin. Slattery stated that he was extremely pleased to accept the UTU endorsement and that UTU was once again the first labor organization to endorse and help finance his campaign.

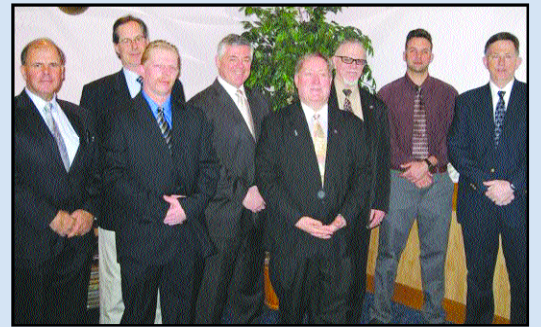
"While Kansas is a notoriously Red State and mounting a campaign against an entrenched incumbent is always difficult, it is felt that if anyone can do it, Jim Slattery is more than capable," Lindsey said. In the photo above, Slattery, left, receives the UTU's endorsement from Lindsey.

**DONATE TO UTU PAC!**



**IT DOESN'T COST, IT PAYS!**

### New England States



Legislative representatives from locals in New England convened recently to elect officers and conduct other business. Re-elected legislative director was George Casey.

The group also heard from Rep. Steven Lynch (D-Mass. 9th), National Mediation Board Chairperson Harry Hoglander; FRA Regional Director Mark McKeon and State Sen. Steven Tolman, whose father was a past member of the legislative board and UTU general chairperson.

The board also heard from Alternate National Legislative Director James Stem on the responsibilities of the local legislative representative.

With AFL-CIO State Federation Chairperson Bob Haynes in attendance, the group also voted unanimously to affiliate with all AFL-CIO federations in the area.

Pictured at the meeting were, left to right, Brian DiPietro (legislative representative, L-254, Fitchburg, Mass.); Dick Chartrand (legislative representative and local chairperson, L-254); Jim Falandes (legislative representative, L-587, Greenfield, Mass.); Tom Driscoll (legislative representative and local chairperson, L-262, Boston, Mass.); Casey; Joe Motte (legislative representative, local chairperson and assistant state legislative director, L-1462, Boston); Heath Molte (legislative representative and local chairperson, L-352, West Springfield, Mass.), and Don Dimauero (legislative representative and local chairperson, L-1400, South Portland, Maine.)

Missing from the photo are Bob Gibbons (legislative representative, local chairperson and secretary/treasurer, L-679, Attleboro, Mass.) and Greg Geagan (secretary/treasurer, L-663, Bangor, Maine.)

### North Dakota

State Legislative Director John Risch reports the state's Legislative Board is recommending members in the Peace Garden state support the following candidates:

- Earl Pomeroy for Congress. "Pomeroy has long supported the interests of working people and is a big supporter of Amtrak and fair tax policies," Risch said.

- Tim Mathern for governor. "He has a labor voting record in the legislature that is virtually unmatched," Risch said.

The union also endorsed Bob Peterson (R) for state auditor; Kelly Schmidt (R) for state treasurer; Jasper Schneider (D) for insurance commissioner and Cheryl Bergian (D) for public service commissioner.

The UTU is the state's largest railroad union with more than 1,300 members, Risch said.

## Bus Department

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

## UTU seeks improvements in bus-driver training

Congratulations to officers and members of Local 1589, New Brunswick, N.J., on a new contract that includes improved wages and benefits.

The UTU International is working with members of Local 1697, employed by TNM&O Coaches in Texas, following the carrier's sale to Greyhound. We intend to protect their assignments and seniority.

We are monitoring proposed revisions by the FMCSA of CDL testing standards, and new minimum standards for commercial learner's permits (CLPs).

The revisions would require successful completion of the knowledge test before issuance of a CLP, and prohibit use of foreign language interpreters.

Applicants would be required to hold a CLP at least 30 days before applying for a CDL, and an issuing state would be required to check the applicant's driving record, plus verify Social Security numbers and proof of legal U.S. residency.

Drivers applying for a new or upgraded CDL would be required to successfully complete minimum classroom and behind-the-wheel training from an accredited program.

States would be required to recognize CLPs issued by other states, and use standardized endorsement and restriction codes on CDLs.

Drivers would not be permitted to operate a commercial motor vehicle without holding a current CLP or CDL, or to operate a vehicle in violation of the restrictions on the CLP or CDL.

The proposed revisions have been provided to state legislative directors, who will be in contact with bus property general chairpersons.



## Railroads rolling in money despite slowing economy

Despite a wobbly economy and sliding freight volumes, U.S. railroads have chugged along in recent quarters thanks to strong pricing – and barring a deep and prolonged recession they show no sign of stopping, according to reports by Reuters and the Associated Press.

Higher fuel costs are also seen likely to help the railroads take market share from trucking companies – it takes three times as much fuel to move freight by truck than by train – and improved productivity is expected to help bottom lines.

Last month, CSX was the first of the four major U.S. railroads to post first-quarter results, reporting a 46-percent rise in net profit – despite a two-percent drop in freight volumes.

Then, Union Pacific reported its first-quarter net income increased 15 percent to \$443 million from \$386 million a year ago, due in part to record revenue from all six of the company's business groups.

The company said total operating revenue increased 11 percent to \$4.27 billion from \$3.85 billion the year before.

The company said it expects a "record" year, despite a soft economy and high fuel prices expected in the second quarter and beyond.

NS reported its first-quarter profit rose two percent as higher revenue per shipment offset an overall decline in traffic and soaring fuel prices.

The carrier said it earned \$291 million, or 76 cents per share, in the three months ended March 31. The company earned \$285 million, or 71 cents per share, in the same period of 2007.

NS said revenue increased 11 percent to \$2.5 billion, compared with \$2.25 billion in first-quarter 2007.

Norfolk Southern blamed a \$156 million, or 63 percent, jump in fuel prices for much of the increase.

(As this issue of UTU News went to press, BNSF had not yet released its first-quarter earnings reports.)

Soaring imports of consumer goods from developing nations like China, plus a spike in demand for coal and ethanol have seen railroads scramble to put in new tracks to handle the extra traffic. That allowed the railroads to significantly raise prices for the first time in years.



# Contract: We can't do better; we can do worse

## What members of the national negotiating team say about the contract:



Futey

We stared down the carriers' political power to preserve crew consist and FELA. We then improved on their pattern with other organizations and gave up nothing. We receive the same 17-percent wage increase, but are the only organization to retain a COLA. We preserved entry rates as a live issue to be decided in arbitration...and expanded eligibility for managed healthcare.



Martin

Only the UTU preserved COLAs, which protect us against price inflation while new agreements are negotiated and general wage increases (GWI) are not being paid. Several years sometimes elapse between the "last" GWI of one agreement and the "first" of the succeeding agreement. COLAs put more dollars in our pockets during this period.



Brunkenhoefer

UTU members and their families have waited long enough for this agreement. It is an agreement that gives us more than other organizations and attests to our unity and bargaining strength. This agreement is a victory for UTU members and their families.



Cumby

The UTU's tentative agreement is better than the pattern agreements reached by the other organizations. That is what our membership expects; and, once again, that is what has been achieved, even though UTU was one of the last organizations to reach a settlement.



Babler

Once again, UTU delivers a superior agreement for ratification to the TEGY membership. The tentative agreement is an improvement over the pattern agreements reached by the other rail unions that settled earlier. As a member of the UTU's negotiating team, I support this superior agreement and would request that the membership lend their ratification support for same.



Kerley

The UTU was forced into critical court action to overcome some of the carriers' initial adversarial demands in this bargaining round. In spite of those unprecedented challenges, and the current global economic uncertainty, the negotiating team produced a solid wage package for our members without sacrificing work rules or jobs.



Strunk

We improved upon the pattern and that hardly ever happens. If we don't ratify this agreement, the carriers get another bite of the apple with help from their anti-union friends in the Bush White House. When you get a deal better than the other organizations, you grab it, because it's not coming back around. We've preserved crew consist and FELA. We get everything the other organizations get – and then more.



Lesniewski

After the Rail Labor Bargaining Coalition established an industry settlement pattern, I'm sure almost everyone expected the UTU would end up with a cookie cutter of their agreement, much the way all other crafts have. We didn't. We accomplished everything the Rail Labor Bargaining Coalition did, and more!

## The proposed contract contains these benefits:

- ✓ 17 percent general wage increase
- ✓ Retroactive pay
- ✓ No change in work rules
- ✓ Cap on health-care contributions
- ✓ Arbitration of entry rates of pay
- ✓ Continuation of a COLA
- ✓ Increase in the meal allowance
- ✓ Contributions to yardmasters' retiree medical insurance
- ✓ Reduction in the waiting period for new-hire health-care coverage

## This agreement deserves to be ratified – the alternative, a PEB, is unthinkable

Our tentative national agreement was hammered out in intensive negotiations, following more than three years of extremely difficult bargaining.

Crucial to reaching this agreement was our return to interest-based bargaining, whereby both sides chose mutual problem solving to confrontation.

Previously, there were credible signals from the carriers that they intended to cash-in their Bush administration IOUs and move for a presidential emergency board (PEB). After all, the carriers had established a pattern, holding ratified agreements from most of the other organizations.

And we had been told by our friends in Congress that lawmakers would not be pleased were a rail strike dumped in their laps in an election year.

In fact, the tentative agreement improves on the pattern settlement, and general committees of adjustment still will be able to gain additional improvements on local issues.

Does the tentative national agreement provide everything we want? No. But the bottom line is that we can't do better than we have achieved with this national agreement – but we could do worse.

Those of us who suffered through PEB 219 in 1991 recall what happened when we struck the railroads and Congress imposed the PEB recommendations. Even though the House of Representatives was controlled by Democrats, Congress ended the strike within hours, and forced on us the PEB 219 recommendations, which resulted in two-person crews and elimination of the fireman-helper.

If we reject this agreement, we can expect that the improvements we gained over the pattern settlement with other organizations would be dead-on-arrival at a Bush-appointed PEB.

That would mean we would lose the ability to keep the entry-rate issue on the table and correct it through arbitration, lose the higher meal allowance, lose the COLA, and lose a provision unique to our agreement that returns to us any health-care insurance-premium savings should Congress enact public funding of healthcare.

This agreement deserves to be ratified. The alternative is unthinkable.

## What do I do with the packet I received from the AAA?

Voting on the national agreement will be conducted by the American Arbitration Association (AAA) via its telephone electronic voting system. Voting by telephone will be available 24 hours a day, commencing May 20, and ending at 12:00 a.m. on June 9.

To execute your vote, call the AAA's electronic voting line at (866) 437-4715 and follow the instructions. A touch-tone telephone is required.

You will need the following information:

- Your five-digit PIN number, which appears above your name and address on the cover of the voting booklet you will be receiving in the mail;
- The last four digits of your Social Security number;
- The date you last performed service prior to May 20, 2008;
- The craft in which your last service was performed.

If you are covered by the national agreement and do not receive a voting package by May 27, call the UTU International at (216) 228-9400 for assistance.



## Rail employees get much more for their health and welfare plan contributions

The cost of an average hospital stay in America is \$10,000, and prescription drugs cost an average of \$3,600 annually.

If you have good health insurance, you never face anything near those costs.

Most private-sector employees and federal government workers are paying considerably more than we will pay in health-insurance cost-sharing through 2010, and their amount is expected to rise.

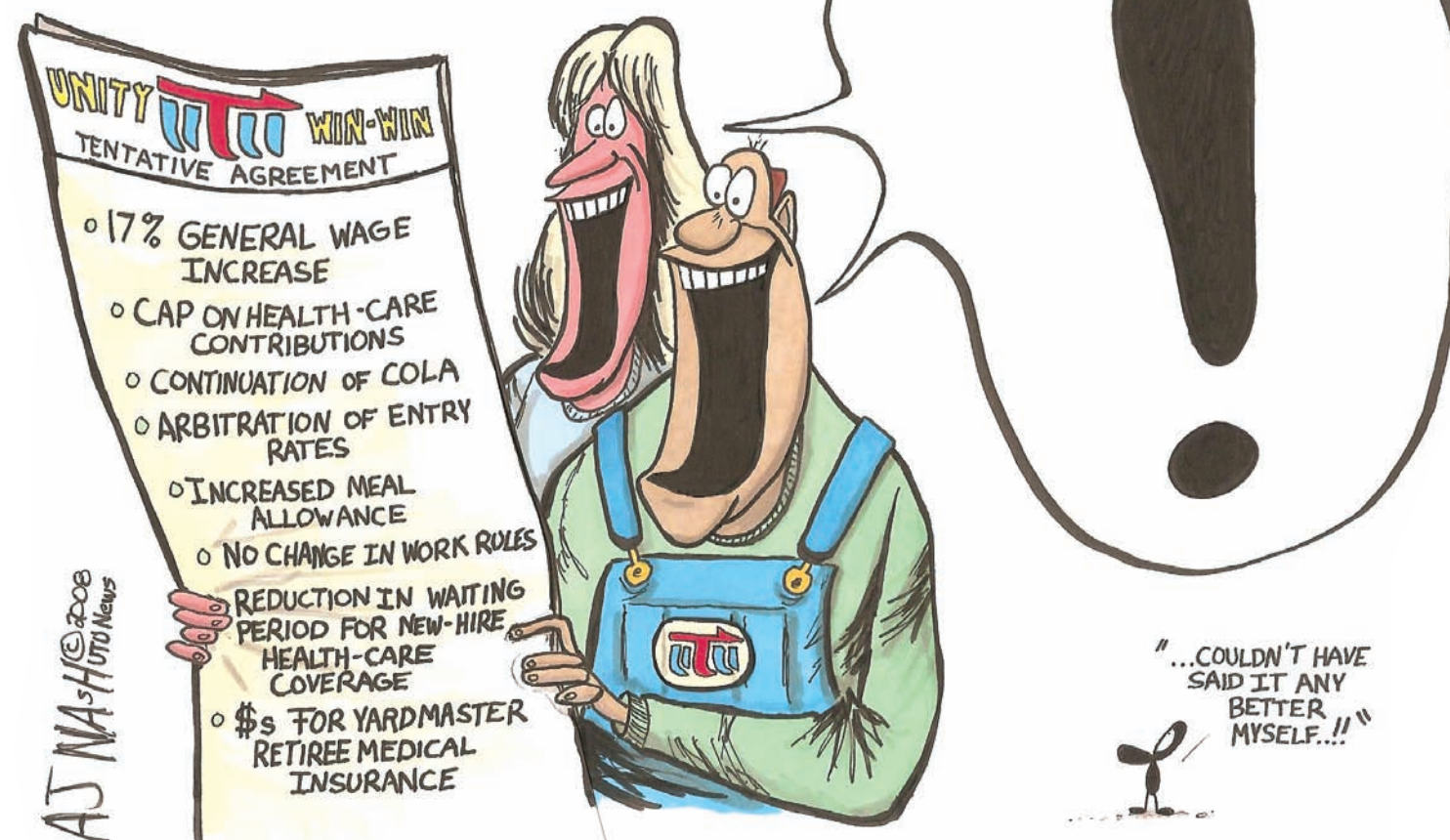
Those plans also impose annual out-of-pocket costs of up to \$4,500 annually, which must be paid by the employee before those plans pay 100 percent of covered charges.

But under the managed medical-care program applicable to UTU members receiving "in-network" care, there are no annual cash deductibles or co-payments for in-hospital care. We have no

annual out-of-pocket maximum applicable to the individual or family.

Moreover, our plan – which already provides for an annual zero-cost physical exam, immunizations, speech therapy for children, PKU screening for infants, reduced co-payment for pregnancy care, and a waiver of co-pay for allergy injections – will improve by expanding the managed medical-care program to locations where it is currently not available, and will improve coverage for hearing loss.

Our agreement provides a better, lower-cost plan than for federal government workers – and it is those workers on Capitol Hill who would be comparing our plan to their own were we to reject this agreement and put our fate into the hands of a Presidential Emergency Board and Congress.



## What your fellow UTU members are saying about the tentative agreement:



Dallas Johnson, Local 283  
Union Pacific

"I'm a railroad conductor with less than five years' service. I will vote 'yes.' This contract delivers for young trainmen and provides far more wages and benefits than in any job that I have worked prior to this industry."



Al Valenzuela, Local 1674  
Los Angeles Junction Railway (BNSF)

"I am a local chairperson with the BNSF-owned Los Angeles Junction Railway. This is a good agreement. I don't see anything that hurts us."



K.Z. Inmon, Local 225  
Norfolk Southern

"As this is my first contract, entry rates are especially important to me and the tentative agreement will promptly address that problem. Additionally, the wage increase and no work-rules changes guarantees my 'yes' vote."



Benny Worrick, Local 445  
BNSF Railway

"I have been with BNSF 29 years. I'm voting 'yes' because it keeps our health-care costs lower than in other industries, plus gives us a raise and protects our crew-consist agreements."



DeForest Williams, Local 610  
CSX Transportation

"I know you can't get everything, but in this case, we didn't lose any work rules. And, it is better to arbitrate on entry rates than not have it addressed at all."



Bill Merritt, Local 1390  
Conrail Shared Assets

"I have 40 years of active service. Presentations by our leadership have cleared up all concerns and I encourage a 'yes' vote on this contract."



# UTU for Life

News, information for members of the UTU for Life program

## Railroad Retirement benefits superior to Social Security

By V.M. "Butch" Speakman Jr.

While the Railroad Retirement and Social Security systems are closely coordinated, a comparison of the two reveals differences in benefits payable.



V.M. Speakman

Employers and employees covered under Railroad Retirement pay higher retirement taxes than those covered by Social Security – and that is a reason Railroad Retirement benefits are higher for career employees.

The average age annuity currently paid career railroad employees under Railroad Retirement is \$2,405 monthly, versus \$1,050 monthly for Social Security recipients.

Additionally, spouse benefits under Railroad Retirement average \$710 monthly versus \$505 under Social Security.

Benefits awarded recent retirees are generally greater than those payable to those who retired years ago because recent awards are based on higher average earnings.

**Recent RRB annuities are averaging \$3,005 a month. Social Security: \$1,400.**

Age annuities awarded career railroad employees retiring in recent months averaged more than \$3,005 monthly, while monthly benefits awarded workers retiring at full retirement age under Social Security recently averaged about \$1,400.

If spouse benefits are added, the combined benefits for the employee and spouse would approximate \$4,200 under Railroad Retirement coverage, compared to \$2,100 under Social Security.

Survivor benefits are also generally higher if payable by the RRB rather than Social Security, as are benefits paid to aged and disabled widow(er)s of railroaders.

For more information about Railroad Retirement benefits, call the toll-free RRB Help Line at (800) 808-0772, or go to the Web site at [www.rrb.gov](http://www.rrb.gov).

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

## Wyndham boosts discounts for UTU for Life members

UTU for Life members can now save more on rooms at more than 6,000 participating Wyndham hotels.

The hotelier is now offering members of the program a discount of 10 percent off the best available rate.

All UTU for Life members need do to get the discount is to refer to **Discount Account ID Number 64816** when making reservations online or over the telephone.

Participating Wyndham hotels include the AmeriHost Inns, Days Inns, Howard Johnson hotels, Knights Inns, Ramada Inns, Super 8 Motels, Travelodge Motels, Wingate by Wyndham, Wyndham Hotels and Resorts and all Baymont Inns.

Wyndham has hotels in both major and secondary U.S. markets, and also luxurious resorts in destinations in the U.S., Caribbean, Mexico and around the world. Wyndham has nearly 6,500 hotels and more than 535,000 hotel rooms on six continents.

UTU for Life members may use the toll-free numbers shown in the accompanying box to book their discounted hotel stays. Upon calling the particular number, the agent will prompt you to provide the specific discount ID code (64816) to receive the discount. Discounts are applied at time of booking; they are not deducted from bills at check-out time.

Another option is to call (877) 670-7088 toll free. This is one number with specific prompts for each hotel brand and for Wyndham's new programs with "Extra Holidays" and "Endless Vacations."

UTU for Life members may also book their hotel stays online. Members can either go to the



UTU Web site ([www.utu.org](http://www.utu.org)) and click on "UTU for Life" then "Program Benefits" then "Hotel Discounts," or enter the following URL into their browser: [http://tr.triprewards.com/triprewards/control/advanced\\_search](http://tr.triprewards.com/triprewards/control/advanced_search).

"Best available rate" is defined as the best, non-qualified, publicly available rate on the Internet for the hotel, date and accommodations requested. The discount for International properties may be less than or equal to 10 percent of best available rate. Certain restrictions apply. To redeem this offer, click the link on the UTU's Web site or call the hotel brand phone number in the accompanying box and give ID (64816) at the time of reservation.

This offer is not valid if the hotel is called directly; caller must use the toll-free numbers listed in the box below. Advanced reservations are required. This offer is subject to availability at participating locations and some blackout dates may apply. This offer cannot be combined with any other discount, offers or special promotions. Discounts vary by location and time of year. Offer is void where prohibited by law and has no cash value.

AmeriHost Inn	(800) 996-2087
Days Inn	(800) 268-2195
Howard Johnson	(800) 769-0939
Knights Inn	(800) 682-1071
Ramada	(800) 462-8035
Super 8	(800) 889-9706
Travelodge	(800) 545-5545
Wingate By Wyndham	(800) 202-8814
Wyndham Hotels/Resorts	(800) 854-1604
Baymont Inns	(800) 980-1679

## Former UP General Chair Siler passes

Former UP General Chairperson **Harley A. Siler**, 78, died April 8, 2008.

He was born Jan. 11, 1930, in North Carolina, moving to Portola, Calif., in his teens. Harley graduated from Portola High School in 1948, which is where he met his wife Betty. They were married 59 years.

Harley worked as a conductor for the Western Pacific Railroad (now part of the Union Pacific) starting in 1952, and he was general chairperson

and local officer for the UTU for many years. Siler was a member of Local 1200 at Portola, Calif.

Surviving Harley is his wife Betty of Red Bluff, Calif.; sons Steve (Diane) and Jeff (Bip), both of Portola, daughter Kerry Higgins of Red Bluff, nine grandchildren and one great-grandchild.

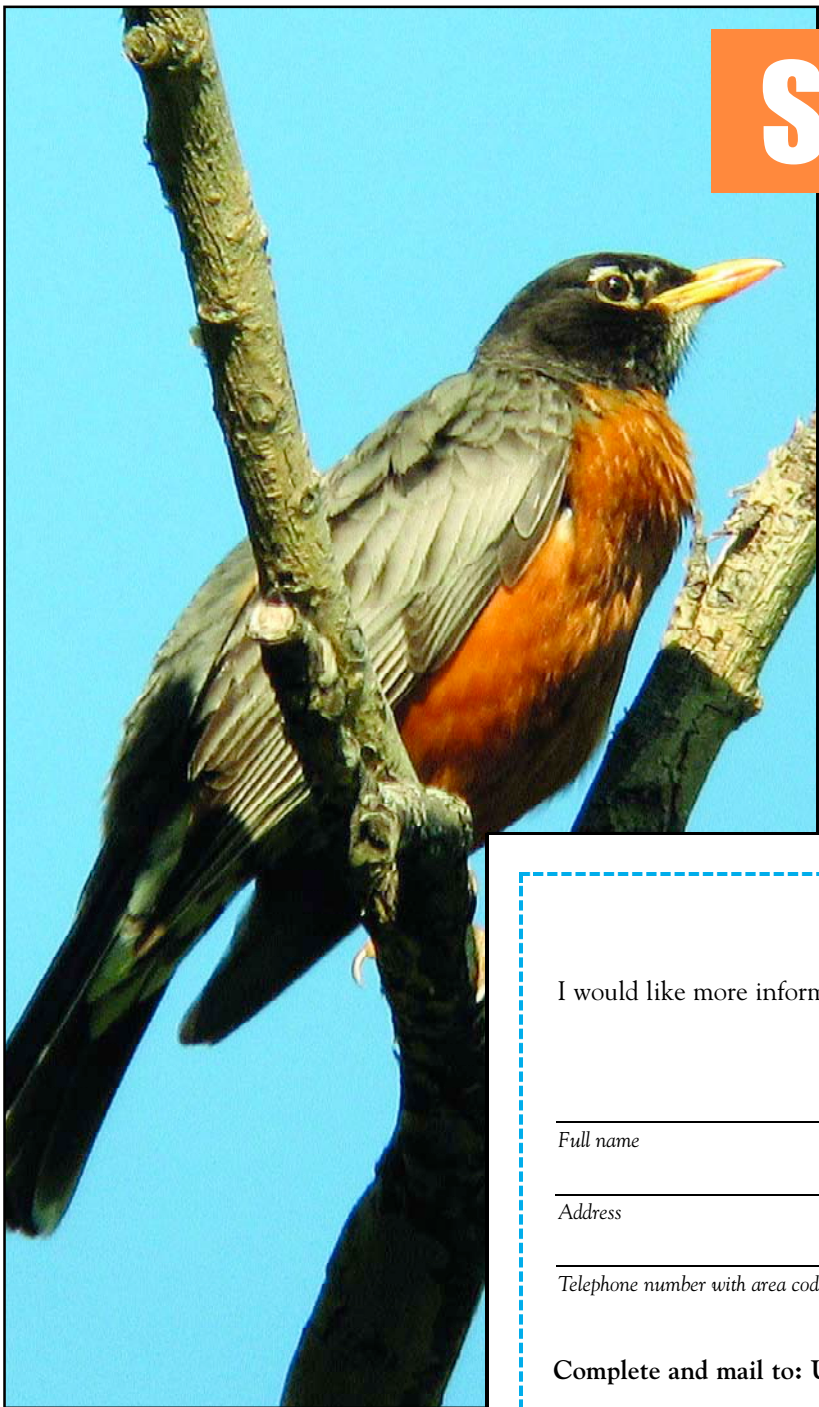
Memorial contributions may be made to Tahoe Forest Hospice, P.O. Box 759, Truckee, CA 96160.

## THE FINAL CALL

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

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
94	Brinkmeyer, Vernon	Chanute, Kan.	584	Reeves, Ford C.	Meridian, Miss.	1074	O'Toole, Joseph M.	Schaumburg, Ill.
194	Rusk, Norman E.	Terre Haute, Ind.	631	Larrick, Harvey W.	Grafton, W. Va.	1200	Siler, Harley A.	Red Bluff, Calif.
202	Zimmerman, C.J.	Eagle Lake, Texas	645	Fahey, James J.	Holbrook, N.Y.	1397	Yake, Rodney L.	Mesa, Ariz.
265	Phelps, James H.	Billings, Mont.	653	Frazier, George W.	Oak Forest, Ill.	1494	Wisniewski, Eugene E.	Indian Head Park, Ill.
293	Ferguson, Edward R.	Highlands, Texas	744	Thomas, John J.	Lima, Ohio	1570	Fagundes, Joe L.	Modesto, Calif.
306	Moon, Clifford	Eagle Grove, Iowa	750	Rader, Carl E.	Morristown, Tenn.	1594	Eismann, Edward J.	Lakeland, Fla.
340	Conn, Richard E.	Confluence, Pa.	762	Morse, Woodrow W.	Montgomery, Ala.	1638	Crouch, Lon G.	Patriot, Ohio
352	Birk, K.L.	Feeding Hills, Mass.	832	Helminiak, Louis E.	Stevens Point, Wis.	1732	Cornett, John D.	Minden, Nev.
377	Kelly, George W.	Punxsutawney, Pa.	878	Hale, Harold R.	Commerce, Texas	1770	Leppla, Irvin J.	Sun City, Ariz.
378	Rich, Anthony C.	Ashtabula, Ohio	898	Sproul, William J.	Pembroke Pines, Fla.	1816	Whaley, Harry C.	Perrysburg, Ohio
394	Stejbach, Michael F.	Ravena, N.Y.	924	Gray Jr., Jack C.	Richmond, Va.	1823	Stevens, James K.	Waco, Texas
421	Vitalle, Samuel J.	Ashtabula, Ohio	974	Brown, Ronald O.	Nashville, Tenn.	1887	Burnett, Billy O.	Birmingham, Ala.
430	Buckingham, Jesse C.	Rowlesburg, W. Va.	982	Murphy, Louis F.	Silver Springs, Fla.	1928	Taylor, Timothy C.	Toledo, Ohio
483	Foote, Harry R.	Grand Bank, Newfoundland	982	Roesch, John E.	Camillus, N.Y.	1929	Peterson, Wayne H.	Granite City, Ill.
535	Childers, Clefo	Macon, Ga.	1043	Phillips, Wilbur F.	San Leandro, Calif.	1948	Gibson, Jack D.	St. Louisville, Ohio
577	Welch, Ralph R.	Orland Park, Ill.	1043	Walthers, Norman F.	Reno, Nev.	1971	Wiley, Charles A.	Greenwood, S.C.





# Spring is in the air!

## Enjoy it with one less worry. Contact UTUIA.

Almost everybody has a mortgage, car payments, credit card bills and family financial obligations.

These bills keep arriving even if you are not able to work because of injury or illness or even death.

There is a need to provide an income for yourself, your spouse and other family members who depend upon you for financial support should misfortune strike.

We can solve your problems by tailoring our **Ultimate Par** or **Ultimate Term** insurance products to provide you with financial peace of mind...and one less worry!

Give us a call at (800) 558-8842 or complete and return the coupon below to receive more information.

### Information, please


I would like more information on UTUIA's products.

Please print

Full name	Sex	Date of birth	
Address	City	State	ZIP
Telephone number with area code	UTU local number		

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

05/08





# UTU BUS LINES

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

## LACMTA Gold Line backers seek support

Three members of Congress are joining in an effort to revive the future of the Gold Line extension, now relegated to a back burner by the Los Angeles County Metropolitan Transit Agency, the Arcadia, Calif., *Weekly* reports.

The MTA board, the conduit for local transit funding, did not place the transit connector from Pasadena to Ontario Airport in its long-range plan for the region's transit funds.

Rallying to the Gold Line's support are two Democrats and a Republican, Adam Schiff, Hilda Solis and David Dreier.

Dreier said, "The population growth extending from the Foothills through to the Inland Empire is increasing traffic and increasing the need for the extension."

The veteran GOP lawmaker said a recent study indicated that transit-oriented development indicated that jobs could double by 2030 in cities along the transit corridor.

The Gold Line backers are working to catch the ear of L.A. Mayor Antonio Villaraigosa, who controls four votes on the MTA board. Villaraigosa is nominally in support of the Gold Line extension, but he and other L.A. officials have pressed for projects that more directly affect their city.

## School district deploys decoy school bus

The Syracuse, N.Y., school district has launched the nation's first monitoring system aimed at catching drivers who illegally pass stopped school buses, the *Post Standard* reports.

Last month, a city-owned school bus fitted with a mobile license-plate reader began driving regular morning and afternoon school bus routes, said Pat Bailey, the district's transportation director.

The bus changes routes every week to help monitor different neighborhoods, and the program will run through the end of the school year, she said.

"We're very excited that we were asked to lead the way in the nation," she said.

The new equipment was announced as part of the state's Operation Safe Stop Day, a day intended to draw attention to the 50,000 drivers who pass stopped school buses each day, according to state statistics.

The license plate reader, which costs about \$33,000, is identical to the computer-and-camera setup some police cars have to track drivers who speed, have expired or suspended licenses or insurance policies, and commit other traffic violations.

## New Google Transit coming to Los Angeles

Soon, it will be as easy to get public transit directions as it is to get driving directions via Google, the *Los Angeles Times* reports.

By the summer, Angelenos will likely be using Google Transit, a Google Maps-based application that seamlessly links up walking to various public transit modes, to easily plan their bus and train rides in L.A.

The success of Google Transit for L.A. requires that all of the many transit agencies in the area join Metro and Metrolink to offer Angelenos a comprehensive trip planner. The OCTA and the Burbank Bus are a step ahead and already in the Google Transit system, but most agencies are not.

The Big Blue Bus, the Culver City Bus and other bus lines also need to format their schedule and fare info to work with the Google Transit system. It's only when all the agencies get involved that riders will be able to take full advantage of both the Google Transit application and L.A.'s network of transit systems.

Google Transit can be a real money saver for transit agencies. Building a trip planner from scratch could cost an agency more than \$100,000, while formatting the transit information to fit into Google Transit cost Metrolink only several thousand dollars.



# DOT proposes tougher tank-car standards

The safety of rail tank cars that carry the most dangerous hazardous materials will be dramatically improved under the most sweeping and revolutionary proposal in decades, according to Secretary of Transportation Mary E. Peters.

The proposal requires tank cars carrying Poison Inhalation Hazard (PIH) commodities such as chlorine and anhydrous ammonia to be equipped with puncture-resistance protection strong enough to prevent penetration at speeds of 25 mph for side impacts and 30 mph for head-on collisions – more than double the speed for existing tank cars.

The proposal allows flexibility in reaching that goal, but it is expected the outer tank-car shell and both head ends will be strengthened, the inner tank holding the hazmat cargo will be better shielded, and the space between the two will be designed with more energy absorption and protection capabilities, Peters said.

The proposed rule also sets a maximum speed limit of 50 mph for any train transporting a PIH tank car.

In addition, a temporary speed restriction of

30 mph is being proposed for all PIH tank cars not meeting the puncture-resistance standard and which are traveling in “dark,” or non-signalized territory, until the rule is fully implemented or other safety measures are installed.

## The proposal hikes puncture-resistance standards and lowers speeds for cars hauling dangerous commodities.

Finally, the proposed rule requires that some of the oldest PIH tank cars in use today be phased out on an accelerated schedule so they no longer carry PIH materials.

Specifically, this addresses the concern that PIH tank cars manufactured prior to 1989 with

non-normalized steel may not adequately resist the development of fractures that can lead to a catastrophic failure.

“This proposal is designed to significantly reduce the hazard of hauling hazardous materials by rail,” Peters said.

She said the performance-based standard will increase by 500 percent on average the amount of energy a tank car must absorb during a train accident before a catastrophic failure may occur.

“When the opportunity to make major advances in safety is within our reach, we should not settle for incremental measures,” Federal Railroad Administrator Joseph H. Boardman said.

This proposal was developed by the department’s Pipeline and Hazardous Materials Safety Administration in close consultation with the FRA and addresses issues arising from serious train accidents involving hazmat releases that occurred in Minot, N.D., Macdona, Tex., and Graniteville, S.C.

## Civil penalties

*Continued from page 1*

report the need for immediate corrective action in an attempt to evade accountability,” Stem said.

Members who have questions regarding enforcement actions should notify their state legislative director, who will consult with the UTU’s national legislative office.

In addition to the UTU, rail labor organizations that filed the joint petition for reconsideration included the American Train Dispatchers Association, the Brotherhood of Locomotive Engineers and Trainmen, the Brotherhood of Maintenance of Way Employees Division, the Brotherhood of Railroad Signalmen, and the Brotherhood Railway Carmen Division (Transportation Communications Union).

The joint petition was signed by the presidents of each of the organizations, including UTU International President Mike Futhy.

The FRA rulemaking grew out of a Jan. 5, 2005, fatal accident on Norfolk Southern in Graniteville, S.C., involving the release of chlorine gas, and a similar accident on BNSF on Jan. 8, 2005.

In the Graniteville accident, the National Transportation Safety Board subsequently placed blame for the accident on a train crew’s failure to reline a switch for mainline operations.

## New BNSF train features efficient electronic brakes

BNSF Railway recently completed the maiden run of a distributed-power train equipped with the latest generation of electronically controlled pneumatic (ECP) brakes.

BNSF hauls coal for Southern Co. from the Powder River Basin (PRB) in Wyoming to Palos, Ala.

A cross-functional team coordinated the installation of ECP systems on the distributed-power train.

Earlier this year, BNSF began equipping 12 locomotives with ECP technology provided by New York Air Brake Corp., and Southern started equipping 300 cars with technology from Wabtec Corp.

The locomotives and cars make up two full 135-car train sets that are now being used to assess the performance of the current generation of ECP brakes.

A major advance in both safety and economy, ECP brakes are applied by electronic signal to all cars in a train simultaneously, not one car at a time as in the conventional air-brake system used for decades.

Because all brakes are applied at once, the result is a major decrease in the time it takes a train to stop.

And, since ECP technology provides continual electronic self-diagnostic tests that inform train crews when brake maintenance is required, stopping for routine brake tests becomes unnecessary.

To ensure the safety of ECP-equipped trains, the FRA has proposed rules that include several conditions, such as requirements that the railroad clearly define a process for rectifying brake problems discovered en route; that the carriers ensure that ECP brake inspections are only performed by qualified mechanical inspectors, and that they provide appropriate training to crewmembers.

ECP brakes lead to better train control, shorter stopping distances, fuel savings and a lower risk of derailments, FRA Administrator Joseph Boardman said.

FRA issued a proposed rule in September 2007 encouraging use of ECP brakes, and NS put the first system into operation in October 2007 on a coal run in Pennsylvania.



## THE UTU INTERNATIONAL STAFF: HERE TO SERVE YOU

### TIM WOODS

Hired in 1999, Tim Woods began in the file room and has since worked for the updating, UTUIA sales and annuity departments. He now



works as an accounting representative serving as the administrator of commissions for the UTUIA, ensuring that all commissions are properly paid to field supervisors, local insurance representatives and treasurers. Woods also works for the Investment Department where

he tracks and reports on the various investment holdings of the UTU, UTUIA and DIPP, as well as maintaining different bank-account balances. Woods says he prides himself as being a “people person” who is always willing to jump in and lend a hand.

*(This feature will appear monthly in the UTU News.)*

### CHERYL SNEED

Cheryl Sneed serves the union and UTUIA as administrative aide to the International president. She started with the UTU in 1975 in the Word Processing Department. She then progressed to the Legal Department, then bus and yardmaster departments until being elevated to the President’s Department. Sneed handles the International president’s e-mails, correspondence and scheduling, and also



coordinates matters for the Board of Directors and Board of Appeals. Mostly, though, she answers the phone. “Officers and members call all the time when they have questions or problems, and I either get them answered or direct them to someone who can. The phone is always ringing, and I am always ready to answer.”

### MICHAEL MCLUCAS

Mike McLucas is a claims adjuster in the UTUIA Insurance Department. He has worked for the union and insurance company since 1980.



He spent the first 25 years in the Accounting Department, then moved to the Insurance Department about three years ago. “I process death benefits for members holding life-insurance and accidental-death policies, issuing payments to the listed beneficiaries or arranging to have the proceeds paid directly to the funeral home. I also process endowment policies when they mature and assist fellow claim adjusters with members’ phone calls. In your time of grief, I will help you with the paperwork in a fast and efficient manner, offering comfort, understanding and even a moment of humor.”



## Regional meetings offer information, fraternity

The 2008 UTU/UTUIA regional meetings have been designed to provide a grand sense of fraternalism, lots of worthwhile education and tons of fun for the whole family.

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

Neither Denver nor Nashville has been designated the joint U.S./Canadian regional meeting; Canadian members are free to attend the meeting that interests them.

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

A completed registration form listing each attendee, regardless of age, and complete payment in U.S. funds must be received at the UTU International Headquarters, 14600 Detroit Ave., Cleveland, OH 44107, 30 days prior to the scheduled start of the meetings or the registrant will be charged an on-site registration fee of \$200.

The pre-registration fee for the 2008 regional meetings is \$150 per member, spouse or child over age 11. Additional fees apply for the golf outings. You must make your own room reservations, and certain deadlines apply.

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

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

DENVER, COLO.  
JULY 7-9, 2008  
HYATT REGENCY DENVER AT  
COLORADO CONVENTION CENTER  
650 15TH ST., DENVER, CO 80202  
www.denverregency.hyatt.com

Hotel reservations: (800) 233-1234 toll free; (303) 436-1234 direct; (303) 486-4450 fax  
Reservation code: "UTU"  
Daily room rate: \$120 single/double, \$145 triple, \$170 quad, \$160 Regency Club; rates good for three days before and after the meeting, depending upon availability  
Reservation deadline: June 3, 2008, or until all rooms held for the UTU are reserved  
Parking: Self park: \$21 per night; valet park: \$26 per night  
Golf outing: The golf outing will be held on Sunday, July 6, at the Evergreen Golf Course. The cost is \$80 per golfer, which includes transportation, golf, lunch and more.

NASHVILLE, TENN.,  
AUG. 18-20, 2008  
GAYLORD OPRYLAND RESORT  
2800 OPRYLAND DR.,  
NASHVILLE, TN 37214  
www.oprylandhotels.com

Hotel reservations: (866) 972-6779 toll free; (615) 889-1000 direct; (615) 871-7741 fax  
Reservation code: "N-UTU8"  
Daily room rate: \$125 single/double, \$20 each additional person. Room rates are good three days before and after the meeting, based upon availability.  
Reservation deadline: July 15, 2008, or until all rooms held for UTU are reserved.  
Parking: \$12.00 per day; \$20 valet.  
Golf outing: The regional meeting golf outing will be held Sunday, Aug. 17, at the Gaylord Springs Golf Links in Nashville. The cost is \$80 per golfer, which includes transportation, golf, lunch and much more.

Belden memorial ride

The Third Annual Scott Belden Memorial Motorcycle Ride will be held Aug. 17 in Nashville. Contact Tennessee State Director Jerry Anderton at (615) 264-1117 or ututslb@bellsouth.net.

UTU REGIONAL MEETING  
REGISTRATION FORM

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

Which regional meeting will you be attending? ☐ Denver ☐ Nashville

Arrival date: \_\_\_\_\_ Departure date: \_\_\_\_\_  
Transportation type: ☐ Automobile ☐ Air ☐ Other

Member registration

Name \_\_\_\_\_ Local \_\_\_\_\_ Title (if any) \_\_\_\_\_  
Home address \_\_\_\_\_  
City/State/ZIP \_\_\_\_\_  
Phone number (     ) \_\_\_\_\_ Email \_\_\_\_\_  
Will you attend the welcoming reception? ☐ Yes ☐ No  
Meals: Day 1 ☐ Lunch Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch ☐ Dinner  
Day 3 ☐ Buffet breakfast

Spouse registration ☐ Denver ☐ Nashville

Spouse name \_\_\_\_\_ Title (if any) \_\_\_\_\_  
Will spouse attend the welcoming reception? ☐ Yes ☐ No  
Meals: Day 1 ☐ Lunch Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch ☐ Dinner  
Day 3 ☐ Buffet breakfast  
Tour: ☐ Spouse / guest tour? (\$25 per registered spouse; \$50 per unregistered spouse)

Child registration ☐ Denver ☐ Nashville

Child name \_\_\_\_\_ Age \_\_\_\_\_  
Will child attend the welcoming reception? ☐ Yes ☐ No  
Meals: Day 1 ☐ Lunch or ☐ Child's meal Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch or ☐ Child's meal ☐ Dinner or ☐ Child's meal  
Day 3 ☐ Buffet breakfast

Child name \_\_\_\_\_ Age \_\_\_\_\_  
Will child attend the welcoming reception? ☐ Yes ☐ No  
Meals: Day 1 ☐ Lunch or ☐ Child's meal Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch or ☐ Child's meal ☐ Dinner or ☐ Child's meal  
Day 3 ☐ Buffet breakfast

Child name \_\_\_\_\_ Age \_\_\_\_\_  
Will child attend the welcoming reception? ☐ Yes ☐ No  
Meals: Day 1 ☐ Lunch or ☐ Child's meal Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch or ☐ Child's meal ☐ Dinner or ☐ Child's meal  
Day 3 ☐ Buffet breakfast

Child name \_\_\_\_\_ Age \_\_\_\_\_  
Will child attend the welcoming reception? ☐ Yes ☐ No  
Meals: Day 1 ☐ Lunch or ☐ Child's meal Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch or ☐ Child's meal ☐ Dinner or ☐ Child's meal  
Day 3 ☐ Buffet breakfast  
Tour: ☐ Spouse / guest tour (\$25 per registered child; \$50 per unregistered child) No. attending \_\_\_\_\_

Guest registration ☐ Denver ☐ Nashville

Guest name \_\_\_\_\_ Relationship to member \_\_\_\_\_  
Home address \_\_\_\_\_  
City/State/ZIP \_\_\_\_\_  
Will guest attend the welcoming reception? ☐ Yes ☐ No  
Meals: Day 1 ☐ Lunch Any dietary restrictions? \_\_\_\_\_  
Day 2 ☐ Lunch ☐ Dinner  
Day 3 ☐ Buffet breakfast  
Tour: ☐ Spouse / guest tour (\$25 per registered guest; \$50 per unregistered guest)

Golf registration ☐ Denver ☐ Nashville

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

Payment options

Check/money order enclosed (U.S. funds only) \$ \_\_\_\_\_  
Credit card ☐ VISA ☐ MasterCard  
Card number \_\_\_\_\_ Exp. date \_\_\_\_\_ Total charged \$ \_\_\_\_\_  
Signature \_\_\_\_\_

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



# 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 month's winning photograph was taken by **Steve Noyes**, an Amtrak baggageman and member of Local 1525 in Carbondale, Ill. This photo of a NS freight train was taken in March 2008 "as it patiently waited for it's turn to run east towards Moberly, Mo.," Noyes said.



[www.utu.org](http://www.utu.org) / [www.utuia.org](http://www.utuia.org)

MAY 2008

ISSN 0098-5937

Published monthly (except for combined months of December/January and July/August) by the UNITED TRANSPORTATION UNION, 14600 DETROIT AVE., CLEVELAND, OH 44107-4250 • 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**, 14600 Detroit Ave., Cleveland, OH 44107-4250.

**Periodicals Postage  
PAID at Cleveland, Ohio,  
and Additional  
Mailing Offices**



Please recycle

Volume 40  
Number 5

May 2008



[www.utuia.org](http://www.utuia.org)

[www.utu.org](http://www.utu.org)

The Official Publication of the United Transportation Union

## Moye, Wallace named as UTU's newest labor-union organizers

Beatings by employer thugs, jail terms, blackballing and poverty were well known to our predecessor trade unionists as they fought courageously for the right to organize, which led to improved wages, benefits and working conditions. The gains were slow, and never because employers volunteered them.

To increase understanding among younger UTU members of the role of labor unions, UTU International President Mike Futhey is beefing up UTU's organizing efforts. Recently, he arranged for two energetic UTU leaders to attend a week-long intensive studies program at the National Labor College in Silver Spring, Md.

Billy Moye of Local 1971, Rocky Mount, N.C., and Carlos Wallace of Local 524, Palestine, Texas, completed a week-long course in organizing strategies, including principles of labor law, communication skills and fact-finding. They are taking those skills into the workplace to infuse in new members a full appreciation of what unions accomplish for them.

Moye, a CSX yardmaster and third-generation railroader, is already a certified hazmat safety instructor and new-hire mentor. Wallace, a Union Pacific engineer, is vice general chairperson of GO 927 and local chairperson of his engineers' local.



New UTU organizers Billy Moye, left, and Carlos Wallace at the National Labor College in Maryland.

"You can't fix problems in the workplace unless you know what you can fix; and you can't help members unless you know how to help," Moye said.

Wallace said the course honed his ability at countering "employer misinformation and restoring in younger workers faith in unions."

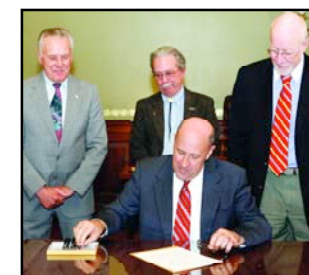
## Inside this issue of the UTU News:



The late Steve Parker has the best seat in the stadium. See page 2.



Three UTU International employees save the day. See page 3.



Some lucky UTU member got a free pen from the governor. See page 5.



What are your co-workers saying about the contract? See pages 6/7.