Thompson assumes duties of International president

CLEVELAND – United Transportation Union Assistant President Paul C. Thompson has assumed the duties of the office of president of the UTU following the March 2 decision of the UTU International Executive Board to suspend from office President Byron A. Boyd Jr. The UTU Constitution provides for Thompson’s elevation.

The International Executive Board found Boyd guilty of violating the UTU Constitution and ordered he be “suspended” from office “without wages” and “for the duration of your current term.”

The board found Boyd guilty of violating the UTU Constitution with regard to hiring and directing of UTU employee Ralph Dennis, who pleaded guilty in federal court to charges of racketeering, fraud, bribery and embezzlement. Dennis awaits sentencing.

The board also ruled Boyd’s suspension “will automatically be revoked” and that Boyd would be reinstated with all lost wages if he is found not guilty of federal criminal charges currently pending in Houston, Texas, or if the charges are dismissed. That trial is scheduled to begin March 22.

Separately, UTU General Secretary and Treasurer Dan Johnson was found by the International Executive Board “not guilty” of charges of violating the UTU Constitution and was specifically exonerated.

“At this difficult moment in our history, be assured I will dedicate all my energies to maintain this union as one of strongest.” - Paul C. Thompson

Trip rates give pay boost, parity

CLEVELAND, Ohio – The trip to achieve trip rates is proving worth the trip.

For sure, UTU members anticipated a positive result when they overwhelmingly ratified the national rail agreement in August 2002. It promised to replace a complicated and confusing mileage-based pay system. Nobody would be worse off and all post-1985 employees would be much better off.

The UTU national agreement provides that on railroad negotiating as part of the National Carriers’ Conference Committee, trip rates must be in place everywhere by March 2003. That agreement affects some 46,000 UTU members.

Pilot pact hikes members’ rest

JACKSONVILLE, Fla. – A CSX general committee representing members on the former Seaboard Coast Line has negotiated a pilot agreement providing yard service employees – at locations to be determined by mutual agreement – with guaranteed rest periods. UTU members employed by CSX at its Rocky Mount, N.C., yard already have voted to participate in the pilot project.

The pilot work/rest agreement revises existing yard service rules at pilot-project locations by creating three-day and four-day jobs. The application will reduce three-shift cycles to two-shift cycles and a maximum of four-day work weeks for some or all of the yard crews assigned.

The primary purpose of this understanding is to provide an alternative work cycle with extended rest days and to obtain and

Continued on page 10
Local 84, Los Angeles, Calif.
Retired North County Transit conductor Lawson Chadwick may be heading to Boston this July to serve as a delegate at the Democratic National Convention, depending on the outcome of the California primary, set for March 2. Chadwick charted a UTU For Life chapter last year and welcomes other retired members into the fold. Call him at (762) 945-5365 or write to him at 5059 Night Hawk Way, Oceanside, CA 92056.

Local 168, Chicago, Ill.
Members of this Amtrak local, including President Tim Harrigan, Local Chairperson Doug Silkowski, Past Treasurer Mike McKenna and Bob Harrington, along with Past Local Chairperson Roger Shuff of Local 194 (Elkhart, Ind.), have pooled efforts to cover the local’s business while Secretary-Treasurer L.T. Channing recovers from brain surgery. Meanwhile, thanks to the efforts of R.W. Morrow, the local now has a website at www.ultolocal166.org.

Local 292, E. Syracuse, N.Y.
R.W. Morrow is fighting to cover the local’s business while Secretary-Treasurer Bruce Freiler (Elkhart, Ind.), have pooled efforts to cover the local’s business while Secretary-Treasurer L.T. Channing recovers from brain surgery. Meanwhile, thanks to the efforts of R.W. Morrow, the local now has a website at www.ultolocal166.org.

Local 445, Niota, Ill.
BNSF employees in this local recently honored Rex L. Pence with a plaque marking the 20 years he has served as secretary. Members, who hope Pence will be there another 20 years, noted he also serves as secretary of General Committee of Adjustment GO-009 (Santa Fe Proper). Brother Pence’s father, Russ Pence, also served as the local’s secretary, said Local Chairperson J. M. Edwards.

Local 454, Baltimore, Md.
Members employed by the Canton Railroad recently passed a milestone, going seven years without a reportable injury, said General Chairperson Paul Stevens, who recently retired.

Local 492, Sacramento, Calif.
Local President Barry Elkin and Local 1570 (Roseville, Calif.) President Jim Feickert said the two Union Pacific locals are hosting their 27th annual retirement dinner on March 27. Those attending include Don Bassett, Dan Costa, Tom Costa, Wayne Cowen, Bill Dougherty, George Doyle, David Drake, Bruce Freiler, Corky Gadberry, Leonard Hulsey, Ray Lopez, Elvis McCann, Mike McGuigan, Herb Nelson, Ed Nez, Jack Phillips, Bob Pettus, Rick Romero, Fred Switzer and Gary Warren. For information, call Local 1570’s Secretary-Treasurer Ken Schaffer at (916) 771-0385, or write to him at PO Box 1224, Roseville, CA 95678, or call Local 492’s Secretary-Treasurer Daryl Stinchfield at (916) 624-7426.

Local 773, Galveston, Texas
Members of the local, which includes employees of BNSF and the Texas City Terminal, offer best wishes to Bobby Brack, who recently retired after 10 years and six months on the Galveston seniority district, said Local Chairperson (BNSF) Joey Stubbins.

Local 1007, Syracuse, N.Y.
A fund is being set up by the members of this CSXT local to aid the family of Robert Scotford, who passed away at age 52 in January after battling leukemia for several years, said Local Chairperson Milt Brill. For information, contact Brill at the terminal superintendent’s office at (315) 656-5700.

Local 1075, Trenton, Mich.
The city of Taylor, Mich., recently bestowed its Citizens Life Saving Award on three Canada Dian National Railway (CN) employees, including conductors Keith Shulaw and Larry Mann, according to CN (GTW) General Chairperson David E. Hiatt (GO-377). The two, along with their engineer, found an 83-year-old Alzheimer’s patient, who had been missing for more than two days, lying in a ditch beside the tracks last August. The three rendered aid until medical help arrived. Their efforts were cited by law enforcement personnel as critical in saving the senior’s life.

Local 1252, Fresno, Calif.
Members of this BNSF local are mourning the loss of retired 40-year conductor Joe C. Patton, who passed away after a lengthy illness, said retired member D.L. Hefferman.

Local 1595, Hesperia, Calif.
Vice President Barry Elkin and the UTU Bus Department Roy Arnold recently swore in the officers for this new local representing more than 120 operators at a LADLASS Transportation school bus property. Officers include President Pam Stipes, Vice President Kimberly Zappia, Secretary-Treasurer Lynn Newman, Trustees Wanda Letchuga, Becky Spangler and Cheri Allen, Local Chairperson and Delegate Cesar Davila, Alternate Delegate Bill Niece, Local Chairperson Alva Smith, Vice Local Chairperson Paula Biancott, Legislative Representative Alfred Romero and Alternate Legislative Representative Karina Salazar.

Local 1697, Lubbock, Texas
A federal mediator has been involved in contract talks between Texas, New Mexico & Oklahoma Coaches and its bus employees in the local, said General Chairperson Marvin White, who noted the company seeks unacceptable wage and benefit reductions.

Local 1813, W. Colton, Calif.
Union Pacific switchmen in this local are holding their 26th annual two-man scramble golf tournament on April 29 at El Rancho Verde Royal Vista Golf Course, said Local Chairperson Rick Renna. The $70 entry fee includes golf, a cart, prizes, a golf shirt and a buffet banquet, with fees due April 10. Contact Renna at (909) 846-8984 or write to him at 1916 Abby Way, Upland, CA 91784.

Local 1963, Louisville, Ky.
Retired member Joe Alenduff is inviting retirees and their spouses to the annual picnic begun in 1991 by Indianapolis-based New York Central and Central railroaders. This year’s event, set for Sat., March 20, will be held from 11 a.m. to 3 p.m. in shelter #13 in DeSoto Park in St. Peters burg, Fla. Call Brother Alenduff at (727) 522-6805 or send him e-mail at joe.pst@verizon.net.

It’s all about UTU protecting its own

Sometimes we don’t know what we’ve got until it’s gone. Others are fortunate enough to find out what they’ve got just when they need it the most. Just ask Deborah Brown of Local 988 in Boston, Mass.

Brown recently was reimbursed to train service by a public law board after the UTU stepped in to provide her defense.

Brown was hired by Amtrak following allegations by carrier officials that she failed to comply properly with instructions on obtaining lodging while away from home following a transfer of home terminal from Boston to Washington, D.C.

She was represented initially by Local 30 (Jacksonville, Fla.) Chairperson Tommy Pope and Local 1470 (Edmonton, Md.) Chairperson David Brooks. She was represented before the public law board by General Committee (GO-69) Secretary Gayle Gallaher.

‘“During the course of my railroad career, I had never encountered a situation serious enough to warrant representation,” she wrote. General Chairperson Mike Frederick “I never realized how much work and dedication is required by our union representatives. As an individual, I really feel sad that it took an incident such as the one that I experienced for me to really see our UTU representatives for whom and what they really are.

“I consider myself fortunate to have been represented by Tommy Pope. He not only represented me, but he went the extra mile, above and beyond,” Brown said. “He was always accessible, informative and professional. Due to unforeseen circumstances, my case was shifted outside of Mr. Pope’s jurisdiction and was assigned to Dave Brooks. I have to say that these two men worked diligently on my behalf.

“Neither of these two individuals knew me personally, but I actually felt that they believed me,” Brown said. “That meant more to me than you will ever know because at this point my character was in question.

“I just wanted you to know, Mr. Suarez, that I am proud to be part of the UTU, and I commend all of the outstanding individuals who utilize their time and patience in order to represent our craft,” Brown wrote.

Brown was restored to service with seniority and vacation rights unimpacted. Her return to service with Amtrak permitted her to flow over to the Massachusetts Bay Commuter Railroad pursuant to a UTU/MBCR agreement.

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Amtrak banking on Acela service

WASHINGTON, D.C. – Amtrak believes it has resolved reliability and mechanical problems with its Acela trains and is making a new push to attract more premium fares and build loyalty to its signature service, according to Reuters.

While it may never meet lofty expectations, the nation’s first high-speed passenger train remains the railroad’s window to the future and a lucrative selling point on its flagship line between Washington, D.C., and Boston.

Amtrak has never made money in its 33-year history and is relying on a federal subsidy of $1.23 billion this year to remain viable. It is seeking $1.8 billion for next year.

To lure and retain Acela customers who pay at least $126 for a one-way ticket on the New York-to-Washington route, Amtrak launched a promotion last month to give preferred customers a free round-trip ticket for every two paying round trips they take on Acela or the slightly slower and less expensive Metroliner.

Trends away from air travel became more pronounced after the Sept. 11, 2001, aircraft attacks, and the train emerged as a strong option, especially Amtrak’s hourly runs – both high-speed and regular fares – between Washington, D.C., and New York.

With ridership throughout the Amtrak system expected to set a record this year at 25 million, the railroad’s performance. Those rates rose which are key measures of a railroad’s safety record. Both those categories in 2002.

The Jacksonville-based company worked for the first 11 months of 2003, according to the most recent data available from the Federal Railroad Administration. And CSXT also had the most train derailments, collisions and other calamities through November. The railroad was third in both those categories in 2002.

The elevated figures, which CSXT said have no specific cause, bring an end to two years of falling train accidents, disrupting rail traffic and causing headaches for passenger trains and motorists. The fallout:

- The average wait time for a freight railcar at Union Pacific’s main transfer yard in Hinkle jumped from 29 hours in January 2003 to more than 40 hours last month, according to the Association of American Railroads.
- Amtrak, which pays to run passenger trains on Union Pacific’s tracks, saw its on-time performance between Eugene and Vancouver, B.C., plunge from 74 percent in January 2003 to 51 percent last month. Twice since Jan. 24, Amtrak trains have become stuck in and around Portland for five hours behind a Union Pacific freight train.
- Meanwhile, Amtrak officials say they are losing patience with the delay. Some trains have sat tied down on a sidetrack for more than a day because the railroad couldn’t find a replacement crew or had difficulties reaching the train, state officials said.

CSXT called most dangerous

JACKSONVILLE, Fla. – Statistics indicate CSX Transportation was the most dangerous of the nation’s four biggest freight railroads for most of 2003, according to the Florida Times-Union.

The Jacksonville-based company led the pack with the highest rate of employee injuries per 200,000 hours worked for the first 11 months of 2003, according to the most recent data available from the Federal Railroad Administration. And CSXT also had the most train derailments, collisions and other calamities through November. The railroad was third in both those categories in 2002.

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Majority rules while employees suffer

A memory from the past, like 12-channel black and white television, is a course we took in high school called civics, which explained the legislative process and how bills become laws.

But since a new majority took over in Congress after the 1994 elections, those civics lessons are as outdated as hula hoops. Procedures our founding fathers never intended are routinely used by the majority party to force through Congress very controversial legislation — much of it anti-union.

Here is how it works: Committee hearings are held to consider legislation, just like we were taught in civics class. However, members of the minority party are sometimes not invited or not told about these committee meetings.

If members of the minority party do appear, amendments they offer to the legislation are voted down by the majority. When a bill gets to the House floor, the majority party again votes down any amendments offered by the minority party. There is a slight difference in the Senate because under its rules, there can be a filibuster by the minority party — but its current procedures also work to disenfranchise the minority party.

After a bill gains passage in both the House and Senate, a conference committee is appointed to work out differences between the versions. Here again, members of the majority party — even though they were appointed to the conference committee — may not be told when meetings of the committee are conducted by the majority party, which is in control.

During the conference committee process, even more controversial legislation sometimes is included in the bill by the majority. When a final version is rushed to the floors of the House and Senate for passage, it typically contains so-called “must pass” legislation, such as measures to keep government operating or combat troops supplied.

Thus, even members of the majority party offended by what is going on and who might have helped to block the offensive provisions, are reluctant to do so. Of course, the president, a member of the majority party, signs the bill into law.

As the UTU is one of the few unions with friends on both sides of the aisle, we do better than most in preventing Congress from doing unpleasant things to our members. But until the majority party becomes the minority party, or the leadership in the White House changes, working people remain at risk.

Need I now remind you how important it is to contribute to the UTU PAC — and to register to vote and to vote on Election Day!
Michigan
The Michigan Legislative Board recently held its 2004 reorganization meeting. David H. Brickey, a member of Local 1438 at Lincoln Park, was re-elected as state director and chairperson. (Brickey also serves as chairperson of the National Association of State Directors.) Jerry L. Gibson, a member of Local 313 at Grand Rapids, was elected as the new assistant state director and vice chairperson. Gerald D. O’Rortenzo, a member of Local 1760 in Detroit, was re-elected as the board’s secretary.

The offices of the board also have been moved. The new address is 230 N. Sycamore St., Suite C, Lansing, MI 48931; telephone (517) 482-8202; fax (517) 482-0098; e-mail utumlsd@sbcglobal.net.

Maryland
The Maryland State Legislative Board conducts a scholarship program to benefit members in the state and their children, according to State Director Larry Kasecamp.

The program provides four $500 scholarships each year.

The board holds a golf tournament fundraiser each year; that is the only source of funding for the scholarships.

This year’s fundraiser will be held at Forest Park golf course, located in Baltimore, Md. The date will be Fri., Sept. 10, 2004. The outing is open to anyone desiring to participate, either as a sponsor or player.

Scholarship applications are available on the board’s website: www.utumd.org.

The program has been dedicated to the memory of passenger conductor James E. Major Jr., who died tragically in the head-on collision of a MARC commuter train and an Amtrak passenger train in February 1996.

Arizona
State Legislative Director Scott T. Olson recently met with Governor Janet Napolitano (in green) to urge her support for legislation that would ban longer and longer trucks on the nation’s highways. Olson (to the governor’s right) and others asked the governor to submit a letter to the West Coast Governors’ Association in opposition to longer, heavier trucks. UTU was the only rail union to urge her support. “Bigger and longer trucks would not only take railroad jobs, but they would ruin Arizona highways and endanger our families with harder-to-control trucks,” Olson said.

District of Columbia
The District of Columbia legislative board reorganization meeting was held last month.

The group discussed legislative initiatives, FRA protocols, handling of unsafe conditions, Railroad Retirement Board functions, the Federal Employers’ Liability Act and other issues.

National Legislative Director James Brunkenhoefer also addressed the group, giving a stirring history of the organization and labor movement and reiterating the importance of UTU PAC.

Elected by acclamation were Steve Fritter, a member of Local 1933, chairperson and director; Rodney Alexander, a member of Local 1522, assistant director, and Odis Bledsoe, a member of Local 1933, secretary.

Look for qualities in your leaders
When we elect leaders, we should look for certain qualities. Does the candidate have the interests of the local at heart? Is the candidate willing and able to stand up to the employer to defend our rights? Does the candidate respect the members? Is the candidate loyal, honest, dependable and a team player?

Oftentimes, we elect officers based upon their popularity rather than ability. Sometimes we elect officers who pursue their personal agenda rather than issues important to the membership. They have the “I” instead of the “we” in mind.

When we make a poor selection of officers, members complain because their problems and concerns are not handled properly. Ineffective leaders often do not think they are to blame. Other problems develop when they are not receptive to working as a team with others at the local, general committee and International level. Unfortunately the more the members complain, the more tumultuous the local encounters.

Look for the qualities mentioned above when selecting leaders. Even if they have little experience or training, this can be fixed — but a choice without heart is a choice without leadership. Remember YOU can make a difference by supporting and electing leaders willing to go the extra mile.

I have been busy working with several locals to negotiate contracts, participating in arbitrations and assisting Sister Bonnie Morr (Local 23), Brother James Williams (Local 1564) and Brother James Brunkenhoefer (national legislative director) to amend language in federal regulations for commercial driver licenses.

For more information, watch the bus section of the UTU website at www.utu.org. We will be improving the content of that section in coming weeks.

Changes noted in retiree health plans
As we know, more than 40 million Americans have no health-care plan. Retirees are especially at risk. Even for those with health-care plans, the costs are doubling every four years.

Spurring health-care costs required your Yardmaster Department to analyze our retiree supplemental plans with Trustmark Insurance. We have redesigned Plan III, the Medicare supplement, so as to hold down costs while maintaining benefits superior to most out there.

Our previous plan modification and premium increase was effective in 2000. Our new changes became effective in February 2004.

Here is a summary:

Plan I: A $5 per month increase, to $210, with no change to the plan.

Dependent minor children now cost $60 monthly. Prescription drugs are covered at 80% (local pharmacy and mail order).

Plan II: No change or price increase.

Plan III: Prescription drugs are capped at $10,000 per participant. A $250 annual family deductible for prescription drugs (local pharmacy and mail order). Co-pay for generic and brand names unchanged. A 30% co-pay for name brands eliminated. Mail order co-pay lowered to $20 (generic); $40 for brand-name for 90-day supply. New premium is $150 monthly per participant for Plan III. Dependent minor children will increase to $60 per month.

Plan IV: Medicare supplement without a prescription drug plan. The new premium is $120 per participant per month.

For more detailed information, visit www.utu.org and click on the “yardmaster” page, or call Yardmasters Department office in Cleveland at (216) 228-9400.
Building Relationships; Building your Local

Education + Information + Participation = Brotherhood and Sisterhood

Bill Brothers knows what it’s like to lose members. His UTU Local 283 in Portland, Ore., lost 61 members—many to the other organization. He could have said, “Whatever will be, will be” and gone on with life.

He could have sought a dues increase to make up for the lost revenue.

Brothers, the local’s president, calls both of those strategies “losers.”

Bill Brothers did what champions do. He figured out how to get lost members back, along with some of the other organization’s members. He also figured out how to attract new hires to the UTU—and keep them.

Indeed, what Bill Brothers did and does as president of Local 283 is a lesson to be read, marked and inwardly digested. It is a lesson in leadership.

First, Brothers exerted effort to ensure his members know what a union is and how the UTU leads the pack by being progressive and proactive. “A union is job insurance,” Brothers said, explaining that competent union officers must be able to negotiate better agreements, interpret those contracts for the benefit of members, help with the filing of grievances and be skilled at defending members against carrier charges.

Communication is a 24/7 task for Brothers. “I call our new members every week,” he said. “I follow up with personal letters. We have a newsletter that keeps them informed. We provide all our members with computer disks containing their agreements. New members receive a welcome packet chock-a-block with information on the UTU.”

“T’m always on the phone reminding all our members about meetings of the local and encouraging them to attend,” Brothers said. “I ensure we have interesting speakers at union meetings to talk about workplace subjects of importance to the membership, such as the Federal Employers’ Liability Act, safety, legislative issues and grievance handling.”

Brothers also ensures his members have access to videos prepared by the International, such as an explanation of how the Railway Labor Act works and a history of railroads and collective bargaining.

Education, information and participation are the stuff of Bill Brothers’ success. “A successful union officer should possess the will to educate and care about each member and every potential one,” Brothers said.

Caring is a word of many meanings, but to Bill Brothers and Local 283, caring sometimes means “adopting a member” on hard times by delivering a turkey to the home. Caring also means “building involvement,” Brothers said. “Sometimes I call members so often they get tired of hearing from me—but I keep calling.”

Sometimes the calls are to offer an expenses-paid trip to a UTU regional meeting. But this is no junket. Those accepting the offer pledge to attend the educational sessions, take careful notes and report to the membership at future local meetings on what they learned.

“What we do to succeed at Local 283,” Brothers said, “is to apply the human touch.”

“In the words of

Farris Grier
President, Local 489, San Antonio, Texas

“A well-informed membership assures a successful local. We post on workplace bulletin boards and our website information on agreements, minutes of local meetings and other issues affecting our members.

“At first, we didn’t think our website would be effective. Now, most of our members get information about workplace issues from the website.

“The best defense against raiding by the other organization is to keep members informed, demonstrate UTU officers are best qualified to interpret agreements and respond quickly and accurately to members’ questions and concerns.”
How are the annuities paid under the Railroad Retirement Act treated under the federal income tax laws?

In most cases, part of a Railroad Retirement annuity is treated as a Social Security benefit for income tax purposes, while other parts of the annuity are treated as private and public social insurance pensions for tax purposes. Consequently, most annuants are sent two tax statements from the RRB each January, even though they receive on a single annuity payment each month.

Which Railroad Retirement benefits are treated as Social Security benefits for federal income tax purposes?

The part of a Railroad Retirement annuity equivalent to a Social Security benefit based on comparable earnings is treated for federal income tax purposes the same way as a Social Security benefit. The amount of these benefits that may be subject to federal income tax, if any, depends on the beneficiary’s income. If taxable pensions, wages, interest, dividends, and other taxable income, plus tax-exempt interest income, plus half of the amount of the Social Security equivalent benefit payments exceed:

- $25,000 for an individual, $32,000 for a married couple filing jointly, and zero for a married individual who files separately but with his or her spouse any part of the year, up to 50 percent of these Railroad Retirement benefit payments may be considered taxable income.
- $34,000 for an individual, $44,000 for a married couple filing jointly, and zero for a married individual who files separately but lived with him or her spouse any part of the year, up to 85 percent of these benefits may be taxable.

Which Railroad Retirement benefits are treated as private and public social insurance pensions for federal income tax purposes?

Railroad Retirement annuitants who also received Social Security benefits during the tax year receive a Form SSA-1099 (or Form SSA-1042S if they are nonresident aliens) from the Social Security Administration. They should add the net Social Security equivalent or special guaranty amount shown on Form RRB-1099 (or Form RRB-1042S) to the net Social Security income amount shown on Form SSA-1099 (or Form SSA-1042S) to get the correct total amount of these benefits. They should then enter this total on the Social Security Benefits Worksheet in the instructions for Form 1040 or 1040A to determine if part of their Social Security and Railroad Retirement Social Security equivalent benefits are taxable.

Additional information can be found in IRS Publication 915, Social Security and Equivalent Railroad Retirement Benefits.
CHARLOTTE, N.C. – UTU Local 1166, representing maintenance employees of Charlotte Area Transit System (CATS), ratified a new five-year agreement Feb. 21 by an almost two-to-one margin.

General Chairperson Craig Patch led the UTU negotiating team, assisted by Vice Chairperson Tony Allen and General Secretary Alvy Hughes. The package provides a 16.3 percent pay boost, increased premium pay for holiday work, a one-year freeze against increases in employee contributions toward health care, an increase in life insurance and other benefit improvements including an early-retirement option.

“Holding on to what we had was no easy task,” Hughes said. “We were determined to give the members a contract with the best possible wage package and no givebacks – and we succeeded. The five-year deal gives us security and earnings.”

Allen called it “a fair agreement that addresses the needs of both sides. Charlotte is growing and so is CATS, and with the help of UTU Legislative Director Dickie Westbrook, we will be part of the growth. Additional bays and repair tracks for light rail at the new facility will also bring in more work.”

UTU Vice President and Bus Department Director Roy Arnold (left) with Local 1166 members (left to right) Alvy Hughes, Tony Sandle, Tom Hunt and Tony Allen.

UTU Canada in court over ballot question

OTTAWA – The United Transportation Union in Canada will seek judicial review of a Canadian Industrial Relations Board (CIRB) decision that changed both the form of balloting and the wording on a representa- tion ballot just prior to the ballot being mailed in December to running trades employees of Canadian Pacific Railway (CP). “Running trades” is the term used in Canada to describe train- and engine-service employees.

When the UTU first applied to the CIRB for a winner-take-all representa- tion election, the choice for CP employees was whether they wanted to be represented by the UTU or the Canadian Council of Railway Oper- ating Unions (CCROU), which was comprised of the UTU and the Brotherhood of Locomotive Engineers (BLE).

But in a Dec. 2 decision, the CIRB ruled that there would be a two-part ballot. The first question was to be whether CP running trades employees wished to be represented by a bargaining agent other than the CCROU. The sec- ond question on that ballot asked, “If a majority of employees no longer wish to be represented by the CCROU, do you wish to be represented by the BLE or by the UTU?”

Then on Dec. 15, the CIRB issued yet another decision – this one amending the second ballot question by replacing the word “BLE” with “Teamsters’ Canada Rail Conference.”

Prior to the ballots being returned and counted, the UTU Canada filed an application for judicial review with the Canadian Federal Court of Appeal challenging the CIRB’s decisions with regard to the two-part ballot and wording of the second question on the ballot. The Teamsters also filed a judicial review of the application at approximately the same time as the UTU.

Separately, the UTU Canada has asked the CIRB to rule whether the Teamsters are the legal successor to the BLE in Canada.

In the meantime, the CIRB has not certified the results of the two- part ballot.

Bus mechanics ratify “security and earnings”

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Thompson
Continued from page 1

“...and they also are extraordinary visionaries,” Thompson said. “...and we are at work solving them,” Martin said.

“The biggest positive we are hearing from the pilots,” Martin said, “is that when someone deadheads today, they are paid a trip rate as opposed to the much lower basic day (pre-'85 employee) or time consumed (post-'85 employee).” For example, on a 245-mile deadhead, where the basic day for pre-'85 employees was about $140 and time consumed about $65 for the post-'85 employee, the trip rate could work out to be about $300,” Martin said.

On CSX, General Chairperson Terry Reed (GO-009) said, “We have negotiated most of our complicated trip rate agreements. Early on, CSX furnished daily earnings and arbitrates for every employee by day of the month and for every pool and turn. We took this information to the local chairpersons and haven’t had the first argument with the carrier.” Reed said, “There have been a lot fewer grievances over payroll problems.”

Thompson said, “Included within that structure is to make the quality of life 100 percent better. The great opportunity of this agreement allows certain groups of employees to have every weekend off while the other group will work every weekend but will have four days off every week. This is truly a life-changing event for our membership and a great opportunity to move our work rules and conditions into the 21st century.”

Hancock applauded Local Chairpersons Ricky Stroud and John Whittaker at Rocky Mount “for having the vision and the ability to go forward with change. They have presented this project to their membership and the membership has responded by overwhelmingly agreeing to be a test location,” Hancock said. He also singled out his current Vice General Chairpersons Gerald Foster and Allen Glover. “They have the combined experience of 70 years of railroad service and 50 years of union leadership and are extraordinary visionaries,” Hancock said.

Trip rates
Continued from page 1

“On many properties, at least half of the pools and turns have been converted to trip rates and with very few problems,” said UTU Vice President Artt Martin. “The key is effective general chairpersons.”

Trip rates are to be negotiated by general chairpersons on a property-by-property basis – district by district. Pay elements previously denied to post-'85 employees are to be rolled into the new trip rates, meaning predictable paychecks and an end to grievances over how arbitrators are paid.

The trip rates provide pay parity for post-'85 employees without diminishing the earnings capability of pre-'85 employees. Trip rates also put to rest forever attempts by carriers to increase the basic day, and we are at work solving them,” Martin said.

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Robert Kerley

“Reviewing data early gave us the opportunity to discuss unique operations with the carrier that avoided potential disputes.”

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More rest
Continued from page 1

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More rest
Continued from page 1

accumulate data on alternative work/rest cycles in yard service,” said General Chairperson John Hancock (GO-851).

Existing five-day shift rules in conflict with this agreement will be temporarily suspended.

Where five-day rules are not in conflict with the pilot agreement, they shall remain in effect. Employees working under the experimental rules will be considered full-time employees and retain all benefits and allowances.

Hancock

Created will be four-day (Monday-Thursday) assignments, and three-day (Friday-Sunday) assignments. Two new cycles will be created in those assignments: Cycle A starting times will be between 0800 hours and 0900 hours; and Cycle B starting times will be between 1800 hours and 2100 hours.

The four-day assignments will have Friday, Saturday and Sunday as guaranteed rest days. The three-day assignments will have Monday, Tuesday, Wednesday and Thursday as rest days.

The four-day assignments will be for ten-hour shifts, but may be extended with the additional hours paid as overtime rates. The three-day assignments will be for 12 hours with a pay guarantee of 40 hours.

All extra-board employees will be compensated in the current manner – that is, a basic day and overtime after eight hours. Additionally, at those locations where the pilot program is implemented, the pilot program is implemented against furloughs. After 60 days, either the carrier or UTU may cancel the pilot agreement.

“The goal and philosophy is to continue to improve the wages, rules and working conditions of the people we represent,” Hancock said.

Kerley said, “On BNSF, we don’t have any major interpretive disputes. Where there have been operational changes affecting trip-rate elements such as initial terminal delay or yard congestion, we have an informal procedure where local chairpersons work with the carrier to make adjustments.”

“I went to BNSF early and told them we wanted to be proactive and aggressive in implementing trip rates,” Kerley said. “I asked them to meet with local chairpersons to review data before serving formal notices. This gave us an opportunity to discuss unique operations and that avoided potential disputes.”

Kerley, Martin and Reed agreed: Avoid focusing on any single pay element, but look at overall compensation from trip rates. There are cases where some pay element goes into the basic day and overtime, but when you look at overall compensation in context of today’s operation, you quickly see that pre-'85 employees did not lose compensation and post-'85 employees achieved pay parity with regard to the pay elements incorporated in the trip rates.
Managing personal risks

(This is the first in a series of articles explaining why we purchase insurance and annuities, and how these products can benefit UTU members and their families. You may wish to clip these articles each month and retain them as a reference for future use.)

Risk is an everyday part of life. We take risks when we travel, when we engage in occupational and recreational activities and even when we breathe.

There are several ways to reduce exposure to specific risks. The most obvious is simply to avoid them. For example, we can stop smoking. We can avoid the risk of personal injury by not engaging in hazardous activities.

Sometimes, however, avoiding risk is neither effective nor practical. Here, we can try to control risk by taking steps to minimize it. That’s why we put smoke detectors and fire extinguishers in our homes.

Another method of managing risk is to retain it. To retain a risk means to assume all financial responsibility for that risk. But, when the risk is substantial, we may not have adequate funds to manage the risk by ourselves.

Lastly, we can transfer the risk. Insurance carriers provide for the financial well being of their policyholders through a concept known as risk sharing.

Under this concept, individuals who face the uncertainty of a particular economic loss (for example, loss of income because of disability) transfer the risk to the insurer for an affordable fee. If the risk is shared by large numbers of people who are subject to the same type of risk, the cost to each person is relatively small.

Insurance is therefore an important option to consider in managing financial risk.

The company stabilized its operations and paid creditors $1.2 billion in cash and nearly all its common stock.

In addition to Greyhound and EmCare, Laidlaw International operates Laidlaw Education Services, North America’s largest school bus operation, with $1.5 billion in revenue; Laidlaw Transit Services, a $283 million public bus company in Overland Park, Kan., and American Medical Response, a $1 billion ambulance and medical transportation company.

Except for Greyhound, Laidlaw’s businesses have rebounded; annual revenues are $4.5 billion.

### UNITED TRANSPORTATION UNION INSURANCE ASSOCIATION

#### 2004 Volunteer of the Year Nomination Form

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Please attach a separate sheet of paper describing your volunteer activities.

Don’t forget to include a separate sheet of paper describing your volunteer activities.

It also provides an opportunity for UTUIA to recognize its volunteers for their outstanding contributions.

The nomination form should be mailed to: UTUIA Volunteer of the Year, Attn.: Sandra Kranick, UTU/UTUIA Fraternal Coordinator, 14600 Detroit Ave., Cleveland, OH 44107-4250.

4/04
This month’s winning photo:

This month’s winning photograph was taken by George Landrock, a member of Local 117 at Vancouver, Wash. Landrock’s photo is of Amtrak train #11 sitting at the King Street Station in Seattle, Wash., with the Seattle skyline in the background.

Senate approves measure killing Amtrak privatization

WASHINGTON, D.C. – Once again, UTU telephone calls and e-mails, the UTU PAC and our UTU strategy of having friends on both sides of the congressional aisle have paid off handsomely for UTU members, their families and retirees.

The entire Senate has put its stamp of approval on legislation to kill Amtrak privatization efforts and has committed the Senate to support a $2-billion annual appropriation for Amtrak with no structural changes for the national rail passenger carrier.

Although a similar bill has not been passed yet in the House, this Senate action does mean that even if the bill stalls, efforts by Senate conservatives to break up and destroy Amtrak through privatization and open access are dead for the remainder of 2004.

The UTU also was successful in its efforts to improve federal funding for rail transit and for small railroads that help remove freight from the highways and ensure it moves the majority of the way via major freight railroads.

In the same bill supporting the Amtrak $2-billion appropriation, the Senate included authorization for $56.5 billion for transit over six years and a whopping $720 million in federally backed loans for rail line relocations and small railroad upgrades.

The federally backed loans would be through bonds issued by a federally created Build America Corp.

The provisions are contained in S. 1072. “This is further evidence that UTU grassroots activism does pay off,” said UTU Vice President Tony Iannone. “This is an important victory for our transit and Amtrak employees and their families, but also for every UTU member.

“No, this is because if conservatives are successful in breaking up Amtrak, it will result in the most serious Railroad Retirement funding crisis ever.

“It is so very, very important for our members, their families and even their friends to make telephone calls and send e-mails to Congress on those very few occasions we ask them to do it.

“Here is all the proof you need that what we do as a union pays off for us,” Iannone said.