York members ratify pact

UTU members on York Railway, part of the Genesee & Wyoming family of short lines, have unanimously approved a new agreement, reports General Chairperson William S. “Stoney” Flaharty.

The agreement includes a signing bonus for engineers, conductors, brakemen and car inspectors and wage increases through January 2009. Also, bid assignments will be advertised three months in advance and health-care insurance costs will be capped and not exceed what is paid by non-agreement employees.

Flaharty and UTU International President Paul Thompson and Vice President Tony Iannone for their support. Flaharty said that “both negotiating teams agreed in the first session that neither party wanted to prolong these negotiations. Because of this, immediate cost savings were realized and passed onto the employees. We stuck our deal by the second session.”

Stoney is a no-nonsense negotiator and general chairperson,” Iannone said. “He has the respect of his members and management. He knew what his members wanted because he knows how to listen. He narrowed his Section 6 notice to a reasonable position and he protected his work rules.”

From NMB: ‘Thanks’

National Mediation Board member Harry Hoglander has sent a letter of thanks to members of the UTU following the thousands of faxes, e-mails and telephone calls delivered to the agency asking that they keep the UTU and railroads at the negotiating table.

By one estimate, the stack of faxes alone stood seven-feet high and telephone calls were arriving at one point at an average of one a minute. Following this barrage of communications to the NMB, the carriers voluntarily withdrew their request that a bargaining impasse be declared and agreed to return to the negotiating table.

“I appreciate their unique understanding of the issues involved and their concern,” Hoglander wrote to International President Paul Thompson.

Ride to honor Belden

Members attending the UTU/UTUIA regional meeting in Asheville, N.C., are invited to participate in the first Scott Belden Memorial Motorcycle Ride, set for Monday, Aug. 21, leaving at noon from the Grove Park Inn, the site of the meeting. Belden, who served as Utah state legislative director and the national legislative office’s chief of staff, passed away Oct. 12, 2005, after a battle with cancer. He was 62.

A limited number of motorcycles will be available for rent. Proceeds from the ride will benefit the UTU PAC. Call Florida State Legislative Director Andres Trujillo at (786) 148-5771 for details.

The United Transportation Union on March 17 asked a federal district court to prevent BNSF Railway from pulling out of national handling for purposes of negotiating employee compensation.

Railroads and the UTU have always negotiated compensation on a national basis and BNSFs action in unilaterally pulling out of national handling as to compensation clearly violates the Railway Labor Act, the UTU told the U.S. District Court for the District of Columbia.

The UTU asked the court to issue “injunctive relief” preventing BNSF from pulling out of national handling regarding compensation and from seeking to handle compensation issues with UTU on a local level that bypasses UTU’s national negotiating committee.

“Both parties have to honor the process of national handling to reach agreements in good faith,” said UTU International President Paul Thompson. “It is bad faith if one party bolts from national handling whenever it desires.”

The lawsuit was filed in response to BNSF inviting UTU general committees of adjustment to discuss profit sharing and to reach agreement by June 2006—an attempt by BNSF to pull out of national handling with respect to the issues of compensation and to handle it at the local level with UTU general committees.

General committees of adjustment have jurisdiction of UTU’s agreements covering specific portions of a railroad carrier, or a predecessor carrier that was merged with or acquired by another carrier. Those general committees of adjustment have authority to make local or system agreements with representatives of railroads, but only the UTU National Negotiating Committee may make national agreements with the carriers.

The national handling agent for BNSF has been, and is, the National Carriers’ Conference Committee (NCCC). National railroad unions, including the UTU, have designated national negotiating committees that engage in bargaining with the NCCC.

On Nov. 1, 2004, the NCCC, acting on behalf of BNSF and other railroads in national

Federal court upholds UTU on crew-size negotiations, safety law

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Continued on page 10

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Continued on page 10

FRA to target human errors

Federal Railroad Administration Administrator Joseph H. Boardman announced last month that his agency intends to issue regulations to address the most common human errors that cause train accidents, according to the FRA.

The FRA is accelerating development of a rule that will focus on reducing the most common human errors, such as improperly lined track switches, shoving or pushing rail cars without properly monitoring for safe conditions and leaving rail cars in a position that obstructs an adjacent track, Boardman said.

The proposed regulations will be published by September 2006. “The new regulation will provide additional enforcement authority over common operating practice errors,” said Boardman. “This

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Delegates okay cutting costs

By an overwhelming margin, UTU delegates approved recommendations of the Blue Ribbon Committee to streamline the UTU International and significantly reduce its costs of operation.

The vote formalizes a change to Article 2 of the UTU Constitution, which became effective March 8, following the vote.

(See voting results on page 7.)

The vote was 428 in favor and 88 opposed—an 88 percent approval rating, where 66 percent was required for passage. The favorable vote by delegates followed a unanimous vote by the UTU Board of Directors that the constitution be amended in that manner.

Delegates displayed foresight in recognizing that the structure of the UTU must be modified to reflect the reality of changed condi-
Local 211, Binghamton, N.Y. This Delaware & Hudson local’s Legislative Rep., and Delegate Dennis Barnett had formed a team (The Flying Barnets) with members of his family to participate in the annual MS Walk, to be held at 14 different sites in the region on Saturday, May 6. Brother Barnett, whose wife Teresa was diagnosed with Multiple Sclerosis two years ago, will be participating in Binghamton. To make a pledge or to sign up with the team, contact Barnett at (607) 772-8383. Information is also available via www.msutu.org.

Local 283, Portland, Ore. This UNP local is inviting all members and their spouses to a informational seminar on April 19 at the Kennedy School, 5730 N.E. 33rd Ave., Portland, Ore. 97211, said Local Chairperson and Alternate Delegate Robert Pearson. Topics to be covered include Railroad Retirement, FELA, UTU agreements and health and welfare coverage, with representatives of the various organizations on hand to answer questions. Contact Pearson at (503) 635-2587 or send e-mail to rgppearson1@comcast.net.

Local 471, Eugene, Ore. The 32nd annual Railroad Retirees Banquet being held by this Union Pacific local is slated for May 20 at Council Bluffs and Secretary and Treasurer Mark Brown. The event, which begins at 4 p.m., will be held at the Oregon Electric Station, 27 E. 5th Ave., Eugene, OR 97401. For information or to RSVP, contact Brown at (541) 689-8745 or Local Chairperson Greg Boam at (541) 461-3301.

Local 490, Princeton, Ind. Twice each year, this Union Pacific local promotes UTU PAC by holding a party for those who have contributed at the Gold Club level ($100 or more per year) or better. The Spring Gold Club party, to be attended by contributors and their significant others, will be held April 18 at the Haul Steak House, 125 N. Main St., Haubstadt, IN 47639, said President and Local Chairperson Schuyler W. W. Smith. The event begins at 6 p.m. CT.

Local 656, N. Little Rock, Ark. The members of this Union Pacific local have elected Bob Lamb as president and Bob Cook as secretary and treasurer, said outgoing Secretary and Treasurer Tom Conser.

Local 781, Shreveport, La. This Kansas City Southern and Louisiana & North West local’s Legislative Rep. Jim Christian was recently honored with a plaque presented to him by State Legislative Director Gary W. Devall. Devall said Brother Christian has been elected to retire in July, with credit for increasing his local’s average UTU PAC contribution from $55 to $60 per member month in just five years.

Local 934, Alliance, Neb. Because several members of this BNNS Railway local are helping the Alliance High School wrestling team, the local recently decided to assist in meeting the team’s expenses, said Steward John W. Bunce.

Local 971, Crewe, Va. This Norfolk Southern local recently held a month-long special meeting in Suffolk, Va., attended by local officers as well as members from Local 48 (Norfolk, Va.) and Local 854 (Portsmouth, Va.), said General Chairperson J. J. “Bud” Mixon (GO-679). Present were International Vice President Roy Boling, UTU Field Supervisor Malcolm Morrison and retired former Virginia State Legislative Director Huston Kitti, who ceremonially contributed $1,000 to UTU PAC. Special recognition and thanks go to Local Chairperson Nat Blanton, who coordinated the meeting.

Local 1313, Amarillo, Texas This BNSF local held an informational workshop last week with President Joe B. Romo. Romo thanked those who made the event a success, including International Vice President Kim Thompson, general chairperson Jim Huston (GO-099), Robert Kerley (GO-001) and John England (GO-020), General Committee of Adjustment Secretary Rex Pence (GO-059), State Legislative Director Connie English, UTUJA Field Supervisor Steve Simpson and a representative of UTU designated legal counsel.

Local 1373, Philadelphia Pa. On Dec. 1, 2005, this CSXT local bid farewell and best wishes to Tom Anciano, who retired after a long career that included serving as local chairperson and UTUJA field supervisor, said Local President Tony Mirarchi. Brother Anciano began as a B&O Railroad brakeman in 1971, worked as a conductor in Philadelphia, Baltimore and Wilmington, and looks forward to spending time with his wife, Barbara, and his family, Mirarchi said.

Local 1397, Columbus, Ohio This CSXT local will host its 57th annual Old Timers Fish Fry on May 10 starting at 1 p.m. at the IAM&AW Hall at 2625 Winchester Pike, Columbus, OH 43252, said Secretary and Treasurer Robert Smith and Local Chairperson Terry Forson. All active and retired UTU members are invited to attend free of charge. Guests pay a $10 fee. On hand will be members of the C&amp;O/CSX Veterans’ Club. The local also will host an informational meeting at the same location from noon until 5 p.m., with food and beverages supplied. A special invitation to the meeting is extended to NS Local 1176 (Columbus) and NS Local 496 (Portsmouth, Ohio), as well as CSXT Local 145 (Columbus). Meeting participants will include UTU International Vice President David Hakey, State Legislative Director Joe Boda, General Chairpersons Mark Brown and Lesniewski (GO-049) and J. A. Houk (GO-679), and representatives from the RRB, the FRA, UTUJA and UTU designated legal counsel. The local will hold its regular meeting at 5 p.m., and then Director of Strategic Planning John Nadalin and retiree Jon Linkin will begin frying the fish.

Local 1440, Staten Island, N.Y. Retired Edward J. Carney, local chairperson and delegate of this Long Island Rail Road local for more than 30 years and a member of the UTU Board of Appeals for two terms from 1992 through 1999, recently celebrated his 50th wedding anniversary with his wife, Joan. Brother Carney, who has 10 children, 15 grandchildren and two great-grandchildren, is known by UTU members as the singer of the U.S. and Canadian national anthems at regional meetings.

Local 1570, Roseville, Calif. Hoping to “provide the voters with a positive choice,” Union Pacific switchman Bill Chambers, 52, is again running for the office of governor in California. A Republican, Chambers said he is lobbying the party to be listed on its Web site as a candidate. His low-key campaign focused on the positive aspects of UTU PAC, special recognition and thanks go to Local Chairperson Nat Blanton, who coordinated the meeting.

Yardmaster runs Boston Marathon

CSX yardmaster Mike Dobherty has raised more than $11,000 for the Dana-Farber Cancer Institute in Boston by simply placing one foot in front of the other. “I kept going as far as I could over, as quickly as possible, for 26.2 miles,” he said.

A member of Local 1951 in Albany, N.Y., Brother Dobherty, a former Boston Marathoner in 2004 and 2005, will run in April, with plans to be in the running of the race this year when the starter’s pistol fires on April 17.

His “career” as a runner is related to his career as a railroader. “I’ve been with CSX nine years, three as a conductor and the last six as a yardmaster,” said Dobherty, whose great-grandfather was a brakeman for the Boston & Maine. “In my first year as a yardmaster, I gained 20 pounds from sitting. It was ‘go to the gym’ or ‘buy new pants!’”

Though he never ran competitively before, Dobherty began running to lose weight. “I had played a lot of hockey, but I couldn’t even run a mile at first,” he said. “But I ran my first 10k race a year after I started running.”

Dobherty makes it a point to cross the finish line, but he’s unlikely to take first place, “If you’re not last, you run for charity. The first time, I finished in about 5 hours and 13 minutes, with both knees so swollen, I walk-ran the last eight miles. The second time, I finished in about 4 hours and 21 minutes. I had the flu and was dehydrated, with three miles to go, so I walked for 15 minutes.”

The Dana-Farber Cancer Institute benefits “for personal reasons,” he said. “My wife and a cousin are cancer survivors, and we’ve lost friends to the disease. It’s a good cause, it keeps me motivated, and 100 percent of the funds go to research. About 500 run for Dana-Farber, and we’ve raised about $3 million.”

The money Dobherty raises comes from individuals and other sponsors. “CSX donated $1,000 each of the last two years, but somewhat less this year due to a new policy. And I get lots of support from fellow railroaders, including the members of Local 1951, who donated $100.”

To donate to the cause, send a check payable to “Dana-Farber Cancer Institute” to Dobherty at 5 Peto St., Lobby, MA 01876. Contact him at (978) 835-4013 or send e-mail to Michael_Dobherty@csx.com.
The Federal Railroad Administration (FRA) has revised its post-accident, drug- and alcohol-testing rules for Hours-of-Service (HOS) and passenger railroad employees. The revisions reflect changes to the reportable property damage threshold and to assist railroad supervisors in identifying the type of accident.

The new monetary threshold for reporting railroad accidents/incidents involving damage to railroad property is now $7,700. If the damage to railroad property is less than $7,700, and no on-duty railroad employee was injured due to the movement of on-track equipment, no federal post-accident testing of railroad employees is required.

The FRA revisions also include changes to the post-accident testing criteria flowchart that will assist railroads in completing FRA Form F6180.73, or the “t-box” as it is known, said FRA Drug and Alcohol Specialist Kathy Schnakenberg.

By following the post-accident testing criteria flowchart, shown on the right, railroad supervisors will be able to more easily determine whether to report an accident as a major train accident, an impact accident, a passenger train accident or a fatal train accident.

The designation is required on the “t-box” form. The flowchart, which clearly states under what circumstances an employee may or may not be tested, also should be familiar to all UTU local and general chairpersons. Following an accident, an employee may not be recalled for testing if he or she has been released from service under normal procedures unless the employee went off duty prior to being contacted by a railroad supervisor, there is a clear probability that the employee played a major role in the cause or severity of the accident/incident, AND the accident/incident occurred during the employee’s tour of duty.

*This does not preclude the possibility of a Federal reasonable suspicion or reasonable cause test being appropriate.

**Impact accident** includes head-on collisions, side collisions, switching collisions or impact with a deliberately placed object such as a bumber post. These are NOT impact accidents:

- Accidents in which the derailment of equipment causes an impact with other rail equipment;
- Impact of rail equipment; impact of rolling stock; operation of equipment in violation of clearance limitations.

CATS breaks ground on new transit center

Charlotte leaders and officials of the Charlotte Area Transit System (CATS) broke ground on the new CATS Rosa Parks Place Community Transit Center March 16. (Maintenance workers at CATS are members of Local 1166.)

The transit center, at 2811 Beatties Ford Road, will provide a safe and comfortable facility for customers to board or transfer on CATS bus routes. The center will include covered passenger waiting areas, bicycle lockers and racks, bus schedule information and public art.

The center will also have on-site video surveillance during hours of operations.

“CATS worked with surrounding neighborhoods and city leaders to design a facility that will provide better access to employment opportunities, neighboring communities and recreational activities,” said Manager Ron Toben.

| Start | Are there any of the following:
|-------|----------------------------------|
|       | Derailment of equipment;
|       | Impact of rail equipment;
|       | Impact of rolling stock;
| YES  | Operation of equipment in
|       | violation of clearance
|       | limitations. |

CATS 908 sets reportable property damage threshold at $150,000 or more.

The successful vote came after nearly two years of protracted negotiations with the company. The drivers are members of UTU Local 1161 in San Francisco. This is the first contract for some 80 drivers who provide busing services for more than 650 students in the region.

“This is a great accomplishment since the drivers were intimidated from participating, so we launched a campaign through the school board,” General Chairperson Ange Beloy said. “The district put a lot of pressure on the company to settle the dispute and at the last negotiation session about a third of the drivers showed up to show solidarity and interest in the continuation of negotiations. The moral of the story: We showed power in numbers.”
Workers not No. 2 pencils

A curious thing keeps happening to railroads on their way to the bank. Cash for the stockholders, bonuses for executives and money for new track and equipment arrives okay, but investment funds for employees disappears.

Carriers call employees “human assets.” In reality, they are equivalent to disposables No. 2 pencils.

Why else are railroads, while counting record profits, rolling the dice on safety and national security by skipping on training and trying to reduce crew size without a single impartial federal study into the likely results?

It is shocking how carriers routinely cut the length of employee training and send new hires into unfamiliar geographic environments and over territory for which they’ve not been trained – and with operating rules they haven’t been taught to apply.

Computer simulation is not enough. Shoe leather must meet the ballast, with training conducted by those with hands-on railroad experience. Engineers should possess trainman experience, which provides a critical skill set that can result in numerous deaths and massive property destruction.

Because you choose not to hire sufficient new employees to replace those retiring, you demand remaining workers be on call 24/7, with many repeatedly ordered back to work with just the minimum 10 hours off duty required by law.

Although you acknowledge that going to work tired is like going to work drunk, you habitually order train and engine service employees to work in a fatigued condition.

To save costs, you cut training programs short and designed a one-size-fits-all template that does not provide training over the specific geography and under the environmental conditions new hires will work. You require employees to memorize complex operating rules, but you provide no instruction or refresher courses in how to apply those rules.

When you enter into contracts with customers, you hold them to the letter of the agreement. When you enter into contracts with the UTU, you willy-nilly demand a reopening of those agreements to benefit your bottom line.

As you renegade on solemn promises to employees, you simultaneously demand they abandon their families to meet grueling work schedules. While you report record profits to Wall Street, you rob employees’ already raw noses in salt by demanding they accept reduced wages if they refuse to abandon previously promised job security.

You have destroyed all trust that existed at the bargaining table. Your failure to bargain in good faith will have a long-term adverse impact. The damage cannot be repaired overnight because we can no longer believe anything you say.

If you want to know why the UTU filed numerous federal court cases against you – and will continue to file lawsuits to protect its members – look no further than your own despicable actions at the bargaining table.

It takes two parties bargaining in good faith to reach an equitable agreement. We are anxious to see you return to the table with a revised attitude to bargain in good faith.

The railroads are testing our patience

Almost all rail members of the UTU are covered by the Harris COLA (cost-of-living adjustment). This means that between the time rail contracts come open for renewal and new agreements are ratified, we receive a cost of living allowance (in some cases, offset by increases in health-care cost sharing).

In this round of national negotiations, freight carriers are demanding reduced crew sizes and even wage reductions in spite of their record profits.

On Amtrak, negotiations have been going on almost four years with Amtrak only wanting to talk about the elimination of assistant conductors.

Carriers think they can be greedy because anti-labor politicians control the White House and Congress.

With George Bush in the White House and former Union Pacific board member Dick Cheney his vice president, railroads expected their political friends would lead them to the Promised Land.

They expected to achieve reduced wages, push most of the costs of health care onto employees and cut employment to the bone.

So far, their agenda has failed to materialize, but the carriers still are counting on an impotent rank and file to push for a quick solution, which would spring the carriers’ trap.

Yes, it has been a long time since most members on freight railroads and Amtrak have had a wage raise beyond the Harris COLA. We understand the frustrations of waiting day after day under difficult working conditions and not seeing any progress at the bargaining table.

The problem lies with the carriers who continue to bet on their political friends and impatience on the part of union negotiators.

They still envision carrier-friendly presidential emergency boards issuing anti-labor recommendations that will be shoved down our throats by anti-labor lawmakers in Congress.

Our resolve not to fall into the carrier trap must remain solid.

We will continue to tell the railroads that they can take their plan to punish you and your family and stick them in deep training.

To win, we must trust in our negotiating teams who have played these chess matches before with the carriers.

Our lawsuit succeeded in stopping the railroads from demanding we reopen crew consist at the national level. We are now in court to prevent RNSF from bolting from national negotiations in hopes of creating a labor unfavorably pattern at the local level.

We can and will prevent the carriers from playing the UTU like a banjo and kicking our hard-working members out the door, cutting wages and forcing most health-care costs on us. But it will take resolve and patience.
Arizona

The Arizona State Legislative Board was instrumental in proving to FRA that the Union Pacific and one of its managers was illegally allowing FMX, a Mexican railroad, to operate across the border in Nogales, Ariz., according to State Legislative Director Scott Olson.

Olson said when he was apprised of the situation he asked Dave Shearer, alternate legislative rep., and vice local chairperson of Local 387 in Tucson, and Gary Crest, another Local 807 vice local chairperson, to investigate.

Shearer and Crest reported back that they had found witnesses to the incident and that they would provide the information to the FRA.

Olson also informed National Legislative Director Brunkenhoefer of the incident and the witnesses. Brunkenhoefer arranged a conference call with Olson and FRA Director Boardman. Boardman said he would look into the matter. Forty-five minutes later, Olson said he received calls from FRA officials informing him of an immediate investigation.

The next day, Shearer and Crest were sent with FRA and UP officials to Nogales. The investigation resulted in proof that the incident happened on March 6 and also on Feb. 24.

The FRA is now looking into the possibilities that this has happened many times. The FRA also is deciding on what actions to take against UP and its managers for allowing the FMX to operate across the border and having a manager help in the switch movements in Nogales yard, Olson said.

Olson thanked Brunkenhoefer, Shearer, Crest and Local 807 Chairperson Ron Puckett for their assistance. “The consequences should stop the UP from ignoring U.S. laws and rules,” Olson said. “We will take this as far as we can at all levels.”

Michigan

Michigan State Legislative Director Jerry Gibson is thanking all members in the Wolverine State for their telephone calls, faxes and e-mails that helped convince the National Mediation Board to keep the UP and railroads at the negotiating table. “I want to commend all rail-labor members in Michigan, including all the local legislative representatives and retirees, for their efforts,” Gibson said. “All of them were active in calling and recruiting members to call; they all took part. Once again it shows that strength in unity can overcome many obstacles.”

Wyoming

The UTU will be assisting Local 1670 in an arbitration involving a member we strongly believe was wrongfully terminated. Whatever it takes, the UTU will answer the challenge. Forty-five minutes later, Olson said he received calls from FRA officials informing him of an immediate investigation.

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Hard work, results for bus members

I am so proud of our bus locals and the hard work that they do for their membership.

An excellent job was done by Local 1741 in negotiations on behalf of bus operators in San Mateo. Those operators gained two years of back wages on cost-of-living allowances and their health-care costs were reduced. Congratulations out to Angie Beloya and her negotiating committee.

In Buffalo, N.Y., Chairperson Roger Wagner and his team from Local 1908 are working hard to bring some 100 new bus operators from the company, WE CARE, into the UTU. This company recently was acquired by Laidlaw. A representation election, conducted by the NLRB, was scheduled for March 30.

In Texas, Chairperson William Koehn of Local 1670 in Laredo has used his skills to return to work three drivers who were wrongfully terminated — and he did so without the need for an expensive arbitration, which would have cost his local thousands of dollars.

The UTU will be assisting Local 1670 in an arbitration involving a member we strongly believe was wrongfully terminated. Whatever it takes, the UTU will answer the challenge.

Negotiations are continuing on Chestnut Ridge Transportation in New York, where we are nearing an agreement. Brother Rich Deiser and State Legislative Director Sam Nasca are doing a fine job in these talks. Also, negotiations are beginning in Albany, N.Y., involving our members in Local 167 at Albany International Airport.

General Chairperson Gerald McElroy of Local 496 in Riverside, Calif., is about to open negotiations on behalf of his bus operators and the International stands ready to assist.

Amtrak’s vision is shortsighted

One would think Amtrak management would focus on its own failures as documented by DOT’s inspector general. Indeed, a congressional committee in March focused on Amtrak’s failure to have a mission statement, its lack of financial disclosures to the public, absence of a cost-control strategy, rampant deferred maintenance, inefficient operations and a route system that ignores passenger demands.

Incredibly, Amtrak management is blind to its own failures and prefers to ignore all that. It ignores passenger demands. It ignores all the laws that require it to honor柩convert柩freight railroads must honor Amtrak trains or face stiff fines. Amtrak ignores all that.

The more the management revolving door at Amtrak spins, the more the rubber meets the road. As passenger trains continue to lose ridership, Amtrak management is more and more out of touch with reality. As passenger demands continue to rise, Amtrak management is more and more out of touch with reality.

As passenger demands increase, Amtrak management is more and more out of touch with reality. As passenger demands increase, Amtrak management is more and more out of touch with reality.
Why wait? Register to vote now!

By registering to vote and actually voting in November, you will affect jobs, health care, safety and pensions!

Reasons why you should register to vote

If you don’t register, you can’t vote! Registering to vote gets your name and current address in the poll book for your local polling place. You can’t vote if your name’s not on the list, and if you don’t vote, you don’t have a voice in:

- Health care/Medicare availability
- Prescription drug prices
- Workplace safety laws
- Trade agreements
- Tax policy
- Amtrak’s future
- Railroad security
- Bus security
- Bus operator/mechanic CDLs
- Railroad Retirement
- Social Security, pension reform issues
- FELA
- Supreme Court appointments
- Regulatory agency policy

Where can I register?

Registering to vote is an easy process once you make the decision to do it. You can register at most public libraries or at city, county or state boards of elections. A variety of other institutions have voter registration materials available, including your local city hall, post office, bureau of motor vehicles or school district office.

Ask your coworkers if they are registered to vote and if their families are registered to vote. If you find that many are not, you may consider sponsoring a voter registration rally in your local.

You can telephone your local board of elections and request that voter registration forms be mailed to your home. Put a supply of voter registration forms in the crew rooms for your coworkers and their family members and friends.

Be sure that the forms you make available are authorized by your state. You can also ask your local legislative representative and/or your state legislative director for help in obtaining a supply of the authorized forms.

The Internet has a variety of sites that will provide a printable form for you to complete, sign and mail to your state board of elections. One such Web site is offered by the League of Women Voters at www.lwv.org. Click on the Register Now! link under Register to Vote.

Does UTU have a voice in Congress?

On Nov. 7, 2006, all 435 members of the U.S. House of Representatives, 33 members of the U.S. Senate, 36 governors and many of our state lawmakers will be up for election. We will have the opportunity to vote for those legislators only if we first register to vote and then exercise our power at the ballot box.

You may already be registered to vote and your spouse may be, also. But how about siblings, other relatives and children at least 18 years old? Did you know that among 18- to 24-year-olds, only about 12 percent of those eligible to vote actually cast a ballot?

When union families vote, labor-friendly candidates are elected and labor-friendly legislation is passed.

In the U.S. Congress, labor-friendly candidates are more likely to ask for – and follow – the opinion of the UTU on various issues.

UTU has worked hard in the past to develop friends on both sides of the aisle in Congress, with many contributions from UTU PAC to Democratic and Republican candidates.

But the numbers are on our side only if we register to vote and then exercise that right to vote by casting a ballot.

Your active participation in the political process is for your family’s benefit. Your financial relationship with your employer is very sensitive to legislation and to the composition of state legislatures and the U.S. Congress.

UTU is asking each member and their family to vote their pocketbook.

PLEASE POST ON UTU BULLETIN BOARDS
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<thead>
<tr>
<th>Delegate Name</th>
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<tr>
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<td>John R. Hasenauer</td>
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<tr>
<td>Robert M. Bielos</td>
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<td>John E. Diamond</td>
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<td>David E. Hicks</td>
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<td>Gary L. Johnson</td>
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<td>John R. England</td>
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<td>Leonard E. Armstrong</td>
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<td>Mark S. Newman</td>
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| Robert A.为企业

**LOCALS FAVORING THE AMENDMENT**

1. Vaughn D. Becker
   - 414 Stephanie Tapp
   - 381 Edward T. C. Adams
   - 372 Michael L. Dickerson
   - 362 Charles E. Lowery
   - 352 Donald L. Adams
   - 342 Thomas L. Logan
   - 332 Leonard E. Armstrong
   - 322 Michael L. Dickerson
   - 312 Donald L. Adams
   - 302 Thomas L. Logan

2. Stephen P. Powers
   - 432 Joseph L. Russell III
   - 422 Robert A.为企业

3. Joel T. Carr
   - 413 Edward T. C. Adams
   - 402 Charles E. Lowery
   - 392 Thomas L. Logan
   - 382 Leonard E. Armstrong
   - 372 Michael L. Dickerson
   - 362 Donald L. Adams
   - 352 Thomas L. Logan
   - 342 Thomas L. Logan
   - 332 Leonard E. Armstrong
   - 322 Michael L. Dickerson
   - 312 Donald L. Adams

4. Raymond J. Dantoni
   - 414 Stephanie Tapp
   - 401 Edward T. C. Adams
   - 391 Michael L. Dickerson
   - 381 Thomas L. Logan
   - 371 Leonard E. Armstrong
   - 361 Donald L. Adams
   - 351 Thomas L. Logan
   - 341 Thomas L. Logan
   - 331 Leonard E. Armstrong
   - 321 Michael L. Dickerson
   - 311 Donald L. Adams

5. Monte F. Tuchel
   - 414 Stephanie Tapp
   - 401 Edward T. C. Adams
   - 391 Michael L. Dickerson
   - 381 Thomas L. Logan
   - 371 Leonard E. Armstrong
   - 361 Donald L. Adams
   - 351 Thomas L. Logan
   - 341 Thomas L. Logan
   - 331 Leonard E. Armstrong
   - 321 Michael L. Dickerson
   - 311 Donald L. Adams

6. Richard J. Abtine
   - 414 Stephanie Tapp
   - 401 Edward T. C. Adams
   - 391 Michael L. Dickerson
   - 381 Thomas L. Logan
   - 371 Leonard E. Armstrong
   - 361 Donald L. Adams
   - 351 Thomas L. Logan
   - 341 Thomas L. Logan
   - 331 Leonard E. Armstrong
   - 321 Michael L. Dickerson
   - 311 Donald L. Adams

7. Joseph F. Eberle
   - 414 Stephanie Tapp
   - 401 Edward T. C. Adams
   - 391 Michael L. Dickerson
   - 381 Thomas L. Logan
   - 371 Leonard E. Armstrong
   - 361 Donald L. Adams
   - 351 Thomas L. Logan
   - 341 Thomas L. Logan
   - 331 Leonard E. Armstrong
   - 321 Michael L. Dickerson
   - 311 Donald L. Adams

8. Thomas R. Adams
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   - 381 Thomas L. Logan
   - 371 Leonard E. Armstrong
   - 361 Donald L. Adams
   - 351 Thomas L. Logan
   - 341 Thomas L. Logan
   - 331 Leonard E. Armstrong
   - 321 Michael L. Dickerson
   - 311 Donald L. Adams

9. Rick R. Edwards
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   - 381 Thomas L. Logan
   - 371 Leonard E. Armstrong
   - 361 Donald L. Adams
   - 351 Thomas L. Logan
   - 341 Thomas L. Logan
   - 331 Leonard E. Armstrong
   - 321 Michael L. Dickerson
   - 311 Donald L. Adams

10. John H. Smith
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    - 401 Edward T. C. Adams
    - 391 Michael L. Dickerson
    - 381 Thomas L. Logan
    - 371 Leonard E. Armstrong
    - 361 Donald L. Adams
    - 351 Thomas L. Logan
    - 341 Thomas L. Logan
    - 331 Leonard E. Armstrong
    - 321 Michael L. Dickerson
    - 311 Donald L. Adams

**LOCALS OPPOSING THE AMENDMENT**

1. Vaughn D. Becker
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   - 401 Edward T. C. Adams
   - 391 Michael L. Dickerson
   - 381 Thomas L. Logan
   - 371 Leonard E. Armstrong
   - 361 Donald L. Adams
   - 351 Thomas L. Logan
   - 341 Thomas L. Logan
   - 331 Leonard E. Armstrong
   - 321 Michael L. Dickerson
   - 311 Donald L. Adams

2. John R. Henry
   - 703 Thomas L. Logan
   - 693 Leonard E. Armstrong
   - 683 Donald L. Adams
   - 673 Thomas L. Logan
   - 663 Leonard E. Armstrong
   - 653 Donald L. Adams
   - 643 Thomas L. Logan
   - 633 Leonard E. Armstrong
   - 623 Donald L. Adams
   - 613 Thomas L. Logan
   - 603 Leonard E. Armstrong

3. John R. Haaseuver
   - 703 Thomas L. Logan
   - 693 Leonard E. Armstrong
   - 683 Donald L. Adams
   - 673 Thomas L. Logan
   - 663 Leonard E. Armstrong
   - 653 Donald L. Adams
   - 643 Thomas L. Logan
   - 633 Leonard E. Armstrong
   - 623 Donald L. Adams
   - 613 Thomas L. Logan
   - 603 Leonard E. Armstrong

4. Larry J. P Bennett
   - 703 Thomas L. Logan
   - 693 Leonard E. Armstrong
   - 683 Donald L. Adams
   - 673 Thomas L. Logan
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   - 653 Donald L. Adams
   - 643 Thomas L. Logan
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   - 613 Thomas L. Logan
   - 603 Leonard E. Armstrong

5. Anthony F. Dianov
   - 703 Thomas L. Logan
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6. Timothy S. Dennen
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   - 693 Leonard E. Armstrong
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   - 653 Donald L. Adams
   - 643 Thomas L. Logan
   - 633 Leonard E. Armstrong
   - 623 Donald L. Adams
   - 613 Thomas L. Logan
   - 603 Leonard E. Armstrong

**Delegates who voted to support the amendment: 1,895 delegates voted in favor, and an additional 2,398 delegates voted against the amendment due to the lack of additional income sources.**
If you're successful, the students tutored by retired member Jule E. Luckritz will be able to read this story and learn about the man who devotes his time to help open doors for others.

Since 2002, when he retired from the Union Pacific as a conductor on the former Chicago & North Western, brother Luckritz has been assisting students of all ages with their reading skills. As a result of his efforts, he was presented last year with a special plaque from the Bi-State Literacy Council (Iowa and Illinois) recognizing his work at the Clinton (Iowa) Community College.

"I was honored at a banquet in Bettendorf, Iowa," Luckritz said, "and I continue to be involved in the literacy effort, as well as volunteering to teach elementary school children about railroad safety."

In 1959, Luckritz began his rail career in the C&NW car shops in Clinton, Iowa. "My father worked for C&NW for more than 48 years," he said.

Luckritz stayed at the car shops for about three months, then "went to junior college in town, joined the Army, held a few jobs, and finally returned to the railroad in 1969," he said. "For two or three years, I did switching, then went on the road as a brakeman and conductor until I retired," he said.

Along the way, he joined UTU Local 361 in Clinton, Iowa. "I served as local secretary for somewhere between five and 10 years," he said.

After retiring, Luckritz began tutoring elementary students through his church, but there weren't enough volunteers to keep the program going. "I missed it, so I got involved with the literacy council," he said. "I work on reading skills with people anywhere from age 20 to age 50 or older. Some can't even read enough to take a driver's license test. Without reading skills, you can't get too far." Brother Luckritz splits the rest of his time between fishing and serving on the board of the Clinton County Museum, where he gives tours and helps maintain a railroad display.

By V.M. “Butch” Speakman Jr.

Railroad Retirement benefits subject to age reductions from age 65 to 66 affects those people who were born in the years 1943 through 1944. The full retirement age will remain age 66 for people born in the years 1943 through 1954. The gradual increase in full retirement age from age 65 to age 70 affects those who were born in the years 1955 through 1964. For people who were born in 1960 or later, the full retirement age will be age 67.

This increase in full retirement age also causes a corresponding increase in the early retirement reductions applied to employee and spouse annuities awarded before full retirement age. For employees and spouses, the maximum reduction will gradually increase from 20 to 30 percent and from 25 to 35 percent, respectively, by the year 2022.

Age reductions are applied separately to the Tier I and Tier II components of a Railroad Retirement annuity. However, if an employee had any creditable railroad service before Aug. 12, 1983, his or her retirement age for Tier II purposes will remain 65 and the Tier II will not be reduced beyond 20 percent. For his or her spouse, the increased age reduction is applied only to the spouse’s Tier I benefit.

The eligibility age for a full widow(er)’s annuity is also gradually rising from age 65 for those born before 1940 to age 67 for those born in 1962 or later. A widow(er), surviving divorced spouse or remarried widow(er) whose annuity begins at full retirement age or later will generally receive an annuity unreduced for early retirement. However, if the deceased employee received an annuity that was reduced for early retirement, a reduction would be applied to the Tier I amount payable to the widow(er), surviving divorced spouse or remarried widow(er).

For more information about Railroad Retirement annuities and their eligibility requirements, persons should contact the nearest field office serving your area by calling the automated RRB Help Line at 1-800-808-0772, or from the board’s Web site at www.rrb.gov. You may find the address and phone number of the board’s Web site at www.rrb.gov. You may also visit the board’s Web site at www.rrb.gov.

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

Jule E. Luckritz

V.M. Speakman Jr.
Families of deceased UTU members may be eligible to collect $2,000 in unclaimed death benefits, according to MetLife. The death benefit is included as a group policy under contracts between railroads and various labor unions.

"Many families are unaware of the death benefit and may not have filed to claim it," said UTU International President Paul C. Thompson. "The UTU is working with MetLife’s Outreach Program to ensure UTU families are aware of the benefit and the possibility that they may be eligible for $2,000 in unclaimed death benefits."

Survivors of retired railroad employees who died since 1964 may be entitled to receive a $2,000 life insurance benefit. Certain retired employees of participating railroads may have been covered under group life insurance policies issued to the Health and Welfare Plan of the Nation’s Railroads and the Railway Labor Organizations. The intended beneficiary may not have filed a claim for benefits, and thus no claim would have been processed.

To determine if you are eligible to collect the $2,000 in unclaimed death benefits, it will be necessary to provide MetLife (not UTU) with certain information.

For the month of May 2006, UnitedHealthcare will hold an open enrollment under GA-23111, for Plans C, E and F. During this open enrollment, any individual eligible for coverage under one of the GA-23111 plans can enroll and will be accepted for coverage without any medical underwriting or requirement of good health. There are no limitations for pre-existing conditions.

Enrollment in May 2006 will be for coverage effective June 1, 2006. Only those applicants who mail their enrollment form in May 2006 will be considered for open enrollment. This open enrollment is being held:

• For individuals who were covered under any railroad health plan and were represented by a railway labor union;
• For individuals who are members in accordance with the constitution or by-laws of one of the participating railway labor organizations, when coverage under the employer group health plan which applies to them ends.

If someone you know meets the new GA-23111 eligibility provisions, open enrollment provides an opportunity for them to become covered. You may also enroll your spouse or eligible children if they are not currently covered.

In addition, open enrollment under the Medicare supplement Plan F is available for your parent or parent-in-law.

Anyone interested in enrolling should call the following phone number to obtain an enrollment form or get additional information:

For persons eligible for the Medicare supplement, (Plan F), call (800) 809-0453.

For persons not eligible for Medicare and enrolling in Plans C or E, call (800) 842-5252.

The next open enrollment is planned for May 2008.

www.utu.org
www.utui.org

Enjoy it with one less worry. Contact UTUIA.

Almost everyone has a mortgage, car payments, credit card bills and family financial obligations. These bills keep arriving even if you are not able to work because of injury or illness or even death.

There is a need to provide an income for yourself, your spouse and other family members who depend upon you for financial support should misfortune strike.

We can solve your problems by tailoring our Ultimate Par or Ultimate Term insurance products to provide you with financial peace of mind…and one less worry!

Give us a call at (800) 558-8842 or complete and return the coupon below to receive more information.

Families may be eligible for MetLife death benefit

Families of deceased UTU members may be eligible to collect $2,000 in unclaimed death benefits, according to MetLife. The death benefit is included as a group policy under contracts between railroads and various labor unions.

"Many families are unaware of the death benefit and may not have filed to claim it," said UTU International President Paul C. Thompson. "The UTU is working with MetLife’s Outreach Program to ensure UTU families are aware of the benefit and the possibility that they may be eligible for $2,000 in unclaimed death benefits."

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To determine if you are eligible to collect the $2,000 in unclaimed death benefits, it will be necessary to provide MetLife (not UTU) with certain information.

MetLife, P. O. Box 6122, Utica, NY 13504

A cover letter should be included indicating that you are seeking to determine if you are eligible to collect an unclaimed death benefit from MetLife for the deceased railroader. MetLife will then conduct an investigation and advise whether it is a valid claim.

UnitedHealthcare sets open-enrollment period

During the month of May 2006, UnitedHealthcare will hold an open enrollment under GA-23111, for Plans C, E and F. During this open enrollment, any individual eligible for coverage under one of the GA-23111 plans can enroll and will be accepted for coverage without any medical underwriting or requirement of good health. There are no limitations for pre-existing conditions.

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The next open enrollment is planned for May 2008.
Railroad workers with family members bound for college already know about the rising costs of a higher education. What they might not know about are the scholarship funds available to residents of nine U.S. states through the Midwest Railroad Craft Scholarship Foundation (MRCSF).

“Last year, we were able to give out $24,000 in scholarship money,” said Greg Shy, president of the foundation. “The year before – our first year – we gave out $12,000, and our hope is to grow it to $42,000.”

The deadline to apply for the scholarship funds is June 15, said Shy. Applications, as well as more information about the foundation, are available via the foundation’s Web site at www.mrcsf.org.

Last year, the preponderance of the 29 scholarships granted went to those with connections to the Brotherhood of Locomotive Engineers and Trainmen (BLET). “We’re just not getting many UTU applications because the word hasn’t filtered out yet,” said Shy, a BLET member working as a BNSF Railway engineer. “We hope to change that and see more applications from UTU families, because the UTU’s the biggest and most powerful in the railroads.”

As with most scholarship funds, there are requirements students must meet. “Scholarships are only available to the sons, daughters, grandsons, or granddaughters of unionized rail workers, but the connection can be with any craft,” Shy said.

“And due to our financial limitations, the scholarships are only available to residents of Minnesota, Iowa, Nebraska, Illinois, Missouri, Kansas, Oklahoma, Texas, and Arkansas,” Shy said. “Our bylaws allow us eventually to expand our reach nationwide, but we don’t have enough money yet to go around.”

More information and application forms for the scholarships and the golf tournament are available on the foundation’s Web site at www.mrcsf.org, or by calling Shy at (816) 791-1923.

Scholarships aid students from railroad families

UTU sues BNSF

Cost cuts

Human errors

After full implementation, the cost-cutting changes are projected to save the UTU and its members some $1.5 million annually

And if any vacancies occur in the three Canadian officer positions prior to Jan. 1, 2008, the first two vacancies shall be subject to attrition.

Thompson said he would not support any buyouts of international officers.

“Of the 58 voting to oppose the cost-cutting recommendations of the Blue Ribbon Committee, 24 had also voted last year against the $5 dues increase that was proposed to stabilize our finances,” Thompson said. “I fail to understand the logic of those who voted against both recommendations.”

Strang new FRA safety chief

Jo Strang has been named the FRA’s new associate administrator for safety, reporting to administrator Joseph Boardman. Since Oct. 30, she has been acting associate administrator for safety. Strang primarily will be responsible for the FRA inspector force that identifies safety problems on the nation’s railroads, enforces federal railroad safety laws and regulations and investigates train accidents.
**Attend your local UTU/UTUIA regional meeting!**

The 2006 UTU/UTUIA regional meetings have been designed to provide education and fun for the whole family.

All those attending the regional meetings must be registered in order to attend any planned social function. Children ages 11 and under who are pre-registered are complimentary.

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 2006 regional meetings is $150 per member, spouse or child over age 11. Additional fees apply for the golf outings. You must make your own room reservations.

The $150 registration fee covers the welcoming reception the night before the meeting, two luncheons, one evening meal, a breakfast buffet and all workshop materials. Those wishing to attend only the work shops do not need to pay the registration fee. No one-day registrations will be offered this year.

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**Reno, Nevada, June 19-21, 2006**

Reno Hilton, 2500 E. Second St., Reno, NV 89595

http://www.caesars.com/Hilton/Reno/Hotel

**Hotel reservations:** (800) 648-5080 toll free or (775) 789-2000 direct to the hotel. **Reservation code:** UTU regional meeting, code UTUAC06. **Room rate:** $92.00 single/double, plus tax; rates good for three days before and after the meeting. **Reservation deadline:** May 29, 2006, or as soon as all rooms being held for the UTU are reserved. **Parking:** Free. **Golf outing:** The golf outing will be held at 8 a.m. on Sunday, June 18, at the Rosewood Lakes Golf Course, 6800 Pembroke Dr., Reno; phone (775) 857-2892. The cost is $80 per golfer, which includes transportation, golf, lunch and much more.

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**Asheville, N.C., Aug. 22-24, 2006**

Grove Park Inn Resort & Spa
290 Macon Ave., Asheville, NC 28804

http://www.groveparkinn.com

**Hotel reservations:** (800) 438-5800 toll free or (828) 252-2711 direct to the hotel. **Reservation code:** UTU regional meeting, code 67Y8RJ. **Room rate:** $120 single/double, $40 each for third and fourth persons. Room rates are good three days before and after the meeting. **Reservation deadline:** July 22, 2006. **Parking:** Free. **Golf outing:** The UTU Regional Meeting golf outing will be held Monday, Aug. 21, at the The Golf Course at The Grove Park Inn. The cost is $80 per golfer, which includes golf, lunch and much more.

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**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 any questions, consult your bank. Registration forms and payment must be received 30 days prior to the start of the meeting.

**Which regional meeting will you be attending?**

Reno  Ashville

**Arrival date:**

**Departure date:**

**Transportation type:**

- Automobile
- Air
- Other

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**Member Registration**

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**Child Registration**

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<th>Meals: Day 1</th>
<th>Lunch</th>
<th>No meal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day 2</td>
<td>Lunch</td>
<td>Dinner</td>
</tr>
<tr>
<td>Day 3</td>
<td>Buffet breakfast</td>
<td>No meal</td>
</tr>
</tbody>
</table>

---

**Golf Registration**

<table>
<thead>
<tr>
<th>Name</th>
<th>Handicap</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Handicap</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Handicap</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| (Golf fees are $80 per golfer; include in total payment.) |

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**Payment Options**

<table>
<thead>
<tr>
<th>Check/money order (U.S. funds only)</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credit card</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Card number</th>
<th>Exp. date</th>
<th>Total charged</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**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 (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.**

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**UTU arranges discount airfares, car rentals**

Continental and Frontier airlines are offering discounted airfares to the regional meeting cities. Avis Rent A Car is offering discounted rates to those attending either regional meeting. Go to the “Meetings” page of www.utu.org for details.
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 month.

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.

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www.utu.org www.utuia.org

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UTU prevails in federal lawsuit on crew consist, FELA bargaining

The UTU has no obligation to bargain nationally over crew consist and no obligation to bargain over the railroads’ desire to scrap the Federal Employers’ Liability Act (FELA), a federal court has ruled.

The UTU sued most of the nation’s major railroads in March 2005 after those carriers demanded that the UTU negotiate, at the national level, the carriers’ demand that train-crew size be reduced, and that the UTU bargain with the carriers over a joint legislative proposal to amend or eliminate FELA.

The carriers sought to eliminate conductor and brakeman positions on all through-freight trains.

The UTU contended that existing agreements relating to minimum train-crew size were negotiated on a railroad-by-railroad basis through UTU general committees of adjustment, and that any attempt by the carriers to change those agreements must be handled at the general committee level and not in so-called national handling where the major railroads coordinate their bargaining through the National Carriers’ Conference Committee (NCCC). The court agreed.

The court also told the railroads that the UTU has no obligation, at the current time, to bargain over a carrier demand for significantly reduced wages and benefits as an alternative to reduced crew size. That issue could become ripe for judicial review if the carriers seek changes in crew consist at the general committee level.

However, the court said it would not, at this time, rule on whether the UTU must bargain on the general committee level, or if a resulting dispute would be “major” or “minor” under the Railway Labor Act. “Minor” disputes must be settled through binding arbitration; “major” disputes can lead to a work stoppage or court injunction.

The carriers affected include BNSF, CSX, Kansas City Southern, Norfolk Southern and Union Pacific. Those carriers and the UTU have been in negotiations since Jan. 1, 2005, over rates of pay and working conditions.

The crew-consist agreements provide that a minimum of one conductor and one brakeman be assigned to all through-freight trains.

Judge Patrick Murphy of the U.S. District Court for the Southern District of Illinois wrote in his March 10 decision:

“Based upon the facts presented, the long history of local negotiating of crew consist issues, and case law, UTU has no obligation to bargain with defendant carriers in national handling regarding the crew consist issues raised [in the carriers’ Section 6 notices].”

With regard to the carriers’ FELA demand, Judge Murphy wrote:

“Because Congress is not a party to the agreement [being negotiated], UTU, and defendant carriers for that matter, lack the authority to agree to the proposal’s enactment. Therefore, UTU has no duty to bargain on this provision, as it is non-negotiable under the Railway Labor Act.”

Yardmaster raises funds while lowering weight. See page 2.

Louisiana AFL-CIO Labor Hall of Fame a lot Sunnier. See page 5.

If you don’t vote, you don’t have the right to complain. See page 6.

If you can read this, you may have Jule Luckritz to thank. See Page 8.