Members vote on national rail contract

The proposed national rail contract is now in the hands of more than 38,000 members employed by BNSF, CSX, Kansas City Southern, Norfolk Southern, Soo Line, Union Pacific and numerous regional railroads represented at the bargaining table in the National Carriers’ Conference Committee.

Voting is by craft under the craft-autonomy provisions of the UTU Constitution. Crafts voting are brakeman, conductor, engineer, fireman, yardman and yardmaster.

Members will vote based on the craft in which they worked on the day previous to ballots being mailed. Voting packages provide instructions on how to cast ballots by telephone, as well as the dates of the 21-day period for voting.

Members vote by craft as directed by UTU Constitution

UTU convention set for Aug. 8-12

The UTU’s 11th quadrennial convention will be held Aug. 8-12 in Hollywood, Fla., where one delegate from each of the UTU’s 509 locals will cast ballots to elect an International president, assistant presidents, general secretary & treasurer, national legislative director, seven International vice presidents and eight alternate vice presidents and an alternate national legislative director.

Also to be elected are members of the board of appeals, executive board, and their alternates.

The holding of the convention and procedures for election are provided for in the UTU Constitution. It is available for viewing at www.utu.org by clicking on the “Documents” tab at the top of the home page, and then scrolling down and clicking on “UTU Constitution.”

Results of the elections will be posted at www.utu.org. Elected officers and alternates will take office Jan. 1, 2012.

Per an arbitrator’s ruling in the pending litigation and arbitration of whether the merger agreement between the UTU and the Sheet Metal Workers International Association (SMWIA) is an enforceable agreement, a parallel election will be held for officers of the Sheet Metal, Air, Rail and Transportation (SMART) Workers Union.

Arbitrator Michael Gottesman required that “if SMWIA so requests,” the UTU convention will hold separate elections for officers of UTU and of SMART. SMWIA General President Joe Nigro has so requested.

Accordingly, after nominations for each UTU officer position are closed and the election completed, nominations and elections for the corresponding SMART officer positions will be opened.

Gottesman was named to arbitrate the dispute following a March 4 ruling of Federal District Court Judge John Bates. A ruling by Gottesman is not expected before September.

Judge Bates said a separate action by several UTU members challenging the validity of the merger is not within the arbitrator’s jurisdiction and he would delay a ruling on that complaint pending the arbitration’s outcome.

The $200 monthly cap on health care contributions ensures that members will pay considerably less than is being paid by federal workers and workers in the private sector. Federal workers, for example, currently pay more than $430 monthly in health care insurance contributions, continued on page 2

Amtrak general committee gets new chairperson

Dirk Sampson has taken over as acting general chairperson of Amtrak general committee GO 769 in the wake of the death of Roger Lenfest, age 65, who died July 10 following a short illness.

Lenfest succeeded Al Suozzo as general chairperson following Suozzo’s death in March 2010. Suozzo had held the post almost 18 years.

A member of Local 898 (Boston), Lenfest held UTU membership since March 1971. Earlier in his UTU officer career, Lenfest was general chairperson on Boston & Maine (now part of Pan Am Railways).

GO 769 represents UTU conductors and assistant conductors on Amtrak (New York City south to Washington, D.C., and on non-Northeast Corridor Amtrak passenger trains nationwide), as well as on Massachusetts Bay Commuter Railroad, Virginia Railway Express, South Florida Tri-Rail and Los Angeles Metrolink.

In March, Lenfest and Sampson led negotiations with MBCR that resulted in a ratified agreement, and in May Lenfest led successful negotiations toward a new ratified agreement with South Florida Tri-Rail.

For continuing details on Amtrak contract negotiations, see page 9, or go to the “Amtrak/Commuter” page of www.utu.org and click on the “Amtrak Negotiations” link.

Employee Monthly Healthcare Contribution (Family Coverage)

<table>
<thead>
<tr>
<th>Contribution Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capped RR contribution¹</td>
<td>$200.00</td>
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<tr>
<td>RR contribution without cap²</td>
<td>$655.32</td>
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<tr>
<td>Avg. private sector contribution³</td>
<td>$340.32</td>
</tr>
<tr>
<td>Federal worker contribution⁴</td>
<td>$431.60</td>
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</table>

¹ Capped railroad contribution, under proposed national rail agreement, Jan. 1, 2011, through June 30, 2016, if ratified
² Railroad contribution estimated for 2015, based on existing national agreement provisions, if not ratified
³ Current average contribution from Bureau of Labor Statistics
⁴ Current federal worker contribution from Blue Cross/Blue Shield Standard Option

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This agreement exceeds the level of price inflation in 2010 and 2011, and the Department of Labor’s estimate of price inflation in subsequent years.

- The wage increase actually is 18.24 percent compounded, because each annual sequential wage increase is computed on the wage base increased by the previous year’s wage increase.
- This agreement exceeds the level of price inflation by more than any other national UTU contract in the past 40 years.
- Price inflation, as computed by the Department of Labor, includes increases in costs of housing, food, autos, gasoline, clothing and other consumer goods and services. Wages that exceed price inflation provide members with greater everyday purchasing power.

The 17 percent wage increase is substantially higher than the rate of price inflation in 2010 and 2011, and the Department of Labor’s estimate of price inflation in subsequent years.

- The wage increase actually is 18.24 percent compounded, because each annual sequential wage increase is computed on the wage base increased by the previous year’s wage increase.
- This agreement exceeds the level of price inflation by more than any other national UTU contract in the past 40 years.
- Price inflation, as computed by the Department of Labor, includes increases in costs of housing, food, autos, gasoline, clothing and other consumer goods and services. Wages that exceed price inflation provide members with greater everyday purchasing power.

• The $200 monthly cap on health care contributions ensures that members will pay considerably less than is being paid by federal workers and workers in the private sector. Federal workers, for example, currently pay more than $430 monthly in health care insurance contributions, continued on page 2
Rail contract

Continued from page 1

and the average paid by private sector workers exceeds $340 monthly. If this agreement is not ratified, members could pay up to $355 monthly.

- Health care costs have been rising dramatically, more than doubling since 2000, and UTU member health care contributions doubled from $100 monthly to $200 monthly in the previous agreement. This proposed agreement has provisions to help bring these costs under control, while improving the quality of health care. Without bringing health care costs under control, members would face considerably higher contributions.

- A significant provision in this tentative agreement maintains the $200 monthly cap for 6½ years. There is certain to be increases in existing health care insurance premiums for federal workers and other private sector workers during this period—workers already paying considerably more than the $200 monthly cap provided in this proposed agreement.

- While it is alleged the negotiating committee could have extracted more from the carriers owing to record profits of major railroads party to the agreement, the fact is that carrier profitability has been ruled by neutral arbitrators not to be a valid reason for increasing wages.

- Said Arbitration Board No. 559 in 1996: “We do not think that ‘bigness’ alone or profits by themselves are permissive reasons for recommending wage increases...in our view, the union’s claim that current profit levels justify greater wage increases does not fly.”

**AGREEMENT WAGE HIKES**

<table>
<thead>
<tr>
<th>Date</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2010</td>
<td>2%</td>
</tr>
<tr>
<td>July 1, 2011</td>
<td>2.5%</td>
</tr>
<tr>
<td>July 1, 2012</td>
<td>3%</td>
</tr>
<tr>
<td>July 1, 2013</td>
<td>3%</td>
</tr>
<tr>
<td>July 1, 2014</td>
<td>3.5%</td>
</tr>
<tr>
<td>Jan. 1, 2015</td>
<td>3%</td>
</tr>
</tbody>
</table>

**Compounded total:** 18.24%

- Were this agreement not to be ratified, third parties would decide. A presidential emergency board would consist of neutrals, all aware that President Obama froze wages of federal employees for two years, that federal employees’ health care contributions are more than double the 6½-year $200 cap in this tentative agreement, that 46 million Americans have no health care insurance, and millions of unionized workers have suffered wage cuts, loss of health care benefits and loss of pensions.

- Presidential emergency board recommendations are subject to congressional amendment. The committee of jurisdiction will be the House Transportation & Infrastructure Committee, whose chairman, Rep. John Mica (R-Fla.), proposes eliminating Amtrak and slashing transit funding, and opposes union representation of Transportation Security Administration workers. He also seeks to overturn a National Mediation Board ruling assuring a majority of those voting determine the outcome of airline and railroad representation elections. He wants the NMB to count as “no” votes anyone who does not cast a ballot.

Moreover, the anti-labor Republican leadership in the House proposes folding Railroad Retirement into Social Security and privatizing Social Security and Medicare.


As National Legislative Director James Stem counsels: “This agreement provides significant financial improvement and economic stability for our families. Any other option would be a big gamble we cannot afford to take.”

**STB Chairperson Elliott praises T&E workers as the ‘unsung heroes’ of railroad industry**

NEW YORK – Former UTU Associate General Counsel Dan Elliott, now chairman of the U.S. Surface Transportation Board – the federal agency regulating rail mergers, line sales, abandonments and labor protection – returned to his roots July 4, speaking to more than 500 UTU officers and members attending the union’s eastern regional meeting here.

Terminating train and engine workers “the unsung heroes” of the freight railroad industry’s renaissance, Elliott said, “None [of the resurgence] would have been possible without the people in this room. Labor was a major contributor to the rebirth of the rail industry as productivity shot through the roof [since Congress partially deregulated railroads through the Staggers Act of 1980].”

He said his job and the job of the STB is to “make sure the industry stays healthy.”

As for his elevation to the STB—which required a nomination by President Obama and confirmation by the Senate—Elliott said, joking, it was something he had long sought.

Reflecting on an early-career appearance before the STB’s predecessor agency, the Interstate Commerce Commission, Elliott recalled having to make a difficult argument seeking labor protection.

“I was told to say my piece and sit down. So I went to Washington to the ICC Building. There were scores of railroad attorneys, a press table and spectators. I said my piece. And the chairman asked me to explain why UTU members should have lifetime income protection when nobody else in the room had it.

“I knew right then and there that I wanted to be one asking the questions and not answering them,” Elliott said.
Without the negotiated $200 monthly cap on employee health care contributions, they could rise to $355 monthly by 2015 under the formula in the existing contract. That cap alone is worth more than $5,000 over the life of this agreement. In fact, not a penny of the wage increases negotiated is to be offset through higher health care insurance contributions for 6½ years, which is 1½ years beyond the term of this agreement.

For many members, there could be a reduction in out-of-pocket costs for doctor visits and prescription drugs.

In addition to the 17-percent wage increase, which is actually 18.24 percent when compounded, we have negotiated additional pay for every FRA-certified job, a faster process for new hires to reach full pay, cash payments to those still under the five-year service scale, no work rules concessions and a process for local negotiations on alternative compensation, compensation enhancement and electronic bidding and bumping.

The proposed UTU national rail contract maintains your health care insurance contribution at $200 while improving coverage. The agreement also provides a 17-percent increase in wages (which is more than 10 percent in excess of projected inflation over the life of the agreement), plus service-scale enhancements, FRA certification pay, a special wage adjustment for yardmasters of 12.5 cents per hour, a $200 monthly cap on your health care contributions, significant savings in generic drug co-pays and added coverage for the very best agreement we have ever had.

This agreement deserves to be ratified on its merits. It is the very best agreement we could have budged our heads in the sand and ignore the current state of the economy, escalating health care costs, the high unemployment rate, and recent wage and health care settlements made by other organizations that are well below what we have negotiated. It would be irrational for our UTU membership to forsake a 17 percent general wage increase (18.24 percent when compounded), certification pay and a condensed new-hire service scale for the alternative of an imposed settlement decided by a third party. Historically, having a third-party-imposed settlement has fared poorly for labor.

Historically, having a third party-imposed settlement has fared poorly for labor. It would not be wise for us to ask Congress, already in gridlock over economic issues, to legislate an agreement based on recommendations of a presidential emergency board. Workers are under sustained attack. This agreement provides significant financial improvement and economic stability for our families. Any other option would be a big gamble we cannot afford to take.
This proposed contract delivers ‘more, now’

By Mike Futhey, International President
(216) 228-9400; president@utu.org

Mica has voiced opposition to union representation for Transportation Security Administration workers, advanced legislative language to privatize Amtrak and slash transit funding, and to overturn a National Mediation Board ruling assuring that a majority of those voting determine the outcome of airline and railroad representation elections. Rep. Mica wants the NMB to count as “no” votes anyone who does not cast a ballot.

In fact, if this agreement is rejected, and third parties determine our fate, the carriers will cite federal worker benchmarks – the wage freeze and far higher health care insurance contributions – to Congress. Everything we won in this agreement is off the table if we go to a PEB.

Vote for candidates who support jobs, safety

By Assistant President
Arty Martin
(216) 228-9400; assstpres@utu.org

What do we vote for? As unions and their members, we are a force for supporting a strong middle class and an effective, efficient and safe national transportation system.

If we don’t vote our paychecks and help elect labor-friendly candidates, lawmakers seeking to reduce union-member wages and benefits and weaken workplace safety laws and regulations will be the ones controlling state and federal legislative bodies.

In recent months, political extremists in dozens of state legislatures have introduced legislation to eliminate or curtail collective bargaining rights and otherwise reduce the ability of unions to represent working men and women.

In Congress, political extremists are pushing an agenda to weaken workplace safety regulations, fold Railroad Retirement into Social Security, privatize Social Security and Medicare, eliminate Amtrak and slash funding for transit.

Many of these political extremists came to office with the support of union members, who focused on emotional ballot-box issues, ignoring the anti-union agendas of these politicians.

Emotional issues such as abortion, school prayer and gay rights are important to many UTU members, but the most important issues working families face are job security in difficult economic times and workplace safety.

Consider the states of Ohio and Wisconsin. In both states, anti-union legislation was passed by state legislatures controlled by political extremists, and then signed into law by equally conservative governors.

Only when union members realized that the rug had been pulled out from under collective bargaining rights, and that the political extremists had an even broader anti-union agenda, did the lights go on in union households.

In Ohio, UTU and other union members, joined by non-union concerned citizens who understood that the attack on collective bargaining was an attack on the middle class – collected 1.3 million signatures in a petition drive to put that state’s anti-union legislation on hold pending a voter referendum on the bill this November.

In Wisconsin, UTU and other union members collected sufficient signatures in multiple petition drives to force recall elections of many anti-union state senators who supported the legislation curtailing collective bargaining rights. If the recall is successful, a more union-friendly legislature will repeal the law.

I am not suggesting union members back away from social issues they consider important, I do suggest that when the candidate who shares your concerns on social issues also supports an agenda to harm your economic security and your workplace safety, that you consider the result if they are elected.

Our UTU Collective Bargaining Fund has met the anti-union assaults in Ohio and Wisconsin head on and with demonstrated success. There is much work ahead to reverse the anti-union agenda, and I urge you to make a contribution to the UTU Collective Bargaining Defense Fund.

As former UTU President Al Chesser said in making his contribution, “Overtime pay, paid vacations, employer-provided health care, retirement benefits, workplace safety laws and regulations all exist because of labor unions – and all are coming under attack by political extremists. We can, and must beat back this attack from those who want to destroy the union movement in America.”
UTU defense fund helps voters support pro-labor candidates

Confirmation of the value of the UTU Collective Bargaining Defense Fund emerged from a Wisconsin vote tally in July, when two-thirds of three heats in a race to unseat anti-labor senators in special recall elections.

As Wisconsin voters, awakened to and enraged against anti-labor efforts of political extremists in their state legislature, cast majority ballots for labor-friendly candidates in primary elections.

The primaries were in advance of Aug. 12 special elections to recall state senators who, earlier this year, voted to strip Wisconsin public employees of their collective bargaining rights.

As Wisconsin has an open primary and no party registration, the labor-friendly candidates (all Democrats) found themselves pitted against Republican political extremists who entered the Democratic primaries as sham Democrats. They had hoped to win the primaries and assure either their own victory or victory for the incumbents they would face when the recall elections are held Aug. 12. The sham tactics failed.

Indeed, Wisconsin voters knew the difference between the real labor-friendly candidates and the sham candidates because of shoe-leather exertions by UTU and other union members in Wisconsin, who were supported by the UTU Collective Bargaining Defense Fund.

Legislative attacks on organized labor in Wisconsin— duplicated in Ohio, where organized labor’s counteroffensive also is proving successful — is part of a more expansive effort among political extremists nationwide to destroy organized labor, fold Railroad Retirement into Social Security, privatize Social Security and Medicare, eliminate Amtrak and starve other public transit operations of funds.

In Ohio, the UTU Collective Bargaining Defense Fund helped to fuel a petition drive that put that state’s anti-labor legislation on hold pending a voter referendum in November. The fund is also assisting with efforts in other states to block anti-labor efforts advanced by political extremists.

Activities fueled by the UTU Collective Bargaining Defense Fund have spawned media attention, which in turn helps to educate large numbers of middle-class voters to the anti-labor agenda of political extremists.

As evidenced in the Wisconsin primaries, voters are expressing anger with the attacks on organized labor even though many have never belonged to a labor union. They recognize that today’s attacks on labor unions are a prelude to a future attack on the middle class in America.

For more on the UTU Collective Bargaining Defense Fund, go to www.utu.org.

UTU wins back bus driver’s job

UPPER DARBY, Pa. — The Bus Department has won an arbitration, putting back to work an eight-year employee of the Southeastern Pennsylvania Transportation Authority’s Red Arrow Division and Local 1594 member.

Handling the successful arbitration were General Chairperson Waverly Harris and Vice General Chairpersons Brian Caldwell, Dave Stinson and Curtis Fulmore. They were assisted by Alternate Vice President Calvin Studivant.

Missouri

The UTU is opposing a Union Pacific request for a FRA waiver of compliance on 18,000 freight cars that do not meet safety standards, State Legislative Director Ken Menges reports.

The cars do not have adequate end platforms, which the government specifies be “on each end of a car not more than eight inches above center sill.”

UP has requested relief on cars where the dimensional requirements of eight inches above the center sill are not in compliance, Menges said.

The UTU has asked that all the cars be identified and brought into compliance or removed from service until they are brought into compliance.
UTU/UTUIA 2011 Regional Meeting

‘Stronger Than Ever’

UTU regional meetings offer much more than just entertainment. Workshops at the New York regional meeting included education and training about the National Mediation Board, National Labor Relations Board, positive train control, handling unruly passengers, hazardous materials, a live rail arbitration, winning investigation techniques, conductor certification, legislation affecting our bus members, as well as training sessions for local treasurers.

UTU members who have not had opportunity to attend regional meetings, whose focus is on education and leadership skills, should consider attending the 2012 regional meetings in Portland, Ore., and Memphis, Tenn.

Regional meetings more than entertainment

UTU International Auditors Bobby Brandley (left) and Stephen Noyes, joined by Noyes’ daughter Jesslyn, far left, and wife, Shelli, in Grand Central Station. Notice the station clock in the background, which is often featured in television commercial and movie scenes.

Michigan State Legislative Director Jerry Gilham, left, with friend discussing union issues late at night with Local 1183 Chairperson John Junga in a cafe on Amtrak’s Train 49, the Lakeshore Limited, on their return trip from the regional meeting.

Local 257 Chairperson Robert Kesel appeared at UTU News photo spread in 2007 after being photographed at the regional meeting Kansas City, Mo. The older Kesel declared at that time that Randall was the “No. 1 union man in America.” Here they are, together again, at the New York regional meeting.

UTU National Legislative Director James Sams, left, with veteran District of Columbia Legislative Director Steve Fritter. Fritter’s son, Julie, serves as an alternate vice president of the Auxiliary of the UTU and was at the regional meeting representing the organization.

Members of the regional meeting local committee are joined by Assistant President Amy Martin, and from left, and International President Mike Futch, with UTU International Auditors Bobby Brandley, left, and Stephen Noyes.

UTU bus member Piero Renzoni, operating a UTU/PAC Gold Club trip, visited the UTU store. An operator for Rockland Coaches of Rockland County, N.Y., and northern New Jersey, Renzoni is a vice local chairperson for Local 1558, Bergenfield, N.J.

Supervisor Joe Solito, who services locals in Arkansas, Louisiana, Mississippi and Texas.

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Alumni Association member named UTUIA volunteer of the year

Arthur “A.P.” Owens, a retired member of Local 1545 in Monroe, La., a regular UTU PAC contributor and member of the UTU Alumni Association, was named the UTUIA’s 2011 volunteer of the year.

Nominated by his wife, Judy, Owens, who learned magic, was selected for his years of work with children, using magic to teach them safety, to avoid drugs and alcohol, and to teach religion.

“Terry Sigler

Terry Sigler, pier, Sept. 6, at noon at the Depot Restaurant, 520 N. Jeffers St., North Platte.

All retirees from all crafts, as well as their spouses, are invited and encouraged to attend. Nebraska State Legislative Director Ray Lineweber and other UTU and UTUIA officials are expected to attend.

For more information, contact Sigler at (308) 532-6041 or email “terryes@q.com.”

New alumni chapter at N. Platte

A new UTU Alumni Association chapter is being formed in North Platte, Neb., by retiree Terry Sigler of Local 286, North Platte.

The inaugural meeting will be held Tuesday, Sept. 6, at 6 p.m. at the Depot Restaurant, 520 N. Jeffers St., North Platte. All retirees from all crafts, as well as their spouses, are invited and encouraged to attend.

UTU offers tours, cruises for members

One of the benefits of membership in the UTU Alumni Association is discounts on tours. Here are the latest offerings:

British Isles cruise Aug. 16 – 28: This Princess Cruise Line cruise of the British Isles is aboard the “Crown Princess.” Itinerary includes London/Southampton (departure port), St. Peter Port, Cobh, Dublin, Liverpool, Belfast, Greencastle, 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 “Pride of America.” Itinerary includes Honolulu, Maui, Hilo, Kona and Kauai. The cost is $1,217 per person.

Certified Travel Consultant can provide quotes and more information. These tours are open to all UTU Alumni Association members, family members and other UTU members who are welcome to join them as space permits.

Alumni Association member named UTUIA volunteer of year

Owens started railroading on his 18th birthday in 1956. He worked as a switchman/brakeman for the former Missouri Pacific, now part of Union Pacific.

He served Local 1545 as local chairperson and legislative representative for nearly 25 years, and as delegate to five UTU conventions. He also served as a UTUIA field supervisor for two years and as an organizer for UP’s Operation RedBlock.

“Has done magic at many of the area schools using the ‘Just Say No!’ theme to encourage children to stay away from drugs, alcohol and tobacco,” wrote Judy in her nomination. “He also does gospel magic for churches in our area – teaching Biblical principles through use of magic. He does programs that appeal to children, youth, adults and senior citizens.”

“I love to stay busy,” Owens said. “In fact, I am doing a magic show for 1,500 students. “I am very proud of [being named volunteer of the year],” Owens said. “The $1,000 savings bond they gave me I turned around and gave to the UTUIA Collective Bargaining Defense Fund. It’s such an important thing, I have a vested interest; I have two sons and a grandson working for the railroad.

“When I started work on the railroad there were no fringe benefits, no health care. At away-from-home terminals, there were no railroad-provided hotels. I slept on the depot steps. The railroad provided nothing. We worked 16 hours a day, seven days a week. If you died (because of hours-of-service laws), the railroad left you where you died; you were on your own. The railroad never gave us anything. It was the union that got us all these benefits.

“I am organized labor from the bottom of my feet to the top of my head.

“When I was in the fourth grade we had a magician come to my school, and you had to pay to see him, and we were too poor, so I had to stay in the classroom. I told my teacher that day that someday I was going to be a magician that no child had to pay to see. My dream has come true.”

T H E F I N A L C A L L

Following are the names of recently deceased members who maintained annual membership in the UTU Alumni Association, according to reports received at UTU International Headquarters. These brothers and sisters will be missed by their many friends and fellow UTU Alumni Association members.

R R B h o n o r s t w o c e n t e n a r i a n s

The Railroad Retirement Board recently honored two UTU members upon reaching their 100th birthdays.

They are Martin Becker, a former Union Pacific switchman and member of Local 367, Omaha, Neb., and Roy Thomas, a retired Union Pacific brakeman and member of Local 1043 in Sparks, Nev.


News, information for members of the UTU Alumni Association

www.utu.org / www.utuia.org

Judy Owens, center, displays the UTUIA volunteer of the year plaque awarded her husband, “A.P.” right. As left is UTU International President Mike Funky.
The UTU has won a victory on behalf of 12 train and engine employees represented by the UTU and employed by Manufacturers Railway, a 124-year-old subsidiary of brewer Anheuser-Busch for which Manufacturers performs switching services in St. Louis.

In March, the carrier sought permission from the U.S. Surface Transportation Board (STB) to discontinue operations, and asked the agency not to impose so-called labor protection (actually income protection) for workers who would be put in unemployment lines as a result of the discontinuance of operations. The railroad’s case rested on a long-standing policy of the board and its predecessor, the Interstate Commerce Commission, not to impose labor protection when an entire system is abandoned.

The UTU Law Department intervened, telling the STB that Manufacturers had provided the agency with “misleading information” with regard to the intended cessation of operations.

Rather than abandon its system, the UTU told the STB that Manufacturers, in its own press release, had said it intended, in fact, to transfer those rail operations to a third party that would operate over the railway’s tracks and yard, which would remain under Manufacturers Railway and Anheuser-Busch ownership. “It is clear,” said the UTU, that Anheuser-Busch intends the transaction as “a means to get around the labor protection which should rightly be imposed,” and that Anheuser-Busch “stands to benefit financially from this transaction by contracting out the rail switching operations and reducing its labor expense.”

The STB agreed, and ruled that so-called Oregon Short Line labor protection be granted as a condition of the discontinuance of operations by Manufacturers Railway.

The protection provides for six years of income protection – as opposed to a guarantee of employment – for all adversely affected employees of Manufacturers Railway.

The Fulton County Railway train and engine workers selected the UTU as their bargaining representative in August 2010, after meeting with UTU organizers Rich Ross and Mike Lewis.

General Chairperson Doyle Turner (CSX, GO 347) led the negotiations, with National Mediation Board mediator John Livengood helping bring the sides together. The tentative agreement now goes out for member ratification.

“What we are trying to do is bring parity in wages, benefits and work rules to the thousands of employees in the short-line railroad industry, in addition to the many other protections offered by union membership,” said Turner, who heads the UTU’s short-line-railroad initiative.

“The seniority, scope and discipline rules these members now enjoy are what makes union membership valuable,” Turner said. “They help ensure that these members will have the protections they deserve.”

Turner praised UTU International President Mike Futhey for his “commitment to organizing the unorganized employees on shortline railroads.”

The shortline operates over CSX-owned track, serving warehousing and light manufacturing companies.

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The United Transportation Union Insurance Association is proud of its long tradition of serving the members and families of the United Transportation Union. This year, we celebrate 42 years of providing great insurance protection and service to the thousands of men, women and children who have placed their trust in us. We are as committed as ever to continue to offer you solid protection at reasonable rates. The UTUIA pledges to continue to conduct our business affairs for the benefit and security of our members and their families. The UTUIA recognizes its obligations to its members and shall continue to strive to live up to the ideals of the fraternal benefit system.

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In March, the carrier sought permission from the U.S. Surface Transportation Board (STB) to discontinue operations, and asked the agency not to impose so-called labor protection (actually income protection) for workers who would be put in unemployment lines as a result of the discontinuance of operations. The railroad’s case rested on a long-standing policy of the board and its predecessor, the Interstate Commerce Commission, not to impose labor protection when an entire system is abandoned.

The UTU Law Department intervened, telling the STB that Manufacturers had provided the agency with “misleading information” with regard to the intended cessation of operations.

Rather than abandon its system, the UTU told the STB that Manufacturers, in its own press release, had said it intended, in fact, to transfer those rail operations to a third party that would operate over the railway’s tracks and yard, which would remain under Manufacturers Railway and Anheuser-Busch ownership. “It is clear,” said the UTU, that Anheuser-Busch intends the transaction as “a means to get around the labor protection which should rightly be imposed,” and that Anheuser-Busch “stands to benefit financially from this transaction by contracting out the rail switching operations and reducing its labor expense.”

The STB agreed, and ruled that so-called Oregon Short Line labor protection be granted as a condition of the discontinuance of operations by Manufacturers Railway.

The protection provides for six years of income protection – as opposed to a guarantee of employment – for all adversely affected employees of Manufacturers Railway.

The Fulton County Railway train and engine workers selected the UTU as their bargaining representative in August 2010, after meeting with UTU organizers Rich Ross and Mike Lewis. General Chairperson Doyle Turner (CSX, GO 347) led the negotiations, with National Mediation Board mediator John Livengood helping bring the sides together. The tentative agreement now goes out for member ratification.

“What we are trying to do is bring parity in wages, benefits and work rules to the thousands of employees in the short-line railroad industry, in addition to the many other protections offered by union membership,” said Turner, who heads the UTU’s short-line-railroad initiative.

“The seniority, scope and discipline rules these members now enjoy are what makes union membership valuable,” Turner said. “They help ensure that these members will have the protections they deserve.”

Turner praised UTU International President Mike Futhey for his “commitment to organizing the unorganized employees on shortline railroads.”

The United Transportation Union Insurance Association is proud of its long tradition of serving the members and families of the United Transportation Union. This year, we celebrate 42 years of providing great insurance protection and service to the thousands of men, women and children who have placed their trust in us. We are as committed as ever to continue to offer you solid protection at reasonable rates. The UTUIA pledges to continue to conduct our business affairs for the benefit and security of our members and their families. The UTUIA recognizes its obligations to its members and shall continue to strive to live up to the ideals of the fraternal benefit system.
WASHINGTON – America learned a tragic lesson a decade ago when armed terrorists gained entry to the Amtrak decks of multiple commercial airliners. The results of 9/11 will live in infamy.

Inexplicably, neither railroads nor the federal government has moved to require the securing of locomotive cab doors and windows to prevent terrorists – whether foreign or domestic – from taking control of a train and wreaking a new carnage on Americans.

A similar security breach is possible at commercial bus terminals, and with commercial motor coaches, where drivers and passengers are vulnerable to armed attacks and hijackings.

That was the message delivered to the House Subcommittee on Transportation Security and Infrastructure Protection by UTU Alternate National Legislative Director John Risch July 12.

Securing locomotive cabs is essential for crew safety

The FBI warned in 2002 that rail facilities are vulnerable to attacks by terrorists; and following the killing of Osama bin Laden, it was revealed he was planning an attack on railroads.

Most chilling is a warning from the Chlorine Institute – that a terrorist-induced release of chlorine from a tank car could create a toxic cloud 40 miles long and 10 miles wide that could kill hundreds of 10,000 people in an urban area within 30 minutes.

Securing locomotive cabs is also essential for crew safety. In June 2010 in New Orleans, a conductor was shot to death and an engineer wounded in their locomotive cab during an armed robbery.

“We believe it should be a requirement that all locomotives be equipped with locks for the doors and windows to prevent unauthorized entry into the operating compartment,” Risch told the subcommittee.

He discovered his arm was broken, a finger missing

In complete disregard for his personal safety, and ignoring his own painful injuries, d’Alessandro took to his radio to broadcast help – “Dispatch everything you have.”

d’Alessandro climbed back into the burning cars, worked his way through the dark smoke and flames in search of passengers who were completely disoriented – many injured – leading one, then another, and still others to safety through emergency exit windows.

Proper training of rail operating crews and bus drivers to recognize, respond to and report potential terrorist activities is a high priority of the UTU, Risch told the subcommittee.

“The need to adequately train bus, rail and transit workers across America so they are ready in the event of a terrorist threat or attack,” Risch said. “Properly training frontline workers is vital to surface transportation security, and is a cost-effective way to secure and safeguard our bus, rail and transit systems.

“In the event of an incident or attack, our members are the first on the scene – even before police, fire fighters, and emergency medical responders – and what they do in the first few minutes is crucial to minimizing destruction and loss of life,” Risch said.

The UTU already is working in partnership with Amtrak to develop a training program for on-board employees; and on Terminal Railroad Association of St. Louis, the UTU is helping to develop a program to train front-line employees on how to recognize, respond to and report potential terrorist activity. Although the UTU has reached out to other freight railroads for partnerships to develop similar safety training programs, railroads are hamstrung due to a lack of federal funding.

“Officials from the Federal Transit Administration and the Transportation Security Administration testified previously before Congress on the need for, and the inherent value of, effective worker security training,” Risch said. “Yet too little has been done to actually ensure that employees receive adequate security training.”

Proper training of rail, bus crews is a high priority of the UTU

Although the congressionally passed 9/11 Commission Act mandated that all frontline rail, transit and over-the-road bus employees undergo live training exercises, receive training on evacuation procedures and are instructed on crew and passenger communications and coordination, little has been accomplished, and training mandates are lost over due, Risch said.

“This is unacceptable. Further delay only perpetuates the existing dangers,” he said. “Security training should not be a one-time, check-the-box exercise. Regularly scheduled follow-up training is critical.”

Risch also recommended that major rail terminals, where chemicals are stored, be fenced and equipped with video surveillance and security personnel; and that outdated FRA window glazing standards be improved, as current standards protect against only small-arms fire such as a .22 caliber bullet.

“Workers must be treated as partners in the battle to protect our vulnerable bus, rail and public transit systems,” Risch said.

The greatest act of heroism I’ve seen as an investigator

More heroes appeared – from a Union Pacific freight train following the ill-fated westbound Amtrak California Zephyr. Unidentified crew members from the UP train ran to the scene and assisted the passengers.

Amtrak heroes

Continued from back page

Smith disregarded his own safety to dash down a steep embankment and into the partially frozen Jackson River to save the life of fellow conductor Alvin "A.J." Boggess, who had fallen from a trestle, 55 feet above the water.

Author F. Scott Fitzgerald wrote, “Show me a hero and I’ll tell you a tragedy.” UTU conductors regularly prove Fitzgerald had it backwards. Time and again, UTU hero conductors validate, “Show me a tragedy and I’ll write you a story about heroes.”

Indeed. Six died in this June 24 tragic Nevada Amtrak accident; many more likely would have had it not been for these UTU conductor heroes.

In complete disregard for his personal safety, and ignoring his own painful injuries, d’Alessandro took to his radio to broadcast help – “Dispatch everything you have.”

d’Alessandro climbed back into the burning cars, worked his way through the dark smoke and flames in search of passengers who were completely disoriented – many injured – leading one, then another, and still others to safety through emergency exit windows.

d’Alessandro and Amtrak President Joe Boardman

In the harrowing moments following the horrendous accident, assistant conductor and UTU Local 166 member Richard d’Alessandro, who initially was knocked unconscious in a dormitory car that took the initial hit from the track, recovered finding himself laying outside in the desert to discover his arm broken and a finger missing. In fact, he was carried out by another UTU member conductor, Loxie Sanders (more about him in a moment).

Amtrak heroes

Continued from back page

he said, “but I lifted the door and got her body out.”

Concerned that more passengers might still be in the growing inferno, Sanders went back again – his hand severely burned from scaling the car to gain entry.

Listening for voices, Sanders worked his way to more disoriented passengers, leading them, then another, and still others to safety through emergency exit windows.

He discovered his arm was broken, a finger missing

In complete disregard for his personal safety, and ignoring his own painful injuries, d’Alessandro took to his radio to broadcast help – “Dispatch everything you have.”

d’Alessandro climbed back into the burning cars, worked his way through the dark smoke and flames in search of passengers who were completely disoriented – many injured – leading one, then another, and still others to safety through emergency exit windows.

As he heard a voice, he led the passenger to an exit window, helping them out and down to other rescuers 10 feet below.

Only when all passengers he could find had been led to safety did Sanders suffer from smoke inhalation, exit the burning car.

But he went back. He went back in search of 68-year-old conductor and UTU Local 166 member Laurnette Lee, whom he found dead under a metal door. Sanders had trained with Lee years before.

Ignoring the flames and dense smoke, Sanders lifted her body and carried it outside the car away from the all-consuming flames.

“I don’t know how I got the strength to do it,” said, “but I lifted the door and got her body out.”
Local 11, Houston, Texas

UTU Auxiliary President Mae Parker attended the monthly meeting of this Union Pacific local July 11, Local Chairperson Carlos Wallace reported. After speaking with the spouses of some of the members in attendance, Parker established the first Auxiliary lodge supported by Local 11 family members. For more information about the Auxiliary, visit www.utu.org and select “UTU Auxiliary” from the pull-down menu under “About UTU.”

Local 118, Hinton, W. Va.

This local held its first annual pig roast, a two-day family event attended by 50 active and retired members and family on June 22 and 23, according to the monthly reports. Raynes said Raynes. Guests included General Chairperson James Townsend, UTU-A Field Supervisor Malcolm “T-Bone” Morrison and representatives from the UTU-designated Moody law firm. “The event was a great success by all accounts, and I think this was a great step toward making our retirement more fraternal,” Raynes said. The roast was held on the farm of Local Chairperson Mike Taylor.

Local 199, Creston, Iowa

Richard Snyder, who had served this local as president for nine years, recently retired with 40 years of service, Local Chairperson Billi Blevins reports. Snyder hired out in 1966, Rock Island in 1971 in Esstherville, Iowa, and then joined BN in Alliance, Neb., in 1980 before transferring to Creston. Vavra also announced the retirements of Randy Goodrich after 40 years of service and Bruce Brown after 41 years of service. Goodrich was a fourth-generation railroader and had served as local chairperson, vice local chairperson, secretary & treasurer, and delegate. Brown had served the local as trustee.

Local 240, Los Angeles, Calif.

Retired conductors James W. Melvin and William J. Pedersen reported. Pedersen retired after 41 years of service, Local Chairperson Randy Googens reports. Pedersen retired on Jan. 1, 1966, and Pedersen retired on June 13, respectively, Local Chairperson Harry J. Garvin Jr. reported. Melvin had retired by 18 years, while Green had been retired only five years.

Local 454, Baltimore, Md.

Tom and Bob Tobash, brothers of retired member Biff Tobash, were the winners of the Maryland State Legislative Board’s 12th annual golf tournament, Maryland Legislative Director Lar- rye Kasecamp reports. The tournament is the sole fundraiser for the James E. Major Jr. Memorial Scholarship Fund, distributed by the UTU’s Maryland State Legislative Board, to assist UTU members or their family members with college tuition. A member of Local 610 in Baltimore, Major was killed Feb. 16, 1996, in a head-on collision with Amtrak’s Capitol Limited while working as MARC conductor. “We established the scholarship in Jimmy’s memory, as he was a real asset to this organization. He cared deeply not only for his family and friends, but also for his co-workers, which showed through his representation of them,” Kasecamp said.

Conductor Kenny Hays displays one of his latest pieces of “assemblage art,” which appears in the form of a robotic insect.

When he’s not on the tracks, he’s probably in the trash

One man’s trash is UTU member Kenny Hays’ treasure. Hays, a member and trustee of Local 950, West Memphis, Ark., and a conductor for Union Pacific, is also an artist who creates works out of, well, anything. The artform is called “assemblage art,” Hays explains. It all started about 12 years ago when he began picking up scrap metal in the rail yard and turning the pieces into mobiles. He found modest success at local art galleries and kept going. Next, he moved to musical instruments. He would assemble old musical instruments – trombones, trumpets, clarinets, French horns – into works of art. People bought his creations, and he still kept going. His latest creations look mostly like robots created from tin cans, kitchen utensils, forks, knives, food grinders, piano parts, dominos, dice, anything really, held together with nuts, bolts and wire.

His pieces range in price from $20 to $60, and he’s sold thousands of pieces over the years. “I found a garage full of old 1950s and 1960s auto parts and made a bunch of stuff with that,” he said. When he found a box of baby dolls, he went through a baby-doll assemblage phase. “One character gives me ideas for the next. They evolve,” he said. Perhaps the real coup for Hays, who is also a musician, was having his work installed in the new Le Bonheur Children’s Hospital in Memphis.

“To me, that was better than selling anything, to have, to have (curator Linda Hill) think of me enough to put it in Le Bonheur. There’s a lot of good art in there,” Hays said. The new hospital has more than 800 works of art by more than 135 artists. Hays’ work, a collage, can be seen on the first floor in the main corridor of the hospital. “I’m an old hippie and I don’t care about the money that much. It’s the love of the art,” Hays said.

Local 610, Baltimore, Md.

A party was held June 27 for the retirement of Carroll “Mickey” McBee, who worked his last day June 24, State Legislative Director Larry Howser reports. McBee, who hired out as a trainman on Western Maryland Railway in 1974, had served the local as legislative representative, secretary & treasurer (for more than 30 years) and delegate. “Mickey was deeply involved in union representation, who always did his best to keep the members informed on legislative matters. He will be missed,” Kasecamp said.

Mickey McBee, center, displays a plaque commemorating his dedication to the Maryland State Legislative Board. He is flanked by recently elected Union representative Tim Kohlhau, left, and recently elected Local President Ronnie Sok, right.

Local 653, Blue Island, Ill.

Mets conductor Robert Evans Jr. has written a novel entitled, The Tongue That Wouldn’t Keep Still, which was published in May, according to General Chairperson Barry Abbott. “This story is about life, truth and beauty; it represents a 1950s Southern American way of life. It touches on love, jealousy, life, hate, death and hope,” Evans said. The book is available at Barnes & Noble and www.amazon.com. For more information about Evans and his book, or to contact Evans, visit www.robertevansjr.com.

Local 845, Seattle, Wash.

Local Vice President Dave Bauchman reports contributions are still needed to assist the families of railroaders killed and injured in a tragic accident at Longview, Wash., March 23. UTU conductor Dwight Hauck and his brother and sister-in-law and others in attendance, Jackson said.

Still, our riders bring a lot of dedication and great intentions to both funds would be deeply appreciated,” Bauchman said. Donations to the BNSF Memorial Fund, a separate fund, will be split between the families of the deceased, may be sent to the Cascade Federal Credit Union at 18020 80th Ave. S., Kent, WA 98032. The account number is 38430. Donations for Hauck and his family may be sent to any Wells Fargo Bank. The account number is 8277835592 and the routing number is 152008547.

Local 977, Pasco, Wash.

During a visit by Assistant President Arty Martin and Alternate Vice President Danny Young to explain details of the tentative national rail contract, the members of this BNSF local voted to contribute $350 to the UTU’s Collective Bargaining Defense Fund. Local President Joe Jack- son reported. The motion was supported by Local Chairperson Paul Brown, Legislative Rep. Gary Howell and his wife, and others present.

Local 1440, State Island, N.Y.

Following their recent local election, Secretary & Treasurer Vincent LaBella reports that Kevin Hughes is the local’s new vice president and Carlos Sanchez is the new vice local chairperson for track and infrastructure. Hughes can be reached at utu44vicepresident@gmail.com and Sanchez at utu44Unifratrack@gmail.com. “Both of these men bring a lot of dedication and great intentions to our local. We wish them the best and look forward to working with them in order to protect our members’ best interests,” LaBella said.

Local election information will be mailed in August

Information about the upcoming UTU local elections will be sent to all locals in early August. To be elected this autumn and take office Jan. 1, 2012, are local officers including president, vice president, secretary, treasurer (or secretary & treasurer), and a board of three trustees; as well as a legisla- tive rep. and alternate legislative rep. Vacancies in other elective posts should also be filled at this time. Where such a vacancy is addressed, the successful candidate will take office immediately upon installation, as per Article 38 of the UTU Constitution.
On 9/11, it was UTU conductors on Port Authority Trans-Hudson in New York City who wouldn’t allow the doors of the last train below the World Trade Center to close until every person on the platform was safely on board. Hundreds of lives were saved by these selfless UTU conductor heroes.

In Covington, Va., in February, UTU conductor Dale Loxie Sanders and Richard d’Alessandro. It is a story about two UTU conductor heroes in Fallon, Nev., June 24.

In utter disregard of their own safety, these UTU conductor heroes braved intense flames and choking smoke, repeatedly returning inside two burning Amtrak passenger cars to save the lives of dozens of disoriented, injured and frightened passengers — passengers who otherwise would have been hopelessly trapped in the burning wreckage hit by a tractor-trailer combination at a highway-rail grade crossing.

And in the custom of American band-of-brothers soldiers, one of these UTU conductor heroes went back one last time to bring out one of his own — removing the body of a fellow conductor before the growing flames could consume the body.

Senior military officers would be considering Bronze or Silver stars, a Navy Cross — even the Medal of Honor — for such selfless acts of extreme bravery. Amtrak President Joe Boardman is said to be considering a special honor for these two UTU conductor heroes.

Don’t expect these UTU heroes to be anything but modest. Fact is, you find UTU conductor heroes everywhere who serve and protect.