News & Notes

Canada halts UTU strike

The UTU on April 19 instructed its members to return to work on Canadian National Railway following enactment by the Canadian government of back-to-work legislation. CN similarly ended its lockout of UTU-represented employees.

The UTU represents some 2,800 CN employ- ees. After UTU members on April 10 rejected a Feb. 24 tentative agreement — negotiated under threat of a similar back-to-work law — the UTU engaged in rotating strikes to pressure CN back to the bargaining table.

The strike-ending laws force final-offer selec- tion arbitration on the parties, in a winner-take- all process where only the arbitrator chooses.

The Canadian labor minister will be appoint- ing the arbitrator. In the meantime, the new law extends the agreement that was in force in December 2006 until such time as the arbitrator renders the decision, which, by law, must be no later than 90 days following the arbitrator’s appointment.

To keep informed on the appointment of the arbitrator and the arbitration process, regularly log on to www.utu.org.

USPS offers “Mili-kits”

The U.S. Postal Service makes available a mil- itary care kit, or “Mili-kit,” to make it easier for military families and friends to send care pack- ages to their loved ones stationed overseas.

Since the inception of the military care kit, the U.S. Postal Service has shipped more than 150,000 kits. Each kit contains two priority mail boxes, six priority mail flat-rate boxes, eight pri- ority mail labels, one roll of priority mail tape and eight customs forms with envelopes.

This kit may be ordered by calling the USPS Expedited Package Supply Center at (800) 610-8734. There is no charge for the kit. The priority mail flat-rate boxes included in the kit can be shipped to any APO/FPO in the world, regard- less of weight, for $8.10. All packages and mail must be addressed to individual service members.

For more information, contact your local post office or go to www.usps.com.

Pittsburgh meeting tip

UTU members attending the UTU/UTUIA regional meeting in Pittsburgh, Pa., July 16-18, can save money if they take the Airport Flyer from the airport to within a block of the Hilton Pittsburgh at Gateway Center. The Port Authority’s 28X line costs travelers $2.25 (exact change only) to get from the airport to one block from the hotel, as compared to roughly $25 for a cab. Get more information at www.portauthority.org.

The Voice of Transportation Labor

“As stewards of the public interest, Congress has the responsibility to prevent fatigue, and I intend to address the issue legislatively.” – House T&I Committee Chairman James Oberstar (See back page)

Railroads get ‘C minus’ on condition of tracks

The vice chairman of the U.S. Surface Transportation Board (STB) last month deliv- ered a slap in the face to railroads over the con- dition of their track, giving rail infrastructure a grade of “C minus” and illustrating his point by holding up a rusty rail spike he said he had tak- en from a railroad right of way.

STB Vice Chairman Douglas Buttrey faced the chief executive offi- cers of each of the U.S.- based Class I railroads and dramatically laid the rusty railroad spike prominently on the judi- cial bench in front of him so that the uncom- fortable CEOs could look at it throughout a daylong federal hearing into railroad capacity problems.

Rail CEOs taken to task by Buttrey’s the- atrics included BNSF’s Matt Rose; CSX’s Michael Ward; Kansas City Southern’s Michael Haverny; Norfolk Southern’s Wick Moorman and Union Pacific’s James Young.

Rose, when testifying, told Buttrey he had it wrong – but Buttrey did not retract his state- ment. Another CEO, who could not be identi- fied, was heard through an open microphone at the witness table to say to another CEO that Buttrey should have been arrested by railroad police for trespassing on rail private property and taking the spike.

Said Buttrey to the CEOs in holding the rusty spike aloft, “This symbolizes the condition of some of the rail infra- structure and the need to improve it.”

Buttrey also quoted from an American Soci- ety of Civil Engineers’ report that gave the rail- roads’ infrastructure a “C minus” grade.

In fact, there have been a series of high- visibility railroad accidents, including deadly chlorine spills in Graniteville, S.C., and Macdona, Texas, and CSX has been described as a “rolling pyrotechnics exhibit in the East” following a series of spectacular accidents.

In fact, there have been a series of high-

Lack of workers hinders capacity

“Better training and more staffing are the two easiest methods to ensure the development and contin- uation of a sound rail transportation sys- tem,” the UTU told federal regulators last month. “These two actions can help solve any capacity constraints on the U.S. rail system.”

The UTU’s comments were made during a daylong hearing of the U.S. Surface Transpor- tation Board, which was probing the prob- lem of too much freight crowded onto too lit- tle infrastructure. The STB called the hearing in response to concerns that railroads are oper- ating at capacity and not investing in their infrastructure at the rate that rail freight-traf- fic demand is growing.

Although rail officials want huge federal subsidies in the form of tax breaks to encourage additional rail construction, the UTU, other

Continued on page 10

FRA allows test of new brakes

The Federal Railroad Administration will soon allow BNSF and NS to test the operation of locomotives and rail cars equipped with electronically controlled pneumatic (ECP) brakes.

The FRA waiver, granted March 21, applies specifically to air brake inspections covered under specific federal safety regulations. The agency will soon permit a train operating in ECP brake mode to operate to its destination, or up to 3,500 miles (whichever is less), with- out stopping to undergo certain routine brake inspections.

That is more than double the distance cur- rently allowed by federal regulations.

The new technology is said to shorten the distance needed to stop by up to 62 percent and reduce train derailments, according to the FRA.
Local 18, El Paso, Texas
This local, representing Union Pacific employees, has moved its headquarters to 625 Dallas St., El Paso, TX 79902, said Local Chairperson (engineers) Jim Maynard. Thanks go to those members who helped make the transition go smoothly, including Local Chairperson (switchmen) David Acosta; Secretary and Treasurer Jim Werner; Local Chairperson (trainmen) Carlos Fuentes; Vice Local Chairperson (switchmen) Tom Chavez; Vice Local Chairperson (engineers) Duane Miller and switchman Ruben Tapia.

Local 30, Jacksonvile, Fla.
The members of this Amtrak and Herzog local are expressing their thanks and appreci- ciation to retired member Thomas W. “Tommy” Pope for his years of service to the local, which he helped establish, and to the union. He continues to serve as local president, delegate and legislative representa- tive. “Tommy is not only a brother, but a good friend to many of us as well,” said Sec- retary and Treasurer James L. Searles.

Locals 78 & 265, Pocatello, Idaho
Officers and members of these two Union Pacific locals, along with members of UTU for Life and the Idaho Auxiliary, met with State Sen. Charles “Chuck” Bilyeu to celebrate his 90th birthday, said State Legislative Director George Millward. Millward reminded those in attendance that Sen. Bilyeu never once voted against a labor bill, and the sen- ator replied that “labor, the UTU and the AFL-CIO made America and Idaho what they are today.”

Local 258, Rock Island, Ill.
Members of this Iowa Interstate Railroad local have established a fund and a blood drive to aid Andy Schulte, 19, who was crushed in a switching accident around 8 a.m. on Easter morning (April 8), said Local President and Delegate Jeff Fugate. Brother Schulte had been working on the Iowa Inter- state for a year and five days when the acci- dent happened. To contribute to the fund, mail checks or money orders payable to “Schulte Benefit Fund” to Valley Bank, 2102 Spruce Hill Dr., Bettendorf, IA 52722. For information about the blood drive, contact Fugate by calling (309) 738-5772 or send e- mail to jsf2620@yahoo.com. Send cards with the name and address of the donor, checks or money orders payable to the cause.

Local 375, Edgemont, S.D.
Members of the BNFE Railway local offer best wishes to former Local President Larry K. Burditt, who recently retired. The new president of the local is Robert G. Harding.

Local 477, Newton, Kan.
A golf fundraiser was set for May 1 to help 24-year-old conductor Justin Belisle, who was injured March 3 while on the job and now has temporarily retired. The proceeds from the fundraiser will benefit the family of Brother Belisle with a donation, contact Tim Porter at (316) 774-7574 or Derek Smith at (316) 215-2575.

Display pays tribute to nation’s veterans
Those who ride the rails into Union Station in Wash- ington, D.C., on Memorial Day (the last Monday in May) or Veterans Day (Nov. 11) will see a large, illuminated display paying tribute to the men and women of the U.S. military, assembled largely through the efforts of a UTU-represented Amtrak conductor.

Appearing every year beginning in 2001, the displays are the result of Larry Tkachenko’s reac- tion to the terrorist attack on the USS Cole on Oct. 12, 2000, in which 17 sailors lost their lives.

“All that after that,” Tkachenko said, “some of us on Amtrak felt we needed to do something for our veterans. I went to Daryl K. Pesche, gen- eral superintendent of Amtrak’s mid-Atlantic division, and asked if money for a sign and for a canopy. He supported us wholeheartedly.”

Legislative representative for Local 1470 in Edmonston, Md., Tkachenko has served his local in the past as president, vice president and local chairperson. He began his rail career as a brakeman on the Penn Central Railroad in 1971, but took a leave of absence from 1979 to 1982 to serve in the U.S. Marine Corps. The experience played a major role in his feeling of indebtedness to those who preserve our freedom.

“The displays include a free-standing com- memorative wreath with red, white and blue bunting,” Tkachenko said. “Amtrak graciously pays for the flowers, but I put the rest of it together on a shoestring. In the past, I had help from Tom Schreiber, another Amtrak conduc- tor from my local, but he’s retired now.”

The moving display also includes a red carpet with red ropes around it, the U.S. flag, a POW- MIA flag, the flags of all the U.S. military serv- ices, and patches from every state in the union, as well as the nation’s commonwealths and pos- sessions, such as Puerto Rico, the Virgin Islands and the Northern Mariana Islands.

“The Washington Post includes a special sec- tion on these holidays called Faces of the Fall- en,” Tkachenko said, “and the photos from this are included in the display. And in some years, I’ve had a bugler play taps at 3 p.m.”

Tkachenko said that most veterans on Amtrak “are kind of invisible. We don’t see them too much,” he added. “We don’t see them because they’re under a rock.”

Local 486, Glendale, Mont.
Members send best wishes for a speedy recovery to Tim Fulton, who was hit in April during a routine switch- ing operating in the Fonthill yard. Fulton is a former Rosebud County sheriff who left the agency in 2006 after being charged with misappropriation of funds.

Local 1075, Trenton, Mich.
Members of this local representing employees of CN Railway (Grand Trunk Western) and the Detroit, Toledo & Ironton recently conducted a fundraiser to estab- lish a college fund for the four-year-old twin sons of Robert H. Marrs’ daughter, who died in a plane accident just after Marrs retired, said Secretary and Treasurer John R. Purcell II. In addition to the money raised by the event, the local voted to contribute another $100 to the cause.

Local 1290, Chicago, Ill.
A foundation has been established to commo- memorate the slain adopted son of Metra employee and Local President Jeffery Fields, said Local Chairperson Barry Abbott. Nineteen-year-old Johnathan Fields was found murdered in his Chicago apartment on March 15. The foundation is dedicated to providing counseling for children in foster care. Donations can be made payable to the Johnathan B. Fields Foundation and mailed to Lynn Libby, Oakwoods Center, 2346 Western Ave., Park Forest, IL 60466.

Local 1348, Centralia, Wash.
Members of this local, which represents those working on the Union Pacific, the Columbia & Cowles, and the Longview Port- land & Northern, are mourning the death of retired conductor George Finni, who suc- cumbed in April to cancer, according to a retired former Local President John Walch.

Local 1697, Lubbock, Texas
Members of this local working for Texas, New Mexico & Oklahoma Coaches last month rejected, by a wide margin a contract offer from the company, said Local Chairperson Greg Hansen. The membership is look- ing for a pact that adequately addresses jobs, security and the transfer of work between divisions within the company, Meanwhile, bus operator Pat Tuman recently received a 10-year service award from the company.

Local 1951, Albany, N.Y.
CSX yardmaster Mike Doherty raised more than $6,300 for the Dana-Farber Cancer Institute by competing for the fourth time in the Boston Marathon on Apr. 15. He finished with a time of 3 hours and 55 minutes, placing 12,000th out of 20,640 runners. Doherty said his local and CSX made generous donations against this year, but the total is slightly short of the $7,500 he hopes to raise before the May 31 deadline. To donate, send a check payable to “Dana-Farber Cancer Institute” to Mike Doherty at 76 Pike St., Tewksbury, MA 01876. Contact him at (978) 835-4013 or send e-mail to Michael_Doherty@csx.com.

RETRENSO Club plans dinner, dance
A group of Pennsylvania Railroad and Conrail retirees planning their 25th annual dinner and dance has extended an invitation to rail veterans from all crafts to attend the upcoming event. The RETRENSO (Retired Trainmen and Engineers) Society’s dinner is planned for May 20, at the Lamplighter Restaurant on Route 22 in Delmont, Pa., said retired yardmaster A.M. Tkachenko, a member of Local 1948, Youngstown, Ohio.

For information, write to Powers at P.O. Box 125, Westminster, PA 15692, or call him at (724) 863-1232.
FEC employees help earn carrier recognition

Railway Age magazine this year honored the Florida East Coast Railway – a unionized operator with employees who chose the UTU as their bargaining representative in 1994 – as its 2007 Regional Railroad of the Year.

While UTU General Chairperson John Hancock (IO-808) wasn’t invited to the April 23 event where the actual award was bestowed, he forwarded his congratulations to the carrier in absentia, and expressed pride in his fellow UTU members and the distinction they earned for their employer.

“The award speaks a lot about the employees,” Hancock said. “A good union man is also a good employee for the company, and certainly, it was UTU members who made the FEC the regional railroad of the year.”

The 351-mile FEC was recognized for overall excellence, the magazine said. “This year’s FEC the regional railroad of the year.”

Changes in UTU Discipline/Income Protection Program

As a result of increased costs and unusual claim volumes, D/IPP premiums, known as monthly assessments, will increase from 50 cents to 60 cents per $1 of daily benefits. This change will take effect Aug. 1, 2007. (These new rates do not apply to members of UTU Local 1088.)

If you do not change your current benefit level, your current benefit level will remain in place, and, if you pay monthly assessments by payroll deduction, the higher monthly assessments will automatically be deducted from your paycheck.

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

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resources and got in touch with Dave Hogan, a raptor handler in Monroe County, Michigan. “I knew he was an experienced outdoorsman. ‘He said he’d seen an eagle with a broken wing,’ Hancock said. “Somehow, it seemed what we were doing was very patriotic.”

In late March, Barbara, a CN Railway employee with 33 years of rail experience, received a phone call from an engineer who was probably the pinnacle of my wildlife experience, and I’ve been trapping since I was six years old.

“Something, it seemed what we were doing was very patriotic.”

In late March, Barbara, a CN Railway employee with 33 years of rail experience, received a phone call from an engineer who knew he was an experienced outdoorsman.

“He said he’d seen an eagle with a broken wing along the tracks and wondered to do,” Barbara said. “I told him I’d talk to my brother, Joe, about it.”

Five days later, while southbound out of Detroit, Barbara spotted the eagle himself. He and his brother (whose son, Joseph A. Barbara III, is also a member of Local 1075) consulted with the Michigan Department of Natural Resources and got in touch with Dave Hogan, a raptor handler in Monroe County, Michigan.

Hogan said it would be a few days before he could try trapping the eagle, but after talking with the Barbadas, he realized they could handle capturing the bird themselves.

“On April 6, my brother and I, along with Joe’s wife (who caught everything on video) and a friend of ours, got a game plan together and hit the woods.

“In five minutes, I spotted the eagle and herded him towards my brother. My brother spread his coat out with his arms to look big.

“The eagle responded by spreading his wings, turned and ran towards me, then rolled over on his back, with his talons in the air. I scooped him up, and there we were!”

The eagle, weighing in at five pounds and sporting a six-foot wingspan, is now recuperating with Hogan, who got a veterinarian to pin the forearm of its left wing.

Member swoops in to aid injured eagle

When a UTU-represented conductor works with his twin brother – an engineer represented by the Brotherhood of Locomotive Engineers and Trainmen – to save an American bald eagle, it’s not hard to read symbolism into the event.

“This was an awesome day!” said Jonathan A. Barbara of Local 1075 in Trenton, Mich. “It was probably the pinnacle of my wildlife experience, and I’ve been trapping since I was six years old.

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The new schedule of maximum benefits is shown below.

You may change the benefit level you have selected or cancel your coverage at any time by submitting the appropriate form to UTU.

SCHEDULE OF MAXIMUM BENEFITS

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Undoing the wrongs

Even mamas, who let their babies grow up to be cowboys, teach them never to ride their horses hard and put them away wet. There are more of you where you came from – and probably less expensive, too."

What these short-term-profit CEOs cannot grasp in their spreadsheet-clogged minds is that unionized companies typically deserve their unions. Difficult as it may seem, times have been tougher for employees – such as the darkest days before our brave forebears risked their lives securing legal rights and protections to organize and bargain collectively. Much as the darkest days before our brave forebears risked their lives securing one-size-fits-all training programs.

You have to meet your strength with our strength. Making our members madder and causing union leaders to demand that Congress force hazmat shippers to cover the costs of your own actions.

You have returned to your roots as public-be-damned monopolists. Victimized shippers have arms full of complaints about deteriorating service and rate gouging.

Your single biggest shipper – United Parcel Service – says it is the reality that “only little wounded soldiers.

It is the reality of availability of health-care insurance. It is the reality of Circuit City firing 3,400 sales clerks – not because of poor performance, but because they were the highest paid clerks employed by the chain.

It is the reality of railroads refusing to improve or lengthen training programs for new hires or pay them service scale, while paying execu-
tives million-dollar bonuses.

It is the reality of railroads ignoring the serious health and safety effects of limbo time by keeping crews on trains for 20 hours or more, then calling them back to duty with insufficient rest.

It is the reality of availability policies that fracture families.

It is the reality that 90 percent of Americans are earning less than they earned the previous year, while the highest paid are earning more than ever before.

It is the reality of 47 million Americans without health-care insurance. It is the reality of billions of dollars in sweet-
heart federal contracts handed to favored corpo-

rations, but insufficient medical care and squalid medical facilities for wounded soldiers.

It is the reality of Wal-Mart requiring long-term employees to work weekends and nights in hopes they’ll quit, after a com-
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ny executive calculated that “the cost of an associate with seven years of tenure is almost 55 percent more than the cost of an associate with one year of tenure.”

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Local union leaders deserve our thanks

On a recent airline flight, I sat next to a young soldier who, incredibly, thanked ME for thanking him for his service to our country. He said it was the first time anyone had taken the time or effort to thank him for putting his life on the line to protect our nation and our way of life. The encounter reminded me of union leaders at the local level.

At the heart of every labor union are the leaders at the local level who rarely are thanked for the job they do – especially in right-to-work (for less) states where local unions face the challenge of representing non-members as fully as they represent dues-paying union members.

So often, our local leaders daily hear gripes and complaints – but hardly ever a “thank you.”

At the International level, I frequently hear from disgruntled members about the same problems. Lance Fritz, vice president-Southern Region, Union Pacific Railroad, said UP has made changes in San Antonio with the hiring of 179 more workers, increased training, testing and rule compliance along with tens of millions of dollars of track improvements.

Trujillo said the UTU is working with other unions in the AFL-CIO to kill S.1204, which would substantially revamp compensability standards for injuries and diseases during a deviation from employment.

Iowa

State Legislative Director Patrick Hendricks was recently elected president of the Iowa Association of Railroad Passengers, part of the National Association of Railroad Passengers.

Iowa recently became the tenth state (of 11) to join the Midwest interstate passenger rail compact, which meets quarterly to work with Congress to appropriate funds for high-speed rail in the region, Hendricks said.

Gov. Chet Culver also recently commissioned Hendricks as an honorary colonel of the Iowa National Guard. “We were early supporters of Culver and we have a friend in the governor’s office,” Hendricks said. “We also have many friends in the legislature, and UTU PAC has helped make that happen.”

The subcommittee was chaired by Rep. Corrine Brown (D-Fla.), with Rep. Charles A. Gonzalez (D-Texas) and Rep. Ciro D. Rodriguez (D-Texas) making up the other members of this panel.

The rush of derailments in the San Antonio area in 2004 was the target of the panel.

The subcommittee enquired what technologies have been developed for devices to override train operator mistakes, Positive Train Control (PTC), and limiting shift hours for railroad workers. After the derailment at Macdonald, Texas, NTSB investigators determined that contributing factors were crew members' fatigue, Union Pacific Railroad train crew scheduling practices and the lack of a positive train control system in the accident location.

The subcommittee first questioned government officials to find out what the government was doing to develop PTC and limit shift hours for workers. Government officials testifying before the subcommittee were FRA Deputy Associate Administrator for Safety, Standards, and Program Development Grady C. Cohern Jr. and the National Transportation Safety Board’s Director of the Office of Railroad Pipelines, and Hazardous Materials Investigations Bob Chipkevitch.

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Fatigue in the railroad industry poses a significant safety risk to employees and the public. Contributing to fatigue is limbo time, which is time on duty that is seldom paid for and not counted toward hours of service. It is not uncommon for employees to remain on trains for four, six, and even eight hours after their 12-hour shifts, awaiting transportation back to their home terminals.

Because limbo time is not counted toward hours of service, and because limbo time can keep train crews in the cab for up to 20 hours or more, limbo time causes start and quit times to fluctuate wildly and interferes with the ability to get sufficient rest or nutritious meals before having to report back to work. Limbo time creates an unhealthy lifestyle.

**Why Is UTU Fighting Limbo Time?**

The UTU national negotiating team sought an end to limbo time in talks with the National Carriers' Conference Committee, but the NCCC refused to negotiate.

Carriers contend safety is not an issue and allege that crews are paid for their excessive long hours under limbo time, but that most often is not the case. The fact is, road freight crews are not entitled to overtime until they have “run off” more than eight hours of limbo time before being entitled to overtime.

**Limbo time is a safety issue**

As for safety, the carriers contend that since crews are not performing service while in limbo, there can be no safety hazard. The carriers ignore that the crew is required to be alert and observant (under operating rules) during limbo time. Of greater concern is that limbo time contributes to accumulated fatigue, and limbo time plays havoc with the body’s internal clock (so-called circadian rhythms).

Limbo time also exposes train crews to unnecessary and dangerous excess exposure to diesel fumes, prevents crews from obtaining two and sometimes three nutritious meals, and can interfere with required medications that prescription medication be taken at specific intervals in conjunction with meals.

Fatigue already is a serious problem in the railroad industry. Inefficient train crews require railroads to demand employees work up to 30 days without rest periods. It is common for train and engine service employees to receive less than six hours of uninterrupted sleep daily. Fatigue is most often cited by the National Transportation Safety Board as a contributing factor in railroad accidents. Nuclear sleep scientist William Dement of Stanford University compares going to sleep without going to bed after a 12-hour shift to asking a外科 surgeon to rise, perform surgery, and then go to bed. This type injury to the body and mind.

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**Fatigue affects quality of life**

Also, by keeping crews on duty for more than 12 hours and causing wild fluctuations in start times, limbo time limits the ability of train crew members to spend quality time with their families. In two-parent families with children (which has become the norm in America), the combination of limbo time and carrier availability policies makes it difficult, if not nearly impossible, for the spouse to hold a regular job.

In the case of divorced crew members, they often must make a choice between seeing their children within the limits imposed by divorce custody orders and facing discipline for poor attendance – and many divorces are a direct result of the work demands imposed by the railroad in the first place.

**Let’s put an end to limbo time**

Carriers are unwilling to eliminate limbo time. We must look to Congress to eliminate limbo time, and our friends in the current Democratic leadership have promised to work at achieving that goal.

In the weeks ahead, UTU members and their families will be urged to communicate with their congressional representatives and senators and ask them to support the legislation. UTU members will be informed when it is time to start making the phone calls and sending the e-mails. Visit www.utu.org regularly to stay current on this and other issues.

**Contacting Congress**

To contact your senator or representative, visit the UTU Web site at www.utu.org. On the menu bar on the left-hand side of the page, click on the Washington Watch tab, then click on the link entitled Contacting the Congress. On the next page, click on your home state on the map of the United States. You will be taken to a page that has a complete listing of the senators and congressional representatives from your state, along with telephone numbers for their Washington, D.C., offices and their e-mail addresses.

**Limbo time affects family life**

- Limbo time keeps train crews away from home for no valid reason, and fractures families.
- Crew members can’t predict, after a 12-hour shift, how much longer limbo time will keep them on the train, meaning they are often unable to make a doctor’s appointment, attend religious services or tend to other important personal business.
- Limbo time, combined with availability policies, forces crew members to consume most 24-hour period working, eating and sleeping, with no time for family or other activities required for healthy physical and mental well-being.
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Notable retirees pass away

Three noteworthy retired UTU members recently passed away, including Harold G. Malone, Louis H. Menges and Howard A. Rigg.

Harold G. Malone

Brother Malone, a longtime UTU activist and former director of the Massachusetts Legislative Board, passed away April 3 in Woburn, Mass. He was 79 years old.

Malone was a member of UTU Local 262 in Boston, where he served as local chairperson. Malone was born on Christmas Day, 1927. He served in the U.S. Navy during World War II, hired out on the New Haven Railroad in 1954 where he worked as a yard conductor, and joined Brotherhood of Railroad Trainmen Lodge 97. He was first elected local chairperson in 1958, was elected a delegate in 1964 and last served as a delegate in 1991. He was the director and chairperson of the Massachusetts Legislative Board from 1978 to 1992. He retired in November 1993.

Malone is survived by his wife, Patricia (Phips), his two daughters, granddaughters and nephews. Donations may be made in Malone’s name to the Sophia Gordon Cancer Center, Lahay Clinic, 41 Mall Rd., Burlington, MA 01803.

Louis H. Menges

Brother Menges, a retired conductor, father of UTU Missouri Assistant State Legislative Director Ken Menges and his brother Denn, and father-in-law of UTU Auxiliary International President Carol S. Menges, died April 14, 2007, at St. Mary's Health Center in Jefferson City. He was 88 years old.

Menges was a member of Local 933 in Jefferson City, as are his sons.

Menges was born April 30, 1918, in Wichita, Kan., and was married Nov. 22, 1939, to Julia Ellen Hughes, who died Oct. 24, 1999. A 1936 graduate of Wichita State University, he was 88 years old.

Menges was a member of Local 933 in Jefferson City, as are his sons.

Howard A. Rigg

Brother Rigg, a local chairperson over a period of 30 years, passed away in Amariillo, Texas, on March 4, 2007. He was 69 years old.

Rigg was a member of Local 293 in Dalhart, Texas, where he also served as a delegate.

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By V.M. “Butch” Speakman Jr.
Old Chinese gravesites a problem for LA Metro

Chinese graves discovered in 2005 by construction workers in Boyle Heights, Calif., building an extension of the Gold Line commuter rail are causing problems for L.A. Metro, the Los Angeles Times reports.

The Metropolitan Transportation Authority is hoping to find distant relatives to claim the artifacts and skeletal remains of 128 people found at the site. The campaign launched last month is up against incredible odds to find anyone related to the interred – some of whom were buried as long ago as 1885. Compounding the problem is that local historians believe the graves belonged to Chinese sojourners who were probably just as anonymous when they walked the streets of Chinatown as their remains are today.

The MTA has run advertisements in Chinese media, both locally and abroad, announcing the discovery and asking readers and listeners to contact the MTA if they think they may have had relatives buried in the area.

Images of the finds can be viewed online at www.metro.net/projects_programs/eastside/postcards.htm.

States told to prepare for gray driver boom

The number of elderly drivers will explode in America over the next two decades. And that could pose problems for states concerned about highway safety, according to William Neikirk of the Chicago Tribune.

A little more than half the states have taken steps to deal with safety problems posed by older drivers, but there is growing concern that as the Baby Boom population retires, states might have to do more to prevent additional age-related accidents.

The Government Accountability Office cited the issue in a report last month as a looming problem that will mean more public expenditures to help the aging Boomers stay safe on the roads.

The oldest Baby Boomers will turn 61 this year.

"Older driver safety issues will become increasingly significant in the future because older adults represent the fastest-growing segment of the U.S. population,” the GAO said. “By 2030, the number of licensed drivers aged 65 and older is expected to nearly double to about 57 million.”

Riders assail SEPTA’s ‘doomsday’ plan

Riders, community leaders and others warned SEPTA officials of devastating effects should the Philadelphia transit agency follow through with threatened 31-percent fare hikes and 20-percent service cuts. The agency is trying to fill a $129-million budget hole, according to the Philadelphia Daily News.

For years, the Pennsylvania Legislature has ignored SEPTA’s pleas, said Paul R. Levy, president of the Center City District, which aggressively promotes downtown business vitality.

Last-minute magic by Gov. Rendell, who borrowed $412 million from federal highway funds, avoided a “SEPTA doomsday” in 2005.

Rendell has been mum on final-hour magic this time, so SEPTA officials say that if the state fails to find $100 million, the transit agency will be forced to finally unleash its doomsday plan.

If the state finds the funds, SEPTA could raise the remaining $29 million through 11 percent fare hikes, with no service cuts.

SEPTA’s doomsday plan would hike a $2 cash fare to $2.50, a weekly TransPass from $18.75 to $25, and a monthly TransPass from $70 to $95.

Your loved ones are depending on it!

Some say there are no guarantees in life. But there is one guarantee in life for all of us; we will all one day breathe our last breath. Nobody knows when this inevitable event will occur. But it’s going to happen whether you choose to think about it or not.

Are you prepared?

By securing a life insurance policy TODAY, you’re providing for tomorrow. You’re preparing for final expenses that will need to be paid and providing financial security for your loved ones upon your demise.

At UTUIA, we know about preparing. Our agents have devoted months to studying the ins and outs of life insurance so that they can assist you in determining which policy would most benefit you and your loved ones. Our agents will take the time to explain the different types of life insurance available at UTUIA. They will discuss and calculate, at no cost or obligation, an insurance plan prepared exclusively for you. Call toll-free 800-558-8842 now for a free, no-obligation quote.

Information, please

I would like more information on UTUIA’s life insurance plans.

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C-minus track
Continued from page 1

The Federal Railroad Administration has ramped up its safety inspections of railroads in the wake of these accidents.

Indeed, April 11 was not a good day for the railroad CEOs. Also at the STB hearing was an official of United Parcel Service — the railroad's single biggest customer — who cited railroads as the only mode of transportation not moving freight faster than it was moved 15 years ago. Adding to the rail CEO's woes was the president of the National Industrial Transportation League, whose members include the major railroads. NIT League President John Ficker declined at the STB hearing to support the railroads' legislative agenda for a $400-million investment tax credit.

Capacity
Continued from page 1

Labor organizations and many shippers disagree — pointing to record profits of the railroads and the fact that tax breaks for railroads merely will shift additional tax burdens to individuals and other less profitable industries.

Instead, the UTU supports proper training and adequate staffing as the most effective solution. “Without proper training and adequate staffing, the railroads cannot function at its highest levels,” the UTU testified. “Priority should be placed on the improvement of these two areas of operation, and the UTU urges the STB to closely examine their importance.

“The UTU has consistently asked the nation’s Class I freight railroads to hire more operating employees and to improve the training provided to these individuals. Better implementation of both of these policies would greatly enhance the productivity of the rail industry's infrastructure,” the UTU testified.

“First, hiring more operating employees clearly would improve rail-system capacity, since it would eliminate employee shortage problems, which would then permit the railroads to move freight at an increased rate. The number of employees needed to operate the service is further impacted by hours-of-service regulations that limit employees to a certain amount of time. The carriers clearly need more employees to ensure that their system can be operated at full capacity, which can easily be solved by more hiring,” the UTU told the STB.

“Moreover, with more adequate staffing, rail employees will be better rested and operate more safely. The improvements in safety alone by better rested employees will result in fewer incidents on the nation’s rails, which will then permit a free flow of traffic on the system,” the UTU said. “This fluidity will allow rail carriers to run more trains since tracks are less likely to be blocked by accidents or other matters.

As for training, the UTU told the STB that “better training of operating employees will improve rail capacity based on this same logic. Better-trained employees will only make the nation’s railroads more fluid, which will result in less operational congestion. These better trained employees will also be able to move trains faster, which will improve rail capacity.”

Train brakes
Continued from page 1

Joseph Boardman, administrator of the agency, said he believes the technology can prevent accidents.

The electronically controlled pneumatic brakes apply pressure uniformly on all rail cars, not from one car to the next as with conventional pneumatic brake systems, the agency said. The new brakes also perform electronic self-diagnostic checks to identify maintenance needs.

The FRA said the brakes are designed to allow trains to travel up to 3,500 miles without inspections, more than double the distance normally allowed by the government.

Boardman also said the agency is considering enacting regulations later this year to allow the widespread use of the brake technology.

The UTU and others in rail labor had asked the agency to impose numerous restrictions on any use of the new braking technology, requests the agency honored with regard to additional train inspections and brake-shoe thickness requirements.

“The UTU encourages the implementation of all new technology that is verified to improve the safety of railroad operations for the employ- ees and the public,” UTU International President Paul Thompson said.

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Oberstar
Continued from back cover

We also need to consider improvements to the FRA’s inspection and enforcement program. The FRA relies on 421 federal inspectors and 160 state inspectors to monitor the railroads’ compliance with federal rail safety standards. The sheer magnitude of the U.S. railroad system, however, limits the FRA’s ability to inspect each railroad’s operations and investigate each accident that occurs.

According to the Government Accountability Office, the FRA is able to inspect only two-tenths of one percent of railroad operations each year. Additionally, the DOT’s inspector general reports that the FRA investigates only a small number of accidents. For example, the FRA investigated only 13 percent of the most serious grade-crossing collisions that occurred from 2000 through 2004.

When the FRA placed several conditions on the brake inspections, including 2,989 inspectors to identify maintenance needs.

Other captive-shippers witnesses complained of railroad rate gouging and deteriorating service.

Also, on April 11, news wires carried a story about Union Pacific’s chief lobbyist cashing in almost $1 million in stock options — noted privately by some as “insensitive” in the face of the railroad demands for employee givebacks, the railroads’ refusal to invest in improving the quality of employee training and the railroads’ demand for federal subsidies.

Railroads also have upset chemical shippers — among their largest customers — over an attempt by the UTU to shift to chemical shippers all monetary liability following railroad derailments and other accidents.

In other words, railroads, among the nation’s most profitable corporations, want someone else to pay for their misdeeds.

As railroad CEOs on April 11 received an earful from captive shippers, and endured the visual spectacle of Buttrey’s rusty spike, two rail-captive shipper groups — Consumers Unit- ed for Rail Equity and the Alliance for Rail Competition — readied a letter to Congress calling for legislation ordering the STB to be more forceful in enforcing those shippers’ access to competitive rail service.

The UTU joined in signing the letter.

“The railroads haven’t yet come to grips with the stark and unpleasant reality that their long-term rely on teamwork with those lobbyists, regulators and policy makers in Washington, D.C., have been exposed and are coming to an end,” UTU International President Paul Thompson.

“To perhaps the release of a comprehensive and tough rail safety bill being prepared by the Democratic leadership will finally jog the railroads to understand that their reign of terror over customers and employees, and their public-be-damned attitude, has run its course,” Thompson said. “Thus ever it be with tyrants.”

Continued from page 1

The Federal Railroad Administration has ramped up its safety inspections of railroads in the wake of these accidents.

Indeed, April 11 was not a good day for the railroad CEOs. Also at the STB hearing was an official of United Parcel Service — the railroad’s single biggest customer — who cited railroads as the only mode of transportation not moving freight faster than it was moved 15 years ago. Adding to the rail CEO’s woes was the president of the National Industrial Transportation League, whose members include the major railroads. NIT League President John Ficker declined at the STB hearing to support the railroads’ legislative agenda for a $400-million investment tax credit.

Boardman also said the agency is considering enacting regulations later this year to allow the widespread use of the brake technology.

The FRA says the waiver will allow it to gather data to be used in developing a proposed rule-making on ECP brakes.

NS plans to equip 30 locomotives and 400 rapid-discharge coal hopper cars with ECP brakes this year and use the equipment in dedicated coal train service.

BSNF plans to test ECP brakes within its intermediate fleet, focusing on international business and to from the San Pedro Bay ports.

In addition, BNSF says it is pursuing a partnership with an undisclosed major coal customer “to integrate this technology into one of the largest working coal contracts in the country.”
Sign up to attend a UTU / UTUIA regional meeting!

The 2007 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 2007 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 are offered.

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**KANSAS CITY, MO.**

**June 11-13**

**Hyatt Regency Crown Center**
2345 McGee St.
Kansas City, MO 64108
www.crowncenter.hyatt.com

<table>
<thead>
<tr>
<th>Hotel reservations:</th>
<th>(800) 233-1234 toll free or (816) 421-1234 direct to the hotel.</th>
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<tbody>
<tr>
<td>Reservation code:</td>
<td>UTU1. Room rate: $105 single/triple, $130 triple/quadruple plus tax; rates good for three days before and after the meeting depending on availability.</td>
</tr>
<tr>
<td>Reservation deadline:</td>
<td>May 7, or as soon as all rooms are reserved for the UTU registration. Parking: Self-park: $13.50/night. Golf outing: The golf outing will be held at 8 a.m. on Sunday, June 10, at the Royal Meadows Golf Course, 10501 E. 47th St. The cost is $80 per golfer, which includes transportation, golf, lunch and prizes.</td>
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</tbody>
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**PITTSBURGH, PA.**

**July 16-18**

**Hilton Pittsburgh, Gateway Center**
600 Commonwealth Plaza, Pittsburgh, PA 15222
www.hiltondirect.com

| Hotel reservations: | (800) HILTONS toll free or (412) 391-4600 direct to the hotel. Reservation code: UER. Room rate: $99 single/triple, $119 quad/triple. Room rates are good three days before and after the meeting, based upon availability. Reservation deadline: June 14, or until all rooms are reserved for the UTU. Parking: $12 per day. Golf outing: The UTU Regional Meeting golf outing will be held Sunday, July 15, at 8 a.m. at the Grand View Golf Course, 1000 Clubhouse Dr., N. Braddock. The cost is $80 per golfer, which includes transportation, golf, lunch and prizes. |

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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 are 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? □ Kansas City □ Pittsburgh

**Member Registration**

<table>
<thead>
<tr>
<th>Name</th>
<th>Local</th>
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<td>Phone number</td>
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<td>Email</td>
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<tr>
<td>Meals: Day 2:</td>
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**Spouse Registration**

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<th>Title (if any)</th>
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<tr>
<td>Phone number</td>
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<tr>
<td>Meals: Day 1:</td>
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**Child Registration**

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<td>Meals: Day 1:</td>
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<td>Lunch</td>
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**Guest Registration**

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<th>Relationship to member</th>
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<td>Phone number</td>
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<td>Meals: Day 1:</td>
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<td>Lunch</td>
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**Golf Registration**

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<td>Credit card:</td>
</tr>
<tr>
<td>Card number</td>
</tr>
<tr>
<td>Signature</td>
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UTU arranges discount airfares, car rentals

Continental Airlines is offering discounted airfares to the regional meeting cities. Avis is offering discounted rental-car rates to those attending either regional meeting. Go to the “Meetings” page of www.utu.org for details.

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**Note:** 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.
Oberstar makes safety, fatigue top congressional responsibility

By Rep. James L. Oberstar (D-Minn.)

Exclusive to the UTU News

As the new chairman of the House Transportation and Infrastructure Committee, one of my highest priorities is to improve safety and reduce worker fatigue in the railroad industry.

Congress last passed legislation to reauthorize the Federal Railroad Administration (FRA) and the Federal Rail Safety Program in 1994. That authorization expired in 1998. In the past decade, the railroad industry has changed dramatically. Economic growth and an increase in international trade have led to record traffic levels. Unfortunately, that growth has put a lot of pressure on our rail system and has had a significant impact on worker and public safety.

Although the overall safety record of the railroad industry has improved since it was partially deregulated in 1980, there has been little progress over the past decade in making railroads safer. Serious accidents resulting in injuries, deaths and property damage continue to occur at an alarming rate.

According to the FRA, 40 percent of all train accidents are the result of human factors; one in four of those accidents result from fatigue. Fatigue is sometimes called the “silent killer.” It works its way into every action that a pilot, driver or train crew takes. It weakens the senses, slows reaction times and makes it impossible for a person to function.

The FRA has launched a number of initiatives focused on reducing accidents caused by fatigue and other human factors. However, there are limits to the FRA’s ability to address fatigue-related safety issues, because it is the only agency within the Department of Transportation that does not have any regulatory authority to address hours-of-service requirements. Instead, the hours-of-service rules can only be changed by statute.

Despite widespread agreement that these rules are antiquated and in need of updating, it has been nearly 40 years since substantial changes to the law have been made. In previous congresses, I introduced legislation to strengthen hours-of-service requirements. The railroads fought against it, stating that hours-of-service rules should be dealt with at the collective bargaining table. I believe that the safety of railroad workers and the general public should not be relegated to a negotiation.

As stewards of the public interest, Congress has the responsibility to prevent fatigue, and I intend to address the issue legislatively when the Committee on Transportation and Infrastructure considers a reauthorization bill later this year.

Continued on page 10