



The Official Publication of the United Transportation Union

## THE VOICE OF TRANSPORTATION LABOR

“The UTU is not a piñata to smash each time railroads covet greater profits and increased executive bonuses.” – *UTU International President Paul C. Thompson*

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### News & Notes

#### 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 twice yearly and health-care insurance costs will be capped and not exceed what is paid by non-agreement employees.

Flaharty thanked 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 struck 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) 348-5771 for details.

## UTU sues BNSF Railway over national handling

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 “BNSF’s 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 adjust-

ment 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 bought 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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## 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 58 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 modernized to reflect the reality of changed condi-

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# Around the UTU

## Local 211, Binghamton, N.Y.

This Delaware & Hudson local's Legislative Rep. and Delegate **Dennis Barnett** has formed a team (The Flying Barnetts) 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.msuptateny.org](http://www.msuptateny.org).

## Local 283, Portland, Ore.

This Union Pacific local is inviting all members and their spouses to an informational seminar on April 19 at the Kennedy School, 5736 N.E. 33rd Ave., Portland, OR 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) 635-0587 or send e-mail to [rgpearson1@comcast.net](mailto:rgpearson1@comcast.net).

## Local 471, Eugene, Ore.

The 32nd annual Railroad Retirees Banquet being held by this Union Pacific local is slated for May 21, said 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 Haub Steak House, 105 N. Main St., Haubstadt, IN 47639, said President and Local Chairperson **Schuyler V. 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 Cosner**.

## Local 781, Shreveport, La.

This Kansas City Southern and Louisiana & North West local's Legislative Rep. **Fletcher Christian** was recently honored with a plaque presented to him by State Legislative Director **Gary W. Devall**. Devall said Brother Christian, who plans to retire in July, was lauded for increasing his local's average UTU PAC contribution from 58 cents to \$6.09 per member per month in just five years.

## Local 934, Alliance, Neb.

Because several members of this BNSF Railway local are helping the Alliance High School wrestling team, the local recently donated \$100 to assist in meeting the team's expenses, said Steward **John W. Bunce**.

## Local 971, Crewe, Va.

This Norfolk Southern local last month held a special meeting in Suffolk, Va., at-

## Yardmaster runs Boston Marathon

CSX yardmaster **Mike Doherty** has raised more than \$11,000 for the Dana-Farber Cancer Institute in Boston by simply placing one foot in front of the other – over and over, as quickly as possible, for 26.2 miles.

A member of Local 1951 in Albany, N.Y., Brother Doherty participated in the Boston Marathon in 2004 and 2005, and plans to be in the 110th 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 Doherty, 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, Doherty 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."

Doherty makes it a point to cross the finish line, but he's unlikely to take first place. "If you're not fast, 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 27 minutes. I had the flu and was dehydrated, with three miles to go, so I walked for 15 minutes." (The winner in 2005, Ethiopia's Hailu Negussie, finished at 2:11:45.)

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 Doherty 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 Doherty at 76 Pike St., Tewksbury, MA 01876. Contact him at (978) 835-4013 or send e-mail to [Michael\\_Doherty@csx.com](mailto:Michael_Doherty@csx.com).



Mike Doherty

## Local 1313, Amarillo, Texas

This BNSF local held an informational workshop last month, said Local President **Joe Romo**. Romo thanked those who made the event a success, including International Vice President **Kim Thompson**, general chairpersons **Jim Huston** (GO-009), **Robert Kerley** (GO-001) and **John England** (GO-020), General Committee of Adjustment Secretary **Rex Pence** (GO-009), State Legislative Director **Connie English**, UTUIA 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 Anziano**, who retired after a long career that included serving as local chairperson and UTUIA field supervisor, said Local President **Tony Mirarchi**. Brother Anziano 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 6 p.m. at the IAM&AW Hall at 2625 Winchester Pike, Columbus, OH 43232, 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&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 1376 (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 **John Lesniewski** (GO-049) and **J. A. Houk** (GO-679), and representatives from the RRB, the FRA, UTUIA 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 Larkin** will begin frying the fish.

## Local 1440, Staten Island, N.Y.

Retiree **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**, 50, 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 is focused on spending, schools and infrastructure. Brother Chambers first ran for the post in the 2003 special election.

# FRA revises drug- and alcohol-testing rules

The Federal Railroad Administration (FRA) has revised its post-accident, drug- and alcohol-testing procedures for Hours-of-Service (HOS) and passenger railroad employees to reflect changes in 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.

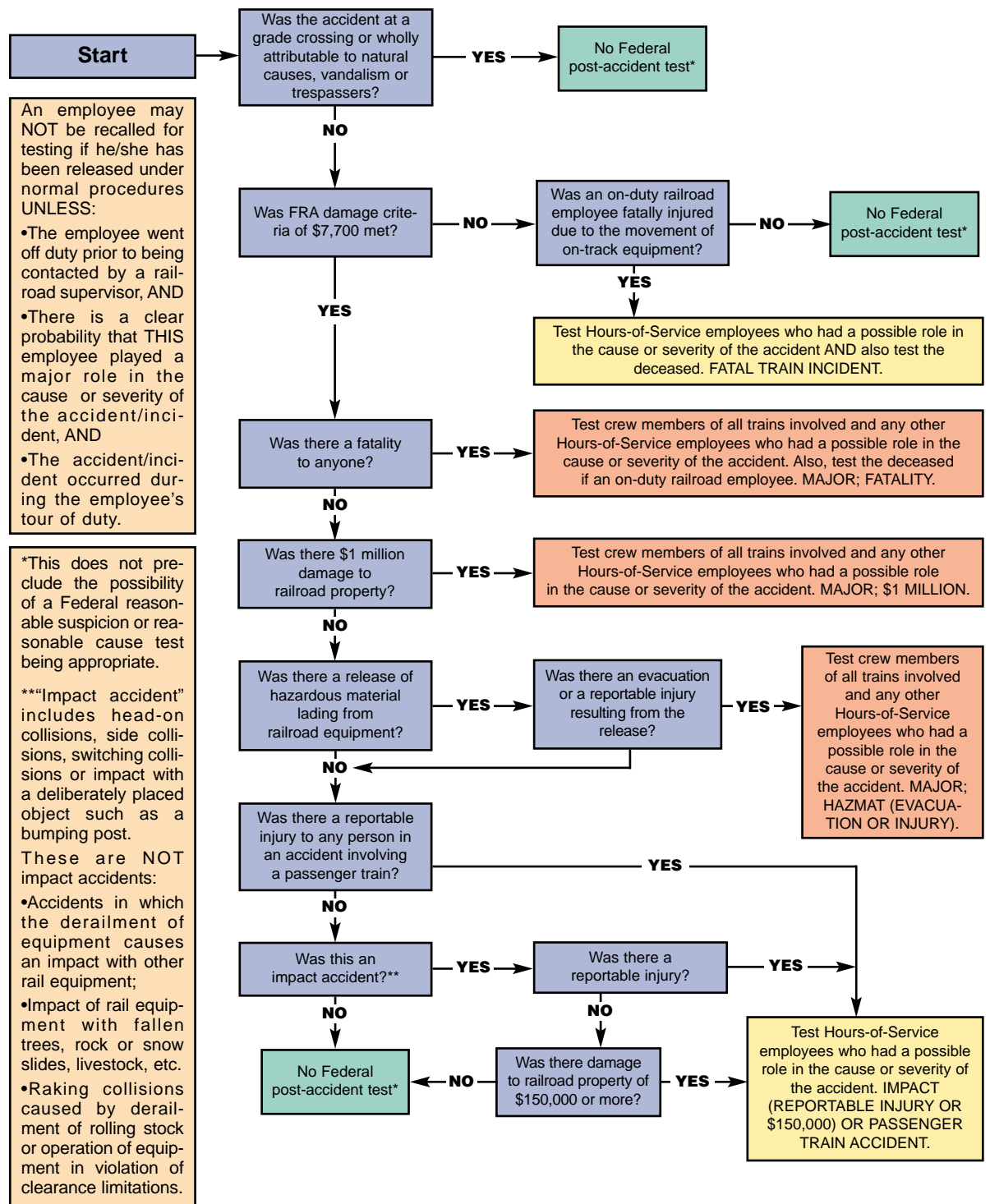
The FRA revisions also include changes to the post-accident testing criteria flowchart that will assist railroads in completing FRA Form F6180.73, or the "tox box" as it is known, said FRA Drug and Alcohol Specialist Kathy Schnakenberg.

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 incident.

The designation is required on the "tox 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 and the accident occurred during the employee's duty tour.



An employee may NOT be recalled for testing if he/she has been released under normal procedures UNLESS:

- The employee went off duty prior to being contacted by a railroad supervisor, AND
- There is a clear probability that THIS 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 bumping post.

These are NOT impact accidents:

- Accidents in which the derailment of equipment causes an impact with other rail equipment;
- Impact of rail equipment with fallen trees, rock or snow slides, livestock, etc.
- Raking collisions caused by derailment of rolling stock or operation of equipment in violation of clearance limitations.



## UTU BUS LINES

News items culled from the UTU's Daily News Digest, posted every morning on the UTU website, [www.utu.org](http://www.utu.org).

### L.A. subway diggers reveal old graves

Officials are calling for an investigation into why the MTA was unable to detect a recently unearthed mass grave – believed to belong mostly to Chinese immigrants – before it began building an extension of the Gold Line through Boyle Heights last June.

Their request is in response to anger among some in the Chinese-American community, who believe the MTA was slow in revealing that the remains were predominantly Asian so construction would not be delayed. MTA officials have denied the charges, saying they did not know they were dealing with mostly Asian remains until weeks ago.

The MTA said 108 sets of remains were found at the site on Lorena and First streets, a site that was most likely part of a long-lost Chinese cemetery dating from the late 1800s. Workers also found opium pipes, jade jewelry and rice bowls.

### 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 operation.

"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 Tober.

### UTU-represented drivers approve pact

UTU-represented bus drivers who carry special education students in San Mateo County, Calif., have approved a new contract with Durham School Services.

The successful vote came after nearly two years of protracted negotiations with the company. The drivers are members of UTU Local 1741 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 completion of negotiations. The moral of the story: We showed power in numbers."

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**James M. Brunkenhoefer, Nat. Legislative Dir.**  
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via telephone at (216) 228-9400

via fax at (216) 228-5755

via e-mail at utunews@utu.org

## 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 disposable No. 2 pencils.

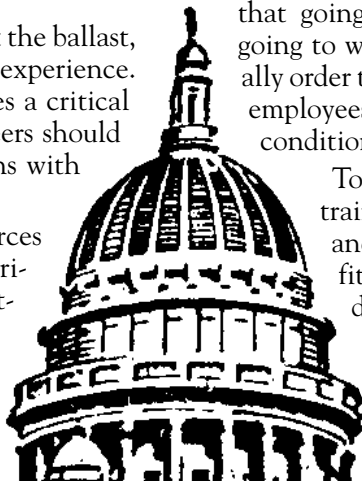
Why else are railroads, while counting record profits, rolling the dice on safety and national security by skimping on training and trying to reduce crew size without a single impartial federal study into the likely results?

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 railroading experience. Engineers should possess trainman experience, which provides a critical base of knowledge for engineer decision-making. New engineers should not be paired with inexperienced conductors – but it happens with frequency.

Not until railroads make the investment in human resources will we have quality training programs administered by experienced "rails" and coupled with skills-based evaluations and testing of trainees before they are allowed to graduate to the cab.

In the meantime, heaven help the public.



## WASHINGTON WATCH

By James M. Brunkenhoefer

## 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).



Brunkenhoefer

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 impatient rank and file to push for a quick solution, which would spring the carriers' trap.

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## UTU is not a piñata

By Paul C. Thompson  
International President

This is an open letter to the carriers and their chief labor negotiator, Bob Allen.

On behalf of our members, I want to make absolutely clear that the UTU is not a piñata to smash each time railroads covet greater profits and increased executive bonuses.

Our members work in one of the most dangerous industries in America where an injury typically results in amputation and death.

Our members are responsible for equipment worth millions of dollars. The trains they operate with care and expertise haul some of the most deadly hazardous materials 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 renege 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 rub 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.



Thompson

**We must resolve  
not to fall into  
the railroads' 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 it so deep that a coal miner can't dig it out.

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 BNSF from bolting from national negotiations in hopes of creating a labor-unfavorable 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.

# State Watch *News from UTU State Legislative Boards*

## Wyoming



UTU members in Wyoming recently presented Gov. Dave Freudenthal with a donation for his re-election campaign at a dinner honoring Nellie Tayloe Ross, Wyoming's first and only female governor, according to State Legislative Director Terry Ungricht. Iowa Gov. Tom Vilsack was the keynote speaker; he also thanked UTU members for their support, through the UTU PAC, in helping him get elected. Pictured at the dinner are, left to right, Mike Stufflebean (legislative rep., Local 465, Gillette); Ungricht; Freudenthal; George Bagby (Local 866, Rawlins, Wyoming House representative); Tom Broadaway (Local 28, Cheyenne); Wayne Reese (legislative rep., Local 28, and Wyoming House minority floor leader); Titus Shelby (former state director, Local 951, Sheridan); Nancy Drummond (UTU Auxiliary state legislative director); Stan Blake (legislative rep., Local 1857, Green River); Bruce Drummond (local chairperson, Local 951); Kevin Knutson (Local 465); Billy Montgomery (president, Local 465) and Vern Whitfield (legislative rep., Local 866).

## Louisiana



Former Louisiana State Legislative Director A.B. "Sonny" Woodall was one of three laborites recently inducted into the Louisiana AFL-CIO Labor Hall of Fame. Woodall, a member of Local 976 in Shreveport, started on the railroad in 1948 and won election to his first union post in 1959. In 1972, Woodall was elected state legislative director. He served as delegate to five UTU conventions. He was instrumental in the creation and passage of many rail-safety laws in the state that are still in force. He also worked to see that members of the Choctaw and Houmas tribes had suitable living conditions, worked to rehabilitate arrested juveniles, and worked with food banks to aid the needy. Above, pictured at the hall of fame dinner, are (left to right) retiring State President Sibal Holt; incoming State President Louis Reine; Woodall, and President Emeritus Victor Bussie, who was president of the state AFL-CIO for 41 years.

## 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 807 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 con-

ference 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, as well as UTU agreements. Without their help, we never would have been able to prove the incident."

## 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 UTU 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."

## Bus Department

By Roy Arnold, vice president/director

### 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 go out to Angie Beloy and her negotiating committee.

In Buffalo, N.Y., Chairperson Roger Wagoner 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 1496 in Riverside, Calif., is about to open negotiations on behalf of his bus operators and the International stands ready to assist.

## Yardmasters

By J.R. "Jim" Cumby, vice president

### 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 whack jobs that have everything to do with efficient operations, passenger safety and national security.

Blanking yardmaster positions in high-density Northeast Corridor yards is much like eliminating traffic cops at rush hour. Seeking to eliminate the position of assistant conductor is much like eliminating sentries around sensitive military installations.

The more the management revolving door at Amtrak spins, the more Amtrak itself twists in the wind without moving an inch forward.

Freight railroads continue to delay Amtrak trains even though the law demands Amtrak be given priority handling. What does Amtrak management do? Nothing, as all we hear from Amtrak management is it wants to eliminate more yardmasters and lop off assistant conductors.

As employee morale deteriorates to levels so low that many don't care if the system survives, Amtrak management still buries its head in the sand, playing the same long-disgraced tune of eliminate employees and all will take care of itself.

What a disgrace.

# 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](http://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 these 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.

If it weren't for labor-friendly lawmak-

ers in the House and Senate, 25,000 Amtrak jobs probably would have been lost; millions of dollars probably would not have been appropriated for bus safety and increased bus operator training; many of the regulations ensuring a safer workplace probably would not be in place, and the rights we enjoy to join labor unions and bargain collectively with the employer without interference probably would be under attack.

Big business isn't interested in promoting and voting for labor-friendly candidates.

### That's our responsibility.

Only by registering to vote and actually casting a ballot on Election Day for labor-friendly candidates can we protect our jobs, health care, workplace safety and pensions.

Voting is how we have a voice in the government that represents us.

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**



# How did your local delegate vote?



The following is a list of UTU local delegates who voted in favor, and in opposition, to an amendment to Article 2 of the UTU Constitution that will eliminate eight full-time International officer positions (six by abolishment and two by attrition).

## LOCALS FAVORING THE AMENDMENT

- |                              |                             |                             |                             |                              |
|------------------------------|-----------------------------|-----------------------------|-----------------------------|------------------------------|
| 1 Vaughn D. Becker           | 414 Stephane Tapp           | 769 Ray Q. Miller Jr.       | 1137 Marc A. Halvorson      | 1503 Nile E. Dragoo          |
| 4 Laurent Cantin             | 418 Craig E. Walsh          | 771 Michael N. Medley       | 1138 Andres Trujillo        | 1505 Eugene F. Bevacqua      |
| 5 Jay C. Jones               | 419 Michael S. Bienick      | 773 Joseph L. Stubbs Jr.    | 1139 Jacques Gagne          | 1508 Guy J. Ethier           |
| 6 Richard C. Smith           | 421 William R. Poff         | 781 Robert E. Wright        | 1144 Jake Stolar            | 1517 Richard M. Rogers       |
| 7 Richard H. Merklin         | 426 Robert J. Shollenberger | 782 Ronald E. Ingerick Jr.  | 1161 Glenn J. King          | 1518 James A. Woodward       |
| 9 David L. Fulton            | 427 James M. Thornton       | 783 Phillip W. Jones        | 1166 Kevin E. Harris        | 1522 Kenneth L. Russell      |
| 15 Eric Poor                 | 430 Ronald E. Fertig        | 785 Jack Randall Hughes     | 1168 Buddy J. Blue          | 1525 Gary L. Johns           |
| 20 John A. Ingram            | 432 John H. Burner          | 792 Carl A. Schmidt         | 1172 Luther P. King Jr.     | 1526 Dennis A. Burke         |
| 28 Benjamin H. Crowder       | 439 Don L. Hollis           | 793 Gary A. Walls           | 1175 Richard A. Olson       | 1529 Michael J. Obrock       |
| 29 Robert M. Bilello         | 440 Daniel M. Peters        | 794 Kurk D. Crittenden      | 1177 Robert J. Pearson      | 1532 William J. Burman III   |
| 30 Thomas W. Pope            | 445 John M. Edwards         | 800 James J. Albi           | 1179 Ralph E. Armstrong     | 1534 John E. Lesniewski      |
| 31 David E. McNussen         | 446 Ted D. Maxwell          | 807 Daniel V. Hicks         | 1183 Keith L. Singelyn      | 1538 Dennis G. Martz         |
| 32 Richard F. Arnold         | 453 Lloyd R. Holman         | 811 Phillip M. Rehfeldt     | 1188 Kenneth R. Fox         | 1544 Richard S. O'Connell    |
| 48 Thomas R. Adams           | 454 Richard P. Williams Jr. | 816 Leonard E. Guldner      | 1190 Louis G. Wartman       | 1545 Adrian L. Parker Jr.    |
| 49 John P. Kurtz             | 462 Thomas A. Lusinger      | 821 Billy Mack Pusley       | 1200 Gary D. Metzdorf       | 1548 Brian P. Connors        |
| 61 Gregory J. Dantonio       | 464 James L. McDaniel       | 830 Gary F. Petrewicz       | 1202 Frank D. Vrchota       | 1554 Pat J. Winslow          |
| 64 Monty T. Tuchel           | 465 Mike Stufflebean        | 832 Peter Banks             | 1216 Terry L. Dixon         | 1557 William A. St. John     |
| 84 Richard J. Albitre        | 471 Shannon P. Lawlor       | 835 William J. Smith        | 1217 Frank M. Price         | 1558 Richard Deiser          |
| 94 Stephen P. Powers         | 473 Larry J. Romine         | 838 John J. McCollum        | 1221 Ben C. Davis           | 1563 David Ojeda             |
| 95 Joseph T. Cannon          | 477 Mike T. Wiemerslage     | 845 Bruce J. Smith          | 1229 A.R. Ariano            | 1564 Ulysses Johnson         |
| 98 Jerome E. Faller          | 483 Michael K. Hayes        | 847 Danny J. Massey         | 1230 Kevin A. Goring        | 1567 Donnie D. Head          |
| 100 Michael J. Litwin        | 486 Kim R. Mees             | 853 Jimmy F. Avery          | 1233 Leo A. Dusablon        | 1570 Norman J. Lucas II      |
| 113 Timothy C. Thomas        | 489 Robert Strzelczyk       | 854 Jeffrey D. Foster       | 1238 Terrance L. McDonald   | 1571 Lance E. Ruck           |
| 118 James K. Clark           | 490 James M. Lewis          | 855 Jeff W. Shoop           | 1245 Kent B. Puckett        | 1573 Timothy P. Andersen     |
| 138 Dennis E. Miller         | 492 Daryl M. Stinchfield    | 857 Ralph W. Jones Jr.      | 1258 Mark S. Azzi           | 1581 Steven L. Brewton       |
| 145 Richard A. Steele        | 493 Steven E. Craig         | 860 Leo R. Thornton Jr.     | 1261 Donald R. Dysart       | 1584 Thomas Fortes           |
| 161 Brian L. Donald          | 495 David L. Brewer         | 866 Vernon S.D. Whitfield   | 1263 Robert W. Brantley     | 1590 Daniel J. Gilarno       |
| 166 F. Jay Seegmiller        | 496 Joey D. Jones           | 867 Robert D. Laborde       | 1271 Wray J. McClelland     | 1594 Ronald Koran            |
| 168 Douglas S. Silkowski     | 498 Charles E. Wehr         | 881 Jack E. Lawson          | 1288 Gaetan Allaire         | 1596 Edrow H. Wingo          |
| 185 William K. Moseley       | 500 David H. Schoening      | 891 Francis G. Marceau      | 1289 James G. Shand         | 1601 Eddy L. Pyles           |
| 194 Robert L. Holbrook       | 504 James E. Crow           | 894 Jerry D. Brock          | 1290 John D. O'Brien        | 1608 Franz VonKruger         |
| 195 Ralph W. Linroth         | 506 Howard A. Rigg Jr.      | 898 Roger M. Lenfest Jr.    | 1291 Charles W. Corns       | 1614 Jeffrey N. Ruha         |
| 196 Patrick N. Murray        | 507 Fred Garcia             | 903 Charles F. Sauls        | 1292 Clyde P. Larson        | 1628 John J. Tierney Jr.     |
| 199 James M. Garrett         | 508 Kamron T. Saunders      | 904 Richard W. Wallace      | 1294 Roger D. Barnes        | 1637 Alan M. Rosa            |
| 201 Henry J. Salazar         | 511 William H. Keown        | 911 Dennis W. Towner        | 1296 Andre Hudon            | 1638 Robert J. Bysura        |
| 202 Richard A. Johnson       | 513 David G. Tiller         | 913 Daniel R. Armstrong     | 1298 Barry. MacDonald       | 1663 Mark Wallen             |
| 206 Robert A. Morris         | 524 James M. Homan Jr.      | 915 James W. Selbe          | 1299 Andrew W. Robuck       | 1670 William J. Koehn        |
| 211 Dennis J. Barnett        | 525 Darin M. Knotts         | 931 Johnny D. Davis         | 1310 Harold J. Barton       | 1672 David E. Flynn          |
| 212 David P. Hotaling        | 527 Mark A. Harper          | 933 Kenneth R. Menges       | 1312 Ernest E. Murphy       | 1674 John R. England         |
| 219 Virgil Peters            | 533 Donald F. Lindsey Jr.   | 937 Glen E. Johnson         | 1313 Gary D. Clements       | 1697 Jon E. Willingham       |
| 221 Hurston F. Cook          | 535 Michael Parker          | 940 Michael A. Schmidt      | 1314 T.A. Garrett           | 1713 Gary L. Johnson         |
| 225 Howard J. Wallace        | 537 William G. Frerotte     | 941 Arthur Marvin Evans     | 1315 Donald R. Jones Jr.    | 1722 Richard B. Brubaker     |
| 226 Richard L. Duley         | 544 Perry Miller            | 942 Nathaniel O. Turner Jr. | 1316 Tracy D. Adams         | 1730 James J. Blake          |
| 228 William G. Krejci        | 556 Thomas C. Smillie       | 945 Donald W. Dutton        | 1328 Murrell G. Cotner      | 1732 Edward T.C. Adams       |
| 233 T.L. Osborn              | 564 Darrell H. Jones        | 947 Donald J. Seyer         | 1334 Raymond L. Ross        | 1741 Paul S. Stein           |
| 234 Russell I. Heisel        | 565 Ronald G. Caldwell      | 949 Larry G. St. Clair      | 1337 Todd A. Guerin         | 1760 Richard K. Allen        |
| 239 Glen E. Dayton           | 569 James A. Alford         | 950 Steven R. Evans         | 1344 Tom R. Miller          | 1765 Steven B. Kauffman      |
| 240 Harry J. Garvin Jr.      | 573 David L. Miracle        | 951 Bruce M. Drummond       | 1345 Terry L. Rummel        | 1771 Donald H. Michaud       |
| 256 William E. Boardman      | 582 Gregory O. Sipla        | 953 David J. Bludau         | 1346 O.E. Weathers Jr.      | 1775 John D. Lusar           |
| 257 David M. Martin          | 583 Charles M. Bennett      | 962 Merry C. Rachetts       | 1348 Rex G. Allen           | 1778 David Moorhouse         |
| 259 Frederick L. Edwards Jr. | 584 William D. Kennedy      | 970 James T. Wilson         | 1356 Roland W. Barr         | 1780 Douglas E. Scott        |
| 262 Thomas J. Driscoll       | 586 Brian E. Mull           | 971 Patrick A. Corp         | 1358 Dan W. Petet           | 1785 Sergio Lopez            |
| 265 Jack L. Correll Jr.      | 587 Thomas D. Bergeron      | 974 Larry F. Pigg           | 1361 William A. Beebe       | 1790 Dana L. Ashurst         |
| 278 Scott C. Cole            | 590 James H. Nelson         | 977 James E. Cox            | 1370 Jerry L. Popp          | 1800 Jeffrey H. Howell       |
| 283 Robert G. Pearson        | 594 Johnny P. Norris        | 979 Edward L. Bryant        | 1373 William E. Thompson    | 1801 David M. Corazza        |
| 284 Lawrence H. Ashby        | 596 John R. Leasure         | 980 Gary L. Wendel          | 1374 Samuel J. Marino       | 1814 Danny R. Kelly          |
| 292 Michael W. Patterson     | 600 Lawrence E. Kasecamp    | 990 Phillip J. Kolson       | 1376 Timothy M. O'Connor    | 1816 William E. Coburn       |
| 298 Steven C. Mavity         | 601 David E. Myers          | 998 Arzell Register Jr.     | 1378 Nelson G. Seeney       | 1823 Raymond D. Birch        |
| 303 Joseph L. Russell III    | 605 Mark Mewshaw            | 1000 Thomas L. Lyman        | 1379 John B. Caterino       | 1836 Larry P. Barilleaux     |
| 304 Carl E. Wallace          | 607 Gary L. King            | 1003 James C. Homan         | 1381 Leon A. Rybarczyk      | 1840 Lawrence R. Buchheit    |
| 309 Donald E. Imler Jr.      | 610 Anthony L. Davidson Jr. | 1007 Richard C. McVein      | 1382 Michael D. Cichanowicz | 1841 Gary B. Snyder          |
| 316 Alan E. Thompson         | 620 Walter Sattler Jr.      | 1011 Jimmie Coward Jr.      | 1386 Darrell R. Mick        | 1843 Leo Robichaud           |
| 318 Samuel J. Nasca          | 623 Larry A. Childs         | 1015 Pierre Lesage          | 1388 Donald F. Davis        | 1857 Diana A. Archuleta      |
| 320 Darrell A. Pillen        | 627 John F. Foote           | 1016 Mark A. Stallings      | 1389 Larry K. Adkins        | 1865 James S. Moran          |
| 324 Katherine A. Ginter      | 630 Rodney D. Bevins        | 1031 Kenneth L. Knorr       | 1393 Edward J. Travis Jr.   | 1872 Nelson Beveridge        |
| 328 Charles Healy            | 631 Jeffrey A. Wilt         | 1033 David B. Douglass      | 1397 John A. Nadalin        | 1874 George E. Allingham     |
| 330 Kerry D. Alexander       | 632 Gary L. Aungst          | 1035 Pat H. Murphy          | 1399 Dennis M. Harness      | 1881 J.R. Wagner             |
| 331 Curtis L. Wickliffe      | 643 Curtis L. Still         | 1042 Tim L. Wolfenbarger    | 1400 Donald M. Dimauro      | 1892 Francisco Martinez      |
| 333 Mark J. Mullen           | 646 William R. Price Jr.    | 1043 Ray S. Hansen          | 1402 Michael J. Walsh       | 1900 Albert J. Collie        |
| 339 Ricky D. Everett         | 650 David J. Riehle         | 1053 Roger D. Roberts       | 1403 Andrew L. Kinne        | 1903 Garth M. Bates          |
| 340 Fred E. Lee III          | 656 Frank E. Evans Jr.      | 1059 Donald L. Allard       | 1405 Jason R. Hayden        | 1908 Roger C. Wagner         |
| 343 Jerry J. Coffey          | 659 Phillip G. Stephens     | 1066 Arthur H. Bush III     | 1409 Frank B. Quinn         | 1910 David E. Hunnicutt      |
| 344 Randy Coady              | 662 Jonathan R. Barron      | 1067 Dale S. Slotness       | 1418 David W. Kuzma         | 1917 Sammy R. Spears         |
| 349 Charles A. Nowlin        | 674 Michael L. Dickerson    | 1074 Ronald J. Hardesty     | 1420 Robert B. Franklin     | 1918 James W. Matsler        |
| 352 Jeffrey R. Hosmer        | 691 John P. Halen           | 1081 Glenn E. Bay           | 1422 Patrick S. Haugh       | 1923 Cyndi Ralston           |
| 353 Gary B. Anderson         | 694 Matthew J. Maben        | 1083 Charles L. Crossman    | 1423 Joseph E. Pettit       | 1928 Thomas R. Cherry        |
| 363 James J. Powell          | 701 Keith W. Carlson        | 1088 Robert W. Snow         | 1438 Louis V. Peltola       | 1933 Miles R. Cunningham Jr. |
| 376 Terence M. Tyrrell       | 706 James A. Houk           | 1092 Tony R. McAdams        | 1445 William F. Braden      | 1949 Lawrence D. Cardone     |
| 377 John W. Haley Jr.        | 707 Charles A. Ring Jr.     | 1105 William H. Fisher Jr.  | 1447 William A. McManus     | 1957 Terry W. Hardy          |
| 378 Robert J. Damsel         | 710 Jonnie Sherman          | 1106 Roy G. Foster          | 1468 Larry D. McKillip      | 1962 Terry E. Moreno         |
| 383 David E. Pavey           | 713 Frank R. Boutilier      | 1110 Greg D. Bantle         | 1470 David A. Brooks        | 1973 David J. Just           |
| 385 Lynn M. Willey           | 730 Bruce H. Kindsfater     | 1117 John M. Fetters        | 1473 Brian Lawlor           | 1975 Charles E. McDaniel     |
| 386 Dennis J. Mallams        | 744 Kenneth O.R. Edwards    | 1122 Domenic Scozzafava     | 1477 Francis V. Abela       | 1976 Kenneth J. Doll         |
| 394 Sherwood T. Cowles Jr.   | 756 John A. Dunn            | 1126 Loren B. Bettles       | 1491 David P. Hendershot    | 1977 Jeffrey J. Sellman      |
| 403 Cindy Little             | 762 Randall A. Pullen       | 1129 Richard Westbrook Jr.  | 1494 Jeffrey W. Chorley     |                              |
| 412 John M. Scott            | 763 Samuel A. Habjan        | 1136 James E. Jackson       | 1501 Marvin E. Corzine Jr.  |                              |

## LOCALS OPPOSING THE AMENDMENT

- |                         |                          |                          |                            |                           |
|-------------------------|--------------------------|--------------------------|----------------------------|---------------------------|
| 60 Patrick F. Reilly*   | 313 Herman J. Boruta II* | 734 David E. Hiatt       | 1366 Dixon A. Tiffany      | 1831 Arthur Harkin        |
| 72 John R. Henry        | 322 Robert J. Alba       | 750 Paul E. Emert        | 1383 Cory A. Mayberry*     | 1883 Danny L. Kortum      |
| 85 Thomas G. Cormack    | 329 Randy L. Rardin*     | 772 Thomas D. Jordan*    | 1390 William J. Merritt*   | 1886 Norman V.J. Wilkins  |
| 67 David J. Schulmerich | 375 Timothy Archambeau*  | 872 Robert A. Borgeson*  | 1421 Michael J. Franciose  | 1895 Richard J. Ross Sr.* |
| 171 Timothy M. Dwyer*   | 469 John I. Payer        | 886 Edward S. Morrison   | 1453 Robert Thompson       | 1904 Reynaldo Martinez    |
| 172 Toya Y. Bennett*    | 528 Jerry L. Kalbfell    | 934 Larry D. McCracken*  | 1524 Robert R. Jackson*    | 1947 Gerald D. Gibson     |
| 243 Ronnie D. Packard*  | 577 Albert M. Bertolani  | 997 Michael J. Lydon Jr. | 1574 James B. Collins      | 1963 Glenn W. Hazelwood   |
| 286 John R. Hasenauer   | 581 John T. Larson Sr.   | 1058 Dale L. Wheeler     | 1598 Ronald J. Mattocks    | 1971 Dennis J. Burke*     |
| 305 Ray L. Lineweber*   | 597 Steven H. Staley     | 1162 Ronald C. Laws*     | 1607 Robert L. Lujan*      | 1974 Richard L. Jacobs*   |
| 306 Larry J. Pearson*   | 622 Ronald R. Clements*  | 1227 James D. Spaulding  | 1620 Richard Messenger Jr. | 1978 John J. Eschmann     |
| 311 Thomas R. Fuchs*    | 626 Dale L. Fahnholz     | 1293 Mark S. Mueller     | 1629 William H. Chrisman*  |                           |
| 312 Timothy S. Deneen   | 653 Kevin J. King        | 1301 J.C. Allen*         | 1709 James K. Thornberry   |                           |

\* = Delegates who voted against the amendment to increase International dues by \$5 per member per month and also voted against lowering costs by reducing the number of International officers.

# UTU for Life

## Retiree honored for tutoring effort

If he's successful, the students tutored by retired member **Julie E. Luckritz** will be able to read this story and learn about the man who volunteers his time to help open doors for others.



Julie E. Luckritz

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 drivers' 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.

## Rail retirement benefits subject to age reductions

By V.M. "Butch" Speakman Jr.

Railroad Retirement benefits are subject to reduction if an employee with fewer than 30 years of service retires before attaining full retirement age. Full retirement age is the earliest age at which a person can begin receiving Railroad Retirement or Social Security benefits without any reduction for early retirement.

While employees with fewer than 30 years of service may still retire at age 62, the age at which full retirement benefits are payable was increased by 1983 Social Security legislation, which became



V.M. Speakman

effective in the year 2000. This legislation affected Railroad Retirement benefits through coordinating provisions of the Railroad Retirement Act, and, as a result, the age requirements for some unreduced Railroad Retirement benefits have been rising just like the Social Security requirements.

For employees with fewer than 30 years of service and their spouses, full retirement age increases from 65 to 66, and from 66 to 67, at the rate of two months per year over two separate six-year periods.

The gradual increase in full retirement age

## RETRENDO Club holds dinner, dance

A group of Pennsylvania Railroad and Conrail retirees planning their 24th 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 21, at the Lamplighter Restaurant on Route 22 in Delmont, Pa., said retired yardmaster **A.V. "Jock" Powers** of Local 1948, Youngstown, Ohio.

In addition to retired trainmen and engineers, many retirees from other departments of the railroad attend this annual affair, and all are welcome, said Powers.

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

from age 65 to age 66 affects those people who were born in the years 1938 through 1942. 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 66 to age 67 affects those who were born in the years 1955 through 1959. 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 of the board for information or visit the board's Web site at [www.rrb.gov](http://www.rrb.gov). You may find the address and phone number of the board office serving your area by calling the automated toll-free RRB Help Line at 1-800-808-0772, or from the board's Web site.

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

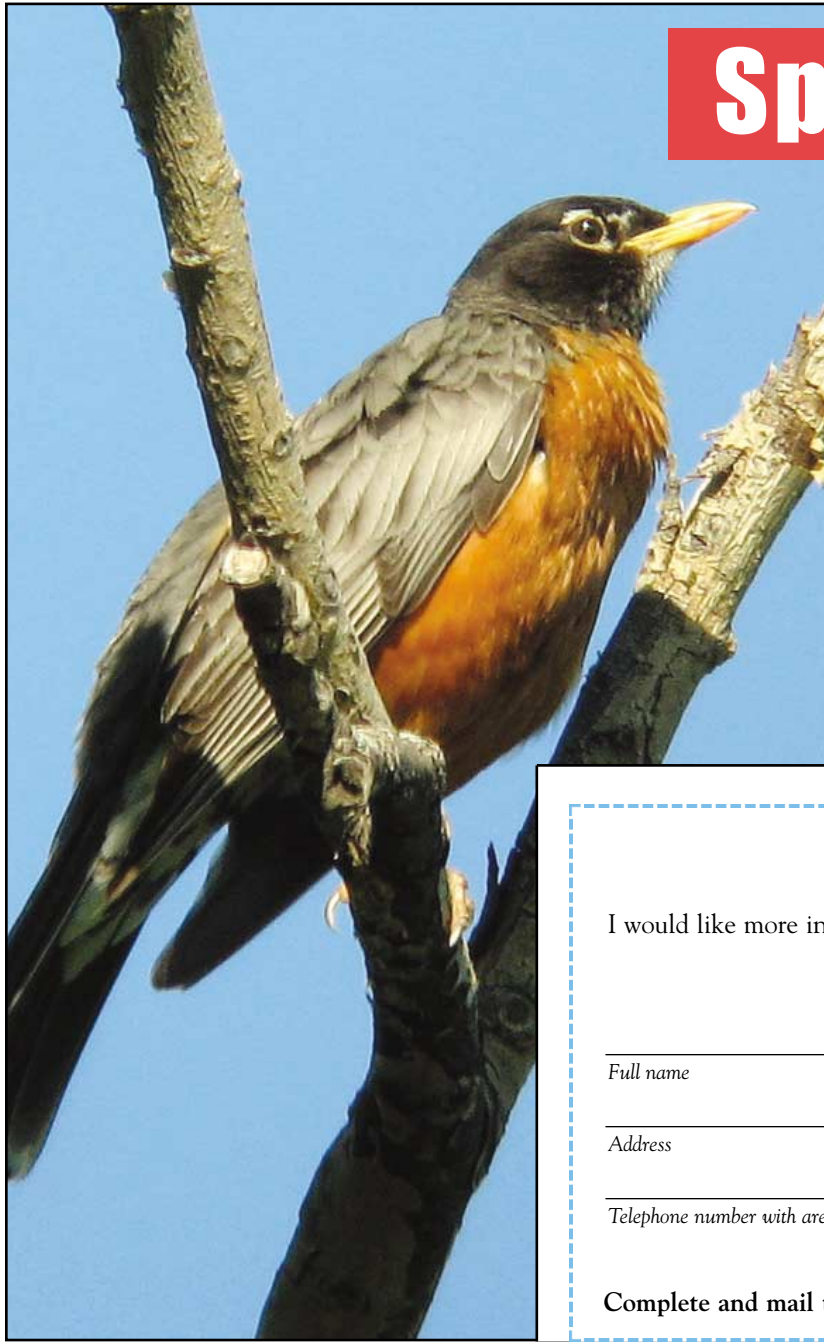


## THE FINAL CALL

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
2	Squire, Melvin Lee	Sylvania, Ohio	318	Reinhart, Charles L.	Hornell, N.Y.	1221	Harwzinkske, Leo C.	Tampa, Fla.
4	Byers, Alfred T.	St. Godefroi, Quebec	378	Mozart, John E.	Mentor, Ohio	1290	Lakich, Nick	Dyer, Ind.
94	King, Liston S.	Gravois Mills, Mo.	385	Barone, Richard E.	Croton-on-Hudson, N.Y.	1315	Slavey, Orville H.	Walton, Ky.
94	Thompson, Lee Roy F.	Kansas City, Kan.	386	Ertel, George J.	Reading, Pa.	1370	Tirpak, Michael F.	Iselin, N.J.
199	Killmon, Richard D.	Creston, Iowa	535	Armstrong Jr., E. J.	Macon, Ga.	1376	Summers, Jerry M.	Pataskala, Ohio
200	Barrett, Wesley V.	North Platte, Neb.	601	Reardon, Eugene F.	Galion, Ohio	1390	LoPresti, Thomas L.	Old Bridge, N.J.
226	Mallory, Thomas C.	Moberly, Mo.	663	Adams, Kenneth A.	Easton, Maine	1393	Hudson, Charles A.	N. Tonawanda, N.Y.
239	Bond, Eugene L.	Riverton, Utah	866	Jordan Jr., George A.	Rawlins, Wyo.	1418	Moore, Brayton E.	Pinellas Park, Fla.
259	Barber, Colonel	St. Joseph, Mo.	927	Maciejewski, Arnold	Fort Gratiot, Mich.	1518	Reynolds, Roy J.	Decatur, Ill.
286	Okamoto, Masaomi	Morrill, Neb.	931	Crisp, Sidney A.	Columbia, S.C.	1538	Collins, Paul	DeMotte, Ind.
292	O'Connor, William H.	Utica, N.Y.	1007	Girard, Carl J.	Gouverneur, N.Y.	1557	Steed, Savoy	Memphis, Tenn.
313	Costello Sr., Jerome R.	Sarasota, Fla.	1221	Allhiser, Cary N.	Los Angeles, Calif.	1628	Marynchak, George J.	New Eagle, Pa.





# Spring is in the air!

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.

## Information, please

I would like more information on UTUIA's products.

Please print



Full name

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

04/06

## 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."



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.

An individual can initiate a claim inquiry by calling MetLife's Railroad Operations Center toll free at (800) 310-7770 or by contacting MetLife in writing.

If contacting MetLife in writing, a copy of the death certificate, along with the deceased employee's Social Security number, final address, the approximate date last worked and any available information regarding the employing railroad should be sent to:

**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.

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.**

## Scholarships aid students from railroad families

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 Rail Craft Scholarship Foundation (MRCFSF).

"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 \$20,000, and our hope is to grow it to \$40,000."

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.mwrcsf.org](http://www.mwrcsf.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 union on 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."

Shy said three other factors – need, grades and extracurricular activities – are taken into consideration in granting scholarships. The non-profit foundation gets its funding from donations contributed by various sponsors, including railroad companies and designated legal counsel, as well as from the proceeds of an annual golf tournament.

More information and application forms for the scholarships and the golf tournament are available on the foundation's Web site at [www.mwrcsf.org](http://www.mwrcsf.org), or by calling Shy at (816) 781-1923.

## UTU sues BNSF

Continued from page 1

handling (including CSX, Kansas City Southern, Norfolk Southern and Union Pacific), served notice on UTU proposing changes to collective bargaining agreements, including issues of compensation. The UTU served its own notices on the NCCC shortly thereafter.

Beginning in February 2005, the UTU and NCCC (and the railroads it represents, including BNSF) have been discussing those notices,

which include issues of compensation. Most recently, the negotiations have been overseen by the National Mediation Board. Agreements have not been reached.

By attempting to bolt from these national negotiations and, instead, negotiate with UTU's general committees of adjustment in the middle of national negotiations and mediation, BNSF violates the Railway Labor Act, said the UTU.

In fact, the issue of profit sharing and other alternative compensation programs have been the subject of national negotiations as far back as 2002, the UTU told the court.

Thus, the issue of compensation is a matter of obligatory national handling under the Railway Labor Act, said the UTU.

"Once national handling commences, those railroads and unions that began national handling cannot unilaterally bolt from national handling," Thompson said.

"This has been well established in prior federal court decisions and we are asking the court to revalidate those prior decisions by preventing BNSF from pulling out of national handling."

Go to [www.utu.org](http://www.utu.org) to read the lawsuit as filed.

## Cost cuts

Continued from page 1

tions, and ensure our organization is financially secure into the future to provide members with the services they demand and deserve," said UTU International President Paul Thompson. "It is also gratifying to see that by an overwhelming majority, the local leadership and membership of UTU supports making a more efficient UTU and UTU Insurance Association, and we will continue to move in this direction.

"The leadership of the UTU could have made the recommendations, but that approach likely would have been treated by some as a political football that would only have served to weaken this union," Thompson said. "The Blue Ribbon Committee, comprised of those with the most extensive institutional knowledge and experience, was best qualified to make the recommendations as each member of the committee had experience in the past with the problems facing the UTU."

After full implementation in 2007 and 2008, the changes approved by the delegates are projected to save the UTU some \$1.5 million annually.

The changes to Article 2 follow other significant cost-cutting initiatives. The addition and implementation of new technology has allowed significant improvements in productivity and efficiency, permitting jobs to be blanked and

duties consolidated as employees retire and depart voluntarily. Also, officers are making their own travel arrangements, utilizing Internet tools that identify the least expensive costs of travel and lodging.

"The combination of the \$2 dues increase instituted Jan. 1, plus the various cost-cutting initiatives that include the changes to Article 2, plus the agreement between the UTU and Brotherhood of Locomotive Engineers and Trainmen that ends the threat of BLET raids, permits us now to devote our

Also, if any U.S. vice president vacancies occur for any reason between March 8 and Dec. 31, 2007, such positions will attrite up to the four vice president positions that abolish Dec. 31, 2007.

Also, effective Dec. 31, 2007, the Canadian legislative director and the two Canadian vice president positions will be abolished.

And effective Jan. 1, 2008, a new full-time Canadian officer position of vice president/legislative director will be established.

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

entire energies to improving wages, benefits, job security, working conditions and workplace safety," Thompson said. "Our return to the AFL-CIO further strengthens our abilities and effectiveness."

The changes to the constitution approved by delegates will eliminate eight full-time International officer positions (six by abolishment and two by attrition).

Effective Dec. 31, 2007, four U.S. International vice president positions will be abolished; and effective Jan. 1, 2008, two more U.S. vice president positions will be abolished through attrition.

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."

## Human errors

Continued from page 1

effort is one of many aggressive steps we are taking to prevent train accidents from occurring in the first place."

Human factors are the leading cause of train accidents, accounting for 38 percent of the total, Boardman said.

The FRA also is working on other initiatives to reduce human-factor-caused train accidents

including a pilot project to study 'close calls' and research to address railroad worker fatigue.

Since the National Rail Safety Action Plan was unveiled in May 2005 by Transportation Secretary Norman Mineta, the FRA said it has made significant progress on each of its specific elements including reducing human-factor-caused train accidents, addressing fatigue among railroad operating employees, improving track safety, enhancing hazardous materials safety and emergency response preparedness and improving highway-rail grade crossing safety.

### 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 rail 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 lunches, one evening meal, a breakfast buffet and all workshop materials. Those wishing to attend only the workshops do not need to pay the registration fee. No one-day registrations will be offered this year.

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

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

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

**Hilton 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.

## 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.

# 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?  Reno  Asheville

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  Reno  Asheville

Spouse name \_\_\_\_\_ Title (if any) \_\_\_\_\_

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

Child Registration  Reno  Asheville

Child name \_\_\_\_\_ Age \_\_\_\_\_

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

Child name \_\_\_\_\_ Age \_\_\_\_\_

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

Child name \_\_\_\_\_ Age \_\_\_\_\_

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

Child name \_\_\_\_\_ Age \_\_\_\_\_

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

Guest Registration  Reno  Asheville

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

Golf Registration  Reno  Asheville

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 (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.

## 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](http://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 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 Schultz**, a member of Local 1299 in Chicago, Ill. It shows the Amtrak train "City of New Orleans" sitting in a siding at Kankakee, Ill.



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 at all 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 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 negotiate crew consist

even at 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, in some cases, one brakeman, also) 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]."

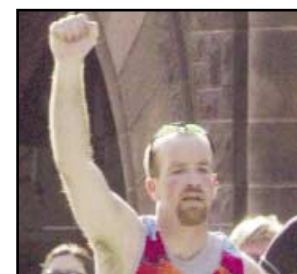
With regard to the carriers' FELA demand, Judge Murphy wrote:

"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-bargainable under the Railway Labor Act."

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Inside this issue of the *UTU News*:



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.