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# UTU News

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The Official Publication of the United Transportation Union

## News and Notes

### NJ Transit conductors ratify

By better than a two-to-one margin, UTU Local 60 members have ratified a new seven-year agreement with New Jersey Transit.

The agreement is retroactive to July 1, 2004, when the contract came open for renewal.



The contract covers some 1,100 conductors and assistant conductors.

NJT continues to expand its service and more service means more jobs, said UTU Local Chairperson Patrick Reilly, who led the Local 60 negotiating team.

UTU and NJT share a common goal for safe and reliable service for passengers. During these difficult negotiations, NJT never compromised safety by suggesting elimination of a crew member, Reilly said.

Both sides worked very hard to bring this agreement to a point where it finally became worthy of ratification.

Reilly thanked UTU International Vice President Tony Iannone, UTU New Jersey State Legislative Director Dan O'Connell and UTU Local 60 President Mike Reilly for their assistance, as well as UTU International President Paul Thompson for his support throughout the negotiating process.

Also receiving thanks for their efforts and perseverance were vice local chairpersons Steve Burkert, Ed Carney, Barbara Fountain, Steve Padelski, Dave Rasmussen and Gene Ruocchio, as well as Local 60 Vice President Jennifer Doyle and the general committee's secretary Stanley Gaskins.

### Aetna seeks verification

Aetna has mailed to all employees eligible for coverage under the Railroad Employees National Dental Plan a packet outlining the request for documentation to verify dependent eligibility in order to continue coverage under the plan.

Affected members should have received this material by now.



It is vital that UTU members comply immediately with this request

for dependent verification to avoid any potential discontinuation of coverage for their eligible dependents.

**Failure to provide the required proof within the specified time period will result in termination of dependent benefits.**

This dependent eligibility audit is being conducted in accordance with understandings reached between rail management and rail labor.

The results of this audit will also be applied to the medical benefit plan under which you are covered, as well as the National Vision Plan.

Aetna has established a toll-free help line at (866) 682-5619.

It is staffed by customer service representatives specially trained to answer questions about the verification process and the required documentation.

## FRA boosts adoption of new train brakes

WASHINGTON, D.C. – Railroads were given an additional nudge toward voluntary installation of electronically controlled pneumatic (ECP) brakes last month by the Federal Railroad Administration, which proposes relaxing safety rules to permit trains equipped with ECP brakes to travel up to 3,500 miles – more than twice the current limit where conventional air brakes are utilized – between required routine braking tests.

The FRA said the relaxed inspection rule is "safe" because ECP brakes have "integrated self-diagnostic capabilities that continually perform health checks and provide real-time alerts to an engineer of any potential performance problems." ECP brakes have been field tested for some 15 years, the FRA said.

ECP brakes, whose industry-wide installation would come at an estimated cost of some \$1.5 billion, apply uniform pressure simultaneously on all steel wheels, enabling trains to stop more quickly and use less fuel, says the FRA. Currently, trains are stopped using 137-year-old technology of reducing air pressure. ECP technology sends an electronic signal through the train while still using air pressure to engage brake shoes.

"The intent of the proposed rule is to facili-

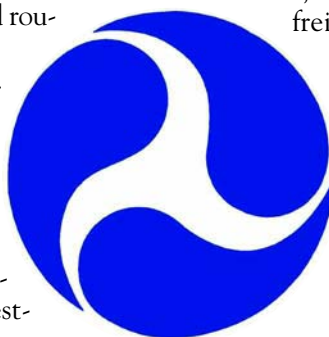
tate the adoption and deployment of ECP brake technology," said FRA spokesperson Warren Flateau.

The proposed rule change, he said, "makes the underlying conditions" for installing ECP brakes "more favorable" with the intent to "encourage" ECP brake installation by railroads, as well as by shippers owning their own freight cars.

FRA Administrator Joseph Boardman said ECP brakes "can help avert some train derailments caused by sudden emergency brake applications, prevent runaway trains caused by loss of brake air pressure, and shorten stopping distances up to 60 percent under certain circumstances."

Rail officials estimate it could take up to 20 years before the more than 1.3 million freight car fleet – much of it shipper owned – is converted to ECP brakes. The FRA says the total cost of installation will be more than offset by operating-cost savings.

BNSF and Norfolk Southern already have received waivers from FRA safety regulations, allowing them to utilize ECP brakes in pilot programs. The first revenue-service trains to operate with ECP brakes, under the waiver, were scheduled to begin in September, the FRA said.



## Kim Thompson assumes GS&T post

Kim Thompson is UTU's new general secretary and treasurer.

Thompson ran unopposed at UTU's 10th quadrennial convention in Hollywood, Fla., in August, and took over the GS&T post Sept. 1 upon the retirement of Dan Johnson. Other officers elected at the convention will take office Jan. 1.

Thompson (no relation to UTU International President Paul Thompson) began his railroad career in 1966 as a brakeman on the Moberly Division of the former Wabash Railway (later merged into Norfolk & Western Railway, and now part of Norfolk Southern). He was promoted to conductor in 1972 following four years of U.S. Navy service.

In 1975, Thompson was elected president

and chairperson of UTU Local 226, in Moberly, Mo., representing conductors, brakemen and yardmen, and was elected by his local as a delegate to two UTU conventions. He was elected legislative representative of Local 226 in 1976.

In 1985, Thompson was elected a full-time vice general chairperson (GO-719, which in 1998 merged into GO-687). He was elected general chairperson of GO-719 in 1989, representing conductors, brakemen, yardmen, firemen and engineers on the former Wabash lines of Norfolk Southern.

Thompson was elected to the UTU International's executive board in 1987, and served as



Thompson

*Continued on page 10*

## Five railroads sued for overcharges

Five major freight rail companies are under fire on allegations that they overcharged customers by more than \$6.4 billion in less than a two-year period under the guise of fuel surcharges.

The overcharge figure comes from a study commissioned by businesses that accuse U.S. railroads of anti-competitive behavior.

"This is the greatest train robbery of the 21st century," said Jack Gerard, president and chief executive of the American Chemistry Council, which represents about 90 percent of the nation's chemical makers.

The council commissioned an economic analysis that found the railroads' fuel surcharges were excessive by more than \$6.4 billion between 2005 and the first quarter of 2007.

The study was based on regulatory filings and other estimates for BNSF, CSX, Kansas City Southern, Norfolk Southern and Union Pacific, which together control more than 90 percent of rail freight in the U.S.

Federal regulators in January banned exces-

*Continued on page 10*



# Around the UTU

## Local 195, Galesburg, Ill.

Members of this local representing BNSF employees participated in Galesburg's 115th Labor Day parade on the national holiday on Sept. 3. Legislative Rep. **Bud Linroth** said that, under the direction of Local President **Bryan Roberts** and Local Chairperson **Jim Smith**, members decorated a truck with a Local 195 canvas banner and distributed candy along the parade route to kids big and small. Linroth said that the city's parade is one of the oldest in the country.

## Local 298, Garrett, Ind.

Members and their families are invited to attend the local's Christmas party on Dec. 10, from 3 p.m. to 9 p.m. Local President **Rick L. Mitchener** said the party will be held at the Garrett Eagles' Home at 220 S. Randolph St. in Garrett. He added that Santa would be arriving at the party at approximately 6 p.m.

## Local 312, Madison, Wis.

Labor union members turned out in force for the annual "Fighting Bob Fest" at the Sauk County Fairgrounds in Baraboo, Wis., on Sept. 8, reported State Legislative Director **Tim Deneen**. The festival is in honor of Robert "Fighting Bob" La Follette, the populist governor, U.S. senator and presidential candidate from Wisconsin who founded the Progressive Party. Guest speakers included U.S. Reps. Tammy Baldwin (D) and Gwen Moore (D), Populist commentator and author Jim Hightower and Cindy Sheehan.

## Local 471, Eugene, Ore.

Local Chairperson **Greg Boam** participated in a "sting" along Union Pacific tracks targeting drivers and pedestrians who violated train crossing and trespassing rules, according to a report in *The Register-Guard*. The article noted that city and railroad police issued 10 citations and 36 warnings to people trespassing on railroad property, and 18 citations and eight warnings for failure to obey railroad signals. Boam has witnessed 18 train/car collisions during his career. UP teams up with local police to conduct the operations about twice a year, according to the report.

## Local 490, Princeton, Ind.

The members of this Norfolk Southern Railway local were awarded a trophy for the best marching unit out of 98 entries in Princeton's 121st Labor Day parade. Approximately 160 members and friends participated in the parade and later enjoyed a daylong picnic, Local Legislative Rep. **Randy Utley** reported. U.S. Rep. Brad Ellsworth (D) and State Rep. Kreg Battles (D) stopped by the picnic to visit with UTU members and guests. Utley said Princeton's Labor Day celebration is considered the longest and largest in the nation.

## Local 533, Osawatomie, Kan.

In service to their community, the members of this Union Pacific local have made several charitable contributions recently as reported by State Legislative Director **Don Lindsey**. Following the devastating floods in eastern Kansas this summer, which left more than 1,500 people displaced from their homes, the local donated \$500 to the Miami County Flood Relief Fund. In addition to their monetary help, several members made personal contributions of food, clothing and household appliances. The local also has made annual contributions of \$500 over the past three years to the American Cancer Society's Relay for Life, and local members have participated in the event. The local also contributed \$250 to the UTUIA's quilt raffle to benefit the Hope Lodge cancer facility in Kansas City. (See story on page 10.)



CSX conductor and volunteer firefighter Clyde "Dewayne" Gray Jr. resuscitated a two-year-old girl found unconscious in her family swimming pool.

## Lifesaver Gray earns city council's praise

CSX conductor and volunteer firefighter Clyde "Dewayne" Gray Jr. was recently honored by the city council of New Ellenton, S.C., for his lifesaving effort in resuscitating a two-year-old child.

On Aug. 15, Gray, a member of Local 674 in Augusta, Ga., received an emergency-alert call from 911 operators regarding a two-year-old girl who had been pulled from a swimming pool unconscious and not breathing.

The call had been placed by the girl's father, who had retrieved the girl from the family pool.

When Gray and other emergency medical personnel arrived on the scene, they found an Aiken, S.C., deputy sheriff initiating cardiopulmonary resuscitation. Gray and fellow volunteers jumped into action.

"We took over CPR and got some fluids cleared out, and we got a heartbeat and her breathing back," Gray said. They continued their efforts until an ambulance arrived.

Two-year-old Madison has made a full recovery, Gray said.

"I have to give credit to the Aiken Sheriff's Department and to the other members of the team," Gray said. "We all had a certain job to do and that's what we did."

Gray first got involved with New Ellenton's volunteer fire department as a teen through the persuasion of a church youth-group leader who served as chief of the volunteer fire department. "I joined the department at the early age of 14, doing nothing more than washing fire trucks and rolling hose," Gray said. By age 16, he was certified as an interior-structure fire fighter. "All through high school, the fire truck was my girlfriend."

Since that time, Gray, 24, has received training in emergency medicine, auto extraction, weapons of mass destruction, hazardous materials and other related areas.

Gray holds the rank of lieutenant in the 40-member volunteer department and oversees one of the department's ladder trucks. He also serves as vice local chairperson of Local 674 and is a member of the CSX/UTU Georgia Subdivision Safety Committee.

Local 674 Chairperson **Mike Dickerson** could not say enough about Gray's dedication. "His teamwork pays off in all aspects of his life — as a volunteer fireman, as a safety-committee member and as a proud UTU conductor."

## Local 1229, Sioux Lookout, Ont.

Winners of the Len Carroll Memorial Golf Tournament were Secretary & Treasurer **David Brunton**, Local Chairperson **Ed Seagris**, Alternate Canadian Legislative Director **Don Anderson** and Dennis Hildebrand. Prizes were awarded by members of the Carroll family. The local wishes to thank all who attended the annual event in honor of this deceased Canadian brother and look forward to seeing them again next year, said Canadian Legislative Director **Tim Secord**.

## Local 1328, Louisville, Ky.

Secretary & Treasurer **Joel Kintner** reports that the local now has a Web site at [www.utu1328.com](http://www.utu1328.com), featuring local news, meeting information, grievance claim procedures, officer contacts and much more. The site is currently reporting that Local Chairperson **R. Todd Smith** (switchmen) has resigned the position and Vice Local Chairperson **John Allen** will replace him until an election is held. The site also notes that the local will be accepting nominations at the Oct. 10 meeting for the positions of legislative representative, alternate legislative representative and local chairperson (switchmen).

## Local 1377, Russell, Ky.

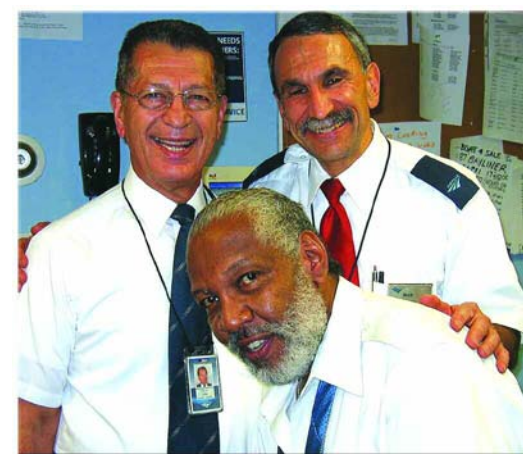
Former Local President **William L. "Cotton" Delk**, 82, passed away Sept. 7. Delk, a retired CSX conductor, was a World War II veteran and a member of the Kentucky Sports Hall of Fame. He retired from service on Dec. 29, 1986. He is survived by his wife Maxine and their three children. Services were held at the First Baptist Church of Ludlow and Delk was interred in Forest Lawn Cemetery in Erlanger, Ky.

## Local 1504, Sanford, Fla.

During the local's regular committee meeting on Sept. 12, members voted unanimously to amend the local's bylaws to change the time and location of their meetings, Secretary & Treasurer **Ryan Fitz** reported. Local meetings will now be held at 6:30 p.m. on the second Wednesday of each month at the I-HOP restaurant at 320 Dirksen Dr., in Debary, Fla.

## Local 1370, New York, N.Y.

Sept. 6 was both a happy and sad day for this New York local as two of Amtrak's finest conductors made their final trips. **Felix Diaz**, the last prior-rights conductor from the Pennsylvania Railroad, and **Bill Howell**, with 38 years of service on Penn Central, Conrail and Amtrak, officially retired, according to **Brian Radovich** of UTU Local 1462 in Boston. The two were joined by fellow conductor **Rich Bernhardt** for the photograph below. "Three of the nicest guys you will ever meet...consummate gentleman and highly skilled railroad men," said Radovich, who snapped the photo.



Felix Diaz, Bill Howell and Rich Bernhardt

## Local 1390, Trenton, N.J.

New Jersey State Legislative Director **Dan O'Connell** reported that the mother of Assistant State Legislative Director **Mike Bienick** passed away Sept. 3. Those wishing to extend their condolences to Bienick and his family can do so by sending them to 1 Victory Dr., Bellmawr, NJ 08031.

## Local 1594, Upper Darby, Pa.

Local Chairperson **Ron Koran** reported that the local has completed an arbitration hearing with the Southeastern Pennsylvania Transportation Authority (SEPTA) regarding a member accused of feigning illness. "I think we did a good job in presenting our case and the matter is now in the hands of the arbitrator," Koran said.



## A guest column by SMWIA General Secretary Joe Nigro

# Let's organize together

By Joe Nigro

SMWIA General Secretary-Treasurer

General President Mike Sullivan and I have given considerable attention to our brothers and sisters in the UTU, who know how important it is to have a united front in meeting the challenges within an industry that seems to put corporate interests ahead of what is needed throughout the United States and Canada to improve labor/management relations.



Nigro

Our common interests have brought us together, as a union of one, to undertake a new mission under the banner of the International Association of Sheet Metal, Air, Rail and Transportation (SMART) Workers.

We are a diverse union with depth and stability, strengthening even more what we offer to our members' employers.

The history of the labor movement is replete with the struggles by the railroad unions in organizing to muster enough economic strength to make their demands for better wages and working conditions effective.

Well, nothing has really changed. We are still struggling with the railroad-baron mentality of the early 1900s, but that's going to change as both of our unions take advantage of each other's interests in making some SMART decisions about our future.

We have a lot in common. First and foremost, we are union people. We have fought the battles against non-union forces who want to see unions eliminated.

I come from a building trades background where we deal with large and small companies spread out all over the United States, Canada and Puerto Rico. We recognized early the need to work together with our union contractors in setting the rules by which we operate. We do that on a national level, bringing into the mix training, labor/management relations, safer working conditions, fair wage levels, benefits and anything that helps our contractors win work for our members.

We work actively, as well, through our organizing program, to increase our market share of work by selling non-union companies on the advantages of being union. In concert with that effort, our organizers are always looking for opportunities to convince workers in non-union companies that we can represent them better than they can individually.

We know the ins and outs of the National Labor Relations Board and are skilled at protecting our work jurisdiction and the rights of workers. Our future campaigns to get more bus drivers under the SMART banner will benefit from the experience we have gained over the years and we are ready for new victories.

Combining our respective experiences and interests will help bring more transportation workers into our merged union. Our strength at the bargaining table, in Congress and in state legislatures can only be enhanced when we speak as one. Politically, each of us has strong advocates who will quickly recognize how we can help them bring down the barriers to progress. Our two political directors, Vince Panvini (SMWIA) and Jim Brunkenhoefer (UTU), are top notch in their field and they deliver the votes when needed.

I am well aware that other unions are watching this merger closely, as they should. It opens up many other opportunities to bolster even more the power of transportation workers. It is about time that all of us in the labor movement take a good, hard look at how we operate. We need to take advantage of other approaches in demonstrating the value of union work – not just to the decision makers, but to the millions of working men and women who have indicated their strong interest in wanting to join a union.

That's where we need your help in increasing our membership by reaching out to the people you know who would benefit from joining a union.

If you want to get more involved in our organizing efforts, I would like to hear from you. E-mail me at [info@smwia.org](mailto:info@smwia.org).

I do want to hear from you. Please include your telephone number in case I need to talk with you directly. I look forward to working with you in helping to expand our membership.

## BLET President Hahs alleged to be embezzler

Brotherhood of Locomotive Engineers and Trainmen (BLET) President Don Hahs is alleged by the Teamsters Independent Review Board (IRB) to have embezzled more than \$58,000 from the BLET to pay for non-union expenses.



Hahs

The allegations are detailed in a 43-page filing released Sept. 13 by the Washington, D.C., based IRB, a three-member panel operating under rules approved by a federal court as part of a 1989 consent decree entered into by the Teamsters Union to clear the organization of corruption.

The allegations are internal and, at this point, there is no indication Hahs has been charged by federal prosecutors with criminal activity.

According to Teamsters for a Democratic Union, an internal Teamsters

hearing on the allegations could result in Hahs' expulsion from the Teamsters. Hahs has been BLET president since Jan. 1, 2001.

The IRB recommended to Teamsters President James Hoffa that the Teamsters bring internal charges against Hahs "for bringing reproach upon the Teamsters, embezzling union funds and breaching his fiduciary duties to the BLET and its members" in violation of the Teamsters constitution.

The IRB alleges Hahs used BLET funds to pay for almost \$48,000 worth of tickets to Cleveland Cavaliers basketball games for which there was no union purpose, hotel room movies for which there was no union purpose, airline tickets and hotel stays not involving union business, and meals, travel and personal expenses for his wife, who was neither a BLET member nor employee.

To read the IRB allegations, go to <http://tdu.org/files/hahsirb.pdf>

## UTU members complete hazmat training class

If a hazardous material spills after a rail accident, it is probably a UTU member who will be first affected.

And it could be his or her initial reactions to

the spill that mean life or death for other rail workers and community members.

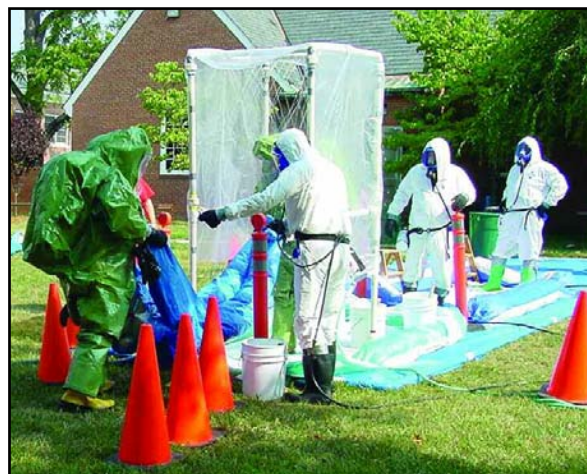
That is why UTU members take hazardous materials training seriously.

A group of UTU members recently completed a week-long class on hazardous materials at the National Labor College in Silver Spring, Md.

The group learned about such subjects as chemical incompatibilities, and saw how two standard household products, when mixed together, can spontaneously combust and produce flames and toxic gases.



Nine members of the UTU attended the week-long hazardous-materials education program. They are, seated left to right, Tony Johnson (Local 733, DeQueen, Ark.); Bruce Sullivan (vice local chairperson, Local 867, Des Moines, Iowa); Shawn McRae (local chairperson, Local 1501, Baton Rouge, La.); Roger Crawford (vice local chairperson and legislative rep., Local 339, Jackson, Tenn.); standing, left to right, Kavin Meade (Local 293, Houston, Texas); Danny Oian (Local 525, E. Grand Forks, Minn.); Robert Whitfield (Local 1129, Raleigh, N.C.); Harold Rhodes Jr. (Local 1138, Miami, Fla.); John Finger (local chairperson, Local 1129, Raleigh, N.C.)



Shawn McRae (center) directs responders bringing a "victim" through the decontamination ("decon") line during the simulation exercise.

Funded by the National Institute of Environmental Health Sciences, the Rail Worker Hazmat Training Program provides transportation, housing, and a stipend to full-time rail workers. More information on upcoming classes can be obtained at [www.hazmatgmc.org/](http://www.hazmatgmc.org/).



Bruce Sullivan (left) and Shawn McRae check out their self-contained breathing apparatus (SCBAs) in preparation for a simulated hazardous materials response drill.



# BNSF spews malarky out of both sides of its mouth

By International President Paul Thompson

BNSF, the railroad wanting to eliminate the conductor's job, repeal the Federal Employers' Liability Act (FELA), and abolish COLAs, is now urging employees to turn their backs on the UTU and drink the BNSF management Kool-Aid.



Thompson

Only then, warn BNSF managers with evangelistic fervor, will UTU-represented members find economic salvation.

These masters of malarkey at BNSF are warning UTU members that if they don't oppose the Federal Railroad Safety Improvement Act, aimed at bringing engineers and conductors home in one piece, then their jobs may be in jeopardy. (Translation: profits over safety.)

From the other side of its mouth, BNSF – along with other railroads – is begging Congress for a \$400-million annual tax break and trying to dodge paying back to shippers more than \$6 billion in fuel overcharges; and all the while trying to take your job, repeal FELA and abolish your COLA during periods of contract renegotiation.

And while BNSF paid its CEO some \$13 million last year, and handed out million-dollar bonuses to senior executives, BNSF is refusing to address entry-level pay for conductors, refusing to provide additional training in the face of ter-

rorist threats and a string of deadly accidents, refusing since 1994 to raise the daily meal allowance, and insisting on perpetuating limbo time that contributes to dangerous fatigue.

Then there is the matter of stepped-up discipline by BNSF and other carriers that has UTU members working in constant fear of arbitrary punishment for minor infractions of operating rules, reporting personal injuries, and even seeking an occasional day off.

If an anti-union employer such as BNSF knocked on my door with a promise of doing me good, I would run for my life – and that is exactly what you should be doing in the face of this BNSF malarky.

Here is why you should turn your back on BNSF and not on your union – why you should urge your congressman to support the Federal Railroad Safety Improvement Act, which would:

- Eliminate limbo time;
- Guarantee 10 hours undisturbed rest, and one 24-hour off-duty period every seven days;
- Strengthen whistleblower protections and permit conductors to refuse to authorize use of unsafe or hazardous equipment;
- Require mainline switch monitors in dark territory;

- Establish minimum training standards;
- Require a doubling of FRA safety inspectors by 2011;

intimidation of workers who report personal injuries.

This is the strongest rail safety legislation introduced in Congress in more than three decades.

The Federal Railroad Safety Improvement Act, which BNSF wants you to oppose, is about train crews going home from their

jobs to their families in one piece.

Now why would an employer, who claims to be on your side, oppose that?

**BNSF wants you to oppose a bill assuring train crews go home from their jobs to their families in one piece.**

- Require a study of cab ergonomics and require emergency breathing apparatus in all cabs;
- Put an end to harassment and



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## Decision time is near; let's hear your ideas

**“The UTU wants to back candidates for president, Congress and state legislatures who support issues important to you.”**

Often we are asked why we don't communicate more with members electronically.

We continue to build an e-mail address network, but members must make the effort to provide their current e-mail address to the UTU International.



Brunkenhoefer

(See the UTU Web page, [www.utu.org](http://www.utu.org), to sign up for UTU news e-mail alerts.)

We also are working on upgrading a seriously out-of-date mainframe computer network, and that cost is substantial.

We have an excellent information technology team, whose greatest challenge is keeping the out-of-date network operating.

Often, needed replacement parts no longer are manufactured for a mainframe older than some of the technicians maintaining it.

When a dues increase was voted down last year, so too were funds needed to replace that aging system with modern servers.

As we implement our SMART merger with the SMWIA, upgrades will be made – a high priority as we enter the 2008 election year.

For sure, the political world is also changing rapidly. A generation ago, primaries and caucuses ran from winter to summer, giving us more time to interview candidates and assess their positions with regard to the interests of our members.

More recently, debates have been shortened to the equivalent of sound bites, and political parties choose their candidates for president, Congress

and state legislatures before we are able to fully assess their records and platforms.

The UTU wants to back candidates for president, Congress and state legislatures who support issues important to you, such as universal health care at affordable rates.

It is unacceptable that 46 million Americans have no health care insurance.

This means one of every seven Americans doesn't see a doctor until they are so sick that they must visit an emergency room.

Even those with health care insurance often must choose between feeding the family and buying medication.

Hospital costs for the uninsured are paid by those with adequate health care insurance, and that means increased costs for our employers, who then seek to pass those soaring costs onto us.

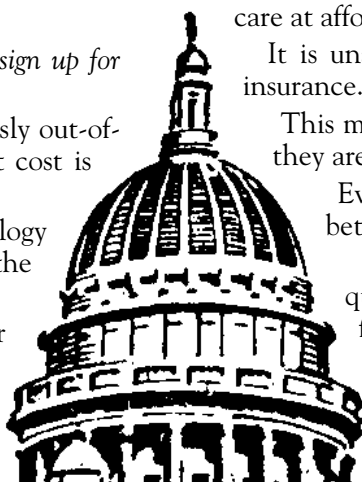
It is a vicious and unnecessary cycle that must be fixed.

Adequate and affordable health care is one of the many urgent issues requiring discussion before the November 2008 elections.

We have chosen to back Hillary Clinton for president; and her letter to us that appeared in the September issue of *UTU News* should make the reason abundantly clear.

Now, we will do all we are able to screen congressional candidates and make recommendations based on the interests of UTU members.

In the meantime, go to [www.utu.org](http://www.utu.org), look to the upper right-hand area and click on “e-mail alerts.” Sign up to be part of the process.



**WASHINGTON WATCH**  
By James M. Brunkenhoefer



# State Watch

## News from UTU State Legislative Boards

### Georgia

Howell Keown has assumed the position of state legislative director following the retirement of Danny Boyles.

Keown is a member of Local 511 in Atlanta. He represents his local members as delegate and, for the past 12 years, as secretary/treasurer.



Keown

The local serves members working for the Norfolk Southern.

Keown began his railroad career in 1977 as a brakeman and yard switchman for the former Southern Railway.

Prior to his elevation to state legislative director, Keown was a yard foreman at NS's Inman Yard in Atlanta.

He got into the union business by default.

"In 1995, I was laid up in the hospital following a motorcycle wreck. I usually went to all the local meetings and, while I was absent, I was nominated for the position of assistant legislative representative. No one ran against me and that's how I got started. Shortly thereafter the legislative representative, **Joe Greiner**, retired and I got the post."

Keown said he has been traveling throughout the state to meet members and learn of their concerns.

"Commuter rail is a big issue in Georgia now," he said. "They are considering the establishment of a commuter train from Atlanta some 75 miles to the university at Athens; some are calling it the 'Brain Train.' They also are considering commuter-rail service to Macon."

Keown also said he was scheduled to meet with the SMWIA's business manager in Atlanta, Ronny Whatley, to discuss the merger of the two organizations and to coordinate political strategies. "I look forward to working with Brother Whatley for the benefit of all SMART members in the state of Georgia," he said.

### North Dakota

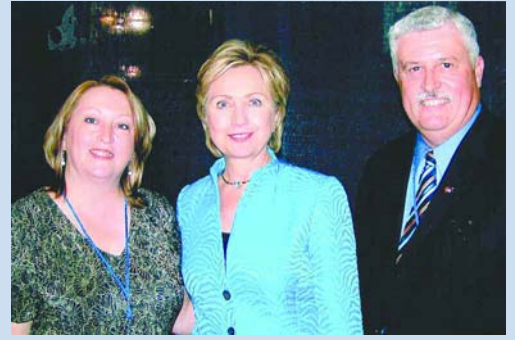


The officers and members of Local 980, which represents CN/Soo Line railroad workers in the Enderlin, N.D., area, held a special meeting in conjunction with "Sunflower Days," an annual four-day festival that celebrates the crop and its significance to the state, State Legislative Director John Risch reports. Front row, left to right, are Dale Ell (L-980, local trustee); Risch; Joe Chesley (L-980, secretary/treasurer and legislative rep.), Howard Hoy (L-980, president); middle row, left to right, are Willis Croonquist (past alternate national legislative director and past Minnesota state legislative director, L-1177, Willmar, Minn.); Duane Steedsman (L-980, vice president); Tim Baird (L-887, Harvey, N.D., local chairperson and delegate); Gavin Lindahl (L-980, vice local chairperson); back row, left to right, are Shawn Fredrickson (L-980); Lonnie Mangler (L-980, trustee); Michael Cichanowicz (CP Rail/Soo Line second vice general chairperson); Gary Wendel (L-980, local chairperson and delegate); James H. Nelson, (CP Rail/Soo Line general chairperson, Local 1344, Mandan, N.D.); Don Filler (L-887, legislative rep.); Charlie Myhre (retired L-980 president); Lonnie Bjornson (L-980).

### Louisiana

State Legislative Director **Gary Devall**, along with the state AFL-CIO, urges all members in the Sportsman's Paradise to vote for the following candidates Oct. 20: Governor: Foster Campbell (D); Lieutenant Governor: Mitch Landrieu (D)\*; Attorney General: Charles Foti (D)\*; Commissioner of Agriculture: Bob Odom (D)\*. (\* = incumbent)

### Arkansas



The UTU was well represented at a recent fundraiser in North Little Rock, the Jefferson-Jackson Dinner, hosted by the Arkansas Democratic Party, State Legislative Director Steve Evans reports.

The event attracted more than 5,000 people, mostly to hear the keynote speech by presidential candidate Hillary Rodham Clinton.

"Through the association with the Clintons fostered over the years by former State Legislative Director Don Beavers, we were able to arrange a pre-speech dinner with Hillary and Bill Clinton," Evans said.

"She and Bill are good friends of the UTU. Like Bill, she is quick to note that the UTU was the first to endorse him, both at the state and national levels. The UTU is well thought of by the Clintons."

In the top photo, Evans (right) and wife Rosa (left) greet UTU-endorsed presidential candidate and keynote speaker Hillary Rodham Clinton. In the second photo, SMART Transportation Division president-elect Mike Futhy, right, and wife April, left, are pictured with Gov. Mike Beebe.

## Bus Department

By Roy Arnold, vice president/director

### New beginnings for bus drivers

Soon, we will enter a new chapter in our working lives as we become the International Association of Sheet Metal, Air, Rail and Transportation (SMART) Workers.

How this change affects the bus division can only be described as a positive. SMART increases our numbers, the size of our political action committee, our effectiveness at the bargaining table, and in organizing. And SMART provides us with special expertise in bargaining and filing grievances under the National Labor Relations Act.

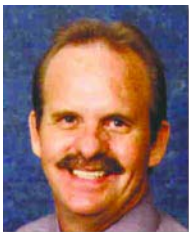
SMART makes us more powerful politically. Labor has been treated like an unwanted child by the Bush administration, and we will work hard in 2008 to elect a labor-friendly administration and return a labor-friendly majority to Congress.

We will continue to lobby and bargain for increased driver and passenger safety. We will continue to fight for better wages, benefits and working conditions. And we will be looking for more opportunities to organize and represent unorganized bus properties.

Our focus will continue to be the working man and woman, who comprise the fabric of this nation. Without trained, competent and dedicated workers, our economy would stop dead in its tracks.

As we prepare for this new chapter in our working lives, continue to stand proud and be ever observant of your surroundings. Support your union representatives as they fight for your safety and economic well being, and take care of your passengers, who depend upon the professional driver to bring them safely to their destination.

Make safety and security the top items of every day. Go the extra mile as a professional. Continue to make your family and your riders proud of you.



## Yardmasters

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

### Amtrak workers have sacrificed enough

It's time for Amtrak to come clean with its unionized employees, who have sacrificed to keep Amtrak operating, but who have been treated as unwanted baggage.

In the face of rail-passenger system security threats worldwide – many carried out successfully – Amtrak still wants to eliminate the yardmaster and assistant conductor, whose role in passenger safety is documented by the National Transportation Safety Board.

Meanwhile, Amtrak sought to export to India TCU call-center jobs, but was stopped only when Congress learned how they wanted to spend U.S. taxpayer dollars that help subsidize Amtrak operations.

Then there is Amtrak's claim there is no money for wage increases. Well, that was exposed as patently false when Amtrak said it could, and would, provide the BLET with general wage increases in exchange for contracting out of yard assignments.

Moreover, Amtrak sought double-digit salary increases for its managers while crying poverty to labor unions. Amtrak's excuse is that managers live in some of the nation's most expensive areas. Does Amtrak chief negotiator Joe Bress think UTU members live – or ought to live – at the YMCA?

If Amtrak is so set upon contracting out work, it might start by contracting out the job of Joe Bress.

And while Amtrak continues to prove it is no friend of labor, we have no choice but to support Amtrak funding in Congress. Amtrak's survival is crucial to the financial strength of the Railroad Retirement system as well as the jobs of thousands of UTU members.

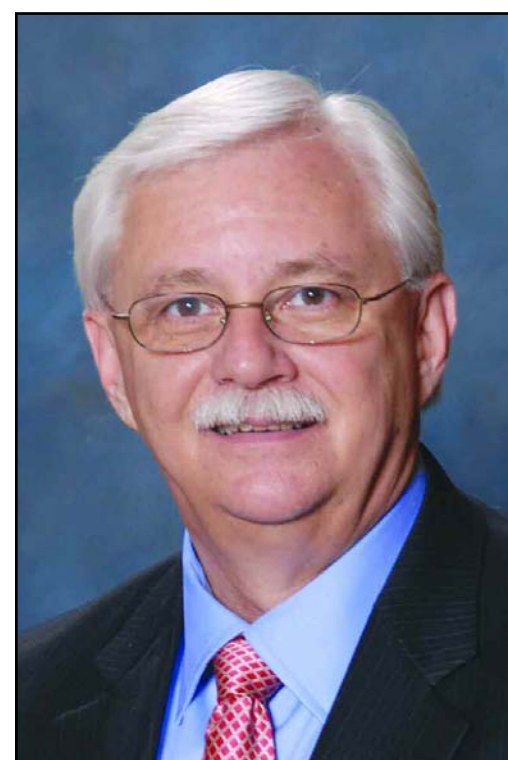
We must continue to urge our congressional lawmakers to support Amtrak funding while we continue to hold Mr. Bress' feet to the fire.







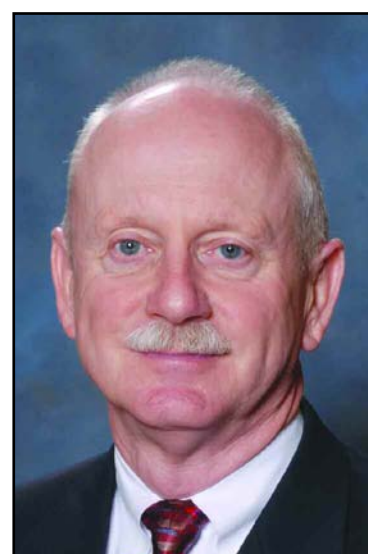
# Meet your SMART officers



**Mike Futhey**  
SMART Transportation Division President

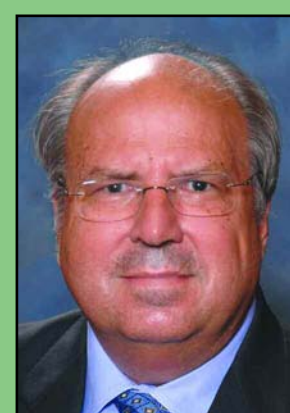


**Artie Martin**  
Assistant President

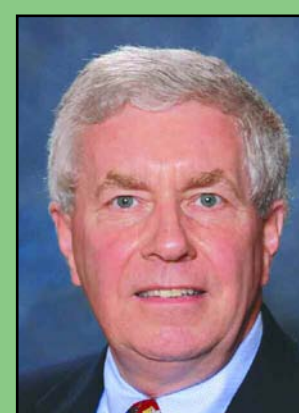


**Kim Thompson**  
General Secretary  
& Treasurer

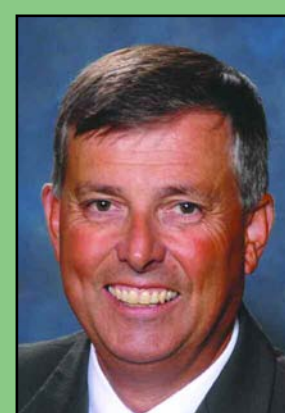
## The UTU's Legislative Team



**James Brunkenhoefer**  
National Legislative  
Director



**James A. Stem Jr.**  
Alternate National  
Legislative Director

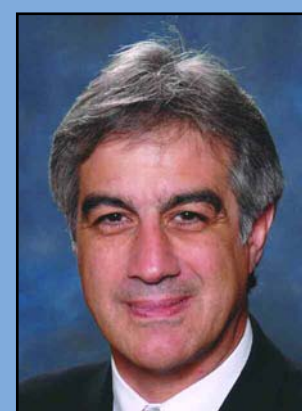


**Glenn King**  
Vice President/  
Canadian Legis. Dir.

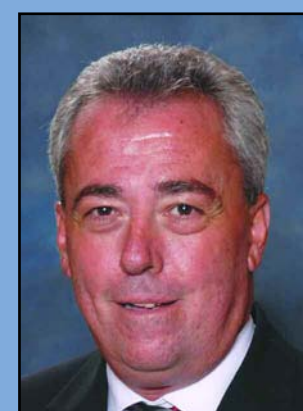
## Vice Presidents



**Roy Boling**



**Tony Iannone**



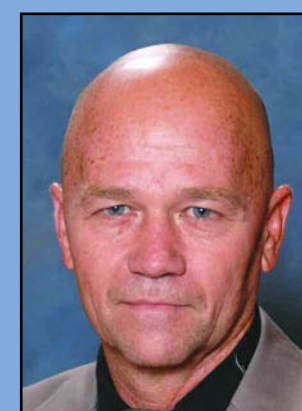
**James Cumby**



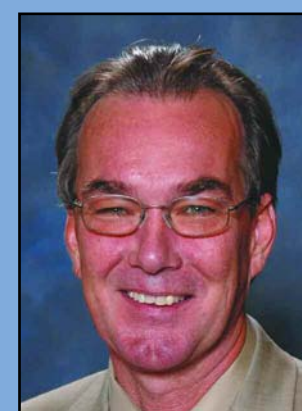
**John Babler**



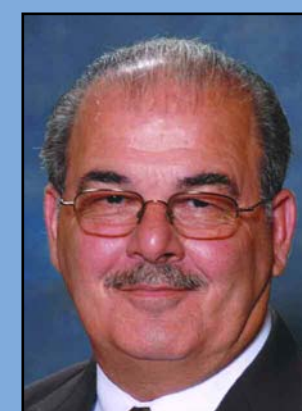
**John Fitzgerald**



**Robert Kerley**



**David Wier**



**Victor Baffoni**

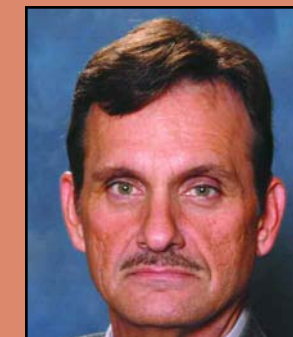


**John Previsich**

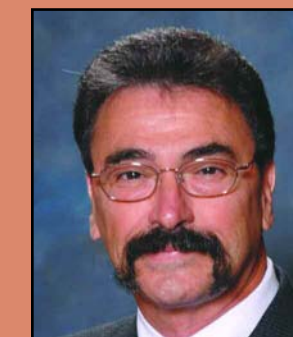
## Alternate Vice Presidents



**Delbert Strunk**  
1st Alt. VP-East



**W.W. Lain Jr.**  
2d Alt. VP-East



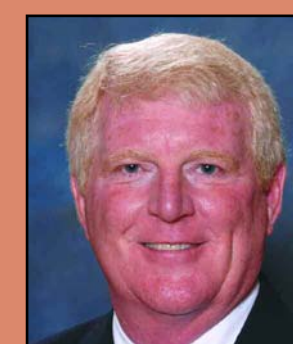
**Paul Tibbit**  
1st Alt. VP-West



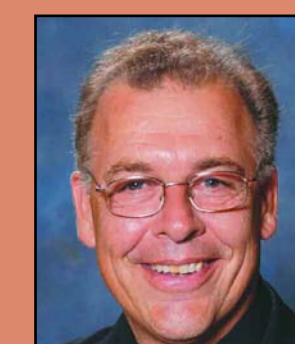
**Dan Young**  
2d Alt. VP-West



**Larry Barrilleaux**  
1st Alt. VP-South



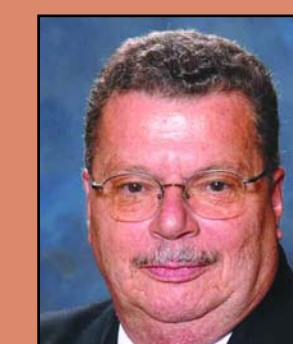
**R.W. Dare**  
2d Alt. VP-South



**Garth Bates**  
Canada/Alt. Leg. Dir.

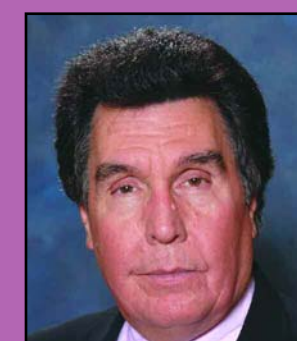


**Bonnie Morr**  
West (Bus)

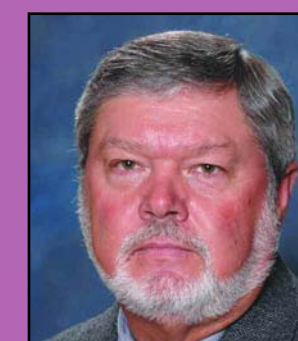


**Richard Deiser**  
East (Bus)

## U.S. Board of Appeals



**Dan O'Connell**  
Engine Service



**Don Seyer**  
Road Train Service



**Dale Welch**  
Yard Service



**Dirk Sampson**  
Commuter

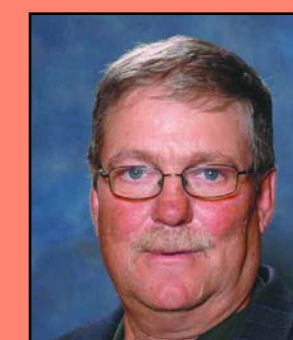


**Ron Koran**  
Bus

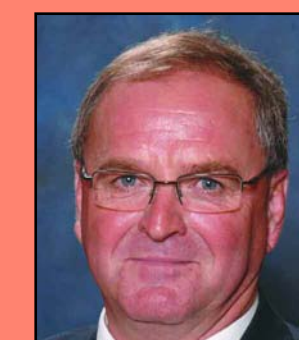
## Canadian Board of Appeals



**Dan Armstrong**  
Position 1

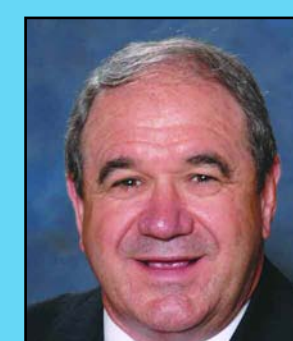


**Jamie Mould**  
Position 2

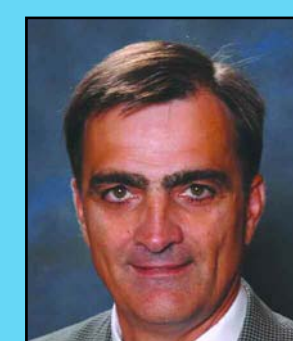


**Jean Levesque**  
Position 3

## Executive Board



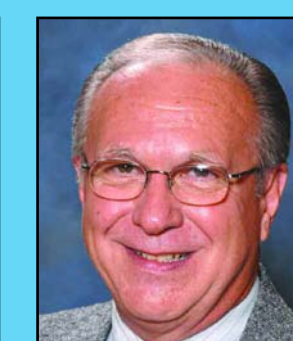
**Jim Huston**  
Chairperson



**John Risch III**  
Secretary



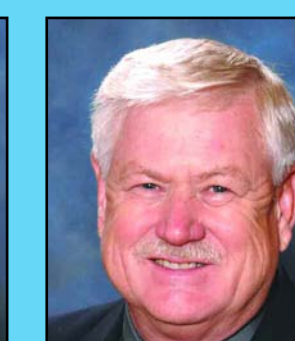
**Steve Dawson**  
Member



**Joe Boda Jr.**  
Member



**Kevin Goring**  
Member



**Mike Anderson**  
Alternate



# UTU for Life

## Brothers, friends rally behind injured retiree

BUTTERFIELD, Minn. – Co-workers and friends of retired CMStP&O/C&NW/UP conductor Denny Schlomann, a member of Local 650 in Minneapolis, who suffered severe complications when a simple wrenched knee developed into a major staph infection, recently held a benefit to aid him and his family.



Schlomann

Schlomann's injury resulted in stays in three different medical facilities and ended up with him in a wheelchair undergoing prolonged physical therapy.

Denny, who was a conductor/brakeman for nearly 40 years, retired when he was 57 years old.

How did it all start? "With a wrenched knee," said wife Joanne. "It all started when he stepped wrong and wrenched his right knee."

### Schlomann's problems started with a wrenched right knee. Then the infection set in.

"At first, we didn't think much of it, but when over-the-counter pain killers couldn't take care of the pain anymore, I bundled him in the car and took him to the doctor."

The doctors confirmed the sprained knee, but Denny kept talking about this pain in his lower back. An MRI was done and it showed a massive staph infection had developed.

The infection encased all the nerves controlling everything from the waist down. For some time he had no feeling below the waist.

In mid-May, he was finally able to start physical therapy. "We take every day with baby steps, but they're getting bigger every day now," Joanne said.

Any donations received will be used to help offset medical costs incurred by the Schlomanns. Thrivent Financial for Lutherans, Chapter 31214, will supplement the free-will donations from the benefit.

Anyone wishing to help should send donations to: Renae Meyer, P.O. Box 4, Butterfield, MN 56120.

"Brother Denny Scholmann is one of our finest; nobody out-walked Denny on the railroad nor has a better sense of humor," Minnesota State Legislative Director Phil Qualy said.

"Please contribute what you can to help with his medical expenses," Qualy said.

## Three retired general chairpersons pass away

The UTU recently lost three retired general chairpersons, **Arthur S. "Tex" Driver**, **Glynn W. Gallagher** and **Clifford G. Buoen**.

Retired former Colorado & Southern Railway and Burlington Northern Railroad General Chairperson Driver died Aug. 15 in Boulder. He was 84 years old.

Retired former Southern Pacific General Chairperson Glynn W. Gallagher passed away Aug. 27. He was 80.

Former Soo Line General Chairperson Clifford G. Buoen passed away Sept. 6 at Methodist Hospital in St. Louis Park, Minn. He was 93.

Driver, a member of UTU Local 202 in Denver, Col., headed GO-291 from 1972 until his retirement in July 1986. (The Colorado & Southern was merged into the Burlington Northern Railroad in 1981.)

Driver went to work in 1947 for the Colorado & Southern and joined Brotherhood of Railroad Trainmen Lodge 406 in 1957.

He is survived by his wife, two sons, two daughters, two sisters, a brother, a step-brother, eight grandchildren and 11 great-grandchildren.

Gallagher, a retired conductor and a member of Local 240 in Los Angeles, Calif., had retired in 1990 with 42 years of service, according to Harry Garvin, local chairperson, delegate and legislative rep. from Local 240.

Gallagher, who worked on the Southern Pacific

and Union Pacific railroads, served for more than 35 years as chairperson of GO-887, much of that time also serving as local chairperson of Local 240, Garvin said.

"Brother Gallagher did more for SP employees than they'll ever dream," said Garvin. "We were negotiating outside of national handling, and Gallagher was the maker of the SP crew-consist and conductor-only agreements. Those agreements turned out to be the best in the industry."

Buoen, a member of UTU Local 525 in Grand Forks, N.D., began his railroading career as a brakeman for the Soo Line Railroad. He joined the Brotherhood of Railroad Trainmen and held various local offices, including local chairperson.

In 1955, he was first elected to lead all Soo Line workers in seven states by the Brotherhood of Railroad Trainmen, predecessor of the UTU. He was regularly re-elected to the position until retiring in 1980.

Willis Croonquist, former Minnesota state legislative director, said Buoen took the problems of union members to heart. "If he'd receive a call morning or night from a member, he would drop everything and solve that problem."

Over the years, Buoen helped secure benefits such as overtime pay, vacation time and expenses while traveling. He also worked to maintain the size of train crews. According to his obituary, Buoen was appointed by President Lyndon B. Johnson to serve on a commission of labor leaders from around the country that worked to settle a national labor dispute.



### Life insurance benefit due certain retirees

If you retired from railroad service on or after April 1, 1967, you may be eligible for a \$2,000 retiree life insurance benefit.

Benefits are administered by MetLife for all retirees from railroads participating in the National Railway Conference/UTU Health and Welfare Plan and the Railroad Employees National Health and Welfare Plan (formerly GA-23000).

To file a claim, or to obtain a change-of-beneficiary card, call MetLife at (800) 310-7770.

Retirees are urged to keep this information with their other important documents and to keep their beneficiary designation up to date. When filing a claim, it is helpful to know the date the employee last worked, the name of the employing railroad and the employee's Social Security number.

## RRB lauds Noss on 100th birthday

The Railroad Retirement Board has sent a letter of congratulations to UTU member **Raymond Noss** of New London, Ohio, on the occasion of his 100th birthday.

Brother Noss is a retired member of Local 792, which represents Norfolk Southern workers in the Cleveland, Ohio, area.

Noss started railroading in January 1937 and retired in September 1972.

"To attain such a landmark age is a most notable achievement and greatly deserves recognition," the three members of the board wrote to Noss.

## 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
17	Fordyce, Francis C.	Oelwein, Iowa
185	Henkle, Charles L.	Centerville, Iowa
202	Driver, Arthur S.	Lafayette, Colo.
228	Miller, Thomas A.	Cedar Rapids, Iowa
239	Williams, D.E.	Crockett, Calif.
281	Morris, Timothy J.	Watertown, Wisc.
298	McKevitt, William C.	Oak Forest, Ill.
322	LaPointe, Lyell A.	Jacksonville, Fla.
421	Kennedy Jr., Wm. H.	Conneaut, Ohio
446	Clark, Gerald L.	Scottsbluff, Neb.
500	Stapleton, Francis E.	Ft. Mohave, Ariz.
507	Sharum, Raymond R.	Ft. Smith, Ark.
620	Losos, Thomas L.	Glen Ellyn, Ill.
655	Reed Jr., Harry B.	Lynchburg, Va.

Local	Name	City/State
706	Brown, William A.	Roanoke, Va.
792	Whitmore, Clifton D.	Navarre, Ohio
800	Benson, Robert E.	Hilton Head Is., S.C.
971	Snead, L.B.	Crewe, Va.
982	Osterhout, Donn N.	Cicero, N.Y.
997	Jones, Luther P.	Shermans Dell, Pa.
1007	Hayle, Walter G.	Malone, N.Y.
1031	Overstreet, Robert H.	Savannah, Ga.
1059	Christian, C.W.	Minot, N.D.
1059	Schmeichel, Harvey R.	Minot, N.D.
1137	Worner, William D.	Fargo, N.D.
1190	Barton, Charles R.	Lily, Ky.
1374	Helmick, E.H.	N. Bloomfield, Ohio
1375	Dobbins Jr., Edward	Philadelphia, Pa.

Local	Name	City/State
1501	Wolf, Harry F.	Mandeville, La.
1544	Mitchell, Aubrey	Ponchatoula, La.
1557	Speight, William J.	Fulton, Ky.
1732	Perovich, Barney M.	Watsonville, Calif.
1836	Ponthier, James J.	Alexandria, La.
1975	Doran, Charles M.	Savanna, Ill.

### June Austin: 107 and still kicking!

June E. Austin, a member of Local 1074 in Freeport, Pa., was incorrectly included on this list in the July/August issue. The 107-year-old Austin, who retired from the Pennsylvania Railroad in 1966 and who served as mayor of Oakdale, Pa., until he was 100, is still with us, we are happy to report.



# Accidental Death and Dismemberment

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

UTUIA's new Accidental Death and Dismemberment policy includes all the following benefits for \$19.50 per month:

- \$180,000 for death caused by common carrier
- \$90,000 for death caused by automobile
- \$60,000 for accidental death
- \$30,000 for dismemberment
- \$600 per day for intensive care confinements
- \$60 per day for family lodging
- \$30 per day for family meals
- Up to \$1,800 for air ambulance transportation
- Up to \$300 for surface ambulance transportation
- Optional family rider for your spouse and children

This policy provides benefits for accidents only. These benefits are not available for sickness. Some benefits provided under the optional family rider are less than those provided to the policyholder.

For more information, complete and mail the coupon at right or call the UTUIA.

*Not currently available in California, Colorado, District of Columbia, Pennsylvania and Washington.*



### Information, please

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

Please print

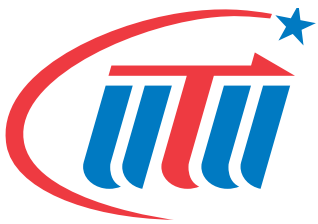


Full name	Date of birth	UTU local number	
Address	City	State	ZIP
Telephone number with area code	Sex	Male <input type="checkbox"/>	Female <input type="checkbox"/>

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

10/07

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



## 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).

### NJ Transit bus ridership sets record

NEWARK, N.J. – NJ Transit passengers are setting new ridership records, according to *Newsday*.

The latest tally of passenger trips shows an average of 865,000 weekday passenger trips on bus, rail and light rail lines for the year, a new record.

That's an increase of 3.7 percent from the previous fiscal year, which runs from July 1 to June 30.

The agency reported a total of 251 million passenger trips on all lines, up 4.1 percent from the previous year. Rail trips posted a new high of 73 million.

Weekend passenger trips also set a new record of 672,000 trips – 5.5 percent higher than the last year.

NJ Transit is the nation's largest statewide public transportation system, providing trips on 240 bus routes, three light rail lines and 11 commuter rail lines.

### L.A. still champion of traffic delays

A new national study shows Los Angeles and Orange counties have retained their infamous reputation as the worst region in the nation for traffic delays, although the area appears to be holding the line on congestion, according to the *The Los Angeles Times*.

But the findings of the Texas Transportation Institute were immediately challenged by some experts who warned that the study significantly underestimates the severity of the region's traffic congestion.

The Texas report says motorists in Los Angeles and Orange counties spent an average of 72 extra hours in rush-hour traffic in 2005, the subject of the current study. That's one day shy of two full workweeks a year and is 20 hours more than in 1985.

Roger Snoble, chief executive of the LACMTA, said the study validates the steps taken in Los Angeles County. Those measures include expansion of rail lines, bus service, carpool lanes, synchronizing traffic signals and deploying a large fleet of tow trucks to clear accidents.

### Ontario Northland drivers set to strike

NORTH BAY, Ont. – Ontario Northland motor coach drivers were scheduled to hit the picket lines as this issue of *UTU News* went to press.

Glenn King, Ontario legislative board chairperson for the UTU, which represents 50 drivers in North Bay, Sudbury and Timmins, said negotiations have failed and the members were set to strike Sept. 28.

All are members of Local 1161, Englehart, Ont. They have been working without a contract for more than a year.

Members gave the UTU a strike mandate in July after voting 100 percent in favor of job action if required to press contract demands.

"They (management) just don't want to talk to us; they are being difficult," King said. "They don't want to offer any money or benefit improvements. They have given us no choice."

King said the union is calling for improved wages and benefits and the removal of graduated entry-level wages for new hires.



## UTU, UTUIA members give hope to cancer patients, families

Thanks to members of the UTU and UTUIA, cancer patients and their families now have a little more hope.

UTU International President Paul Thompson and Kansas State Legislative Director Don Lindsey recently presented a donation of \$4,600 to the Hope Lodge Cancer Facility located in Kansas City, Mo.

"The money was raised by raffling off a quilt which I won in a drawing to support Hope Lodge," Lindsey said. "In an effort to give back to the facility which played a big role in my recent recovery from a recurrence of my non-Hodgkin's Lymphoma, I decided to do a raffle and donate the money raised in the name of UTU and UTUIA."

Money was raised at the Kansas City and Pittsburgh regional meetings along with \$400 in contributions from several UTU locals in Kansas as well as a sizable contribution by the Kansas Legislative Board, Lindsey said.

Lindsey's UTU Local 533, Osawatomie, Kan., contributed \$250 to the cause.

"I would like to extend special thanks to all who helped make this endeavor a success because of their kindness and generosity," Lindsey said.

According to the American Cancer Society,

getting the right care sometimes means cancer patients must travel away from home, often to a cancer treatment facility in another city, which places even more of an emotional and financial burden during what is already a challenging time.

The society is trying to make this difficult situation easier for cancer patients and their families through 22 Hope Lodges – free, temporary housing facilities for cancer patients who are undergoing treatment.

The society says Hope Lodges provide a home-like nurturing environment so patients can get support from others going through the same experience.

Hope Lodge guests have access to the American Cancer Society's 24-hour toll-free call center, Web site, and comprehensive on-site libraries. Hope Lodge also provides accommodations such as private rooms and bathrooms, with space for a family member or caregiver. Lodges offer kitchen facilities and rooms for gathering to watch TV or to share encouragement. Transportation to nearby treatment is also provided.

To find out more about the Hope Lodge program, visit [www.cancer.org](http://www.cancer.org), or call the American Cancer Society toll free at (800) ACS-2345.



UTU International President Paul Thompson, left, and Kansas State Legislative Director Don Lindsey, right, present a check to Rachel Miller, operations specialist at the Hope Lodge in Kansas City.



### Support UTU PAC

An investment in the United Transportation Union's Political Action Committee (UTU PAC) is an investment in your community, your job and your family.

UTU members, active and retired, need and deserve good government and sympathetic legislators because, compared with others, their jobs, pensions and futures are more directly affected by the actions of state and national lawmakers.

The best way to help elect representatives who understand the concerns of UTU members is by contributing to UTU PAC.

Download a UTU PAC application form from the UTU Web site or get one from your local treasurer.

It's an investment that will really pay off.

## Thompson

*Continued from page 1*

board chairperson for eight years. In 1995, he was elected first alternate International vice president for the South; and elevated to International vice president in 1997.

From 1988 through 1997, Thompson served on the board of the Wabash Memorial Hospital Association.

Kim Thompson and his wife, Connie, have five children and three grandchildren. His office is at the International's headquarters in Cleveland.

## Overcharge

*Continued from page 1*

sive fuel surcharges and imposed strict rules on the fees that many rail companies have openly credited with bolstering their earnings.

The Surface Transportation Board ruling said the railroads must link the surcharges directly with the actual fuel costs for specific rail shipments and prohibited "double-dipping," which means fuel costs can't be calculated into certain price hikes if the shipments already have other fuel surcharges.

But the STB said it has no authority to enforce refunds or seek penalties, Gerard said, adding that railroad customers currently lack any regulatory means to attempt to recoup the money. Still, some have filed lawsuits alleging the fuel surcharges amounted to price-fixing.

UTU International President Paul Thompson contrasted the failure of the STB to order refunds with recent action by the U.S. Justice Department in response to similar price gouging by two airlines of its cargo customers. "The airlines were socked with fines of \$300 million each," Thompson said.

"Railroads have taken control of their sole regulatory agency – the Surface Transportation Board – and in the absence of effective controls on railroad monopoly abuses, Congress must act," Thompson said. "This is not what Congress intended when it deregulated railroads in 1980."

Phoenix-based Dust Pro, Inc., in May filed an antitrust lawsuit that seeks class-action status on behalf of parties who shipped goods on one or more of the five railroads since July 2003.

The suit, filed in the U.S. District Court for New Jersey, seeks monetary damages from the railroads, which allegedly fixed prices for the fuel surcharges without any relationship to actual fuel costs.

The lawsuit cited the Surface Transportation Board's decision, even though the agency's ruling applied only to rate-regulated shipping, while the majority of shipments involved in the suit are unregulated.

**How do you make off with \$6.4 billion and get away with it?**

**Ask the nation's freight railroads.**  
A new study shows the biggest railroads collected fuel surcharges to gouge consumers by \$6.4 billion. The Surface Transportation Board, their so-called regulator, hasn't ordered a dime in refunds. So aren't there laws against this sort of thing? Yes. In the real world fuel overcharges like this are met with harsh fines – like the recent antitrust fine of \$600 million airlines had to pay for overcharging on fuel. But the railroads are exempt from certain antitrust laws.

**Welcome to the rail world versus the real world.**  
We urge the Senate Judiciary Committee and Congress to remove the railroads' special protections and to pass S. 772 that applies the nation's antitrust laws to the railroad industry. It's time to bring the railroads into the real world.

**CURE**  
Congressional Union for Rail Equity

**UTU**  
United Transportation Union

For the facts, go to [www.railcure.org](http://www.railcure.org)

(CURE) represents a wide variety of rail customers including public utilities, metal/electric, cement, agricultural, chemical, ethanol, consumer and other manufacturers, freight and power companies, and their customers.

This advertisement is running in three issues of Roll Call and Congressional Quarterly, both important, influential and widely read publications on Capitol Hill.



# UTU gear for your holiday shopping list

It's not too early to begin your holiday shopping, and the UTU Web site is just the place to start, without ever leaving your home or going to a busy shopping mall. Just visit the UTU Web site at [www.utu.org](http://www.utu.org) and click on the UTU Gear tile.

All of the UTU items featured there are sold through American Products and are either union-made or are made in America.

All items carry a 100 percent quality guarantee against defects in materials and workmanship, and volume discounts on customized orders are available to UTU locals. Watches and clocks carry a two-year manufacturer's warranty against defects.

All of the featured items can be ordered by credit card directly through the company's secure Web site, or by calling the company's toll-free telephone number: (800) 272-5120.

UTU members may also download and print a custom order form that can be mailed to UTU Merchandise.com, 1600 North Clinton Ave., Rochester, NY 14621.

All orders will be processed within days of receipt.

Prices are shown in U.S. dollars. Canadian members should make payment by check in U.S. funds. When using credit cards, transactions will automatically be billed in U.S. funds.

In maintaining the UTU's commitment to unionism, all of the warehouse staff employed by American Products are proud members of International Association of Machinists Local 1868.

Apparel prices may vary depending on size. Visit the UTU online store for complete details about prices and available sizes.



Heavyweight Duck Jacket



Brass Lapel Pins



UTU Pad Print Watch



UTU Pocket T-shirt



UTU Brass Lantern



Tradition Golf Shirt



UTU Clock



King Louie Jacket



Ottoman Shirt



"Camo" Cap



Pewter Key Fob



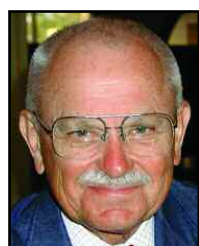
SMART T-shirt

## Advice from the UTU's medical consultant on vitamins, nutritional supplements and herbal remedies

### Too much of anything is never good

By Dr. Norman Brown  
UTU Medical Consultant

I occasionally try to get a patient to "lighten up" about some aspect of his or her health by explaining, with a smile, that I spend half of my time encouraging patients to do something, and the other half of my time encouraging them not to do something else.



Brown

This split-personality approach especially applies to items we put into our mouths day in and day out. Take your vitamins. Don't use Chinese toothpaste (which was found to contain traces of diethylene glycol, which more properly goes into your car's radiator.)

What is a vitamin, anyway? We humans manufacture our energy and internal-construction needs from our diets – namely, carbohydrates, proteins and fats. However, in addition, we also need some 11 particular chemical molecules, which we are unable to make

ourselves. These molecules are called vitamins, and if any of us go long enough without just one of these, a specific disease will develop.

Problems with our skin, bone, vision and blood production are just a few examples of vitamin-deficiency diseases. But these deficiency diseases are downright rare in the U.S., with so much good food available, often with vitamins added.

A broad diet, including fruits and vegetables, will include these vitamins most of the time. But, just to be sure, a daily multiple vitamin will more than cover our daily needs.

So, if a daily vitamin were good for us, wouldn't two be better than one – or, maybe three? Current thinking is, "no." Extra vitamins probably do not change our internal chemistry for the better – and, a few vitamins, those soluble in fat such as A, D, E and K, when taken in excess, can build up and hurt us.

Admittedly, there are a few uncommon conditions leading to poor absorption of a normal amount of a vitamin – B-12 would be an example – but, do I dare say it: ask your doctor if you are such a person.

Nutritional supplements have grown in popularity in America in recent years. There is a lot of advertising out there recommending supplements for improved strength, losing weight, better sex life and on and on.

How does one choose to take such products, or stay away from them?

The Food and Drug Administration (FDA) is charged with the responsibility of watching for harmful substances in these products, but it cannot cover the huge number of them, so please: if you do take one, study the labels and consider primarily reputable companies.

Imported products, especially herbs, may contain unknown ingredients, so be extra careful. Not long ago, I saw a woman complaining of abdominal pain. Her liver tests were abnormal. When she stopped taking an imported Chinese herb preparation, the symptoms and the liver tests resolved.

What do I do myself? Aw, come on. I don't have to tell you, do I, really? Okay, okay: I take one daily multi-vitamin when my wife puts it on my place mat. She buys them with her own money.



# THIS MONTH'S WINNING PHOTO:

The UTU Public Relations Department awards UTU gear to the union member who submits the best photograph during the previous months.

The winning photo will be published in the *UTU News*. Exceptional photographs will be included on the UTU website.

The UTU would like to see photographs or digital photographs of work-related scenes, such as railroad, bus or mass transit operations, new equipment photos, scenic shots, activities of your local, or photos of your brothers and sisters keeping America rolling.

Printed photographs should be mailed to UTU News, 14600 Detroit Ave., Cleveland, OH 44107-4250.

High-resolution digital photographs should be in the JPEG format and e-mailed to [utunews@utu.org](mailto: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 John C. Powell, a retired Southern Pacific conductor and member of Local 807 in Tucson, Ariz. This photo of a Modoc Northern Railroad caboose was taken at its home-terminal yard at Tulelake, Calif. The Modoc Northern Railroad operates over 160 miles of track in northeastern California and southern Oregon. It connects with the UP in Klamath Falls, Oregon.*



OCTOBER 2007

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 • Paul C. Thompson, International President; Daniel E. Johnson, General Secretary/Treasurer • This publication available on microfilm from UMI, 300 N. Zeeb Road, 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**

Volume 39  
Number 10



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



October 2007

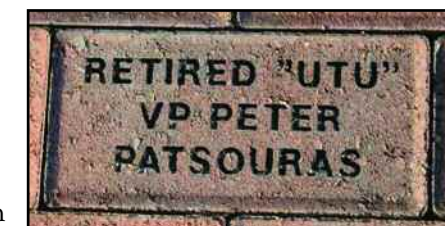
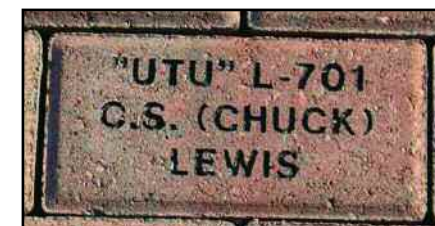
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The Official Publication of the United Transportation Union

## Bricks cement Debs' legacy

GRAND RAPIDS, Mich. – Work on the Spirit of Solidarity memorial here continues, with 17 engraved bricks sponsored by UTU members and locals having been installed during the summer as part of a memorial walkway.

The memorial, celebrating organized labor's



contributions to society, is at the entrance to the President Gerald R. Ford library.

The memorial will include a UTU-sponsored plaque honoring Eugene V. Debs, an organizer of the Brotherhood of Railroad Trainmen and secretary of the Brotherhood of Locomotive Firemen, which later added "Enginemen" to its name. Both are predecessor UTU unions.

Contributions from UTU members and UTU locals are paying for the plaque, commemorating the accomplishments and vision of Debs.

"The monument symbolizes the sacrifices, blood, sweat and tears of the American worker and will live on forever as a reminder that when people come together they can accomplish anything," said Michael Johnston, director of the Labor Heritage Society, which is coordinating construction of the monument.

The main monument commemorates a bitter strike by furniture workers in Grand Rapids a century ago and honors the universal struggle of workers who found the courage to unite and stand up for their rights.

The Debs plaque is an integral part of the Spirit of Solidarity.

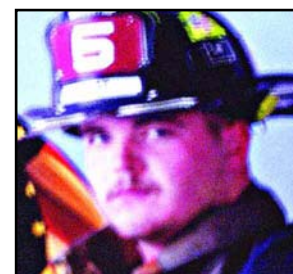
Debs' efforts led to laws permitting workers to organize lawfully, to choose their bargaining representatives without employer interference, and to require employers

to bargain in good faith over wages, benefits and working conditions.

The following UTU locals purchased bricks: Locals 100 (Oakland, Calif.); 168 (Chicago, Ill.); 194 (Elkhart, Ind.); 313 (Grand Rapids, Mich.); 349 (Kansas City, Mo.); 367 (Omaha, Neb.); 597 (Des Plaines, Ill.); 807 (Tucson, Ariz.); 845 (Seattle, Wash.); 1399 (Terre Haute, Ind.); 1501 (Baton Rouge, La.); 1730 (Richmond, Calif.); 1765 (Grand Rapids, Mich.) and 1971 (Atlanta, Ga.).

C.S. (Chuck) Lewis, UTU Local 701; the UTU Texas Legislative Board; and retired UTU Vice President Peter Patsouras also donated to the cause.

## Inside this issue of the UTU News:



CSX conductor Gray helps save toddler's life. See page 2.



SMWIA's Joe Nigro talks about being SMART. See page 3.



UTU members are getting on board the Hillary Express. See page 5.



UTU gear is the perfect holiday gift for your UTUer. See page 11.