Conductor certification to begin Jan. 1

WASHINGTON – It is now official. Conductor certification, mandated by the Rail Safety Improvement Act of 2008, has a clear track for Jan. 1 implementation.

In a final rule, published by the Federal Railroad Administration Nov. 9, railroads must implement, by Jan. 1, a formal training program for certifying conductors and a formal process for training prospective conductors, thus ensuring job competency.

The FRAs final rule on conductor certification follows many of the provisions of locomotive engineer certification, with a number of improvements the UTU, joined by the BLET, was able to obtain.

Following are highlights of the final rule, which runs almost 300 pages in the Nov. 9 Federal Register.

• While the railroad and its employees must comply with the final rule, there is no limitation on any rights the employee may have under a collective bargaining agreement.

• Conductors currently employed will be grandfathered for from one to three years, with one-third of those conductors required to be tested for certification in 2012, 2013 and 2014. Beginning in 2015, one-third of the total conductor workforce will be recertified each year.

• Each railroad, in submitting its proposed certification program to the FRA for approval, must simultaneously submit it to the presidents of the UTU and BLET, which will have 45 days to comment. The intent is to encourage coordination by carriers with local union officers in formulating the certification program, and to gain a supporting statement from the general committee of jurisdiction.

• A conductor losing certification may work as an assistant conductor, brakeman, yard helper, switchman or utility employee, but cannot work as a locomotive engineer. If that individual holds both conductor and engineer certification, and the engineer certification is revoked, they may not work as a conductor.

• If the conductor certificate is revoked because of failing to control a train, violating a train speed limit, violating a brake test requirement, occupying a main track without proper authority, tampering with safety devices, or an alcohol or drug violation, the decertified conductor may not work as a locomotive engineer.

However, if the decertification is for violation of a rule covering shoving or pushing movements, or equipment left out to foul a track, switches and derails, the decertified conductor may work as a locomotive engineer.

• The conductor must be trained by a qualified person on the territory over which that conductor will operate. If the certified conductor lacks territorial qualification, and has never been qualified on main track physical characteristics, that conductor shall be assisted by a person who is a certified conductor qualified on the territory and NOT a member of the crew.

• If the conductor has been previously qualified over the main track territory, and the time limits have expired on their qualification, the conductor may be assisted by any knowledgeable person, including a member of the crew, other than the locomotive engineer on the

DOD honors two Amtrak conductors

Heroinism has no timetable, no expectation, no formula. It is displayed instantaneously and accompanied only by terror.

Enter, center stage, two UTU heroes – Amtrak conductors Richard d’Alessandro and Loxie Sanders – a couple of regular rails, represented by the UTU and seemingly little different than neighbors down the street.

Their time of extreme selfless bravery came the night of June 24, when a tractor-trailer, traveling at high speed, plowed directly into Amtrak’s westbound California Zephyr near Lovelock, Nev.

The crunch of steel meeting steel at a highway/rail grade crossing is gut wrenching; the derailing of rail passenger cars, unserving; the sudden and rapid spread of all-consuming fire, deadly, and the presence of thick smoke, terrifying.

It was at that moment that d’Alessandro and Sanders became heroes. Nobody nominated them. Nobody asked them. Nobody expected it of them. Such is heroism.

With passengers disoriented, injured and frightened – many seemingly hopelessly trapped in two burning passenger cars – d’Alessandro and Sanders demonstrated why highly trained passenger-train conductors are essential for passenger and train safety.

d’Alessandro, initially knocked unconscious by the horrendous collision, awoke to find he was lying outside his passenger car on the ground, an arm broken and finger missing. In complete disregard for his own life, and ignoring his painful injuries, d’Alessandro climbed back into the flaming cars in search of disoriented and injured passengers. First one, then another, and still another, he led and assisted them to safety through emergency exit windows and into waiting arms on the ground.

Only when the two no longer could hear voices or find additional passengers did they take leave of the burning passenger cars.

Then Sanders, suffering smoke inhalation and a severely burned hand, remembered the 2012 edition of the UTU’s time books coming.

The 2012 edition of the UTU’s time books are now available. The books, one for railroad members, a second for bus and transit workers, are great for keeping track of time worked, runs completed, money earned and taxes withheld.

Time books are being sent via UPS to all local secretaries and treasurers so they can distribute them to individual members at upcoming local meetings and at crew change points. Contact your local secretary or treasurer if you do not receive a copy.

Additionally, the 2012 edition of the UTU calendar will soon be mailed to all members of the UTU Alumni Association.

Calendars, time books coming

Continued on page 10

Continued on page 11

DOT honors two Amtrak conductors

These UTU members risked their lives to assist others

Richard d’Alessandro (left) and FRA Administrator Joe Szabo

Transportation Secretary Ray LaHood (left) and Loxie Sanders

Continued on page 11
Local 5, Kansas City, Mo.

The Missouri State Legislative Board is sponsoring a North Carolina mountain vacation raffle to benefit the family of member Thomas Bleyenberg, who was killed in a railroad accident Aug. 15.Cassie and Kara, Tched and Rike, each took a ticket to a drawing for $100. The package includes a week's stay in a two-bedroom luxury cabin 35 miles from Asheville, N.C. The drawing will be held Dec. 19. For tickets and additional information, contact the Missouri State Legislative Board by email at mont@emb.org or call (573) 634-3303.

Local 202, Denver

Janna Shaver, 49, daughter of retired Colorado State Legislative Director Jack Shaver and his wife, Barbara, died Oct. 10. Janna would have graduated from the University of Denver Law School next May. She is also survived by her sister, Lisa. Donations made in Janna's honor are suggested to Denver Dumb Friends League, 2080 S. Quebec St., Denver, CO 80231.

Local 240, Los Angeles

Conductor John N. Cardiff retired Oct. 12 after 41 years of service with Southern Pacific and Union Pacific, Local Chairperson Harry J. Garvin reports. "From all of the members and officers of UTU Local 240 at Los Angeles, we wish John and his family of happiness and a long retirement," Garvin said.

Local 490, Princeton, Ind.

This local has established a benefit fund for the family of Norfolk Southern conductor Larry Stephen, who will donate the money to the volunteer fire department. The fund will be used to purchase equipment and pay for burial expenses.

Local 508, Smithville, Texas

This UTU Pacific local, in conjunction with the Texas State Legislative Board, presented checks to the Smithville Volunteer Fire Department and the Smithville Police Department. The checks were presented in recognition of the efforts of the firefighters and police officers during the fires in Smithville-Bastrop area. The funds were contributed to help the local recover from the disaster.

Local 622, Birmingham, Ala.

All UTU members and their families are invited to the annual "Jimmy Lee Dorough" Christmas Party of this local Dec. 9 from 6 to 8 p.m. at the Whistle Stop Cafe, 201 First Avenue in Ironbridge, Ala. "Mayor" Jimmy Lee Dorough, a member of the Alabama State Legislative Director Ron Clements at (334) 264-8758 if you will be attending. "Merry Christmas, and we hope to see you there," Clements said.

Local 768, Decatur, Ill.

Two Christmas parties are scheduled for members of this local next month, Local Chairperson Dan Calhoun reports. Local 768 and the Bremen Law Firm will hold their annual party Dec. 10 at 6 p.m. at the hotel, with free gift bags and prizes. The other party is a catered Christmas dinner Dec. 19 at 6 p.m. at the hotel.

Local 859, Jefferson City, Mo.

Missouri State Legislative Director Kenny Menges and Illinois State Legislative Director Robert Guy were on hand in St. Louis Oct. 13 when Amtrak recognized its 30th millionth passenger in a single year. Amtrak reported that 42,500 railcars passed that milestone since beginning operation in 1971. Rochelle Lahtinen, a frequent Amtrak passenger, was awarded two 30-day rail passes from the car windows.

Local 1200, Chicago

This local representing Metra commuter rail service conductors and engineers announces the retirement of Secretary & Treasurer Ted Decker. "Ted" Warner after 18 years of service to the local, according to Legislative Rep. John O’Brien. "Ted" has decided to finish his career and devote more time to his family and his family. We give many thanks for the years of outstanding service and leadership he has given to the members of 1200. His presence and dedication will be sorely missed," O’Brien said.

Local 1462, Boston

This Amtrak local will be holding its annual holiday party in conjunction with three other Boston area locals from 7 to 11 p.m. Nov. 26, Local Treasurers Dave Bowe reports. The cost is $25 per person at the door at the American Firefighters’ Hall, 55 Haller St. in Dorchester, Mass. The other participating UTU locals are Local 262 at Boston, Local 98 at Boston South, and Local 1308.

Local 1814, Spartanburg, S.C.

Local Vice President David Tyler said that the employees at CSX’s Spartanburg Terminal, Florence Division, are nearing a 5,000-day, injury-free milestone in the month of January.

Local 1895, Chicago

This local has established a benefit fund for the family of Norfolk Southern conductor Christopher O. Ochoa, 53, who died Oct. 17. Ochoa is survived by his wife, Elly Medrano-Ochoa, and three children. The family of the fallen conductor has asked that contributions be sent to the Chicago Communitarian Bank, 1110 W. 35th St., Chicago, IL 60609. Contact Local Secretary & Treasurer Larry Gracia at (708) 805-0756 if an account number is needed to make a contribution.

Auxiliary Lodge 5, Cleveland

Legislative Secretary & Treasurer Dale Rausch thanks all members who participated in the lodge’s annual Christmas Party and luncheon, held in the lunchroom of the UTU/UTUA International Offices. The luncheon was made possible by the generous food offerings of members and UTU employees. Brothers and Lodge President Lisa Vence report that the $260 raised through the sale of salamis and other items will be sent to Texas Amtrak State Legislative Director Kameron S. Saunders, who will donate the money to the volunteer fire department in Smithville, Texas.
False rumors targeting UTU, DIPP

As the perfectly healthy man told the obituary editor of his local newspaper, “Reports of my demise are greatly exaggerated.” And so it is with the UTU Insurance Association (UTUIA) and the UTU’s Discipline Income Protection Plan (DIPP). Vicious and absolutely false rumors are circulating that the UTU and UTUIA are going out of business, and that UTU policy holders and DIPP participants should flee to competing organizations.

Not surprisingly, one of these false rumors originated with a competitor to DIPP.

The plain dealing truth is that neither the UTU nor the UTUIA are going out of business. The UTUIA, which is wholly owned by its policy holders and regulated by the Ohio Department of Insurance, is doing business as usual.

Retired Alt. NLD Gene Plourd dies


Plourd, 79, born in Providence, R.I., hired out on Maine Central Railroad in December 1954, and was promoted to locomotive engineer in 1955, and engineer in 1962.

Early in his career, he served as his local’s legislative representative, and from 1960-1993 as Maine/New Hampshire state legislative director, becoming the dean of state legislative directors by virtue of that long service in the post.

From 1985 to his appointment as alternate national legislative director in 1993 – and concurrent with his post as a state legislative director – Plourd was chief of staff at the UTU national legislative office in Washington.

Plourd retired in 1997 as a member of Local 1420 (South Portland, Maine), following 43 years of membership in the UTU and its predecessor, the Brotherhood of Locomotive Firemen & Enginemen.

A Marine Corps veteran, Plourd served as a member of the University of Maine Labor Education Committee and a member of the New England Regional Commission Task Force on Capital and Labor.

Former UTU International President Tom DuBose recalled Plourd as “a distinguished gentleman in every respect who could be found doing the people’s business to the very end. Gene fought the battles that were required of him and had a capacity to learn, a capacity to listen, and a capacity to accept life as it is rather than the way he wanted it to be,” DuBose said.

Plourd is survived by his wife, Rosemary, 10 children and 13 grandchildren.

The family asks that in lieu of flowers, donations in Plourd’s memory be made to Hospice of Southern Maine, 180 U.S. Route 1, Scarborough, ME 04074, or Limerick Fire and Rescue Squad, 24 School St., Limerick, ME 04048.

UTU needs your photos

The UTU International is seeking good railroad, bus and airline photos for its annual calendar and other uses.

High-resolution digital photographs should be emailed to “utunews@utu.org.”


There is no change in the status, service, or security of the UTUIA.

UTU General Secretary & Treasurer Kim Thompson reported earlier this year that the UTUIA earned more than $400,000 from operations and remains financially strong, with nearly $26 million in surplus.

Similarly, DIPP is strongest in years. Participants in the DIPP also should keep in mind that DIPP is steadfast in looking for ways to pay claims of participants, while non-UTU plans are known to look for ways to avoid paying claims.

In addition to the UTU DIPP being the largest and most effective discipline income protection plan, it is the only program of its kind regulated by the Department of Labor – publishing financial statements, holding its funds in trust and being audited annually by a public accounting firm.

The UTU, the UTUIA and the DIPP are alive and well and will continue to serve UTU members. Don’t allow mischievous and self-serving rumor mongers to upset your financial security.

Three CN general committees to merge

Some 430 UTU-represented conductors and brakemen employed on three Canadian National properties – Wordsworth, Duluth, Winnipeg & Pacific (DW&P), and Dubuth Missabe and Iron Range (DM&IR) – have ratified an implementing agreement, effective Jan. 1, consolidating the three properties under a single agreement.

The new agreement provides for four stand-alone general committees under the jurisdiction of one general committee, with General Chairpersons Matt Koski (DW&P, GO 325), Steve Haus (DM&IR, GO 315) and Saint W. J. Laurent (DM&IR, GO 321) merging with General Chairperson Ken Flashberger (WC, GO 971).

“The merger reduces the administrative costs associated with four general committees,” said UTU International Vice President John Babler, who assisted with negotiations. “The implementing agreement satisfied both New York Dock, Article 1, Section 4, merger conditions and the parties’ Railway Labor Act Section 6 notices.”

Also provided by the agreement are general wage increases, as well as personal leave days, up to eight new extra board positions, a reduction in the number of years to qualify for additional weeks of vacation, a new bid rule and prior-rights zones.

Additionally, the new agreement provides terminal protection for DW&P and DM&IR trainmen, preserves no-furlough clauses on each property, reduces four-week personal leave down to four extra board weeks and extra board pools, and establishes an order of call when the extra board is exhausted.

UTU PAC supports all UTU’s lawmaker friends

WASHINGTON – While organized labor has more friends in the Democratic Party, and carriers have more friends in the Republican Party, there are many Republicans who are friends of organized labor, and the UTU’s bi-partisan approach to politics recognizes this.

One special Republican friend of the UTU is Rep. Steve LaTourette of Ohio, who serves on the House Transportation Appropriations Subcommittee, where Amtrak and transit funding are determined. Call newspaper, which reports on all things Congress, recently called LaTourette, “The top GOP ally of organized labor in the House.”

Rep. Dennis Kucinich (D-Ohio) of LaTourette: “People from both sides of the aisle often line up to talk to him because they value his judgment.”

Recently, LaTourette teamed with Rep. Russ Carnahan (D-Mo.) to introduce legislation allowing transit agencies to use some of their federal funding earmarked for new equipment for operations instead, which would allow cash-strapped transit agencies to maintain service and keep drivers, who otherwise faced layoffs, on the job.

LaTourette also has been an advocate for consistent and reliable Amtrak funding. He also led 15 House Republicans to oppose a Republican leadership attempt to pass a National Mediation Board rule change that made union representation votes more democratic. The NMB ruled that ballots cast would no longer be counted as “no” votes.

As we approach the 2012 election year, the UTU PAC will work on behalf of all its friends seeking re-election or election to Congress and state office, regardless of political party affiliation.

The UTU PAC works for and helps candidates judged capable and knowledgeable, and who recognize the problems that affect airline, bus, rail and transit workers.

For more information on the UTU PAC, and how UTU-member participation in the UTU PAC helps to protect their economic security and safe working conditions, go to the UTU PAC page of www.utu.org.
The time for high-speed rail is now

T he public wants travel alternatives and is turning to passenger rail.

As you all remember, it wasn’t long ago that we were fighting the previous administration over whether Amtrak and passenger rail would even survive.

This administration gets it. President Obama understands that we can’t build a 21st century economy on a 19th century transportation network.

The public wants travel alternatives and is turning to passenger rail. Rail ridership is up. Freight loadings are up. But there’s a lot more work to be done.

High-speed rail creates jobs today; we must make our voices heard

A Department of Transportation grants program – Transportation Investments Generating Economic Recovery (TIGER) – distributes funds based on merits, with nearly one-third of TIGER grants having gone to rail projects that increase capacity, reduce air pollution and create local jobs.

When we talk about high-speed rail, we’re not just talking speeds above 220 mph; but building a comprehensive network, with high-speed lines complemented by regional and feeder corridors connecting communities to the network.

In the right markets, these projects provide transportation benefits superior to auto or air.

The Obama administration has invested more than $10 billion to provide new rail access and improve the reliability, speed and frequency of existing lines. If we spread the word why high-speed rail creates jobs today and economic opportunity for years to come – I’m confident we’ll convince Congress to provide even more funding.

For anyone who doubts the urgency of rail access, let me give you one number to think about: 100 million. That’s the expected population growth in America over the next 40 years. Each of these Americans will need a way to get to work or school.

We can’t possibly meet this need by paving more roads or importing more oil.

We can sit on our hands, as some in Washington suggest, and leave the problem for the next generation.

Or we can have the courage to get started building our 21st century transportation network now.

You may have heard about one or two governors who aren’t sure whether high-speed rail is the right investment for their states. Some can’t seem to make up their minds.

But make no mistake: support for high-speed rail is overwhelming, as 32 states continue to move forward with projects.

Paving more roads and importing more oil is not a solution

(Joe Szabo formerly was Illinois state legislative director. He made his first revenue trip as a conductor on the Illinois Central, now part of CN, 35 years ago. His father was an Illinois Central switchman and secretary & treasurer of Local 1299 in Chicago. This column was adapted from a talk by Szabo at the UTU’s 11th quadrennial convention in Hollywood, Fla., in August.)

Members first as we work toward merger

“S tay calm and carry on” has always been the best advice during challenging times. It is appropriate advice for UTU members and employees as we move forward following the Oct. 10 merger arbitration award.

That arbitration ruling makes the merger look very similar to the merger we were initially promised – the merger the UTU members and I voted for in 2007.

The arbitrator recognized that maintaining the historical governance of the UTU was important by ruling that the UTU’s cherished craft autonomy, along with general committee autonomy, be preserved.

As required by the arbitration decision, I met with new SMWIA General President Joe Nigro, who took office July 1. The meeting was productive and positive.

At a meeting in early November of all incoming UTU International officers – a meeting traditionally held between a quadrennial convention and those officers being seated – we discussed the events of the past four years.

We agreed unanimously that UTU members’ interests have been vigorously defended, and it is now time to move forward – discussing with the SMWIA the rights and traditions of both organizations, and to collaborate constructively in finding the most efficient and equitable means of resolving any further outstanding differences, including pending litigation.

I know that I speak for Joe Nigro, as well, when I say that the leadership of both the UTU and the SMWIA has, as our highest priority, the delivery to our members of the wages, benefits and working conditions they expect and deserve.

We also share a commitment to our loyal employees, who serve our members on a daily basis.

In the meantime, I assure you that our United Transportation Union and our United Transportation Union Insurance Association are each financially strong and are continuing to grow stronger, notwithstanding this deep and lengthy recession.

As we put substantial merger-related litigation expenses behind us, and continue managing our other costs wisely, the UTU’s monthly surplus will continue to grow and allow for improved member representation.

The UTU and its predecessor unions have persevered and prospered for nearly a century and a half by being resolute in representing our members and flexible in the face of changing demands and events.

It is a formula that has served our members well and will continue to serve us well.
State Legislative Director Glenn Newsom and other UTU representatives recently attended a fundraiser for Assistant House Minority Leader Matthew A. Stodolski (D-49th) that featured a rousing speech by former Gov. Ted Strickland. “The spirit is still with Strickland and he can rock the room with his oratory,” Newsom said. “Ted will be the next governor of Ohio. The Ohio State Legislative Board is pleased to be supporters of Matt Stodolski, who comes from a family associated with the labor movement. We know that he listens to labor’s concerns and he is there for rail labor.”

State Legislative Director Jay Seegmiller and member Eric Gustafson (both members of Local 166, Salt Lake City) were recently honored by the Utah National Guard Charitable Trust for their commitment to families of the Utah National Guard.

The trust helps families of National Guard servicemen and women who have been injured while serving or who are in financial straits due to their deployment.

Seegmiller and Gustafson, along with other members of the Salt Lake City Amtrak Safety Committee, raised nearly $800 for the trust and said they are committed to raise much more the coming year.

Certification pay and the interpretation of single days continue to be big obstacles holding us up. I remain confident that, with the efforts of our UTU negotiating team, we will be able to obtain an agreement that will be beneficial to our UTU members.

Negotiating with Sampson is Amtrak General Chairperson Bill Beebe (GO 663), assisted by International Vice President John Previsich.

Workers on three properties vote for UTU representation

The UTU was successful in three recent organizing drives, bringing to 27 the number of new properties added to the UTU family within the past 44 months.

Workers at Columbia & Cowlitz Railway (which includes Patriot Woods Railroad) in Longview, Wash.; Industrial Railway Switching and Services of Lorain, Ohio, and First Transit of Farmington, N.M., are now represented by the UTU.

Transportation and mechanical employees at shortline Columbia & Cowlitz Railway (which includes Patriot Woods Railroad for representation purposes, both parts of the Patriot Rail group and operating in southwest Washington state), voted unanimously for UTU representation, rejecting another labor organization. Director of Organizing Rich Ross and Assistant President Arty Martin made presentations to the workers, leading to a unanimous show of support in the representation election.

Industrial Railway Switching and Services (IRSS), which provides intraplant switching for manufacturing and processing plants at numerous locations in the Midwest and Southwest, voluntarily recognized the UTU as its transportation employees’ bargaining representative. Ross, Assistant General Counsel Erik Diehl, Illinois State Legislative Director Bob Guy and Local 1895 (Chicago) Chairperson Larry Grutzius were instrumental in the organizing drive.

At First Transit, a public transit operator and part of First Group America, former UTU member Steve Moots, now employed there, provided a testimonial on UTU representation abilities to his fellow then-unorganized workers. Bonnie Morr, alternate Bus Department vice president, was assistant in the organizing drive by Alternate Vice President John England, Columbia & Cowlitz Railway General Chairperson Sean Kibbee, New Mexico State Legislative Director Dennis Baca and Assistant President Arty Martin.

State Legislative Director Rick Johnson urges members to support Ed Perlmutter in his bid for re-election. As the keynote speaker at the recent state AFL-CIO convention, Perlmutter affirmed his negative positions on the upcoming free trade agreements before Congress. He also discussed the anticipated changes to the congressional district lines that are being decided in the courts. “The 2012 election will be another battle to elect labor-friendly candidates to represent working men and women at the highest levels of our country. Ed is a good friend of the UTU and deserves all of our support in 2012.” Johnson said.


driving a bus is stressful

Operating a bus may be the most stressful job in America.

Early in November, 100 Detroit bus operators walked off the job after repeated passenger assaults. In New York, a study found a pattern of physical and verbal assaults on drivers.

Add to the fear of being assaulted the long hours spent in congested traffic and passengers interfering with bus operation with repeated questions and complaints, and one should not be surprised at the mental toll it has on drivers. An article in Slate calls it “a potent stress cocktail.”

Driving a bus, according to The Journal of Occupational Health Psychology, is “a high stress occupation.” One psychologist said bus drivers face two unacceptable choices: Make the schedule by driving recklessly, or drive safely and irritate passengers who are too often likely to assault or otherwise abuse the driver.

And it’s not just city buses. The number of physical and verbal assaults on school bus operators has been increasing.

Increasingly, bus operators suffer from high blood pressure, heart disease, sleep apnea and gastrointestinal disorders traceable to stress. As cash-strapped transit agencies reduce service and raise fares, the pressures on drivers is only going to increase.

Operating a transit or school bus may be the most stressful job in America

While lawmakers and regulators frequently focus on improved safety standards for bus manufacturing, cellphone bans, and tougher qualifications for bus operators, they too often ignore management pressure to adhere to schedules, overtime demands and a refusal to install bus-operator safety shields.

These are issues we continue to make known to lawmakers and regulators, and we will continue doing so until acceptable legislation and regulations are imposed.

A bill now before Congress, the Local Flexibility for Transit Assistance Act (H.R. 3200), introduced by Rep. Russ Carnahan (D-Mo.) and Steve LaTourette (R-Ohio), is a step in the right direction. It would allow local transit systems in areas with more than seven percent unemployment or substantially higher gasoline prices to gain access to federal funds to maintain service and return furloughed employees to work.

Driving a bus in the most stressful job in America

While lawmakers and regulators frequently focus on improved safety standards for bus manufacturing, cellphone bans, and tougher qualifications for bus operators, they too often ignore management pressure to adhere to schedules, overtime demands and a refusal to install bus-operator safety shields.

These are issues we continue to make known to lawmakers and regulators, and we will continue doing so until acceptable legislation and regulations are imposed.

A bill now before Congress, the Local Flexibility for Transit Assistance Act (H.R. 3200), introduced by Rep. Russ Carnahan (D-Mo.) and Steve LaTourette (R-Ohio), is a step in the right direction. It would allow local transit systems in areas with more than seven percent unemployment or substantially higher gasoline prices to gain access to federal funds to maintain service and return furloughed employees to work.

The UTU will continue to keep lawmakers informed on problems faced daily by bus operators, while the UTU PAC will continue to support candidates who demonstrate an understanding of our problems and a determination to take legislative action to solve the problems.
New UTU International offices feature room of historical artifacts

Few labor organizations have a richer heritage than the United Transportation Union, which was formed in 1969 through the unification of four brotherhoods: the Brotherhood of Railroad Trainmen (BRT); the Brotherhood of Locomotive Firemen and Enginemen (BLF&E); the Switchmen’s Union of North America (SUNA) and the Order of Railway Conductors and Brakemen (ORC&B).

The UTU’s roots trace back to 1868, when T.J. “Tommie” Wright and a small band of Illinois Central Gulf conductors formed the first conductors’ union, known as “Division Number 1 Conductors’ Brotherhood” at Amboy, Ill. That group became the ORC&B.

In 1870, switchmen employed on railroads in the Chicago area worked 12 hours a day, seven days a week, for $50. Helpless in bargaining with their employers individually, they banded together that year to form the Switchmen’s Association, which later became SUNA.

Lodge No. 1 of the Brotherhood of Locomotive Firemen was organized by Joshua Leach and 10 Erie Railroad firemen at Port Jervis, N.Y., in 1872. That organization grew into the BLF&E.

The Brotherhood of Railroad Trainmen, largest of the UTU’s predecessor unions, was founded in June of 1883 at Oneonta, N.Y., when eight brakemen crowded into D&H caboose No. 10 to change rail labor history. They were the founders of the BRT.

Over the years, the UTU has accumulated a number of historical items from the brotherhoods, but, until the UTU moved into new offices in May 2010, had no place to display them.

That problem was solved with the creation of a room now used to display many of the items, including photographs, campaign buttons and badges, a timeline of the formation of the UTU, and photographs. The project was spearheaded by Administrative Aide to the International President Cheryl Sneed.

All UTU members are welcome and invited to tour the history room whenever they visit Cleveland.

A collection of switch keys, conductor uniform buttons (detail below) and other rail memorabilia given the UTU in 1976 by Mildred and Howard Cox of Barstow, Calif.

One of the first portable telephones used on railroads is on display in the history room. The crossing sign is a model of the Buckeye Crossbuck, a reflective crossing sign developed by UTU members in Ohio.

The walls are covered with historical photos, mementos and a timeline of rail-labor history.
UTU retiree writes dictionary of railroad terms

Not everyone knows what it means to kick a car, to deadhead, to be bumped or be a hoghead.

Retired BNSF Railway conductor William Wood, a member of Local 1687 at Belen, N.M., aims to change that.

Wood recently finished the second edition of his railroad dictionary, aptly called "The Railroad Dictionary."

After 40 years on the railroad, Wood can spout railroad terms and definitions all day long. But once in a while his wife, Wanda, had to ask him for translations.

"One day I was talking to my wife and she asked me, 'Why would you want to kick a car?'' Wood said. "She said a dictionary for railroad wives might be a good idea."

He started making a list of terms and definitions, working on it off and on for more than 15 years.

"I would work on it and then it would just sit there," Wood said. "Every so often, I would do a little on it." Wood retired in 1989.

In 1990, his son, Brian, a graphic designer, decided it was time to do something with the rail dictionary.

"It was just a bunch of words on a computer. Brian did all the layout and design and some editing," Wood said.

Wood's book contains appendixes that contain a wealth of information, including a list of steam engine classifications, abbreviations of common terms, as well as "whistle talk" — a listing of train signals and their meanings.

"All the time I was working on it, maybe I knew deep in my subconscious, but I never thought about publishing," he said. "I mostly wrote it for my own pleasure. And I’m easy to please."

As he gears up for a third edition, with 1,000 more terms, Wood said he’s been doing a lot of research online, hunting down new railroad terms as the industry changes.

"There are a lot of terms I’m not going to use. There are terms on the business end, engineering has their own terms that has nothing to do with me, and there are a lot of terms in the different departments, like the signals department and engine service," he said.

The book can be purchased through Amazon or Barnes & Noble, or log onto www.railroaddictionary.com.

The Railroad dictionary contains more than 2,000 definitions

The first edition came out just a year after his retirement in 1990 and contained 730 terms in a little saddle-stitched booklet printed near his home.

Now, a decade later, the new dictionary includes more than 2,000 terms.

"It took some things out of sentences, stuck commas in to make it right," he said. "I revised some of the definitions. Some weren’t long enough or clear enough."

In addition to the terms and definitions, Wood’s book contains appendices that contain a wealth of information, including a list of steam engine classifications, abbreviations of common terms, as well as “whistle talk” — a listing of train signals and their meanings.

"All the time I was working on it, maybe I knew deep in my subconscious, but I never thought about publishing," he said. "I mostly wrote it for my own pleasure. And I’m easy to please."

As he gears up for a third edition, with 1,000 more terms, Wood said he’s been doing a lot of research online, hunting down new railroad terms as the industry changes.

“There are a lot of terms I’m not going to use. There are terms on the business end, engineering has their own terms that has nothing to do with me, and there are a lot of terms in the different departments, like the signals department and engine service,” he said.

The book can be purchased through Amazon or Barnes & Noble, or log onto www.railroaddictionary.com.

Alumni chapter names Esquibel new coordinator

Members of UTU Alumni Association Chapter 2, in Pocatello, Idaho, recently met to name a new coordinator and to hear from candidates for political office.

The group named Emilio “Joe” Esquibel, a retired member of Local 265, Pocatello, their new chairperson. Esquibel takes over for chapter founder Francis “Mac” McCarty, who died.

Esquibel addressed the more than 50 people in attendance of the importance of the Alumni Association in keeping members informed and active in community affairs, political action involvement and the value of the work of the state’s Legislative Department.

State Legislative Director George Millward gave the group a legislative report and delivered a message from Assistant President Artt Martin on the condition and future of the UTU.

Assistant State Legislative Director Nathan Millward then introduced Evi Nye, Scott Wood's book contains appendices that contain a wealth of information, including a list of steam engine classifications, abbreviations of common terms, as well as "whistle talk" — a listing of train signals and their meanings.

"All the time I was working on it, maybe I knew deep in my subconscious, but I never thought about publishing," he said. "I mostly wrote it for my own pleasure. And I’m easy to please."

As he gears up for a third edition, with 1,000 more terms, Wood said he’s been doing a lot of research online, hunting down new railroad terms as the industry changes.

“There are a lot of terms I’m not going to use. There are terms on the business end, engineering has their own terms that has nothing to do with me, and there are a lot of terms in the different departments, like the signals department and engine service," he said.

The book can be purchased through Amazon or Barnes & Noble, or log onto www.railroaddictionary.com.
RRB reports funds healthy

Barring a sudden, unanticipated, large decline in railroad employment or substantial investment losses, the Railroad Retirement system will experience no cash-flow problems during the next 23 years, the Railroad Retirement Board (RRB) said in a recent report.

The RRB said total assets managed by the National Railroad Investment Trust and the Railroad Retirement System equaled $25.1 billion as of Sept. 30.

The cash balance of the railroad unemployment insurance system was $37.7 million at the end of fiscal year 2010, RRB said.

The long-term stability of the system, however, is still questionable, RRB said.

Actual levels of railroad employment and investment return over the coming years will largely determine whether corrective action is necessary, RRB noted.

The projected Tier II tax rates for upcoming calendar years are expected to be either the same or lower than in last year’s, the RRB said.

The favorable comparison with last year was largely due to actual investment return of approximately 14.4 percent, exceeding the expected investment return of 7.5 percent in calendar year 2010 and to higher projected employment. This was offset by a lower estimated wage increase for calendar year 2010, the RRB said.

The report did not recommend any change in the rate of tax imposed by current law on employers and employees.

Additionally, the RRB’s 2011 railroad unemployment insurance financial report was also generally favorable. Even as maximum benefit rates increase 38 percent (from $66 to $91) from 2010 to 2021, contribution rates are expected to keep the unemployment insurance system solvent.

Due to short-term cash-flow problems, $46.5 million was borrowed from the Railroad Retirement Account during fiscal year 2010. The loans are expected to be fully repaid by the end of fiscal year 2011, RRB said.

RRB annuities to rise in 2012; earnings limits to increase

Most Railroad Retirement annuities, like Social Security benefits, will increase in January 2012 because of a rise in the Consumer Price Index (CPI) from the third quarter of 2008, the last year a cost-of-living adjustment was determined, according to the Railroad Retirement Board (RRB).

Also, Railroad Retirement annuitants subject to earnings restrictions will be able to earn more in 2012 without having their benefits reduced, as a result of increases in earnings limits indexed to average national wage increases, the RRB said.

Cost-of-living increases are calculated in both the Tier I and Tier II benefits included in a Railroad Retirement annuity. Tier I benefits, like Social Security benefits, will increase by 3.6 percent, which is the percentage of the CPI rise. Tier II benefits will increase by 1.2 percent, which is 32.5 percent of the CPI rise.

In January 2012, the average regular Railroad Retirement employee annuity increase will be $84 a month to $2,308 and the average of combined benefits for an employee and spouse will increase $29 a month to $3,293. For those aged widow(er)s eligible for an increase, the average annuity will increase $38 a month, to $1,203.

For those under full retirement age throughout 2012, the exempt earnings amount rises to $14,640 from $14,160 in 2011. For beneficiaries attaining full retirement age in 2012, the exempt earnings amount, for the months before the month full retirement age is attained, rises to $38,880 in 2012 from $37,680 in 2011.

Widow(er)s whose annuities are being paid under the Railroad Retirement and Survivors’ Improvement Act of 2001 will not receive annual cost-of-living adjustments until their annuity amount is exceeded by the amount that would have been paid under prior law, counting all interim cost-of-living increases otherwise payable. Some 35 percent of the widow(er)s on the RRB’s rolls are being paid under the 2001 law.
John Shepherd, former GS&T, a witness to history

He left home a small-town boy. He returned a wounded war hero.

He was John H. Shepherd, retired general secretary & treasurer of the UTU. He also was a witness to one of the most celebrated military victories in American history.

Shepherd was at the base of Mount Suribachi on Iwo Jima on Feb. 23, 1945, when Marines from his company erected the American flag atop it.

The photograph of that event, taken by Associated Press photographer Joe Rosenthal, has been called the most famous photograph ever taken.

He was on Iwo Jima when the American flag was raised.

Shepherd, who began working as a yardman for the Union Pacific in 1940, enlisted in the Marines and left North Platte, Neb., April 14, 1944. He was married with a small son and daughter.

He was assigned to a machine gun unit of E Company, 28th Regiment, 5th Division, United States Marine Corps.

On the morning of Feb. 19, 1945, following 12 consecutive hours of preparatory bombing and shelling, the Japanese-held Pacific island of Iwo Jima was invaded by U.S. Marines.

Under the command of Lieutenant General Holland Smith, the Marines faced an almost impossible military situation.

Lacking the element of surprise, they had to land in heavy surf on a 3,500 yard beach where, ankle deep in volcanic sand, they were under observation and fire from 546-foot high Mount Suribachi and a 400-foot plateau.

Iwo Jima, 750 miles south of Japan, was the first piece of land under the direct administration of Tokyo to be captured by American forces during World War II.

The cost of the 26-day campaign: 4,189 Marines killed, 15,308 wounded and 441 missing.

John H. Shepherd was a witness to history.

Conductor certification coming Jan. 1

Continued from page 1

crews, so as not to conflict with other safety sensitive duties.

- If the conductor lacks territorial qualification on other than main track, the conductor, where practical, shall be assisted by a certified conductor meeting the territorial qualifications. Where this is not practical, the conductor shall be provided an appropriate job aid, which includes maps, charts or other visual aids of the territory. This applies to all tracks on each territory.

- Territorial qualification is not required for short movements of one mile or less where track speed is 20 mph or less and movement is required to be at restricted speed, and the track grade is less than one percent.

Prior to revoking conductor certification, a railroad must:

- Provide notice of the reason for suspension, and an opportunity for a hearing before a person other than the investigating officer. Written confirmation of the notification shall be in accordance with the collective bargaining agreement. Additionally, the hearing shall be in accordance with the collective bargaining agreement, but shall be convened within 10 days after the certification is suspended, unless the conductor asks for a delay.

- Provide, no later than convening the hearing, and notwithstanding any collective bargaining agreement, a copy of the written information and a list of the witnesses the railroad intends to present at the hearing. The railroad shall grant a recess if the information is provided just before the hearing. If the information is provided through written statements of an employee, the railroad shall make that employee available for examination during the hearing.

- Not revoke certification or recertification if there is sufficient evidence that an intervening cause prevented or materially impaired the conductor’s ability to comply with requirements.

Also, with regard to conductor certification:

- The appeal procedures largely mirror engineer certification regulations.

- The training requirements for new conductors are significantly improved from current requirements. In addition to improved initial training, this rule requires recurrent training for all conductors every three years during the recertification process. The recurrent training must be identified in the certification plan filed with FRA, including changes in operating rules, operating practices, new federal regulations and new equipment in service.

“...The implementation of conductor certification enhances the skills and safety performance of freight and passenger conductors, provides a federal license ensuring proper training of conductors, and establishes a new basis for resisting management pressure to violate operating rules and federal regulations,” said UTU International President Mike Futhey.

The final rule is a result of input from all affected parties, including labor, through the FRA’s Rail Safety Advisory Committee (RSAC).

The UTU was represented on this RSAC Conductor Certification Working Group by Local 645 Chairperson Vinnie Tessitore, Local 1470 Chairperson David Brooks, General Chairperson (GO 049) John Lesniwski, Local 528 Legislative Representative Ron Parsons, Alternate National Legislative Director John Risch, National Legislative Director James Stem, and UTU Rail Safety Coordinator for Designated Legal Counsel Larry Mann.

The rail conductor certification enhancements safety, security.

Rail conductor certification enhances safety, security.

The UTU represented on this RSAC Conductor Certification Working Group by Local 645 Chairperson Vinnie Tessitore, Local 1470 Chairperson David Brooks, General Chairperson (GO 049) John Lesniwski, Local 528 Legislative Representative Ron Parsons, Alternate National Legislative Director John Risch, National Legislative Director James Stem, and UTU Rail Safety Coordinator for Designated Legal Counsel Larry Mann.

A link to the 279-page final rule is posted on the UTU website at www.utu.org.

Breaking news as it happens:

Register for UTU News alerts

Information is power and your UTU is trying to give you as much information as it can, as soon as possible. Savvy members have learned to log on to www.utu.org at least once daily to check the transportation news and any important new happenings within the UTU.

We want important UTU news to reach you even faster. So we have created special email lists so UTU members can sign up to receive email on important UTU events.

Register for email alerts by visiting www.utu.org and clicking on the “Email Alerts” tile on the UTU homepage. Be sure to double check the information for accuracy before sending your email registration.

Your email address will be kept confidential. It will not be sold, traded or given to anyone.
Most major railroads report higher profits in third quarter

While most railroads reported a profitable third quarter in 2011, the industry remains short of earning what federal regulators consider sufficient to sustain investment for new equipment; maintain existing track, bridges, signal systems and other capital assets; and to fund capacity expansion.

The U.S. Surface Transportation Board determined that, for calendar year 2010, only Union Pacific achieved such revenue adequacy.

Following are major railroad earnings reports for the third quarter of 2011:

**Canadian National** reported a 19 percent increase in profit for the third quarter 2011 versus the third quarter 2010. CN said a four percent increase in carloadings and a nine percent increase in revenue, coupled with “rigorous cost control,” drove its higher third quarter earnings.

CN’s third quarter 2011 operating ratio of 59.3 percent improved from the 60.7 percent operating ratio during the third quarter 2010. (Operating ratio is a railroad’s operating expenses expressed as a percentage of total operating revenue, and is considered by economists to be the basic measure of carrier profitability. The lower the operating ratio, the more efficient the railroad.)

CN is primarily a Canadian railroad. Its U.S. holdings include what were formerly Detrex, Toledo & Ironton; Elgin, Joliet & Eastern; Grand Trunk Western; Illinois Central; and Wisconsin Central.

**CSX** reported a 12 percent increase in profit for the third quarter 2011 versus the third quarter 2010, much of it the result of higher freight rates as traffic volume slowed.

The railroad said higher fuel surcharges improved its bottom line, offsetting higher costs. CSX also said that its earnings were helped by increased coal exports to China that offset a weakness in domestic coal shipments. Coal accounts for some 33 percent of CSX revenue.

CSX’s third quarter 2011 operating ratio deteriorated to 70.4 percent versus 69.1 percent for the third quarter 2010.

CSX operates 20,830 route miles in 23 states and the District of Columbia.

**Canadian Pacific** reported a 99 percent improvement in profits for the third quarter 2011 versus third quarter 2010, driven by higher freight rates and a record level of carloadings, boosted through increased production of automobilies in Mexico destined for U.S. markets.

“These achievements are all the more impressive given the operating challenges caused by prolonged flooding in the Midwest, particularly along the Missouri River,” said CEO David Stirling. “The flooding resulted in the closure of substantial rail line in Kansas City from mid-June through Labor Day, which significantly disrupted grain and coal traffic.”

CSX’s operating ratio of 66.6 for the third quarter 2011 was a sharp improvement from the 73.5 percent for the third quarter 2010.

CSX operates some 3,500 route miles in 10 states in the Central and South-Central U.S., as well as Kansas City Southern de Mexico, a primary Mexican rail line.

**Kansas City Southern (KCS)** reported a 99 percent improvement in profits for the third quarter 2011 versus third quarter 2010, driven by higher freight rates and a record level of carloadings, boosted through increased production of automobilies in Mexico destined for U.S. markets.

“These achievements are all the more impressive given the operating challenges caused by prolonged flooding in the Midwest, particularly along the Missouri River,” said CEO David Stirling. “The flooding resulted in the closure of substantial rail line in Kansas City from mid-June through Labor Day, which significantly disrupted grain and coal traffic.”

KCS’s operating ratio of 66.6 for the third quarter 2011 was a sharp improvement from the 73.5 percent for the third quarter 2010.

KCS operates some 3,500 route miles in 10 states in the Central and South-Central U.S., as well as Kansas City Southern de Mexico, a primary Mexican rail line.

**Union Pacific** reported a 16 percent increase in profit for the third quarter 2011 versus third quarter 2010, citing price increases and fuel surcharges in the face of a sluggish economy, weather-related difficulties in patched Texas and sharply higher fuel prices.

UP’s operating ratio of 69.1 percent for the third quarter 2011 was slightly higher than the record 68.2 percent operating ratio it posted in the third quarter 2010.

Union Pacific operates some 32,000 route miles in 23 states in the western two-thirds of the U.S.

As BNSF Railway is now privately held, it does not report earnings.

A railroad is considered “revenue adequate” if it achieves a rate of return on net investment equal to at least the current cost of capital for the railroad industry.

For 2010, the STB concluded that the current cost of capital for the railroad industry was 11.03 percent, and only Union Pacific achieved a rate of return equal to or exceeding that percentage.

No railroad was found to be “revenue adequate” for calendar year 2009.

For 2010, the STB determined that Union Pacific achieved a rate of return on net investment of 11.54 percent; Norfolk Southern, 10.86 percent; CSX, 10.85 percent; BNSF, 10.73 percent; Union Pacific, 9.77 percent; BNSF, 9.22 percent; Canadian National U.S. affiliates, 9.21 percent, and Canadian Pacific U.S. affiliates, 8.01 percent.

**Discipline Income Protection Program: It Pays!**

What is the Discipline Income Protection Program? This program pays you a specific amount of money over a length of time if you are suspended, dismissed or removed from service by the carrier for alleged violation of rules or operating procedures, provided that such violations are not on the list of exceptions not covered.

**What benefits are paid?** You choose the level of benefits paid, from $6 to $200 per day, all at low monthly assessments. The term of benefits, from 250 to 365 days, depends on how long you have been enrolled in the program.

**Who sponsors the program?** The United Transportation Union International sponsors the Discipline Income Protection Program.

**Who is eligible for coverage?** All UTU members may enroll on a voluntary basis.

**How do I get more information?** Contact your field supervisor or local insurance representative, or write to: UTU, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333, or email “dipp@utu.org” or check out the Discipline Income Protection Program page on www.utu.org.
The UTU International is always looking for good photos, and awards UTU year 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, and old photos of your brothers and sisters keeping America rolling.


High-resolution digital photographs should be in the JPEG format and emailed to utunew@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 taking photographs on the property or during work hours.

This photo is by Local 1501 (Baton Route, La.) member Ian Sutherland. It is CN engine 8899 servicing an ADM grain elevator at the north end of the carrier’s Remy siding on the Baton Rouge subdivision outside Paulina, La.

Photo of the month

Inside this issue of the UTU News:

Raymond Noss of New London, Ohio, 104, a retired member of Local 792, Cleveland, votes on his absentee ballot to return collective-bargaining rights to firemen, police officers, teachers and other public employees in the state.

UTU retiree Brown leaves railroads for stovetops. See page 2.

Former Alternate NLD Gene Plourd dead at 79. See page 3.

New UTU office features rail-labor historical items. See pages 6/7.

Former GS&T John Shepherd a witness to history. See page 10.

UTU helps Ohioans regain bargaining rights

Voters in Ohio overwhelmingly restored to public employees Nov. 8 their collective bargaining rights that a conservative majority in the state legislature — with support from Gov. John Kasich — chose to revoke earlier this year.

The legislative attack on collective bargaining rights was so repugnant to Ohio citizens that 1.3 million affixed their signature on petitions to place the law on the November general election ballot — a rare and not lightly taken action of direct democracy.

By nearly a two-to-one margin, Ohio voters overturned the law, sending a strong message to lawmakers that they best not again seek to trash workers’ rights to collectively bargain for wages, benefits and working conditions.

The New York Times called the landslide vote “a slap to Ohio’s governor, John Kasich, a prominent Republican who had championed the law.” Vice President Joe Biden said, “Fundamental fairness has prevailed.”

The UTU Collective Bargaining Defense Fund played a meaningful role in overturning the law, with active and retired UTU members in Ohio helping to organize public demonstrations, circulating petitions to place the law on the November ballot, and assisting in voter registration and get-out-the-vote drives that involved knocking on doors and providing rides to the polls.

Ohio State Legislative Director Glenn Newsom spent months visiting locals and directing mail and phone messages to active and retired members about the importance of voting and encouraging others to repeal the law.

This was the second victory for the UTU Collective Bargaining Defense Fund. In July, two anti-labor senators, who had voted in favor of a law similar to the one in Ohio, were removed from office in Wisconsin following a recall effort with strong UTU participation. Democrats and union leaders there now hope to channel momentum from the Ohio victory into an effort to recall Wisconsin Gov. Scott Walker. They must obtain more than 540,000 signatures by Jan. 17.

The UTU News

Published monthly (except for combined months of December/January and July/August) by the UNITED TRANSPORTATION UNION, 24950 COUNTRY CLUB BLVD., SUITE 340, NORTH OLMSTED, OH 44070-5333. Periodicals postage paid at Cleveland, Ohio, and additional mailing offices: Mike Fulhey, International President; Kim Thompson, General Secretary-Treasurer. This publication available on microfilm from National Archive Publishing, P.O. Box 998, Ann Arbor, MI 48106.