

The Official Publication of the United Transportation Union

THE VOICE OF TRANSPORTATION LABOR

“UTU’s friends in Congress assure us the carriers will not succeed in scrapping FELA.”

– UTU International President Paul C. Thompson

Negotiations update

For updates on railroad wage, rules and benefits negotiations between the UTU and most of the nation’s major railroads, go to www.utu.org and click on “Contract negotiations” at bottom right side of the home page.

News & Notes

Debs plaque reminder

UTU locals thinking of sponsoring a plaque honoring labor legend Eugene V. Debs as part of a project in Grand Rapids, Mich., to honor organized labor should act quickly. The Debs plaque is an integral part of the “Spirit of Solidarity,” a \$1.275-million tribute to labor at the entrance to the Gerald R. Ford Presidential Museum. Checks, made out to the “United Transportation Union, Spirit of Solidarity,” should be sent to: UTU, Attn: Dora Wolf, 14600 Detroit Ave., Cleveland, OH 44107. Each UTU local contributing \$250 or more will be honored with the local’s name on a main walkway brick.

Taxed-wage caps rise

The amounts of compensation subject to Social Security and Railroad Retirement taxes will rise in 2005, but the taxation rate for Social Security and Railroad Retirement Tier I benefits will remain the same for employees and employers, the Railroad Retirement Board said.

In 2004, the maximum amount of earnings taxed for Social Security and Tier I benefits was capped at \$87,900. In 2005 that amount will rise to \$90,000. The tax rate, paid by both employers and employees, will remain 7.65 percent. This tax includes a Medicare tax of 1.45 percent, but there’s no cap on the amount of earnings that can be taxed for Medicare.

The earnings cap in 2004 for Railroad Retirement Tier II benefits was \$65,100, but will rise in 2005 to \$66,900. The good news is that the taxation rate levied against employees for Tier II benefits will decrease from 4.9 percent to 4.4 percent. The rate for Tier II benefits paid by employers will drop from 13.1 percent to 12.6 percent.

New UTU merchandise

In conjunction with American Products, the UTU is offering a new line of clothing and merchandise bearing the union’s “new millennium” logo. All of the UTU items being sold through American Products are either union-made or are made in America.

To view the new line of merchandise, visit the UTU website at www.utu.org and click on the “UTU Gear” button in the blue menu bar on the left-hand side of the page.

BLET: ‘It’s good for us, but don’t you try it!’

Bizarre as it may sound, the Brotherhood of Locomotive Engineers and Trainmen (BLET) has filed a lawsuit against the UTU complaining of an action the BLET initiated. Equally wacky is that hours after the BLET filed its lawsuit, it was successful in an arbitration defending its own identical behavior.

Here are the facts:

Some years ago, the BLET imposed so-called “seniority maintenance” fees on all Illinois Central and Kansas City Southern (including KCS subsidiary South Rail) employees holding engineer seniority dates. Unless those employees, who belonged to the UTU, paid the seniority maintenance fees to the BLET, they could not accumulate additional engineer seniority while working as engineers. More recently, the BLET imposed seniority maintenance fees for all engineers employed by Conrail in the Shared Assets Area.

The fees are intended to reimburse the BLET for the fair share of the expenses of negotiating and administering the engineers’ collective bargaining agreement.

BLET files lawsuit against UTU for fees it also charges members

The fees also serve as a deterrent to engineers joining the UTU, and to encourage trainmen, who hold both engineer and trainmen seniority, to join the BLET. But when that didn’t have its desired effect, and engineers continued to choose the UTU over the other organization, the BLET began offering cut-rate dues to train service employees in a blatant attempt to raid the UTU.

As a defensive measure, and only years after the BLET imposed seniority maintenance fees, the UTU sought – and obtained from most major railroads – similar authority to impose seniority maintenance fees on trainmen.

The UTU made absolutely clear when it obtained this authority that it would halt implementation of seniority maintenance fees if the BLET stopped its raiding of the UTU – that is, the offering of cut-rate dues to trainmen – and scrapped its own imposition of seniority maintenance fees.

Instead, the BLET on Nov. 24 filed a lawsuit

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UTU urges more conductor training

Fox News in the New York-Northern New Jersey metropolitan area aired a story about a serious rail passenger security problem in November, but in the process embarrassed a UTU conductor on New Jersey Transit (NJT).



Iannone

UTU Vice President Tony Iannone contacted the station and sent a letter to television reporter Mary Garofalo explaining the situation.

“Our UTU rail passenger conductors and assistant conductors place themselves in harm’s way on every run,” Iannone said. “Conductors and assistant conductors are the eyes and ears constituting a passenger railroad’s first line of defense against terrorist

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Feds say rail cops harass workers

WASHINGTON, D.C. – For many years, the United Transportation Union has complained to carriers about improper conduct of railroad police, who have abused and harassed UTU members – as well as rail employees represented by other organizations – through oppressive interview tactics, illegal wiretapping, spying and other inappropriate activities.

No more are the UTU complaints merely allegations. The Department of Transportation’s inspector general has validated the UTU’s complaints, calling many railroad police actions against UTU members “serious issues,” “misconduct” and “heavy-handed.”

In a report to the bipartisan leadership of the Senate Commerce Committee, which has oversight of railroads, DOT Inspector General Kenneth Mead (the IG) said his office investigated

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Around the UTU

News from around the U.S. and Canada

Local 23, Santa Cruz, Calif.

Members of this local, employed by the Santa Cruz Metropolitan Transit District as well as Community Bridges, held a holiday party Dec. 11 featuring music, food, raffles and gifts, said Local Chairperson **Bonnie Morr**. Honored at the event was bus operator **Patricia Clarke**, who is retiring after working since 1978 without an accident. Meanwhile, the local is asking the transit district to open negotiations early, with health-care premiums paid on the front burner.

Local 48, Norfolk, Va.

Members of this Norfolk Southern local are mourning the death of retired UTUIA Field Supervisor **Henry "Hank" Hunter**, 84, who passed away Oct. 27. Brother Hunter had recently suffered a stroke, and during treatment doctors discovered he also had a malignant brain tumor. Hunter had 49 years of railroad experience and served the UTU and UTUIA for 37 years.

Local 60, Newark, N.J.

Conductors and trainmen in this NJ Transit local held an educational seminar after their regularly scheduled meeting on Nov. 30, said International Vice President **Tony Iannone**. General Chairperson **X. D. Williams** invited Iannone and State Legislative Director **Danny O'Connell** to assist, and gave special recognition to Vice Chairperson **David Rasmussen** for coordinating the event. O'Connell's presentation focused on UTU PAC and legislation affecting NJ Transit, and he noted the lawmakers who support legislation benefiting rail and bus members. Rasmussen presented a safety workshop, Secretary **Ralph Sutter** reviewed accident and incident reports, Vice Chairperson **Jerry McAndrews** talked about the proper presentation of claim timecards, Legislative Rep. **Charles Cellini** spoke about the SOFA Life Savers and **Derrick Fenton** offered an hours-of-service presentation.

Local 500, Grand Junction, Colo.

Retired Union Pacific switchman **Art Kent** recently held a *UTU for Life* meeting, and looks forward to hosting another in March. For information, contact him at (970) 434-5806 or send e-mail to artk1234@aol.com.

Local 645, Babylon, N.Y.

At the recent annual dinner of the Columbia Association Chapter of the Long Island Rail Road (LIRR), LIRR General Chairperson **Michael J. Canino** was honored as *Man of the Year*, according to State Legislative Director **Samuel J. Nasca**.

Local 733, DeQueen, Ark.

Members of this BNSF local in Texas are reminded that the meeting location has been changed until further notice to 6100 Countryside Drive in League City, Texas, and meetings will be held on the second Friday of the month at 4 p.m., said Local Chairperson **J. L. Stubbs**.

Local 771, Needles, Calif.

Members of this BNSF local offer best wishes to conductor **Doug "Doctor" Gordon**, who retired Dec. 15, according to Trustee and Vice Local Chairperson **Court Skinner**. Brother Gordon, who began his career as a brakeman on the AT&SF in June 1965, served as editor of the local newsletter, *Bakehead News*, for



A recent recipient of CSX's A. Crane Jones Humanitarian Award, yardmaster Ted Nash of Local 1971 directed the award's cash grant of \$1,000 to the Eugene J. Butler Middle School in Jacksonville, Fla.

Yardmaster earns humanitarian award

Students at the Eugene J. Butler Middle School in Jacksonville, Fla., have a better chance of receiving passing grades on the state achievement exams, thanks to the efforts of CSX yardmaster **Ted Nash** and the members of the Jacksonville Division Diversity Council.

Brother Nash, a member of Local 1971, Atlanta, Ga., was one of four CSX employees recently honored as recipients of the A. Crane Jones Humanitarian Award, the company's highest award honoring exemplary volunteers.

A Jacksonville resident with 33 years of railroad experience, Nash is chairman of the diversity council, and he insists that the good news in town should be attributed to a joint effort.

"This isn't about me," Nash said. "It was about the council working as a team. Recognition should go to members of Local 903 in Jacksonville, including **J. J. Pope**, and special thanks should go to the council's Assistant Vice President **Susan Hamilton** for her tireless support."

The team spearheaded by Nash organized a community-wide effort to help students at the middle school pass their academic achievement exams. As part of that effort, the team recruited members of youth groups, church groups and the local school board to join with CSX volunteers as tutors and mentors for the students.

"We knew CSX had a program that contributed funds at the grassroots level to target local community needs, so we went to the school, asked about their problems and how we could assist," Nash said.

As an award winner, Nash was given a plaque and a trophy, a letter from CSX Chairman **Michael Ward** and a \$1,000 grant from CSX for the charity of his choice. Nash, of course, designated the Eugene J. Butler Middle School.

nearly seven years. Taking the reins of the publication will be **Bill Clemmer**. Meanwhile, more than 550 attended the annual family Christmas party hosted in early December by the local in conjunction with **Tri-State Auxiliary 771**, said Local President **Larry A. Parker**. The party was held over the course of two days so all could participate.

Local 1252, Fresno, Calif.

Members of this BNSF local are mourning the deaths of four retirees, said retired past Secretary-Treasurer **Don Heffernan**. Those who recently passed away include yardmaster **Harry Torongo**, conductor **Frank Gibson**, conductor and past Local Chairperson (Trainmen) **Leon Reynolds** and engineer **Richard Koontz**.

Local 1529, Walbridge, Ohio

Members of this CSXT local now have their own website, said Vice President **Douglas J. Losiewicz**. The website can be viewed at www.utu1529.org.

Local 1594, Upper Darby, Pa.

Among the 44 members of this SEPTA local lauded as distinguished bus operators at the recent annual safety banquet were **Bill Novak**, who is retiring at the end of 2004, and Legislative Rep. **Tom Bisignani**, said General Chairperson **Ron Koran**. Singled out from among 5,000 SEPTA employees, nether have ever been disciplined, and each boast at least 35 years of safe driving. A union officer for 30 of his 38 years in the industry, Brother Bisignani intends to negotiate one more contract before retiring at the end of 2005. Brother Novak's son, **Joe Novak**, took a job with SEPTA so he could join the UTU.

Local 1741, San Francisco, Calif.

If the mechanics who fix the San Francisco Unified School District's buses decide to strike, members of this school bus operators' local will not cross the picket line, Local President **Ange Beloy** said. Check the local's website at www.sfschoolbus.com for updates. (See Page 3 for the full story.)

Local 1778, N. Vancouver, B.C.

Trainmen in this former BC Rail local, as well as trainmen in Local 1923, Prince George, B.C., signed an agreement Dec. 1 with the Canadian National Railway, which purchased BC Rail, for the intent of integrating the two railways, said Local Chairperson **John Holliday**. The next step will be to resolve seniority issues. "Keeping our existing contract until the end of 2006 is a huge win," said Secretary-Treasurer **David Moorhouse**. For updates, visit the website shared by the two locals at www.utubc.com.

Local 1846, W. Colton, Calif.

Plans called for this Union Pacific switchmen's local to host a Christmas party Dec. 20 for active members and their families at Stewart Anderson's Black Angus Restaurant in San Bernardino, said Local President **Richard Escamilla**.

Local 1977, Seattle, Wash.

Retired BNSF yardmaster **Jim Sofie**, 71, a long-time member of the *UTU for Life* program, has extended an invitation to join him and the members of the Polar Bear Club in a brisk swim in Lake Wenatchee near Leavenworth, Wash., at 2 p.m. on Jan. 1, 2005. Call Sofie at (509) 763-2197, or send e-mail to leavenworthpolarbears@yahoo.com.

Lifetime max boosted

The lifetime maximum benefit for each individual covered under the Railroad Employees' National Early Retirement Major Medical Benefit Plan (UnitedHealthcare's Policy GA-46000) will increase from \$88,100 to \$92,400 as of Jan. 1, 2005. The \$4,300 in additional benefits payable applies to expenses incurred on or after Jan. 1, 2005. The lifetime maximum benefit is adjusted each year based on the medical cost component of the Consumer Price Index.



UTU BUS LINES

News items culled from the Daily News Digest, published every day on the UTU website, www.utu.org.

City halts SEPTA's plans for fare hike

PHILADELPHIA – In a rare use of its veto power, the City of Philadelphia in December put the brakes on a last-minute plan by the SEPTA board to erase the agency's \$62-million deficit by raising the cash fare from \$2 to \$3 – the highest in the nation – and eliminating 20 percent of week-day service on buses, trolleys and trains, according to the *Philadelphia Inquirer*.



"Most of the workers in this region cannot afford" a 38 percent fare increase, said Christian DiCicco, City Council's representative on the 15-member SEPTA board.

DiCicco joined Jettie Newkirk, Mayor Street's appointee, in temporarily derailing the plan. Under Pennsylvania law, the two representatives of the city – home to 80 percent of SEPTA's estimated one million daily riders – can veto any measure.

SEPTA riders' sense of relief could be short-lived. Most board members vowed to override the veto at their Dec. 16 meeting unless Gov. Rendell produces enough money to close the chasm in the agency's \$920-million budget.

Since September, SEPTA had threatened to raise fares by 25 percent, end weekend service and lay off 1,300 employees. SEPTA officials predicted that 20 percent of commuters would abandon public transit.

Local 1741 drivers prepare to honor pickets

SAN FRANCISCO – Members of Local 1741 in San Francisco, employees of Laidlaw, are preparing to honor the picket lines of mechanics on the property who are preparing to strike over wages and health-care benefits as this issue of *UTU News* goes to press.

More than 6,500 students could be left without transportation as of Jan. 3, 2005, if the 10 mechanics who fix the San Francisco Unified School District's buses decide to strike. In support of their cause, the UTU-represented drivers have

vowed not to cross the picket line.

"If they're on strike, the buses won't be rolling," said Ange Beloy, president of Local 1741.

The mechanics and approximately 250 drivers work for Laidlaw, the largest school bus operator in North America. Negotiations between the mechanics and Laidlaw have been ongoing for more than 18 months, during which time the mechanics have worked without a contract.



The main areas of contention are wages and health benefits. Currently, the mechanics make \$28 to \$32 an hour and are expected to contribute a co-payment of about \$173 a month for their health insurance. They've asked Laidlaw for a cost-of-living increase and for the company to pay all of the health insurance costs.

Both sides are hoping to reach a final agreement by Dec. 17, the last school day before the district's two-week winter break.

Feds say target drivers with medical conditions

WASHINGTON, D.C. – Federal safety officials said last month that states must do a better job identifying and removing from roadways drivers with medical conditions such as epilepsy and dementia that make them dangerous to other motorists.

The National Transportation Safety Board recommended that states adopt laws to guarantee legal immunity for doctors, family members and others who report dangerous drivers to state motor vehicle officials. Twenty states and the District of Columbia have no such laws.

Six states – New Jersey, Nevada, California, Delaware, Oregon and Pennsylvania – require doctors to report drivers with high-risk conditions.

Board members said police need to be trained to spot drivers with medical problems and doctors should be taught to talk to patients about whether they should be driving. The board also said federal agencies need to coordinate transportation possibilities for people who can no longer drive.

The government has no data on crashes caused

by medical conditions, so the extent of the problem is unknown. The NTSB studied six crashes, including five caused by epileptics having seizures and one by a diabetic who had a blackout, before issuing its recommendations. The crashes, in Maryland, Pennsylvania and Florida, killed eight people and injured 24.

Authorities said as many as one in four drivers could have a condition that may cause a crash if they included arthritis, sleep disorders, high blood pressure, Alzheimer's disease, alcoholism and cataracts.

Officials crack down on diesel bus fumes

BOSTON – State environmental officials are taking aim at pollution caused by school buses by invoking a seldom-enforced law that limits most vehicle idling to no more than five minutes, according to the *Daily News Tribune*.

The Department of Environmental Protection (DEP) conducted a sweep of 34 schools in September and October and found that students in many communities, including Waltham and Shrewsbury, were being exposed to more diesel exhaust than permitted under state law. More inspections are ongoing and a third round will be conducted in the spring.

"It's serious, especially when you have buses idling and spewing the emissions they do around children," said Ed Coletta, DEP spokesman. "Children breathe deeper. They breathe 50 percent deeper than adults because they have smaller lung capacity."

Officials at the DEP warn that diesel exhaust can cause breathing difficulties, respiratory infections and attacks of asthma and chronic bronchitis. Diesel exhaust from idling buses can accumulate in schoolyards and inside schools when bus stops are near air intake vents.

The law allows for fines of up to \$100 for a first offense and up to \$500 for repeat offenses, but has rarely been enforced.

DEP is urging school districts to direct drivers to turn buses off as soon as they arrive in school driveways or parking lots, post "idling limit" signs and retrofit buses with pollution controls or buy new buses with cleaner-burning engines.

UTU 35th Anniversary watch now available



Each UTU 35th Anniversary limited-edition gold watch features a brilliant, die-struck, 14-karat gold-filled watch face and a number of certification on the back.



The UTU has commissioned a **35th Anniversary Limited-Edition union-made watch** for the members of this great union. The watch, created by American Time, features a brilliant, die-struck, 14-karat gold-filled watch face that captures the detail of the union logo in proof-coin brilliance.

Sequentially numbered from 1 to 1,000 (men's) and 1 to 500 (ladies'), this limited-edition members' watch will provide you with an heirloom that will be treasured forever.

The timepieces are created by union-represented watchmakers at the American Time Company in Rochester, N.Y., so you know these watches guarantee you quality and reliability in the tradition of the great railroad watches of yesteryear.

The watches are available with either an expansion bracelet or leather band. The cost is \$125 for either the men's or ladies' style, plus \$6.95 for shipping and handling.

Also, 20 percent of the purchase price will be donated to the UTU PAC fund, so your purchase gives twice!

Honor this historic event and reserve your limited-edition 35th Anniversary UTU watch today.

To order call (800) 272-5120. You also may download an order form from the UTU website, www.utu.org by clicking on the "UTU Gear" button.

If you prefer, you can fax your order to American Time at (585) 295-8004; please include your choice of men's or ladies' watch, band desired, credit card number and expiration date.

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Better transport safety means better training

We can think of no better New Year's resolution for employers than to do something positive about workplace safety.

Hanging posters proclaiming, "safety first," but not investing in more and improved training programs, is shameful.

Saving money by not hiring, while working existing employees to exhaustion – where they are accidents waiting to happen – is senseless.

Refusing to invest in improved security is scandalous.

More than three years after 9/11, baggage loaded aboard buses and trains is not being inspected for explosives.

Employees have not been trained to recognize and respond to security threats.

Cargo containers are being unloaded directly from ships to rail cars without adequate inspection.

In spite of warnings that terrorists could target buses and trains, communication between operating employees and police has not been upgraded.

Outrageous as all this is, carriers have taken even more contemptible action by opposing whistleblower protection, and by lobbying Congress to scrap a law – the Federal Employers' Liability Act, or FELA – that allows injured rail workers to recover damages when the workplace is unsafe.

What a wonderful year 2005 would be if carriers would voluntarily do the right thing and cooperatively sit down with UTU officers to design and implement the training and other programs needed to make safety more than an empty slogan.

A trail of tears

By Paul C. Thompson
International President

Twelve train and engine service employees have been killed in switching and road accidents through early December. The trail of tears leads directly to railroad CEOs.

Concerned more about profits than safety, carriers waited too long to hire urgently needed new crews. They acknowledged going to work tired is like going to work drunk – then they looked the other way, saying freight must move at any cost. When exhausted employees decline more work, they face discipline.

Even in yards, with assigned shifts, fatigue is a factor because carriers mandate extra shifts, cancel rest days and assign switchmen to road jobs and roadmen to switch jobs on rest days.

When shipper outrage over poor service forced carriers to begin hiring, they engaged outside contractors to design and implement a flawed one-size-fits-all training program. Then they accelerated training programs.

To his credit, a Union Pacific superintendent in Chicago worked with the UTU to devise an in-house training program designed, implemented and taught by "super conductors" with recognized leadership and safety skills. The program trains new hires on the actual real estate they will work, involves continued mentoring and remedial training. It is praised at the Federal Railroad Administration (FRA). Yet it hasn't been expanded else-

where on the UP or adopted by other railroads.

Those killed weren't just new hires. The FRA identified 21 road collisions involving crews with at least 20 years' experience. The UTU long has advocated recurrent classroom training with a competent rules instructor – especially in the wake of new technology being introduced. Carriers responded with silence.

As the death toll increases, carriers have focused not on cooperation with the UTU to cure the dangers of fatigue, insufficient training of new hires and shortcomings in recurrent training. Instead, carriers have attacked the Federal Employers' Liability Act (FELA), which permits injured workers (or families of the deceased) to recover damages from carriers who place profits ahead of safety.

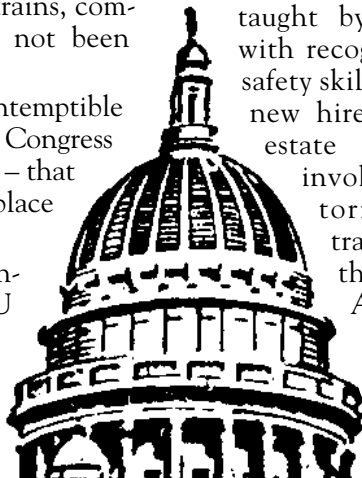
Recently, *The New York Times*, read in every congressional office, exposed how dangerous is the railroad workplace. Railroads responded by continuing their attack on FELA, the only safety net employees have against carrier greed.

UTU's friends in Congress assure us the carriers will not succeed in scrapping FELA. And at UTU's request, congressional leaders are considering hearings on rail safety where CEOs will be called to answer questions under a public spotlight. It makes more sense for the carriers to cooperate with the UTU to improve workplace safety.

One way or the other, 2005 is likely to produce workplace safety gains. They have been too long in arriving.



Thompson



WASHINGTON WATCH

By James M. Brunkenhoefer

Thanks to you, we have friends in Congress

The national elections are over and we must return to doing business with Congress, the White House and the various regulatory agencies.

Although some UTU-endorsed candidates, including John Kerry and John Edwards, were defeated, most UTU-endorsed candidates were elected.



Brunkenhoefer

UTU-endorsed candidates from both parties won – and overwhelmingly so. Because the UTU is known on Capitol Hill for its bipartisanship, the UTU is in a better position than many organizations to defend its members.

The UTU PAC, which exists because of your generous contributions, played a significant role in helping our friends be elected or re-elected. Each of them has acknowledged our support with thank-you notes or telephone calls.

Two very close UTU friends were elected to Senate leadership positions – Sen. Harry Reid (D-Nev.) and Sen. Dick Durbin (D-Ill.).

Sen. Reid will lead the Democrats this next session of Congress as Senate minority leader, succeeding Sen. Tom Daschle (D-S.D.). Sen. Reid has been supported by the UTU since he first became active in politics. Six years ago, he used the UTU bus as a command center in a close election. In November, he received almost 60 percent of the

vote in an overwhelming re-election victory.

During the fight for the passage of Railroad Retirement reform, Sen. Reid went to the Democratic caucus and insisted that the Railroad Retirement and Survivors' Improvement Act of 2001 be put on the calendar; then he worked tirelessly for its successful passage.

Sen. Durbin was elected by Senate Democrats as Senate minority whip for the upcoming congressional session. He lives in Chicago where one of his neighbors and friends is Illinois State Director Joe Szabo.

The upcoming congressional legislative agenda will be hectic and the UTU will be mostly in a defensive position. We will be working to defend the laws already on the books that are likely to come under attack by the carriers and their friends in Congress.

We will be working to defend the Federal Employers' Liability Act (FELA) and to increase bus and rail security and training.

Another urgent task we face is to ensure Amtrak is not privatized and that a national intercity rail passenger network remains in place. We must also fight for adequate funding for transit operations, such as SEPTA.

The bottom line is this: From the standpoint of the UTU legislative agenda, the results were not all bad. We have our work cut out for us. We are confident in our ability to succeed. We believe we are well positioned to achieve legislative victories.

State Watch *News from UTU State Legislative Boards*

Idaho

Officers from UTU Locals 265 and 78 (both Pocatello) met with Union Pacific (UP) management last month to work out the implementation of remote control operations in the Pocatello yard, according to State Director **George Millward**.

A target date of Jan. 3, 2005, was set to begin training employees who will operate the remote control locomotives. Training will be given to employees who have worked in the Pocatello yard for more than 30 years as well as to those with only a few months of service, Millward said. The initial training will last approximately four months.

Ten current assignments will be replaced by remote control operations, Millward said. About 15 yard engineers will not lose their jobs; they will be absorbed into the current local and road operations, he said.

Sam Taullie Sr. (Local 202, Denver), who serves as vice general chairperson, insisted that UP management work closely with local UTU officers in the implementation and training of the remote control operators as well as training of local and road crews as to the new work rules that will be in effect in the Pocatello yard. UP agreed with Taullie and approved an overview committee of Local 265 Chairperson **Greg Wilson**, Local 265 Vice Local Chairperson **Brad Barbre** and Millward to assist UP trainers and Senior Manager of Terminal Operations Steve Wilson in all areas of this new technology and the changeover to remote control operations.

Millward said his main concern in the implementation of remote control is "safety to crew members as well as to the community. I hate to see the locomotive engineer replaced by a little box with toggle switches but we can't stop proven technology. This technology has been in our industry for more than 20 years and I have expected it to come long before now.

"We tried to get the other union that represents many of the engineers here in

Pocatello to negotiate with us on remote control operations, but they insisted on having all of the work, not half of the work," Millward said. "Had we not continued negotiations with UP, we were faced with losing 30 or more switchman positions that the UTU represents."

Colorado

"On Nov. 2, 2004, Colorado made history at the ballot box," said State Director **Rick Johnson**.

"No, there wasn't a change from being a 'red' state in the presidential election, but there was a change to blue in many other political races within the state."

Johnson said Colorado elected two Hispanics to higher office: Democratic Senate candidate Ken Salazar and Democratic Third Congressional District candidate John Salazar.

"Yes, Ken and John are brothers from southern Colorado," Johnson said. "With their rural roots and moderate political views, the Salazar brothers beat formidable Republican opponents to win their seats."

Johnson also said Colorado made history when both the state Senate and House changed majorities from Republican to Democratic. "It has been 44 years since both chambers were predominantly Democratic," Johnson said. "Thanks to the political funding of UTU PAC, feet on the ground and an aggressive get-out-the-vote effort, this election really did change the color of the state to a 'light blue.'"

New England States

New England States Legislative Board Director **George Casey** reports that Boston-area Amtrak Locals 262 and 1462 sponsored a blood drive for Conductor Larry Solomon in South Station, Boston, earlier this month. Local 1462 Secretary **Roberta Pianna** is chairperson of the blood drive and can be contacted at (617) 345-7839 for further information.

Minnesota



The UTU Minnesota State Legislative Board held a conference recently where union officers and others reviewed current initiatives and talked about federal and state elections. On hand as a show of support was Minnesota State Sen. David Tomassoni and State Rep. Tony Sertich. Shown at the conference, standing left to right, are Local 1292 (Proctor) member Paul Fish; Duluth, Missabe & Iron Range General Chairperson Clyde Larson; Local 1067 (Virginia) Legislative Rep. Jim Busker; newly elected State Director Phil Qualy and Tomassoni. Seated is Local 1175 (Duluth) Legislative Rep. Richard Olson.

Texas

Following a rash of deadly derailments in and around San Antonio, State Director **Connie English** has been working with the Federal Railroad Administration (FRA), local government officials and the carriers to help straighten out the mess.

"The Union Pacific (UP) and the FRA have started an 'FTX' field training exercise program that will last for one year there," English said. "UP set up a command center at the Kirby Yard where crews have to call in, get job briefings and all of the current bulletins. FRA also is out on the property testing rules knowledge not only of the employees but the managers, too."

English said the UP replaced the superintendent in San Antonio in an attempt to boost employee morale. "Morale starts with the superintendent," he said.

Bus Department

By Roy Arnold, vice president-director

Our work cut out for us in 2005

We must wage the battle for security.

With four more years of a president who favors big business, we must work even harder to educate lawmakers in Congress that transportation security means more than airlines. Bus passengers and baggage must be screened. Increased bus operator training and security is a must.

You can help by contacting your lawmakers and explaining the importance of increased bus security. Our national legislative office will also be doing so when Congress returns to Washington, D.C., in January.

We have secured wage and benefits increases and improved working conditions for Locals 113 and 1731.

On Nov. 1, Locals 1697 and 113 (Alex operators) were consolidated into Local 1731 in Spokane, Wash. We are conducting elections for this expanded local and results will be posted at www.utu.org. This consolidation will create better communication among operators and improve handling of affairs on their behalf.

The UTU has won an arbitration for Local 1670 in Harlingen, Texas. Alternate Vice President (East) Rich Dier was instrumental in an arbitration victory for Local 1582 in Albany, N.Y.

Contract negotiations begin soon for Local 1596 in Spartanburg, S.C., and for Local 1670 (Laredo, Texas), and for many of our Canadian brothers and sisters. Also, training will begin soon in Hesperia and Riverside, Calif., for Locals 1495 and 1496.

I thank each of you for the support and kindness you displayed this year. I look forward in 2005 to continuing our efforts at improving security, organizing, training and improving communications. Have a safe and happy holiday.



Yardmasters

By J.R. (Jim) Cumby, vice president

Your seniority is sacred

We are in the process of exchanging Section 6 notices with the carriers as we begin a new round of negotiations toward improving wages and benefits, working conditions and our quality of life. Existing contracts are open for revision effective Jan. 1.

It is likely negotiations will be long and quite difficult. This round of collective bargaining is quite likely to be one of labor's hardest-fought battles.

The carriers have always looked to eliminate and/or consolidate positions. Once again, the carriers are looking for the ability to "assign employees to positions based upon qualification and ability."

This would eliminate the seniority provisions in agreements and allow carriers to put whomever they want on positions, regardless of seniority. The carriers have been after this since the 1988 round. The carriers do not want to accept the fact that yardmasters are not usually entry-level positions, but rather a stepping stone.

Instead of seeking to eliminate the seniority protection in our agreements, carriers would be better served by looking at work loads and stress levels in our positions. In many instances, people have decided that stress and/or the quality of life is not worth working a yardmaster position.

I can assure you that in this round of bargaining, as in the past, seniority, work preservation and quality of life are at the top of the list as we begin negotiations with the carriers.

As we prepare for this difficult round of negotiations, Doyle Turner, Cara McGinty and I extend to you and your families our best wishes for a safe and prosperous holiday season and new year.



UTU for Life

Member's first book takes on mysteries

Members who purchase a copy of **F.H. (Frank) Wallace's** first book will be involved in tackling two mysteries for the price of one.

In the retired Long Island Rail Road (LIRR) conductor's book, **Tickets, Please...**, a commuter train conductor's life is turned upside down when he is suspected of robbing and shooting dead a jewelry salesman on his train. But readers engrossed in the mystery woven by Brother Wallace should be gratified to know that 40 percent of the proceeds from the novel will help medical researchers unravel the mysteries they face battling melanoma cancer.



F.H. Wallace

"I had finished the book, but put it on the shelf when I learned my 27-year-old daughter, Kelly Ann, had cancer," said Brother Wallace, a member of Local 645 in Babylon, N.Y. "I promised her before she died that proceeds from the book would go to the cancer research and treatment program at Memorial Sloane-Kettering Cancer Center in Manhattan."

Wallace, who spent 28 years on the rails before retiring in September 1999, based one of the characters in his book on a friend, a retired LIRR detective. "I included a lot of rail jargon and explain the mechanics of railroading to the reader," he said. "This is the first of a series of five books I've planned that will involve some of the same characters."

Though he began his rail career on the LIRR in 1971, Wallace always wanted to write. "I attended writing courses over the years, thanks to Veterans Administration benefits. But I didn't really get busy with it until I retired."

The book is available at Barnes & Noble bookstores, through Amazon.com, and will be in a variety of other bookstores soon. Excerpts can be read online at www.Xlibris.com. "Click on the 'Bookstore' link on the left, then click on the 'search' link, and fill in 'Wallace' as the author's name to find the book," Wallace said.

Contact Brother Wallace at (631) 226-0797, or send him e-mail at tickets@optonline.net.

Q's & A's address changes affecting Medicare in 2005

By V.M. "Butch" Speakman Jr.

The Medicare program provides hospital and medical insurance protection for railroad retirement annuitants and their families, just as it does for Social Security beneficiaries. The following questions and answers provide basic information on some of the changes in Medicare that will take effect in 2005.

What are the Medicare Part A deductible and coinsurance charges in 2004 and what will they be in 2005?

For the first 60 days in a benefit period, a Medicare patient is responsible for paying a deductible, which for 2004 is the first \$876 of all covered inpatient hospital services. The Part A deductible will increase to \$912 in 2005. The daily coinsurance charge that a Medicare beneficiary is responsible for paying for hospital care for the 61st through the 90th day is \$219 in 2004, increasing to \$228 per day in 2005. If a beneficiary uses "lifetime reserve" days, he or she is responsible for paying \$438 a day for each reserve day used in 2004, and \$456 a day in 2005. Lifetime reserve days are an extra 60 hospital days a beneficiary can use if illness keeps him or her in the hospital for more than 90 days; a beneficiary has only 60 reserve days during his or her lifetime and the beneficiary decides when to use them.

In addition, the daily coinsurance charge a beneficiary is responsible for paying for care in a skilled nursing facility for the 21st through the 100th day is \$109.50 in 2004 and will be \$114 in 2005.

Will the Medicare Part B deductible and premium change next year and by how much?

The annual deductible for Medicare Part B will increase from \$100 in 2004 to \$110 in 2005. After that, the deductible will be indexed and subject to annual increases. After the deductible is paid, Medicare will generally pay 80 percent of the approved charges for covered services during the rest of the year; the beneficiary is responsible for paying the remaining 20 percent of the cost.

All beneficiaries currently pay the same basic premium amount for Medicare Part B (\$66.60 in

2004 and increasing to \$78.20 in 2005), which covers outpatient care and doctor visits. Beginning in 2007, the premium will increase for individuals with annual incomes of more than \$80,000, and for couples with annual incomes of more than \$160,000, on a sliding income scale.

What new preventive benefits are being offered?

Beginning in 2005, preventive benefits coverage will be expanded to include: a one-time initial wellness physical examination; screening blood tests for early detection of cardiovascular diseases, and diabetes screening tests for people at risk of diabetes.

Will Medicare be putting out information about program changes?

The Centers for Medicare & Medicaid Services (CMS), the federal agency responsible for administering Medicare, plans to mail informational booklets in 2005 to Medicare beneficiaries to explain the prescription drug benefits that will begin in 2006.

In the meantime, CMS will provide information about Medicare-approved drug discount cards through Medicare's toll-free number 1-800-MEDICARE (1-800-633-4227), and through the program's website at www.medicare.gov.

V.M. "Butch" Speakman Jr. serves as labor member of the U.S. Railroad Retirement Board.



V.M. Speakman

Retiree marks 100th birthday

Best wishes for continued life in good health recently went out from the U.S. Railroad Retirement Board (RRB) to a retired UTU member who marked his 100th birthday in November.

Lewis J. Welch of Local 1397 in Columbus, Ohio, a switchman who retired from the Chesapeake & Ohio Railroad in December 1967, became a centenarian on Nov. 2, 2004, the RRB said.

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
18	Lash, Charles R.	Mountain Home, Ark.	493	Underwood, Wendell K.	Council Bluffs, Iowa	991	Dolezal, Edward	Dillonvale, Ohio
48	Hunter, Henry L.	Roanoke, Va.	495	Jukes, Everett W.	Salinas, Kan.	1031	Fetzer, James R.	Guyton, Ga.
113	Nelson, Richard F.	Winslow, Ariz.	496	Morrison, Benjamin J.	Sciotoville, Ohio	1038	Lund, Einar A.	Riverton, Utah
202	Mann, Jesse W.	Denver, Colo.	498	Baczowski, John A.	Perth Amboy, N.J.	1043	Partenope, Martin V.	Sparks, Nev.
202	Theis, Carl R.	Pueblo, Col.	498	Duane, Wm. M.	Easton, Pa.	1081	Curran, Henry S.	San Diego, Calif.
211	McLane, Leo P.	Scranton, Pa.	498	Fuhr, Robert	Bath, Pa.	1344	Mrozek, Ralph E.	Jamestown, N.D.
212	Dardani, John J.	Glenmont, N.Y.	498	Smith, Robert R.	Kunkletown, Pa.	1361	Hopson, James W.	Boynton Beach, Fla.
311	Farrell, William J.	La Cres, Minn.	586	Davis, Roland E.	Galion, Ohio	1374	Ferncez, Anthony T.	Azusa, Calif.
313	Curtis, Lawrence I.	Baldwin, Mich.	597	Belt, Asa W.	Romeoville, Ill.	1376	Gussler, Vernon H.	Clearwater, Fla.
322	Benishek, Raymond R.	Antigo, Wis.	622	Bates, W. L.	Morris, Ala.	1393	Sims, Donald C.	Depew, N.Y.
322	Chapman, Lawrence A.	N. Fond Du Lac, Wis.	626	Harder, Albert G.	Marshall, Wis.	1491	Robbins, Edward J.	Matamoras, Pa.
328	McDermott, John P.	New Haven, Conn.	631	Weltman, Robert F.	Olathe, Kan.	1518	Morris, Robert D.	Anderson, Ind.
363	Hundley, Howard N.	Salem, Va.	656	Ranney, Arthur D.	Overland Park, Kan.	1608	Strom, Fred M.	Burbank, Calif.
386	Zerby, Arthur A.	Ashland, Pa.	694	Wagner, Kenneth M.	Dunsmuir, Calif.	1620	Tucker, Arnold L.	New Port Richey, Fla.
421	Bies, Joseph H.	W. Seneca, N.Y.	772	McGee, Carl E.	Huntsville, Ala.	1638	Gender, John M.	Kingsport, Ind.
430	Cleveland, Boyd O.	Rawling, Md.	794	Hoyer, Gary L.	Gun Barrell City, Texas	1836	Braud, Floyd H.	Gretna, La.
473	Rodriguez, Lloyd E.	Hermiston, Ore.	807	Hanley, Cecil C.	Tucson, Ariz.	1836	Coker, Walter F.	Marrero, La.
			811	Slater, R. H.	Calimesa, Calif.	1836	Falterman, Eugene J.	Metairie, La.
			816	Stutts, Wadsworth S.	Thompsontown, Pa.			
			904	Rawlins, Thomas D.	Madisonville, Ky.			
			915	Elswick, William T.	Pratt, W. Va.			

NOTE: Erroneously included in this listing recently was Donald R. Christian of Local 1382, who resides in New Berlin, Wis. UTU News regrets the error.

UTU for Life program offers improved benefits for retirees

The UTU is pleased to announce a number of new benefits for retired members who voluntarily belong to the union's *UTU for Life* program.

The new benefits, announced below, are by far the most significant improvements in the program since the program was created in 1976.

And, the additional benefits are being provided at no additional cost to members of the program.

The benefits, which take effect Feb. 1, 2005, include additional discounts on cellular telephones, hotels and motels, cruises and tours, insurance and other items.



Club and its greatest strength will be at the local level.

The *UTU for Life* program is bringing UTU retirees and active members together for luncheons and other activities aimed at fellowship, information and political action. Dues are still only \$9 per year.

"Our retired members from the air, rail, bus and transit industries deserve an opportunity to stay in touch, swap stories, receive information on health care, retirement benefits and legal issues and be part of UTU's legislative program," said UTU International President Paul C. Thompson. "Wherever UTU retirees live, there is opportunity for a

Members receive discounts on cellular telephones, hotels and motels, cruises and tours, insurance and much more, at no additional cost!

Retirement should not mean abandoning workplace friends, losing touch with your industry's current events and not having influence over public-policy issues affecting retirement.

To keep UTU members together and informed, and to provide them with benefits to help them and their families in their golden years, the *UTU for Life* program was created. *UTU for Life* is an expansion of the UTU Retiree

UTU for Life chapter and UTU will assist in its organization."

The first *UTU for Life* chapter was formed in the Seattle/Tacoma area. Retiree Jim Shelley of Seattle coordinated the chapter's formation. The members of each chapter determine the frequency and location of their meeting and other get-togethers. Spouses are always invited to participate.

"UTU retirees are among our most effective members in influencing lawmakers on issues of Railroad Retirement, Medicare and Amtrak," Thompson said.

"We also work to offer our retirees a wide-ranging package of benefits that they and their families can use to save money, enjoy their retirement years, enhance their quality of life and celebrate their union affiliation. We think the *UTU for Life* program offers all that, and very affordably. No other transportation union offers its retirees what the UTU offers, and we are proud of that."

UTU retirees interested in joining the *UTU for Life* program (and possibly sponsoring chapters in their areas) should contact: UTU for Life, United Transportation Union, 14600 Detroit Ave., Cleveland, Ohio, 44107-4250, or complete the membership application form below.

UTU for Life benefits

- A **baseball-style cap** featuring the *UTU for Life* logo;
- Continuation of the *UTU News*;
- A colorful full-size **wall calendar**;
- A wallet-size **medical emergency card**, listing phone numbers, allergies and other data;
- Membership in the **UTU Travelers Club**, which features tours of interest to seniors world wide;
- Membership in **UTU for Life chapters** in your area;
- Discounts on **cellular telephones and service** provided by national providers;
- Discounts on **car rentals** from National Car Rental, Tilden (in Canada) and others;
- Discounts on **cruises** from numerous cruise lines;
- Discounts on **tours** offered by a number of national tour operators;
- Discounts of from 10 to 20 percent on **room rates** at a number of the nation's most popular hotel chains;
- **Insurance and annuity products** purchased through the United Transportation Union Insurance Association;
- **Two different booklets** to help keep track of health issues and finances;
- An **important-papers folder**, designed to hold legal documents;
- A listing, upon death, in the "**Final Call**" section of the *UTU News*;
- Discounts of 15 percent on **railroad artwork** by noted rail artist "Scotty."

UTU for Life Program Application Form

I wish to make the most of my retirement. Please enroll me in the *UTU for Life* Program.

Name _____

Address _____

City _____ State _____ ZIP _____

Phone () _____ Email _____

UTU member? Yes No Local number _____

Please complete this form and return it with a check or money order (U.S. funds, please) payable to "UTU for Life" in the amount of \$9.00 to: UTU for Life, 14600 Detroit Ave., Cleveland, OH 44107-4250.

Members face challenge of New Year's resolutions

Many UTU members will join the estimated 100 million Americans who decide to improve themselves by making New Year's resolutions.

A study cited by the *Wichita Business Journal*, however, found that among those who break their resolutions, nearly a third, or 30 percent, do so during the first week of the New Year. Women were 50 percent more likely than men to give up on their resolutions during the first week, but more women than men made fitness resolutions. And 71 percent of people age 65 and older kept their resolutions, compared to only 35 percent of the younger set.

University of Washington researchers Eliza-

beth Miller and Alan Marlatt in 1997 found those successful in keeping resolutions have a strong initial commitment to making a change; have coping strategies to deal with problems that come up, and keep track of their progress.

Marlatt, who has studied the subject for more than 20 years, said sure-fire ways of setting yourself up for failure include not thinking about resolutions until the last minute and framing resolutions as absolutes by saying, "I will never do such-and-such again."

With that in mind, below are some of the resolutions that UTU members are making for the year ahead.

Top 10 resolutions

1. Spend more time with family and friends
2. Fit in fitness
3. Tame the bulge
4. Quit smoking
5. Enjoy life more
6. Quit drinking
7. Get out of debt
8. Learn something new
9. Help others
10. Get organized

Source: "Top 10 New Year's resolutions," by Kimberly & Albrecht Powell, from *Your Guide to Pittsburgh, Pa.*



Kevin Allred

Kevin Allred

L-324, Seattle, Wash.

I'm a BNSF conductor on the northwestern division and local chairperson. I used to make resolutions about quitting smoking, but I never carried through, so I quit making resolutions. But I did quit smoking. Made up my mind one day and did it cold-turkey. I'd like to see my employer resolve to make more progress on the Shared Values and Safety Initiative.



Solomon Huffman Jr.

Solomon Huffman Jr.

L-991, Steubenville, Ohio

I'm a Norfolk Southern conductor and local president, and I've been railroading for 33 years. I'm quitting smoking this year. It's killing me! I've quit before and started right back after six months. My employer should resolve to get off our backs. How can they tell someone with 30-40 years of experience he doesn't know what he's doing and can't have the weekend off?



Garrett Taylor

Garrett Taylor

L-1574, Portland, Ore.

I'm a switchman on the Portland Terminal Railroad and a local chairperson. My resolution is to work safely and come home every day. My second resolution is to go to Mardi Gras in Lafayette, La., for loud music, fast dancing and hard drinking. I love my job. If my employers were to make a resolution, it would be to continue providing a safe workplace, as they have been doing.



Richard Escamilla

Richard Escamilla

L-1846, West Colton, Calif.

I'm a conductor on the Union Pacific (former Southern Pacific) and local president. As a union officer, my resolution is to get the new hires more involved. We're having a Christmas party and a spring picnic so they can come and meet the others in the local and take an active interest in their union. My employer? They should resolve to be more lenient with our new guys.



Mark Doyle

Mark Doyle

L-597, Des Plaines, Ill.

I'm a Union Pacific (UP) engineer on the old C&NW and a local chairperson. I guess I'll try to quit smoking again. Every year I try, and the longest I've gone is three months. But in July 2005, all UP properties will be smoke-free, so I'll try again, even though I'm surrounded by diesel fumes. I'd like to see UP resolve to give the new hires more thorough training.



John Klein

John Klein

L-577, Northlake, Ill.

I'm a Union Pacific switchman on the former C&NW with 30 years of experience, and I'm the local trustee. I've never really done a New Year's resolution, and can't think of any kind of resolution I ever stuck to. I'm a smoker, but I can't say for sure that I'll quit. I guess my resolution, as a union officer, is to keep finding ways to inspire others to come to meetings and participate more.

Illinois SLD Joe Szabo travels to Hungary to teach

It wasn't the fiery goulash, the famous vineyards or even Budapest's first-rate culture that enticed UTU's Illinois State Legislative Director Joseph Szabo to travel to Hungary this past fall.

Instead, it was the opportunity to make a difference in a young person's life that drew him to a charming, tongue-twister of a town called Hódmezővásárhely (pronounced hode-mezuh-vah-shar-hey) on the plains of southern Hungary. It is a farming town with a population of 50,000.

For three weeks, Szabo joined a Global Volunteers service program that placed him and his fellow volunteers in the classrooms of, let's just call it Hode, where he taught conversational English to middle- and high-school students.

Global Volunteers is a St. Paul, Minn., based nonprofit organization that offers short-term service programs around the world.

Szabo had a personal reason for traveling to Hungary. This was an opportunity to reconnect with his ethnic roots as his paternal grandparents emigrated from Hungary in the 1920s.

"For me, this was about understanding family roots and giving back to those roots," said

Szabo. "It was a way to understand their history and try to capture what their world was like."

Working with local teachers, the volunteers helped students with their English-speaking skills, a much-needed task as contact with native English speakers is rare in greater Hungary.

By immersing himself in the daily rhythm of the Hode community, Szabo said he gained a unique, non-tourist perspective on the culture of this Eastern European nation.

Szabo found the Hungarian kids to be "bright and fun-loving" and his favorite memory is of taking 45 Hungarian eighth-graders out to play baseball for the first time ever. "We found a bat somewhere and an inflatable ball and used hula-hoops for the bases. It was crazy, but fun!" he related. He sought, but probably without success, to turn the town into diehard Chicago Cubs fans.

Because of the non-political nature of the volunteer program, Szabo declined to comment on whether it was he who taught the students to say, "Union, yes."

"The whole program was emotionally intense and overwhelming, but in a good way," Szabo



Illinois State Legislative Director Joe Szabo with some of the school children he taught in Hódmezővásárhely, Hungary.

said. "I'd say it was the experience of a lifetime."

Szabo said he and fellow volunteers were lodged in a tourist-class hotel and ate their meals at the hotel and in local restaurants. Their free time was spent exploring the historic central square and pottery studios of Hode, the nearby university town of Szeged and bustling Budapest.

Parents, grandparents...

This holiday, give a gift that will last a lifetime!

Have you ever stopped to think about what you could have done with the money you spent on holiday gifts in the past? If you're like most parents and grandparents, you go overboard. But what usually happens to those gifts? Do they end up in the corner, rarely played with – or worse yet, broken? Why not give your little ones a lasting gift this holiday season?



Retired UTU member Willis G. Croonquist and his wife, Rita, pose for their annual holiday photograph with their seven grandchildren. The Croonquists gave each of their grandchildren a gift that will last a lifetime: a paid-up, \$25,000 life insurance policy from the United Transportation Union Insurance Association.

"The best thing I gave each of them was a paid-up \$25,000 life insurance policy."

Willis G. Croonquist
Local 1177, Willmar, Minn.

Permanent life insurance is a wonderful way to provide a lifetime benefit for your youngsters. What better way to show them you care? Permanent life insurance is very inexpensive at young ages, and premium-paying choices are endless, since premiums can be paid in one easy payment or over just about any period of time you select. Give a gift that **keeps on giving** by returning the coupon on the right, or by calling toll-free, (800) 558-8842, for assistance from your UTUIA representative.

Information, Please



I would like more information on UTUIA's ULTIMATE PAR policy. **Please Print.**

Full Name of Member _____ Sex _____ Date of Birth _____

Address _____ City _____ State _____ ZIP _____

Telephone Number with Area Code _____ UTU Local Number _____

Please provide full name, sex, date of birth, and relationship of the child for whom the information is requested on the line below.

Full Name _____ Sex _____ Date of Birth _____ Relationship _____

Complete and mail to: UTUIA Sales Dept., 14600 Detroit Ave., Cleveland, OH 44107-4250 12/04

Get ready to attend the 2005 UTU/UTUIA regional meetings

The dates and locations for the 2005 UTU/UTUIA regional meetings have been finalized. Members who must soon decide their 2005 vacation schedule should note the following information:

Anchorage, Alaska, June 13-15, 2005

Anchorage Hilton, 500 W. Third Ave., Anchorage, AK 99501. Hotel reservations: (800) HILTONS; (907) 272-7411; www.hiltonanchorage.com. (The overflow hotel is the Howard Johnson Plaza, 239 W. Fourth Ave., Anchorage, AK 99501. Hotel reservations: (800) 545-7665; (907) 793-5500; www.hojo.com.) Reservation code: UTU. Room rate: \$145 plus tax per night (\$139 at Howard Johnson Plaza); rate good for three days before and after the meeting. Parking: self park: \$7 per night/\$14 valet. Reservation deadline: May 9, 2005.

Orlando, Fla., July 18-20, 2005

Disney's Coronado Springs Resort, 1000 W. Buena Vista Dr., Lake Buena Vista, FL 32830. Hotel reservations: (407) 939-1020, option 2. Reservation code: UTU. Room rate: \$93 per night plus tax for single/double; additional persons age 18 or older: \$15 per night; room rate good four days before and after the meeting. Reservation deadline: June 14, 2005. Parking: complimentary.

Discounts on airfares have been arranged with Northwest, Continental and Alaska/Horizon Airlines. For Northwest or Continental, call (800) 328-1111 and refer to WorldFile Ticket Designator "NM52A" for Anchorage or "NM52B" for Orlando. For Alaska/Horizon Airlines, call (800) 445-4435 and refer to code CMA0700.

Check the *UTU News* and UTU website for more information.

Moving? Wrong address?

The UTU International pays hundreds of dollars a month in fees to the U.S. Postal Service because many active and retired members do not inform the union that they have moved. If you are planning to move, please inform both the International and your local secretary of your new address at least six weeks in advance. Contact the International by phone at (216) 228-9400, ext. 336, via email at "directory@utu.org" or clip and mail the coupon below.

Please correct my address

Please clip the address label from this newspaper, attach it below, note the correct address and send to Directory Dept., UTU, 14600 Detroit Ave., Cleveland, OH 44107-4250. Please allow six weeks for address changes to take effect.



Name _____

Local _____

Address _____

City/State/ZIP _____

BLET

Continued from page 1

in federal court in Philadelphia seeking to overturn UTU's agreement with carriers permitting the UTU to impose seniority maintenance fees. Sued were the UTU and the carriers.

At the time it filed this lawsuit, the BLET was defending before the First Division of the National Railroad Adjustment Board its own agreement authority to impose, back in July 2000, seniority maintenance fees on a portion of the Kansas City Southern.

And just hours after the BLET filed its lawsuit, the First Division of the National Railroad

Adjustment Board sided with the BLET, finding the imposition of seniority maintenance fees on engineers was proper. That case arose from two South Rail engineers who refused to pay the maintenance fee to the BLET. As a result, the BLET froze their engineer seniority.

The First Division award turned on a 1998 federal appeals court case known as *Corzine, et al. v. Brotherhood of Locomotive Engineers and Illinois Central Railroad Company* 147 F.3d 651 (7th Cir. 1998).

The court in the *Corzine* case upheld the imposition of seniority maintenance fees. The court ruled, "It is difficult to understand why, if the BLE has a statutory duty, as it does, to represent (engineers), it cannot charge them for the

actual costs of that representation." The First Division concluded, based upon the *Corzine* case, that "[T]he BLE (as does the UTU) has the right under the Railway Labor Act to impose such fees as it did through negotiations with the Carrier."

"While each day brings more evidence that these two organizations should be merged in the interests of all train and engine service employees due to the introduction of new technology, the BLET instead chose to associate itself with a labor union that represents employees in an industry directly competitive with railroads," said UTU International President Paul Thompson. "This choice of affiliation does not do right by the members of these two organizations or the rail industry."

Training

Continued from page 1

activities. Unfortunately, conductors and assistant conductors have not received adequate security training following 9/11, and that is a serious public-safety issue that the news report touched on," Iannone said. "I just wish they had done it in a more constructive way."

For NJT conductor Diana Lane (a member of Local 60 in Newark, N.J.), it is a day she will not soon forget. Indeed, she soon learned she was the subject of a television news investigative report looking at possible terrorist targets.

Conductor Lane was assigned to NJT Train 6635. A female passenger with a large suitcase boarded the train at Secaucus during the crowded evening rush hour. It is not uncommon for passengers to carry luggage, including large suitcases, onto commuter and passenger trains.

Additional facts also are clear. The woman was instructed by conductor Lane to seat herself near her suitcase, which, because of its size and the crowded car, was placed in the designated luggage area. As commuters departed the train at subsequent stations and more seats became available, the woman moved to a more comfortable seat further from the luggage area – but still not more than 10 feet from her suitcase.

Between stations, conductor Lane stationed herself in that luggage area, filling out train reports. When the train stopped at Convent Station and the woman passenger detained, conductor Lane was clearly aware that the suitcase went with the woman passenger who had brought it on board.

The Fox News report suggested that if the woman (who, it turned out, was an undercover reporter for Fox News) had been a terrorist, the

suitcase that was brought on board and placed in the luggage area could have contained explosives.

As Iannone points out, the problem was not where the woman sat or where the suitcase was placed. A suitcase containing explosives could cause substantial harm on a crowded commuter train no matter where it was placed. In fact, conductor Lane "did her job in accordance with the rules provided by her employer," Iannone said.

"What the television report failed to explain is that conductors and assistant conductors do not have authority to interrogate passengers with regard to their private property – or to search lug-

Any passenger can board any train at any station with no security checks

gage," Iannone said. "If and when conductors have security concerns, their instructions are to notify NJT police by radio immediately.

"The core problem with train security is that any passenger is permitted to board any train, at any station in this country, without any security screening," Iannone said. "What we urgently need are additional train crews and training for those crews, additional trained station personnel, a viable plan for luggage security that would include bomb-sniffing dogs on and off the trains, and proper baggage identification at stations. Moreover, there should be a reliable communications system with instantaneous response for potential danger," Iannone said.

"This is what the news report failed to focus on, even though the problem should be apparent to even a casual observer, much less a television news crew," Iannone said. "Aviation security

apparatus and security training are far more extensive. The problem on passenger trains is that many more passengers are on board commuter trains than aboard an aircraft and the conductor also has train-operating responsibilities. Not a wheel turns on a train without authority from the conductor," Iannone said.

Iannone offered to provide Fox News with additional information regarding passenger train security and operations, and encouraged Fox News "to assign a reporter to do an in-depth investigation with those who are responsible for implementing and overseeing train security.

"It has been more than three years since 9/11, and aside from a lot of meetings and talking heads, little has been done for train security in America," Iannone said. "Conductors and assistant conductors often are the heroes when problems do arise."

UTU International President Paul Thompson, after reviewing the matter, said, "The National Transportation Safety Board repeatedly has singled out the heroic actions of conductors and assistant conductors following passenger train accidents. Now that terrorist activity is a real possibility on every train, it is urgent that passenger and commuter railroads focus more on the essential role of conductors and assistant conductors and provide them with the training and resources necessary to protect the traveling public."

"Sadly, this report did more to embarrass a dedicated employee than reveal the flaws in train security that must be fixed," Iannone said.

Thompson said he and Iannone will be taking this matter up with federal safety officials and lawmakers if rail passenger carriers do not move more quickly to improve passenger train security by implementing increased security screening and assuring more and better trained crews with access to additional resources.

Cops harass

Continued from page 1

numerous instances where railroad police may have engaged in "unlawful or improper conduct."

Following extensive interviews with UTU officials, carrier management and railroad police officials, the IG recommended, "Involvement of labor union representation in the development of employee investigative procedures."

UTU International President Paul Thompson thanked Commerce Committee Chairman John McCain (R-Ariz.) and the committee's ranking Democrat, Fritz Hollings of South Carolina, for listening carefully to UTU complaints.

Sen. Frank Lautenberg (D-N.J.), whom Thompson termed "a long-time and very special friend of the UTU," personally worked to ensure UTU's request for the investigation was given Senate priority. The UTU was the only union seeking such an investigation.

"This was the first time a formal federal inves-

tigation of railroad police abuse against union members was launched and demonstrates once again that the UTU's bipartisan political stance is effective and beneficial to our members," Thompson said. "The actual report also confirms once again that when the UTU does protest to Congress, its complaints are legitimate."

In 2003 alone, said the IG, major railroads used their police on 975 separate occasions to investigate employees. The IG called this "significant" and also observed that carriers have used railroad police "for non-law-enforcement-related activities on behalf of management, such as investigating time and attendance issues, delivery of administrative notices to employees and conducting surveillance of injury claimants."

The most frequent users of railroad police to investigate employees are Union Pacific and Norfolk Southern. UP ordered its railroad police to investigate employees 226 times during 2003, and NS ordered such investigations 196 times.

Here are some of the worst violations reported by the IG:

- On Florida East Coast Railway, the chief of railroad police "engaged in possible illegal wiretapping or eavesdropping of employee telephone calls."

- On Amtrak, a conductor was arrested by at least five railroad policemen and handcuffed for saying, "woof," to an Amtrak police dog. The criminal charges were dismissed by the court, with the judge terming the incident "non-criminal" and nothing more than the conductor causing the arresting officer to be "ticked off." The IG said, "We can understand how the conductor, along with the union, viewed the actions of Amtrak police as heavy-handed."

- On Union Pacific, railroad police falsely accused a UTU member of a criminal act and subjected him to extensive interrogation before he was released with no charges being filed.

- Also on Union Pacific, a uniformed railroad policeman was ordered personally to deliver discipline notices to an employee's home – an act that was traumatic for the employee's family, who assumed the officer was at the door to report the employee had been injured or killed in an accident.

UTUIA SCHOLARSHIP: THE KEY TO SUCCESS

**A message from UTU International
President Paul C. Thompson**

Education is the key to success, and the key to an education can be a United Transportation Union Insurance Association scholarship.

With college enrollment time upon us, we strongly urge all eligible persons to take a few minutes to fill out the UTUIA scholarship application form printed below and apply for a UTUIA scholarship. It will be one of the smartest things they ever do.



This is the 31st year UTUIA is making available 50 continuing \$500 scholarships for its members, and the sons, daughters and grandchildren of its members. We are very proud of our scholarship program, a pride that comes from helping thousands of college students over the years.

We realize the amount awarded, \$500 a year, doesn't meet the full cost of the recipient's education, but in this way we can help a larger number of students with educational costs. They may use the scholarship money for

tuition, learning materials or other related expenses.

UTUIA scholarship winners will receive the full amount of the award each year for up to four years of undergraduate study as long as they maintain a satisfactory academic record.

With a UTUIA scholarship, we hope to give the recipient the opportunity for a full-time education instead of a part-time education, day school instead of night school, higher education instead of basic training.

We are proud also in knowing that UTUIA scholarship recipients are enrolled in some of the finest and most prestigious colleges and universities in the world. We also can point proudly to the many achievements of past scholarship winners who have contributed so much to our great nation.

UTUIA is proud and happy to provide these scholarships for they are an opportunity for achievement. The success of deserving students is our success and the benefits are boundless. The key to success is education, and the key to education is a UTUIA scholarship. Take a minute to apply for the chance of a lifetime.

As the saying goes: "If you think education is expensive, try ignorance."

Paul C. Thompson
International President



DISTRIBUTION

Fifty continuing \$500 scholarships are awarded each year upon verification of enrollment for the fall term. The scholarships are prorated according to the number of UTU and UTUIA insurance members in each of nine districts. Names of the 50 scholarship winners for the academic year 2005-2006 will be drawn at UTUIA headquarters in Cleveland after the March 31, 2005, deadline for submission of applications.

ELIGIBILITY

Requirements for a scholarship applicant are that he or she be at least a high school senior or equivalent; age 25 or under; be a UTU member or UTUIA-insured member, the child or grandchild of a UTU member or UTUIA-insured member, or the child of a deceased UTU member or UTUIA-insured member. (If member is deceased please include date of death). UTU members or UTUIA-insured members must be U.S. residents.

Applicants also must be accepted for admittance or already enrolled for at least 12 credit hours per quarter or semester at a recognized institution of higher learning (university, college or junior college, nursing or technical school offering college credit). Graduate schools are not included. Families of full-time International officers are not eligible.

AWARDS

Scholarships are awarded on the basis of chance, not grades. A UTUIA scholar, however, is expected to maintain a satisfactory academic record to keep the scholarship for the full four years.

ADMINISTRATION

The UTUIA Scholarship Committee decides whether individual scholarships should be continued or discontinued. Each successful applicant must provide annual proof of eligibility on or before a deadline set by the scholarship committee to qualify for a continuing award. The day-to-day management of the program is handled by the office of the UTUIA general secretary and treasurer.

INVEST IN THE CHANCE OF A LIFETIME

The UTUIA Scholarship Program is an open program. All eligible students, regardless of previous grades or future plans that don't happen to include college, are strongly urged to apply, to take five minutes to invest in the chance of a lifetime, the chance for a better future.

UTUIA SCHOLARSHIP DISTRICTS

District	Scholarships
1 Connecticut, Maine, Massachusetts, New Hampshire New York, Rhode Island, Vermont	5
2 Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania	5
3 Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia	8
4 Indiana, Michigan, Ohio	6
5 Illinois, Wisconsin	4
6 Arkansas, Louisiana, Oklahoma, Texas	5
7 Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota	6
8 Arizona, California, Colorado, Nevada, New Mexico, Utah	8
9 Alaska, Idaho, Montana, Oregon, Washington, Wyoming	3

UTUIA SCHOLARSHIP APPLICATION FORM 2005/2006

(PLEASE TYPE OR PRINT)

STUDENT'S NAME _____ BIRTH DATE _____ / _____ / _____
(LAST) (FIRST) (M.I.) (M/D/Y)

MEMBER'S NAME _____ UTU Local # _____
(LAST) (FIRST) (M.I.) or
UTUIA Local Unit # _____

ADDRESS OF MEMBER _____

OCCUPATION _____

EMPLOYER _____

STUDENT'S RELATIONSHIP TO MEMBER _____

COLLEGE YEAR, 2005-2006 FRESHMAN SOPHOMORE JUNIOR SENIOR

SIGNATURE OF STUDENT _____

SIGNATURE OF MEMBER _____

(Please include date of death if member is deceased; please leave address label attached to back of application)

Applications must be received **no later than March 31, 2005.**

Please submit **only one application per student.** Incomplete, photocopied or duplicate applications will not be accepted.

The application form printed on this page is the official UTUIA scholarship application form and is the only one you will receive. If you need another application form, request one from the address below. Please include your UTU local or UTUIA local unit number with your request.

Complete the form above, cut it out (leaving address label on reverse side, if possible), and mail to:

**UTUIA Scholarship Program
United Transportation Union Insurance Association
14600 Detroit Ave.
Cleveland, OH 44107-4250**

Best Wishes for a Safe, Prosperous New Year



Paul C. Thompson

Paul C. Thompson
International President

Rick L. Marceau

Rick L. Marceau
Assistant President

Dan E. Johnson

Dan E. Johnson
General Secretary/Treasurer

On Behalf of the Officers and Employees
of the United Transportation Union.

We Wish You and Your Family the Most Joyous of Holiday Seasons.



www.utu.org / www.utuia.org

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12/04 - 1/05

UTU Local 1138 officer killed in head-on crash in Florida

RICHLAND, Fla. – A UTU local officer working as a conductor was killed in a head-on collision of two CSX cargo trains early Nov. 29 in eastern Pasco County, Fla.

Killed was Cedric J. Jones, vice local chairperson of UTU Local 1138 in Miami, Fla. He was 28 years old and lived in Opa Locka, Fla.

Jones had been railroading about two years and had a seniority date of July 1, 2002.

He had a wife and two children.

Jones was “a super, super nice guy,” Florida State Legislative Director Carl Cochran said.

“He was an exceptional human being and a true friend to all of us,” Local 1138 Chairperson Yvonne Hayes said. “Everybody has good memories of him. So many people were touched by him. He was not only an exceptional person to work with as a railroader and union representative but he was a great friend and father and brother and son. It is a terrible loss for all of us.”

Jones and engineer E.E. Anderson were northbound on their way to Wildwood from Miami when they met a southbound 136-car freight train.

Jones jumped from the locomotive before the crash and was killed after being struck by a boxcar, investigators told the *Tampa Tribune*. Anderson survived his jump, but was reported to have broken bones. He was treated at a local hospital and released.

Engineer G.M. Whitehead II of Lake Butler and

conductor W. E. Taylor of Bartow (a member of UTU Local 1221 in Tampa, Fla.), crewmembers on the southbound train, were admitted to East Pasco Medical Center with injuries that were not thought to be life threatening, according to reports.

An investigation team from The National Transportation Safety Board (NTSB) traveled to the accident scene and was assisted by members of the UTU Transportation Safety Team.

Investigators have yet to confirm what caused the accident but CSX officials focused on several angles: The behavior of the train crews at the time of impact, the possibility of equipment failure, and the actions of a dispatcher in Jacksonville who operates signals and switches by computerized remote from a central console, according to news report.

The black boxes in each locomotive recorded the southbound train traveling at 28 mph, less than half its maximum speed of 60 mph. No data was available for the northbound train, according to news reports.

NTSB officials in Washington used the Zephyrhills crash as an opportunity to press the railroads to install automatic shutoffs in their locomotives.

Head-on crashes between trains are rare. Of 170 collisions through August of this year nationwide, only seven were classified as “head-on,” according to the Federal Railroad Administration website.



Jones

Inside this issue of the UTU News:



Yardmaster Ted Nash gives school his award money. See page 2.



LIRR retiree Frank Wallace pens a new mystery. See page 6.



UTU improves benefits of UTU for Life program. See page 7.



Illinois State Director Joe Szabo travels to Hungary. See page 8.