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The Official Publication of the United Transportation Union

## THE VOICE OF TRANSPORTATION LABOR

“Courage, judgment, integrity and dedication are our guideposts. Let us never abandon them.”  
– International President Byron A. Boyd Jr.

### News & Notes

#### Pay rates increase July 1

CLEVELAND, Ohio – Effective July 1, 2003, the standard basic daily rates of pay for members covered under the 2002 UTU contract with railroads represented by the National Carriers' Conference Committee increases by 2.5%. The rate tables reflecting this pay increase were included in the contract proposal members received prior to the ratification vote. The complete rate tables are available for viewing on the UTU website, www.utu.org (click on "Awards and Agreements," then see "Rates of Pay" under "Other Documents.") Due to space limitations, they will not be reproduced in their entirety in the *UTU News*.

#### UTU's Top 10 TPEL locals

CLEVELAND, Ohio – Listed below are the top 10 UTU locals in average TPEL contributions per member per month for calendar year 2002, as well as the local's legislative representative. Congratulations to the members of these locals for their investment in the future of all UTU members:

1421 Franklin Park, Ill.	\$16.63	Joseph C. Pastore
1129 Raleigh, N.C.	13.05	Glenn A. Lamm
78 Pocatello, Idaho	12.93	George J. Millward
1293 Altoona, Wis.	12.51	Kenneth M. Staves
627 Wymore, Neb.	10.85	John F. Foote
17 Marshalltown, Iowa	9.79	William D. Backoff
312 Madison, Wis.	9.00	Timothy S. Deneen
508 Smithville, Tex.	8.66	Kamron T. Saunders
490 Princeton, Ind.	8.63	Thomas E. Hensler Sr.
945 La Junta, Col.	8.54	P.M. Engebrecht

Wisconsin led all states with the highest per-member per month contributions to TPEL in 2002, \$5.26. Congratulations to State Legislative Director **Tom Dwyer** for his hard work on behalf of all UTU members.

#### Contract vote on NJTransit

NEWARK, N.J. – The UTU has reached a tentative agreement with NJ Transit for a three-year contract. The UTU represents more than 1,000 conductors, members of Local 60 in Newark, N.J., and some locomotive engineers, members of Local 800 in Jersey City, N.J., on NJ Transit.

The contract is remarkable in that it includes retroactive and current pay raises and improvements in health and welfare coverage as the state is facing a \$5-billion deficit.

The tentative agreement includes pay hikes retroactive to July 1, 2001, improvements in eye-care benefits, a clarification of work rules and no major givebacks. The proposal also modifies the distribution of benefits for surviving spouses.

General Chairperson **Xavier Williams** and the other members of the general committee, who were assisted in the negotiations by Vice President **C.A. "Tony" Iannone** and New Jersey State Legislative Director **Dan O'Connell**, are urging all UTU members on the property to ratify the agreement.

## UTU is a union of results, not rhetoric, Boyd says

SEATTLE, Wash. – “Positive vision, dedication and solidarity” among UTU members are what makes the United Transportation Union an organization “of results and not rhetoric,” said UTU International Byron A. Boyd Jr. in his State of the Union message to more than 800 members, spouses and guests here June 9 at the first of two regional meetings scheduled this summer.

“Your UTU is a union of involved, passionate, positive and focused members,” Boyd said. “It takes a great deal of courage for a membership to embrace progress – to be the vanguard of a modern labor union; a union that walks the walk rather than just talks. The courage of UTU members to boldly embrace progress, and harness it for our benefit, is why others are left to cry and protest.

“No union can match the success achieved by your UTU in improving wages, improving benefits and improving job security,” Boyd said. “That strength and that success come from each and every one of you.

“Look at the scorecard,” Boyd said. “Hundreds of thousands of jobs have disappeared all over North America. The average pay of workers at all income levels is falling. Many jobs provide no or sub-standard health-care benefits.”

By contrast, said Boyd, “UTU contracts provide meaningful wage improvements, little or no work-rule give-backs, unmatched health-care benefits and superior job security.

“Wage and benefit concessions and employee cut-backs have been occurring weekly for most airline employees, but not those represented by the UTU.

“Our Big Sky pilots scored a substantial victory in gaining improved wages and job security.

“Bus operators represented by the UTU have been scoring notable contract gains,” Boyd said. “And an increasing number of bus operators are looking to the UTU.

“Bus operators are as important to passenger safety as conductors to rail passenger safety,” Boyd said. “It may look to some like the operator

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**“UTU contracts provide meaningful wage improvements, little or no work-rule givebacks, unmatched health care benefits and superior job security.”**

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## Ed Gilbert dies; headed BLF&E

SUN CITY, Ariz. – H.E. Gilbert, retired former president of the Brotherhood of Locomotive Firemen and Enginemen (BLF&E), a UTU predecessor union, passed away Thur., June 5, 2003, in Sun City, Ariz. He was 96 years old.

Brother Gilbert, a member of Local 234, was president of the BLF&E when he joined with Brotherhood of Railroad Trainmen (BRT) President Charles Luna, Switchmen's Union of North America (SUNA) President Neil P. Speirs and Order of Railway Conductors and Brakemen (ORC&B) President Clyde F. Lane to form the United Transportation Union in 1969.

Under terms of the Unification Agreement passed by a referendum of the memberships, Brother Gilbert and the former chiefs of the ORC&B and SUNA became assistant presidents

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## Two members killed on the job

CLEVELAND, Ohio – The UTU lost two members in separate incidents recently: Kevin Osher and Steven Daniel Cook.

In Los Angeles, Burlington Northern Santa Fe conductor Kevin Osher, 33, died June 8 after jumping from a freight train he apparently thought was about to collide with an oncoming train.

Brother Osher was a member of UTU Local 1544 in Maywood, Calif.

The train he was aboard was going about 40 mph; the other train turned out to be on an adjacent track and was at a complete stop.

“The other freight train was stopped on the other side of the tracks,” Lena Kent, a Burlington Northern Santa Fe (BNSF) spokeswoman, told the Los Angeles Times. “That’s an area where

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# Around the UTU

## News from around the U.S. and Canada

### Local 240, Los Angeles, Calif.

Members offer congratulations and best wishes to retiring Union Pacific (formerly Southern Pacific) conductor **Vint Pefley**, past president of now-closed Local 1336 (Pacific Electric Lodge), said Secretary-Treasurer **Fred G. Comeau**.

### Local 254, Fitchburg, Mass.

Members employed by the Springfield Terminal Police Department, voting on their third UTU contract at presstime, have a new website at <http://www.rpd.0catch.com/>.

### Local 300, Philadelphia, Pa.

The Railroad Retiree Club of Pa. Chapter II, Pottsville, Pa., will hold its annual meeting July 9 at 10 a.m. at Trinity Lutheran Church at Third and Arch Streets in Pottsville, said retired member **George Koval**. All retired rail and bus members are welcome to attend.

### Local 313, Grand Rapids, Mich.

Those involved in the preservation of the SS *City of Milwaukee*, one of the last railcar ferries to work the Great Lakes, learned in late April the U.S. Department of Agriculture approved a \$1,346,000 loan for its preservation and to buy property to serve as the National Historic Landmark's permanent home, said **George P. Micka IV**. A website at <http://www.carferry.com/> offers a look at the ship. For information, contact Micka at (231) 755-8755.

### Local 340, Connellsville, Pa.

This CSXT local, along with Operation Red-Block, will be hosting its annual tournament at Norvelt Golf Club in Norvelt, Pa., on Aug. 8, said **Randy Matthias**, who can supply details at (724) 887-4874.

### Local 376, Louisville, Ky.

This CSXT local has a busy schedule ahead, with its monthly meeting set for Aug. 14, a golf scramble at L&N Country Club the next day and its annual picnic on Saturday, Aug. 16, at the American Legion Iroquois Post 229, said Secretary **Johnnie V. Estes**, who can be reached for details at (812) 246-1765. Supporting the events are **Willard J. Moody Sr.**; **Willard J. Moody Jr.**; **Earl Higginbotham**; **Burge & Wettermark**; **Harrington, Thompson, Acker & Harrington, Ltd.**, and **Hoey, Farina & Downes**.

### Local 977, Pasco, Wash.

Active and retired railroaders are invited to this BNSF local's sixth annual intercraft picnic on Sunday, Aug. 10, from noon to 9 p.m. at Howard Amon Park in Richland, Wash. Food and beverages will be provided. For information, contact Secretary-Treasurer **Mitchell Newell** at (509) 547-7408.

### Local 1129, Raleigh, N.C.

Members of this local employed by CSXT and Norfolk Southern recently enjoyed barbecue, fried chicken and all the trimmings at their annual picnic for active and retired members and their immediate families, said Local Chairperson and Delegate **Richard H. Westbrook Jr.**

### Local 1313, Amarillo, Tex.

This BNSF local's two-day family picnic will be held Aug. 5 and 6 with the support of Designated Legal Counsel **Yeager, Jungbauer, Bar-**



Ray Hnatiuk, left, and his son Jason serve as local chairpersons for Local 422 in Vancouver, B.C.

## Father, son serve as local chairpersons

When the phrase "like father, like son" was coined, the author could have had **Ray** and **Jason Hnatiuk** in mind.

As members of UTU Local 422 in Vancouver, B.C., the two serve as local chairpersons for CP Rail conductors, one for road employees, the other for yard conductors.

Together, the Hnatiuks attended last month's UTU regional meeting in Seattle, Wash., where they shared solidarity with fellow members and attended seminars.

Ray cited camaraderie and the opportunity to share experiences as the main reasons for attending the meeting, and his son Jason concurred. "This is my first regional meeting, and it has been a great learning experience," Jason said.

Ray has been with CP Rail for 30 years and has served as local chairperson for 18 years, though not consecutively. "I didn't like what the corporation was doing with the collective bargaining agreement and I felt I could help," he said of his union involvement.

Jason was a student at Simon Frazier University in British Columbia for two and half years, studying computer science and business administration, before he joined CP Rail.

"I was going to university and the bills were starting to pile up. At the same time, I wasn't finding my calling there. It wasn't something I was very passionate about."

A few years after joining CP Rail, Jason said, he was nominated for the position of legislative representative and later was elected local chairperson for yard conductors.

"I saw what my dad was doing and wanted to help. There weren't a lot of younger guys getting involved and I wanted to change that," he said.

Both father and son expressed their approval of the UTU's "Diversity Issues" seminar at this year's meeting, citing the variety of nationalities that are employed on their railroad.

"We are a leader in that department, and that's a good thing," Ray said. "Our workforce is very diverse, so that workshop was helpful. We've come a long way."

Ray and Jason aren't the only Hantiuk railroaders. Ray's wife Linda is a former CP employee and Jason's wife Leanna also worked for the company before she was laid off.

**czak & Vucinovich**. For information, contact Local Chairperson **Gary Clements** at (806) 622-2170, Local Chairperson **Mike Williams** at (806) 622-1160 or Local President **Joe Romo** at (806) 622-2265.

### Local 1375, Philadelphia, Pa.

Members are mourning the loss of **Carlos Aranda**, a former Amtrak conductor recently working on Norfolk Southern, who passed away April 18 while awaiting a liver transplant, said Local Chairperson and Secretary-Treasurer **Eric Feld**.

### Local 1517, Cincinnati, Ohio

This CSXT local has a website under construction featuring announcements, news articles, information for new hires, commonly used forms and other links of interest, said Legislative Representative **Joseph Willis III**. Check the site's progress at <http://www.utulocal1517.org/colors.htm>.

### Local 1518, Indianapolis, Ind.

The 24th Annual PRR/NYC reunion will take place from 9 a.m. to 2 p.m. on July 8 at the Columbus, Ind., Holiday Inn on State Road 46 West, said retired member **R.L. Brown**, who can be reached at (812) 376-8273, or at 3170 Flintwood Dr., Columbus, IN 47203.

### Local 1697, Lubbock, Tex.

Bus locals can get on the mailing list for the new Bus General Chairperson's Association newsletter *The Connector* by contacting General Chairperson **Roy Arnold** at P.O. Box 515, Happy, TX 79042, or by e-mail at [utuoy@yahoo.com](mailto:utuoy@yahoo.com).

### Local 1741, San Francisco, Calif.

More than 40 San Francisco Unified School District bus operators in this local recently donated more than 12 units of blood, thanks to the organizing skills of **A.J. Buchter**, said Vice General Chairperson **Ange Beloy**. A hundred from the local attended the annual picnic in May, a health and welfare program for sidelined operators has been started, informational breakfasts are being hosted for new operators, and **Marilyn Mayes** was elected vice local chairperson. Meanwhile, members joined Local President **Susan Moorhead** in repairing a retired teachers' aide's home. They included Mayes, Buchter, **Meg Felts**, **Gene Guzman**, **Nolan John**, **Paul Stein**, **Jim Charas**, **Dave Kush**, **Tina Wilson**, Moorhead's nephew **James**, **Judy Blea**, **Jackie Schar**, **Friday Edia**, **George Stabile**, **Carlos Hernandez**, **Sandy Yoki**, **Rita Bosnich**, **Keva Knox**, **Brock Estes**, **Earl Phillips**, **Mark Johndall**, **Kristen Prather**, **Gwen Gray**, **Jador Castano**, **Sandra Johnson**, **Marlena Jackson**, her daughter **Etesia** and friend **Juliana**, and **Crystal Knox's** son **Josh**.

### Local 1775, Elko, Nev.

Members are mourning the loss of WWII veteran and former retired Western Pacific conductor and Vice General Chairperson **W.A. "Bill" Hoxsey** of Local 1775 (Elko, Nev.) who succumbed on May 28 to injuries sustained in a fall, said Local Chairperson **Rod Nelms**.

### L-1778 & 1923, N. Vancouver, B.C.

The theme of the summer issue of UTU Locals 1778 and 1923 newsletter, *The Meeting Point*, is "Individual Action," said Secretary-Treasurer **David Moorhouse**. Access it on the BC Rail locals' shared website at <http://www.utubc.com>.



# State Watch *News from UTU State Legislative Boards*

## Tennessee

State Legislative Director **Jerry Anderton** reported that on April 11 Gov. Phil Bredesen signed into law H.B. 670/S.B. 291, legislation that revises the Passenger Contract Carrier Safety Act of 2002 (PCCSA) and requires every contract van driver to maintain a logbook of hours on duty for the past 30 days.

The revision, which took effect July 1, was in response to UTU complaints over violations of the PCCSA by contract carriers.

Drivers' logbooks must be presented for inspection to a law enforcement officer or to any passenger upon request.

Violations of the law are a Class C misdemeanor punishable by a \$50 fine on the driver, the employer or both for each violation.

"The fact that we were able to move this bill through the General Assembly ahead of the budget and lottery legislation is a tribute to our friends in both the House and the Senate, who again came to our aid. Many of these elected representatives would not be there except for our contributions to TPEL and our active support at the polls," Anderton said.

## West Virginia

Legislation signed into law by Gov. Bob Wise now regulates the number of hours that intrastate for-hire carriers (taxi drivers) who transport passengers can operate in the state, according to State Legislative Director **Mark Mewshaw**.

H.B. 3056 requires that drivers on duty for 15 hours, or who have driven for 10 consecutive hours, must have at least eight consecutive hours of rest before returning to service. The law also requires drivers to maintain records for six months regarding their on-duty time and driving time.

Mewshaw expressed his appreciation to Assistant State Legislative Director **Jim Selbe** (L-915), Legislative Representatives **Mark Woosley** (L-1172) and **Rick Chapman** (L-1062), and Secretary/Treasurer **Jeff Greene** (L-605) for their assistance in getting this legislation passed.

## Oregon



Members of UTU Local 117 at Vancouver, Wash., attending the Seattle, Wash., regional meeting, presented a check to Oregon State Legislative Director Delmer Hanson to be deposited into the state legislative board's fund. The members of Local 117 presented the check to Hanson for the "excellent service" the Oregon Legislative Board provides to members working in both Washington and Oregon. Pictured, from left, are Lynn Brown, Robert Hodous, Local Chairperson Dirk Sampson, Secretary/Treasurer Sam Hendrix, Legislative Representative Harry Ziehler, Hanson, Mark Flanigan, International President Byron A. Boyd Jr. and Local Chairperson Andy Traverso.

He also thanked Delegates Brent Boggs (D), the main sponsor of the legislation in the House of Delegates, John Pino (D) and Barbara Bobbie Warner (D), chairperson of the House Transportation Committee, and State Senators Truman Chafin (D) and Jeffrey Kessler (D).

## Iowa

State Legislative Director **Pat Hendricks**, on May 27, presented a railroad safety program to approximately 150 first- and fifth-grade students from Crestview Elementary School in connection with the Clive Historical Society Open House in Clive, Iowa.

The historical society was celebrating the opening of the newly restored train depot, caboose and general store.

The students were each given paper UTU railroad hats, UTU coloring books and other materials regarding railroad safety.

Many teachers and parent volunteers were also in attendance.

## Missouri

The Burlington Northern Santa Fe and the Kansas City Terminal Railway have again appealed a decision by the Missouri Administrative Hearing Commission ordering the railroads to reopen a rail crossing at 12th Street and Santa Fe in Kansas City.

The June edition of the *UTU News* reported that the commission had found the railroads failed to ensure that the public safety was not diminished when the carriers closed the crossing.

The UTU's Missouri State Legislative Board had opposed an application by the railroads to permanently close the crossing at the request of Legislative Representative **Curt Jones** and former Local 5 Chairperson **Glenn Ritter**.

On May 27, State Legislative Director **W. Larry Foster** was notified by Attorney Jason Keck of the Hubbell, Peak, O'Neal, Napier and Leach law firm that the railroads had again appealed the commission's decision.

"I guess when this amount of money is at issue, they will try everything," Keck said.

## North Carolina

State Legislative Director **Richard Westbrook** and Assistant Legislative Director **Glenn Lamm** attended the Forum on Freight Mobility and Economic Prosperity on May 23 at the University of North Carolina Wilmington campus.

The program examined freight transportation via railroad, ground, air and marine carriers from the perspective of major North Carolina businesses and guest speakers included Gov. Michael Easley, State Rep. Dan McComas and Wilmington Mayor Harper Peterson.

Westbrook said UTU was the only voice from labor in attendance at the meeting.

## Arizona

Brad Coffey, son of UTU member **Steve Coffey**, was proud to introduce Gov. Janet Napolitano as a guest speaker for his political science class at Taylor Junior High School in Mesa, thanks to the efforts of the state legislative board.

## Bus Department

By **Percy Palmer**, vice president-director

### Bus transportation the way to go

Safety is always our priority and, statistically, buses are the safest mode of public transportation.

Economically, buses are inexpensive to operate. Environmentally, just look at the number of people who can fit on one bus compared with the same number of people driving their private automobiles. Buses reduce pollution. As far as flexibility, buses can change routes to accommodate the needs of the riding public. As drivers, we must keep up with these changes. The requirements to qualify as a bus driver are becoming much more stringent, due to a more safety-conscious public. However, most serious accidents which prompt the implementation of these restrictions usually occur with the "Mom and Pop" bus owners or non-union companies. They do not have the resources to properly maintain their buses, and their drivers are underpaid and mistreated.

With unionized companies, the drivers are better paid and do not have to overwork themselves to make ends meet. We are able to focus on hours of service and fatigue, as well as challenge these companies on safety issues, without the fear of being terminated. This is a very good time to be a union-affiliated bus driver. There is a universal shortage of well-qualified bus drivers.

When there is a shortage of personnel in this country (nurses or teachers, for example) companies typically hire from other countries. Non-union bus companies cannot afford to do that and the union companies, with better pay and benefits, are hiring their drivers. This amounts to the age-old problem of supply and demand, upon which we should capitalize at the bargaining table.



## Yardmasters

By **Don Carver**, asst. to president/director

### Cooperation is key to success of all

Cooperation and teamwork are cardinal principles of good union representation. Officers and members who share a common direction and a sense of community can achieve goals more quickly and easily because of the strength drawn from one another.

Many great lessons are learned from the study of nature. When you see geese heading south for the winter, flying in "V" formation, you might consider what science has discovered as to why they fly that way. As each bird flaps its wings, it creates uplift for the bird immediately following. By flying in a "V" formation, the whole flock adds at least 71% greater flying range than if each bird flew alone. It is believed that geese honk from behind to encourage those in front to keep up the speed.

Get involved. When a sister or brother is having a difficult time handling the load, offer to assist. Lend a helping hand. When your representatives have resolved a problem or settled a dispute, let them know that you appreciate their hard work and achievements.

My family and I wish to express our heartfelt thank you for many expressions of sympathy in the form prayers, flowers, and cards during our time of grief following the untimely death of my sister.



**Byron A. Boyd Jr., International President**

**Paul C. Thompson, Assistant President**

**Daniel E. Johnson, Secretary/Treasurer**

**James M. Brunkenhoefer, Nat. Legislative Dir.**

## Contact the UTU:

via telephone at (216) 228-9400

via fax at (216) 228-5755

via e-mail at [utunews@utu.org](mailto:utunews@utu.org)

via the Internet at <http://www.utu.org>

## The lives of many persons depend upon our diligence

The world is a dangerous and scary place. No where is the danger greater than where we work: on the rails, on the highways and in the air.

On Sept. 11, 2001, we witnessed what horrors 19 men, armed only with hatred and box cutters, could inflict on thousands of innocent civilians.

A "chilling reminder" is how *The New York Times* described the recent arrest of an Ohio truck driver with alleged Al Qaeda ties, who is said to have confessed a plot to blow up the Brooklyn Bridge in New York City and derail a train in Washington, D.C.

Other plots, fortunately, also have been uncovered and diffused.

The perpetrators of intended extreme hate crimes do not signal their deadly plots.

They are uncovered through meticulous detective work, aided by alert, concerned and cooperative human beings.

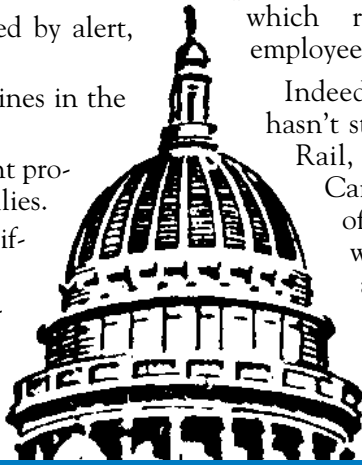
Every minute of every hour of every day we are on the front lines in the fight against terrorism.

We are the eyes and ears so essential to helping law enforcement protect our passengers, our fellow citizens, our neighbors and our families.

The world was changed for the worse on 9/11. We can make a difference.

We must remind ourselves, prod ourselves and dedicate ourselves to being alert, knowing where and to whom to report suspicious activity and be prompt in doing so.

Untold lives DO depend upon our diligence.



## WASHINGTON WATCH

By James Brunkenhoefer

## It's time to return the favor done by TPEL

Just before the 2002 elections, a majority of lawmakers – cheered by the media – thought they had lashed on to a hot, get-the-voters-attention issue – campaign-finance reform.



The legislation, which became law, changed the rules on how political campaigns are financed. Soft money (contributed to a political party rather than a specific candidate and with no giving limits) was banned, while the amount of personal contributions per-candidate, per-election was doubled – from \$1,000 to \$2,000.

The results are not what were expected by many. It appears the big losers are the congressional minority – Democrats, who depended most upon soft-money.

No wonder Republicans are smiling as if they are the cat that swallowed the canary. Republicans depend largely on individual contributions from those with enough disposable income to write multiple campaign checks for \$2,000 each.

Although the UTU is bipartisan and contributes to its friends regardless of party affiliation, we have many more friends in the Democratic Party than in the Republican Party. And because Democrats "lost" as a result of campaign-finance reform, owing to the ban on soft money, Democrats (and many labor-friendly Republicans) have become more dependent on political action committees (PACs), such as TPEL. The rules on PAC contributions were not changed.

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## Unity crucial for rail labor

By Byron A. Boyd Jr.  
International President

Once upon a time in North America there were more than 1,000 major railroads. There were more than one million railroad employees as recently as 1955 and state full-crew laws mandated up to six members on every operating crew.

As carriers merged, they became stronger financially, politically and at the bargaining table. By 1980, only about 30 major railroads remained, rail employment had been slashed to fewer than 500,000 and carrier political muscle caused all full-crew laws to be repealed. As bad as that was, they were the good old days.

Only seven major rail systems remain today: Canadian National, Canadian Pacific, Burlington Northern Santa Fe, CSX, Kansas City Southern, Norfolk Southern and Union Pacific. There are fewer than 200,000 employees on major railroads in the U.S. and Canada.

In the U.S. and Canada, lawmakers, regulators and the courts see merit in virtually all rail-merger applications – applications that promise further cost cutting, which really means further employee reductions.

Indeed, rail consolidation hasn't stopped. Control of BC Rail, a regional carrier in Canada, is the objective of CN and CP, with the winner likely to become an even more attractive merger candidate to one of the U.S. majors. Meanwhile, in the U.S., Kansas

City Southern is in the process of gaining 100% control of TexMex plus Mexico's largest railroad. That is seen by some financial analysts as a prelude to a BNSF-KCS-NS-CN alignment that would quickly prompt a CSX-UP-CP consolidation.

Do you notice something missing in this picture? As railroads have consolidated and strengthened their hand at the bargaining table and in the political arena, railroad unions have remained fractured.

There is greater need today for a single, powerful voice among rail labor to provide protection for every rail employee. Now is not the time for rail labor to be pulling apart, nor is it the time for rail labor to keep its head in the sand and think or pretend that business as usual will be successful.

The next merger – next month or next year, but certainly not far into the future – could be truly international and truly transcontinental. Rail labor must adapt. Rail labor must match the strength of the carriers at the bargaining table and before state and national legislatures.

Rail labor cannot be strong and successful without being united. One of the clearest lessons of history is that operating employees gain more by standing together as one organization for the betterment and protection of train and engine service employees.

In union there is strength and the union of all operating crafts into a single organization remains the most effective way to protect and improve paychecks, benefits and working conditions.



Boyd



## Rail workers awarded damages against BLE, VIA Rail

OTTAWA – The Canada Industrial Relations Board (CIRB) has ruled that many of almost 230 former UTU-represented VIA Rail conductors who lost their conductor and assistant conductor positions at VIA Rail are entitled to losses of wages and potential earnings. These losses could be as much as C\$230,000 each and collectively total in the tens of millions of dollars. In the alternative, many of the conductors and assistant conductors could be allowed to train as a locomotive engineer with their full train-service seniority.

These damages flow as retribution following the CIRB's finding of serious violations of Canadian labor laws by the Brotherhood of Locomotive Engineers with the compliance of VIA Rail. The BLE and/or VIA Rail are liable for the payments on a basis yet to be determined, said the CIRB.

In 1997, VIA Rail, (the Canadian government-owned national intercity rail passenger carrier), moved to combine the crafts of conductor and locomotive engineer into a single craft and bargaining unit of "operating engineer" (later changed to "locomotive engineer" at the insistence of the BLE). VIA Rail promised to treat all employees equally. However, the BLE and VIA Rail later negotiated a very different result.

Following this 1997 decision, the CIRB directed that there was to be a representation election amongst the two operating crafts. The BLE was successful and gained exclusive bargaining rights for this new single craft. The vote, very narrowly favoring the BLE, said the CIRB, was "close" and turned, in part, on BLE promises to provide craft autonomy, separate committees of adjustment for former conductors and assistant conductors, equal access to engineer training, and assurances that those conductors and assistant conductors not promoted to positions of locomotive engineer on VIA Rail could flow back to prior positions within the UTU's ranks at Canadian National Railways.

Following the election, a new contract was negotiated in June 1998 between the BLE and VIA Rail covering the new craft of locomotive engineer. The result of this contract was that all conductor positions at VIA Rail were immediately eliminated and with the concurrence of the BLE. Furthermore, although not one of the BLE-represented engineers lost their jobs at VIA Rail, the very great majority of the former UTU-represented conductors lost their jobs at VIA Rail since most were not offered training in the small group of locomotive engineer positions that were made available to this group.

Subsequently, an "unfair labor practice" complaint was filed with the CIRB by the former VIA conductors and assistant conductors, who previously were represented by the UTU. They charged the BLE had represented them in a

manner that was "arbitrary, discriminatory and in bad faith."

The former conductors and assistant conductors alleged the BLE had made false promises prior to the representation election. More specifically, it was alleged the BLE failed to create conductor general committees of adjustment as promised, failed to provide craft autonomy as promised and had acted in a discriminatory and prejudicial manner toward conductors and assistant conductors by signing an agreement with VIA Rail that failed to provide conductors and assistant conductors with the necessary training to perform duties of the new craft.

In 1999, the CIRB ruled in favor of the conductors. It ordered VIA Rail and the BLE to renegotiate the crew consist agreement as it applied to the selection process, provide training for the new locomotive engineer positions and establish seniority lists for conductors and assistant conductors.

In May 2003, the CIRB – which accused VIA Rail and the BLE of delaying the final decision through "a flurry of legal proceedings" – issued new, more specific

and harsher remedies.

VIA Rail was ordered to reform the seniority system and the process by which locomotive engineers are trained and selected from the ranks of the former UTU represented Via Rail conductors. Also, both VIA Rail and the BLE are to be held responsible either jointly or severally to reimburse many of the adversely affected former conductors and assistant conductors for any lost earnings or potential earnings, and also to pay all legal fees and expenses incurred by the former UTU-represented conductors and assistant conductors who filed the complaint.

The CIRB said, "What these proceedings have brought to light is the BLE's recklessness in telling the conductors and assistant conductors that they would be able to return to similar positions at CN without ensuring beforehand that these rights were indeed available." The CIRB said "the BLE failed to uphold a reasonable standard of competence in representing its members and, in this regard, is accountable to them for its shortcomings."

"There is no doubt that this latest decision is one of the most important and largest damage awards against a union (the BLE) in history," said UTU Vice President Guy Scarrow. "It is also one of the most far-reaching decisions. The end result to either the BLE and/or VIA Rail could result in tens of millions of dollars in damages, including the costs to train as many as 100 former UTU-represented conductors and assistant conductors to become fully qualified locomotive engineers," Scarrow said. "The CIRB ordered the BLE and VIA Rail to produce further information following which the UTU and Cairns group will have the opportunity to present their demands for just compensation."

**"The BLE failed to uphold a reasonable standard of competence in representing its members...."**

## UTUIA announces 2003/2004 scholarship winners

### District 1

Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont

Ashley C. Voss, daughter of Peter C. Voss of Local 1440, Staten Island, N.Y.; Tara L. Fricchione, daughter of James E. Fricchione of Local 645, Babylon, N.Y.; James J. Policastro, son of James J. Policastro of Local 1370, New York, N.Y.; Thomas F. Zinno, son of Nancy Ann Zinno of Local 1951, Albany, N.Y.; Peter J. Frager, son of Edward I. Frager of Local 1400, S. Portland, Maine.

### District 2

Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania

Cali A. Smith, daughter of Atno Smith of Local 1949, Baltimore, Md.; Taryn M. Downing, daughter of Robert J. Downing of Local 1374, New Castle, Pa.; Lauren L. Willard, granddaughter of Richard A. Willard of Local 602, Williamsport, Pa.; Michael J. D'Alessandro, grandson of Daniel F. Dwyer of Local 1949, Baltimore, Md.; Andrew D. Tumolo, son of Dennis L. Tumolo of Local 61, Philadelphia, Pa.

### District 3

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia

Thomas P. Messer, grandson of Pierson E. Messer of Local 903,

Jacksonville, Fla.; Amanda J. Cannon, daughter of Julius M. Cannon of Local 1053, Selma, Ala.; Michael N. Randolph, grandson of Robert L. Randolph of Local 1386, Parkersburg, W. Va.; Christopher R. Smith, grandson of Richard F. Randall of Local 847, Birmingham, Ala.; Tiffany E. Gross, daughter of Daniel D. McGough of Local 847, Birmingham, Ala.; Jason A. Stroud, son of Carlton A. Stroud of Local 674, Augusta, Ga.; Shelby E. Dickens, daughter of Denver F. Dickens of Local 753, Memphis, Tenn.; Charles W. Sauls, son of Charles F. Sauls of Local 903, Jacksonville, Fla.

### District 4

Indiana, Michigan, Ohio

Jason T. Schroeder, grandson of Patricia A. Pshock of Local 6666, Cleveland, Ohio; Andrew M. Serfozo, son of James E. Serfozo of Local 586, Willard, Ohio; Randall J. Dunbar, grandson of Raymond W. Hamby of Local 904, Evansville, Ind.; Dana L. Nowak, granddaughter of Richard A. Nowak of Local 320, Saginaw, Mich.; Megan M. Johnson, granddaughter of Jene E. Norton of Local 313, Grand Rapids, Mich.; Whitney A. Hammersmith, daughter of Aaron A. Hammersmith of Local 225, Bellevue, Ohio.

### District 5

Illinois, Wisconsin

Tyler J. Rhea, grandson of Hendrik H.

Akerboom of Local 322, Milwaukee, Wis.; Matthew K. McCarter, grandson of Robert Rich of Local 453, Clinton, Ill.; Lindsey A. Stark, granddaughter of Benjamin O. Buckley of Local 322, Milwaukee, Wis.; John W. Minor, son of James L. Minor of Local 312, Madison, Wis.

### District 6

Arkansas, Louisiana, Oklahoma, Texas

Charles E. Ford III, son of Charles E. Ford Jr. of Local 770, Heavener, Okla.; Courtney A. Powell, daughter of Dale Powell of Local 1545, Monroe, La.; Micheri A. Comeaux, daughter of Michael R. Comeaux of Local 659, Leesville, La.; Jeffrey J. Moore, son of Jeffrey J. Moore of Local 857, San Antonio, Tex.; Bruce L. Goodman, son of Ronald E. Goodman of Local 462, Pine Bluff, Ark.

### District 7

Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota

Nathan D. Smith, grandson of Leonard L. Gordon of Local 412, Kansas City, Kan.; Jacob D. Collins, son of Herbert H. Collins III of Local 643, Fort Madison, Iowa; Tara K. Fermoye, daughter of Thomas F. Fermoye of Local 1137, Fargo, N.D.; Katie L. Brown, granddaughter of Lloyd A. Winter of Local 1614, St. Paul, Minn.; Katie T. Busch,

daughter of Richard D. Busch of Local 367, Omaha, Neb.; Casey D. Schwartzkopf, son of Bradley D. Schwartzkopf of Local 257, Morrill, Neb.

### District 8

Arizona, California, Colorado, Nevada, New Mexico, Utah

Christopher A. Johnson, son of Richard A. Johnson of Local 202, Denver, Col.; Stefanie M. Russell, daughter of Donald R. Russell of Local 1168, Clovis, N.M.; Rebecca M. Rodriguez, daughter of Roberto M. Rodriguez of Local 1565, West Hollywood, Cal.; Jennifer L. Neurauter, daughter of Ernest L. Neurauter of Local 202, Denver, Col.; Erik Bayona, son of Eduardo H. Bayona of Local 1565, West Hollywood, Cal.; Staci L. Baker, daughter of Randal L. Baker of Local 204, Pueblo, Col.; Ashley B. Libro, daughter of Dennis W. Libro of Local 1043, Sparks, Nev.; April K. Roach, granddaughter of Odis D. Roach of Local 1168, Clovis, N.M.

### District 9

Alaska, Idaho, Montana, Oregon, Washington, Wyoming

Nicholas W. Myers, son of William I. Myers of Local 324, Seattle, Wash.; Mason B. Oswald, son of Michael J. Oswald of Local 265, Pocatello, Idaho; Emily M. Roche, granddaughter of Garner A. Lewis of Local 265, Pocatello, Idaho.





# Seattle regional meeting photo scrapbook



After urging those in attendance to "add value to their jobs," National Transportation Safety Board member John Goglia spoke with International President Byron A. Boyd Jr.



Burlington Northern Santa Fe Vice President of Labor Relations Dave Dealy, center, responds to questions posed by Local 1957 (Silsbee, Tex.) Local Chairperson Mark Allbright, left, and Local 773 (Galveston, Tex.) Secretary/Treasurer Richard A. Turner.



Local 239 (Oakland, Cal.) Alternate Delegate Brian Lewis, center, explains the workings of a locomotive remote control unit to Local 471 (Eugene, Ore.) Local Chairperson Greg Boam, left, and Local 1420 (Memphis, Tenn.) Local Chairperson Stephen Rye.



From left, Assistant President Paul C. Thompson, Local 84 member Jesse Bryant Jr. (who was honored at the regional meeting for heroism following a passenger-train crash); International President Byron A. Boyd Jr., and Past President Al H. Chesser share a moment after the President's Banquet.



UTU Human Rights Committee Chairperson Ray Cunningham, left, speaks with Designated Legal Counsel Coordinator Monte Bricker.

**“ We must invest in railroads. We must support public and private investments that will put people to work now and provide tangible projects that will serve us many years into the future. I will stand by you. I will ride with you.”**

**– Cong. Brian Baird (D-Wash.)**



Washington Cong. Brian Baird (D), fourth from left, greets UTU friends (left to right) Mitch Newell (secretary/treasurer, Local 977, Pasco); State Legislative Director Tom Retterath; John Hardy (local chairperson, Local 977, Pasco); Judy Larkin (wife of Jim Larkin); William Cox (delegate, Local 977, Pasco); Andy Sanderson (Local 977, Pasco), and Jim Larkin (local chairperson, Local 426, Spokane).

**“ Without the long history of collective strength of union members supporting the Railroad Retirement system, Railroad Retirement would have been out of business a long time ago. It would have gone the way of other pension plans and been a victim of corporate abuse and greed. I'd be remiss if I didn't say I am extremely proud of your president who led the way and laid it all on the line.”**

**– V.M. "Butch" Speakman, labor member, U.S. Railroad Retirement Board**



Railroad Retirement Board Labor Member Butch Speakman addresses regional meeting attendees.



UTUIA Field Supervisors Ron Tokach and Local 838 (Philadelphia) Local Insurance Representative and Delegate John McCollum discuss insurance needs with Local 1813 (West Colton, Cal.) Local Chairperson and Delegate Richard Rema and wife Lynda.



General Secretary and Treasurer Dan Johnson, left, spends a moment with Vice President C.A. "Tony" Iannone.

**“ Labor has to act differently than it has in the past. We have to change. Today, if you don't add value to operations, you become a liability and are subject to being cut off. You can fight new technology and have it jammed down your throat, or you can mold it and make the best deal you can. You realized change was coming and it is very refreshing to have union leaders who think out of the box.”**

**– John Goglia, National Transportation Safety Board (NTSB) member and the only union member ever to serve on the NTSB.**



From left, Vice President and Director of the Bus Department Percy Palmer, with wife Ann; Local 1608 (Chatsworth, Cal.) Treasurer and Delegate Franz VonKruger and wife Nancy, and Local 1584 (Lancaster, Cal.) member Terri Stewart.



Assistant to the President–Yardmasters Don Carver, left, greets David and Janet Otten. David is local chairperson of Local 1962 at Toledo, Ohio.



Urging support for Operation RedBlock, which helps combat drug and alcohol abuse, are, from left, Local 1962 (Toledo, Ohio) Delegate Doyle Turner; RedBlock representatives George Muneio and Dale Young, and Federal Railroad Administration Program Director for Drugs and Alcohol Lamar Allen, who conducted a workshop on drug and alcohol issues.



## Retired bus operator played historic role

One of the longest manned work stoppages in labor history occurred between 1972 and 1975, and at the center of it was the late Brother **William C. "Bill" Dize, Jr.**, a retired bus operator who died on May 6 at age 72.

Retired former UTU Vice President and Bus Department Director **Kenneth M. Moore** and retired former District of Columbia Legislative Director **Bob Beard** recently supplied information about Dize to raise awareness among UTU members of the role played by one of their own.



Bill Dize

Dize began driving for Trailways (Safeway Trails) in the mid-1950s and joined Brotherhood of Railroad Trainmen Lodge 1023, which became UTU Local 1699 in Washington, D.C.

The local represented employees in the east's busiest corridor, with members in five states and the District of Columbia. Dize served as grievance committee chairperson, and with monthly meetings in D.C., Philadelphia and Camden, N.J., he traveled constantly.

The property had been hit by strikes in 1965 and 1969 prior to the one beginning in 1972. "During that three-year period," said Beard, "picket lines were manned 24 hours a day, seven days a week in D.C., Baltimore, Philadelphia and New York City."

During that strike, Local 1699 went broke and had its charter revoked. After the strike, Dize made it his priority to reinstate the charter and set up elections. In 1976, he was elected local chairperson, and in 1979, when Dize suggested the local needed a full-time general chairperson, he was elected to the post.

Dize held that position until 1987, when Greyhound bought out the Continental Trailways System and the local was retired for good. Still, Dize continued to assist operators in their quest for seniority rights.

Soon after 1987, all Trailways records were destroyed, with Dize alone serving as a source of information for workers for more than a decade until his death.

Brother Dize, survived by his wife Nancy and three children, will be missed.

## Congress works to add Medicare Rx drug benefit

WASHINGTON, D.C. – Congress continued to grapple with a landmark expansion of Medicare centering around prescription drugs as this issue reached deadline.

The House and Senate were honing separate measures, with legislation in each chamber similar in many respects, but the House relying more on private sector forces.

Both measures would provide \$400 billion over 10 years to add a prescription drug benefit to Medicare and change the program to expand the role of private medical networks, such as preferred-provider organizations.

Under the Senate bill, seniors would pay a \$35 monthly premium and a \$275 deductible to have half their drug costs covered up to \$4,450 a year. After that, coverage would stop until drug costs hit about \$5,800. Coverage would then kick in again, picking up 90% of costs.

The Senate measure also would let seniors enjoy drug coverage whether they stayed in government-run Medicare or chose a private health

plan. Those who stayed in traditional Medicare would buy a drugs-only policy from private insurers. If two plans were not available in a region, Medicare would offer fallback coverage.

The House measure offers a smaller deductible of \$250 and would channel more benefits to people with lower drug costs. Medicare would pay 80% of costs up to \$2,000 in drug spending and 100% of costs after a person's out-of-pocket expenses exceeded \$3,500, a threshold that would be set higher for people earning more than \$60,000 a year.

The House measure dropped the government fallback provision found in the Senate bill, leaving accessibility to drug insurance entirely to the private sector. The bill also would eventually require the traditional fee-for-service Medicare program to compete with private health plans. Beginning in 2010, Medicare would join other plans in submitting bids to offer coverage. If Medicare costs were higher than private plans, beneficiaries would have to pay higher premiums.

## Groundwork laid for UTU for Life chapters

CLEVELAND, Ohio – Interest in starting local chapters of the UTU for Life program is growing, with a number making inquiries at the recently concluded regional meeting in Seattle, Wash., said Coordinator **Jim Shelley** of Local 556 in Tacoma, Wash.

UTU for Life is an expansion of the UTU Retiree Program aimed at bringing UTU retirees and active members together for fellowship, information and political action.

A new chapter in Pocatello, Idaho, was set to meet as this issue reached deadline, thanks to the efforts of **Francis J. McCarty** of Local 265 in Pocatello. Contact McCarty by writing to him at 630 Redman St., Pocatello, ID 83202, or call him at (208) 637-0310.

An Oceanside, Calif., chapter also is to meet July 7, with UTU California State Legislative Director **J.P. Jones** set as guest speaker. For information, contact **Lawson L. Chadwick** of Local 84, Los Angeles, by writing to 5059 Nighthawk Way, Oceanside, CA 92056, by calling (760) 945-5365, or by e-mail at LLCHAD@cox.net.

For information about the Seattle/Tacoma chapter, or to find out how to set up a chapter in your area, contact Jim Shelley by writing to him at 21 E. Johnson Dr., Sequim, WA 98382, or call him at (253) 691-6576.

## UTU's first Amtrak local chairperson dies

HOLLYDALE, Calif. – **Isaac "Ike" Wilson**, who became the first UTU-represented Amtrak local chairperson for trainmen in 1985, passed away Tuesday, June 3, after a lengthy illness. He was 74 years old.

Wilson hired out on the Santa Fe as a yardman in 1952, said former BNSF General Chairperson **C. D. "Bud" Davis**. He served as local chairperson for yardmen on the ATSF prior to becoming an Amtrak local chairperson when the passenger carrier assumed operations in 1985. He continued to serve on the board of trustees of the Santa Fe Employees' Hospital Association, representing Amtrak employees after his retirement.

## THE FINAL CALL

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

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
2	Osgood, Bertram G.	Waterville, Ohio	486	Rice, Howard R.	Harlowton, Mont.	1074	Hallam, Clifford	Monessa, Pa.
5	Buffington, William F.	Kansas City, Mo.	632	Robinson, Albert T.	South Fork, Pa.	1168	Crume, Floyd A.	Clovis, N.M.
84	Wilson, Isaac	Hollydale, Calif.	662	Dover, Charles T.	Mechanicsville, Va.	1177	Merten, L. J.	St. Cloud, Minn.
234	Gilbert, H.E.	Sun City, Ariz.	674	Andrews Jr., Elbert T.	Augusta, Ga.	1292	Olson, Dewayne H.	Duluth, Minn.
298	Kreider, Jon C.	Ft. Wayne, Ind.	730	Brand, Joseph W.	Helena, Mont.	1376	Taylor, Richard C.	Columbus, Ohio
306	Feeley, Ed	Eagle Grove, Iowa	734	Phillips, George A.	Kalamazoo, Mich.	1399	Bays, David E.	Terre Haute, Ind.
306	Terry, John	Eagle Grove, Iowa	856	Duffy Sr., Francis B.	Bangor, Maine	1491	Buss, Carl F.	Wilburton, Okla.
313	Peterson, Elmer D.	Grand Rapids, Mich.	927	Wilhelm, Thomas A.	Shelby Twp., Mich.	1501	Nelson, George E.	River Ridge, La.
316	Brown, Frank R.	Boone, Iowa	942	Summerlin, Oliver S.	Florence, S.C.	1502	Williamson, Ronald L.	Wildwood, Fla.
311	Matias, Earl R.	La Crosse, Wisc.	982	McCarty, Walter E.	Las Cruces, N.M.	1545	Hoffman, Raymond W.	Monroe, La.
322	Dehnel, Marvin E.	Fond Du Lac, Wisc.	991	Albaugh, Dells E.	Uhrichsville, Ohio	1574	Capps, William H.	Ocean Park, Wash.
426	Rowley, Edward A.	Spokane, Wash.	991	Oakes, Clifford T.	E. Liverpool, Ohio	1607	Vejar, Alfonso G.	Los Angeles, Calif.
453	Thompson, Hermas B.	Clinton, Ill.				1775	Hoxsey, William A.	Winnemucca, Nev.
						1840	Dykstra, C. J.	Glasgow, Mont.
						1974	Williams, Clarence D.	Mesquite, Tex.



# UTU officers meet with DOT's Mineta, FRA's Rutter

WASHINGTON, D.C. – UTU International President Byron A. Boyd Jr., Assistant President Paul Thompson, National Legislative Director James Brunkenhoefer and Alternate National Legislative Director James Stem spent the first week of June meeting with top federal transportation officials to make clear UTU's position on Amtrak, bus and rail safety and transportation security.

Among meetings held were hour-long private sessions with Transportation Secretary Norman Mineta and his policy staff, as well as with Federal Railroad Administrator Allan Rutter.

Boyd and Brunkenhoefer outlined for Mineta and Rutter the economic and safety reasons for preserving a national intercity rail passenger network. Their views were invited by Mineta and Rutter, who are being pressured by conservatives to separate Amtrak's Northeast Corridor into separate operating and infrastructure companies and to privatize other portions of Amtrak.

They also explained to Mineta a problem with recently issued bus-safety regulations and made a plea for urgent action on not subjecting rail operating crews to extensive background checks that could result in arbitrary loss of employment. In a separate meeting with Rutter, Boyd detailed why the Federal Railroad Administration should not prohibit remote control operators from riding on the side of rail cars.

"The fundamental Amtrak problem is a lack of sufficient capital," Boyd said. "Putting a chain saw to Amtrak and inviting speculators to bid on operating Amtrak routes does nothing to solve Amtrak's lack of money for new equipment and appropriate maintenance. No passenger rail system in the world is profitable. Expecting Amtrak to turn a profit ignores the public's overwhelming and vocal support to maintain and expand a national intercity rail passenger network in the face of airline terror threats, intolerable highway delays and an aging population that demands mobility," Boyd said.

"If you have a fragmented rail passenger system, it no longer is national and you no longer have national support," Boyd said. "The federal government has supported freight rail mergers precisely because fragmentation is neither cost nor service efficient. Going in the opposite direction with Amtrak flies in the face of existing policy and economic logic."

Rutter is on record with Congress that lawmakers should recognize the crucial role that intercity passenger rail service plays in America's overall transportation system. Administration and congressional leaders have acknowledged how UTU lobbying and grass roots activism have assured continued federal funding for Amtrak over the past couple of years in the face of strong attempts by some in Congress to kill or dramatically scale back Amtrak operations. Boyd consistently has stressed UTU's willingness to work with Amtrak President David Gunn to improve the carrier's efficiency.

Brunkenhoefer reinforced the conversation with Mineta on bus safety by



UTU National Legislative Director James Brunkenhoefer, left, with Transportation Secretary Norman Mineta, center, and FRA Administrator Allan Rutter prior to a working session in Mineta's private conference room at DOT Headquarters in Washington, D.C.

handing the secretary a letter asking that the Bush Administration support UTU-proposed legislative language to solve a problem identified by California State Legislative Director J.P. Jones. "The proposed legislative language would relieve problems of a 1999 law that eliminates the right of individual states to shield and/or mask certain convictions against commercial drivers. Those convictions could result in license suspension and destruction of a career," Brunkenhoefer said.

Boyd and Brunkenhoefer also made a plea for immediate action by the transportation secretary to head off an initiative by the Department of Homeland Security and Justice Department to require extensive background checks of all rail employees involved in the transportation of hazardous materials.

Also, Boyd followed through on a request by numerous UTU-members concerned that railroads – at FRA's urging – are considering prohibiting (and in some cases have prohibited) them from riding on the sides of rail cars while engaged in remote-control yard operations. "The risk from slips, trips and falls while walking alongside cars in mud, ice and snow is far greater than a chance of injury while being in a four-point or three-point stance on the side of a rail car," Boyd said.

Prior to the meeting with Rutter, Boyd and Assistant President Paul Thompson met with RCL operators at several yards who urged that FRA not issue regulations prohibiting the practice. It was pointed out that Union Pacific, for example, is equipping RCL crews with miner-type lanterns built into hard hats and clip-on microphones so that RCL operators have both hands free at most times. Also, with RCL operations, there are far fewer radio communications, the crews told Boyd and Thompson.

## TPEL HONOR ROLL

Individuals who have begun contributing to TPEL or increased their donations to \$100 or more, per year, during the previous two months

Name	Local	City	Name	Local	City
<b>PLATINUM CLUB (\$1,200 OR MORE PER YEAR)</b>					
Rabb III, Lloyd L.	807	Tucson, Ariz.	Wallace, Mark W.	426	Spokane, Wash.
Nelson, Frederick L.	1544	Maywood, Calif.	Boykin, David Richard	462	Pine Bluff, Ark.
Britt, Donald S.	1570	Roseville, Calif.	Graves, Christopher G.	462	Pine Bluff, Ark.
<b>DOUBLE DIAMOND CLUB (\$600 OR MORE PER YEAR)</b>					
Huschka, Joseph L.	486	Glendive, Mont.	Price, Ray Wesley	462	Pine Bluff, Ark.
<b>DIAMOND PLUS CLUB (\$400 OR MORE PER YEAR)</b>					
Mefford Sr., Bill D.	258	Savanna, Ill.	Walters, Richard W.	462	Pine Bluff, Ark.
Damian, Cesar	577	Northlake, Ill.	Koontz, Michael W.	473	La Grande, Ore.
Foster, Roy G.	1106	Rocky Mt., N.C.	*Adams, John K.	490	Princeton, Ind.
<b>DOLLAR-A-DAY CLUB (\$365 OR MORE PER YEAR)</b>					
Dale, Kevin P.	226	Moberly, Mo.	*Bishop, Jackie L.	490	Princeton, Ind.
Mees, Kim R.	486	Glendive, Mont.	*Dobson, Jim	490	Princeton, Ind.
Davis Jr., Rexford F.	622	Birmingham, Ala.	*Drury, John C.	490	Princeton, Ind.
Roy, Jay C.	1245	Atlanta, Ga.	Fugate, Brian A.	490	Princeton, Ind.
UTU Aux. Lodge 489		San Antonio, Tex.	Kleinschmidt, Aaron R.	490	Princeton, Ind.
<b>DIAMOND CLUB (\$300 OR MORE PER YEAR)</b>					
Wierciszewski, Stanley	469	Madison, Ill.	McGowan, Jason G.	490	Princeton, Ind.
Malone, Steven B.	473	La Grande, Ore.	Peach, John Gregory	490	Princeton, Ind.
Goodman, Christopher	490	Princeton, Ind.	*Turner, Robert E.	490	Princeton, Ind.
Frandrich, David H.	1344	Mandan, N.D.	Lanham Jr., Buron K.	573	Danville, Ky.
<b>GOLD CLUB (\$100 OR MORE PER YEAR)</b>					
*Bethge, Charles R.	1	Buffalo, N.Y.	Hickman, James S.	622	Birmingham, Ala.
Diaz, Antonio G.	18	El Paso, Tex.	Hayworth, Danny	744	Frankfort, Ind.
McGuire, Keith J.	18	El Paso, Tex.	Barnett Jr., Dale D.	762	Montgomery, Ala.
Rittmann, Dan R.	18	El Paso, Tex.	*Coffman, Phillip W.	835	Bakersfield, Calif.
Dantino, Gregory J.	61	Philadelphia, Pa.	*Stubblefield, James E.	891	Whitefish, Mont.
McDermott, Francis X.	61	Philadelphia, Pa.	Chubick, Kile D.	934	Alliance, Nebr.
Brauer, Bonnie N.	84	Los Angeles, Calif.	McCracken, Larry D.	934	Alliance, Nebr.
Litwin, Michael	100	Oakland, Calif.	Massine, Kevin P.	1059	Minot, N.D.
Nay, Christine V.	166	Salt Lake City, Utah	Pflug, Rick L.	1059	Minot, N.D.
Schaible, Revi J.	233	Aberdeen, S.D.	Baker, Ryan William	1081	Glendale, Ariz.
*Johnson, Ronald R.	239	Oakland, Calif.	Gonzalez, Juan G.	1081	Glendale, Ariz.
Dietderich, Chester L.	259	St. Joseph, Mo.	Strothoff, Edward T.	1186	Gary, Ind.
Garasic, David M.	283	Portland, Ore.	Bonogofsky, David A.	1344	Mandan, N.D.
Hefflinger, Robert M.	283	Portland, Ore.	Cerkoney, Douglas D.	1344	Mandan, N.D.
Wells, Duane H.	318	Hornell, N.Y.	Grenz, Kevin R.	1344	Mandan, N.D.
Benedict, Wilfred	375	Edgemont, S.D.	Jurgens, Cary B.	1344	Mandan, N.D.
Kennedy, Craig A.	418	Sioux City, Iowa	Bish, Ramona T.	1370	New York, N.Y.
			Rivera, Steven	1370	New York, N.Y.
			Atkinson, Andrew J.	1570	Roseville, Calif.
			*Seward Jr., Fred W.	1571	El Paso, Tex.
			*Brown, William V.	1628	Pittsburgh, Pa.
			Morgan, Terry B.	1628	Pittsburgh, Pa.
			Parson, Edward A.	1678	Minden, La.
			Patch, Craig	1715	Charlotte, N.C.
			Golden, Maxine	Aux 318	Birmingham, Ala.
			Lamm, Gail A.	Aux 580	Raleigh, N.C.
			Phillips, Judy J.	Aux 642	El Paso, Tex.
			Lewis, Joyce		Glendale Hts., Ill.

\* = Retired Member

## Retired conductors sought as instructors

HUNTINGTON, W. VA. – Marshall Community and Technical College in Huntington, W.Va., is looking for retired or soon-to-retire conductors with experience on a Class I railroad to be instructors for the school's railroad conductor training program.

Classes are five weeks long and typically operate with 10 to 15 students with two instructors. Instruction is both in the classroom and on railroad equipment, where students are taught basic railroading, safety, operating rules, signals and equipment characteristics. Prior to teaching the class, instructors attend a training course. The next instructor training course at Marshall is scheduled for early October.

Candidates for instructor positions must have: At least three years' experience with a railroad's transportation department; worked as a conductor, engineer, trainmaster or road foreman of engines for at least 12 months; an excellent safety and attendance record with their railroad employer; a thorough working knowledge of railroad operations; extensive knowledge of operating, safety, hazardous materials and equipment handling rules; ability and willingness to work with others; excellent oral- and written-communication skills; working knowledge of Windows 97 and MS Office applications.

For more information, call Marshall Community and Technical College at (304) 525-1468, or email railroad@marshall.edu.

Other conductor training schools may also be seeking qualified instructors: Cincinnati State College, (888) 569-1709; Okefenokee Technical College, Waycross, Ga., (912) 287-5810; Owens Community College, Toledo, Ohio, (800) 466-9367; Mohawk Valley Community College, Utica, N.Y., (877) 688-7225; Philadelphia Community College, (888) 742-1616; University of North Florida, Jacksonville, Fla., (888) UNF-RAIL.

(Note: The UTU would prefer carriers train new conductors. The reality is that carriers have ceased doing so. Therefore, it is appropriate that retired UTU members train future conductors rather than having training performed by non-union members or members of another organization.)



## UTU results

Continued from page 1

is only driving the bus. In fact, the operator is responsible for the safety and security of each passenger. Those who say we are a railroad union have missed the bus. Your UTU is a transportation union that works and delivers for employees of every mode of transportation.”

Boyd also detailed improved transit agreements, the benefits flowing to members and their spouses from Railroad Retirement reform and the value of the national rail agreement and its trip rates, which replace an antiquated system of time and mileage payments.

“It was the first national rail contract in the history of the UTU ratified by the membership,” Boyd said. “The more than 75% favorable vote is thought the highest successful ratification vote in the history of rail labor.

“It is a contract delivering wage increases well in excess of inflation. It puts UTU in the driver’s seat with regard to health care. It provides unprecedented job security now and into the future. It gives our members control, operation and ownership of new technology and job protection until the day they retire.

“Your UTU identified the future,” Boyd said. “Your UTU met the future. And your UTU made the future work for you. We control our own destiny. While other unions rely on third parties to make agreements, your UTU makes agreements that work for you every day of your working career.

“Recently, the other organization turned reality on its head in trying to characterize your agreement as substandard,” Boyd said. “That

other organization is the organization of rhetoric – not of action. The undeniable and provable fact is that your agreement exceeds the value of every other agreement out there – bar none.

“And I promise you that when we complete negotiations on the final piece – on our health care agreement – it, too, will be superior to any agreement out there,” Boyd said. “And you can be sure you won’t be writing checks to the carrier for retroactive cost sharing like some organizations are doing.”

Boyd also reported that the finances of the UTU and the UTU Insurance Association are “sound,” following internal restructuring and cost cutting that did not diminish the ability of UTU International officers to assist general and local chairpersons.

UTUIA’s financial security meets or exceeds that of the top 25 North American insurance companies as does UTUIA’s product offerings and prices, Boyd said.

President Boyd also discussed safety issues. “There is a special problem with fatigue on railroads because of the nature and geography of the work,” Boyd said.

“Our objective is to find a solution that does not restrict the ability of rail employees to maintain a satisfactory standard of living. We must find middle ground between the carriers’ desire to maximize the efficiency of operating crews and the employees’ desire not to be restricted from increased earnings.

“A rail official recently said railroading IS rocket science. This is because of how complicated it is to keep a rail network running.

“Finding ways for employees to work extra hours when they want and being with their families when they want, must be balanced against the carrier’s need to serve customers 24/7,” Boyd said. “That balancing act is the rocket science.

“With some railroads we have made more progress than others,” Boyd said. “And we continue to make progress with government.

“The combination of carrier negotiations and the leverage provided by our progress with government is moving us closer to the solution we seek.”

Recalling how “our founding visionaries expressed pride in how this organization moved forward following its creation,” Boyd said the UTU continues to embody the principles of Eugene Debs.

**“Your UTU identified the future. Your UTU met the future. And your UTU made the future work for you. We control our own destiny.”**

Drawing from a speech by the late John F. Kennedy, Boyd said, “Our accomplishments will be measured by the answers to four questions:

“Did we demonstrate courage? Did we demonstrate judgment? Did we demonstrate integrity? And did we demonstrate dedication?”

“Brothers and sisters, courage, judgment, integrity and dedication are our guideposts. Let us never abandon them,” Boyd said in closing.

(President Boyd’s entire speech text is available at [www.utu.org](http://www.utu.org))

## Ed Gilbert dies

Continued from page 1

of the UTU upon unification, while Luna served as UTU International President. Gilbert, who also became the presiding officer of the UTU Board of Directors, retired in 1971.



Gilbert

Brother Gilbert’s wife of 77 years, Alice Marie (nee) Iman, passed away March 16, 2003. A member of Palm Brook Country Club and a devout Christian who served his church, he is survived by a daughter, four grandchildren, 11 great-grandchildren and six great-great-grandchildren.

“Ed helped to put this organization together by combining operating crafts while maintaining the autonomy of those crafts,” said UTU Inter-

national President Byron A. Boyd Jr. “Ed was a personal friend and mentor. I shall miss him.”

Henry “Ed” Gilbert was born Oct. 5, 1906, in Ethel, Mo. He completed high school and attended two semesters of college before beginning his career at age 19 with the Santa Fe Railroad in Chicago in 1925, where he worked in the signal department and then in engine service. Six months later, in October 1926, he went to work on the Chicago & Alton Railroad as a locomotive fireman, joining BLF&E Lodge 707 on Oct. 3 the following year. He was promoted to engineer in 1935.

He was a member of his local grievance committee from 1934 until 1936 when he became chairperson, serving for the next seven years. He was also legislative officer during that time. Other positions he held during the 1940s included those of secretary-treasurer of the general grievance committee, executive member of the Illinois Legislative Board, and general organizer for the BLF&E Grand Lodge.

Gilbert was a delegate to conventions in 1937 and 1941, and at the latter convention was named an alternate member of the board of directors. He filled a vacancy on that body in 1944 and at the following convention in 1947 he was elected a vice president. The convention in 1953 elected him to the presidency.

Displacement of enginemen due to the introduction of new technology was high on the list of problems he was called on to deal with as president of the BLF&E.

Through his work, he became acquainted with rail officials, labor leaders, governors and U.S. senators, and was on a first-name basis with five U.S. Presidents. He appeared on the cover of the July 26, 1963, issue of *Time* magazine, which featured a four-page article about him, and also appeared on “Meet the Press” that same year.

In recognition of his labor and humanitarian accomplishments, Gilbert was presented the Eugene V. Debs Award in 1969.

## Two killed

Continued from page 1

there’s eastbound and westbound traffic flowing at all times.”

Osher, who had worked at least five years as a conductor with BNSF, died from injuries suffered in the jump west of Dale Street. Paramedics pronounced him dead at the scene.

Police said the engineer told them that he and the conductor both thought the other train was heading toward them. The engineer, whose name was not released, began braking. The con-

ductor placed the train into “full emergency braking,” police said.

The engineer said Osher told him he was going to jump. Then he ran toward the rear ladder and leaped, police said. The incident occurred at 1:45 a.m.

“It sounds like they both saw the same thing, but the conductor got more paranoid and scared as to their safety concerns,” said Buena Park Police Lt. Corey Sianez. “He thought it was worse than it really was.”

UTU member Steven Daniel Cook, a CSXT railroad brakeman, was pronounced dead at the scene June 6 after being pinned between a boxcar and a tractor-trailer on a downtown Kingsport,

Tenn., street, according to the *Kingsport Times-News*.

Brother Cook was a member of Local 1162 in Erwin, Tenn.

Cook, 35, of Gray, Tenn., was riding and protecting the rear of a train that had just dropped a boxcar at a loading dock. The train was rammed by a truck also delivering to the plant. Cook was pinned between the truck and boxcar and was pronounced dead at the scene.

Condolences may be sent to the family via e-mail at [cartertrentfh@chartertn.net](mailto:cartertrentfh@chartertn.net), according to the death notice that appeared in the newspaper.



# Last call for Philadelphia meeting!

The upcoming UTU/UTUIA regional meeting in Philadelphia is guaranteed to provide plenty of fraternalism, education and sharing of ideas.

This regional meeting will run for three days, with the President's Banquet on the evening of the third day.

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 at the Wyndham, and certain deadlines apply. One-day registrations also are being offered for those who would like to attend the regional meetings but can't spare the time away from work or family. One-day registrations are \$60.

You may cancel your Philadelphia 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.

## Philly events

On Tuesday evening, Aug. 26, regional meeting participants will have the opportunity to visit the recently opened National Constitution Center (NCC). The NCC is the first museum dedicated to the U.S. Constitution. The museum includes the Kimmel theater, a 350-seat star-shaped theater which shows "Freedom Rising," a multimedia production combining film, a live actor and video presentation on a 360-degree screen.

The spouse tour in Philadelphia, on Wednesday, Aug. 27, will include many historic sites, including the Liberty Bell, Independence Hall, where the Declaration of Independence was adopted; Congress Hall, where Congress sat while Philadelphia was the capitol of the U.S. from 1790 to 1800; the Betsy Ross House, Franklin Court and much more.

The tour will start at 9 a.m., with buses leaving from the Wyndham hotel.

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

## Philly golf

The UTU will sponsor a golf outing on Sunday, Aug. 24, at 8 a.m. on the day before the start of the Philadelphia regional meeting.

Golfers will be playing Ron Jaworski's Valley Brook Golf Club in Blackwood, N.J.

The fee, \$80 per golfer, includes transportation from the Wyndham, greens fees, a golf cart for every two players, lunch and more.

Register for the golf outing 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 Philadelphia, please.

Online registration available at <[www.utu.org](http://www.utu.org)>. Click on "Meetings."

## 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

## UTU Regional Meeting Registration Form

Registering before the regional meeting speeds sign-in procedures at the meeting site, helps organizers plan more accurately, and saves on meeting costs. These savings will be passed on to each pre-registered attendee. Each person attending the regional meeting, including family members and guests, MUST be registered in order to attend any planned event. Registration fees are \$125 per person; children 11 years of age and under are complimentary. On-site registration will be \$175 per person. All fees must be paid in U.S. funds. Canadian funds will be returned, possibly delaying your registration. If you have questions, consult your bank. Registration forms must be received 30 days prior to the start of the regional meeting.

### Member Registration

Name \_\_\_\_\_ Local \_\_\_\_\_ Title (if any) \_\_\_\_\_

Home address \_\_\_\_\_

City/State/ZIP \_\_\_\_\_ Daytime phone number ( ) \_\_\_\_\_

### Spouse Registration

Spouse name \_\_\_\_\_ Title (if any) \_\_\_\_\_

Will spouse/children attend the UTU tour?  Yes  No How many? \_\_\_\_\_

### Child Registration

Child name \_\_\_\_\_ Age \_\_\_\_\_ Child name \_\_\_\_\_ Age \_\_\_\_\_

Child name \_\_\_\_\_ Age \_\_\_\_\_ Child name \_\_\_\_\_ Age \_\_\_\_\_

### Guest Registration

Guest Name \_\_\_\_\_ Relationship to Member \_\_\_\_\_

Home address \_\_\_\_\_

City/State/ZIP \_\_\_\_\_

### Golf Registration

Name \_\_\_\_\_ Handicap \_\_\_\_\_ Name \_\_\_\_\_ Handicap \_\_\_\_\_

Name \_\_\_\_\_ Handicap \_\_\_\_\_ Name \_\_\_\_\_ Handicap \_\_\_\_\_

Golf fees are \$80 per golfer (include in total payment)

### Payment Options

Check/Money Order (U.S. funds only) \$ \_\_\_\_\_

Credit Card (please indicate type)  VISA  MasterCard

Card number \_\_\_\_\_ Expiration date \_\_\_\_\_ Total charged \$ \_\_\_\_\_

Signature \_\_\_\_\_

Should additional space be needed, make copies of this form and attach to the original. This form and payment of \$125 per person over the age of 11, plus golf registration fees of \$80 per golfer (if applicable), must be received at the UTU International Headquarters, 14600 Detroit Ave., Cleveland, OH 44107-4250, 30 days prior to the regional meeting. Make checks or money orders payable in U.S. funds to "UTU Regional Meeting." Those who do not pre-register for the regional meeting but instead choose to register at the meeting site will be charged a \$50 penalty fee.



# This month's winning photo:

This month's winning photograph was taken by **Ismael Benavides**, a member of Local 857 at San Antonio, Tex. Benavides' photo is of Amtrak's San Antonio-to-Chicago "Texas Eagle" at Southern Pacific's (SP) former depot, Sunset Station in San Antonio, next to a display of SP steam engine 794.

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".



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.

**UTU News**  
www.utu.org / www.utuia.org

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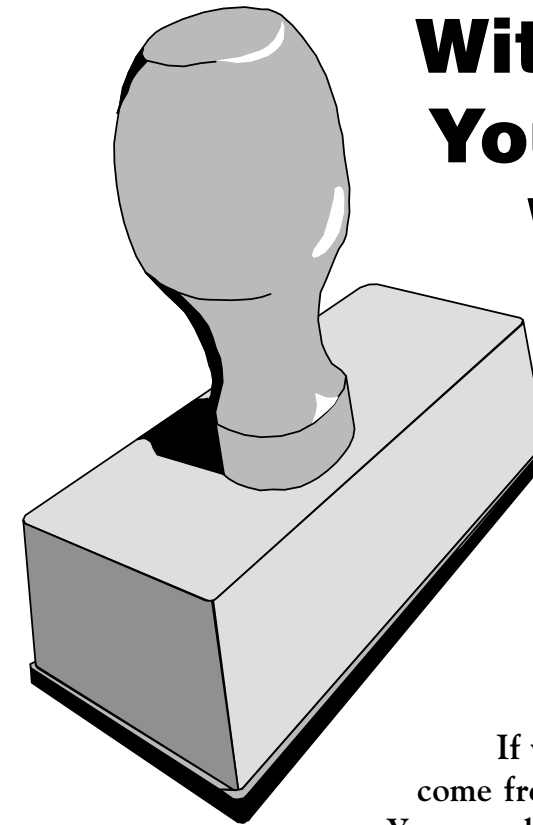
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