Amtrak employees represented by the SMART Transportation Division (UTU) and the railroad ratified a five-year agreement with management of the National Railroad Passenger Corp. (Amtrak).

The new pact covers approximately 2,100 members employed as conductors, assistant conductors, yardmasters and dining car stewards.

The agreement is retroactive to 2010 and the new rates of pay should become effective within 30 to 45 days. Payment of retroactive wages will be made approximately 60 days after the wage rates take effect.

"The membership recognized the value of the proposed contract and in ratifying the agreement, have secured the wages and benefits that were here before on the additional pay by the negotiating team," said SMART Transportation Division Assistant President John Previch.

With the assistance of Previch, the contract negotiations were conducted by Amtrak General Counsel A. Thomas Sampson (GO 769), Bob Beebe (GO 663) and Robert J. Keeley (GO 342).

"I must thank President Mike Futhey and Assistant President John Previch, whose efforts made this agreement possible," Sampson said.

"Despite moments of uncertainty that existed, their leadership, patience and candid demeanor kept this very long and difficult round of negotiations moving forward. I would also like to recognize the efforts of General Chairperson Bill Beebe, Vice General Chairperson Charlie Yura and Local 1361 Chairperson Gary J. Hopson for their assistance in bringing these negotiations to a conclusion."

FMCSA drops redundant CDL rule

The federal government is relaxing a rule for drivers of buses and large trucks who are involved in out-of-state traffic violations.

The Federal Motor Carrier Safety Administration (FMCSA), an office of the Department of Transportation, is eliminating a requirement that drivers notify their state's licensing agency when they are convicted of a traffic offense in another state.

In its final rule published in the Federal Register April 26, FMCSA amended its commercial driver's license (CDL) rules to eliminate the requirement for drivers to notify the state licensing agency that issued their commercial learner's permit (CLLP) or CDL of out-of-state traffic convictions when those convictions occur in states that have a certified CDL program in substantial compliance with FMCSA's regulations.

Current regulations require both CDL holders and states with certified CDL programs to report a CDL holder's out-of-state traffic conviction to the driver's state of licensure.

This final rule amends the CDL rules to eliminate this reporting redundancy for those cases in which the conviction occurs in a state that has a certified CDL program in substantial compliance with FMCSA's regulations. This change will reduce a regulatory burden on individual CLP and CDL holders and state driver licensing agencies.

"The anticipated benefits of the rule will take the form of reduced paperwork burden hours and expenditures for the reporting of out-of-state traffic convictions," the agency said in the new rule.

Under the rule, which will take effect in 30 days, states will continue sending reports to each other, but no action will be required from drivers.

"This is a favorable change to this rule, however, it does not eliminate a commercial driver, especially a bus driver, from following a carrier's policy of reporting traffic or moving violations to the

Continued on page 10

Members ratify five-year Amtrak agreement

General Chair Mark Cook elevated to alternate VP

Norfolk Southern GO 898 General Chairperson Mark H. Cook was elevated to the office of alternate vice president of the SMART Transportation Division during a meeting of the division's board of directors last month.

A member of Local 783 in Salisbury, N.C., Cook was born August 2, 1957. He began his railroad career with Southern Railroad in Linwood, N.C., in September 1979.

After becoming interested in the affairs of his local, he was elected to the office of vice president. He went on to serve as both the local's vice chairperson and chairperson.

He was elected to the position of assistant general chairperson of Norfolk Southern GO 898 in 2003 and re-elected in 2007. In 2011, he was elected to the office of general chairperson of the committee.

"I was very honored to be elevated to this position by the board of directors and will continue to work to the best of my ability on behalf of my fellow brothers and sisters," Cook said.

Cook was elevated to the office of alternate vice president to fill the vacancy created by Larry Barrilleaux, who retired Jan. 15.

Cook and his wife, Dinette, live in Maryville, Tenn. They have two sons, Myles and Jared.

Obama re-nominates three members to NMB

WASHINGTON — President Barack Obama last month re-nominated three individuals to serve on the National Mediation Board, which administers the Railway Labor Act affecting railroads and airlines.

Nominees Harry Hoglander and Linda Puchala are current members of the board. The third nominee is Nicholas C. Geale, a Republican staff member of the Senate Health, Education, Labor and Pensions Committee.

Hoglander, an attorney and NMB member since 2002, previously was a senior staff member for former House member John Tierney (D-Mass), an executive vice president of the Air Line Pilots Association, an airline captain flying for TWA, and a U.S. Air Force pilot.

Puchala, an NMB member since 2009, previously was an NMB mediator and International President of the Association of Flight Attendants.

Prior to his work with the Senate Health, Education, Labor and Pensions Committee, Geale was an attorney in the Labor Department.

Democrats Hoglander and Puchala hold expired seats on the board and await Senate reconfirmation.

The law permits NMB members to continue serving, following expiration of their term, until a successor is confirmed or they are reconfirmed.

President Obama previously nominated Geale on Dec. 17, 2012. Because the Senate failed to act on his nomination prior to Dec. 31, the president had to make new nominations when the new Congress was seated in 2013.

If confirmed, Geale will succeed Republican Elizabeth Dougherty, who resigned in July 2012 following expiration of her second term. Obama nominated Republican Thomas Beck to succeed Dougherty, but after the Senate failed to hold a confirmation hearing on his nomination, he withdrew his name.

Typically, Republican and Democratic nominees are paired for confirmation.
Local 14, Cincinnati, Ohio
CSX conductor Vincent “Vinnie” Kelly, 38, died Jan. 24, 2013. General Committee Secretary Erik R. Belew reports. He is survived by his wife of 17 years, Melissa; daughter, Brittany; and sons Joshua and Vincent.

Local 239, Oakland, Calif.
This Pacific Ocean local held a retirement barbecue March 15 at the East Oakland Yard office for former Local Chairperson, D’Agostino and General Committee Secretary Brian Lamb, who ended his 35-year railroading career Jan 1. T he gathering, organized by Local President Tom Cahill, was attended by more than 55 current and former UTU members and retirees. Pictured, from left in the front row, are Matt Kuzey, Local Chairperson Dan Freney (100), Louis, Ted Olson and Vice Local Chairperson Robert Hudson. In the back row, from left, are Local President Dans Spencer (100), Cahill, Lance Jenkins, Local Chairperson Dan Spencer, retired member Bob Prinze (1801) and Local President Louis (100).

Local 240, Los Angeles, Calif.
Local Chairperson Harry J. Gravin Jr. and the members of this local congratulate the following brothers who recently retired: conductor Brett D. Ray, March 18, after 33 years of service; conductor Herb M. Dean, March 1, after 33 years of service; conductor Mike L.M. Pierce, March 1, after 35 years of service and Georgia L. Davis, April 1, after 34 years of service. Gravin also noted the deaths of members Edward G. Sheeby, 79, and conductor Lloyd G.L. Williams, 59.

Local 243, Fort Worth, Texas
This local hosted a CPR class at its monthly meeting in April, where 12 members were CPR/AED-trained, according to member Steve Cliné. Members that completed the class were eligible for a $25 gift card, which was awarded to Michael Taylor. Besides Taylor, Ricky Clabaheim, DeAndre Anderson, Secretary & Treasurer Cameron Callum and Vice Local Chairperson Mark Trainole and others received the certification, which was taught by fellow member Joshua Livington. Pictured above, from left, are Livington, Clabaheim and Anderson.

Local 311, La Crosse, Wis.
Legislative Rep. Rick Molling recently received a plaque from Local President Lorne Mollen in recognition of his hard work in educating local members about the importance of donating to UTU PAC. “Rick simply emphasizes to the members that they are entering one of the best job markets out there, and the UTU helped to create those high-paying jobs with great benefits,” State Legislative Director Craig Peayt said. Hauser said his local has doubled its PAC contributions over the past few months. Legislative Rep. Bruce Pleshky of Local 312 at Madison, whose local was second in the nation in average contributions per member, per month, was also awarded a plaque. Pleshky said.

Local 313, Grand Rapids, Mich.
Michigan State Legislative Director Jerry Gibson would like to thank everyone for their donations and prayers for his daughter, Kelsey, who was seriously injured in an automobile accident Jan. 29. “While she is out of critical care, has opened her eyes and can recognize voices, we still have a long road for a full recovery. I am so proud to be part of an organization that, regardless if we had ever met, would step up to the plate and assist each other in times of need. Anyone that has never belonged to a fraternal organization would never understand that feeling of unity,” Gibson said. “Our family would like to extend a special thank you to Brother Don Silfert, who once set up the fund for our local.”

Local 453, Clinton, III.
Decatur (III.) Trades and Labor Assembly President Carl N. Draper (768) and Local Secretary & Treasurer Lloyd Holman attended the unveiling of the new additions to the Workers’ Memorial in Decatur. Each year April 28, the unions of the AFL-CIO observe Workers’ Memorial Day to remember those who have suffered and died at the job and to renew their efforts for safe workplaces. This year, newly added names will be cut in stone instead of displayed on laminated sheets of paper. There are 121 names on the list, 21 of which are railroaders, Holman said.

Local 506, Herington, Kan.
This trainmen’s local has developed a website at http://smartlocal506.ame.nlte.com, according to Local President Rusty R. Beames. The website features contact information for local officers, local news, agreements, an explanation of the union’s structure and more.

Local 446, Cheyenne, Wyo.
UTU Federal Credit Union had its 50th anniversary celebration at the Greybull Elks Lodge, Mar 10. The celebration featured dinner, socializing and the chance to win a trip to Las Vegas.

Local 583, Fond du Lac, Wis.
Wisconsin Central/Canadian National conductor John T. Cetnar, 30, died March 30, State Legislative Director Craig Peayt reports. He is survived by his wife, Laurie, daughter, Jennifer, and sons John and Joseph. “Johnny had been battling cancer for quite a long time. It was a courageous battle. He never gave up and always tried to make every meeting for the local. He always wore a smile on his face and was upbeat,” Peayt said. A memorial fund in Cetnar’s name is being established.

Local 1440, Staten Island, N.Y.
Trainman John “Flyman” Burman, who retired in 2011, has been inducted into the Railroaders’ Hall at the Railroad Museum of Pennsylvania in Strasburg, Pa., according to Brother and Trainman Vincent LaBella. He had previously served as the local’s president and secretary & treasurer. “Mr. Burman’s passing in 2011 left a sad hole in his peers’ hearts, as he was known for really enjoying his job and being a leader amongst his peers. The members of Local 1440 congratulate Mr. Burman’s family on this accomplishment and would also like to thank motorman Anthony Sutera for his assistance with this process,” LaBella said. Others wishing to nominate another individual for the hall may contact Sutera at rsc244@gmail.com. In other news, LaBella reported the retirement of engineer Charles Brodbeck, who worked on Staten Island Railway from 1945 to 2012. “He served the passengers, co-workers and the community with polished professionalism,” LaBella said.

Local 1892, Houston, Texas
A yardmaster who was injured in a 290,000-pound derailed railroad car while on duty received a plaque from Amtrak Police Lt. John “Sarge” Kinney in honor of his efforts to save a 26-year-old conductor who was seriously injured in the accident. The conductor is now recovering in the hospital.

www.utu.org / www.utuia.org
AAR issues safety appliance alert

The Association of American Railroads has issued a safety alert for all railroads in North America. The safety alert is to advise of the recent discovery of barbed wire found on safety appliances of a multilevel car. This photograph was taken in the Quebec City, Quebec, area on March 26. "Please distribute this information to all yarders, contractors, customers, and all personnel who deal with these types of cars," said James P. Grady, AAR assistant vice president for technical services.

Express Scripts/Medco's packaging may change

Members who receive prescription medications through Express Scripts/Medco's home-delivery pharmacy service may notice a change to their prescription bottle and its packaging beginning May 1.

For those who are unaware, the companies merged last year.

Members may notice different colors of prescription bottles:

- Express Scripts prescription bottles are orange and Medco bottles are white.

Medication may also be dispensed in the manufacturer's packaging instead of a prescription bottle.

Also, while the content on the prescription packaging label is the same, the prescription labels may have a different type style and layout.

The changes are due to a new location from which your prescription is being sent. You may now get your prescription from an Express Scripts pharmacy or from a Medco pharmacy, depending on factors including weather, supply or proximity of the pharmacy to your home.

Express Scripts is now shipping from both Express Scripts and Medco pharmacies, so you may notice some changes to the color, shape and cap of your prescription bottle and the packaging it's shipped in. There are no changes to your medications and they are being shipped as safely and accurately as they always have been.

Packaging for temperature-sensitive prescriptions may be different based on the pharmacy that it was shipped from, with different types of packaging that meet the temperature requirements for safely shipping your medication.

Be assured that your medications will still undergo the same rigorous processes for safety and accuracy.

Short Lines

Agreements

MARC

The SMART Transportation Division's CSX B&O General Committee (GO 049) has reached an agreement with Bombardier Transit Services on a new contract for employees who will operate the Maryland to Washington commuter service known as MARC.

A new agreement is required due to the selection of Bombardier to operate the service after CSX announced it would not renew its current contract with the agency.

The new agreement will provide wages and working conditions very similar to those enjoyed by our members who currently operate the service under the CSX collective bargaining agreement. Bombardier will accept negotiations that are in accord with those agreements, with priorities given to those who are currently operating the service, followed by those who are qualified but not currently assigned to the service, and finally to all CSX employees on the Northern Mid-Atlantic seniority roster.

Bombardier will send invitation letters to the employees who are currently assigned or qualified to operate the service. All others who are interested in applying for employment should contact Bombardier directly.

A hiring pool will be created in the event that applications exceed the number of positions available at startup. CSX employees who accept employment from CSX employees, with first priority given to those who are currently operating the service, followed by those who are qualified but not currently assigned to the service, and finally to all CSX employees on the Northern Mid-Atlantic seniority roster.

The negotiating team was led by General Chairperson Brent Leonard, who was assisted by Local 44 President and Chairperson William Strickland, Local Secretary & Treasurer Dustin Meiller and Vice Local Chairperson Jacob Dougherty, led the negotiating team.

Leonard said that 88 percent of ballots were returned and 100 percent of those were in favor of the deal.

"I think that's probably the first time that has happened in this office and we're very happy it passed with such overwhelming support," Leonard said.

Assistant President John Previsich, who participated in the negotiations praised the team for its efforts. "This round of negotiations was made more difficult by the sale of RailAmerica to Genesee & Wyoming part way through the process. The sale introduced a number of new concerns regarding preservation of benefits and pay that weren't present at the start of the negotiations," he said.

"The proposed agreement contains new working conditions that provide for a quality of life unseen on Class I railroads," said Leonard. "For the first time on the Kyle Railroad, our members can secure a guaranteed level of benefit and a cost-sharing cap on their health insurance plan."

The Kyle Railroad is a short line railroad operating from north central Kansas into eastern Colorado, with 625 miles of track. It interchanges with BNSF Railway, Nebraska, Kansas & Colorado Railway and Union Pacific.

Appalachian & Ohio

SMART Transportation Division-represented train and engine workers employed by Appalachian and Ohio Railroad have ratified a new five-year agreement by a unanimous vote.

SMART Transportation Division International Vice President Dave Wier said the agreement provides for substantial wage increases with full back-pay, provides certification pay for both conductors and engineers, freezes health and welfare contributions for the life of the contract, improves working conditions and seniority moves and provides for extra board regulation.

Wier, who assisted with the negotiations, congratulated Alternate Vice President and GO 433 General Chairperson R.W. "Red" Dare, Vice General Chairperson Danny Kautzman and Local 504 Chairperson David Currence for their efforts throughout the negotiating process.

"The exceptional effort put forth by these officers in negotiating an agreement with dramatic improvements in wages and working conditions. The wage increases, coupled with the career opportunities, provide these members with outstanding increases in their daily rates of pay," Wier said.

The Appalachian and Ohio Railroad, owned by FSL Transportation, Inc., operates 158 miles of rail line between Granton and Cowen, W. Va.
Throughout my career as a union officer, I have experienced every type of carrier safety program imaginable: from official company “snitches” to complex, overly burdensome and intrusive research, to innovative, cooperative, joint ventures. Employees need a program to know the program does work.

When programs fall by the wayside, a newer, shinier version is released, with all the markings of its failing predecessor.

After such a critique, you may be surprised to know that, through all it, I have been a consistent proponent of collectively bargained, cooperative endeavors that recognize the real value of universal buy-in to a goal of a safer work environment.

The evidence is clear and convincing that a correlation exists between employee involvement and reduced incidences of on-duty injuries.

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There have been examples of carriers that have entered into collectively bargained agreements with our organization’s general committees that generated reduced rates of personal injuries on the job, only to see the positive results reversed when the agenda and agreement compliance morphed into a managerial option, with “reinterpretations” of long-standing proven processes becoming the standard.

There is one basic premise that must be recognized: “Our members are not masochists. This organization, from every level, desires to see each member go home safely at the end of the shift.”

We want to be a part of what works for the betterment of all concerned, but, we will not subscribe to a system designed to compromise the right of the members we represent – we know the difference.

We know the difference when the managerial prerogative supersedes the integrity of the process.

The example you set will resonate, exposing the intent of your rhetoric. Do safety programs produce safety or manipulation of reality?

The answer to both is yes, if that becomes your intent.

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Missouri

The Missouri Legislative Board, Local 303 and SWMIA Local 36 hosted a hospitality room and booth at the Greene County Democratic Central Committee’s Jackson Day event in Springfield, Mo., April 19-20, State Legislative Director Ken Menges reports.

He and his wife, Carol, along with members of Local 303, were the faces of UTU during the event.

“This was the first event we have gotten involved in with our local Sheet Metal Worker brothers and sisters and plan on doing a lot more in the future,” said Local 303 Legislative Rep. Jeff Nichols. “They are super people.”

Speakers at the event included member Missouri Secretary of State Jason Kander (1933) and Missouri Attorney General Chris Koster. Both spoke about the attacks on labor and working families, right-to-work legislation, paycheck deception and early-voting initiatives. The keynote speaker was Jim Kabell, president of the Missouri-Kansas-Nebraska Conference of Teamsters. He also spoke out about the attacks on workers by big business and conservative lawmakers.

The event was deemed a success, with more than 1,000 people in attendance. Next year’s event is scheduled for April 4-5 and is expected to have an even larger turnout due to it being an election year.

Ohio

The SMART Transportation Division reported in February that Ohio was considering allowing larger trucks on its highways as an amendment attached to the Ohio transportation bill. Thanks to many phone calls and the support of Ohio Legislative Director Stuart W. Gardner, this issue was removed from the bill.

“I would like to say ‘thank you’ to our Ohio UTU membership, who contacted their state senators to oppose the truck weight limits amendment,” Gardner said. “We, along with other opponents, saturated the senators with telephone calls and emails opposing this amendment.”

Would the amendment have passed, trucks weighing up to 97,000 pounds could travel Ohio’s non-interstate, federal and state highways. The current weight limit in place is 80,200 pounds. The amendment would have also allowed trucks to be as long as 50 feet instead of the normal 40 feet, without having to pay for an oversize permit.

The larger trucks would have undoubtedly cost Ohioans more money in tolls and in the costs of repairing bridges and roads. The bill was able to pass Ohio’s largely Republican House, but thankfully it was stopped upon entering the Ohio State Senate.

“We must be diligent. Truck weight limits could be re-introduced again in a stand-alone bill,” Gardner said.

Wisconsin

Wisconsin Legislative Director Craig Peachy, third from left, speaks at a press conference April 4 against AB 19, a bill that would limit the liability of corporations in asbestos cases.

“Wisconsin Legislative Director Craig Peachy and SWMIA Local 18 Business Rep. Keith Kemper spoke out against A.B. 19 April 4, a bill that, if passed, would shield corporations from being accountable for having asbestos in the work place.

“This bill is designed to delay and deny justice until after the victims of asbestos exposure have died,” Peachy said. “It also encompasses all personal injury claims as well, and could cause delay in those cases.”

“Our members work on trains, in rail yards, and railroad buildings and have been exposed to many toxic substances that include asbestos, diesel exhaust, environmental tobacco smoke, welding fumes, silica and other toxic dust, gases and fumes which cause permanent injuries to lungs in the nature of asbestosis and other respiratory disease. We must not allow legislation to be passed solely for corporations to evade accountability. We are strongly opposed to A.B. 19 or any bill that is designed to delay and deny justice until asbestos victims die of their respiratory disease,” Peachy said.

Big Blue Bus operator Jackson takes home big, rodeo trophy

Big Blue Bus operator Kelester Jackson was chosen to represent the Santa Monica, Calif., transit agency in a recent bus rodeo and that choice has paid off. Jackson placed first in the Star Bus Rodeo held at the BBB’s transit facility March 23.

Jackson took the top spot while competing against drivers from four other agencies including Orange County MTA, Culver City, Foothill Transit and Torrance Transit. The five agencies comprise the “five star” in the rodeo’s title.

The competition allowed contestants to show off their driving skills to co-workers, family and friends. Competitors displayed their skills in safe driving and vehicle maintenance in events such as independent stops, turning, and an obstacle course.

Jackson was chosen by BBB based on his own merit. “They used to hand-pick drivers in the past, but there is no hand-picking in the Five-Star. You have to qualify by your on-the-job attendance and your driving record. No chargeable offenses, things like that,” Jackson said.

Jackson said the drivers also had to complete a safety inspection of their bus after the rodeo representatives altered it. “You have to find those missing pieces, or anything that would make the bus unsafe or put it out of service,” Jackson said.

“They even placed fake bombs on the bus, which the drivers would have to find.”

He also qualified to participate in an International rodeo competition in Indiana for May 3-6.

Jackson began his transit career after he was hired as a driver for the 1984 Olympics in Los Angeles. He then worked as a school bus driver until hirin on with Big Blue Bus 26 years ago.

Jackson isn’t only proud of his rodeo win, he is proud of his service to his union. “I have served as my local’s legislative representative, vice president and two terms as a member of the board of trustees. I served them to the best of my ability.”
The SMART Transportation Division has one of the most extensive legislative organizations in the labor movement, with a national director, assistant national legislative director and staff headquartered in Washington, D.C.

In the U.S., 49 of 50 states, plus the District of Columbia, have UTU legislative boards made up of local legislative representatives and headed by a director. This legislative organization allows the UTU to mount effective, coordinated campaigns at the federal and state levels.

Among the important laws passed or amended because of our involvement are the Railway Labor Act, the Railroad Unemployment Insurance Act, the Railroad Retirement Act, the Federal Employers’ Liability Act, the Federal Hours of Service Act, the Rail Safety Act, the Motor Carrier Safety Act and the Mass Transportation Act.

The national legislative director in Washington, D.C., acts as the union’s chief legislative and political officer and coordinates the activities of state legislative directors, acts as a liaison with national lawmakers, keeps voting records on legislators and furnishes recommendations and reports to the UTU International president and the membership.

As National Legislative Director James Stern notes in his column on page 4, your national legislative office is currently working on safety, pension issues, transportation funding and ways to create more job opportunities in our industries.

Voter turnout among members higher than national average

The SMART Transportation Division’s Legislative Office was very active in its efforts to encourage members, their families and their friends to register to vote and to participate on Election Day. These efforts included direct mailing to members, notices in the UTU News and on the union’s website and encouragement from officers at all levels of the organization—national, regional, legislative board and local headquarters.

Total SMART TD Voter Turnout vs. General Public

<table>
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<tr>
<th>Group</th>
<th>SMART Tourism Division</th>
<th>General Public</th>
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<tbody>
<tr>
<td>Overall</td>
<td>69%</td>
<td>58%</td>
</tr>
<tr>
<td>Active members</td>
<td>70%</td>
<td>61%</td>
</tr>
<tr>
<td>Retired members</td>
<td>26%</td>
<td>20%</td>
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The legislative office’s efforts in this endeavor have clearly paid off.

After enrolling the data, DSM Research found that participation on Election Day of active and retired members of the SMART Transportation Division exceeded the national average by more than 10 percent.

Three conservative-leaning districts show strong support for Amtrak

Through DSM Research, the SMART Transportation Division commissioned a poll of constituents in three conservative-leaning voting districts to gauge their support for Amtrak.

The three districts, while each unique, have in common at least one Amtrak line running through the district. They were Illinois’ 1st Dist., Missouri’s 8th Dist. and North Dakota.

Data from the 1,309 interviews clearly indicate a strong level of support for Amtrak among all demographic groups.

By an almost 3-to-1 ratio (64-23 percent), constituents under age 45 support keeping/increasing government funding of Amtrak, versus eliminating funding. Those over age 45 show a 50 percent positive gap, and age 45-64 show a 41 percent positive gap.

The gap refers to the difference between those who want to keep/increase funding as opposed to those who want to eliminate funding.

Women are more likely to support government funding of Amtrak, with a 51 percent positive gap (68-18 percent support level than men, who have a 35 percent positive gap (62-27 percent support level).

The three districts, while each unique, have in common at least one Amtrak line running through the district. They were Illinois’ 1st Dist., Missouri’s 8th Dist. and North Dakota.

STMA’s Legislative Office is working for you.
Retired member conducts again, but this time with baton in hand

Valentine Ball, Rising Stars concert, Fourth of July free concert, and the Symphony for Youth, among many other events.

"I consider this a great honor to represent the volunteers of the past, present and future," Ingalls said, when asked why he was in the contest.

Ingalls expressed that he wanted to win this competition for all the volunteers that give up their time and energy to bring the orchestra together and make events happen.

"My campaign was to drum up the small dona-
tion: $5, $10, $20 donations," Ingalls said. His theme for the contest that helped him win was "help me be a conductor again."

At first, he had reservations about being able to raise money, but it turned out to be an enjoyable experience.

He got to get out and walk the streets of La Crosse and talked to a lot of people and business owners.

Saturday, April 20, Ingalls conducted Aaron Copland's Fanfare for the Common Man. When asked if he had a background in music, Ingalls mentioned that he played the cello throughout high school.

Rails may be eligible for death, dismemberment insurance

Active and retired railroad employees covered under The Railroad Employees’ National Health and Welfare Plan or The NRC/UTU Health and Welfare Plan may be eligible for Life and Accidental Death and Disability benefits from MetLife.

For eligible active employees, the death benefit is in most cases $20,000, and there may be an additional AD&D benefit that could pay up to $16,000. For eligible retired employees, the death benefit is $2,000.

Most employees filled out a designated beneficiary form when they began work for a participating railroad and MetLife urges employees and retirees to keep this form with other important papers. If you need to update your beneficiary form, or if there is doubt as to whom you designated, it is recommended that you complete a new form and send it to MetLife.

A beneficiary form, as well as a copy of the full summary plan description book, can be found at www.metlife.com. There is a direct link to that web page from www.utu.org. Hovering over the "Healthcare" tab on the UTU home page will provide you with a drop down menu for the Railroad Information Depot.

You can also obtain information about this benefit by calling MetLife toll-free at (800) 310-7770.

This is a very important benefit for all eligible active and retired railroad employees covered under the national health and welfare plans, although many employees, especially retired employees, may not be fully aware of it. We urge you to post this notice at appropriate work locations on the property and remind all retirees with whom you may come in contact that they should contact MetLife to inquire about their eligibility for the $2,000 death benefit.

Retired BNSF conductor and UTU member of Local 311 Art Ingalls, 69, is conducting again. This time, instead of trains, he’s conducting music.

Every year the La Crosse Symphony Orchestra of La Crosse, Wis., chooses five people to represent them and go out to the public and collect donations for them in their “Conductor Wanna” contest.

The two people that raise the most amount of money get to conduct a piece of their choosing.

This year, Ingalls won first place in the contest, with donations totaling over $9,000. The second place winner raised $6,430. In all, the contest brought in $23,464 for the orchestra.

The five volunteers are usually “celebrities” in the community. Ingalls was chosen because a lot of people in La Crosse knew him growing up in the community, working on the railroad and for all of his volunteer work with the orchestra.

Ingalls has been a volunteer for the orchestra for the past 15 years. His sister-in-law became executive director 15 years ago and got him to start volunteering, and he’s been volunteering his time ever since.

Ingalls was considered a “volunteer extraordinnaire” for the orchestra as he volunteers for many different events, including the committee for the
Peace of mind for you

Young families have very little discretionary cash. In fact, most young families rely on the income of both spouses to make ends meet.

You’ve thought about how your family would carry on if something happened to you. But you put the thought out of your mind because, after all, you’re young. Nothing’s going to happen to you, right?

What if something were to happen to you? Would there be enough money to provide for even the barest of necessities, especially since it takes both incomes to make ends meet?

If you could protect the financial well-being of your loved ones for just a few dollars a month, wouldn’t you do whatever it takes to set aside those few dollars to ensure the financial well-being of your family? Of course you would!

The answer is life insurance. Life insurance – especially term insurance – is very inexpensive at young ages and, while you’re young and insurable, you stand the best chance of getting the best rate possible.

We can provide the peace of mind you’re looking for. Contact us via email at crickecer@utuia.org or toll-free at 1-800-558-8842.

Protection for your loved ones

Information, please

I would like more information on UTUIA’s Term Life Insurance.

Please print

Full name of member

Sex

Date of birth

Address

City

State

ZIP

Telephone number with area code

UTU local number

Complete and mail to: UTUIA Sales Dept., 284950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333

Obama will veto bill limiting National Labor Relations Board action

The Obama Administration strongly opposes H.R. 1120, which would prohibit members of the National Labor Relations Board (NLRB) from acting. The president from taking any action.

If the president is presented with legislation that would undermine the functions of the NLRB, his senior advisors will recommend that he veto the bill.

H.R. 1120 was introduced March 13 by Rep. David P. Roe (R-Tenn.) and has 25 co-sponsors.

Local 1910 holds informational conference, cookout

SMART Transportation Division Local 1910 at Macon, Ga. held an informational conference and cookout March 24 at the Sidney Wheeler Hall in Macon. The local hopes to make the conference and cookout an annual event, said Georgia State Legislative Director Matt Campbell. The conference’s keynote speaker was Brenda A. Teart of the Railroad Retirement Board. The local hopes to make the conference and cookout an annual event.

Local 1910 holds informational conference, cookout

The Obama administration said, “This legislation hurts middle-class and working families, weakens the economy and undermines America’s economic competitiveness. H.R. 1120 would needlessly place the rights of millions of American workers in jeopardy and erode financial security and economic opportunity for middle-class and working families.

These protections are fundamental to growing the economy and creating jobs from the middle class out by ensuring better wages and working conditions for American workers and an open, fair and prosperous economy for all.”

AFL-CIO, Union Privilege launch new scholarship

WASHINGTON – The AFL-CIO April 4 announced in partnership with the Union Privilege program a new scholarship to commemorate the 50th anniversary of the “March on Washington.”

The scholarships will provide $5,000 each to at least 50 talented high school seniors from families – including union families and those in the community – to help pay for the costs of higher education.

On Aug. 28, 1963, the Rev. Dr. Martin Luther King Jr. gave his historic “I Have a Dream” speech, which accelerated the nation’s own march toward social and economic justice, including passage of the Civil Rights Act and the Voting Rights Act. People from all over gathered to march for the dream that all of America’s children would have equal access to education, regardless of race, gender, status or income.

The AFL-CIO will honor the legacy of the “March on Washington” by helping young people across the country turn their dream of attaining higher education into a reality.

An application, including an essay, is required. Students can apply online: www.aflcio.org/scholarship. The application deadline is July 1, 2013.
company once convicted, or based on the individual company policy,” said SMART Transportation Bus Vice President Bonnie Morr. “Drivers still need to report a violation based on their employer’s policy.”

The change comes as a result of an Obama administration initiative to reduce regulatory burdens.

In 2011, the Transportation Department asked the public for suggestions on possible ways to cut back on unnecessary rules.

The SMART Transportation Division’s Legislative Office in Washington offered suggestions to the FMCSA in February 2011.

The federal government has set minimum national standards for drivers of commercial vehicles since the 1986 enactment of the Commercial Motor Vehicle Safety Act, but each state has its own procedures and rules for the licenses.

In order to receive highway and grant funding, states must meet the benchmarks of the commercial driver’s license program, which includes a requirement that states report commercial drivers’ out-of-state traffic convictions to their home state within 10 days. Drivers were required to report the convictions within 30 days.

**SMART Transportation Division, UTUIA budgets**

Below is the 2013 budget for the SMART Transportation Division. Please note that the merger between UTU-SMIA requires that the accounting methods of both organizations be merged into one.

The parties to the merger selected the GAAP accounting standards for the merged organization and adoption of this method requires that the Transportation Division move from its former accounting standard into the GAAP method. This resulted in a one-time adjustment on January 1, 2012, to reflect the change in the Pension Fund as well as the UTU-TD investment valuation to market value and succeeding year-end adjustments.

As a result of the adoption of GAAP accounting standards for 2012, the General Fund is valued slightly negatively at year end. The reason is the adjustment of the pension fund by the amount of $5,000,000 at year end Dec. 31, 2012. Although UTU-TD International Fund is only responsible for 36 percent of the liability, it absorbed the total $5,000,000 liability into the General Fund. This means about $2,000,000 could be charged to other entities within the UTU-TD network, leaving the General Fund with a positive balance of $3,000,000 at Dec. 31, 2012.

The adjustment reflects a technical revision in our accounting procedures and is not a reflection of our actual funds. Our finances are doing well and it is anticipated that we will absorb the adjustment and continue to improve our already very healthy financial position.

The budget for the United Transportation Insurance Association is also below.

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**United Transportation Union 2013 budget**

Pursuant to Article 19 of the UTU Constitution, below is the 2013 budget for the United Transportation Union.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$(35,452)</td>
<td>$37,890,175</td>
<td>$(35,593,193)</td>
<td>$2,061,530</td>
</tr>
<tr>
<td>Education and Training Fund</td>
<td>2,720,832</td>
<td>922,700</td>
<td>(1,527,200)</td>
<td>2,116,332</td>
</tr>
<tr>
<td>Maintenance of Membership Fund</td>
<td>(64,936)</td>
<td>709,400</td>
<td>(597,700)</td>
<td>45,764</td>
</tr>
<tr>
<td>Public Relations Fund</td>
<td>295,768</td>
<td>179,208</td>
<td>(64,100)</td>
<td>410,876</td>
</tr>
<tr>
<td>Strike Fund</td>
<td>4,038,494</td>
<td>536,500</td>
<td></td>
<td>4,574,994</td>
</tr>
<tr>
<td>Convention Fund</td>
<td>3,017,963</td>
<td>1,360,781</td>
<td>(200,000)</td>
<td>4,778,744</td>
</tr>
<tr>
<td>Total International funds</td>
<td>$9,972,669</td>
<td>$4,198,764</td>
<td></td>
<td>$13,989,240</td>
</tr>
</tbody>
</table>

**United Transportation Union Insurance Association**

December 31, 2012; (Amounts as reported in quarterly statement filing to Ohio Department of Insurance) (unaudited)

<table>
<thead>
<tr>
<th>Assets</th>
<th>Liabilities &amp; surplus</th>
<th>Summary of operations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$1,159,648</td>
<td></td>
</tr>
<tr>
<td>Bank</td>
<td>$8,689,087</td>
<td></td>
</tr>
<tr>
<td>Stocks</td>
<td>21,712,083</td>
<td></td>
</tr>
<tr>
<td>Other invested assets</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Real estate</td>
<td>2,305,930</td>
<td></td>
</tr>
<tr>
<td>Policy loans</td>
<td>6,406,607</td>
<td></td>
</tr>
<tr>
<td>Accrued interest &amp; assets</td>
<td>2,503,828</td>
<td></td>
</tr>
<tr>
<td>Total assets</td>
<td>$222,897,383</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Liabilities &amp; surplus</th>
<th>Policy reserves</th>
<th>Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other liabilities</td>
<td>$180,501,447</td>
<td></td>
</tr>
<tr>
<td>Total liabilities</td>
<td></td>
<td>12,299,621</td>
</tr>
<tr>
<td>Surplus</td>
<td>$192,801,068</td>
<td></td>
</tr>
<tr>
<td>Total liabilities &amp; surplus</td>
<td>$222,897,383</td>
<td></td>
</tr>
</tbody>
</table>

| Benefits                | ($15,712,516)          |                       |
| General expenses        | (7,576,285)            |                       |
| Total expenses          | ($23,288,801)          |                       |
| Operating gain (loss)   | $2,156,061             |                       |
| Realized capital gain   | (122,389)              |                       |
| Net gain (loss)         | $2,033,672             |                       |
There’s still time to register for 2013 regional meetings

The 2013 UTU/UTUIA regional meetings have been designed to provide a grand sense of fraternalism, lots of networking, learning, and touring for the whole family. As before, each regional meeting will run for 2-1/2 days, ending early on the afternoon of the third day. The evening of the first day has been left unscheduled so you, your family and friends will be free to explore and enjoy the many offerings of the regional meeting cities.

UTU regional meeting registration and hotel information, as well as web links to make hotel reservations online, can be accessed by visiting www.utu.org and clicking on the “Meetings” box. All those attending the regional meetings must be registered in order to attend any planned social function. Children ages 11 and under who are pre-registered are complimentary. The registration form is on the right.

A completed registration form listing each attendee, regardless of age, and complete payment in U.S. funds must be received at the UTU International, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333, by June 21 for the Boston meeting or by July 19 for the Anaheim meeting or the registrant will be charged the on-site registration fee of $200. The pre-registration fee for the 2013 regional meetings is $150 per member, spouse or child over age 11, the same fee charged the last six years. Additional fees apply for the golf outings. You must make your own room reservations, and certain deadlines apply.

The $150 registration fee covers all workshop materials, children, pre-registered children, and concludes on the afternoon of the third day. Registration fees are $150 per person; children 11 years of age and under are complimentary. On-site registration is $200 per person. All fees must be paid in U.S. funds. Canadian funds will be returned, possibly delaying your registration. If you have questions, consult your bank. Registration forms with payment must be received at the UTU International by June 21 for the Boston meeting and by July 19 for the Anaheim, Calif., meeting for all members, spouses and guests to be considered pre-registered.

Which regional meeting will you be attending?
- [ ] Boston
- [ ] Anaheim, Calif.

Member registration

<table>
<thead>
<tr>
<th>Name</th>
<th>Local</th>
<th>Title (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Home address

<table>
<thead>
<tr>
<th>City/State/ZIP</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Phone number ( )

Meals:
- Day 1: Lunch [ ] Dinner [ ] No meal [ ] Any dietary restrictions? 
- Day 2: Lunch [ ] Dinner [ ] Both [ ] No meals [ ]
- Day 3: Lunch [ ] Dinner [ ] Both [ ] No meal [ ]

Spouse registration

<table>
<thead>
<tr>
<th>Spouse name</th>
<th>Title (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Spouse meals:
- Day 1: Lunch [ ] Dinner [ ] No meal [ ] Any dietary restrictions? 
- Day 2: Lunch [ ] Dinner [ ] Both [ ] No meals [ ]
- Day 3: Lunch [ ] Dinner [ ] Both [ ] No meal [ ]

Guest registration

<table>
<thead>
<tr>
<th>Guest name</th>
<th>Relationship to member</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</table>

Home address

<table>
<thead>
<tr>
<th>City/State/ZIP</th>
<th>Relationship to member</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Phone number ( )

Meals:
- Day 1: Lunch [ ] Dinner [ ] No meal [ ] Any dietary restrictions? 
- Day 2: Lunch [ ] Dinner [ ] Both [ ] No meals [ ]
- Day 3: Lunch [ ] Dinner [ ] Both [ ] No meal [ ]

Special needs? (Circle appropriate responses):
- [ ] Hearing impaired / visually impaired / in wheelchair / other:

Golf registration

<table>
<thead>
<tr>
<th>Name</th>
<th>Handicap</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Handicap</th>
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<table>
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<tr>
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<th>Name</th>
<th>Handicap</th>
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</tbody>
</table>

Golf outings:
- [ ] Sunday or Monday ($35/tour per registered spouse; $75/tour per unregistered spouse)

Payment options

- Credit card [ ] VISA [ ] MasterCard [ ]
- Exp. date
- Total charged $________

Signature

Should additional space be needed, make copies of this form and attach to the original. Make checks or money orders payable in U.S. funds to “UTU Regional Meeting” and mail to UTU Regional Meeting, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333. Persons who do not pre-register for the regional meeting but choose to register at the meeting site will be charged an additional $50. Space on the tours is limited; reservations are accepted on a first-come, first-served basis.
UTU-SMART News

Volume 45 • Number 4 • May 2013

International Association of Sheet Metal, Air, Rail and Transportation Workers

UTU, railroads oppose Senate antitrust bill

WASHINGTON — The Association of American Railroads (AAR) and SMART Transportation Division strongly object to the Railroad Antitrust Enforcement Act, introduced March 27 by Sen. Amy Klobuchar (D-Minn.) and Sen. David Vitter (R-La.), saying that while the bill claims to repeal freight railroads’ limited antitrust exemptions, it actually singles out railroads for policies that could undermine the industry’s ability to build, maintain and continuously upgrade the nation’s rail infrastructure without taxpayer assistance.

“Two things are designed to override existing regulatory decisions and could potentially roll back government-approved transactions in railroad history. That retroactive application would inevitably create conflicts and uncertainty for railroads, railroad customers and courts. The resultant regulatory uncertainty could undermine the private freight railroads’ ability to sustain necessary and critical private investments in America’s rail infrastructure,” said AAR President and CEO Edward R. Hamberger.

“This bill proposes sweeping changes that would negatively impact this country’s freight rail industry,” said SMART Transportation Division President Mike Futhey.

“We did not like the concept of rail mergers that we knew were going to eliminate thousands of railroad jobs,” SMART Transportation Division Legislative Director James Stem said.

Added SMART Transportation Division National President Mike Futhey said, “We strongly object to the Railroad Antitrust Enforcement Act proposed by Senators Klobuchar and Vitter. This bill would negatively impact this country’s existing regulatory decisions and could potentially roll back government-approved transactions in railroad history. That retroactive application would inevitably create conflicts and uncertainty for railroads, railroad customers and courts. The resultant regulatory uncertainty could undermine the private freight railroads’ ability to sustain necessary and critical private investments in America’s rail infrastructure.”

“We are always looking for good photos, and awards prizes to monthly photo winners.

UTU-SMART seeks photographs or digital images of work-related scenes, such as railroad box or main train operations, new equipment photos, scenic shots, the area you live in, or photos of your brothers and sisters keeping America rolling.

Printed photographs should be mailed to UTU-SMART, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333. All photographs submitted become property of UTU-SMART.

Remember to review your employer’s policies regarding the use of cameras on the property or during work hours.

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This photo was taken by Local 759 (Newark, N.J.) Secretary & Treasurer Craig A. Harrison Oct. 10, 2012, at the Amtrak station in San Luis Obispo, Calif. Pictured is Amtrak’s P42DC 184, the Phase 4 Heritage unit leading the southbound Coast Starlight Train 11.

Inside this issue of UTU-SMART News:

Tribute to military veterans is dedicated on their day. See page 2.
Express Scripts/Medco’s packaging may change. See page 3.
Big Blue Bus operator Jackson takes home big, roadshow trophy. See page 5.
Retiree conducts again, but this time with baton in hand. See page 8.

www.utu.org/worldutuia.org

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