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# UTU News

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The Official Publication of the United Transportation Union

## Solid gains in first year of Futhey administration

Almost a year has passed since Mike Futhey, Arty Martin and Kim Thompson took office. They ran on a platform of specific promises, including full disclosure.

Here are the promises and results, so far:

**Restructure the International:** Reduce the number of International officers in Cleveland and provide the most possible assistance to general committees, state boards and local officers.

The vice president-administration duties were consolidated with those of the general secretary and treasurer (GS&T), and that vice president position was reassigned to the field. All full-time officers are assigned on a full-time basis and are required to make detailed and timely reports of their activities.

Communication with local officers was expanded, especially through visits by the International president, assistant president, GS&T

and International vice presidents. The UTU Alumni Association was restructured to provide greater interaction between the UTU International and retirees.

**Automation:** The Information Technology Department has accelerated the conversion of critical data from an antiquated mainframe computer to modern operating systems. Direct deposit of dues, DIPP and UTUIA insurance premiums was implemented on CSX and portions of

**"We are committed to building on the accomplishments of the first year, and identifying new objectives."**

UP, with other national-agreement carriers to be added in 2009. Automation of billing and auditing is underway. The iLink platform was expanded for use by general committees and state boards, allowing improved and more rapid access. iLink will be directly accessible from the UTU Web site by Dec. 1.

**Education:** The computer-based UTU University was created, providing structured, self-teaching programs through iLink. Group instruction, to assist officers in getting started, is underway. The awards database search engine is being improved. Regional meeting workshops are being fine tuned to better meet member needs, especially for officers administering the National Labor Relations Act.

**Financial growth:** UTU International funds have increased by \$3.4 million – 45 percent – to \$11 million since Jan. 1. They are managed for the most effective return consistent with a conservative investment approach. Organizing has been accelerated.

### Futhey Administration Report Card

✓	Restructure of International
✓	Education Through Automation
✓	Financial Growth
✓	Bus Organizing
✓	Yardmaster Commitment
✓	Airline Organizing
✓	Research of Controlling Awards
✓	Union Growth
✓	Member Services
✓	Contract Negotiations
✓	Legislative Agenda
✓	Communications



**Bus Department expansion:** More aggressive organizing is underway of bus properties in the Northeast and on the West Coast. Regional meeting workshops were beefed up to provide greater understanding of labor laws affecting bus members.

*Continued on page 10*

## News and Notes

### Timber Rock members ratify

UTU-represented train- and engine-service workers on the Timber Rock Railroad have ratified their first contract. The Timber Ridge is owned by Watco, which owns 17 other shortline railroads, so this organizing victory is UTU's foot in Watco's door.

The new contract, negotiated over the last year, includes increases in wages, benefits and numerous other protections, including a codified grievance system. The contract was effective upon ratification and runs through the end of 2012, General Chairperson Doyle Turner said. All are members of Local 1972.

The Timber Rock is a 160-mile short line operating in southeastern Texas, from Silsbee north to Tenaha, with an eastbound branch line to DeRidder, La.

### Iowa Northern votes UTU

Iowa Northern train- and engine-service employees have chosen to be represented by the UTU.

UTU International President Mike Futhey thanked International organizer Mike Lewis for his efforts and promised the IN employees that the UTU will get right to work assessing their needs, negotiating their first agreement, and educating the local representatives they ultimately elect.

The Iowa Northern is based in Cedar Rapids, Iowa, and operates over 127 miles of track between Cedar Rapids and Manly, Iowa, interchanging with the CP, UP and the ICE railroads.

### Medicare FAQs on UTU Web

Frequently asked questions regarding railroad Medicare are now available for retirees and others on the UTU Alumni Association page on the UTU Web site, www.utu.org.

## UTU shoeleather, commitment helped elect Barack Obama

By shoe leather, telephone, pen, e-mail and personal commitment, hundreds of UTU members scattered nationwide to work on behalf of President-elect Barack Obama this election season.

They knocked on doors, telephoned and e-mailed friends and strangers, and left informal notes on car windshields and taped to front doors.

The message was the same: Job security, better pay, improved benefits and a safer workplace depend on electing a labor-friendly President of the United States and electing more labor-friendly members of Congress.

"The UTU is putting its money where its mouth is," said UTU International President Mike Futhey in August in creating special Obama campaign committees, calling on the UTU Auxiliary for assistance, enlisting state legislative directors and general chairpersons, and asking

UTU staff in Cleveland to become involved in encouraging votes for Obama.

"We will mount the most extensive political campaign on behalf of labor-friendly candidates in the history of the UTU and its predecessor organizations," Futhey said. "We will build a model for future use by others in rail labor."

Leading the UTU Obama effort nationwide was a four-person team led by Illinois State Legislative Director Joe Szabo, a personal friend of Obama's and who has served as transportation policy adviser to the Obama presidential campaign.

Working with Szabo in mobilizing a nationwide get-out-the-vote-for-Obama campaign were Colorado State Legislative Director Rick Johnson, Idaho State Legislative Director George Millward, and Michigan State Legislative Director Jerry Gibson.

*Continued on page 10*



# Around the UTU

## Local 117, Seattle, Wash.

On Sept. 13-14, Local President **Mark Flanigan** participated in the Greater Washington Multiple Sclerosis Society's MS 150 bicycle ride to raise funds for MS research. Flanigan, 52, an Amtrak conductor for 21 years, said many fellow members of his local also contributed money to help the cause. "Building a movement by and for people with MS will move us closer to a world free of this rotten disease," he said.



Flanigan

## Local 161, Seattle, Wash.

A party was held last month at Mac's Smokehouse to honor **Rich Waring**, who retired July 31 after 22 years as a member of UTU Locals 161 and 324. Pictures of the event are available on the local's Web site at [www.utulocal161.org](http://www.utulocal161.org). Click on Archives. "Our thanks go out to **Jerry Healy** and **Sheila Anderson** for organizing this memorable event. This get-together was a good example of the camaraderie that has existed among our union members over the years," said Local President **Brian Donald**.

## Local 240, Los Angeles, Calif.

Conductors **Mike L. Jones** and **Jack L. Healy** retired in August and September, respectively, Local Chairperson **Harry Garvin Jr.** reported. Jones had more than 40 years of railroad service on the UP/SP and had previously held local office, while Healy had more than 36 years of service on the UP/SP. "Good luck, and many happy, long years of retirement to both you and your families," Garvin said.

## Local 298, Garrett, Ind.



Members of this CSXT local were keeping the beer flowing at the North East Indiana Central Labor Council/AFL-CIO Labor Day picnic at Headwaters Park in Fort Wayne, on Sept. 1, reported Local President **Rick Mitchener**. Pictured above, from left, are **Samantha Murphy**, Chairperson **Tom Porter**, **T. V. Johnson**, NEICLC President **Tom Lewandowski**, **Scott Chapman**, **Bob Murphy**, **Mitchener**, **Paul Patton**, Legislative Rep. **Bruce Babbitt**, **Marjorie Babbitt**, **Bob Wheeler** and Trustee **Ray DiMatta**, who worked at the beer truck during the festivities.

## Local 367 Omaha, Neb.

On Sept. 24, more than 60 members and friends of this UP local held their annual barbeque dinner, sponsored by the law firm of **Yaeger, Jungbauer & Barczak**, Legislative Rep. **Kevin P. Kresl** reported. Afterwards, the local conducted its annual **Chuck Faulder** Scholarship Program presentation, awarding \$500 college scholarships to **Kelsey Kerwin** (daughter of **Kevin**), **Wesley Gorans** (son of **Scott**) and **Nathan Kennedy** (son of **Rob**). On Sept. 25, the local held its annual golf tournament at Shoreline Golf Course in Carter Lake, Iowa, with more than 80 golfers participating. In other news, Secretary & Treasurer **Joe Brown** notified *UTU News* that **Kresl** and engineer **Anthony W. Schnitker** were recognized by the UP for their efforts in heading off a tragedy involving a woman lying on the tracks. Despite inclement weather, the duo spotted the woman and notified their dispatcher, who halted a train traveling in the opposite direction. The woman admitted to trying to kill herself and was transported



Mayor **Dorothy Larson**, right, **Sinclair Guntharp**, center, and **Kameron Jones** join **Jack Scardina** at the grand opening of **Antioch Model Trains and Hobby** shop.

## Whether it's work or play, railroading is 'in his blood'

UTU member **Jack Scardina** first became acquainted with railroading at the age of five, when his grandmother presented him with his first model train set. When he was a little older, his parents gave him a Lionel train set, and a passion for model railroading and a career in the industry was born.

This past October, Scardina and his parents opened **Antioch Model Trains and Hobby** in Antioch, Ill. The store caters to model railroading enthusiasts, with about 90 percent of their merchandise dedicated to model railroading, Scardina said. The business also features slot cars and accessories.

"The store offers just about everything you could want that has to do with model railroading," Scardina said. "We sell trains, buildings, scenery, paints and most anything else you might want."

"It's a really nice shop," said Scardina, a member of UTU Local 583 at Fond du Lac, Wis. "It is very clean and organized."

Scardina said the store features many different sizes of model railroading trains, from G-scale to Z-scale, as well as Lionel trains and accessories and HO. He said that many of his products are dedicated to N-scale models, meaning the models are 1/160th of the actual size.

The trains are modeled after actual trains, with details on the locomotives and boxcars recreated based on the actual trains.

The family is not new to the model railroading business. Scardina had opened his first model railroading shop in Antioch back in the late 1980s. It was called **N-Scale Memories**, and Scardina still has the original hand-painted sign from that store hanging in the new shop. He later moved the business to **Lindenhurst**. He closed the business when he took a job as a conductor with **Wisconsin Central** – now **Canadian National** – in 1999.

Scardina said he loves both model railroading and the railroad industry. "It is definitely part of my life. I have a passion for it. It's either in your blood or it's not," he said.

Although he is currently off the job due to medical leave, Scardina looks to return to his job as a CN conductor as soon as possible.

Scardina looks forward to visits from fellow UTU members and is willing to provide UTU shoppers with a "special discount."

"I will be a UTU member for life," he said.

to a hospital for possible alcohol poisoning. "It's the crew's vigilance in poor visibility conditions that saved that woman from being run over," Manager of Yard Operations **Bryan Clark** said. "They are to be commended for their actions."

## Local 490, Princeton, Ind.

Local President **Schuyler V. Smith** reported that retired members **Paul Schmitt** and **Eugene Shomate** passed away this past summer.

## Local 511 Atlanta, Ga.

Members of this local will hold their third annual Christmas party and local meeting on Dec. 13, at 11 a.m., at the home of Secretary & Treasurer **Howell Keown** in Kennesaw, Ga. For more information or directions, call Keown at (770) 795-1439.

## Local 807, Tucson, Ariz.

Conductor **Ron Friberg** retired in October after more than 41 years of service, and hostler **Ben Adams** retired this past August with 31 years of service, Secretary & Treasurer **Tom Moore** reported.

## Local 1081, Glendale, Ariz.

Members of this BNSF Railway local are coming to the aid of Brother **Tommy Duran**, a fellow member with kidney problems who has undergone an operation and will need six weeks of treatment on kidney dialysis. "Duran is a single dad and has the normal expenses of any family – house, autos, food and utilities. They need our help," Local President **Steve Coffey** said. To assist the Duran family, send a check to: UTU Local 1081, 1510 E. Gable Ave., Mesa, AZ 85204, and show in remarks "Tommy Duran Sickness Fund," Coffey said.

## Local 1138, Miami, Fla.

Local Chairperson **Yvonne Hayes** has been elected to the office of assistant general chairperson of CSX General Committee of Adjustment GO-851, reported General Chairperson **John Hancock**. The election was held in September due to the retirement of **Gerald Foster**. Hayes will be reporting to the GO-851 office for this full-time assignment on Jan. 1, Hancock said.

## Local 1252, Fresno, Calif.

Retired BNSF Railway conductor **Carl "Deputy Dog" Self** and his wife, **Docia**, recently celebrated their 50th wedding anniversary with many railroad friends at an event hosted by their twin sons, who are both BNSF employees, retired former Secretary & Treasurer **Donald Heffernan** reported. "Carl and his wife shared many meals with away-from-home rails before the meal allowances were won with the help of our union," Heffernan said. Self's nickname was "Deputy Dog" because of the large cowboy hat he always wore.

## Local 1373, Philadelphia, Pa.

A fund has been established to assist the family of CSX conductor **Thomas Oliphant**, 46, who was killed by a passing train as he was locking down his train for the night on Sept. 24. Donations can be made at any Wachovia Bank to the "Thomas Oliphant Memorial Fund" or to account number 2000018271298 said Secretary & Treasurer **Greg Brecker**.

## Local 1402, Dupon, Ill.

Member and webmaster **Daniel J. Meyer** has informed *UTU News* that this Union Pacific local has established a Web site at [www.utu1402.org](http://www.utu1402.org).

## Local 1545, Monroe, La.

Local Secretary & Treasurer **C.D. Christianson** reports that the address of the local's Web site has been changed to [local1545.sitesvp.com](http://local1545.sitesvp.com).

## Local 1594, Upper Darby, Pa.

Members of this SEPTA bus local are grateful for the efforts of Labor Day cookout committee members **Brian Caldwell**, **Wave Harris** and **Roslyn Wilson** for organizing a successful picnic on the property, with the permission of the district management, reports Local Chairperson **Ron Koran**. "Members who were working on Labor Day were able to grab a burger or hot dog and something to drink while they were on layover and it was appreciated," Koran said.



# After 30-year wait, we win rail-safety legislation with teeth

WASHINGTON – President Bush on Oct. 16 signed into law the Rail Safety Improvement Act of 2008.

This is the most comprehensive rail safety bill in more than 30 years.

In the Senate, which passed the bill Oct. 1 by a 74-24 vote, Sen. Barack Obama (D-Ill.) voted “yes,” and Sen. John McCain (R-Ariz.) voted “no.”

The Rail Safety Improvement Act of 2008 provides for certification of conductors, along with a minimum training requirement.

Additionally, it prohibits carriers from interfering with medical treatment of injured employees, mandates installation of positive train control, and offers railroads incentives to install electronically controlled pneumatic (ECP) brakes and switch position indicators.

Significantly, the safety bill caps limbo time and requires at least two days off following each six-day work week.

But a provision permits general chairpersons to negotiate with carriers a better balance between time off and earnings, while preserving guaranteed time off.

Also of significance, the legislative history of the bill supports two sets of eyes and ears in the locomotive cab, notwithstanding the installation of PTC.

## FRA issues cell-phone ban

WASHINGTON – In an emergency order, the FRA on Oct. 2 banned the use of personal electronic devices by railroad employees while operating trains and in other settings.

The emergency order took effect Oct. 27. Violators of this prohibition are now subject to civil penalties and removal from safety-sensitive service.

“Operating freight and passenger trains, and maintaining track and signals requires the full and undivided attention of those charged with carrying out such responsibilities,” said FRA Administrator Joseph Boardman.

“The bottom line is railroad operating employees cannot focus on their critical safety functions while engaging in phone conversations, texting or any other form of unessential electronic communication, often in violation of railroad operating rules.”

# UTU International gets defibrillators

Two automated external heart defibrillators (AEDs) have been installed at the UTU International offices in Cleveland, thanks to the UTU’s Canadian legislative board.

An AED is a portable automatic device used to restore normal heart rhythm to patients in cardiac arrest, and is designed to be used as a life-saving device by laypersons with minimal first-aid instruction while awaiting the arrival of advanced life support.

UTU International employees were instructed in the use of the AEDs by April Futhey, a registered nurse and graduate of the Baptist Memorial Hospital School of Nursing in Memphis, Tenn. She is the wife of UTU International President Mike Futhey.

The UTU also has notified all tenants in the International headquarters building, which include many doctors’ offices, that the AEDs are available should the need arise.

Studies have shown that the ready availability of AEDs in airports, shopping malls, stadiums and offices saves lives.

“The Canadian legislative board donated these two AEDs to the International in appreciation for the work done by the employees,” said Tim Secord, administrative assistant to the International president. “We hope we never have to use them, of course, but I know we all feel better knowing they are available.”

The Office and Professional Employees Inter-

## Timetable on safety-bill provisions

The following provides the timetable for when major provisions of the Rail Safety Improvement Act of 2008, directly affecting train and engine service employees, take effect. The president signed the previously House/Senate passed legislation into law on Oct. 17.

**Section 103. Railroad Safety Risk Reduction Programs:** The carriers have four years after enactment of the law in which to develop such programs that must include methods to manage and reduce crew fatigue.

**Section 104. Postive Train Control:** Class I and passenger railroads have 18 months after enactment of the law to submit plans for implementing PTC by 2015.

**Section 108. Hours of Service:** Within nine months after enactment of the law, freight railroads must implement the required hours-of-service changes, including the reduction in limbo time.

**Section 401. Minimum Training Standards:** Within one year of enactment of the law, DOT must issue minimum training standards.

**Section 402. Certification of conductors:** Within 18 months of enactment of the law, DOT must have in place procedures to certify conductors.

**Section 405. Locomotive Cab Studies:** The study on use of personal electronic devices in cabs due within one year of enactment of the law. The study of the locomotive cab’s environment is discretionary. In the case of both studies, implementing regulations are discretionary. (The FRA already has imposed an emergency order banning the use of personal electronic devices in cabs.)

**Section 406. Switch Position Indicators:** Within one year of enactment of the law, DOT must publish regulations or guidance governing the use of technology in dark territory, which includes switch-position indicators.

**Section 413. Emergency Breathing Apparatus:** Within 18 months of enactment of the law, DOT must require emergency breathing apparatus for train crews.

**Section 419. Prompt Medical Attention for Injured Train Crew members:** This provision took effect immediately upon its enactment into law.

# LIRR General Chairperson Simon on disability flap: ‘Just give us the rules and we will play by them’

UTU General Chairperson Anthony Simon is defending his members in the wake of allegations that many Long Island Rail Road retirees improperly received disability payments in addition to pensions.

Federal agents raided the Long Island office of the Railroad Retirement Board in September amid an intensifying investigation into the legitimacy of disability payments to thousands of former employees – including white-collar managers – of the Long Island Rail Road.

The raid came two days after *The New York Times* reported that nearly all career employees of the railroad – from 93 percent to 97 percent of retirees every year since 2000 – retire early and soon after begin getting disability payments from the federal agency.

The retirement board almost never turns

down a claim, and since 2000 has paid more than a quarter of a billion dollars in disability checks to former Long Island Rail Road workers, *The Times* reported.

Simon, in a letter sent to all LIRR members, said the UTU “can no longer tolerate the nega-

tive perception that is being targeted towards LIRR employees by the media, politicians or the leadership of the Long Island Rail Road” regarding allegations that retirees have abused disability provisions of the Railroad Retirement Act.

“Enough. This is a federal matter that is clearly under investigation,” Simon wrote. “If decisions are made to revise the process, so be it. Just give us the rules and we will play by them.”

“It is my belief, as I am sure yours, that the employees of the LIRR are being unfairly depicted as unethical. Active employees are being harassed based on unfounded accusations of disability abuse. Morale is being affected, and safety may be placed at risk due to the constant barrage of articles and informational items creating a misinformed and irritated riding public,” he said.

“I take pride in knowing our membership, and can assure you I will send the message that our union is ethical, dedicated and hard working. It is the employees who have achieved record-breaking on-time performance numbers and safety awards, not management who showcases the trophies,” wrote Simon.

“We are providing around-the-clock train service, 365 days a year, in safety-sensitive positions through all types of work conditions and circumstances. I will do everything in my power to ensure this organization receives the respect and admiration it deserves.”

Butch Speakman, labor member of the Railroad Retirement Board, issued a statement, saying, “While I share the concern that an anomaly may exist with the Long Island Rail Road situation, I am equally concerned by the misconceptions these articles have propagated with regard to how the occupational disability provisions of the Railroad Retirement Act are administered by our agency.”



Simon



Assistant to the President Tim Secord and April Futhey, wife of International President Mike Futhey, with one of the automated external heart defibrillators recently installed at the UTU International offices in Cleveland.



# Return of dignity, job security seen in Obama win

Barack Obama is the first presidential candidate to promise in writing that he stands behind the objectives of the United Transportation Union.

We look forward to working closely with President Obama.

He is a leader who has put the well-being of working men and women at the heart of his campaign.

Early on, President-elect Obama pledged in writing his support for our rail and bus members, and we have every reason to believe he will fulfill that commitment.

In the weeks ahead, the UTU International leadership will be working with other AFL-CIO-member unions to identify qualified individuals for key appointments in the Obama administration.

Among the posts of importance to us are the secretaries of labor and transportation, members of the National Mediation Board and the National Labor Relations Board, members of the Surface Transportation Board (the agency that determines labor protection in rail mergers and line sales), the National Transportation Safety Board, the Federal Railroad Administration, the Federal Motor Carrier Safety Administration, and the Amtrak Board of Directors.

Each of these agencies makes decisions on a daily basis that have impact on our job security, paychecks, benefits and working conditions.

As President-elect Obama has pledged to work on behalf of working men and women, the 125,000 active and retired UTU members and their families will continue our



## International President's Column

By Mike Futhey, International President

efforts in support of the Obama administration as it works to restore the dignity and hope that was relentlessly taken from us by mean-spirited, anti-labor conservatives.

Indeed, the torch has been passed,

I will preserve the sanctity of Railroad Retirement and the Federal Employers' Liability Act (FELA) and push for a fair process to receive and maintain a commercial driver's license.

**"We will be working to identify qualified individuals for key appointments in the Obama administration."**

and there is bright light at the end of our eight-year tunnel of the Bush administration.

Here is what Barack Obama, who has had a 100 percent UTU voting record in the Illinois senate and United States Senate, pledged to us in writing in a letter dated July 5:

"Our transportation system is integral to our economy and our nation, and we must ensure the people who run that system are protected by proper labor standards

and receive the benefits they earn.

"Trains should be adequately staffed, and workers must be protected from fatigue through adequate rest time.

"My administration will preserve and promote policies that recognize the value of transportation workers.

**"Let us move forward together to restore the dignity and economic security of working families."**

family, health care if we get sick, and a retirement that's dignified.

"On behalf of your members and their families, I am fighting to make sure that all Americans have access to quality healthcare, enjoy fair treatment at work, and that all children benefit from excellent educational opportunities.

"The brothers and sisters of UTU, and all working families, deserve a president who is committed to improving their lives. I will honor that commitment, as I have for over two decades in public life. Your efforts are a part of this movement, and I look forward to working with you, not just to win in November, but to deliver on the change working Americans deserve."

That is what Barack Obama pledged to us in writing.

What do we say in response to President-elect Obama's written pledge?

We say, "Let us move forward together to restore the dignity and economic security of working families, and to better ensure their safety and well-being in the workplace."

God bless President-elect Barack Obama and the United States of America.



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# Thanks to you, the outlook is good

**"It is time for the Congress and the White House to do exactly what your union has been doing for you: fighting for a better life."**

We all know the results of the presidential race. So let me brief you on what the new Congress will look like in January.

Many of our old friends in the House – both Democrats and Republicans with whom we have built good relationships – were re-elected. This ensures that the UTU will continue to have influence on both sides of the aisle.



Brunkenhoefer

Many new friends were also elected, and we will set about immediately to meet with them and their key staff to ensure they are knowledgeable about your issues.

The good news is that we elected many more labor-friendly candidates to Congress. What I can't promise you is that everything we want and deserve will be passed into law. Congress is one of the most sophisticated horse-trading enterprises on earth, and compromise enters into every vote.

That said, I am hopeful that most of our key goals will become law over the next two years. Most important, we will be facing fewer conservative assaults on organized labor. This means less looking over our shoulders at what the White House and the railroads' friends are trying to do to you or take away from you.

In the Senate, the magic number to stop a filibuster is 60 votes, but we did not reach that number. Still, the Democrats have a significant majority.

This means that UTU members, as well as all of labor, will see more progress on labor-sought legislation.

At the White House, we expect President Obama to seek our opinions on qualified individuals to serve in his administration.

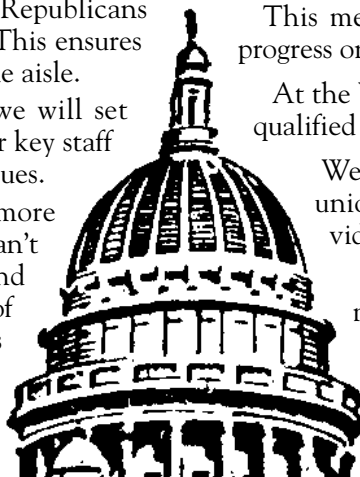
We will be working with the AFL-CIO and other AFL-CIO-member unions to ensure President-elect Obama's personnel choices are individuals who are true friends of working families.

We also hold a letter from President-elect Obama in which he made specific promises to protect Railroad Retirement, Social Security and the Federal Employers' Liability Act.

He also promised to work to correct the commercial driver's license problem and fight for more transit, Amtrak and commuter rail funding.

This is the first presidential candidate who ever made such promises to us in writing.

It is time for the Congress and White House to do exactly what your union has been doing for you: fighting for a better life.



## WASHINGTON WATCH

By James M. Brunkenhoefer



# State Watch

## News from UTU State Legislative Boards

### Missouri

State Legislative Director **Ken Menges** is applauding successful efforts by the state's Department of Transportation to win a federal grant to expand Amtrak service in the Show Me State.

MDOT recently received a \$3.3-million FRA grant that will help increase freight mobility and reduce delays for Amtrak service across the state.



Menges

The grant will help fund two new sidings between Jefferson City and Kansas City on the UP, projects that will increase rail capacity between the two cities at a critical time when Amtrak ridership is on the rise, increasing 31 percent since last October, Menges said.

The sidings, or parallel tracks, will allow trains to pass each other without stopping, thus reducing delays for Amtrak passengers caused by heavy freight train traffic on the UP line, Menges said.

"The General Assembly also approved \$5 million last session that will be used as matching funds for this grant money and is the first time that Missouri has authorized funds to make track improvements on any railroad," Menges said.

The federal grant will help fund the preliminary engineering and construction of an entirely new 9,000-foot siding just west of the city of California on the UP line. UP will build the siding.

The grant will also pay for the preliminary design and engineering to extend an existing siding at Knob Noster on the same rail line.

"With high fuel prices and tightening economic conditions, travelers want additional, dependable transportation options," said MoDOT Director Pete Rahn. "This federal grant, in addition to funding we received for multimodal operations from the Missouri legislature in May, is just the boost we need to develop a transportation system that better serves everyone's needs – not just drivers."

### Arkansas



State Legislative Director **Steve Evans** recently attended a fundraiser for successful state representative candidate **Barbara Nix** (D), District 28, the UTU-endorsed candidate. Shown with Nix, left, is Evans, right, and Alternate State Director **Talmon Preyer**, who also serves as legislative representative for Local 656, North Little Rock. "We are pleased the voters elected Barbara Nix and we look forward to working with her on issues of importance to UTU members and their families," Evans said.

### Utah

On his third attempt, State Legislative Director **Jay Seegmiller** has defeated House Speaker Greg Curtis, making Curtis the first House speaker in at least four decades to lose re-election.



Seegmiller

"It has just been the culmination of a lot of work and a lot of volunteers. It's just overwhelming. I am almost amazed myself that it could be done," said Seegmiller, who lost to Curtis by just 20 votes in 2006.

### Maine

Amtrak conductor and UTU member **Mike Shaw** has been elected to the Maine House of Representatives. Shaw, 36, is a member of Local 95, Rensselaer, N.Y. He works as conductor on Amtrak's *Downeaster*. Democrat Shaw ran unopposed in State House District 102, which covers the town of Standish.



Shaw

### New Mexico

State Legislative Director **Dennis Baca** reports that, thanks to the efforts of Local 1168 (Clovis) Secretary & Treasurer **Buddy Blue**, 13 members recently signed up to participate in UTU PAC.



Baca

As an added incentive, these new UTU PAC participants were given a T-shirt (photo, right), Baca said.

"The New Mexico legislative board has been very active this year, hoping to change the political landscape in both New Mexico and Washington, D.C.," he said.



## Bus Department

By **Vic Baffoni**, vice president/director  
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## Community Transit members ratify pact

Congratulations to Community Transit General Chairperson **Calvin Studivant** in Newark, N.J., whose members in Local 759 ratified a new contract providing an across-the-board wage increase, an extra holiday with pay, an increase in vacation pay and pension benefits, and no givebacks.

Assisting in the bargaining were Local 759 President **David Deleon**, Local Chairperson **John Bladek**, Secretary **Antonio Ortiz**, and Legislative Rep. **Kaleem Muhammad**. Assisting in the successful bargaining was New Jersey State Legislative Director **Dan O'Connell**.



Take note that all UTU locals are in the election cycle. I strongly encourage any member who wishes to serve the members to run for office.

Those who run for office must recognize that they have an obligation to know what their responsibilities to the membership will be, and understand that they must be prepared to sacrifice regarding their personal life.

A union office is much more than a title. It is serving the membership, knowing it is often without compensation, or even a thank you. True union leaders are rewarded by the knowledge that they are serving their membership to the best of their ability.

The UTU is blessed in having countless dedicated men and women who serve their membership in an exemplary manner.

When you, as a member, vote for your local officers, please remember to consider and vote for those individuals who have demonstrated dedication, integrity and a record of serving the membership.

If you elect individuals of this caliber, you will elect a team of officers that will always put you and your brother and sister members first – and that strengthens your local. Have a happy Thanksgiving.

## DOT announces new school-bus safety rules

WASHINGTON – The National Highway Traffic Safety Administration last month issued rules that require three-point safety belts on small school buses and taller seats on all school buses.

The new requirement for lap and shoulder safety belts applies only to buses under 10,000 pounds and was proposed last November after a string of high-profile school bus crashes. NHTSA first considered the additional safety steps more than six years ago and they must be implemented by fall 2011.

While school buses remain the safest way to get to and from classes, high-profile crashes renewed the debate over whether school buses should have belts.

Five states, Australia and the European Union require safety belts on school buses, while many states already require taller seats.

In 1998, Congress ordered NHTSA to research the issue of school bus safety and reconsider its 1977 decision not to require safety belts on buses.

About 25 million U.S. children travel on 500,000 buses. School bus travel accounts for just two percent of all student fatalities that result from getting to and from school.

Between 1995 and 2005, about five school children died annually in bus accidents, for a fatality rate of 0.1 per 100 million miles traveled.

By comparison, the fatality rate for school kids killed on bicycles is 12.2 per 100 million miles and for children who walk to school, 8.7 per 100 million miles.

NHTSA came under criticism for failing to act on its 2002 recommendations after a November 2006 bus accident in Huntsville, Ala., killed four high school students when the bus tumbled off an interstate overpass.

Since most school buses have no safety belts, the main safety feature is taller seats designed to contain students during a crash.



# SUPPORT YOUR UNITED TRANSPORTATION UNION'S POLITICAL ACTION COMMITTEE

For the second successive congressional election, we sent more labor-friendly lawmakers to Congress – lawmakers pledged to put working families first and fight for our job security, better paychecks, adequate and affordable health care, and improved workplace safety.


We also elected more labor-friendly lawmakers to state legislative posts.

We help elect our friends through UTU PAC contributions, which are used by candidates for advertising and campaign travel expenses.

Our UTU PAC gives us a voice in Washington and in state capitals. To keep that voice loud and effective, the UTU PAC needs your contributions.

**Please consider making regular contributions to the UTU PAC if you do not already do so – or increasing your current contribution.**

As we saw on Election Day, the UTU PAC helps get the results we want.



**UTU PAC donations are used to protect the rights and interests of active and retired members. They are used to safeguard laws, working conditions and pension rights. Passage of the national rail agreement, the Rail Safety Improvement Act of 2008, the new Amtrak contract that preserves the jobs of assistant conductors or the Railroad Retirement and Survivors' Improvement Act of 2001 would not have been possible without the help of UTU PAC-supported lawmakers sympathetic to the needs of active and retired UTU members.**






**UTU PAC contributes to qualified state and national political candidates, regardless of party affiliation.**



**UTU PAC has well-organized state advisory committees, and an office in Washington, D.C.**



**UTU PAC is the largest operating bus and rail political organization in the AFL-CIO!**



**UTU PAC contributions can be made on a one-time basis by check, anytime, by active members, retirees, and all individuals who seek a more responsive government.**



**UTU PAC contributions can be started or increased anytime, and can be deducted automatically from your paycheck.**



**UTU PAC has more than 21,000 members across the country. They welcome your support and investment in the future of our great nation.**

## UTU PAC EMBLEMS OF DISTINCTION

- 

**PLATINUM CLUB PIN:** Awarded to those individuals who contribute \$1,200 per year to UTU PAC
- 

**DOUBLE DIAMOND CLUB PIN:** Awarded to those who contribute \$600 per year to UTU PAC
- 


**DIAMOND PLUS CLUB PIN:** Awarded to those who contribute \$400 per year to UTU PAC
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**DOLLAR-A-DAY PIN:** Awarded to those who contribute \$365 per year to UTU PAC
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**DIAMOND CLUB PIN:** Awarded to those who contribute \$300 per year to UTU PAC
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**GOLD CLUB PIN:** Awarded to those who contribute \$100 per year to UTU PAC
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**UTU PAC PIN:** Awarded to those who contribute \$25 per year to UTU PAC



**UTU POLITICAL ACTION COMMITTEE PLEDGE FORM**  
UNITED TRANSPORTATION UNION, 14600 DETROIT AVE., CLEVELAND, OH 44107-4250



I, (please print) \_\_\_\_\_ of Local \_\_\_\_\_, proudly pledge to UTU/UTUPAC the amount indicated annually to be pro-rated monthly and authorize \_\_\_\_\_ to withhold this amount with my union dues.

Employer

<input type="checkbox"/> \$ _____ per year	<input type="checkbox"/> \$50 per year (\$4.20/mo.)	<input type="checkbox"/> \$100 per year (\$8.35/mo.) <i>Gold Club</i>	<input type="checkbox"/> \$300 per year (\$25/mo.) <i>Diamond Club</i>
<input type="checkbox"/> \$365 per year (\$30.42/mo.) <i>Dollar-A-Day Club</i>	<input type="checkbox"/> \$400 per year (\$33.33/mo.) <i>Diamond Plus Club</i>	<input type="checkbox"/> \$600 per year (\$50/mo.) <i>Double Diamond Club</i>	<input type="checkbox"/> \$1,200 per year (\$100/mo.) <i>Platinum Club</i>

☐ I want to make a one-time contribution of \$ \_\_\_\_\_.

☐ I am a retired member of Local \_\_\_\_\_ and I still want to help! My \$ \_\_\_\_\_ check to "UTUPAC" is enclosed.

Signature \_\_\_\_\_ Effective date \_\_\_\_\_

This authorization will remain in effect until revoked in writing. Contributions to UTUPAC are used for political purposes. Amounts indicated are only suggestions; you are free to give more or less than indicated, and neither your employer nor the union will discriminate against you based on whether you contribute. Contributions to UTUPAC are not tax deductible.

**To have your voice heard, keep the UTU PAC strong by making a pledge!**



# Gray Line of Seattle: Keeping people on the move

## UTU membership includes bus operators, maintenance, cleaners

When Microsoft holds its annual shareholders' meeting, it fills much of Safeco Field in Seattle, and UTU members drive the 75 Gray Line buses that provide much of the charter transportation.

UTU members also operate, maintain and repair the Gray Line buses in Seattle that carry business and leisure travelers between Sea-Tac airport, the Amtrak station and downtown hotels.

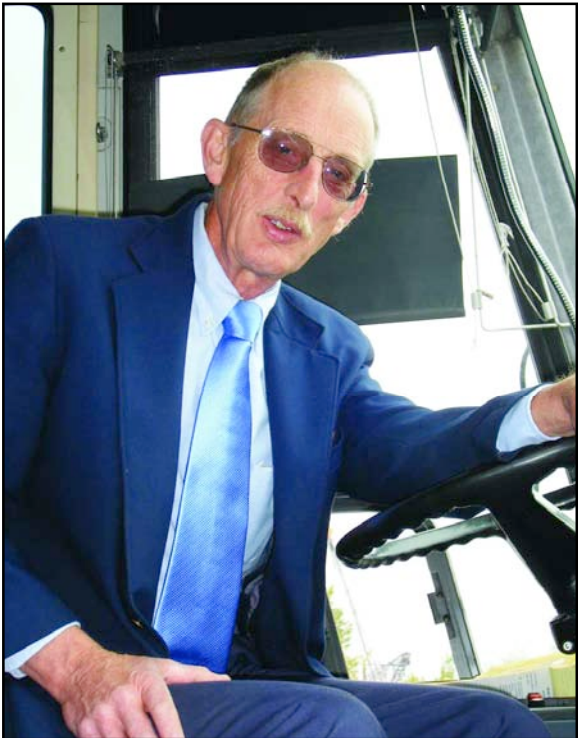
Forget those myths about Seattle weather. Fire-engine red, open-top double-deck Gray Line buses are tourist favorites for seeing the Seattle sights.

Gray Line has been operating in Seattle since 1909, and it also offers tour and charter

bus service to attractions such as Boeing Field, Mt. Rainier, and to and from cruise lines operating between Seattle and Alaska. Additionally, Gray Line carries bus passengers on excursions north across the border to British Columbia.

The UTU represents more than 110 Gray Line drivers, mechanics and other employees.

In environmentally conscious Seattle, Gray Line earned the highest green rating from King County. The bus line employs a wash-water recycler that reuses 90 percent of water used to wash buses, a radiant heating system that recycles waste oil to heat, and water-oil separators that gather run-off water from the parking lot.



John George has 29 years of service behind the wheel of Gray Line charter and tour buses in Seattle.



Lem Austin Jr., with 18 years of service, is the vice chairperson of Local 161 at Seattle, Wash.



UTU Assistant President Arty Martin, left, with driver Patricia Snell and Local 161 Chairperson Bob Duggan. Snell, with nine years' service, attended her first UTU regional meeting in 2008 in Denver, departing, she said, with pages and pages of notes taken at educational workshops.



Michael Splaim, 21 years of service, readies a newly acquired retro coach for its daily bath. Gray Line recycles 95 percent of its wash water as part of an environmental effort that includes recycling the used bus engine oil to heat offices and the garage.



Local 161 President Brian Donald, left, says his local has "an excellent working relationship" with Gray Line General Manager Jeremy Butzlaff.



Tourists can explore Seattle at their own pace with Gray Line's Hop-On/Hop-Off double-decker buses. They can hop off at any stop to explore on their own, and then hop on another bus when ready.



Gray Line bus mechanics Patrick Bergman, left, with 17 years' service, and Local 161 vice chairperson Logan Brenden, 10 years' service.

### 'You transport some of the most interesting people'



"You transport some of the most interesting people," says Local 161 President Brian Donald, left, with former astronaut and retired Boeing chief technical pilot John Creighton, who flew three space missions (June 1985, March 1990 and September 1991). Creighton, other astronauts and several Russian cosmonauts were in Seattle to promote science and math education in the public schools. Gray Line provided local transportation.



UTU Alumni

UTU Alumni Association

News, information for members of the UTU Alumni Association

# RRB to boost pension benefits, earnings limits

The Railroad Retirement Board (RRB) reports that most Railroad Retirement annuities, like Social Security benefits, will increase in January 2009.

The RRB also reports that those Railroad Retirement annuitants subject to earnings restrictions will be able to earn more in 2009 without having their benefits reduced, as a result of increases in earnings limits indexed to average national wage increases.

Most Railroad Retirement annuities are scheduled to increase in January 2009 on the basis of the rise in the Consumer Price Index (CPI) during the 12 months preceding October 2008, RRB said.

Cost-of-living increases are calculated in both the Tier I and Tier II benefits included in a Railroad Retirement annuity. Tier I benefits, like Social Security benefits, will increase by 5.8 percent, which is the percentage of the CPI rise. Tier II benefits will increase by 1.9 percent, which is 32.5 percent of the CPI rise.

(The vested dual benefit payments and supplemental annuities also paid by the Railroad Retirement Board are not adjusted for the CPI rise.)

In January 2009, the average regular Railroad Retirement employee annuity will increase \$92 a month to \$2,101 and the average of combined benefits for an employee and spouse will increase \$126 a month to \$2,956.

For those aged widow(er)s eligible for an increase, the average annuity will increase \$55 a month to \$1,115.

However, widow(er)s whose annuities are being paid under the Railroad Retirement and Survivors' Improvement Act of 2001 will not receive annual cost-of-living adjustments until their annuity amount is exceeded by the amount that would have been paid under prior law, counting all interim cost-of-living increases otherwise payable.

About 31 percent of the widow(er)s on the board's rolls are being paid under the 2001 law.

## Retiree earnings limits to rise

Those railroad retirement annuitants subject to earnings restrictions can earn more in 2009 without having their benefits reduced, as a result of increases in earnings limits indexed to average national wage increases.

Like Social Security benefits, some Railroad Retirement benefit payments are subject to deductions if an annuitant's earnings exceed certain exempt amounts. These earnings restric-

### Tier I benefits to increase by 5.8 percent; Tier II benefits by 1.9 percent

tions apply to those who have not attained full Social Security retirement age. For employee and spouse annuitants, full retirement age ranges from age 65 for those born before 1938 to age 67 for those born in 1960 or later. For survivor annuitants, full retirement age ranges from age 65 for those born before 1940 to age 67 for those born in 1962 or later.

For those under full retirement age throughout 2009, the exempt earnings amount rises to \$14,160 from \$13,560 in 2008. For beneficiaries attaining full retirement age in 2009, the exempt earnings amount, for the months before the month full retirement age is attained, rises to \$37,680 in 2009 from \$36,120 in 2008.

For those under full retirement age, the earnings deduction is \$1 in benefits for every \$2 of earnings over the exempt amount. For those attaining full retirement age in 2009, the deduction is \$1 for every \$3 of earnings over the exempt amount in the months before the month full retirement age is attained.

When applicable, these earnings deductions are assessed on the Tier I and vested dual benefit portions of Railroad Retirement employee and spouse annuities, and the Tier I, Tier II and vested dual benefit portions of survivor benefits.

All earnings received for services rendered, plus any net earnings from self-employment, are considered when assessing deductions for earnings. Interest, dividends, certain rental income, or income from stocks, bonds, or other investments are not considered earnings for this purpose.

Retired employees and spouses, regardless of age, who work for their last pre-retirement non-railroad employer are also subject to an additional earnings deduction, in their Tier II and supplemental benefits, of \$1 for every \$2 in earnings up to a maximum reduction of 50 percent. This earnings restriction does not change from year to year and does not allow for an exempt amount.

Special work restrictions continue to be applicable to disability annuitants in 2009. The monthly disability earnings limit increases to \$770 in 2009 from \$730 in 2008.

## George Koval, former director, passes

George J. Koval, former director of the UTU Retiree Program (now the UTU Alumni Association) has passed away. He was 78.

Koval was employed for 33 years by the Pennsylvania Railroad, which became Conrail by the time he retired as a brakeman and conductor.

He served as local chairperson and legislative representative of Local 300, Philadelphia, and was the founder of the Railroad Retirees Club, which met monthly in Pottsville, Pa.



Koval

In addition to his wife of 53 years, Elaine J. Konitsky Koval, he is survived by four daughters, six grandchildren, two sisters and several nieces and nephews.

The family requests memorial contributions be sent to PinnacleHealth Hospice, 301 One Norwegian Plaza, Pottsville, PA 17901.

"George Koval was a good man who did a lot for the retired members of this organization," International President

Mike Futhey said.

THE FINAL CALL

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

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
94	Byers, Albert L.	Kansas City, Kan.	744	Barber, Gerald L.	Ohio City, Ohio	1377	Wind Jr., Albert H.	Erlanger, Ky.
225	Barnum, Hurless W.	Sandusky, Ohio	832	Anderson, Oliver A.	Stevens Point, Wisc.	1379	Cieslak, Victor A.	Gibsonia, Pa.
243	Morgan, Windell E.	Dripping Springs, Texas	835	Aulman, Calvin W.	Modesto, Calif.	1381	Fogarty, Robert W.	Hammond, Ind.
257	Dierksen, William M.	Chadron, Neb.	855	Bender, Frederick G.	Spokane, Wash.	1382	Bergles, Walter G.	West Allis, Wisc.
300	Bennett, William H.	Media, Pa.	950	Anderson, Winston L.	Memphis, Tenn.	1386	Gunter, Morris G.	Springhill, La.
300	Koval, George J.	Pottsville, Pa.	974	Weathers, James T.	Nashville, Tenn.	1393	Bernhard, George L.	Cheektowaga, N.Y.
305	Blankenship, John P.	Omaha, Neb.	997	Kennedy, Harry L.	Mifflin, Pa.	1393	O'Rourke, Lawrence J.	Laguna Hills, Calif.
324	McComas, S.A.	Everett, Wash.	998	Fitchett, Eustace R.	Waycross, Ga.	1397	Merideth, Wayne C.	Lancaster, Ohio
440	Geier, Jack R.	Batavia, Ohio	1042	Pfeil, Raymond P.	Bethany, Okla.	1409	Ridgon, Arthur L.	Olathe, Kan.
440	Schubert, Ben A.	Kettering, Ohio	1075	Bergmooser, Robert	Carleton, Mich.	1418	Drake, John D.	Columbiana, Ohio
445	Kouchoukas, August L.	North Barrington, Ill.	1075	Hensley, Herbert W.	Taylor, Mich.	1433	Jensen, Carl F.	Republic, Mo.
471	Noland, Alvin C.	Gig Harbor, Wash.	1162	Bennett, Philip L.	Erwin, Tenn.	1491	Tanfield, Harold T.	Murrells Inlet, S.C.
473	Morris, Robert C.	LaGrande, Ore.	1245	Jordon, Richard D.	Calhoun, Ga.	1548	Davies, Herschel H.	Bowling Green, Ind.
492	Dantin, Ralley P.	Fairfield, Calif.	1328	Hartline, Harry A.	Louisville, Ky.	1883	Kernahan, James N.	Alsip, Ill.
586	Benson, Harold C.	Marion, Ohio	1328	Johnson, Orville A.	New Albany, Ind.	1951	Kandefer, John C.	Selkirk, N.Y.
620	Dotson, Harold	Benton, Ky.	1328	Kinnaird, John W.	Jeffersonville, Ind.	1978	Barnett, Richard J.	Binghamton, N.Y.
622	Anderson, Howard E.	Oneonta, Ala.	1365	Berarducci, Albert	Youngstown, Ohio			
650	Barnes, K.F.	Hopkins, Minn.	1366	Lamberson, Clare E.	Ogden, Utah			
650	Stahley, George L.	St. Paul, Minn.	1373	Barnett Jr., Charles D.	Foothill Ranch, Calif.			
679	Bennett, Carl G.	Montgomery, N.Y.	1375	Baranowski, Anthony	Philadelphia, Pa.			

**Correction:** John J. Brown, a member of Local 330, Gepp, Ark., was incorrectly included in the "Final Call" published in the September 2008 UTU News. We regret the error.



# UTUIA Cancer Hospital Indemnity

**UTUIA's new Cancer Hospital Indemnity policy offers you and your family members the following protections:**

- ✓ \$300 per day for hospital confinement
- ✓ \$600 per day in extended-stay benefits
- ✓ \$100 per day for home recovery and convalescence
- ✓ \$2,000 first-diagnosis benefit
- ✓ \$15,000 bone marrow transplant benefit

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



Cancer is often a lingering disease that strikes all age groups. It may require repeated, extensive treatment, resulting in the person being unable to work, high hospitalization bills, and loss of income. The National Cancer Institute reports that cancer will strike in three out of four families.

UTUIA's Cancer Hospital Indemnity\* policy offers peace of mind. The benefits are paid directly to you to use as you see fit – to help meet household expenses and other continuing expenses. This policy supplements regular hospitalization insurance, thereby protecting savings.

*\*Not currently available in Pennsylvania.*

## Information, please

I would like more information on UTUIA's Cancer Hospital Indemnity policy.

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

11/08



## UnitedHealthcare offers open enrollment

During the months of November and December 2008, UnitedHealthcare will hold an open enrollment under GA-23111.

During this open enrollment, any individual eligible for coverage under one of the GA-23111 plans can enroll and will be accepted for coverage without any medical underwriting or requirement of good health.

There are no limitations for pre-existing conditions.

Enrollment in November and December 2008 will be for coverage effective Jan. 1, 2009.

Only those applicants who mail their completed enrollment forms in November or December 2008, will be considered for open enrollment.

The next opportunity to enroll during an open enrollment period will be in November and December 2010.

This open enrollment is being held:

- For individuals who were covered under any railroad health plan and were represented by a railway labor union.
- For individuals who are members in accordance with the constitution or bylaws of one of the participating railway labor organizations, when coverage under the employer group health plan which applies to them ends.

If someone you know meets the GA-23111 eligibility provisions, open enrollment provides an opportunity for them to become covered.

You may also enroll your spouse or eligible children if they are not currently covered.

In addition, enrollment under Plan F is available for your parent or parent-in-law.

Anyone interested in enrolling should call the following phone number to obtain an enrollment form or additional information:

For persons eligible for Medicare, call (800) 809-0453;

For persons not eligible for Medicare, call (800) 842-5252.



Plans A, B and C are for persons eligible for coverage under GA-23111 except persons eligible under Medicare, and persons eligible under GA-46000. The rate is \$250 per month for Plan A, \$325 for Plan B and \$400 for Plan C.

(Benefits for the three plans vary, hence the different prices. See the "Healthcare News" section of the UTU Web site, [www.utu.org](http://www.utu.org), for an explanation.)

Plan E is for persons eligible under The Railroad Employees National Early Retirement Major Medical Benefit Plan (GA-46000). The rate is \$150 per month.

Plan F is for persons eligible for full Medicare coverage. The cost is \$150 per month.

Plan M is for persons eligible under the Massachusetts Bay Commuter Rail Early Retirement Plan. The rate is \$150 per month.

Note: Enrollment during November and December of the open enrollment period provides for coverage effective the following calendar year, Jan. 1 through Dec. 31.

Each June 1 of that calendar year, and only at that time, adjustments to the premium for all plans under GA-23111 may occur.

Additionally, if you are enrolled in either Plan A, B or C under GA-23111, and a change in the premium amount you pay does occur, you will be allowed, at that time, to switch your plan to a different plan (A, B, or C) if available.

## UTU wins lower insurance co-pays

Members covered by the NRC/UTU Health and Welfare Plan and The Railroad Employees National Health and Welfare Plan will soon have a significant health-insurance benefit improvement.

Effective Nov. 1, 2008, office visit co-pays required under the Managed Medical Care Program (MMCP) for in-network nurse practitioners, physician's assistants, physical therapists and chiropractors were lowered from \$35 to \$20.

In addition, a new supplemental discount program will soon be applied to charges for out-of-network services and for charges under the comprehensive benefit that should result in considerable savings to participants.

Co-pays under the July 1, 2008, agreement were set at \$35 for specialists as one of several inseparable plan design changes that facilitated the unprecedented expansion of MMCP to almost all geographical areas of the country.

As a result of the MMCP expansion, virtually all members covered by the national health and welfare agreements can now enjoy the lower out-of-pocket costs and unlimited lifetime cap of managed care as opposed to the 85/15 co-insurance arrangement of the comprehensive benefit

with its \$1-million lifetime cap and annual deductibles.

Notwithstanding the tremendous advantages of the MMCP expansion, the placement of co-pays for nurse practitioners, physician's assistants, physical therapists and chiropractors in the higher "specialist" provider category had substantial impact on some members and was a benefit change the UTU fought hard to avoid.

Ultimately, the UTU was unable to achieve the lower \$20 co-pays it sought, and the agreement sent to members for ratification in 2008 reflected the \$35 co-pays.

However, by steadfastly pursuing the issue with the carriers through its status as a joint policyholder, the UTU was able to achieve a reduction in co-pays through jointly agreed upon administration action during the moratorium period between contracts.

Likewise, the implementation of the new supplemental discount program was also the result of administration action by the plan's governing committee.

Benefits improvements between contracts are extremely rare, and UTU is pleased to have achieved these important goals for its members.



# FRA sets rules on electronic train brakes

The FRA has published rules encouraging the adoption of advanced brake technology that it says will enable railroad workers to better control their trains, lower the risk of derailment, and allow trains to safely travel longer distances between required brake tests.

The new rules will take effect Dec. 16.

"I believe that railroads and railcar owners will increasingly realize the benefits of electronically controlled pneumatic (ECP) brake systems and will make the necessary investments," said FRA Administrator Joseph H. Boardman.

Under FRA-approved waivers, Norfolk Southern and BNSF Railway are already operating several ECP-equipped coal trains, and Union Pacific is expected to begin operating some ECP-equipped intermodal container trains soon.

Boardman said the final rule permits trains to travel up to 3,500 miles without stopping period-



ically for certain routine brake inspections – more than double the current limit – because ECP brake systems contain continual electronic self-diagnostic "health check" capabilities that inform train crews when maintenance is required.

For example, an ECP-equipped intermodal container train originating from the ports of Los Angeles/Long Beach may safely travel all the way to Chicago without stopping for a routine brake test.

"The concept is simple: better brakes allow trains to operate more safely," said

the FRA, noting that the agency's final rule on ECP brakes will facilitate the widespread deployment of this technology by railroads and railcar owners.

The FRA explained that ECP technology provides simultaneous and graduated application and release of brakes on all rail cars within a train, resulting in shorter stopping distances, longer trains that can operate at faster speeds, improved fuel efficiency, and reduced emissions, the agency said.

ECP also complements other advanced rail-safety technologies like positive train control systems, FRA said.

## Solid gains

*Continued from page 1*

**Yardmaster commitment:** While there no longer is a vice president of the Yardmaster Department, a yardmaster vice president position remains within the International headquarters to provide assistance as requested.

**Airline commitment:** In spite of the demise of Big Sky Airlines, the assistant president is assigned to search out the unorganized in the aviation industry. Discussions are underway on two airline properties, where employee interest in the UTU, based on the quality of representation at Big Sky, is strong.

**Research of controlling awards:** iLink now provides better access to controlling awards, plus secure chat rooms for various levels of elected officers to exchange information and ideas.

**Union growth:** Promised was the right merger with the right organization, and full transparency in the process. The UTU International is aggressively defending attempts by the SMWIA to force a merger in the face of a federal court decision that members were not provided information on conflicts between the two constitutions prior to casting ballots in 2007.

**Member services:** Leadership reports are posted to the UTU Web site, meetings have been held regularly with general chairpersons and state legislative directors in an open-forum format, and a monthly *UTU News* feature introduces members to UTU employees and explains what they do.

**Contract negotiations:** A new national rail agreement bettered the pattern and was overwhelmingly ratified. Arbitration on training and service-scale commenced in mid-November. UTU International officers are available to assist general chairpersons, as requested, including assistance in negotiating individualized agreements to satisfy the new rail-safety bill's changes to hours of service and limbo time.

**Legislative agenda:** The UTU provided leadership in passage of the Rail Safety Improvement Act – the most sweeping safety reform in 30 years. UTU efforts to elect Barack Obama and labor-friendly lawmakers exceeded any effort ever mounted by a labor union. The UTU will continue efforts to fix the commercial driver's license problem, and will work with the AFL-CIO to identify qualified nominees for regulatory agency positions in the Obama administration.

Said International President Mike Futhey, "We have achieved solid gains in pursuing platform objectives. We are committed to building on the accomplishments of the first year, and identifying new objectives to serve the membership."

## Health and welfare premiums to rise

Members covered by the NRC/UTU Health and Welfare Plan and the Railroad Employees National Health and Welfare Plan will see their contributions rise by \$4.71 per month in 2009, from \$166.25 monthly to \$170.96 per month.

The \$170.96 monthly employee contribution represents 15 percent of the total premium carriers pay monthly for employee health and welfare benefits. The premium covers medical care, accidental death and dismemberment insurance, and dental and vision benefits.

The national plans are negotiated jointly by the carriers and the Cooperating Railway Labor Organizations (CRLO).

"The health-care plans had an extremely favorable trend due largely to the removal from the rolls of some 20,000 ineligible dependents, which trimmed some \$30 million from the total costs of plan," said UTU International President Mike Futhey.

"The new employee contribution rate, which is more than \$20 lower per month than what was anticipated going into negotiations, also reflects an expectation that railroad claims in 2009 will increase at a lower rate than the national average, owing to the addition of plan improvements designed to reduce the frequency of treatment and severity of illnesses," Futhey said.

These plan improvements include telephone contact with a nurse (the Nurse Line), custom-care coordination, disease management, and strategies for participants to cease smoking and lose weight.

The plans' total monthly premium costs per employee for 2009 will be \$1,061.46 for medical care, \$12.30 for the life and accidental death and dismemberment premium, \$55.98 for the dental premium, and \$10 for the vision care premium, or a total of \$1,139.74 monthly. Carriers will pay \$968.78 monthly, and employees will pay \$170.96 per month in 2009.

## UTU shoeleather helps elect Obama

*Continued from page 1*

They focused primarily on the so-called battleground states, where neither Obama nor McCain had overwhelming support.

Enlisting assistance from general chairpersons, local officers and rank-and-file members, Szabo, Johnson, Millward and Gibson worked with the Obama campaign in various states to help register voters, educate them on the issues, obtain absentee ballots for them, and encourage them to go to the polls Election Day.

Futhey also enlisted the support of former UTU presidents **Al Chesser** and **Tom DuBose**, and retired state legislative directors **Jack Shaver** (Colorado), **Carl Cochran** (Florida), **Larry Foster** (Missouri) and **Bill Thompson** (Ohio) to reach out to UTU retirees on behalf of Obama. Their mission was to encourage UTU retirees to contact other retirees they know on behalf of Obama. UTU Alumni chapters also participated in the effort.

The UTU Auxiliary, led by its president, **Carol Menges**, similarly reached out to its members, encouraging them to help register friends and neighbors and urge them to vote for Obama.

At UTU headquarters in Cleveland, Futhey authorized a half-day off for employees to vote early, as permitted in Ohio, and to engage in visits with neighbors on behalf of Obama.

Assistant to the President **Bruce Feltmeyer** marked off on vacation to travel Ohio and ring doorbells on behalf of Obama.

Joe Szabo and former Illinois Alternate Legislative Director **John Burner** spearheaded an effort among labor leaders in Illinois who had worked with Barack Obama when he was in the Illinois senate, to make a video documenting Obama's pro-labor votes and respect for working families.



Shaver

There were many individual efforts among UTU members. In Missouri, State Director **Ken Menges** offered prizes to UTU members who registered at least five unregistered voters.

In North Dakota, State Director **John Risch** commissioned a voter poll to convince the media that Obama was a viable candidate in a state that traditionally votes Republican in presidential elections.

In Washington state, Local 426 and Local 855 officers **Ed Carlson** and **Steve Mazulo** parked their campers across from a BNSF yard where they posted Obama signs and engaged BNSF employees and passers-by in conversation.

In Minnesota (SLD **Phil Qualy**), Nevada (SLD **Jack Fetter** and ALD **Rod Nelms**), and New Mexico (SLD **Dennis Baca**), there were coordinated efforts by these UTU leaders to knock on doors on behalf of Obama. Qualy also opened UTU offices for use by Obama staffers monitoring the Republican National Convention in St. Paul during the summer.



Anderson

California ALD **Mike Anderson** brought UTU members from his state into the battleground state of Nevada to help register voters and encourage votes for Obama. Illinois ALD **Bob Guy** led a similar effort among UTU members, who traveled into neighboring Indiana.

The UTU president's wife, **April Futhey**, did her part, volunteering as a team captain in Cuyahoga County, Ohio.

The Futhey home near Cleveland was used as temporary office space for Obama campaign workers and local Democratic politicians. April Futhey also recorded a telephone message for use in computerized calls to Ohio voters.

"The Obama campaign here said they wanted my soft southern accent for those phone messages," she said.

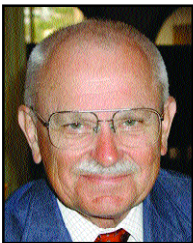


Advice from the UTU's medical consultant on how to ward off the attack of the influenza virus

# Influenza: To take the flu shot, or not?

By Dr. Norman Brown  
UTU Medical Consultant

What is influenza anyway?  
Centuries ago, just as today, people developed respiratory infections after getting chilled.  
In the Italian culture, such infections were thought to be caused by "influenza di freddo," or influence of cold.



Brown

A wide variety of viruses, bacteria and funguses lead to colds, bad colds, bronchitis and even pneumonia when the infection goes down into our lungs.  
Scientists have sorted out a lot, but by no means all of these invaders.  
One specific virus has been found in cases of influenza.  
The influenza virus has received a lot of attention for several reasons. It spreads in epidemic fashion, transferred by one of us to others through coughing, speaking as we atomize the virus into the air, or soiled tissues.  
The illness can simultaneously knock out many members of a family, an office, work force or train crew.

The illness is typified by fever and muscle aches with headaches on top of the runny nose, sore throat and cough of your typical cold.  
Because influenza virus is now known to be a very specific complex molecule, a fairly successful vaccine has been developed.  
An important goal of this column, beside re-emphasizing my "wash your hands, throw away the Kleenex, cover your mouth when coughing" pep talk, is to recommend that most of you get an influenza vaccination – or flu shot for short – each fall.  
Unfortunately, for a very curious reason, you currently need a new vaccination each year for the best results.  
The influenza virus, the pesky devil it is, changes part of itself a little chemically and structurally each year, so that last year's vaccine doesn't trigger the exact antibodies in us that match and stop the new virus.  
This is the very reason that the virus is so successful in attacking us humans year after year.  
But there is some very recent, exciting news on this score. A brand new vaccine now in development targets a part of the influenza virus that does not change year to year.  
If the needle is the reason you are leery of a flu shot, there is a newer nasal spray vaccination

method using the usual vaccine components, often a little more expensive.  
So, if this vaccine proves effective, a single immunization could be effective for multiple years.  
Our government medical officials and your doctor have generally recommended vaccinating all persons 65 and over, and those with any condition reducing immunity or lung strength – think asthma, emphysema, smoking and allergies.  
But in addition, workers who function in groups, or interact closely, are excellent candidates, since not only do the viruses' victims feel terrible, but they can't do their jobs and also pass it along to others.  
From my understanding of railroad work, I would think member-to-member transmission of the virus on the job might well occur.  
One note of caution: If you have had a reaction to a prior flu shot, do not take another one without discussing the matter with your doctor.  
Fortunately, reactions are not common, as the vaccine is almost pure, preserved, dead virus.  
I am sure Louis Pasteur would be proud of the huge progress since his pioneering work with bacteria, in identifying the organism giving us "influenza di freddo" attacks, and the resulting vaccines to date.

## THE UTU INTERNATIONAL STAFF: HERE TO SERVE YOU

### SHIRLEY ANDERSON

Shirley Anderson started with the UTU in October 1989 as a utility clerk in the Billing Audit Department. She currently serves as a billing auditor, overseeing the financial statements of more than 50 locals. "I check on the accuracy of local treasurer's billings, check the status of dues collections, retirement dates, answer telephone calls from members and treasurers about billings, reconcile shortages or overages. If I can't give a member or treasurer an answer, I make sure I connect them with someone who can. I enjoy helping the members with their problems and treasurers with their billings."



### GREG HENGESBAUGH

Greg Hengesbaugh started with the UTUIA in March 1999 as a policyholder service representative, a position he currently maintains. He holds a bachelor of arts degree in philosophy and psychology. Also, he is a union steward for OPEIU Local 17. Greg primarily corresponds with policyholders regarding various policy changes. He also fields telephone calls from members regarding all of their policies. Also, if members need duplicate policies, he is the go-to guy. "Each day brings new challenges that I deal with by tapping into my diverse educational background in an attempt to exceed the membership's expectations of service and professionalism. For me, serving the membership is priority number one."



### MARILYN SPANGLER

Marilyn Spangler serves as the director of the union's Updating and Auditing Department. She started in July 1976 as a utility clerk in the Updating Department. "I liked this department because of the variety," she said. Spangler communicates with local treasurers who have problems. "I handle whatever problems arise," she said. Spangler also is president of UTUIA Unit 1, a member of UTU Auxiliary Lodge 5, and is active in fundraising. Through her efforts, thousands of dollars have been donated to organizations such as Coats for Kids, Harvest for Hunger and Matthew's Lending Library, which supplies equipment for special-needs children. She also was UTUIA volunteer of the year in 2005.



## Meet your UTU 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



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Choosing a UTU designated legal counsel offers two distinct benefits: (1) Experienced and qualified counsel: The UTU has selected law firms that have demonstrated that they have the experience, knowledge, resources and legal ethics to effectively represent you. (2) Discounted legal services: Designated legal counsel agree to take all contingency matters on a 25-percent contingency fee. Many non-designated firms will charge much more.

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."



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Pittsburgh, PA 15241  
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(800) 854-3250 toll free

An accident report, which clearly demonstrates the manner by which the railroad was whole or in part responsible for causing the accident, is extremely beneficial for an employee's claim. Subsequently, the employee should always be treated by a doctor of his own choice – not a doctor selected by the railroad!



# 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 **E. Clyde Stickley**, a retired BNSF Plains Division conductor out of Local 1313, Amarillo, Texas. "This photo was taken on Curtis Hill, between Waynoka and Woodward, Okla. It is an eastbound train meeting a westbound train on double track near Curtis, Okla.," Stickley said.



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

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## Foremost rail-safety expert to aid DLCs

Attorney Larry Mann, named by his peers as the "nation's foremost authority on railroad safety legislation and regulation," has been appointed by UTU International President Mike Futhey as Rail Safety Coordinator to UTU Designated Legal Counsel (DLC).

In this newly created post, Mann will provide expert assistance on rail-safety matters to UTU Designated Legal Counsel.

"This will further assure that injured UTU members have the finest possible legal team on their side when bringing law suits governed by the Federal Employers' Liability Act (FELA)," Futhey said.

"Larry Mann also will provide assistance to UTU International legal and legislative staff in interpreting laws and regulations and recommending legislative and regulatory improvements," Futhey said.

"During his career, Larry has represented more railroad workers in safety cases before the U.S. Supreme Court than any other attorney in the country."

In 1994, a respected legal publication named Mann "the nation's foremost authority on railroad safety legislation and regulation."

In 1997, the *Washingtonian* magazine listed Mann as among the "Best Lawyers in America," based on peer-attorney recommendations. He also has been listed in "Who's Who in American Law."

Mann earned his undergraduate and law degrees from the University of North Carolina and Georgetown University Law School.

His career began on Capitol Hill as a legal counsel to a U.S. senator, and later to committees of the House of Representatives.

In 1970, Mann was a principal drafter of the Federal Railroad Safety Act.

He has also represented claimants following some of the worst railroad catastrophes in history.

In recent years, Mann authored a book summarizing all federal railroad safety laws and regulations, which has become a widely used reference tool for attorneys throughout

America.

The appointment of Mann to assist Designated Legal Counsel in the defense of UTU members is another reason for members to contact a UTU Designated Legal Counsel when they are injured. See the UTU Web site for the names and contact information for all DLC.



Mann

## Inside this issue of the UTU News:



Local 298 members tapped to serve Labor Day picnic. See page 2.



The UTU is prepared to assist heart-attack victims. See page 3.



The third time is the charm for Utah SLD Seegmiller. See page 5.



Gray Line driver John George keeps Seattle moving. See page 7.