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UTU News

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The Official Publication of the United Transportation Union

THE VOICE OF TRANSPORTATION LABOR

“The lesson to be scratched into the carriers’ faces is they cannot play roulette with the nation’s safety and security or with their employees’ well-being for the sole purpose of fattening the bottom line and executive bonuses.” – *UTU International President Paul C. Thompson*

Debs plaque donations

UTU locals and members continue to respond with donations to erect a plaque honoring labor pioneer Eugene V. Debs.

Debs was an officer of the Brotherhood of Locomotive Firemen and Enginemen, and helped organize the Brotherhood of Railroad Trainmen.

The Debs plaque will be an integral part of the Spirit of Solidarity, a tribute to organized labor in Grand Rapids, Mich.

To donate, individual locals and/or members should send checks, payable to the “United Transportation Union Spirit of Solidarity,” to the UTU, Attn. Dora Wolf, 14600 Detroit Ave., Cleveland, OH 44107-4250. Each UTU local contributing \$250 or more will be honored by having its name inscribed on a main walkway brick.

News & Notes

Thompsons on the air

The efforts of Roberta Thompson, wife of UTU International President Paul C. Thompson, to raise both money and awareness on behalf of the fight against breast cancer have been recognized by two midwest media outlets.

On March 5, the *Kansas City Star* profiled Roberta and her work in publishing and selling the UTU’s *Labor of Love for the Cure* cookbook, while on March 21, a reporter from Cleveland television news station Fox 8 visited UTU International Headquarters to interview both Paul and Roberta, a breast cancer survivor.

Proceeds from the sale of the book are being donated to the Case Comprehensive Cancer Center of the University Hospitals of Cleveland and Case Western Reserve University. To date, more than \$13,000 has been donated.

The cookbooks are still available and more information can be found on the UTU website at www.utu.org.

Yardmasters okay deal

MINNEAPOLIS – Yardmasters represented by the United Transportation Union have overwhelmingly approved a new agreement with Canadian Pacific Railway’s 3,200-mile Soo Line subsidiary. The agreement provides for a \$500 signing bonus; three general wage increases, retroactive to Aug. 1, 2002; a cost-of-living adjustment retroactively rolled into the basic rate; a performance incentive plan that could boost wages up to five percent, and an enhanced service scale.

New D/IPP premiums

Page 3 of this issue contains a notice of changes to the UTU Discipline/Income Protection Program (D/IPP). It should be read and retained.

UTU files suit in federal court to save conductor jobs, FELA

The United Transportation Union on March 15 asked a federal court to prohibit railroads from demanding the union collectively bargain about a carrier notice to abolish all conductor jobs aboard through-freight trains.

The UTU also asked the court to prohibit railroads from demanding that the union collectively bargain about a carrier notice to seek jointly from Congress legislation eliminating the Federal Employers’ Liability Act (FELA), a federal statute allowing injured railroad workers to sue carriers for damages arising from unsafe working conditions.

Specifically, the UTU asked the U.S. District Court for the Southern District of Illinois to declare that the UTU has no statutory duty to bargain or participate in mediation with respect to the carrier demands regarding abolition of conductor jobs or FELA.

The railroads, which include BNSF, CSX, Kansas City Southern, Norfolk Southern and Union Pacific, are negotiating under the umbrella of the National Carriers’ Conference Committee.

The negotiations as to rates of pay, rules and working conditions are governed by the Rail-

way Labor Act. The UTU lawsuit was filed following a second bargaining session with the carriers following the carriers’ Nov. 1, 2004, notice to the UTU proposing changes to existing collective bargaining agreements. These changes included a provision that “crew size shall be based on operational needs as determined by the railroad.” The wording of this demand could eliminate every conductor aboard through-freight trains.

The carriers, said the UTU, are barred by law from violating existing moratoria provisions in local collective bargaining agreements – so-called crew-consist agreements – that provide for at least one conductor being assigned to every through-freight train and brakeman positions on locals and road-switcher assignments.

Notwithstanding these crew-consist moratoria, the carriers are seeking to negotiate an end to these crew-consist agreements through the Railway Labor Act’s major dispute procedures, at the conclusion of which the carriers will contend they can resort to self-help if no

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UTU has no duty to bargain over abolition of jobs, FELA

UTU, carriers sign joint letter

Although the UTU and most major railroads represented by the National Carriers’ Conference Committee (NCCC) mutually broke off negotiations March 15, both sides have agreed that negotiations with regard to rates of pay, rules and working conditions not be considered as terminated and that neither side will exercise self help at this point.

The reason for the mutual breakoff in negotiations was the carriers’ demand that the UTU bargain over local crew consist agreements that are protected by a moratorium and cannot be handled nationally. The carriers also demanded that the UTU bargain regarding repeal of the Federal Employers’ Liability Act (FELA), an issue not appropriate for bargaining under the Railway Labor Act.

Notwithstanding the mutual breakoff in

Continued on page 10

UTU friend in line for top FRA post

WASHINGTON, D.C. – Joseph H. Boardman, New York State’s commissioner of transportation and a personal friend of UTU’s New York State Legislative Director Sam Nasca, is President Bush’s choice to be the next federal railroad administrator.



Boardman

UTU International President Paul C. Thompson praised the choice of Boardman, calling him “an even-handed and seasoned public servant with solid transportation experience.”

“We know Joseph Boardman will cut through the industry’s self-serving claptrap on how safe it is and confront with impartiality and promptness the industry’s actual growing, frightful and

Continued on page 10

Around the UTU

News from around the U.S. and Canada

Local 211, Binghamton, N.Y.

Legislative rep. and delegate **Dennis Barnett** is helping raise money for the National Multiple Sclerosis Society by organizing sponsors and walkers for the 2005 MS Walk set for April 30 in Binghamton. Funds raised will be used for research and to provide programs for those afflicted by the disease. For information, contact Barnett at (607) 772-8383 or dbarnett@stny.rr.com.

Local 471, Eugene, Ore.

This Union Pacific local will hold its 31st annual Railroad Retirees Banquet at 4 p.m. on May 15 at the Oregon Electric Station, 27 East 5th Street, in Eugene, Ore., said Secretary & Treasurer **Mark Brown**. For information, call Brown at (541) 687-8945 (home) or (541) 915-3145 (cell) or send e-mail to Mark.Brown3930@worldnet.att.net.

Local 528, Chicago, Ill.

Members of this Union Pacific local will host the fourth seminar held by the Tri-State Rail Conference on Saturday, May 14, at 10 a.m. at the American Legion Post #57, 820 N. Liberty, Elgin, IL 60120. Member and Vice General Chairperson (GO-225) **Jerry Kalbfell** and Local Chairperson **Dave Wells** are working to organize the event.

Local 1397, Columbus, Ohio

This CSXT local will host its 56th annual Old Timers' Fish Fry on May 11 from 7 p.m. to 2 a.m. at the IAM&AW Hall at 2625 Winchester Pike in Columbus, said Secretary & Treasurer **Robert Smith**. Director of Strategic Planning **John Nadalin** and retiree **Jon Larkin** will serve again as honorary cooks. All UTU members may attend free, but guests pay a \$10 cover. The regular meeting will be held prior to the fish fry. For information, call Smith at (614) 871-5087 or send e-mail to rsmith@utulocal1397.org.

Local 1420, Memphis, Tenn.

Members of this BNSF Railway local are participating in a four-man scramble golf tournament at Paris Landing State Park on May 14 to help raise funds for the Brad Butkiewicz Foundation. The foundation, which provides scholarships, is named after member **Brad Norton's** brother-in-law, who died at age 17 in a car accident. For more information or to sign up for the tournament, call (931) 232-0736, or write to Norton at hnort5@bellsouth.net.

Local 1496, Riverside, Calif.

Shelly Topps, formerly the local's vice president, recently sent a heartfelt message to International Vice President and Bus Department Director **Roy Arnold** noting her relocation and expressing best wishes for the continuing progress of this Laidlaw local.

Local 1534, Chicago, Ill.

Members of this CSXT local recently voted to donate \$500 to **Nate Richards**, a switchman whose house burned down in February, said **Allen F. Ivey II**. Brother Ivey also passed the hat at Barr Yard and raised an additional \$300 for the cause.

Local 1594, Upper Darby, Pa.

Members of this local, who operate buses, trolleys and light rail for SEPTA, recently exchanged contract proposals with management, said General Chairperson **Ron Koran**.



Antelope Valley Transit Authority Chief Executive Officer **Randy Floyd** (left) and Chairman of the Board **Henry Hearn** (right) present van operator **Heinz Streblov** with a certificate honoring him as operator of the year.

Member chosen as operator of the year

In 1993, the Antelope Valley, Calif., Transit Authority (AVTA) matched the perfect individual for the job with the perfect job for the individual. Twelve years later, that individual, **Heinz Streblov**, is the perfect choice to honor as operator of the year.

Brother Streblov, a member of Local 1584 in Lancaster, Calif., has turned out to be perfect in a variety of ways. "Heinz has never called in sick, he's never been in an accident and there's never been a complaint about him," said **Thomas Fortes**, secretary, treasurer and delegate of the local.

Since he began working at AVTA, the 62-year-old Streblov almost exclusively has operated a 14-passenger Dial-A-Ride van, supplying curb service to the community's elderly and disabled. "It's a wonderful job," said Streblov, who's ranked number two on the seniority roster. "I concentrate on my driving, but I can still talk with my passengers. God has blessed me with great health and a great job!"

A private person who somehow manages to charm the public, Brother Streblov said he was speechless when he learned he had been chosen as the system's operator of the year.

"When the general manager said he wanted to see me in his office, I thought I might be in trouble for something," Streblov said. "But I was very proud and happy to be chosen for this honor. For someone who came here from Germany in 1991 and had to learn the language and find a job, it's a big deal!"

Many people Streblov's age are making plans for retirement. While he admits he may consider retiring in the next few years, he won't be slowing down anytime soon. "I'd like to take some courses," said Streblov. "There's so much to learn about and so much to do in this world."

One of the things Streblov most enjoys doing is playing tennis. "I've played for at least 30 years," he said. "I've won tournaments in Germany and the U.S., and continue to play regularly. I play people in their 40s sometimes, and I still win. I'm a tennis lover, and I'll play as long as I can."

Local 1778, N. Vancouver, B.C.

The spring issue of the joint newsletter, *The Meeting Point*, issued by this local and Local 1923 in Prince George, B.C., is now available on the website shared by these two CN Rail locals, said Secretary & Treasurer **David Moorhouse** of Local 1778. Visit the website and take a look at www.utubc.com.

Local 1813, W. Colton, Calif.

Members of this Union Pacific switchmen's local were set to hold a retirement party on April 6 at 6 p.m. at the Doubletree Hotel in Ontario, Calif. The event, open to all members, will include dinner, dancing, camaraderie and fun, said Local Chairperson **Rick Renna**. Those in attendance to be honored include **Larry Schweigert**, **Doug Devasher**, **Ralph Floyd**, **Jack Gaston**, **Ken Hayden**, **Mike Humphers**, **Ralph Irons**, **Mel Reed**, **Vernon Dale Williams**, **Don Foes**, **Ron Kiemele** and **Ed Baumgarten**. Honored posthumously will be **Bob Hirscher** and **Paul Redding**. Those interested in attending should contact Renna at (909) 946-8984.

Local 1846, W. Colton, Calif.

This Union Pacific trainmen's local, along with Local 1813 (also in West Colton) that represents switchmen, will be holding its joint UTU Family Day Picnic on Saturday, May 14, from noon to 6 p.m. at Rancho Jurupa Park, 4800 Crestmore Rd., Riverside, CA 92509, said President **Richard F. B. Escamilla** of Local 1846. About 400 are expected to attend and enjoy barbecue, soft drinks, cotton candy, games, crafts and prizes. Family members of those working that day are invited to attend, Escamilla said.

Local 1933, Washington, D.C.

Two members of this Amtrak local, conductors **Bruce Thompson** and **Lorrie Hargrove**, recently thwarted an alleged attempted abduction of a baby at Union Station, said Local 1470's (Edmonston, Md.) Legislative Rep. **Larry Tkachenko**. When a homeless individual on unauthorized leave from a mental health facility tried snatching the child from its stroller, Thompson blocked his way, and the would-be abductor ran. Hargrove immediately contacted Amtrak police as Thompson gave chase, captured the alleged perpetrator and handed him over to authorities.

North Dakota locals hold special meetings

North Dakota locals will be holding special meetings the first week in May to give members a chance to learn more about their jobs and benefits, said North Dakota State Legislative Director **John Risch**. Those present will include International officers and general chairpersons, as well as representatives of health care providers, the U.S. Railroad Retirement Board, UTUIA and designated legal counsel. For information, contact Risch at (701) 223-0061.

Local 1344: May 3, 1-5 p.m.; China Star Restaurant (formerly Royal Fork), 1065 E. Interstate Ave., Bismarck, N.D.

Local 1134: May 4, 6 p.m. dinner, meeting to follow; Northern Grille (formerly Olde Kettle), 739 Hwy. 75 N., Breckenridge, Minn.

Locals 980/1137: May 4, 1-5 p.m.; Country Inn & Suites, 33161 13th Avenue S., Fargo, N.D.

Local 525: May 5, 3 p.m.; Ramada Inn, I-29 & Hwy. 2 W., Grand Forks, N.D.

Local 1059: May 6, 1-5 p.m., 6 p.m. social, 7 p.m. retirement banquet; Vegas Motel, 2315 N. Broadway, Minot, N.D.

Conrail's Ron Batory: Treating workers right

There are some events that are as rare as a month of Sundays or news that hell froze over. We're talking about a railroad president and chief operating officer (COO) who respects – even cherishes – the role of a labor union in helping to make a carrier more efficient and customer oriented.

For sure, members have their differences with management on Conrail Shared Assets Areas. But we can't identify another railroad COO who walks the walk of his talk: "If it's broke, we'll fix it."

We're talking about Ron Batory, president and COO of Conrail Shared Assets Areas.

So who is this rarest of rare railroad chiefs who volunteers, "Good union officers help ensure efficient operations."?

For starters, Batory manages 515 train and engine service workers – many represented by the UTU – who switch a million cars annually for 1,000 industries in Northern New Jersey, the Philadelphia area and Detroit. Conrail Shared Assets Areas was created in 1998 after CSX and Norfolk Southern carved up the original Conrail and then whittled out three distinct neutral switching districts, called Conrail Shared Assets Areas.

Batory credits his "strong belief in people" for keeping grievances fairly low and productivity high. "If you do what's right – concentrate on treating people as you want to be treated – you get a successful operation," Batory says. "You don't manage people; you lead them. Actions fulfill words."

Batory is a three-decade veteran of operating departments at Grand Trunk Western, Southern Pacific, Chicago's Belt Railway and pre-split Conrail. Into his management tapestry is woven a lifetime of interpersonal skills learned from his union-officer father.

As the post-Conrail carve-up mutated to meet demands of regulators, customers and unforeseen events, Batory maintained a dialogue with employees, arming them with facts – not always pleasant to hear – to



From left, Local 1477 (CSXT, Dearborn, Mich.) Local Chairperson Philip Gurley; Batory; CSXT Operations West Superintendent Charles Grey, and Local 1477 member conductor Donald Howell.

"Good managers don't count the people they have fired or disciplined. That's a sign supervision isn't very effective. I want supervisors who know the rules and administer them with fairness and consistency."

counter the traditionally divisive gossip of the trackside shanty. "Successful managers include employees as partners and listen to them closely," says Batory. "Employee opinions and expertise matter; the boss doesn't always know best."

Batory also crafted incentive and bonus payments to improve morale, efficiency and productivity. Effective employee training was another imperative. Twelve-week instruction in a classroom and field setting – with emphasis on understanding and applying operating rules – was instituted for new hires, with mentors selected based upon their demonstrated abilities and people skills. New hires and their spouses are invited to group dinners to learn more about the Conrail culture.

"First impressions matter," says Batory.

Let's return to Batory's dad, Lou, a former U.S. Marine, who hired on with the New York Central as a car checker and member of the Brotherhood of Railway and Airline Clerks (now the Transportation Communications Union). "My dad was elected vice local chairman, local chairman and then general chairman before moving to BRAC headquarters, where he frequently assisted Department of Labor officials in training matters," says Batory. "I learned from my dad that words are your bond and you take care of other people. I saw that my entire childhood."

Batory says he also learned from his dad "the value to management of a union. It can be a conduit to effective communication with employees, and can help create a surprise-free and constructive environment. A labor organization maintains a check and balance," says Batory. "You can say, 'I don't need a union because I will take care of my employees,' but my successor may not have the same mindset."

Remember what we said about a month of Sundays and news that hell has frozen over? Well, can you identify another railroad president with an attitude like that of Batory? No wonder UTU International President Paul Thompson joked recently that presidents like Batory could put unions out of business.

"It's only when you are not treating each other right" that grievances are spawned, says Batory. "When something is wrong, you fix it together. Good managers don't count the people they fired or disciplined. That's a sign supervision isn't very effective. I want supervisors who know the rules, so as to develop and maintain a safety-conscious work force that consistently abides by those rules for their own well being."

"Managing isn't a popularity contest," says Batory, "but neither is it an unpopularity contest."

Wow!

Changes in UTU Discipline/Income Protection Program

As a result of increased costs, D/IPP premiums, known as monthly assessments, will increase from **36 cents to 40 cents per \$1 of daily benefits**. This change will take effect beginning June 1, 2005. The new Schedule of Maximum Benefits is provided below for anyone who is presently a member of D/IPP or who becomes a member prior to June 1, 2005.

You may elect to change the benefit level you have selected or cancel your coverage at any time by submitting the appropriate form to UTU. If you do not change your current benefit level, your current benefit level will remain in place, and, if you pay monthly assessments by payroll deduction, the

higher monthly assessments will automatically be deducted from your paycheck.

For members who join D/IPP with an effective date of June 1, 2005, or thereafter, the maximum days of coverage in the Schedule of Maximum Benefits provided below will read as follows: 250 days of coverage for less than 24 months; 300 days of coverage for 24 months but less than 60 months; and 365 days of coverage for 60 months or more.

The D/IPP Trustees are International President Paul C. Thompson, Assistant President Rick Marceau and General Secretary & Treasurer Dan E. Johnson.

SCHEDULE OF MAXIMUM BENEFITS

Monthly Assessment	Number of Active Months of Membership in Income Protection Program	\$2.40	\$4.00	\$8.00	\$12.00	\$16.00	\$20.00	\$24.00	\$28.00	\$32.00	\$36.00	\$40.00	\$44.00	\$48.00	\$52.00	\$56.00	\$60.00	\$80.00
		\$6 Daily Benefit Maximum Payable	\$10 Daily Benefit Maximum Payable	\$20 Daily Benefit Maximum Payable	\$30 Daily Benefit Maximum Payable	\$40 Daily Benefit Maximum Payable	\$50 Daily Benefit Maximum Payable	\$60 Daily Benefit Maximum Payable	\$70 Daily Benefit Maximum Payable	\$80 Daily Benefit Maximum Payable	\$90 Daily Benefit Maximum Payable	\$100 Daily Benefit Maximum Payable	\$110 Daily Benefit Maximum Payable	\$120 Daily Benefit Maximum Payable	\$130 Daily Benefit Maximum Payable	\$140 Daily Benefit Maximum Payable	\$150 Daily Benefit Maximum Payable	\$200 Daily Benefit Maximum Payable
200	Less than 12 months	1200	2000	4000	6000	8000	10000	12000	14000	16000	18000	20000	22000	24000	26000	28000	30000	40000
270	12 months but less than 24 months	1620	2700	5400	8100	10800	13500	16200	18900	21600	24300	27000	29700	32400	35100	37800	40500	54000
365	24 months or more	2190	3650	7300	10950	14600	18250	21900	25550	29200	32850	36500	40150	43800	47450	51100	54750	73000

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A riddle wrapped inside a mystery

With the start of a new baseball season, we recall the 1962 inaugural season of the New York Mets, managed by Casey Stengel, who asked, "Can't anyone here play this game?"

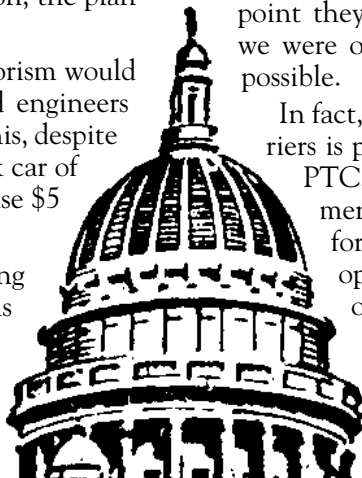
That question might be asked of railroads. While its labor negotiators told the UTU new technology is available allowing carriers to operate with one-person crews, the carriers' operating chiefs told the National Transportation Safety Board the technology is not to be trusted.

Meanwhile, federal judge Emmett Sullivan, at a court hearing on rail safety, said he was "astounded" that nobody could explain what railroads have done to protect the nation's capital from a terrorist attack on hazmat shipments.

We have the same question. Although rail officials claim their security plan was praised by the Transportation Security Administration, the plan is a riddle wrapped in a mystery inside an enigma.

Although one might expect a rail security plan against terrorism would involve train and engine service employees, conductors and engineers have been told little more than, "report suspicious activity." This, despite one federal estimate that in the nation's capital, a 90-ton tank car of chlorine gas could kill 100,000 people in half an hour and cause \$5 billion in damage.

National security demands that rail officials stop playing ostrich and remove their heads from the sand now. One 9/11 is quite enough.



WASHINGTON WATCH

By James M. Brunkenhoefer

If the carriers want a fight, we are ready

The railroads' friends are still in the White House, and still control both chambers of Congress. It sort of makes the railroad chiefs cocky – maybe like General Custer felt before he set out for the Little Big Horn.

Yup, the carriers feel very confident about the next four years. They are awash in profits, they're raising rates to customers as if they were holding a royal flush in a high-stakes poker game, and they're handing out huge bonuses and stock options to senior officers.



Brunkenhoefer

The carriers also are demanding significant givebacks from their union-represented employees – you know, the folks who made all these profits and executive bonuses possible.

Well, these greedy railroad execs in Ft. Worth, Jacksonville, Kansas City, Norfolk and Omaha just may be celebrating a bit early – just like Custer did.

Maybe they think they can maneuver their unions into a Presidential Emergency Board (PEB) and call upon their friends in the White House and Congress to tilt the playing field. Maybe they think the White House will appoint zealots like Frank Lorenzo to a PEB that will make recommendations setting organized labor back several decades.

Maybe the railroads think they have a green board to

Protect crew consist

By Paul C. Thompson
International President

Nothing is more important at the negotiating table than honesty. Our negotiations with the major railroads are barely limping along because the carriers are not being honest.

When the carriers served their Section 6 notice last November, they stated that a proposed consolidation of train and engine service positions contemplated the use of new technologically advanced train control systems that would enhance productivity and provide additional safety benefits.

We were told that, with the introduction of these emerging technologies, certain through-freight trains could be safely and efficiently operated by one onboard employee.

We were led to believe the terms "technologies" and "positive train control" (PTC) were one and the same.

Yet, in early March, when the National Transportation Safety Board held a symposium on PTC – at which every major railroad was represented – the carriers made clear that the technologies on which they based their Section 6 notice are not perfected to the point they can accomplish what we were originally informed was possible.

In fact, none of the major carriers is pursuing the concept of PTC, but rather are experimenting with various forms of far-less-effective operating systems. Each of the railroads is moving in a different direc-

tion, using different technologies – and none of the systems is capable of being interchanged onto a connecting carrier's property.

The Association of American Railroads said the underlying technologies "were not proven to be reliable" and "are not ready for revenue service."

Clearly, the carriers' Section 6 notice has absolutely nothing to do with technologies. Their Section 6 notice was a ploy to completely dismantle the UTU's existing crew consist agreements.

This is why the UTU filed a lawsuit (see page 1) to stop the railroads from demanding the UTU collectively bargain over their desire to abolish all conductor jobs aboard through-freight trains and brakeman

positions on locals and road switcher assignments.

UTU is going to do everything necessary to protect its crew consist agreements and make the railroads live up to their written commitments.

The very people who have worked day and night to help the industry enjoy record profits are the ones they are now attempting to eliminate so that additional profits can be made and executive bonuses paid.

Railroad workers, in assisting the carriers to earn these profits, suffer from fatigue and lack of quality of life with their families.

This latest attack on loyal workers by the carriers absolutely destroys trust in the employer. Nothing can ever be gained by destroying the morale of the work force – or being dishonest at the negotiating table.



Thompson

State Watch *News from UTU State Legislative Boards*

Florida

State Director **Carl Cochran** has retired. Elected to succeed him was Andres Trujillo, formerly legislative representative and alternate delegate from Local 1138, which represents CSXT employees in the Miami area.



Cochran

Cochran hired out on the Jacksonville Terminal Railroad in 1962 and later on the Seaboard Air Line Railroad in 1963 as a yard switchman.



Trujillo

"We were part of the team that organized the Florida East Coast Railroad, Tri-Rail and the Wisconsin Central. Carl has worked in Florida and Washington, D.C., for the passage of many bills benefiting railroad employees," said Tom Pope, president and local chairperson of Local 30 in Jacksonville, which represents members working for Amtrak and Herzog.

"Carl is a one-of-a-kind guy and we will miss him," said CSX General Chairperson **John Hancock**. "He always had the interests of the membership at heart."

Louisiana

In the wake of a number of rail-crossing fatalities in the state, Louisiana State Legislative Director **Tyronne Boudreaux** is working to improve rail safety.

Interviewed following collisions that claimed three persons in one crash and six people in two fatal accidents the month before, Boudreaux said the UTU supports crossing improvements because accidents carry a heavy emotional toll on operating employees.

"I can give you a personal example. We had an engineer who one Easter Sunday hit an auto at a crossing that only had wooden signs," he said. "It wasn't his fault; the people tried to outrun the train. A mother, father, grandfather and two children were killed."

Boudreaux says the engineer took two months off, then worked in the railroad yard – but still had a nervous breakdown and died of a heart attack a year and a half later.

According to Boudreaux, the engineer repeated over and over, "that all he could see is the little kids looking up at him with their eyes as big as saucers, crying and pleading. It was an awful sight."

The public needs to know that rail-crossing accidents take a heavy toll on railroad workers as well, Boudreaux said.

New Jersey

New Jersey State Director **Dan O'Connell** recently testified before the Assembly Budget Committee on the need for dedicated funding for New Jersey Transit (NJT). O'Connell was the only representative of organized labor to testify, he said.

NJT is the third-largest transit agency in the U.S. and the only statewide transit agency in the country. "It also has the dubious distinction of being the largest transit operation without dedicated funding," O'Connell said. "New Jersey Transit relies on the fare box and the state budget for its funding."

O'Connell told the budget committee that without a source of dedicated funding the agency will not be able to meet the increase in demand for service. New Jersey is expecting a million more residents by the year 2010 and is already the most densely populated state in the nation.

He explained what neighboring states, New York and Pennsylvania, used to provide dedicated transit funding. He also cited what Illinois does to provide dedicated funding for METRA, the Chicago-area commuter operator.

O'Connell thanked state directors Sam Nasca (N.Y.), Don Dunlevy (Pa.) and Joe Szabo (Ill.) for their assistance.

Texas



UTU Bus Department members Oscar Gamez, (president, Local 1670, Laredo); Bill Koehn, (legislative rep., Local 1670); Richard Kritselis, (president, Local 1697, Amarillo) and Leon Davis (legislative rep., Local 1697) recently visited Austin to get a first-hand look at the legislative process and to attend a one-day seminar presented by the Federal Transit Administration on substance abuse. The local officers also attended a meeting at the Texas AFL-CIO where information about the status of pending legislation is shared. They also talked with legislators about HB2438 which affects the transit authority in Laredo. Pictured are (front row, left to right) Walter Hinojosa, political/legislative director, Texas AFL-CIO; Becky Moeller, secretary/treasurer, Texas AFL-CIO; Texas House Rep. Helen Giddings; Koehn; Emmett Sheppard, president, Texas AFL-CIO; Kritselis; (back row, left to right) Connie English, Jr., Texas state director; Rick Levy, staff counsel, Texas AFL-CIO; David Arterburn, assistant Texas state director; Gamez and Davis.

Arizona

Last month State Director **Scott Olson** met with Sen. Harry Reid (D-Nev.), Sen. Byron Dorgan (D-N.D.) and Sen. Dick Durbin (D-Ill.), Rep. Ed Pastor (D-Ariz.) and Rep. Raul Grijalva (D-Ariz.) to discuss concerns with the Social Security bills being pushed by the Bush Administration. Olson later met with Pastor to discuss the Amtrak funding problem. "He informed me that he feared that only the coasts may have passenger service after the bill passes if it can survive that way," Olson said.

Bus Department

By Roy Arnold, vice president-director

UTU: Delivering and protecting

"The Contender" is a new reality television series that determines the best prizefighter. Of course, it is difficult to determine who is best at anything – but when it comes to the United Transportation Union, there is no question!

We have proven this, contract after contract, grievance after grievance: The UTU delivers and protects.

To negotiate the best contracts and to prevail when filing grievances requires honesty, integrity, trustworthiness, leadership, common goals and ability to put others' needs above our own.

Here is an update on recent Bus Department activity. New York State Legislative Director Sam Nasca recently attended a meeting of Local 167 in Albany, N.Y., and reported how impressed he was with member participation. I attended a meeting at Local 1589 in Albany, where members similarly are involved.

Contract negotiations continue for Local 1566 bus operators in Spartanburg, S.C. The tone is positive and we are seeing many new members involved and determined to stand up for what is right.

I met recently with members of Local 1496 in Riverside, Calif., and General Chairperson James Williams.

I also attended a meeting of Local 1584 in Palmdale, Calif., where member participation is highly visible. Local 1594 in Philadelphia has begun contract negotiations and the International is standing by to assist.

Finally, Shelly Topps, vice president of Local 1496 in Riverside, Calif., is relocating to another state for personal reasons. Shelly sends along special praise for International Officer Robert Gonzalez and UTU staff in Cleveland.



Yardmasters

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

Social Security debate affects rail retirement

The debate over the Bush Administration's desire to privatize Social Security is important to rail workers because Railroad Retirement has an important connection to Social Security. Tier I benefits are funded by Social Security through a transfer arrangement with Railroad Retirement.

It is instructive that the Bush Administration, while claiming Social Security is headed for bankruptcy, is ignoring two relatively easy adjustments that would not tinker with this time-tested income security blanket for the aged.

One relatively minor fix would be to eliminate the cap on earnings subject to the Social Security tax. That cap currently is \$90,000. There can be no question that high-income executives earning hundreds of thousands – even millions – of dollars annually can well afford to pay a Social Security tax on the entirety of their earnings and not have them capped for Social Security purposes as they now are.

Another relatively minor fix would be to trim benefits for those retiring with millions of dollars in stock options and hefty private-pension plans.

Although the Bush Administration says it wants to give citizens greater personal control over their retirement savings, almost four out of five Americans polled by independent researchers say the federal government should continue to be responsible to assure a decent standard of living for the elderly.

Democratic leaders say that Bush's plan for private accounts would require huge borrowing, put Americans at much greater financial risk and be devastating to the stability of the 70-year-old government pension plan.



How U.S. rail contracts are negotiated

The UTU and most major freight railroads have begun a new round of negotiations to revise rates of pay, rules and working conditions.

The railroads include BNSF, CSX, Kansas City Southern, Norfolk Southern, Union Pacific, Alton & Southern Railway Co., Manufacturers Railway Co. and Terminal Railroad Company of St. Louis.

Some 40,000 UTU members are affected by these contract talks.

Railroad (and airline) labor relations are governed by a 1926 law, the Railway Labor Act (RLA), under which contracts never expire and the right to engage in self-help (strikes, lockouts and arbitrary management changes to contracts) is severely restricted.

Thus, railroad contracts continue in force until new agreements are reached or imposed by third parties.

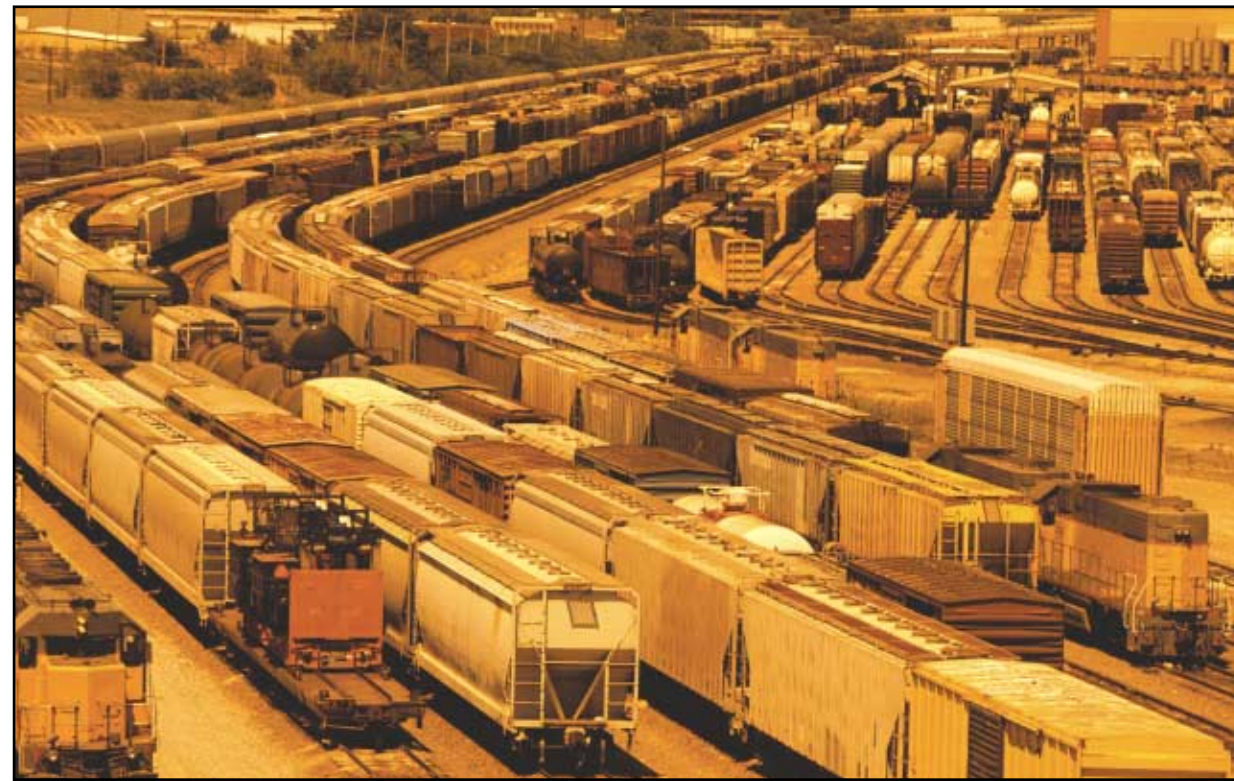
What if sides can't agree?

Although there is nothing in the RLA requiring it, Congress (upon the advice of a White House-appointed Presidential Emergency Board) frequently imposes its own settlement if the two sides (labor and management) cannot voluntarily reach an agreement.

In times like these, where the carriers have more friends in the Republican-controlled White House and Republican-controlled House and Senate, it can be very risky to allow Congress to determine our revised rates of pay, rules and working conditions.

Indeed, even when Democrats controlled one or both chambers of Congress, congressionally imposed settlements sometimes were quite hurtful to rail labor unions.

Because our right to strike is severely restricted, and because third parties frequently wind up imposing revised agreements on unions and rail



Some 40,000 UTU members are affected by these contract talks. The railroads, represented by the National Carriers' Conference Committee (NCCC), include BNSF, CSX, Kansas City Southern, Norfolk Southern, Union Pacific, Alton & Southern Railway Co., Manufacturers Railway Co. and Terminal Railroad Company of St. Louis.

carriers if voluntary agreements cannot be reached, union negotiators must be especially vigilant during the negotiating process.

Section 6 notices start process

Rail contracts traditionally carry a moratorium – meaning they can be reopened only after a specific date agreed to when the previous agreement was negotiated. The moratorium on the existing contract expired Nov. 1, 2004.

The RLA process toward a revised contract begins with carriers and the union serving so-

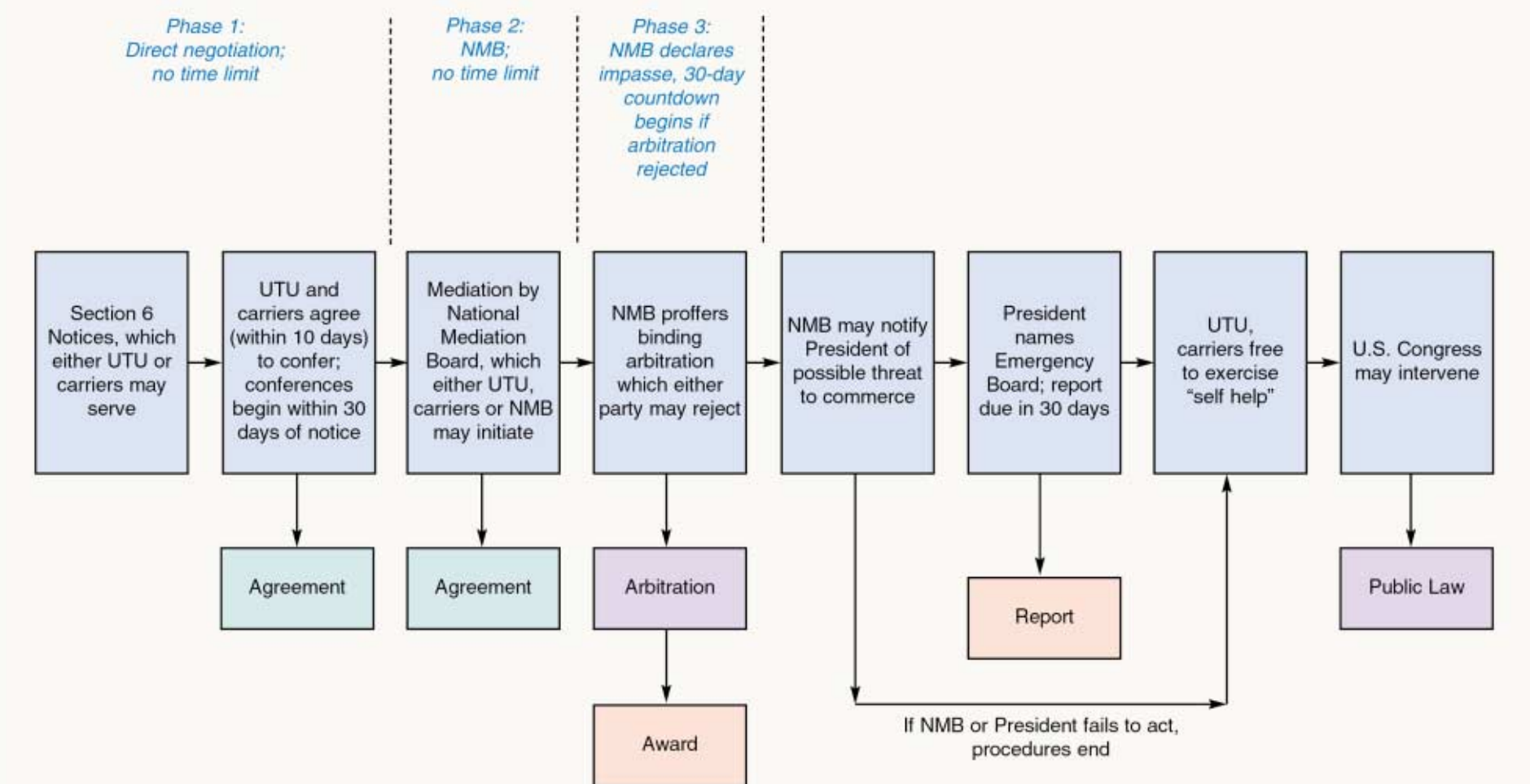
called Section 6 notices on each other.

Section 6 notices are named after the section of the RLA providing for them, and typically contain each side's desired changes to the existing contract.

The most recent Section 6 notices were served Nov. 1, 2004, to begin negotiating a revised agreement. While negotiations are underway, the existing contract – open for renegotiation – continues to be binding.

The existing agreement requires that carriers must pay twice yearly cost-of-living adjustments (COLAs), beginning July 1, to

Railway Labor Act collective bargaining procedures



protect workers against inflation.

To view the Section 6 notices served last November, go to www.utu.org, look to the right-hand bottom corner of the page, and click on "Rail Contract Negotiations."

What if negotiations fail?

The RLA provides that the parties must confer on the matters raised in their respective Section 6 notices. However, if matters do not relate to rates of pay, rules or working conditions, or subjects covered by moratoriums, they need not be negotiated.

If negotiations prove unproductive, either or both parties may seek the services of the National Mediation Board (NMB), a federal agency. The NMB itself may offer its services if it determines a labor emergency exists.

If mediation by the NMB fails to produce an agreement, the NMB – and only the NMB – can declare an impasse and offer to submit the dispute to binding arbitration.

Both parties must consent for that to occur.

It is important to recognize that there are no set time limits on mediation. The NMB can keep the parties at the negotiating table for days, weeks, months and even years before it declares an impasse.

What is a PEB?

If arbitration is refused (following NMB declaration of an impasse), and the NMB determines that the dispute threatens to substantially interrupt interstate commerce to a degree

that would deprive a section of the country of essential rail transportation services – a finding almost always made if the negotiations are national in scope – the NMB notifies the president of the United States.

The president may then create a three-member Presidential Emergency Board (PEB) to investigate the facts and, within 30 days, make non-binding written recommendations. During this period, the status quo must be maintained by both sides.

"The RLA imposes on the parties a duty to avoid any interruption to interstate commerce and to assist in the prompt and orderly settlement of disputes covering rates of pay, work rules and working conditions."

The most remembered and reviled PEB was appointed by President Reagan – PEB 208, which adopted as its recommendations much of the Van Wart Study Commission conclusions that included entry- and dual-basis-of-pay provisions.

Typically, in the past, the White House appointed PEB members from a list of experi-

enced RLA arbitrators provided by the NMB. It is worth remembering, however, that the Bush administration last year ignored the NMB list in appointing a PEB to investigate a UTU dispute with SEPTA, and chose two members with a presumed anti-labor bias.

(In the unlikely event the NMB does not make a determination that triggers creation of a PEB, or if the president declines to create a PEB, the parties are free to resort to self-help – a strike, a management lockout, or arbitrary changes by the carrier in rates of pay, rules and working conditions. Self-help may not occur, under these circumstances, until 30 days following a refusal of one or both sides to accept binding arbitration.)

What happens after a PEB?

When the PEB delivers its report, a second 30-day status quo period commences, during which the parties usually make one further attempt to negotiate a voluntary settlement.

If a voluntary settlement still is not reached, the RLA has run its course and the parties may resort to self-help.

However, as mentioned above, Congress has rarely allowed a regional or national work stoppage or lockout to last more than a few days – and, most typically, not longer than a day.

Under its constitutional power, Congress typically formulates a back-to-work order and often along the lines recommended in the PEB.

This is what is meant by third-party settlement of railroad labor/management disputes.

UTU National Negotiating Committee

UTU International President Paul Thompson will serve as the UTU's chief negotiator. Members of the UTU National Negotiating Committee are: Assistant President Rick Marceau; vice presidents John Babler, J.R. Cumby, Mike Futhey and David Hakey; and general chairpersons Richard Karstetter, Robert Kerley, John Lesniewski, Dave Snyder, Delbert Strunk and Dale Welch.

Among major railroads represented by the NCCC in this round of national handling are BNSF Railway, CSX, Kansas City Southern, Norfolk Southern and Union Pacific.



Thompson



Marceau



Babler



Cumby



Futhey



Hakey



Karstetter



Kerley



Lesniewski



Snyder



Strunk



Welch

UTU for Life

Senior UTU employee Mary Glenn dies at 87

CLEVELAND, Ohio – The brightest twinkle in the UTU International headquarters office expired March 5 with the death of 87-year old **Mary Glenn**, a 56-year employee whose roots were deep in the trade-union movement.



Mary Glenn

“Mary Glenn was the heart and compassionate soul of this office,” said UTU International President **Paul C. Thompson**. “Her personality twinkled as brightly as her eyes glowed. Her infectious smile often substituted for the missing sun during Cleveland’s harsh and gloomy winter, while her dry and biting wit filled us all with laughter. She flirted in such an innocent manner with every young man in the office that many asked if she would adopt them as honorary sons,” Thompson said.

Mary Robertson Glenn was born and educated in West Austintown, Ohio. Her UTU career began in January 1949 as a typist with one of the organization’s predecessors, the Brotherhood of Locomotive Firemen and Enginemen (BLF&E). “Mary Glenn’s seniority date was older than the birth date of the overwhelming majority of our current members,” Thompson said. Until she fell ill late last year, she was in charge of the president’s file room.

Mary Glenn worked for nine International presidents, the first being her uncle, **D. B. Robertson**, who was BLF&E president from 1922 to 1953. Another uncle worked in that organization’s GS&T department, while her father-in-law, **R. L. Glenn**, was general chairperson on the former Atlantic Coast Line Railroad (now part of CSX). Her late husband, **Norman Glenn**, was a union delegate in the printing trades. Her sister, **Catherine “Dickie” Robertson**, has been employed by the UTU Insurance Association since 1970.

This wishing to pay tribute to Mary Glenn’s active and productive life can do so by contributing to the Union Printers’ Home, 101 S. Union Blvd., Colorado Springs, CO 80910; or to UTUIA Unit #1, 14600 Detroit Ave., Cleveland, OH 44107-4250.



New UTU For Life chapter established in Indianapolis

The *UTU For Life* organization continues to expand rapidly, with a new chapter set to hold its first meeting this month in Indianapolis, Ind.

The organization provides an interesting and enjoyable way for retired members who built this union to meet, keep active, stay in touch with friends from the workplace and remain informed about events affecting them and the UTU. Local chapters are established by volunteers, with assistance from the UTU International.

The newest chapter, hosted by **Robert L. Cummins** of Local 1548 in Indianapolis, Ind., will hold its first meeting at 11:30 a.m. on Wednesday, April 20, at the Atkins American Legion Post 355, 7610 S. Meridian St., Indianapolis, IN 46217.

For more information about this chapter, write to Cummins at 4910 Brentridge Parkway, Greenwood, IN 46143-9369, call him at (317) 888-7304, or send him e-mail at rcummins45@earthlink.net.

To learn how the UTU International can help you start a chapter in your town, write to *UTU For Life*, 14600

Detroit Ave., Cleveland, OH 44107-4250, or call (216) 228-9400 between 8:30 a.m. and 4:30 p.m. Eastern Time. More information about the program and its benefits is also available on the UTU’s website. Visit the UTU homepage at www.utu.org and click on the “UTU FOR LIFE” link in the red area on the left, or go directly to www.utu.org/worksite/retiree.htm.

RETRENDO Club holds dinner, dance

A group of Pennsylvania Railroad and Conrail retirees planning their 23rd annual dinner and dance has extended an invitation to rail veterans from all crafts to attend the upcoming event.

The RETRENDO (REtired TRainmen and ENginemen SOcial) Club’s gathering will be held Sun., May 15, at the Lamplighter Restaurant on Route 22 in Delmont, Pa., said retired yardmaster **A.V. “Jock” Powers** of Local 1948, Youngstown, Ohio.

For information, write to Powers at P.O. Box 325, Westmoreland City, PA 15692, or call him at (724) 863-1232.

Retired UTUIA Field Supervisor R.H. Lloyd dies

Retired United Transportation Union Insurance Association Field Supervisor **Robert H. Lloyd** died at his home in Elk Grove, Calif., on Feb. 25. He was 66.

Born in Farmington, N.M., Lloyd graduated from Chico High School in Chico, Calif. Following graduation, he served three years in the U.S. Army.

He was employed by the Southern Pacific Lines as a conductor before becoming a full-

time field supervisor for the UTUIA.

An avid train and railroad fan, Brother Lloyd also loved to travel, spend time with his family and research family genealogy.

He is survived by his wife Pamela, sons Michael and Gregory, four grandchildren and two great-grandchildren.

In lieu of flowers, the family has asked that donations be made to UTUIA Unit #8, P.O. Box 1197, Rocklin, CA 95677.

Two retirees mark 100th birthdays

Two retired UTU members recently marked their 100th birthdays, according to the U.S. Railroad Retirement Board (RRB).

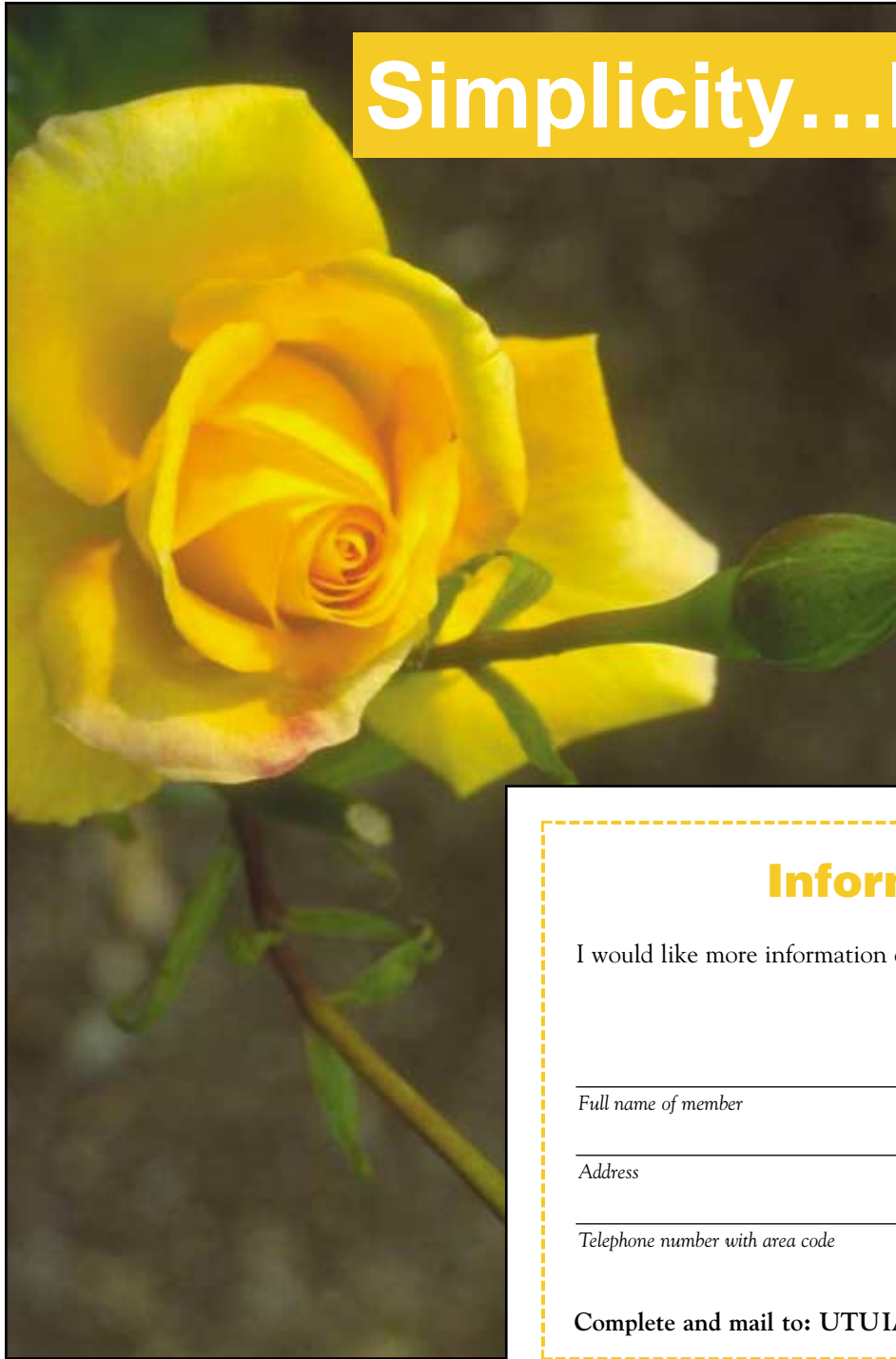
Retired member **William W. Walsten**, who last worked on the New Orleans Public Belt Railroad in December 1971, celebrated his 100th birthday on Dec. 19, 2004, the RRB said. Brother Walsten is a member of Local 1066 in New Orleans, La.

Also reaching the 100-year milestone was **Victor J. Ueblhear**, who was last employed by the Penn Central as a conductor in March 1970, the RRB said. Brother Ueblhear, who reached his 100th birthday on March 24, is a member of Local 1393 in East Buffalo, N.Y.

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
27	Hatfield Jr., Lycurgus	Parkersburg, W. Va.	577	Pedajas, J.H.	Twin Lakes, Wis.	1033	Hall, Ralph N.	Jonesboro, Ga.
206	Coahran, Howard C.	Macy, Ind.	590	Byers, Merl E.	Portage, Wis.	1162	Gardner, Tommy E.	Erwin, Tenn.
281	Shutter, Daniel N.	Cheyenne, Wyo.	601	Beaver, Donald A.	Port Richey, Fla.	1201	Lloyd, Robert H.	Elk Grove, Calif.
283	Burros, Rudolph I.	Portland, Ore.	650	Thompson, Charles J.	Austin, Minn.	1366	Shaw, Leon C.	Surprise, Ariz.
293	Nickelson, Wayne H.	Houston, Tex.	674	Davis, Asbury W.	Augusta, Ga.	1373	Babineaux, Linest J.	Philadelphia, Pa.
298	Gingrich, Carl E.	Garrett, Ind.	811	Itson, James C.	San Bernardino, Calif.	1390	Conklin, William L.	Fountainville, Pa.
298	Kehler, George M.	Peru, Ind.	911	Pendergast, James P.	Stevens Point, Wis.	1390	Cummings, William H.	Bensalem, Pa.
298	Smith, William D.	Fort Valley, Ga.	940	Barnett, Arval L.	Mountainburg, Ark.	1393	Dier, Albert H.	Ransomville, N.Y.
300	Vanaken, Richard S.	Bristol, Pa.	949	Hernandez, Robert L.	Sherman, Tex.	1393	Steve, Franklin A.	Buffalo, N.Y.
320	Williamson, Joy E.	Fort Gratiot, Mich.	976	Cook, Terry L.	Shreveport, La.	1522	Groomes, Warren L.	Cheverly, Md.
440	Henderlight Jr., Everett	Jonesville, N.C.	1011	Saunders, Charles M.	Charlotte, N.C.	1525	Williams, K.E.	Fairview Heights, Ill.
496	Stidham, Claude E.	Sciotoville, Ohio	1016	Winfield, Elmer R.	Enid, Okla.	1529	Stout, Harland	Cedarville, W. Va.
565	Kent, Harold T.	Centralia, Ill.				1574	McVay, Mervin L.	Lincoln City, Ore.
						1918	Coupland, Edward C.	El Paso, Texas



Simplicity...It's a beautiful thing

You buy, you die, we pay

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.

You buy. You die. We pay.

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.

For complete details on whole life insurance for you and your family, return the coupon below or call us toll-free at 1-800-558-8842.

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 _____

ZIP _____

Telephone number with area code _____

UTU local number _____

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

04/05

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.

Attach address label here

Name _____

Local _____

Address _____

City/State/ZIP _____

FRA delays new train-horn rules

WASHINGTON, D.C. – The Federal Railroad Administration (FRA) announced that it has changed the effective date of its Interim Final Rule (IFR) on the Use of Locomotive Horns at Highway-Rail Crossings to June 24, 2005, from April 1, 2005.

The extension of the effective date for the IFR provides additional time to complete the required approval process of the final rule. The FRA intends to publish the final rule this spring, it said in a press release.

The difference between an "interim final rule" and "final rule" is only that those affected are put on notice by the FRA that it may make a minor change before the "final rule" is issued, and that there will be no further public proceedings before the final rule is issued.

"We are keenly aware that communities nationwide are eagerly awaiting publication of the final rule," said FRA Acting Administrator Robert D. Jamison.

"We are confident that it will satisfactorily address the varied concerns and interests of communities throughout the country regarding the use of train horns at highway-rail grade crossings."

This change will give public authorities additional time to establish the necessary conditions that will permit them to preserve pre-existing whistle bans or establish new quiet zones within their respective jurisdictions.

The IFR originally published on Dec. 18, 2003, stipulated an effective date of Dec. 18, 2004. It generated significant interest from communities across the country, requiring additional time for the FRA to fully consider approximately 1,400 comments submitted.

As a consequence, the FRA published a notice on Nov. 22, 2004, indicating that the effective date of the IFR would be changed to April 1, 2005. The latest notice supersedes the previous announcement.

The Federal Railroad Safety Authorization Act of 1994 required the FRA to issue regulations that would require railroads to sound locomotive horns on approach to, and while traveling through, public highway-rail grade crossings, except under specified conditions.

Extensive information about the train horn proceeding is available at www.fra.dot.gov.

UTU files suit

Continued from page 1

agreement is reached. This, the UTU told the court, is in violation of the Railway Labor Act obligation to maintain the status quo under agreements.

Alternatively, the UTU asked the court to find the carriers' actions a dispute over interpretation or application of the moratoria provisions, making it a so-called "minor dispute" under the Railway Labor Act, which would commit the resolution to the exclusive jurisdiction of an arbitration panel.

Crew consist agreements were negotiated on a property-by-property basis by UTU general committees of adjustment during the 1980s and the 1990s in exchange for a then-reduction in crew size that was agreed necessary to permit railroads to become more competitive with trucks. General committees of adjustment have authority to make local or system agreements with representatives of railroads.

Those locally negotiated crew-consist agreements provide for at least one conductor being

"It should shock every American in this age of terrorism that the railroads, which haul millions of tons of deadly chemicals and even nuclear weapons and atomic waste, and whose dreadful safety record has become regular and frightening reading on the front page of *The New York Times*, want the flexibility to run trains with only one person aboard."

assigned to every through-freight train – and on some properties, a brakeman on some assignments – and that no UTU member assigned to train service would lose their job involuntarily.

Crew consist agreements are "a local issue as a matter of law and changes to crew size must be negotiated with the UTU general committees of adjustment on the appropriate railroad proper-

ty," the UTU told the court. "In other words, the issue of crew consist is not subject to national handling."

UTU International President Paul C. Thompson said, "It should shock every American in this age of terrorism that the railroads, which haul millions of tons of deadly chemicals and even nuclear weapons and atomic waste, and whose dreadful safety record has become regular and frightening reading on the front page of *The New York Times*, want the flexibility to run trains with only one person aboard.

"Mark Twain warned that when you pick up a cat by the tail, you learn a lesson that cannot be learned in any other way," Thompson said. "The lesson that must now be scratched into the carriers' faces is that they cannot play roulette with the nation's safety and security or with their employees' well-being for the sole purpose of fattening the bottom line and executive bonuses."

The text of the complaint filed in court may be viewed on the UTU website: www.utu.org. On the bottom-right corner click on "Rail Contract Negotiations" and then click on "UTU Court Action."

Boardman

Continued from page 1

lethal safety problems," Thompson said. "We expect Joseph Boardman to be the tough cop long needed as the nation's rail safety chief."

The UTU, a bipartisan union that has been working with its friends in the administration on selection of the new FRA chief, was informed by the White House in March that Boardman, in fact, would be nominated. Boardman must be confirmed to the post by the Senate in a process that could stretch into late spring.



Nasca

Boardman, an Air Force enlisted man who served in Vietnam, was raised on a New

York dairy farm and has spent his career in various New York State transportation posts. He earned an undergraduate degree in agriculture economics from Cornell and a master's degree in management science from the State University of New York at Binghamton.

He is respected as an advocate to preserve Amtrak and expand rail commuter service. Boardman said recently that two of his top priorities would be "saving Amtrak and strengthening our weak rail safety and security system."

Boardman has been New York's top transportation official since 1997. He also chairs the American Association of State Highway and Transportation Officials' (AASHTO) Standing Committee on Rail Transportation.

Nasca predicts the UTU will have "a good and cooperative relationship" with Boardman "as he clearly understands our side of the issues." Nasca spoke by telephone with Boardman following

the White House announcement and assured Boardman he would have UTU's complete support through the Senate confirmation process.

Boardman would succeed FRA Acting Administrator Robert T. Jamison, who was named to the post on a temporary basis in January after another acting administrator, Betty Monroe, retired under an ethics cloud. Jamison, who had headed the Federal Transit Administration, is a so-called "place holder" until the Bush Administration's choice for a permanent administrator is confirmed by the Senate.

Monroe was found to have a chummy relationship with Union Pacific's chief lobbyist. The

The articles also told of shortcomings in tank car maintenance and repair and the FRA's reluctance to investigate grade-crossing signal failures. When federal inspectors sought to crack down on various railroad safety lapses, they found themselves "under fire" from the FRA's top brass, according to the articles.

New York Attorney General Eliot Spitzer called FRA regulation of railroads "an abject failure."

Thompson said, "This is why the UTU has been working with the administration to encourage nomination of an administrator who is qualified, unbiased and anxious to read, study,

Nasca predicts the UTU will have "a good and cooperative relationship" with Boardman "as he clearly understands our side of the issues."

Department of Transportation's inspector general (IG) said that while no wrongdoing was found, that relationship might have dampened the FRA's enthusiasm to hold the railroad to the letter and spirit of laws ensuring employee and public safety. As a result, said the IG, the FRA might have been "failing to fix the most persistent safety problems."

Many of the industry's serious and nagging safety problems have been exposed in a recent series of front-page articles published by *The New York Times*.

The stories focused on how track defects "repeatedly went uncorrected," how passenger trains were "sent down defective tracks at speeds more than four times faster than deemed safe" and of locomotives and freight cars "dispatched in substandard condition."

digest and enforce every safety law. It's time for an end to even the hint of an incestuous relationship between railroads and their safety regulator. Joseph Boardman is an eminently sound choice for the job."

Last month, Sen. Patty Murray (D-Wash.), another close friend of the UTU, told her colleagues on the Senate Appropriations Committee that she similarly was concerned about the relationship between the FRA and the rail industry and how it might be compromising rail safety.

Transportation Secretary Norman Mineta said in response to Murray's comments that he is aware of the matter and that DOT is committed to looking more closely at rail safety issues.

Boardman invited Thompson to meet personally with him in April.

Joint letter

Continued from page 1

negotiations, the carriers have agreed not to engage in self help, which would include promulgation by the carriers of crew-consist changes contained in their Section 6 notice – "something we needed to protect our members against," said UTU International President Paul C. Thompson.

On March 22, the UTU and the NCCC (which represents, among others, BNSF, CSX, Kansas City Southern, Norfolk Southern and Union Pacific), mutually agreed to the following

language contained in a letter signed by Thompson and NCCC Chairman Robert F. Allen:

"The United Transportation Union and the carriers represented by the National Carriers' Conference Committee (the 'parties') have exchanged bargaining notices on and after Nov. 1, 2004, that propose changes to existing collective bargaining agreements, and are currently engaged in national bargaining on those proposals, although UTU disputes the propriety of the carriers' Staffing/Consolidation and Federal Employers' Liability Act proposals. The parties have met in conference on such notices, most recently on March 15, 2005, and no future conferences are scheduled.

"This will confirm the parties' mutual

understanding that: (i) for purposes of Section 6 of the Railway Labor Act (RLA), conferences on their respective bargaining proposals described above have not terminated as a result of the failure of the parties to schedule a conference after the March 15, 2005, conference; and (ii) neither party shall exercise any form of self-help that involves or relates to any of the matters contained in the parties' respective bargaining proposals at any time prior to the exhaustion of the procedures specified in the RLA."

As for further negotiations, Thompson said, "There really isn't any way it makes sense to do any real negotiation until these issues are resolved in the courts."

UTU/UTUIA Regional Meeting information

The 2005 UTU/UTUIA Regional Meetings are approaching.

This year, each Regional Meeting will run for 2 1/2 days, ending early on the afternoon of the third day. The evening of the first day has been left free.

Neither Anchorage nor Orlando has been designated the Canadian Regional Meeting.

All those attending the meetings must be registered in order to attend any planned social function. Children ages 11 and under who are pre-registered are complimentary. The registration form is printed on the right. A completed registration form listing each attendee, regardless of age, and complete payment in U.S. funds must be received at the UTU International Headquarters, 14600 Detroit Ave., Cleveland, OH 44107, 30 days prior to the scheduled start of the meetings or the registrant will be charged an on-site registration fee of \$200.

The pre-registration fee for the 2005 regional meetings is \$150 per member, spouse or child over age 11. Additional fees apply for the golf outings and the spouse tour in Anchorage. You must make your own room reservations at one of the hotels listed, and certain deadlines apply.

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

Anchorage, Alaska, June 13-15, 2005

Anchorage Hilton, 500 W. Third Ave., Anchorage, AK 99501. ALL ROOMS AT THE ANCHORAGE HILTON AND THE HOWARD JOHNSON OVERFLOW HOTEL HAVE BEEN SOLD OUT. Other area hotels include the Days Inn (907-276-7226); Super 8 Motel (907-276-8884); Red Roof Inn (907-274-1650); Ramada Inn Anchorage (907-272-7561) and Homewood Suites Anchorage (907-762-7000). The UTU has made arrangements at the Anchorage Regional Meeting for a **spouse and guest luncheon train tour** on Tuesday, June 14, from 10:30 a.m. to 4 p.m. The cost of the trip is \$25 per guest, and seating is limited. The **golf outing** will be held Sunday, June 12, at the Anchorage Golf Course, 3651 O'Malley Road, Anchorage; phone (907) 522-3425. The cost is \$80 per golfer.

Orlando, Fla., July 18-20, 2005

Disney's Coronado Springs Resort, 1000 W. Buena Vista Dr., Lake Buena Vista, FL 32830. 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. One- and two-bedroom suites are available from \$186 to \$465 per night. Room rates are good four days before and after the meeting. **Reservation deadline:** June 14, 2005. **Parking:** Complimentary. The **golf outing** on Sunday, July 17, will be held at Disney's Lake Buena Vista Golf Course, located near the Downtown Disney® shopping and entertainment district. The cost is \$80 per golfer.

UTU Regional Meeting Registration Form

Registering before the Regional Meetings speeds sign-in procedures at the meeting site, helps organizers plan more accurately, and saves on meeting costs. These savings will be passed on to each pre-registered attendee. **Each person attending the Regional Meeting, including family members and guests, MUST be registered in order to attend any planned event. Please note that these meetings last 2 1/2 days and conclude on the afternoon of the third day.** Registration fees are \$150 per person; children 11 years of age and under are complimentary. On-site registration will be \$200 per person. All fees must be paid in U.S. funds. Canadian funds will be returned, possibly delaying your registration. If you have questions, consult your bank. Registration forms with payment must be received 30 days prior to the start of the meeting.

Which regional meeting will you be attending? Anchorage Orlando

Arrival date: _____ Departure date: _____

Transportation type: Automobile Air Other

Member Registration

Name _____ Local _____ Title (if any) _____

Home address _____

City/State/ZIP _____

Phone number () _____ Email _____

Meals: Day 1 Lunch No meal
Day 2 Lunch Dinner Both No meals
Day 3 Buffet breakfast No meal

Spouse Registration Anchorage Orlando

Spouse name _____ Title (if any) _____

Meals: Day 1 Lunch No meal
Day 2 Lunch Dinner Both No meals
Day 3 Buffet breakfast No meal
 Anchorage Spouse Tour (include an additional \$25 with your registration fee)

Child Registration Anchorage Orlando

Child name _____ Age _____

Meals: Day 1 Lunch No meal
Day 2 Lunch Dinner Both No meals
Day 3 Buffet breakfast No meal
 Anchorage Spouse Tour (include an additional \$25 with your registration fee)

Child name _____ Age _____

Meals: Day 1 Lunch No meal
Day 2 Lunch Dinner Both No meals
Day 3 Buffet breakfast No meal
 Anchorage Spouse Tour (include an additional \$25 with your registration fee)

Child name _____ Age _____

Meals: Day 1 Lunch No meal
Day 2 Lunch Dinner Both No meals
Day 3 Buffet breakfast No meal
 Anchorage Spouse Tour (include an additional \$25 with your registration fee)

Child name _____ Age _____

Meals: Day 1 Lunch No meal
Day 2 Lunch Dinner Both No meals
Day 3 Buffet breakfast No meal
 Anchorage Spouse Tour (include an additional \$25 with your registration fee)

Guest Registration Anchorage Orlando

Guest name _____ Relationship to member _____

Home address _____

City/State/ZIP _____

Meals: Day 1 Lunch No meal
Day 2 Lunch Dinner Both No meals
Day 3 Buffet breakfast No meal
 Anchorage Spouse Tour (include an additional \$25 with your registration fee)

Golf Registration Anchorage Orlando

Name _____ Handicap _____ Name _____ Handicap _____

Name _____ Handicap _____ Name _____ Handicap _____
(Golf fees are \$80 per golfer; include in total payment.)

Payment Options

Check/money order (U.S. funds only) \$ _____

Credit card VISA MasterCard

Card number _____ Exp. date _____ Total charged \$ _____

Signature _____

Should additional space be needed, make copies of this form and attach to the original. This form and payment of \$150 per person over the age of 11, plus golf registration fees of \$80 per golfer and Anchorage train tour fees of \$25 per rider (if applicable), must be received at the UTU International Headquarters, 14600 Detroit Ave., Cleveland, OH 44107-4250, 30 days prior to the Regional Meeting. Make checks or money orders payable in U.S. funds to "UTU Regional Meeting." Those who do not pre-register for the regional meeting but instead choose to register at the meeting site will be charged a \$50 penalty fee.

This month's winning photo:

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 Bob Read, a member of Local 1348 in Centralia, Wash. The photo shows a Columbia & Cowlitz Railway engine at Longview, Wash. The C&C is a shortline railroad that is affiliated with Weyerhaeuser. "I have been railroading for eight years now and enjoy it very much," Read wrote.



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UTU invites BLET to join fight against bigger trucks

WASHINGTON, D.C. – The United Transportation Union's steadfast opposition to bigger trucks has paid another dividend.

In passing a six-year, \$284-billion reauthorization of highway funding March 10, the House of Representatives refused to include two provisions sought by the trucking industry.

One rejected amendment would have limited highway tolls charged big trucks by states to only new interstate highway lanes and only until the new construction is paid off.

Instead, the House voted to give states authority to impose truck tolls as the states wish on all interstate road projects to cover the increased wear and tear on pavement caused by these highway behemoths that suck freight from the railroads.

A second amendment, which would have allowed companies such as Wal-Mart to keep its drivers on the job up to 16 hours each day, was withdrawn when it became clear it didn't have sufficient support for passage.

The Senate still must pass its version of a new highway construction bill. At that point, the House and Senate will reconcile their bills and send the final product to the White House for signing.

The UTU is lobbying senators to follow the House lead in rejecting legislation that would result in a shift of freight from railroads to less-safe highways.

The UTU lobbying effort includes fighting attempts

by truckers to permit longer and heavier tractor-trailer combinations on the nation's major highways.

"Very clearly, that effort also is succeeding," said UTU International President Paul C. Thompson. "We are succeeding because UTU's 125,000 members and retirees have been calling their lawmakers to register opposition to the truckers' scheme to shift more freight from railroads to trucks.

"Railroad jobs are at stake and we encourage the Brotherhood of Locomotive Engineers and Trainmen (BLET) to join us in this fight."

Although the BLET, now part of the Teamsters Union, is not part of the effort to block trucking efforts at putting more freight on the highway at the expense of railroad jobs, the UTU has been working at the state and federal level with a railroad-industry funded group, Growth Options for the 21st Century.

Go-21, as it is known, is the successor to another rail industry funded group, the Coalition Against Bigger Trucks.

In concert with Go-21, the UTU is supporting Senate Bill 95, The Safe Highways and Infrastructure Preservation Act, which would cap truck-trailer lengths at 53 feet and extend a current federal limit of 80,000 pounds for trucks on the entire national highway system. Trucking interests want to increase the number of double- and triple-trailer combinations and increase each rig's weight limit to 97,000 pounds.



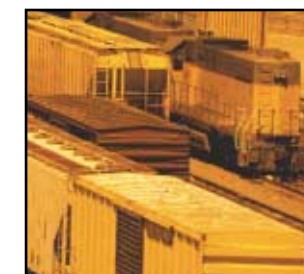
Inside this issue of the UTU News:



Heinz Streblov honored as operator of the year. See page 2.



Conrail's Ron Batory leads his employees by example. See page 3.



The hows and whys of rail contract negotiations. See page 6.



UTU's Mary Glenn passes away at age 87. See page 8.