A collective bargaining defense fund has been created by the UTU International to counter union-busting efforts in state legislatures throughout the country.

As widely reported, anti-union right-wing extremists are targeting labor unions for destruction by pushing legislation to revoke public-employee collective bargaining rights, prohibit payment of union dues through payroll deduction, curtail union-member PAC donations, and require that unions conduct union-treasury-draining annual representation elections.

“The attack on public-employee unions is not the end game,” said UTU International President Mike Futhey. “The end game is destruction of all labor unions in America. Today’s battle targets public employees. If the extremists succeed, airline, bus and railroad unions are next.”

An assault on the Railroad Retirement System and its Tier II benefits also has been suggested by some union-busting advocates. One right-wing blog is predicting the end of labor unions in America, recklessly blaming collective bargaining for scores of society’s economic ills.

“Right-wing extremists are terrified by our continued on page 10
Local 117, Vancouver, Wash.

Following a 36-year career with Union Pacific that began with working as a tie-gang foreman, Local Chairperson Andy Traverso retired March 31, Acting Local Chairperson Jeff Cubley reports. Throughout his career, Traverso served this local as secretary & treasurer, vice local chairperson, local chairperson and delegate. He also served as vice general chairperson of UP GO 953. Cubley said Traverso is looking forward to fishing, golfing and extensive travel with his wife, Carolene. Friends may contact him at attra vero@hotmail.com.

Local 340, Connellsville, Pa.

Members of this CSX local joined hundreds of other working men and women at a rally outside the Maryland State Capitol on March 21 to support organized labor and collective bargaining rights, Vice Local Chairperson Ed DeMott reports. Local Chairperson Bill Conrad, Vice Local Chairperson Mike Lowery, Treasurer John Gladem, Jeff Weaver, Harry Landis, Al Pichura, Mike Bobb, Local 340 Historian Tom Kramer and DeMott were in attendance, along with Maryland State House Legislative Director Larry Kasecamp, Local 600 Chairperson Dan Strang, Local 631 Chairperson Tom George, Baltimore Division Safety Team Chairman J.R. Wagner and RLET member Dave Everline. We are proud to say that we were the largest group of rail labor from the state of Maryland. This event was a reminder that, in addition to the daily fight we have at CSX to ensure our brothers and sisters are treated fairly, we must also join together to make our voices heard on the legislative front.

Local 378, Cleveland, Ohio

Safety committee members at Cleveland’s Collinwood Yard have teamed with the Cleveland Food Bank to support the 2011 Harvest for Land Food Bank to support the 2011 Harvest for Hunger program, member David Aresco reports. Members gathered outside the city’s IX Center during the Autorama custom car show to collect nonperishable food items and $800 in cash, held a safety cookout that netted $1,000 for the food bank, and are selling discount coupons to various events to raise money for the Cleveland Food Bank. “We are also donating our ‘doors for dollars’ hours. After each employee donates 40 hours of service to the food bank, CSX will donate $400 per person to the food bank.” Lamend said.

Local 407, Charleston, S.C.

The members of this joint Norfolk Southern/CSX local held its second annual Christmas party at the Holiday Inn Express in Summerville last December and admission required an unwrapped present for a young boy or girl. Local Secretary & Treasurer Jerry Lambert reports. Members gathered outside the city’s IX Center during the Autorama custom car show to collect nonperishable food items and $800 in cash, held a safety cookout that netted $1,000 from employees, and are selling discount coupons to various events to raise money for the Cleveland Food Bank. “We are also donating our ‘doors for dollars’ hours. After each employee donates 40 hours of service to the food bank, CSX will donate $400 per person to the food bank.” Lament said.

Local 504, Wheeling, W. Va.

A fund has been established at the Victory Baptist Church to assist member David Archer, who was injured in a rail collision Aug. 10, 2010, fellow member Norbert “Steve” Carroll reports. Following surgery to repair a herniated disc in his neck, Archer has suffered from sleep deprivation, memory loss and other ailments and is still unable to return to work. A married father of three, Carroll said Archer “is admired by everyone who has worked with him. He is a hard worker, always on time, always in a good mood, and willing to go the extra mile to get the job done.” To assist the Archer family with medical expenses, send contributions to the Victory Baptist Church, P.O. Box 807, Grantsville, WV 26147, or call Carroll at (304) 639-7016.

Local 756, San Antonio, Texas

Local Secretary & Treasurer Mike Arauso advises all members that this Union Pacific local’s website address has been changed to http://756.utu.org.

Local 768, Decatur, Ill.

Guests at the Local 407 Christmas party included UTUIA Field Supervisor Malcolm “T-Bone” Morrison, Danny Kelly, Scott Blacklock, Howard Spier, a Shiner’s representative and Danny Cockrell.

Local 1440, Staten Island, N.Y.

Guest reader Bruce Bachman conducts classes his way

March was “back to school” month for Amtrak conductor Bruce Bachman. Not only was he attending full conductor training last month—where he successfully completed—he was volunteering as a guest reader at his children’s elementary school as part of the school’s Read-A-Thon program. Bachman, in complete uniform, read a book to two first-grade classes and a kindergarten class.


“This is a big deal for this school,” Bachman said. “They usually invite local media personnel, or what we think of in little Oma- ha, Nebraska, as celebrities.”

“They had a blast with this book, learning about the different trains and what each of them do,” Bachman said. “I truly enjoyed answering questions from the kids about what my job involves and where I go when I am on the train.”

Making his classroom debut even more special was the fact that Bachman’s seven-year-old daughter, Brooklyn, was a member of one of the first-grade classes at Harvey Oaks Elementary. He and his wife, Melanie, also have a nine-year-old son, Brannon, and a five-year-old daughter, Brooklyn. Along with his book and his tales from the rails, Bachman also gave all the students junior conductor caps, courtesy of Amtrak.

Bachman hired out with Amtrak in April 2010. He had worked as an assistant conductor on the extra board and is looking forward to his promotion as full conductor with the completion of his training last month. A member of UTU Local 1525 at Carbondale, Ill., Bachman said he is looking forward to serving as a volunteer reader again.

“My husband has never been so excited about a job as he is being an Amtrak conductor,” Melanie said. “When he talks about the railroad, he just lights up! He was very proud to participate in the Read-A-Thon and is proud to work for Amtrak. They are a great employer.”

Local 1608, Chatsworth, Calif.

The members of this LACMTA local congratulate recent retirees Raymond Andrews and Patricia DeCello, who retired on June 29, 1973, and Nov. 13, 1983, respectively.

“Our local wishes them the best of luck in their retirement,” said LCA Secretary Jack Dedrick.

Local 1951, Albany, N.Y.

On April 18, Vice Local Chairperson Michael Doherty will again be participating in the Boston Marathon to raise money for the Dana-Farber Cancer Institute. Over the past eight years, Doherty has raised more than $55,000 for cancer research at the institute. He said he has already raised $8,000 toward his goal of $10,000 for 2011. To contribute, send checks payable to Dana-Farber Marathon Challenge in care of Michael Doherty, 76 Pike St., Tewksbury, MA 01876, or visit www.ndfmdc.org/2011/mirck.

CSX GO 851, Jacksonville, Fla.

General Chairperson John Hancock retired March 31 after 31 years of service. Prior to his 12 years as general chairperson, Hancock also served five years as vice general chairperson and another five years as chairperson of Local 1011 at Hamlet, N.C. “Broth- er Hancock is a great conductor and still is a great mentor, and I am fortunate in being able to rely on his counsel and advice,” said newly elected General Chairperson Craig Whittaker. The members of the general committee and office staff with Hancock and his wife, Sandy, the very best during his retirement.
Federally mandated improvements to locomotive cab security and comfort, along with enforceable remote control operation (RCO) regulations, are being sought by the UTU and the BLET in joint comments filed with the Federal Railroad Administration.

Significantly, the FRA is being asked to ban remote control operation on mainline track. The two organizations responded to an FRA Notice of Proposed Rulemaking to update, consolidate and clarify existing locomotive safety regulations.

Following are the requests made by the two organizations to the FRA:

**Locomotive cab security**
A fatal shooting of a conductor, and wounding of the engineer, by a street thug in New Orleans in June 2010 highlight the imperative of enhancing crew member cab security. But sealing the locomotive cab also requires adequate air conditioning and improved window glazing (bullet-resistant material).

Extreme heat in the cab can accelerate crew factors, slowing reaction time and compromising train safety.

Requested of the FRA is a requirement that all newly purchased and reconstructed locomotives – as well as locomotives already equipped with air conditioning – maintain an interior cab climate of between 60 degrees and 80 degrees Fahrenheit.

As for window glazing, the two organizations said, “If a glacing is available that can protect operating employees from most of the firearms available to common criminals, then FRA should require the installation of such glazing on the locomotives.”

The UTU and the BLET note that the FRA has yet to issue enforceable regulations for the implementation of PT C on commuter rail routes be delayed for three years to allow the technology offered by positive train control (PTC).

The only two commuter lines opposing the delay.

**Commuter rails seek to delay PTC**

Some 24 commuter railroads, members of the American Public Transit Association (APTA), have asked Congress to delay for three years implementation of the life- and limb-saving technology offered by positive train control (PTC).

Los Angeles Metrolink and Chicago Metra are the only two commuter lines opposing the delay.

The APTA asked that the deadline for implementation of PTC on commuter rail routes be delayed for three years – from Dec. 31, 2015, to Dec. 31, 2018.

**Mother of UTU president dies**

MEmPHIS, Tenn. – C oy Marie Bradshaw Futhey, age 89, mother of UTU International President Mike Futhey, died April 3 in a nursing home here.

She was active in the Auxiliary of the UTU and its predecessor, Brotherhood of Railroad Trainmen, and served as president and legislative representative for UTU Auxiliary Lodge 755 in Memphis.

Active politically as a precinct official, she also taught Robert’s Rules of Order to high school students, was a PTA president, a softball coach, held numerous offices in her church and was a member of the Order of the Eastern Star.

In an interview with M Emphian.com, Mrs. Futhey said that her mother was one of the Orient of the Eastern Star.

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**UTU, BLET ratify pacts on MBCR**

UTU-represented conductors and assistant conductors on Massachusetts Bay Commuter Railroad (MBCR) have ratified a four-year agreement covering wages, benefits and working conditions.

The agreement is retroactive to July 2009, and may be reopened for amendment in July 2013 under provisions of the Railway Labor Act.

BLET-represented engineers on MBCR also ratified a new four-year agreement, retroactive to July 2009.

The agreements include a 62.5 percent of the full-time rate to 62.5 percent.

The UTU and BLET noted that the FRA has yet to issue enforceable regulations for the operation of remote control locomotives. It is time to do so, they said, and the new regulations could include a prohibition of RCO on mainline track.

The manufacturers of the remote control locomotive technology in use today designed the software and equipment for returning crew members, not mainline movements,” the organizations said.

Additionally, the organizations seek a regulation mandating remote control operator units “be as simple in design and uncluttered with any function not necessary for safe operations.”

The UTU and the BLET also asked the FRA to develop an improved electronic record-keeping system for employee on-duty hours in remote control switch operations. Under the FRA’s current record-keeping, they said, it is difficult to compare accurately the number of employee hours worked in remote control switching versus conventional switching.

“Switching hours must be accurately recorded so that the number of accidents, incidents and fatalities can be compared on an apples-to-apples basis,” the UTU and the BLET said.

Improved locomotive seats also are requested. The organizations said railroads continue to scrimp on proper seating on new locomotives without regard to the safety and health of crew members – an effort to save a mere $220 on a $2.2-million locomotive.

“Improper and unsafe seats have caused many injuries and illnesses to operating personnel in the past decades, and now is the time for FRA to accept the scientific facts and offer requirements for specifications,” the organizations said.

“Remote control operation of occupied locomotives,” said the UTU and the BLET.

Said UTU International President Mike Futhey: “Safety regulations with real teeth in them are long overdue. The cooperative effort of the UTU and the BLET is much more likely to secure meaningful safety regulations than if we acted separately, because the task before us is just too difficult for either of us to work independently.”

Said BLET National President Dennis Pierce: “BLET and UTU remain united and unwavering in our commitment to the safety and security of our members.”

**Online bill payers: Update UTU address**

To ensure timely payment of your UTUIA premiums and UTU Alumni Association dues, be sure to update your online bill-payment account to reflect the UTU’s and UTUIA’s new address: 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333. After May 1, use of the former 14600 Detroit Ave., Cleveland, OH, address may cause your payment to be returned by the post office.

**Rail labor asks FRA to develop system to track on-duty hours**

Chairperson Don Wheaton “for their participation in securing substantial improvements to wages and working conditions in today’s difficult economic environment.”

“It is through their extraordinary efforts that the negotiating team was able to add ground-breaking enhancements such as conductor certification pay and increased pay for release time,” Previsich said.

The UTU Transportation Communications Union and shopcrafts previously were released from mediation with MBCR by the National Mediation Board, but the sides have returned to bargaining.

MBCR, operated under contract by Veolia Transportation, transports more than 131,000 riders daily between Boston and outlying areas.
A s reported in this issue of UTU News, a conductor trainee and a locomotive engineer were killed in a horrendous accident when the carrier-provided shuttle van in which they were rid- ing was struck by a moving train at a private highway-rail grade crossing. A second conductor was critically injured and the van driver also was killed.

An investigation will determine the cause of this tragedy.

The UTU has long fought for better shuttle-van safety, and we have been successful in only a few states in gaining passage of legislation to improve shuttle-van safety.

As tragic as this accident was, it may be the spark to convince more state legislators of the need to regulate shuttle-van service.

As our state legislative directors have documented time and again, shuttle-van drivers are almost always non-union and required to work long hours under horrendous working conditions. Understandably, driver turnover is substantial, which has frustrated previous efforts to organize these drivers.

We have documented far too many shocking incidents of shuttle driv- ers falling asleep at the wheel or appeared to be under the influence of alcohol or other drugs.

In states where we have gained laws regulating shuttle vans, mini- mum driver-hiring qualifications and disqualification standards have been imposed, along with maximum hours-of-service limitations, driver drug-testing requirements, annual state DOT inspections of the vans, and state DOT certification of vehi- cular chairpersons whether their state has legislation regulating shuttle-van service, and to include details to assist our operating crews in making appropriate reports of safety viola- tions that can be pursued with state authorities.

We have also been successful in gaining requirements for fully func- tioning heat and air conditioning, secure locations for baggage and fully operational seat belts.

Our national legislative office will continue lobbying for federal regula- tion of shuttle vans, as vans carrying eight or fewer passengers are exempt from laws and regulations applying to larger passenger vehicles.

I am asking state legislative direc- tors to advise local officers and gen- eral chairpersons whether their state has legislation regulating shuttle-van service, and to include details to assist our operating crews in making appropriate reports of safety viola- tions that can be pursued with state authorities.

We will continue lobbying Congress for federal regulation of shuttle vans.

We need your ideas to reduce accidents, injuries

The Federal Railroad Admin- istration’s Risk Reduction Program is a voluntary indus- try-wide initiative to reduce acci- dents and injuries and build a strong safety culture by expanding the toolkit to analyze and manage risk.

Eventually, these assessments will complement other programs such as safety inspections of railcars and injury reporting.

We are currently drafting a regu- lation requiring railroads to develop comprehensive risk reduction pro- grams.

The FRA Risk Reduction Pro- gram affects every railroad through timely reporting of employ- ee injuries and illnesses.

Additionally, an FRA team is col- lecting data on current practices and is seeking ways to prevent harassment and intimidation of injured railroad employees.

The data is collected from FRA complaint and enforcement records and directly from rail labor organiza- tions.

The FRA also is working with outside sources, including the Occupa- tional Safety and Health Admin- istration (OSHA), to gain a clearer understanding of that agency’s whistleblower regulation for railroad employees, and other factors that can contribute to solving harass- ment problems.

Using what they have learned, our Risk Reduction Program team conducted numerous presentations for UTU members on their rights regarding work-related injuries. The team learned a tremendous amount about current conditions railroad employees face daily.

The FRA also is strongly encour- aging railroads to take actions that remove the punitive policies and practices that invite or induce retali- tory harassment and intimidation.

Amtrak is one railroad that has taken strides in this direction.

In implementing its Safe 2 Safer program, Amtrak has taken positive steps to improve its safety culture.

The FRA Risk Reduction Program team noted that, as a result, the number of injuries reported by Amtrak employees has risen as expected, and the number of OSHA whistleblower cases reported by employers has decreased.

We encourage railroads to remove punitive policies that invite or induce retaliatory harassment and intimidation.

Even in states without shuttle-van safety regulations, reports of unsafe conditions and driver actions should be reported to state legislative direc- tors to assist them in convincing lawmakers for the need to pass appropriate safety legislation.

If accidents or injuries do occur while a passenger in a carrier-sup- plied shuttle van, contact a UTU designated legal counsel for advice.

The names and contact information for UTU designated legal counsel can be obtained at www.utu.org, or from local officers, general chairpersons, or state leg- islative directors.

We must fight for safer rail-crew vans

T he FRA hopes this indicates that injured Amtrak employees are now seeking and receiving appropri- ate care; and that other railroads will learn from Amtrak’s success and implement similar programs.

The FRA appreciates the UTU’s assistance in providing this invaluable data and input to the investiga- tion team. When and where the team is successful in mitigating risks and hazards identified, safety is improved for railroad employees and the public.

An Advanced Notice of Proposed Rulemaking was published in the Federal Register in December, and we are currently reviewing the com- ments received. However, in order to obtain as much stakeholder input as possible, we plan to conduct a public hearing.

In the meantime, we would appreciate receiving comments and suggestions from UTU members, which should be sent to the UTU National Legislative Office, which will collect and forward them to the FRA’s Risk Reduction Program team.

Thank you for your involvement in building a strong rail safety culture.
State Watch

Missouri

State Legislative Director Ken Menges recently welcomed State Rep. Jason Kander into the ranks of the UTU. “Jason is the state representative from the 44th District, in Kansas City,” Menges said. “He has been a good friend of the UTU since he came to Jefferson City. Jason serves on a number of important state committees. Jason also is very active in veterans’ affairs and serves as a captain in the Missouri National Guard.”

“This photo was taken in February in Kander’s office after the UTU had delivered packets of information about Amtrak, high-speed rail and the economic benefits of freight and passenger rail in the state to each of the 163 representatives and 34 senators,” Menges said.

Kentucky

State Legislative Director David Miracle, right, and retired Local 573 (Danville) member James P. Doss recently protested legislative efforts to reduce union members’ collective bargaining rights at a MoveOn.org rally at Phoenix Park in Lexington.

Wisconsin

Helen Deneen, 88, mother of Wisconsin State Legislative Director Tim Deneen, died March 28. Tim’s son, Brendan, had been caring for her at her home. The family asks that remembrances be made in Helen Deneen’s name to hospice care or a charity of the donor’s choice. Tim Deneen’s office address is: Suite 320, 7 Pinekney St., Madison, WI 53703-4262.

Arizona

State Legislative Director Greg Hynes and Assistant State Legislative Director David Shearer (L-207, Tucson) recently met with Reps. Ed Pastor (D-Ariz.) and Nick Rahall (D-W.Va.). Rahall serves as the ranking Democrat on the House Transportation and Infrastructure Committee. The group discussed the technical clarification amendments to the Rail Safety Improvement Act of 2008 that the UTU has suggested.

Bills to increase bus safety introduced in Congress

WASHINGTON – Bipartisan legislation to improve motorcoach safety has been introduced in the House and Senate.

Sen. Sherrod Brown (D-Ohio) and Sen. Kay Bailey Hutchison (R-Texas) jointly introduced S. 453, the Motorcoach Enhanced Safety Act, which is co-sponsored by Senators Kristen Gillibrand (D-N.Y.) and Chuck Schumer (D-N.Y.).

In the House, Rep. John Lewis (D-Ga.) has introduced identical legislation, H.R. 873.

The Motorcoach Enhanced Safety Act would:
• Require safety belts and stronger seating systems to ensure occupants stay in their seats in a crash.
• Require improved commercial driver training. Currently, no training is required by federal regulation.
• Require anti-ejection glazing windows to prevent passengers from being easily thrown outside the motorcoach.
• Require strong, crush-resistant roofs that can withstand rollovers.
• Require improved protection against fires by reducing flammability of the motorcoach interior.
• Require better training for operators in the event of fire.
• Create a national commercial motor vehicle medical registry to ensure only medically qualified examiners conduct physical examinations of drivers.
• Require a medical certificate process to ensure that all certificates are valid and no unqualified operator is allowed to drive.
• Strengthen motorcoach vehicle safety inspections, including roadside inspections, safety audits, and state and motor carrier programs for identifying vehicle defects.
• Require electronic on-board recorders (EOBRs) with real-time capabilities to track precise vehicle location that cannot be tampered with by the driver.

At a recent Senate Transportation Subcommittee hearing in Washington, the chairperson of the National Transportation Safety Board testified that her five-year-old soccer-mom van contains safety technology more advanced than is integrated into many motor coaches.

NTSB Chairperson Deborah Hersman chided Congress and the Federal Motor Carrier Safety Administration for dragging their feet on bus safety legislation and regulation.

She said that available technology, if installed on motor coaches, could prevent many accidents and save many more lives. NTSB recommendations to this end have been ignored by Congress and federal regulators for years, Hersman said.

The American Bus Association reports that there are more than 720 million passenger trips by motorcoach annually, and bus travel has outpaced air and rail as the fastest growing mode of passenger transportation.

Non-union drivers need our help

A tragic bus accident in New York City in March, which killed 15 passengers, has put an unfriendly spotlight on low-fare tour bus drivers.

The driver of the ill-fated low-fare tour bus reportedly had previously been charged with driving on a suspended license, and it will be up to investigators to determine the facts of this accident.

What we do know is that many low-fare tour bus companies that are non-union force their drivers to work under horrendous conditions at low pay — and often with little sleep.

It is common for non-union drivers employed by low-fare tour bus firms to sleep in their coaches between driving assignments. Many of these bus companies have been cited for safety violations.

The New York Times reports that low-fare tour buses transport millions of passengers annually and regulators rely on handwritten logbooks to determine if drivers are working with insufficient rest.

An official of Advocates for Highway and Auto Safety called the logs “comic books” and alleged they are often falsified or not filled in at all.

In fact, reported The New York Times, the owner of the low-fare tour bus involved in the New York City accident had been cited previously by regulators for “several logbook violations.”

As proud union members, we must continue to organize the unorganized because the entire transit industry takes a hit when something goes terribly wrong.

As union drivers, we cannot be forced to violate federal hours-of-service regulations. And we can refuse to operate a bus that is unsafe without fear of losing our jobs.

It is our duty as union brothers and sisters to educate fellow drivers who may think it okay when pressured to work multiple shifts without proper rest, or to operate an unsafe vehicle.

Above all, we must inform non-union drivers that the UTU negotiates good contracts with competitive wages, health care and working conditions, allowing drivers to operate within the law.

If we do not, their faults become our faults, as we are all viewed the same by the public. We cannot afford to be looked upon that way.

The UTU has set the standards for the transit industry. We will continue to raise the bar because we represent the finest transit and school bus operators in America.
You are injured at work. What should you do?

If you believe your injury was caused by the railroad’s negligence, or even if you are unsure, you should contact a UTU Designated Legal Counsel.

Your medical bills will be paid by your health-insurance plan, except for co-pays. Do not give a recorded statement to the railroad’s claim agent.

If you are injured on the job, you have powerful rights under the Federal Employers’ Liability Act (FELA). That is why the UTU has chosen experienced attorneys to be its designated legal counsel, and recommends these lawyers to its members and their families.

Your doctor of your choice. You do not have to see the company doctor for any reason, including a second opinion. Your railroad manager has no right to enter your examination room unless you allow it.

Do not fear discipline or retaliation; you are protected by law. Your examination room unless you allow it. Your railroad manager has no right to enter

A railroad may not deny, delay or interfere with medical or first aid treatment of an employee who was injured during the course of employment.

Your medical bills will be paid by your health-insurance plan, except for co-pays. Do not give a recorded statement to the railroad’s claim agent.

Not every injury will require legal action, but it is worthwhile to get an opinion from an experienced in dealing with trained railroad claim agents and railroad lawyers. They also know the railroad industry.

You should seek their counsel and advice at the earliest opportunity if you feel you have a potential FELA claim.

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For more information, go to www.utu.org and click on the “Designated Legal Counsel” link.

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If you believe your injury was caused by the railroad’s negligence, or even if you are unsure, you should contact a UTU Designated Legal Counsel.

Your medical bills will be paid by your health-insurance plan, except for co-pays. Do not give a recorded statement to the railroad’s claim agent.

You should seek their counsel and advice at the earliest opportunity if you feel you have a potential FELA claim.

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started working for The Atchison Topeka and the Santa Fe Railway part-time in 1940. He worked (part of BN SF) from Denver to Texline, Texas. Serve as a Pullman porter because he didn’t meet

Retiree served as S&T of sleeping car porters union recalled recently his days as secretary/treasurer of the Brotherhood of Sleeping Car Porters, the first union formed and operated by African-Americans. Under the direction of its first president, A. Philip Randolph, the union, founded in 1925, served as the representative of 20,000 Pullman car porters. The union also played a major role in the civil rights movement, helping organize marches on Washington.

Seymour was born in 1916 in Pueblo, Colo. He started working for The Atchison Topeka and the Santa Fe Railway part-time in 1940. He worked as a chair car attendant on Colorado & Southern (part of BNSF) from Denver to Texline, Texas. He rose to the rank of conductor. He couldn’t

although

understand this three years before he retired in 1986, just before his 70th birthday and after 46 years of service to the railroad.

The Brotherhood of Sleeping Car Porters declined as the jet age changed the way Americans traveled. By the 1960s, only 1,000 porters worked the rails; the union merged with the Brotherhood of Railway and Airline Clerks in the late 1970s (now the Transportation Communications Union).

“Wish I could have seen how many members of the brotherhood are still around,” he said. “That’s a good question. Maybe others will contact the UTU when they read this.”

“Working for the railroad was the best,” Seymour said. “I’m proud of those times. The union performed an important role.”

Former Con&Wn chairperson dies Donald F. “Monk” Markgraf, a former UTU general chairperson on Chicago & North Western Railway (now part of Union Pacific), died March 3 at age 81. A native of Antigo, Wis., Markgraf hired on at C&NW as a switchman in Milwaukee. He later became a member of Local 322, Milwaukee, and was elected its chairperson in 1960. In 1983, he was elected vice general chairperson of GO 225, and general chairperson in 1983. He retired in 1991.

New Alumni Association chapter to meet Rail retirees in the Richmond, VA, area are invited to the inaugural meeting of UTU Alumni Association Chapter 15. The meeting will be held at 11 a.m. on Tuesday, April 19, at the Golden Corral Restaurant, 4050 Gaskins Rd., Glen Allen, VA. Organizing the event is John Hines, a retired member of Local 924. His address is 3520 Carolina Ave., Richmond, VA 23222. His telephone number is (804) 329-1086. He is being assisted by Ray Cunningham by calling (804) 262-9303 or e-mailing mcunning736@verizon.net.

“UTU Alumni Association chapter meetings are an important and very enjoyable way to bring together those with whom you worked for so many years. We know you will enjoy it,” UTU International President Mike Futhey said.

UTU offers tours, cruises for Alumni One of the benefits of membership in the UTU Alumni Association are discounts on tours. Here are the latest offerings:

Cruise to Alaska, July 28 – Aug. 7: This Holland America Cruise Line cruise to Alaska runs 11 days (four days land; seven days cruising). Itinerary includes Denali National Park (McKinley Explorer Rail), Fairbanks, Anchorage, Seward, Ketchikan, Juneau, Skagway, Glacier Bay National Park, and College Fjord Scenic Cruising. The cost is $2,140 per person.

Thirty-day weekend cruise, Aug. 12 – 15: Aboard the “Majesty of the Seas.” Itinerary includes Cococay and Nassau, Bahamas. The cost is $450 per person.

Seven-day Caribbean cruise, Aug. 13 – 20: Aboard the “Oasis of the Seas.” Itinerary includes Nassau, Bahamas; St. Thomas, Virgin Islands, and St. Maarten. The cost is $1,735 per person.

British Isles cruise Aug. 16 – 28: This Princess Cruise Line cruise of the British Isles aboard the “Crown Princess.” Itinerary includes London/Southampton (departure port), St. Peter Port, Cobh, Dublin, Liverpool, Belfast, Greenock, Invergordon, South Queensferry, Paris. The cost is $1,923 per person.

Cruise of Hawaii, Oct. 15 – 22: This is a seven-day Hawaiian cruise aboard Norwegian Cruise Line’s “Society of America.” Itinerary includes Honolulu, Maui, Hilo, Kona and Kauai. The cost is $2,121 per person.

Call LandNall at (800) 835-9233; check out the Alumni Association page on www.landfalltravel.com or email travel@landfalltravel.com for more information. These tours are open to all UTU Alumni Association members, family and friends; other UTU members are welcome to join them as space permits.

www.utu.org / www.utuia.org
Accidents can happen to anyone, at any time

Protect yourself and your family from accidents, on and off the job, for less than $1 per day

The UTUIA’s new accident indemnity plan provides you with money when you need it most: when you’ve had an accident and cannot work.

Benefits are paid for emergency treatment; hospital confinement; exams; physical therapy; ambulance service, and more.

Use the money for whatever you want: mortgage payments; car payments; medical expenses. The choice is yours.

The UTUIA offers two levels of benefits; you choose the level of protection you and your family desire.

- All benefits are paid directly to you.
- Benefits are paid at full value, regardless of any other insurance you have.
- Benefits will never be reduced.
- Your premium does not increase with age.
- You will never be singled out for a rate increase.
- Guaranteed renewable to age 80.
- No physical required.

Call or email today:
(800) 558-8842
utulasales@utu.org

Call the toll-free number above, email the address above, or send in the coupon at right to request a plan benefit brochure. Certain conditions and exemptions may apply.

UTU seeks tougher hazmat protections

A doubling in the number of damaged or leaking hazardous materials containers shipped by rail has prompted the UTU and six other rail labor organizations to petition the Federal Railroad Administration for enhanced safety standards to protect rail workers and the public.

Rail labor is concerned that the FRA routinely grants special permission for railroads to transport damaged hazardous materials containers on mainline tracks to repair facilities.

In fact, the number of such requests has more than doubled since 2007, subjecting rail workers and the public to an unacceptable risk of exposure, the labor organizations told the FRA.

“Railroads and shippers must do more to reduce the incidence of non-conformance,” the organizations told the FRA.

Among changes sought by rail labor is advance notification to rail workers and necessary protection when workers are in the vicinity of damaged containers transporting hazmat.

Current federal regulations provide no requirement that safety devices be provided to protect rail workers from exposure to hazmat.

The labor organizations told the FRA that operating crews should be provided emergency breathing apparatus when involved in the movement of hazmat containers.

Although there have been no injuries or known exposures, the risk of employee exposure will only increase if the current rate of movement approvals continues, the FRA was told.

“Railroads and shippers have a business interest in timely review and approval of movement requests,” the labor unions told the FRA.

Rail workers should be warned of damaged hazmat containers

“At as soon as the backlog impacts their bottom line, railroads and shippers will pressure FRA to accelerate the approval process.

“Such acceleration will undoubtedly diminish the level of detail and due diligence now afforded each request, resulting in an increased probability of unintended consequences such as fire, explosion or chemical exposure,” rail labor said.

In addition to the UTU, rail labor organizations jointly providing the comments to the FRA include the American Train Dispatchers Association, the Brotherhood of Locomotive Engineers and Trainmen, the Brotherhood of Maintenance of Way Employes, the Brotherhood of Railroad Signalmen, the Transport Workers Union, and the Transportation Communications Union.

Arbitrator named in SMWIA merger dispute

Pursuant to a March 4 ruling of a federal district court judge, an arbitrator has been named to determine whether the merger agreement between the UTU and the Sheet Metal Workers International Association (SMWIA) is an enforceable agreement.

Georgetown University law professor Michael H. Gottesman has been named by AFL-CIO President Rich Trumka as the arbitrator – a choice approved jointly by UTU International President Mike Futhey and SMWIA National President Mike Sullivan.

In his ruling, Federal Judge John Bates said a separate action brought by several UTU members, challenging the validity of the merger – alleging violations of Titles I and V or the Labor Management Reporting and Disclosure Act – is not within the arbitrator’s jurisdiction and that he would delay a ruling on that complaint pending the outcome of the arbitration.

Arbitrator Gottesman earned an undergraduate degree at the University of Chicago and his law degree from Yale University.

He teaches labor law, constitutional law and civil rights at Georgetown University.

Gottesman’s latest article, “The Role of Labor in the 21st Century,” will be published later this year by the Columbia University Law Review.

As matters develop, further information will be posted at www.utu.org.
UTU sets up collective-bargaining defense fund

boots-on-the-ground and knock-on-the-doors activism that helps elect labor-friendly lawmakers from both the Democratic and Republican parties,” said UTU Assistant President Arty Martin.

By destroying labor unions, right-wing advisors will control legislatures and Congress, with an expectation of imposing lower wages and fewer benefits on working families, while further increasing corporate profits and tax breaks for the most wealthy,” Martin said. “Without a right of collective bargaining, a labor union becomes a hollow social club.”

“The only people who have the capacity — organizational capacity and muscle — to keep, as they say, the barbarians from the gate, is organized labor,” said Vice President Joe Biden recently to an AFL-CIO audience.

With approval of UTU state legislative directors and general chairpersons, the UTU International created the UTU Collective Bargaining Defense Fund. The UTU Board of Directors approved an expenditure of $150,000 from the union’s Education Fund to begin this effort.

Since its inception in March, thousands of dollars have been contributed by state legislative boards, general committees, UTU locals, UTU retirees, designated legal counsel and rank-and-file members.

More is needed to help organize rallies, launch recall efforts of those voting to destroy organized labor, and for signs, bumper stickers, T-shirts with slogans, and other activities to increase public support for preserving workplace democracy and the union movement in America.

“Our great-grandfathers fought with blood, sweat and tears to gain laws assuring our rights to join a labor union of our choice and engage in collective bargaining,” Farley said. “To sit idly by as a minority of right-wing zealots seeks to eliminate those rights is to mock the sacrifices and gains of our forefathers.

“For labor, this may be our finest hour as we protest the most coordinated union-busting efforts since the early 1990s.”

Negotiations

continued from page 1

A second coalition also negotiating with the NCCX includes the Brotherhood of Locomotive Engineers and Trainmen, the Brotherhood of Maintenance of Way Employees, the Brotherhood of Railroad Signalmen, the Brotherhood of Boilermakers and Blacksmiths, the National Conference of Firemen and Oilers, and the Sheet Metal Workers International Association.

Motorcycle ride set for San Antonio

The sixth annual Scott Belden Memorial Motorcycle Ride, in honor of the deceased Utah state legislative director and national legislative office chief of staff, will be held Sunday, June 19, at the San Antonio regional meeting.

Advance registration is suggested by calling Local 897 (San Antonio) member Jerald Howell at (210) 846-9217 or email to jhowell0227@aol.com. On-site registration will also be available at the Hilton Placio del Rio. Howell also has information on motorcycle rentals.

Meet your UTUIA independent directors

Your United Transportation Union Insurance Association (UTUIA) offers a wide variety of insurance and investment products to transportation industry families at affordable rates. The UTUIA is governed day to day by an executive committee and overall by a board of directors. UTU International President Mike Futhay, Assistant President Arty Martin and General Secretary & Treasurer Kim Thompson serve on both bodies. Four independent directors also serve on the board of directors. Two are introduced below; two more will be featured next month.

Nicholas J. DiCicco Jr.

Nicholas J. DiCicco Jr. holds a bachelor of science degree from John Carroll University (1955), is a Life Insurance Management and Research Association (LIMRA) Leadership Institute Fellow (LLIF), a former Certified Senior Advisor (CSA), and a former registered principal with the National Association of Securities Dealers. He is the retired chief executive officer of Midwestern National Life Insurance Company of Ohio and is currently the chief executive officer of Corporate Benefits Advisors, LLC, a business consulting firm. “As a director of UTUIA for a number of years, I have seen great progress being made by the company in creating an operation based upon financial stability and concern for its members and their families. It continues to be able to offer them quality, competitive products with the assurance that promises made are promises kept,” DiCicco said.

William J. Thompson

William J. Thompson, retired Ohio state legislative director, is a member of Local 792 at Cleveland, Thompson, a member of the UTU Alumni Association, held the posts of assistant Ohio state legislative director and then state legislative director from 1961 through his retirement in 2002. He used to be a Rinkin, Canton & Youngstown Railroad, but before it was acquired by Norfolk & Western Railway (now part of Norfolk Southern), and was elected to posts of general chairperson, local chairperson and legislative representative of UTU predecessor Brotherhood of Railroad Trainmen Local 432. “I have always recommended that UTU members purchase insurance and investment products from the UTUIA because it is their company,” UTUIA is union owned, union operated and union proud. Few other companies can say that,” Thompson said.
Regional meetings offer education, fraternalism

The 2011 UTU/UTIA regional meetings have been designed to provide a grand sense of fraternalism, lots of worthwhile education and tons of fun for the whole family.

As before, each regional meeting will run for 2-1/2 days, ending early on the afternoon of the third day. The evening of the first day has been left open to allow your family and friends to be free to explore and enjoy the many offerings of the regional meeting cities.

The meeting registration and hotel reservations can be made online by visiting www.utu.org and clicking on the “Meetings” link in the black box on the left-hand side of the UTU homepage.

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. The registration form is printed on the right.

The pre-registration fee for the 2010 regional meetings is $150 per member, spouse or child over age 11. Additional fees apply for the golf outing and also if you choose to make your own room reservations, and certain deadlines apply. Tours are booked first come, first served.

The $150 registration fee covers all workshop materials, a welcoming reception the night before the meeting, three lunches and one dinner, and transportation to and from the workshops. Do not need to pay the registration fee. No one-day registrations are offered.

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, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5332, 10 days prior to the scheduled start of the meetings or the registrant will be charged the on-site registration fee of $200.

You may cancel your registration by June 6 for San Antonio or June 20 for New York without penalty. Please fax any changes or cancellations immediately to the UTU International Headquarters at (216) 228-7575, or call (216) 228-9400.

San Antonio, June 20-22
Hilton Palace del Rio
200 S. Alamo St.
San Antonio, TX 78205
WWW.HILTON.COM

Hotel reservations: (800) HILTONS toll free; (210) 222-1400 direct; (210) 270-0761 fax
Reservation code: UTU
Daily room rate: $139 single/double, plus tax; rates good for three days before and after the meeting, depending upon availability.
Reservation deadline: May 18, or until rooms are held for the UTU are reserved
Parking: Valet: $35.50 per night; Self: $22
Golf outing: The regional meeting golf outing will be held Sunday, June 19, at the Peac Valley Golf Club. The cost is $80 per golfer, which includes transportation, golf, lunch and more.

New York City, July 4-6
Grand Hyatt New York
109 E. 42nd St. at Grand Central
New York, NY 10017
WWW.GRANDNEWYORK.HYATT.COM

All rooms being held for the UTU at the Grand Hyatt New York have been reserved.

The overfry hotel is the Roosevelt Hotel, 45 East 45th St., New York, NY 10017 (a seven-minute walk to the Hyatt). Telephone (888) 633-3969; mention UTU when reserving rooms to attend only the workshops.

No meals

Discount Airfares, Car Rentals

Continentals Airlines is offering discounted airfares to UTU members and others attending the San Antonio and New York regional meetings. See the “Meetings” page of the UTU website, www.utu.org, for details.

The UTU also has arranged with Avis Rent-a-Car to offer discounted rates to UTU members attending the 2011 regional meetings. To reserve a car, contact Avis at (800) 331-1600 and use the UTU’s Avis Worldwide Discount (ADV) number: D15669. Or reserve online at www.avis.com.

Two Spouse Tours Set

The UTU is arranging two different tours of local attractions at both regional meetings. The tours will take place on the day before, as well as the first day of, each meeting. Fees are $15 per registered spouse, guest or child, or $75 per unregistered spouse, guest or child in New York. Check out www.utu.org for complete details.

UTU Regional Meeting Registration Form

Registering before the regional meetings speeds sign-in procedures, helps organizers plan more accurately, and saves on meeting costs. Each person attending the regional meeting, including family members and guests, MUST be registered in order to attend any 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 is $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 at the UTU International by June 6 for the San Antonio meeting or June 20 for the New York meeting for the member/spouse to be considered pre-registered.

Which regional meeting will you be attending?  □ San Antonio  □ New York

**Arrival date:**
**Departure date:**

Transportation type:  □ Automobile  □ Air  □ Other

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This form and payment of $150 per person over the age of 11, plus golf registration fees of $80 per golfer (if applicable) and spouse/guest tour fees (if applicable), must be received at the UTU International, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5332, by June 6 for the San Antonio meeting or June 20 for the New York meeting for the member/spouse to be considered pre-registered. 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 choose to register at the meeting site will be charged a $50 penalty fee. Space on the tours is limited; reservations are first-come, first-served.
The UTU International is always looking for good photos, and awards UTU gear to monthly photo winners.

The UTU seeks photographs or digital images 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, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333. High-resolution digital photographs should be submitted 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 photo was provided by retired member Bill Wolf of Local 1780, Kansas City, Mo. It was taken at the Brunswick, Maine, station of the Maine Eastern Railroad, which runs scenic excursions along the Maine coast.

Photo of the month

By Robert Kerley
UTU International vice president

America’s soldiers and their families are sacrificing to preserve liberty and ensure justice throughout the world. As labor unionists, we can follow their example of service by remaining resolute in our struggle against injustice and the denial of human rights and dignity here at home.

Liberty means freedom from tyranny at home. Justice must be demanded in corporate boardrooms and the workplace.

Working men and women are under attack in states throughout America. It is an attack on all that unions have fought so long and hard to achieve – the right to organize and bargain collectively for good wages and safe working conditions.

The attack is by those who cannot make their case at the bargaining table. Working families, whose purchasing power sustains our economy, absolutely did not cause the economic collapse that has driven states into the red. Yet those families are now told that their breadwinners don’t deserve a seat at the table when the elimination of their jobs and reduction of their negotiated wages and health care and retirement plans are discussed.

A half century ago, Americans of every color, creed, faith and age stood shoulder-to-shoulder in the fight against racial and social injustice and made America a better place for us all.

We must renew that spirit, reaffirm that message and reignite that flame of righteous indignation against this denial of democracy and dignity in the workplace.

We must reach out to young people for whom the American dream is becoming a legendary paradise lost, and to the unorganized, because their future depends on our success.

Without strong labor unions and labor laws, America’s middle class will disappear into a nation of masters and servants.

America is better than that. Our cause is just. Our motives and our actions must be honorable, but unequivocal.

We must prevail, because the loss of these precious rights will dishonor all who came before us, and resign the generations who follow to lives of meager toil without the just rewards of honest labor.

UTU establishes collective bargaining defense fund. See front page.

Amtrak conductor Bruce Bachman gets kids to read. See page 2.

UTU seeking limits on use of remote-controlled trains. See page 3.

Retiree Fanning served as GS&T of porters’ union. See page 8.