News & Notes

O’Connell elected to BOA

New Jersey State Legislative Director Daniel J. O’Connell has been elected to the UTU Interna-
tional Board of Directors in the wake of the retire-
ment of long-time Chairperson W.J. “Jim” Shelton.

The union’s International Board of Directors elected O’Connell to the engine ser-
vice position on the board, the post formerly held by Shelton.

Glenn “Dale” Welch, formerly secretary of the board, was elected new chairperson.

In addition to serving as state director, O’Connell is the alternate delegate for
Local 800 at Jersey City.

Shelton hired on the Missouri Pacific in 1973. He was elected Local 913 (Jefferson City, Mo.)
local chairperson in 1977 and served twice as a delegate. He was elected to the Board of
Appeals at the 1983 convention and served six consecutive terms through August 2004.

GC Maloof passes away

Michael G. Maloof, general chairperson of the New
England Lines, passed away Dec. 27 after a long illness. He was 61 years old.

Maloof served his fellow employees as general
chairperson for 25 years. He began railroading
as a brakeman for the Penn Central in Boston in
1969. He held a variety of local positions and
was a member of Local 1473 in Boston.

“Mike Maloof was a fighter in the mold of old-
time trade-union leaders,” said UTU Interna-
tional President Paul Thompson. “Mike was pre-
pared to fight anyone, anywhere on behalf of
his members. He will be missed.”

The Voice of Transportation Labor

“Skimping on employee training is as much a recipe for disaster as ordering fatigued
employees to report for duty.”

— UTU International Assistant President Rick Marceau

Nine dead following NS wreck; FRA issues safety advisory

GRANITEVILLE, S.C. – The locomotive
engineer was killed and conductor severely
injured in the Jan. 6 crash of a 42-car Norfolk
Southern (NS) freight into an unmanned
train parked in a siding here.

The locomotive engineer, Christopher G. Seeling, died in the collision. The conductor,
William Wright, 42, a member of UTU Local
793 who had been railroading about seven
years, remains hospitalized after inhaling chlo-
rine gas.

Wright is recovering and is expected to be in
the hospital for a few more
weeks, according to Local
793 Local Chairperson
James D. Suggs.

The train, pulled by two
locomotives, was enroute
from Macon, Ga., to Columbia, S.C. Gran-
teville is just north of the Georgia state line.

In addition to the locomotive engineer, eight others were killed and injured following
the crash and release of hazardous
chlorine fumes.

Fourteen of the moving freight’s cars,
including three tank cars containing chlorine,
derailed. The chlorine fumes quickly spread to
an adjacent factory and homes, leading to the
deaths of six in and near the factory, plus the
deaths of a truck driver and homeowner. More
than 200 were treated at area hospitals and
about 5,400 were evacuated.

UTU’s Transportation Safety Team traveled
to the scene of the accident to assist a Nation-
al Transportation Safety Board (NTSB) team
led by NTSB member Debbie Herman.

The moving train entered a siding where it
crashed into an unoccupied train that had
been parked hours earlier. Investigators are
looking at whether the switch leading into the
 siding was misaligned. The NTSB said the
switch showed no sign of tampering. “We’re
looking at whether there were any indica-
tions of distraction, whether or not there were rest issues,” Hers-
man said.

The accident prompted the Federal Railroad
Administration (FRA) two days later to issue a
safety advisory to all of the nation’s railroads to
strengthen procedures for monitoring track
switching operations.

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UTU, TCU prevail in saving rail jobs

WASHINGTON, D.C. – The Federal Rail-
road Administration (FRA) has agreed with
the UTU and the Transportation Communi-
cations Union (TCU) that the Union Pacific
Railroad should not be permitted to export
safety-sensitive jobs to Mexico.

UP had asked the FRA for a waiver that
would permit the railroad to have crucial
train-safety inspections on northbound cross-
border rail traffic performed in Mexico by
employees of Transportacion Ferroviaria Mexi-
cana (TFM). In early October 2004, UTU
and TCU expressed their strong objections to
the plan. Two months later, in early December,
other transportation unions belatedly echoed
the UTU-TCU stance.

The tests UP wanted performed in Mexico
would have affected locomotive and freight
switching operations.

Continued on page 10

UTU fights NMB over new fees

WASHINGTON, D.C. – The National
Mediation Board (NMB) seems hellbent on
making changes in how arbitration hearings
and decisions are financed – a move that could
choke off rail workers’ access to equitable
grievance resolution.

The UTU, which was the first of the rail
unions to oppose the NMB initiative, is equ-
ally energized to prevent the agency from push-

Continued on page 10

O’Connell
Local 167, Albany, N.Y.

Members of this Albany International Airport local paid tribute to former local President Joe Vecchio, who recently retired after serving as local chairperson for many years, said New York State Legislative Director Sam Nasco. Pending results of an election, Harry Moreash is serving as interim local chairperson.

Local 286, North Platte, Neb.

This Union Pacific local recently paid for the first year of membership in the UTU Life for local Chairperson, BNSF General Chairperson Jerry Kalbfell, said BNSF General Chairperson Randy Kutzon (GO-245) and Norfolk Southern General Committee of Adjustment (GO-687) Secretary & Treasurer Dave Riehle.

Local 313, Grand Rapids, Mich.

Efforts by members of this CSXT local are expected to be articulated by Joe Sleep, as well as door prizes from local merchants and a visit from Santa, who gave gifts to the children.

Local 318, Fall River, Mass.

 nueva publicación común, said Rep. Jerry Coffey, who also serves as local chairperson for many years, said New England Regional Director Dan Mielke.

Local 298, Garrett, Ind.

About 200 active and retired members attended this CSXT local's recent holiday party, said Secretary R. L. Mitchener. The evening’s special guest was Mrs. C. S. Taus, who shared with participants the story of her family and the community of Garrett, where she grew up.

Local 343, Hamilton, Ont.

Members of this CN Rail local continue to support the UTU's efforts to negotiate a contract and look forward to a settlement without a strike, said Local President and Legislative Rep. Scott Montani. Meanwhile, discipline hearings have been set for Montanii and Local Chairperson Jerry Coffey. “Thank goodness for the union,” said a local member.

Local 650, Minneapolis, Minn.

Union Pacific employees in this local joined those in Local 1614 (St. Paul, Minn.) and raised $1,000 in donations from the nearly 100 active and retired members who attended their joint holiday party, said Local Chairperson Dave Richle. The money will aid Utah coal miners who have been fired and endured hardships for trying to form a union. Messages protesting the firings and demanding reinstatement can be sent to the Mine Safety and Health Administration at 215 E. Main St., Price, UT 84501, or to the National Labor Relations Board, Region 27 Director B. Allan Benson, 600 1st St., 7th floor, North Tower, Denver, CO 80202-5433.

Copies of the local newsletter can be sent to the Co-Op Miners, UMWDA District 22, 525 East 100 South, Price, UT 84501.

Local 773, Galveston, Texas

Members of this BNSF local are reminded the meeting location has been changed until further notice to 6100 Countryside Drive in League City, Texas. Meetings will be held on the second Friday of the month at 4 p.m., said Local Chairperson Chris Taus. A typographical error in the preceding issue of UTU News attributed the information to another local.

Local 1261, Atlanta, Ga.

Donald R. Dysart, this Norfolk Southern local's chairperson, secretary, treasurer and delegate, was appointed a full-time UTUA assistant field supervisor, effective Feb. 1. His area of responsibility includes Arizona, New Mexico and Texas in Territory 46 under Field Supervisor Terry E. Condron of Local 131 (Amarillo, Tex.) and Local Chairpersons in Alabama, Texas, Mississippi and Texas in Territory 47 under Field Supervisor Larry E. Chackentes of Local 1291 (Birmingham, Ala.).
FRA rules aim to increase train visibility

WASHINGTON, D.C. - Reflective materials will be installed on the sides of locomotives and freight rail cars as a safety measure to make trains more visible to motorists at railroad crossings under a rule published by the Federal Railroad Administration (FRA).

Nearly one quarter of all highway/rail grade crossing fatalities involve motorists who were not intending to cross the tracks, and the majority of these accidents occurred during daylight hours, according to the FRA. The large size and dark colorization of trains in combination with poor lighting or limited visibility may contribute to motorists having difficulty detecting the train in their path.

The reflective material will help reduce the number of motor vehicle-railroad grade crossing accidents involving motorists and of these types of accidents by giving motorists an additional visual warning of the presence of a train, FRA said.

Reflectorization has become an indispensable tool for enhancing visibility and safety in virtually all modes of transportation. Extending the benefits of reflective materials to railroads will improve highway/rail grade crossing safety and prevent many avoidable accidents, FRA said.

The Final Rule on Reflectorization of Rail Freight Rolling Stock requires railroads to install yellow or white reflective materials on locomotives over a five-year timeframe and on freight rail cars over a 10-year period. The reflective material will be installed on all newly constructed locomotives and freight rail cars and on existing ones during periodic maintenance or repair, unless alternate implementation plans have been developed that meet the requisite timetables.

The effective date of the rule is March 4, 2005. The final rule published Jan. 3 is the most recent effort by FRA to increase the visibility of trains at grade crossings. Previously, FRA issued a regulation requiring locomotives to have headlamps and auxiliary lights to help motorists better judge the distance and speed of approaching trains.

These and many other initiatives of the FRA, the rail industry, states, and local communities have dramatically improved highway/rail grade crossing safety, FRA said.

Since 1994, the number of vehicle-train collisions at highway/rail grade crossings has decreased by 41 percent and the number of fatalities has been reduced by 47 percent, according to the FRA.
How do you get a mule's attention? Whack it with a 2x4.

When it comes to safety, carriers too often behave as mules. Bus companies refuse to erect protective barriers to keep the crazed from attacking employees. There is no effective screening of baggage and passengers boarding trains. A majority of tank cars operated by freight railroads are handed rule books to new hires without meaningful medals on each other in an orgy of self-congratulation while lower-level roads may be rolling time bombs owing to deferred maintenance.

Meanwhile, senior railroad officials continue to pin Harriman safety medals on each other in an orgy of self-congratulation while lower-level supervisors harass and intimidate workers who attempt to report and seek treatment for on-the-job injuries.

Now, as Assistant President Rick Marceau explains elsewhere on this page, railroads are handing rule books to new hires without meaningful efforts to ensure they know how to apply safety rules.

Thanks to gutsy investigative journalism by The New York Times, sunlight is being shined on the railroads' tarnished safety record. Congressional hearings, forcing CEOs to confront the truth, could apply additional disinfectant to the railroads' festering safety problem.

Senate confirmation of a new federal railroad administrator should focus on his or her commitment to use a 2x4 on railroads rather than the wimpy meter-maid approach of leveling nickel fines that carriers wave off as a cost of doing business.

It's time for carrier CEOs to be held fully accountable for employee safety.

By Rick Marceau
Assistant President

Working on the railroad, unlike other industries, involves dealing with a multitude of dissimilar physical plants, topographical variables and differing climatic conditions.

There are no uniform design characteristics for yard facilities. Each rail yard is different; and, in road territory, every line segment is unique when compared with another track section.

Carriers used to hold rules classes, led by competent rules examiners. Train and engine service employees could ask questions as to how certain rules apply to the territory over which they operate.

That is no longer the case. Now, when employees take their rules examinations, they are told to study the rule book before taking an exam in front of a computer screen.

The employee may be able to recite a rule from memory, but too often is not prepared to apply the rule to specific circumstances – and that can lead to a deadly incident in the unforgiving railroad environment.

As railroads struggle to operate with too few employees, they are clinging to training. That is as much a recipe for disaster as ordering fatigued employees to report for duty.

Given that new and complicated technology is being used, and operating processes are changing, employees should have the opportunity to ask questions about a rule in a classroom setting, and have the instructor clarify how the rule applies to specific circumstances.

For example, the correct response to a question regarding a red signal is to stop. But what else is involved? The red signal could mean a rock has fallen on the tracks ahead, there may be a broken rail, a switch open, the track ahead is occupied, there may be inoperable track signals. Unless all the red signal means – something like, “What do I pay union dues for? The union ought to be doing your job plus somebody else’s job and doing it better. And I hear how every union was stronger, tougher and smarter than the one we were in.

Since I had never been in a union before, I had nothing against which to gauge this dissatisfied opinion.

I am sure that every new hire has either heard the same thing or will hear it soon. And I have some advice. If you don’t believe your union does a good job for the dues that you pay, talk to the employees of a non-union shortline.

The first thing they will tell you is that they are not treated with dignity, they have no discipline process, their supervisors fire who they want, when they want. They will also tell you how their supervisors appoint friends to the best jobs with the best hours and the best off days. That’s right, they are appointed. They don’t bid on jobs by seniority.

The value of your union dues? Priceless

I have been railroading for almost 39 years. Shortly after my first day on the job, somebody came in the locker room and started complaining about the union – something like, “What do I pay union dues for? The union doesn’t do anything for me. It gives away parts of my contract. All the union officers draw big salaries from my dues and do nothing.” I also heard how every union was stronger, tougher and smarter than the union we were in.

I am sure that every new hire has either heard the same thing or will hear it soon. And I have some advice. If you don’t believe your union does a good job for the dues that you pay, talk to the employees of a non-union shortline.

Also ask these non-union shortline employees what they pay for health insurance compared to what you pay. Ask these railroaders what they make in wages. You will find that their benefits and wages don’t begin to compare to the package negotiated by the UTU.

If you still don’t believe the union is worth your dues, take a look at your employer’s Section 6 notice. They want to make your railroad more like a non-union shortline. The railroads believe they pay you too much money and your wages need to be reduced. They believe that you are not accountable for safety.

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For example, the correct response to a question regarding a red signal is to stop. But what else is involved? The red signal could mean a rock has fallen on the tracks ahead, there may be a broken rail, a switch open, the track ahead is occupied, the signal system is defective or a bridge is washed out.

Train and engine service employees are entitled to know exactly “what is expected” with regard to rules compliance.

A procedure that meets the requirements of a signal rule in a warm, relatively flat desert environment is probably not appropriate to use during winter operations when a heavy train is descending a mountain grade.

The best means to convey this information is a classroom environment where unambiguous clarifications are made in direct response to questions from the participants.

Carrier officials praise the UTU-designed, controlled and implemented 14-week minimum peer-training program, conducted on Union Pacific’s Chicago Service Unit.

But, so far, that program has not been expanded on the UP or initiated on other railroads.

It is time for Congress and/or the Federal Railroad Administration to ensure each train and engine service employee possesses the knowledge and skills to do the job in the safest manner possible.

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Ask any non-union railroader what he or she makes

http://www.utu.org
State Watch
News from UTU State Legislative Boards

North Dakota

The UTU recently presented the Bismarck Comfort Inn with a plaque designating the hotel as "UTU Lodging of the Year in North Dakota." The hotel has long been the lodging facility for BNSF crew members from the Fargo/Dilworth terminal. The Comfort Inn received the award in recognition of the consistent quality of its accommodations and services for railroad workers including comfortable, quiet, and clean rooms; an excellent complimentary breakfast buffet; and prompt van service between the hotel and the BNSF yard office in Mandan. Shown at the presentation were (left to right) Darwin Wilson and Mike Middelsten from UTU Local 1137, Fargo; Tammy Churchill and Bernie Feland of the Bismarck Comfort Inn, and State Legislative Director John Bach.

Oklahoma

Oklahoma State Legislative Director Kenneth W. Minard is hanging up his lantern and handing his switch keys to Assistant Director D.C. Scholle. Minard has decided he no longer be walking the halls and visiting the offices of his many friends in the State Capitol Building on a daily basis as he has for the last 13 years," Scholle said. "Ken has often been sought out by legislators on both sides of the aisle for his knowledge and insight on rail and labor issues. He promises to stop by occasionally for refreshments and plans to keep busy as an active retiree."

Minard started his career 36 years ago on the St. Louis-San Francisco Railway (Frisco) in Oklahoma City as a switchman. He held the conductors and yardmaster seniority but has always been a switchman at heart, Scholle said. He is the son of Alan Minard, a conductor on the Frisco who was an active member of the UTU and its predecessor unions. Ken has been a continuous member of Local 1042 and has held local offices of trustee, vice president, president and legislative representative.

"National Legislative Director James Brunkenhoefer has called upon Ken on those occasions when his interpersonal skills were an asset in Washington, D.C., at such times as the fight for passage of Railroad Retirement reform where he, along with many others, tirelessly worked the halls for its passage," Scholle said.

"The sisters and brothers of the UTU and the State of Oklahoma wish to thank Ken for his devotion and dedication to us and wish him luck and happiness in his retirement," Scholle said. "He is a great guy and a good union man."

Oregon

State Director Delmer Hansson is informing members in the state that, as of Jan. 1, 2005, the Tier II tax portion of Railroad Retirement for employees decreased from 4.9% to 4.4%.

"This means that if you have a monthly income of $5,000, you will have $25 more in your pocket," Hansson said.

This decrease comes about because of the passage of the Railroad Retirement and Survivors' Improvement Act of 2001, Hansson said. "Your UTU Legislative Department worked very hard to make this change in your retirement and we could not have accomplished it without many of our members voluntarily contributing to UTU PAC. I am asking all of you who do not contribute to UTU PAC to consider it."

"In Oregon, if you are married, you can receive a $100 tax credit for a political contribution. If you are single, you can receive a $50 tax credit. That's a heck of a deal! It costs you nothing and helps your union protect your jobs and improve your working conditions," Hansson said.

Members with questions can call Hansson at (541) 963-3171.

Virginia

Assistant State Director Walter W. Yeatts, president and legislative representative of Local 971 at Crewe, has been appointed to the Commonwealth Transportation Safety Board.

"Brother Yeatts will be an asset to our members and the railroad industry's performance in Virginia," State Director John Jeskey said. "Because of our UTU PAC and UTU's exposure in Virginia politics, we've been able to provide input and, in turn, Brother Yeatts' request to attain this board position was accepted. His term ends in 2008."

Union membership is all about giving

Albert Schweitzer said, "You must give some time to your fellow man. Even if it's a little thing, do something for others - something for which you get no pay, but the privilege of doing it."

This is what brotherhood and sisterhood is about. UTU members have big hearts and this is seen within each of our locals. Giving of yourself as co-worker, friend and union member can be a blessing.

Often, we forget there are people having a hard time; we get caught up in our day-to-day tasks and believe we are the only one having a crummy day.

The Asian tsunami reminded us it is our duty as Americans to give to the charities of our choice to help those you cannot help yourself.

We also have the opportunity to help at home. One place to help others is through our local - by attending meetings on a regular basis and striving to help our brothers and sisters, whether it be a member in poor health or a member who has fallen on hard times.

We can offer money, meals or other deeds helpful to those with needs. Let me know what your local does to help others and it will be noted in the next newsletter.

My local, 1697, has garage sales or drawings to raise money to help members in need. I would like each local to have similar goals in 2005. Let's make 2005 a year of giving.

Giving also extends to family. If you spend too much time at work and not enough at home, then it is time to remember that giving of yourself to your family should be your number-one priority.

Interest-based bargaining works

Interest-based bargaining (IBB) is a process where the parties outline problems to be solved and then develop solutions by brainstorming options that serve the interests of both sides.

IBB has served yardmasters well.

With CSX, IBB allowed us to gain a matched 401(k) plan, additional personal days and paid training, plus enhanced the scope and programming rules, changed other existing rules and created what I consider the best yardmaster agreement on the freight side.

We also used IBB on Grand Trunk Western, where we achieved notable increases when my predecessor, Don Carver, introduced me to IBB, I thought he had lost his mind. Now I see how addressing the interests of both parties at the bargaining table leads to a better agreement.

I am hopeful IBB can be used during this round of bargaining. IBB permits productive discussions and mutually acceptable solutions because IBB is about issues important to both sides.

We all benefit when carriers come to the bargaining table to discuss our issues as well as theirs.
UTU introduces new line of logo merchandise

In conjunction with American Products, the United Transportation Union is offering a new line of clothing and merchandise featuring 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.

The new products, featuring the UTU’s shooting-star logo, include jackets, shirts, sweatshirts, hats, watches, clocks and other items.

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

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

All of the featured items can be ordered by credit card directly through the company’s secure website, or by calling the company’s toll-free telephone number: (800) 172-5120.

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

All orders will be processed within days of receipt.

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

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

Watches and Clocks

35th Anniversary Medallion Watch
Price: $125.00 Code: UTU-0021
Pocket Watch
Price: $82.50 Code: UTU-0020
Clock
Price: $129.00 Code: UTU-0019
Pad Print Watch
Price: $75.00 Code: UTU-0017
Clippers Watch
Price: $75.00 Code: UTU-0018

Custom engraving is available for a charge of $10.00 on the back side of the Pad Print, Clipper, Medallion and Pocket watches, as well as on a face plate on the front of the UTU Clock.

To order UTU watches or clocks, call (800) 272-5120, or visit the UTU website at www.utu.org and click on the “UTU Gear” tile in the blue menu bar on the left-hand side of the page. You can also download an order form for the UTU clock and watches or any of the other products featured on this page by visiting the website listed above.

Show your union pride by ordering UTU logo merchandise today.

Shirts

Long-Sleeve Denim Shirt
100% cotton garment, washed denim with embroidered UTU logo on the left chest. $26.00 Code: UTU-0015
For 2X sizes please add $2.00. For 3X sizes please add $3.00.

Crewneck Sweatshirt
Eighty-twenty blend fleece, heavyweight fleece pulllover with embroidered logos on left chest.
Price: $20.00 Code: UTU-0003
For 2X sizes please add $2.00. For 3X sizes please add $3.00.

Patriot Golf Shirt
From union meetings to golf outings, this 100% cotton interlock polo shirt features contrasting knit collar and sleeve pipping. This shirt features the millennium logo embroidered on the left chest.
Price: $26.00 Code: UTU-0005
For 2X sizes please add $2.00. For 3X sizes please add $3.00.

“Pride” T-shirt
One hundred percent cotton 5-oz. ash gray T-shirt with screen-printed logos on left chest in navy and full-color screen-printed UTU logo “Proud to be Unions” on back.
Price: $8.00 Code: UTU-0008
For 2X sizes please add $1.00. For 3X sizes please add $2.00.

Long-Sleeve Henley
5.25 oz. preshrunk cotton jersey fabric, three-button long-sleeve, navy blue henley shirt with logo on left chest.
Price: $17.00 Code: UTU-0014
For 2X sizes please add $2.00. For 3X sizes please add $3.00.

“Rally” T-shirt
One hundred percent cotton 5.9 oz. “Rally” T-shirt with screen printed millennium logo on left chest.
Price: $15.00 Code: UTU-0016
For 2X sizes please add $2.00. For 3X sizes please add $3.00.

The Tradition Golf Shirt
This 60/40 blend golf shirt is the perfect addition to your union wardrobe. Sport your logo proudly in this everyday durable polo shirt.
Price: $19.00 Code: UTU-0004
For 2X sizes please add $1.00. For 3X sizes please add $2.00.

“New millennium” logo

Outerwear

Embossed Denim Jacket
Heavy rugged denim jacket with the UTU logo proudly embossed into the back. Pockets alone or for layering with a UTU hoodie. Custom-size this item with your local number or name for only an additional $5.00! (Embroider up to 26 characters.)
Price: $60.00 Code: UTU-0001
For 2X sizes please add $5.00. For 3X sizes please add $10.00.

Monroe King Louie Jacket
Tastefully show your union pride in this fashion forward jacket. Tuxedo cap style jacket with 100% nylon lining. Contrasting color on collar with full zip front. UTU logo embroidered on the left chest.
Price: $45.00 Code: UTU-0002
For 2X sizes please add $2.00. For 3X sizes please add $4.00.

Hooded Sweatshirt
All aboard for this latest fashion trend, “the hoody”! Eighty-twenty blend, nine-oz. fleece pullover with hood and embroidered logo on left chest.
Price: $25.00 Code: UTU-0014
For 2X sizes please add $2.00. For 3X sizes please add $4.00.

Hooded Sweatshirt

Caps

Rally Cap
Price: $8.00 Code: UTU-0010
Cleveland Cap
Price: $11.00 Code: UTU-0009

Knit Cuff Hat
Price: $4.00 Code: UTU-0005
Racing Hat
Price: $4.00 Code: UTU-0001

Specialty Items

Fleece Blanket
Price: $14.00 Code: UTU-0007
Pocket Knife
Price: $19.00 Code: UTU-0006
UTU Lantern
Price: $95.00 Code: UTU-0023

In keeping with the UTU’s commitment to unionism, all of the warehouse staff employed by American Products are proud members of International Association of Machinists Local 1868.
Retired bus operator made safety job #1

When retired bus operator Bill Novak talks, it's tempting to conclude an employee can do his job well when he likes the job he's doing.

The Southeastern Pennsylvania Transportation Authority (SEPTA), Brother Novak's employer until he retired in December 2004, certainly agrees Novak did a fine job. At the 14th Annual Safety Awards Banquet held in October 2004, Novak was among only three employees honored for achieving a distinguished safety record over the course of at least 35 years.

A member of Local 1954 in Upper Darby, Pa., Novak began his career in 1963 as a bus operator for SEPTA predecessor Red Arrow, Inc., never disciplined, never involved in a changeable accident and "only missed work when I was really sick, and I mean hospitalized," he said.

"I was 21 years old and just came out of the military service," Novak said. "When I started my career, I picked buses, and stayed with buses because I liked the people. Not just the other employees, but the passengers, too. I took a lot of pride in what I did."

Novak said he avoided stress by taking control of his attitude. "Most members of the public are really nice," he said. "I found that the way you treat people is the way they treat you. You can make the job rough or easy. I elected to make it easy."

That's not to say Novak didn't face challenges. "I had many years of split shifts and strange hours," he said. "When my five kids were little, we celebrated Christmas on my day off and told the kids that's when Christmas was."

Though retired, Novak will pay attention to everything affecting SEPTA. "My son Joe works for SEPTA as a trolley, bus and heavy rail operator," he said. "And he's a proud member of Local 1954!"

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Public service pensions reduce some rail benefits

By V.M. “Batch” Speakman Jr.

Railroad Retirement Act spouse and widower(ers)' annuities, in addition to being reduced for Social Security entitlement, may also be reduced if a spouse or widower(er) is entitled to a public service pension.

A public service pension is any periodic benefit payment, or a lump-sum payment made instead of periodic pension payments, based on an individual's own employment with a federal, state or local government unit.

Under current law, the public service pension reduction applicable to spouse and widower(ers)' annuities equals 2/3 of the amount of the public pension.

A public service pension reduction will also not apply if certain pension exemption requirements are met. In past years, a reduction generally did not apply to Social Security or Railroad Retirement spouse or widower(ers)' benefits if the government job that the public pension was based on was covered under the Social Security Act on the last day of public employment.

These requirements were recently tightened by the enactment of the Social Security Protection Act of 2004. Under the law, state and local government workers must be covered by Social Security throughout their last 60 months of employment with the pension-paying government entity in order to be exempt from a reduction.

The new law does not affect persons currently receiving Social Security or Railroad Retirement spouse or widower(ers)' benefits that have not been reduced because of the prior law's last-day-of-covered-employment exemption.

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Arrangements set for St. Pete picnic

All retired railroaders, their spouses, companions and friends are invited to join the fun in St. Petersburg, Fla., at the annual picnic begun in 1991 by Indiana-based New York Central and Conrail retirees, said UTU For Life member Joe Alenduff of Local 1963, Louisville, Ky.

This year's event will be held on Sat., Mar. 19, from 11 a.m. to 3 p.m., at DeSoto Park in St. Petersburg, Fla. Coffee and iced tea will be furnished. Participants are urged to bring two covered dishes and their own place settings and cups.

For information and directions to the picnic site, call Alenduff at (727) 522-6808, or send him an e-mail at joe.patt@knology.net.
**Gold Club ($100 or more per year)**

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<thead>
<tr>
<th>Name</th>
<th>Local</th>
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<tbody>
<tr>
<td>Boltze II, Keith A.</td>
<td>1883</td>
<td>Riverdale, Ill.</td>
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<td>Palaganas, Ignacio M.</td>
<td>1741</td>
<td>San Francisco, Calif.</td>
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<td>Rice, Jeffery F.</td>
<td>934</td>
<td>Alliance, Neb.</td>
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<td>Campbell, Eric L.</td>
<td>528</td>
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<td>Brady, Richard J.</td>
<td>495</td>
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**Double Diamond Club ($600 or more per year)**

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<th>Name</th>
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<tr>
<td>Papa, John T.</td>
<td>1388</td>
<td>St. Louis, Mo.</td>
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<td>Williams, Josh P.</td>
<td>195</td>
<td>Galesburg, Ill.</td>
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<td>Sammons, Danny R.</td>
<td>195</td>
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<td>Buckalew, Richard D.</td>
<td>195</td>
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<td>Cox, Walker M.</td>
<td>195</td>
<td>Galesburg, Ill.</td>
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<tr>
<td>Cook, John R.</td>
<td>113</td>
<td>Winslow, Ariz.</td>
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<tr>
<td>Baker, Cornelius J.</td>
<td>72</td>
<td>Battle Creek, Mich.</td>
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<tr>
<td>Lavender, Gordon L.</td>
<td>17</td>
<td>Marshalltown, Iowa</td>
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<tr>
<td>Moore, Ralph O.</td>
<td>9</td>
<td>Slaton, Tex.</td>
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<tr>
<td>Harlow, Peter J.</td>
<td>6</td>
<td>Indianapolis, Ind.</td>
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<tr>
<td>Blackburn, Jerry T.</td>
<td>490</td>
<td>Princeton, Ind.</td>
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<tr>
<td>Myran, Larry D.</td>
<td>486</td>
<td>Glendive, Mont.</td>
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**Diamond Plus Club ($400 or more per year)**

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<th>Name</th>
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<tr>
<td>Odom, William J.</td>
<td>942</td>
<td>Florence, S.C.</td>
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**Platinum Club ($1,200 or more per year)**

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<th>Name</th>
<th>Local</th>
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**UTU PAC Honor Roll**

Individuals who have been contributing to UTU PAC or increased their donations to $100 or more, per year, during the past three months.

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**Information, please**

I would like more information on UTUIA’s Life Insurance.

Please print

Full name of member

Sex

Date of birth

Address

City

State

Telephone number with area code

UTU local number

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

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Simplicity is a beautiful thing, and whole life insurance is simple.

You buy. You die. We pay.

Once you receive your policy and pay your premiums, you can sleep easy knowing that your family will be provided for when you die. That will be the case in a bull market... or a bear market.

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You don’t ever have to check the financial section of the newspaper to see how much you will be paid.

Nobody will argue against putting some of your money to work in the investment arena. What we will argue against is putting all of your money there. Taking care of your basic needs involves permanent life insurance and the guarantees that come with it.

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The advisory was in response to a recent number of incidents involving trains that derailed because switches that divert them from one track to another were left in the wrong position, FRA said.

The safety advisory says railroads should document when a manually operated switch in non-designated territory is changed from the main track to a siding and returned back to the normal position for main track movements. Also, these actions should be communicated to all crewmembers and the train dispatcher.

The FRA says this increased attention and communication will better ensure switches are not inadvertently left misaligned.

Members are urged to contact UTU National Legislative Director James Brunkenhoefer if their railroad fails to carry out this advisory. Members should continue to carry out the railroad's instructions, but let the UTU know if the carrier is not in compliance. You may reach the UTU national legislative director at (202) 543-7714, by fax at (202) 543-0015 or by e-mail at utunld@aol.com.

The UTU said train and community safety are crucial safety inspections to Mexico, it could save five to seven hours in transit time on cross-border rail traffic moving north through Laredo, Texas. As many as 16 UP northbound freight trains daily would be affected. The UTU said train and community safety are far more important than alleged slightly faster train service by a railroad notorious in Texas for a high rate of safety-related incidents.

Had Union Pacific been permitted by the FRA to export these safety-sensitive jobs to Mexico, UP trains originating in Mexico would be traveling up to 1,000 miles into the U.S. before highly skilled, U.S.-trained inspectors had an opportunity to check crucial safety systems.

“The impact of these NMB proposals would be to transfer to the UTU and other Railway Labor Act-covered unions the costs of arbitration proceedings. Profitable railroads, which have been paying large bonuses to their officers, and whose policies are the source of grievances before the NMB, would escape these fees.

Moreover, the proposed NMB rules could burden unions with inequitable costs when, in fact, carriers are the primary beneficiary of most arbitration actions as unions are not permitted to strike over so-called minor disputes, which include interpretation of contracts.

“The proposed rules could adversely affect efficient administration of the National Railroad Adjustment Board, public law boards and special boards of adjustment – all of which are crucial to equitable grievance handling,” the UTU said.

“The rules proposed by the NMB,” said the UTU, “are beyond its statutory authority, would violate specific statutory commands and are just plain inequitable. Indeed, in 1934, rail labor gave up the right to strike over so-called minor disputes in exchange for government funding of arbitration.”

“The NMB’s sole functions in the mandatory arbitration process are the appointment of referees and the setting of compensation for referees at the National Railroad Adjustment Board,” the UTU said. “The role of the NMB is not to impose fees upon unions for arbitration services.

“If the NMB persists in imposing these fees,” the UTU said, “carriers should share with their unions the costs. Both parties should pay them.”

“Unions are the beneficiaries of the mandatory arbitration system under the Railway Labor Act,” the UTU said. “Mandatory arbitration is the basis for enjoining unions from striking over minor disputes. Railroads are richer than unions and they should not benefit from a mandatory arbitration system that limits the right to strike without paying equally.”

“As for time schedules and consolidation of cases, the NMB itself frequently orders a halt on matters on which there are already determinations, there were just 25 unintentional hazmat releases from rail cars, according to the FRA.

Industry data reveal that more than 99.9 percent of all hazmat shipments reach their destination without an incident, a safety rate far above that of truck transportation, FRA said.

The agency said Union Pacific had an accident in October 2004 because of an improperly positioned switch. During 2003, the most recent year for which data is available, of 1.7 million hazmat rail shipments, there were just 25 unintentional hazmat releases from rail cars, according to the FRA.

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Dan Collins pens book

Rail passenger service in America almost went the way of the dodo bird.

The UTU played a crucial role in preserving that service through the creation of Amtrak. Indeed, former UTU President Charlie Luna – and largely in recognition of the UTU’s efforts to preserve passenger service – was appointed to Amtrak’s board of directors. That was only the beginning of the struggle, which continues today.

Through the years, the UTU – with invaluable assistance of members through their UTU PAC contributions – remains in a leadership role fighting for adequate funding for Amtrak.

Former UTU Assistant General Secretary and Treasurer Dan Collins devoted many hours and personal energy in the fight to preserve Amtrak and coax the money from Congress for continued operations. Collins followed Luna as a member of the Amtrak board of directors.

Now Collins has collected many of his position papers – not only his thoughts that helped keep Amtrak running, but also on Operation RedBlock and union solidarity – into a single book, entitled, “Headlight: Lighting the Way to a Brighter Future.”


Rail retirement gains

CHICAGO – The National Railroad Retirement Investment Trust (NRRIT) posted a 133.3 percent return on investment for the most recent fiscal year ending Sept. 30, according to the Railroad Retirement Board.

The return is far beyond what the Railroad Retirement Trust Fund would have earned had the money been invested in U.S. Treasury bonds as was required before Congress passed the Railroad Retirement Survivors’ and Improvement Act of 2001.

NRRIT investment decisions are made by investment advisers who report to a seven-member joint labor-management board of directors. UTU General Secretary & Treasurer Dan Johnson was an inaugural member of the NRRIT board of directors. He completed his two-year term Jan. 31, 2004.

TMM sold to KCS

MEXICO CITY – Mexican transportation concern Grupo TMM said last month that its shareholders approved the sale of railway unit Transportacion Ferroviaaria Mexicana, or TFM, to Kansas City Southern (KCS).

KCS also has gained authority from the U.S. Surface Transportation Board to acquire 100 percent control of the Tex-Mex.

The agreement revives KCS’s plan to fold the Mexican railway into its U.S. rail holdings under a new entity called Nafta Rail.

KCS recently hired former UP chief operating officer Art Shoenert to be the president and CEO of the combined KCS, Tex-Mex and TFM, reporting to KCS chairman Mike Haverty.
Please recycle 2/05

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

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

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

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

High-resolution digital photographs should be in the JPEG format and e-mailed to “utunews@utu.org”.

With each photograph, please include your name and UTU local number, the names of the persons in the photo (left to right), where the photo was taken, and all other pertinent information.

All photographs submitted become property of the UTU.

Remember to review your employer’s policies regarding use of cameras on the property or during work hours.

This month’s winning photograph was taken by member Dale Gauwitz, a CSX conductor and member of Local 313 in Grand Rapids, Mich. The photo of a passing Metra commuter train was taken in Cicero, Ill., along the BNSF main line.

Three UTU members were killed on the job recently. Dead are Mike J. Crouse, Cliff Green and Floyd T. Evans Jr.

Burlington Northern Santa Fe conductor Mike J. Crouse, a member of Local 500 in Grand Junction, Colo., was killed late Friday night, Dec. 17, when he was hit by a Union Pacific (UP) train at Radium, Colo.

Crouse was 44 years old and had been railroading since 1979. He was married and the father of a six-year-old daughter and two stepsons.

Crouse was killed as he prepared to do a roll-by inspection of the UP train.

“It’s pretty sad all the way around,” said Colorado State Legislative Director Rick Johnson.

Canadian National Railway conductor Cliff Green, 64, a member of Local 1923 at Prince George, B.C., died in a switching accident at Taylor, B.C., on Dec. 30. Taylor is near Fort St. John and the Peace River in northeastern British Columbia.

Newspaper reports said Green’s leg was caught in a rail when he was run over by a boxcar. The accident is being investigated by Transport Canada.

Union Pacific conductor Floyd T. Evans Jr., 52, lost his life Jan. 10 at a siding in Buena Vista, Ark., when he apparently was hit by a train, according to UTU Arkansas State Legislative Director J.T. Matthews.

Details of the incident remain sketchy, and an investigation is continuing.

In the wake of these tragic deaths, members are being reminded to be alert to special switching hazards that can save their lives and limbs.

Investigations into deadly accidents and amputations have identified specific switching hazards. “If we are aware of them – if we study them and think about them – we can reduce the odds of becoming the next victim,” International President Paul Thompson said.

The special switching hazards are: Close clearances; shoving movements; unsecured cars; free-rolling railcars; exposure to mainline trains; tripping, slipping or falling; unexpected movement of cars; adverse environmental conditions; equipment defects; motor vehicles or loading devices, and drugs and alcohol.

The Switching Operations Fatalities Analysis (SOFA) working group, with representatives from the Federal Railroad Administration (FRA), labor and management, has developed recommendations to help avoid these hazards.

They are: Secure equipment before action is taken; protect against moving equipment; discuss safety at the beginning of the job and when the work changes; communicate before action is taken, and coach less experienced employees to perform service safely.

Inside this issue of the UTU News:

UTU officers field questions at conference. See page 2.

The members of Local 1741 are all fired up. See page 3.

The UTU has a new line of kids’ hoodies and more. See pages 6 & 7.

Former UTU officer Dan Collins has written a book. See page 11.

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FEBRUARY 2005

The Official Publication of the United Transportation Union

www.utu.org / www.utuia.org

Published monthly (except for combined months of December/January and July/August) by the UNITED TRANSPORTATION UNION, 14600 DETROIT AVE., CLEVELAND, OH 44107-4250 • Periodicals postage paid at Cleveland, Ohio, and additional mailing offices • Paul C. Thompson, International President; Daniel E. Johnson, General Secretary/Treasurer • This publication available on microfilm from UMI, 300 N. Zeeb Road, Ann Arbor, MI 48106 • POSTMASTER: Send address changes to UTU News, 14600 Detroit Ave., Cleveland, OH 44107-4250.

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