Alaska Railroad, FRA test train-control technology

ANCHORAGE, Alaska – Alaska Railroad, with some $12 million in funding assistance from the Federal Railroad Administration (FRA), is designing, developing and implementing a computer-based collision avoidance and train control system over some 120 miles of its most heavily traveled routes north and south of Anchorage.

UTU Vice President Arty Martin says the new technology demonstrates how imperative it is to unify the operating crafts in order to protect job opportunities and standards of living.

“Because all members of Alaska Railroad train crews are represented by the UTU, new technology is not a concern on Alaska Railroad, said UTU Local 1626 President Gerald Valinske.

“We’re not afraid of new technology. And we certainly know it can’t be stopped. What we do know is there will be no impact on our jobs.”

This is because the UTU represents all members of the train crew, permitting the UTU as in the past – to negotiate agreements protecting employment, seniority and wages of every member of the train crew, Valinske said.

The first demonstration runs of the collision avoidance and train control system were conduct- ed in May. UTU member Herf Keath was the engi- neer on all test runs and Valinske the conductor.

The collision avoidance and train control sys- tem includes locomotive, wayside and dispatcher office hardware and software. The system is designed to enforce speed limits and authority limits by monitoring locomotive location in rela- tion to authority limits and speed restrictions.

The system also monitors switch alignment, signal indication and wayside detectors and pro- vides the crew with advance information on these devices.

The system will stop a locomotive if an unsafe circumstance is observed. Unsafe circumstances include exceeding authority by going too fast, not pulling into a siding, or passing the point of authority on the track.

Completion of the system is expected in 2005. Its key features include satellite-based Global Positioning System (GPS) technology to track train location and speed; 52 locomotives with on- board computers and consoles that display train movement instructions to the crew; computer monitoring of manual switches at strategic train- meeting locations, and early notification of the status of remote control switches.

FRA chief Rutter backs remotes

WASHINGTON, D.C. – Federal Railroad Administrator (FRA) Allan Rutter says the FRA will not discuss locomotive remote control issues with the Brotherhood of Locomotive Engineers (BLE) so long as the BLE prefers confrontation to constructive discussions.

Rutter also reaffirmed the Federal Railroad Administration’s conclusion that remote control operations on the nation’s railroads “have not created an emergency situation involving a haz- ard of death or injury to persons.”

Recently, the BLE sponsored a sidewalk rally outside FRA offices to protest remote control operations. BLE also brought legal action against the FRA in an attempt to halt remote control operations.

“Sometimes when you stand outside of some-
Local 257, S. Morrill, Neb.
This Union Pacific local enjoyed an information seminar last month arranged by Local Chairperson David Martin, said Secretary-Treasurer Thomas Jones. Guest speakers included UTUIA Field Supervisor Ron Tokach and State Legislative Director Ray Lineweber. Supporting the event was Designated Legal Counsel Yaeger, Jungbauer, Barczak & Vucinovich, PLC.

Local 292, E. Syracuse, N.Y.
Members of this CSXT local are donating vacation days and personal days to Donald E. Johnson so he can spend time with his wife, who has been diagnosed with terminal cancer, said Vice Local Chairperson and Secretary-Treasurer Jack A. Hart. To donate time, call the district office at (316) 656-5707 or (313) 656-5708. Financial donations should be made payable to Johnson and sent to: CSX Terminal Supervisor, c/o Donald Johnson, 605 Fremont Rd., E. Syracuse, NY 13057.

Local 340, Connellsville, Pa.
Members of this CSXT local last month participated in a training class and a “blitz” sponsored by Operation RedBlock, said safety committee member Randy Matthews. Members lending a hand included Jim Manges, Denny Stewart, J. J. Sloan, Ron Carter, Gary Trice, and Matthews.

Local 343, Hamilton, Ont.
Members of this Canadian National (CN) local observed two minutes of silence recently in memory of those killed in the McBrindle trestle accident, said Local Vice President and Legislative Representative Scott Montani. Meanwhile, charges have been filed against CN for preventing members from participating in investigations as part of the CN-UTU Arbitration about that accident.

Local 464, Arkansas City, Kan.
This BNSF local will host a pig roast on June 22 for all active members and their families, said Local Chairperson Jim McDaniel. For information, contact McDaniel at (620) 442-9146.

Local 465, Gillette, Wyo.
This BNSF local’s Chairperson (E) and Board of Trustees Member Basil Hippie recently presented a $500, one-year scholarship to Tom and Mary Lou Risley’s son Garrett. Alternate to receive the scholarship was Rachelle Greeves, daughter of Bill and Jeanne Greeves, said Local President Billy Montgomery.

Local 469, Madison, Ill.
Members and their families will be attending the local’s annual picnic on June 14 at Long Acre Park in Fairview Heights, Ill., said Secretary-Treasurer John L. Payer. Supporting the picnic this year are the MidWest Railroaders, Lance Callis and Designated Legal Counsel John Papa.

Local 471, Eugene, Ore.
The Seventh Annual J. C. Anderson Memorial Golf & BBQ Tour will be held Aug. 4, said Legislative Representative Greg Boam. Proceeds of this Union Pacific local’s event will go to five-year-old Madisen Howland, who is being treated for acute lymphoblastic leukemia. For information, call Boam at (541) 461-5467 or send e-mail to boomergr@relevax.com.

Local 597, Des Plaines, Ill.
The engineers in this Union Pacific local (formerly C&NW), along with the Heritage Presbyterian Church, will be holding a food drive June 21, said Local Vice President Harry C. Lewis Jr. The event will feature two collection points: one at the church (965 Kucera Road in Carol Stream, Ill.) from 9 a.m. to 3 p.m., and another at the Proviso diesel facility in Northlake, Ill., collecting from 7 a.m. to 7 p.m. The food drive is being held to provide meals to those in need. For more information, contact Lewis at (630) 790-8432.

Local 783, Spencer, N.C.
Members of this Norfolk Southern local are mourning the sudden loss of brakeman Robert L. Dixon, who succumbed to a heart attack on April 25, said Local Chairperson and Secretary-Treasurer Paul Martin Jr.

Local 1293, Altoona, Wisc.
Union Pacific General Chairperson John Babler (GO-225), in the wake of remote control implementation, last month secured protective provisions for everyone on the local’s seniority roster, said Local Chairperson Mark S. Mueller. The effort began last September and called for Babler to show the local was indirectly affected by operations at the St. Paul-Minneapolis Switching Terminal.

Local 1365, Youngstown, Ohio
Members of this Norfolk Southern local at the Erie Lackawanna (ErieLack), along with the Heritage Presbyterian Church, will be holding a food drive June 21, said Local Chairperson and Secretary-Treasurer Paul Martin Jr.

Local 1373, Philadelphia, Pa.
Members of this CSXT local will be hosting the 10th Annual Railroad Retirees Reunion on June 22 at the Philadelphia Airport Firehouse from 1 p.m. to 7 p.m. For information, contact Tom Anziano at (215) 315-5609 or (610) 583-5609.

Local 1405, St. Louis, Mo.
Members of this Norfolk Southern local attended an arbitration advocacy skills seminar in April led by Alan Fisher, an associate of UTU Designated Legal Counsel Hoey, Farina & Downes who has experience as a trial lawyer and a federal rail case arbitrator, said Local Chairperson Shaun Gunter. Vice Local Chairperson Sammy Warden, Legislative Representative Alan Harbers, UTU Special Representatives Rich Ross and Jeremy Ferguson and others learned how to approach the investigation process to prepare cases for appeal.

Local 1594, Upper Darby, Pa.
The team of Bob Swain and Mel Saddick in April took second place at a SEPTA-sponsored rail rodeo at the Elwood Depot, said Local Chairperson and President Ron Koran. Others who competed for a chance to go the national event in San Jose, Calif., included Pat Greene, Wayne Harbers, Dave Lucas, Tanya Perkins, Ron Koran, and Judge O’Donnell. Volunteers who helped stage the event included Nadine Ketter, Tanya Perkins, Quentin Todd and Esther Sacks.

Conductor honored for heroic actions
At about 9:15 a.m. on Jan. 6, 2003, MetroLink conductor Jesse Bryant Jr. was going about his business on Train #210 when tragic circumstances intervened and underscored the value of having professionally trained, UTU-represented conductors on the team.

“I’d been involved in incidents before, but this was terrifying,” said Brother Bryant, a member of Local 84 in Los Angeles, Calif. “We hit something, but kept going and seemed to flip into a tailspin. I felt a fireball, and saw a woman thrown toward me. I got thrown under a seat, and still we were moving!” Then I saw another part of the train, and wondered what was going on. We finally slid into a wall and stopped.”

Bryant, a 26-year rail veteran, learned later that a heavily loaded truck had illegally circumvented crossing gates when the train, in 79-mph territory, had slammed into it. The cab car he was in became airborne and flew over the truck as its gas tank exploded. All four cars of the Metrolink train derailed, 34 passengers were injured, and the truck’s driver was killed.

“All these people were laid out and in so much pain,” Bryant said. “I tried to calm everyone down, and went looking for the two handicapped people and the lady with a baby that I knew were aboard.” Bryant also checked the rest rooms to ensure nobody was in them during the accident.

Because the rail car was on its side, exiting through the windows wasn’t possible. As soon as rescue personnel had pried open an exit, Bryant began helping passengers and crew members out of the train. Firemen kept telling him to sit down, but Bryant repeatedly went into the burning wreck to bring people to safety.

On April 21, on behalf of UTU International President Byron A. Boyd Jr., and in recognition of his dedication and bravery, Jesse Bryant Jr. was presented the UTU Brass Lantern Award by UTU Vice President Tony Iannone and Local 84’s Chairperson Keith Moore.

“I was grateful for the gesture, but the way I saw it, the award was for all of us,” said Bryant in reference to his crew. “What I did is part of our work. This is our job and our livelihood. We know there are emergencies, we see them every day, they rely on us, they become family, and you don’t want anything to happen to your family. It’s what a good conductor does.”
Maryland
The Maryland Legislative Board has established a website to provide information of importance to members in the state, as well as election endorsements and news about the board's scholarship program, reported State Director Larry Kasecamp.

Kasecamp said the website is still in its initial stages but will be updated as soon as time permits. He also said that complete information about the James E. Major, Jr. Memorial Scholarship can be found on the website and that applications for the scholarship can be submitted directly through the website.

Missouri
Action taken by the Missouri Legislative Board at the request of Local 5, Kansas City, Legislative Representative Curt Jones and former Local Chairperson Glenn Ritter has resulted in an order to reopen the rail crossing at 12th Street and Santa Fe in Kansas City.

Tennessee
Tennessee Legislative Director Jerry Anderton, right, greets Sen. John Kerry (D-Mass.) at a meeting with members of organized labor and representatives of the music industry in Tennessee on April 28. Anderton said he and Kerry, who is seeking the Democratic Party's nomination for the 2004 presidential race, spoke about the need to preserve and improve upon the U.S. rail network for both freight and passenger service. Anderton also acknowledged the efforts of Attorney Larry Foster, who is representing the Mississippian Railway to permanently close the crossing after the UTU opposed the closing on grounds that it would limit access by emergency vehicles to the 19th Street Yard.

New Jersey
The state's Administrative Hearing Commission denied the application of Burlington Northern-Santa Fe Railroad and the Kansas City Terminal Railroad to permanently close the crossing after the UTU opposed the closing on grounds that it would limit access by emergency vehicles to the 19th Street Yard.

The commission found that the applicants failed to ensure that the public safety was not diminished and failed to establish viable alternative routes at the crossing, said Legislative Director Larry Foster.

Foster also acknowledged the efforts of Attorney Jason Keck of the Hubbell, Peak, O'Neal, Nagler & Leach law firm, for his efforts on UTU's behalf and for "making Kansas City a safer place to work."

Utah
Amtrak's westbound California Zephyr now arrives in Salt Lake City at 11:27 p.m., one hour earlier than before, thanks to the efforts of Assistant Legislative Director Jay Seegmiller.

While that time difference may seem insignificant to many, Seegmiller sees it as the first step in his quest to make Amtrak passenger service more popular in his state and to travelers in general.

He feels that if the Zephyr would arrive a little earlier, the train would bring more people to town and carry more people out. And that could be a boon to tourism, Seegmiller said.

If demand for train service rises, Amtrak could hire more people to provide expanded service here, Seegmiller said.

He estimated that Amtrak paid 55 workers in the state $2.5 million and spent $109,502 on goods and services. He believes all of those numbers would increase if the arrival time of the Zephyr were just a bit more reasonable.
Our strength: our members

An abiding truth of the UTU is that our strength is our members. As Illinois Legislative Director Joe Scabo says (see centerfold), “While our leaders can set the agenda, it takes the active involvement from each of us to make a difference. We can't expect someone else to do things for us.”

That certainly was the successful formula for passage of Railroad Retirement reform and keeping Amtrak in operation.

It was the successful formula for achieving positive bus agreements, a solid new airline agreement and a favorable national wage package, including unprecedented job security, with most of the nation's railroads.

The legislative and bargaining successes of the UTU show what members can achieve working together.

Conductor Margaret Fula observes (see centerfold) that, “The tragedy of not having the UTU is sometimes missed by younger employees. The UTU is the best way for us to save our jobs.”

Our long history of confronting real-world problems with real-world solutions and dealing forthrightly and progressively with legislative bodies, regulatory agencies and each other has made the UTU a union of results and not rhetoric.

Ditto for keeping members informed through communication among locals, general committees, state legislative departments and the International.

Informed and active members are what make your UTU stand strong by keeping us in the driver's seat at the bargaining table and delivering our legislative victories.

UTU influence helps ensure jobs, security

Congress created the 15-member Rail Shipper Transportation Advisory Council (RSTAC), made up of representatives of large railroads, small railroads and shippers—and one rail labor member, who is me. The RSTAC makes transportation policy recommendations to Congress. Your UTU’s ability to influence the activities of this organization is of consequence to UTU members.

At the request of President Boyd, I advanced two proposals to the RSTAC, which are important to the job security of rail employees. One UTU proposal would allow state governors the flexibility to invest federal grants from the Highway Trust Fund in passenger train operation and development. The second UTU proposal would permit use of Highway Trust Fund grants for intermodal projects. Intermodal means freight that moves partly by rail and partly by truck and/or steamship and the federal dollars would be used to improve access to rail intermodal yards.

It is heartening that not only did the RSTAC adopt these UTU proposals, but the Bush Administration also advocates their passage into law. Your UTU’s national legislative office will now work with our Democratic and Republican friends in Congress to assure these provisions become law as part of a six-year reauthorization of highway spending programs.

If these UTU-proposed provisions do become law, billions of Highway Trust Fund dollars could become available over the next six years for rail passenger and freight operations. That spells railroad jobs. Your contributions to the Transportation Political Education Fund will be used to help promote congressional passage of these job-creating positions.

More money for rail passenger service will help secure continuation—and even expansion—of a national intercity rail passenger network. Allowing Highway Trust Fund dollars to be spent on intermodal projects will mean more train crews as more highway trailers travel aboard rail flatcars.

Your UTU advocates growing the railroads’ market share, which, in turn, increases the slice of that pie allocated to employee wages and benefits.

Meanwhile, the other organization is forming a partnership with a non-rail union opposed to taking trucks off the highway. The Teamsters union recently signed a contract with a union printer, thereby ending a contract negotiations and grievance handling. We continue to improve the quality of our website, including databases that assist officers in discipline proceedings. We’ve upgraded our secretariat-treasure tool, such as WinSigs. We also improved the quality of education at regional meetings as evidenced by the programs available at Seattle and Philadelphia in June and August.

The financial condition of UTUA is especially bright. The roots of UTUA are more than 130 years old, but the mission is unchanged: To provide union families with financial protection against death, injury and hardship.

What has changed is the variety of UTUA offerings. As your UTU negotiated improved wages and benefits assuring UTUA families solid upper-middle-class status, more members sought retirement plans such as IRAs and flexible-premium annuities to preserve their lifestyles through retirement.

An independent insurance-rating company concluded UTUA is financially sound and price-competitive with the 25 largest North American insurance companies—companies such as Prudential and MetLife. For every $100 in liabilities, UTUA has almost $119 in assets, which exceeds the liability coverage of many of the top 25 insurance companies. UTUA has a $15-mil- lion surplus of assets beyond its liabilities—those assets have grown by $9 million since 2000. Beyond being financially secure, UTUA is a union-friendly insurer, meaning it doesn’t engage in anti-labor activities.

We have many challenges facing us in a rapidly changing economic environment that is not always union friendly. One less concern we have, however, is the financial condition of the UTU and UTUA, which I am proud to report as financially sound.

Finances on solid ground

By Dan Johnson

General Secretary & Treasurer

One of the most frequently asked questions of UTU officers is, “What is the financial condition of the UTU and the UTU Insurance Association?” In spite of difficult economic times, we are financially sound.

Since the current administration took stewardship of the UTU and UTUA in 2001, deficits have been eliminated. This was accomplished through prudent cost-cutting that preserves our ability to represent every member promptly, efficiently and with positive results.

Excess expenses were cut by consolidating functions, increasing oversight of spending in each UTU department, slashing the travel budget, reducing the number of separate meetings by making greater use of conference calls and e-mail, and reducing printing and postage costs. For example, the UTU News, which reaches 125,000 active and retired members monthly, is now printed on a less-expensive paper under a less-costly printing contract with a union printer, who helped us reduce postage costs through more efficient bulk delivery to the U.S. Postal Service.

What we have not cut are member services. Our vice presidents remain available to every general chairperson. We assist with contract negotiations and grievance handling. We continue to improve the quality of our website, including databases that assist officers in discipline proceedings. We’ve upgraded our UTUIA in 2001, deficits have been eliminated. This was accomplished through prudent cost-cutting that preserves our ability to represent every member promptly, efficiently and with positive results.

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A MESSAGE FROM PRESIDENT BYRON A. BOYD JR.

The UTU's Designated Legal Counsel ("DLC") program's historical roots date back more than 150 years to the founding of the Brotherhood of Railroad Trainmen. In essence, the program was essential for the promotion of safety in the railroad industry and the competent representation of our injured brothers and sisters. We have always expected DLCs to adhere to the highest ethical and professional standards. Each DLC pledges to vigorously represent our members at a reduced rate, to help educate the membership through our programs and may participate in the support of fraternal functions of this union.

The UTU has periodically issued Guidelines to which each DLC was bound to adhere. Since becoming International President of the UTU, I believed it appropriate to underscore those principles for DLC and UTU members alike. Accordingly, with the assistance of counsel and those members and employees of the UTU and its affiliates, I have incorporated the Guidelines and expanded them into formal Rules of Conduct and hereby establish a Board of Ethics and Qualifications to review both the qualifications of proposed DLCs, as well as to discipline violations of those Rules by the DLC or any UTU officer, member or employee. The Chairperson of the Board shall be the sole and independent decision-maker.

The UTU Board of Ethics and Qualifications and Rules of Conduct for Designated Legal Counsel Program

The UTU Designated Legal Counsel Rules of Conduct

1. DLC Agreement To Be Subject To This And Other Rules

1.1 Jurisdiction Of UTU Board Of Eth- nics. Each DLC and members of their firm shall agree as a condition of becoming or remaining a DLC that he or she will be subject to and fully abide by the Rules of Conduct and decisions of the UTU Board of Ethics and Qualifications whose decisions shall be final, binding and conclusive. Each DLC, its agents (whether or not it is becoming or remaining a DLC, specifically in writing waive any and all recourse to any court of law or arbitration). Each DLC shall certify that he or she will be subject to and fully abide by the Rules of Conduct and decisions of the UTU Board of Ethics and Qualifications whose decisions shall be final, binding and conclusive. Each DLC, its agents (whether or not it is becoming or remaining a DLC, specifically in writing waive any and all recourse to any court of law or arbitration). Each DLC shall certify that he or she will be subject to and fully abide by the Rules of Conduct and decisions of the UTU Board of Ethics and Qualifications whose decisions shall be final, binding and conclusive. Each DLC, its agents (whether or not it is becoming or remaining a DLC, specifically in writing waive any and all recourse to any court of law or arbitration).

2. ABA Model Rules Of Professional Conduct

2.1 All DLCs shall agree as a condition of becoming or remaining a Designated Legal Counsel that he or she shall comply with and be subject to the ABA Model Rules of Professional Conduct as well as the state-law professional responsibility rules and canons for the jurisdiction in which they practice.

3. The Fiduciary Duty Of UTU Offi- cers. The agents of the Union, its officers, staff and representatives have a duty to serve the UTU, its members and its members' families in such a way that they have the advantage of and for the benefit of the UTU and its members. The agents of the union must act in the best interests of the UTU and its members. No prospective or current DLC shall act in the best interests of the UTU and its members.

4. Improper Influences. Because an agent of the UTU must make decisions on its behalf and on behalf of its members, the agents of the UTU must act in the best interests of the UTU and its members. No prospective or current DLC shall act in the best interests of the UTU and its members.

5. Reporting Of Solicitations To DLCs. Any DLC solicited for a payment or contribution by any UTU or UTUIA officer, staff member or employee must report the details including the date, nature and amount of such solicitation to the Board of Ethics immediately and in writing. A failure to do so may result in the suspension of membership or other disciplinary action.

6. Reporting Of Payments. Any and all payments, gifts or services of $100 in value, given by any DLC to any UTU or UTUIA officer or staff member or other employee at the International, General Committee or Local level shall be reported to the Board of Ethics through the General Counsel's office on a form to be provided. Such report shall fully disclose the details of any payment or gift of whatever kind whether related or unrelated to FELA.

7. DLCs Permitted To Become UTU Members. All DLCs will be permitted to become UTU members if they comply with the Rules and have expressed a desire to become a member of the UTU.

8. Prohibition Against Involvement In UTU Elections. No DLC should become an agent of the UTU under any circumstances at any time, shall become involved in union politics. DLCs may, but are not required to handle all union-related social and fraternal events and regional meetings to promote unity and education among the UTU's officers and members.

9. Referral Fees. No DLC, under any circumstances at any time, shall become involved in union politics. DLCs may, but are not required to handle all union-related social and fraternal events and regional meetings to promote unity and education among the UTU's officers and members.

10. Prohibition Against Employment Of UTU Members. Referral fees. No DLC, under any circumstances at any time, shall become involved in union politics. DLCs may, but are not required to handle all union-related social and fraternal events and regional meetings to promote unity and education among the UTU's officers and members.

11. Prohibition Against Payment Of Referral Fees. Under no circumstances shall there be any referral fee to be paid by any UTU member or UTU officer to any DLC. No UTU members or UTU officers are prohibited. Any such solicitation must be immediately reported to the Board of Ethics.

12. Prohibition Against Referral Fees. Under no circumstances shall there be any referral fee to be paid by any UTU member or UTU officer to any DLC. No UTU members or UTU officers are prohibited. Any such solicitation must be immediately reported to the Board of Ethics.

13. Limitation On Contingency Fee To Be Charged To UTU Members. Any contingency fee charged by a DLC in cases involving an on-the-job injury under FELA and related laws will not exceed 25% of the recovery, exclusive of costs.

14. Requirement That All Actionable Cases Be Handled. Each DLC and its members of their firm must be willing to handle all actionable injury cases, not just those involving a political contribution to a DLC or a member of their firm violated ethical obligations, such or violations are found by any court or other adjudicatory body, the DLC shall immediately notify the Board of Ethics.

15. Reporting Of Changes In Law. DLCs should immediately advise the UTU General Counsel if there is any significant change in the membership of their firms (e.g., merger, consolidation, dissolution).

16. Reporting Of Complaints Against DLCs. Any civil, criminal, administrative or regulatory proceedings commencing against a DLC by any union member or governmental entity shall be immediately reported to the Board of Ethics.

17. Notification Of Ethical Viola- tions Found. If a state bar association or other body recommends a finding that a DLC or a member of their firm violated ethical obligations, such or violations are found by any court or other adjudicatory body, the DLC shall immediately notify the Board of Ethics.

18. Reporting Of Changes In Law. DLCs should immediately advise the UTU General Counsel if there is any significant change in the membership of their firms (e.g., merger, consolidation, dissolution).

19. Certification Of DLC Candidates By UTU Board Of Ethics And Qualifications. No appointment of DLC shall be made by the International President of the UTU unless the Board of Ethics and professional qualifications of such candidate shall be certified following a thorough review of the candidate's professional qualifications prior to such appointment.

20. Sanctions For Failure To Comply. The failure to comply with any of these Rules shall be cause for sanctions up to and including immediate revocation of the DLC designation by the UTU Board of Ethics and Qualifications, and in the case of UTU members, referral to the International President for corrective action consistent with the UTU Constitution.

The Board of Ethics and Qualifications

There shall be established a UTU Board of Ethics and Qualifications ("Board of Ethics"). The Board shall consist of three members, the Neutral decision-maker, the UTU General Counsel who shall serve as Secretary and be responsible for its administration in the receipt, investigation and docketing of complaints and other correspondence, and a Board Counsel who shall be an experienced attorney in private practice and shall serve as counsel to the Neutral member of the Board. Board Counsel shall investigate any complaints filed with the Board through the General Counsel and otherwise assist in the development of the record to be presented to the Neutral member. The Chairperson of the Board shall be an experienced Neutral who shall be the sole decision-maker on matters of qualifications or complaints before the Board. The independent judgment of the Board shall be protected and preserved. The Neutral member of the Board shall have a non-renewable, five-year term and may only be removed for cause by non-franchise.

The Board shall adopt the following Rules of Conduct and such others as it deems necessary for the proper administration of the Board and to establish a procedure for the certification of proposed DLC based on their ethical and professional qualifications. The Board shall adopt a complaint procedure to review inquiries or complaints concerning alleged violation of the Rules of Conduct. The Board shall adopt procedures to deal with the matter of non-franchise. The Board shall base its decision on the written submissions of the parties and witness interviews.

www.utu.org
www.utu.org
Members are the strength, and the future, of the UTU

Ray Cunningham
Director, Human Rights Committee
Local chairperson
Local 1933, Washington, D.C.

Diversity makes the UTU a strong union just as diversity makes our nation strong. Everybody within our union brings something different to the table. Because of this strength from diversity, no other organization can match the quality of our leadership, the enthusiasm of our members and the accomplishments of the UTU on behalf of the membership.

Diversity contributes to our progressive leadership at the local, general commit-tee, state legislative and international levels. Through communication and education, our members understand issues, what can be done to resolve them suc-cessfully and how to come together to ensure that victory.

John Eschmann
General chairperson, BNSF
Northeast Passenger

Successful union officers are those who communicate with members by lis-tening to what members say and acting promptly on those concerns. Successful union officers stay in touch with what is going on with the carrier and ensure members are informed and aware.

No other organization matches the UTU’s ability to resolve member con-cerns. We are a union that works to understand the paid in order to know where we should be going in the future.

To remain strong we must provide edu-ca-tion for our young officers, continue to be concerned about every member, plan for the future and take action.

Robert Kerley
General chairperson, NS

When the rank and file gets involved politically by writing letters, making phone calls and contributing to TPEL, we can move mountains.

The lives of transportation employees are controlled considerably by the legisla-tive process – from safety regulations to operations to retirement benefits – and all are driven by politics. Union is all about col-lative strength to shape the future through the political process. While our leaders can set the agenda, it takes the active involve-ment from each and every one of us every day to make a difference. We can’t expect anyone else to do things for us.

Joe Szabo
Illinois Legislative Director

Joe Szabo Illinois Legislative Director

When there is no union, there is no profit in safety. My union says I have the right to safety and I want it. It is important that we can go home to our families in one piece.

The tragedy of not having the UTU is sometimes missed by younger employ-ees. They will see as time goes by that the changes without the union would be horrifying. The UTU is the best way for us to save our jobs. Had it not been for the UTU I would not have the job I have today.

Margaret Fiala
President, Legislative Rep.
Local 924, Richmond, Va.

The UTU is the modern embodiment of Eugene Debs’ idea of bringing diverse crafts into one single organization. This more employees you represent in the industry, the greater the leverage at the bargaining table. That leverage is cru-cial to countering the extreme economic power of the carriers.

The UTU is a strong and effective union because they have been on Capitol Hill interacting with our lawmakers. The UTU is a known entity with lawmakers at the state and federal level.

Larry Grutzius
S&T, Local 1895, Chicago

The UTU is headed in the right direc-tion organizing employees in the air, bus and rail industries. This shows the UTU is not concerned about only one craft, but about all employees in transportation. Diversity is one of the UTU’s biggest assets.

The best way to handle new technolo-gy is to take a head-on approach and not try to hide from it. What the UTU does so well, and what no other organization does as well, is to reach out to all crafts to pro-vide leadership and representation. Diversity is the UTU’s greatest asset.

John Hancock
General chairperson, CSX

In members’ eyes, local officers are the union. Each member has his or her own problems and local officers must be responsive. Listening to members’ needs, working to resolve them and talk-ing to brothers and sisters in a caring manner is what builds a strong brother-hood and sisterhood.

I am so proud of the UTU. It sees where we are today and translates that into a vision of where we should be in five and 10 years. Among our goals is to pro-tect jobs into the future. When we protect jobs, our members obtain a lot of other things.

Dirk Sampson
Member, Board of Appeals
Local chairperson, Local 117
Vancouver, Wash.

The strength of the UTU is the mem-bers who support our goals of working toward long term solutions. The UTU is a union that looks ahead.

Our membership realizes how fragile Amtrak funding is and how important it is to have a presence before Congress and state legislatures. When our U.S. sena-tors are visiting their home districts and we talk with them, they know who Brokenell is and who Byron Boyd is because they have been on Capitol Hill interacting with our lawmakers. The UTU is a known entity with lawmakers at the state and federal level.

Clint Miller
UTU General Counsel

The UTU has a reputation of doing what needs to be done for each member. Knowing that the international supports what we do 100% gives me great confi-dence in assisting my bus and rail mem-bers. Our general committee is effective because we bring together five local chairpersons with the general chairman for problem solving.

We have lost a lot of our hardcore union people. We must work to educate our new members about the union, the sacrifices made and the progress achieved that gives our members the best labor contracts you will find anyplace in the nation.

James Williams
General chairperson, LACMTA

The UTU is the modern embodiment of Eugene Debs’ idea of bringing diverse crafts into one single organization. This more employees you represent in the industry, the greater the leverage at the bargaining table. That leverage is cru-cial to countering the extreme economic power of the carriers.

The UTU is a strong and effective union because of our sophisticated member-ship. The jobs our people do require talent and that talent is used within the organi-zation. We also have great lines of com-munication among all levels of our union, which puts everyone on the same wave-length when it comes to problem solving.

Larry Grutzius
S&T, Local 1895, Chicago

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Retiree’s need for speed leads to Hall of Fame

Henry E. Kijewski Jr. isn’t the type of person who would let something like a disability retirement slow him down. Since he is about 14, he’s had a need for speed that sets him apart.

Brother Kijewski, 59, a member of Local 740 in Joliet, Ill., continues to serve as Elgin, Joliet & Eastern (EJ&E) general chairperson, despite retiring from his job as brake/engineman/conductor in August 1996. And despite the fact that his last official participation in motor sports occurred in 1967, he continues to receive recognition for accomplishments related to speed.

Last month, Kijewski was inducted into the East Chicago, Ind., Sports Hall of Fame. “I went 54-and-0, never losing a race in my class,” said Kijewski, who set four world records in 1967 while drag racing motorcycles.

The records, set on two different BSA motorcycles, held for three years until Japanese manufacturers came on the scene with a new breed of bike, he said. “On June 4, 1967, in the D Modified 500cc class, I clocked in at 12.2 seconds and ran 103.44 mph,” Kijewski said. “Then on July 4, in the C stock 650cc class, I set the world record at 12.13 seconds, hitting 107.14 mph.”

When he was 14, a group from the neighborhood let Kijewski tag along to the drag strip, “and I was hooked,” he said. “In 1964, I was racing a ’57 Chevy, but it got too expensive. A buddy had a BSA motorcycle that was whipping all the cars in town, so I got one, and things just developed from there.”

Especially helpful, Kijewski said, was getting a factory sponsorship in 1967 and having a relationship with a good mechanic.

Kijewski began his racing career on the EJ&E as a tower operator in February 1969, and in November of that year transferred to the transportation department, becoming a brakeman. Today, he has two sons and four grandchildren.

“My youngest son has raced cars and motorcycles and done about everything,” he said. “We ran time trials against each other out the strip a number of times, and I always won. I still have a BSA we work on together, but unfortunately, because of my disability, I can’t ride it.”

Two more UTU for Life chapters are set to hold their first meetings, while plans are proceeding for the formation of a number of chapters in Pennsylvania, according to Coordinator Jim Shelley of Local 556 in Tacoma, Wash.

“We’ve got meeting dates and locations set up in California and Idaho, and George Koval (of Local 300, Philadelphia, Pa.) is working with Pennsylvania State Legislative Director Don Dunlevy on setting up meetings in Harrisburg and Philadelphia,” said Shelley, who recently coordinated creation of the first chapter in the Seattle/Tacoma area.

UTU for Life is an expansion of the UTU Retiree Program created by UTU International President Byron A. Boyd Jr. with the aim of bringing UTU retirees and active members together for activities focused on fellowship, information and political action.

Shelley said a chapter is being created in Pocatello, Idaho, by Francis J. McCarty of Local 265 in Pocatello. That chapter will hold its first meeting at 9:30 a.m. on June 28 at the Golden Corral at 850 Yellowstone Avenue in Pocatello. The cost is $4.99 plus tax and tip per person for all you can eat, and spouses are welcome to attend.

Retirees welcome at regional meetings

Retired members and their spouses are welcome to attend any of the sessions at this year’s regional meetings, and will not be charged a fee unless they participate in one of the meals.

Seniors are urged to attend the UTU for Life session hosted by Coordinator Jim Shelley from 3:30 p.m. to 5 p.m. on the first day of each meeting. Among the guest speakers will be National Legislative Director James Brunkenhofer, UTU IA Field Coordinator Joe Fletcher, and U.S. Railroad Retirement Board Representative Geri Clark.

Meetings are being held June 9-11 at the DoubleTree Hotel, Seattle Airport, and Aug. 25-27 at the Wyndham Philadelphia at Franklin Plaza.

New UTU for Life chapters to meet as program grows

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Those in the area who have not already had contact with McCarty but would like to learn more or attend the meeting can contact Brother McCarty by calling (208) 631-0310 or by writing to him at 630 Redman St., Pocatello, ID 83202.

Thanks to the efforts of Lawson L. Chadwick of Local 84 in Los Angeles, Calif., the first meeting of a UTU for Life chapter in OceanSide, Calif., will take place about a week later at noon on July 7 at Johnny Mahana’s, located at 508 Mission Avenue in OceanSide. Chadwick said the special guest speaker at the meeting will be California State Legislative Director J. P. Jones.

For more information about the OceanSide chapter and its meeting, contact Brother Chadwick by calling (760) 945-5365, by writing to 5259 Nighthawk Dr., OceanSide, CA 92056, or by sending e-mail to him at LLCHAD@cox.net.

Meanwhile, Shelley said he is still looking for retired members who want to form a UTU for Life chapter in their own hometown. Those interested can contact him by calling (253) 691-6576 or by writing to him at 21 E. Johnson Dr., Sequim, WA 98382.

Conrail retirees hold bash in Buffalo

Conrail retirees, as well as those of the old Lehigh Valley Railroad, are invited to a party for all crafts to be held in Buffalo, N.Y.

According to retired member Mike Murphy, the event will be begin at 1 p.m. on July 24 at the Victoria Square Restaurant at the corner of Ridge Road and South Park Avenue in Buffalo.

To reserve a spot at the restaurant, call Murphy as soon as possible at (716) 667-3532 or contact Carl Leheston of Local 1. He is located at 1931 E. Buffalo, N.Y., at (716) 674-4892.
Union officer responsibilities

Financial safeguards: Union officers have a duty to manage the funds and property of the union solely for the benefit of the union and its members in accordance with the union’s constitution and bylaws. Union officers or employees who embezzle or steal union funds or other assets commit a federal crime punishable by a fine and/or imprisonment.

Bonding: Union officers or employees who handle union funds or property must be bonded to provide protection against losses if the union has property and annual financial receipts which exceed $5,000.

Labor organization reports: Union officers must:
- file an initial information report (Form LM-1) and annual financial reports (Forms LM-2/3/4) with OLMS;
- retain the records necessary to verify the reports for at least five years.

Officer reports: Union officers and employees must file reports concerning any loans and benefits received from, or certain financial interests in, employers whose employees their unions represent and businesses that deal with their unions.

Officer elections: Unions must:
- hold elections of officers of local unions by secret ballot at least every three years;
- conduct regular elections in accordance with their constitution and bylaws and preserve all records for one year;
- mail a notice of election to every member at least 15 days prior to the election;
- comply with a candidate’s request to distribute campaign material;
- not use union funds or resources to promote any candidate (nor may employer funds or resources be used);
- permit candidates to have election observers;
- allow candidates to inspect the union’s membership list once within 30 days prior to the election.

Loans: A union may not have outstanding loans to any one officer or employee that in total exceed $2,000 at any time.

Fines: A union may not pay the fine of any officer or employee convicted of any willful violation of the LMRDA.

The above is only a summary of the LMRDA. The full text of the act, which comprises Sections 401-531 of Title 29 of the United States Code, may be found in many public libraries, or by using the U.S. Department of Labor, Office of Labor-Management Standards, 200 Constitution Ave., N.W., Room N-5616, Washington, DC 20210, or on the Internet at www.dol.gov.
Let's work in unison to protect our futures

by Arty Martin
Vice President

The new collision avoidance and train-control technology being funded by the Federal Railroad Administration and tested on the Alaska Railroad demonstrates how imperative it is to unify the operating crafts.

This new computer-based technology is a jarring wake-up call that the ability exists — and exists now — to control trains by other than human beings. This system being tested is just one of many that allows a train to be stopped, slowed and accelerated by computers that function with assistance of a satellite and/or microwave communications.

While minor technical problems exist, it is only a matter of time before the bugs are worked out. As those demonstrating the system made clear, “This technology assures that if the crew of a locomotive does not take action to slow or stop the train before any type of incident would occur (such as violating a slow order, passing a block signal or not stopping for a misaligned switch), the system will stop the train.”

Brothers and sisters, we could not stop the introduction of new technology as we experienced with radios, end-of-train devices and remote control. Our only choice is to harness that new technology and make it work for us by gaining job and income protection as well as new training. What your union can do for you is to make the necessary protective agreements.

When the UTU recognized that remote control technology (RCL) was here to stay, it made an agreement guaranteeing UTU members the work. It was an unprecedented agreement because it was the first time that new technology didn’t cost us work opportunities.

Look at the history. When automated crossing protection was developed, we lost the crossing guards in spite of vigorous opposition. When telephones and radios came on the scene, we lost the telephone and clerical jobs. When end-of-train devices were developed, we lost cabooses. When distributive power was introduced, the carriers made two trains out of three. The list goes on.

When your UTU responded in a proactive manner by working to harness new technology for the benefit of members, a different result was achieved.

For example, your UTU won something of value in exchange for crew-size reduction — reserve-board protection and productivity pay. And with remote control, we gained an agreement that nobody goes to the street as a result of RCL.

Now we face another reality. The computer-based collision avoidance and train control systems further threaten the traditional jobs of locomotive engineers.

“As an engineer, I certainly don’t want to see my craft eroded or friends’ jobs eliminated.”

Remote control
Continued from page 1

one’s office and shout for an answer with a bullhorn, you may not get the answer you like,” said UTU National Legislative Director James Brunkenhoefer after reading Rutter’s seven-page, single-spaced letter.

The BLE has taken dual positions on remote control locomotive operations (RCL). Where the BLE has a contract to operate remote control — such as on Montana Rail Link (MRL) — the BLE is comfortable with remote control. But where the UTU has a contract to operate remote control operations, the BLE has sought either to halt those operations or gain the work for its own members without an interest in protecting UTU-member jobs. By contrast, the UTU’s agreement on remote control provides labor protection for operating employees.

Recently, a BLE engineer who operates remote control on MRL told a journalist, “Personally, I don’t miss being in the cab. If I’m in the cab, I’m somewhat disconnected to the whole mission of the day … And with the remote, I’m not as concerned about harming someone.”

Rutter said that “based on current safety data available to FRA, there is nothing that would indicate that RCL operations are any less safe than conventional operations … Further, FRA has developed accident/injury reporting codes for RCL operations to ensure that any future safety hazards related to such operations can be easily identified, investigated and analyzed for the purpose of discovering any potential safety risks associated with this evolving technology.”

Responding to a BLE assertion that 40 “incidents” involving death, injury or accidents have resulted from remote control operations, Rutter said, “To date, none of the FRA reportable accidents or incidents concerning RCL operations have been the result of RCL technology (although a few have been the result of non-RCL equipment failures …).”

Rutter said a tragic death of an RCL operator in Dewitt Yard in Syracuse, N.Y., in February did not appear to be RCL related. “Although FRA has not yet issued its final report regarding the investigation of this accident, at this point there is no indication the operation of the RCL caused the incident.”

Boyd continues to meet with Rutter in constructive discussions on remote control safety. Shutout from discussions, the BLE has been lobbying local communities symbolically to ban remote control technology being funded by the Federal Railroad Administration and tested on the Alaska Railroad in Dewitt Yard in Syracuse, N.Y. In February did not appear to be RCL related. “Although FRA has not yet issued its final report regarding the investigation of this accident, at this point there is no indication the operation of the RCL caused the incident.”

Remote control
Continued from page 1

The trestle collapsed under the train and crumbled into the ravine with the cars, but it is not known what caused the accident. The bridge had been inspected by CN Rail engineers two days before the crash.

The cars that went over were full of lumber. The crash ignited a fire that blazed through the night. Work crews were forced to build a road to the isolated location near the Alberta border and beside the Fraser River.

Ken LeQuene’s widow told the Vancouver Sun it is ironic her extremely safety-conscious husband was one of the two men whose lives were lost in the accident.

LeQuene and McKay, both 51 years old, were long-time employees of CN, with 10 years experience each.

“It’s just ironic that he ends up dying in something like this,” said his widow, Lillian. “He was a very careful conductor. He went by the book.”

She said her husband loved his job but was looking forward to retiring to Victoria when he reached 55.

“Ken was a very kind man, a true friend to anyone who knew him. It was just a horrible accident. They (investigators) don’t really know what happened yet. If the bridge went out, or a wheel came off.”

The couple had been married for 27 years and had no children.

McKay, also married and the father of a 25-year-old son and 23-year-old daughter, was described as very athletic and community-minded.

His sister-in-law Nelda McNair said McKay loved curling, golfing, and coached fastball. “He was very kind, always thought of someone else. He donated a lot of his time to volunteering.”

She said the family is so overcome with grief they have not really thought about what caused the accident.

“That line is inspected once a week,” CN Rail spokesman Jim Feeny told the press. “Our engineers did a visual inspection on Monday (May 12) and we ran our electronic test car over it not long before that, to test the rails and the grade and so on.”

The trestle was built in 1969 and is made of wood, he said. Neither the bridge’s age nor the materials are unusual, he said, and the bridge wasn’t scheduled for major maintenance or replacement as far as Mr. Feeny knew.

It received its last annual full inspection in September 2002, Mr. Feeny said.
Register now for the regional meetings!

The upcoming UTU/UTUIA regional meetings are guaranteed to provide plenty of fraternalism, education and fun.

Each regional meeting lasts a full three days, with the President’s Banquet on the evening of the third day.

The Seattle regional meeting has been designated the joint U.S./Canadian regional meeting.

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

A completed registration form listing each attendee, regardless of age, and complete payment in U.S. funds must be received at the UTU International Headquarters, 14600 Detroit Ave., Cleveland, OH 44107, 30 days prior to the scheduled start of the meetings or the registrant will be charged an on-site registration fee of $175.

The pre-registration fee for the 2003 regional meetings is $125 per member, spouse or child over 11. You must make your own room reservations, and certain deadlines apply. One-day registrations are $60.

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

Lots of fun

In addition to three days of classroom-type instruction, panel discussions and Q&A sessions, the regional meetings offer fun. In Seattle, there will be a night out at Safeco Field to watch the Seattle Mariners face the Montreal Expos. This will be on Tue., June 10. A pre-game tailgate party inside the stadium will include food and beverages for any registered regional meeting attendee.

On Wed., June 11, there will be a special tour of Seattle with lunch. Tour participants will visit Pike’s Place Market, the International District and other locations. Additionally, shuttle buses will run daily from the host hotel to downtown Seattle.

The tour in Philadelphia will include many historic sites, including the Liberty Bell. The night out will take place at the new National Constitution Center.

The day tours will start at 8:30 a.m., with buses leaving from the host hotels.

All persons planning on taking these tours must pre-register (either online or on the registration form at right), and space is limited.

Golf outings set

The UTU will hold golf outings at 8 a.m. the day before the start of the two regional meetings: June 8 in Seattle and Aug. 24 in Philadelphia.

In Seattle, golfers will play at the High Cedars Golf Club in Orting, Wash., at the base of Mt. Rainier. In Philadelphia, golfers will enjoy playing Ron Jaworski’s Valley Brook Golf Club in Blackwood, N.J.

The fee, $80 per golfer, includes transportation from the host hotel, greens fees, a golf cart for every two players, lunch and more. Register for the golf outings in the space provided on the registration form. Include your golf fee with your registration fee and your true handicap. There is a limit of 144 golfers per outing. Soft spikes or spikeless shoes in Seattle, please.

Online registration available at <www.utu.org>. Click on “Meetings.”

June 9-11, 2003, Western Regional Meeting

DoubleTree Hotel, Seattle Airport

18740 Pacific Hwy. S., Seattle, WA 98188

Hotel reservations: (800) 222-8733 or (206) 246-8600

Reservation code: UTU; Room rate: $129 single/double; $139 triple; $149 quad

Reservation deadline: May 6, 2003

Parking: Self; $12/day

August 25-27, 2003, Eastern Regional Meeting

Wyndham Philadelphia at Franklin Plaza

17th and Race Streets, Philadelphia, PA 19103

Hotel reservations: (800) WYNDHAM or (215) 448-2000

Reservation code: UTU; Room rate: $99 single/double/triple/quad

Reservation deadline: 5 p.m. EST, July 29, 2003

Parking: Self; $13/day
This month’s winning photo:

This month’s winning photograph was taken by Fred Rayman, a trustee of Local 1042 at Oklahoma City, Okla., which represents employees of Jefferson Bus Lines. Rayman’s photo is of a Prevost LeMigrae XL2-45 bus, shown at North Little Rock, Ark., after a 395-mile run from Oklahoma City.

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 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”.

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.

United Transportation Union Insurance Association

At the United Transportation Union Insurance Association, protecting your privacy is very important to us. The reason we collect information is to better serve your needs. Having accurate information about you permits us to provide you with an appropriate range of insurance products.

The non-public personal information that we collect about you varies according to the products, services or benefits you request, and may include:

- Information we receive from you on applications or other forms, such as name, address, social security number, assets and income;
- Information about your transactions with us, our affiliates or others, such as name, address, social security number, policy coverage, premiums and payment history;
- Exceptional photographs will be included on the UTU website.
- Information we receive from consumer reporting agencies, such as a credit history.

We may share the above non-public personal information we have about you with the United Transportation Union. Sharing this information assists us in:

- Processing the payment of your insurance premiums;
- Maintaining your insurance policies in force;
- Providing you with better customer service.

We may share the above non-public personal information we have about you with persons or companies that perform services on our behalf and to other financial institutions with which we may have joint marketing agreements. We may share this non-public personal information with affiliated or non-affiliated third parties as permitted by law. We do not disclose personal medical information about you except as permitted by law or as you may authorize.

We restrict access to non-public personal information about you to those employees who need to know that information in order to provide products or services to you. We are, and will continue to be, vigilant in safeguarding your personal and medical information. We maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your non-public personal information. This privacy policy applies even if you no longer have policies or a relationship with us.