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The Official Publication of the United Transportation Union

THE VOICE OF TRANSPORTATION LABOR

“Being smart is the best strategy when dealing with a strong employer.”

– *UTU International President Paul C. Thompson*

News & Notes

Time books now available

The 2005 edition of the UTU’s time books are now available.

The books, one for railroad members, a second for bus and transit employees, are great for keeping track of time worked, runs completed, money earned and taxes withheld.

Time books have been sent via mail and UPS to all local secretaries and treasurers so they can be distributed to individual members at upcoming local meetings and at crew change points.

Contact your local secretary or treasurer if you do not receive your copy.

Discount airfare set

UTU has made arrangements with Alaska/Horizon Airlines for members, family and friends to receive discounted air fares to the regional meeting scheduled for June 13-15, 2005, in Anchorage, Alaska.

The discounted fares are available on flights taken from June 9 through June 18, 2005.

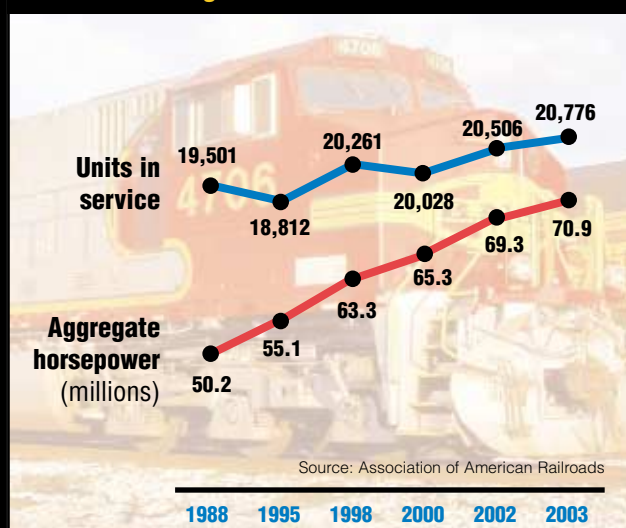
UTU also has arranged with Northwest Airlines and Continental Airlines for discounted airfares to both Anchorage and Orlando, Fla., site of the regional meeting set for July 18-20, 2005.

To inquire about reservations on Alaska/Horizon, call the Group Department toll free at (800) 445-4435 and refer to Code CMA0700.

(Call even if Alaska Airlines does not serve your city; various arrangements are available.)

To make reservations on either Northwest or Continental call (800) 328-1111 and refer to World File Ticket Designator number “NM52A” for Anchorage or “NM52B” for Orlando.

Locomotive efficiency on the rise... among U.S. Class I railroads



UTU serves wage, rules notices on rail carriers

The UTU and railroads represented by the National Carriers’ Conference Committee (NCCC) have exchanged formal demands for changes in wages, benefits, work rules and other items.

The demands, called Section 6 notices (named for the section of the Railway Labor Act providing for such exchanges), were delivered Nov. 1.

UTU demands for improvements in existing contracts were served by the individual general committees on their respective carriers.

The NCCC, which bargains on behalf of these carriers, served its Section 6 notices on the UTU International and was told by the UTU also to serve them on the general committees of adjustment.

The carriers involved include Union Pacific, Burlington Northern Santa Fe, CSX, Norfolk Southern and Kansas City Southern.

A complete list of the carriers coordinating their bargaining through the NCCC can be found in the carriers’ Section 6 notice.

These demands can be read at the UTU website (www.utu.org) by clicking on the “Rail Contract Negotiations” button on the lower right of the home page.

“As is evident by the extreme carrier demands, we are in store for a difficult round of negotiations,” said UTU International President Paul C. Thompson, who will serve as the UTU’s chief negotiator.

Under the Railway Labor Act, contracts between carriers and rail labor unions have no expiration date. Existing agreements provide that Section 6 notices may be served Nov. 1 to be effective no earlier than Jan. 1, 2005. Existing agreements remain in effect until new agreements are negotiated.

However, if new agreements are not reached by July 1, 2005, carriers must provide affected employees with cost-of-living adjustments (known as the Harris COLA) beginning July 1, and every six months thereafter until new agreements are reached.

Wages to increase Dec. 1

UTU members covered under the national railroad agreement will receive a 3 percent general wage increase effective Dec. 1, 2004.

Rate tables reflecting the 3 percent increase have been posted on the UTU website (www.utu.org).

Crew consist under attack

The UTU’s crew consist agreements with major railroads, which deliver rock-solid job security to UTU members, are under attack by the Brotherhood of Locomotive Engineers and Trainmen (BLET).

These crew consist agreements provide that every train operated by a major railroad will be manned by at least one conductor covered under a contract administered by the UTU.

The BLET has no crew consist agreements. This means that if the carriers are successful in implementing single-person crews (which they are seeking in Section 6 notices filed Nov. 1), it is the conductor who will be assured a job on all freight trains. The position of engineer could be replaced by a computer.

The only means the BLET has for protecting engineers is to scrap the UTU’s crew con-

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UTU: Sleep apnea is not a crime

WASHINGTON, D.C. – The United Transportation Union will move to protect railroad employees, suffering certain treatable medical conditions such as sleep apnea, from removal from duty as recommended by the National Transportation Safety Board (NTSB) and the Federal Railroad Administration (FRA).

The FRA has issued an NTSB-recommended safety advisory directed at rail carriers and their employees who dispatch or operate trains, or who inspect and maintain signal systems, and who suffer from various sleep disorders. The advisory, signed by FRA Acting Associate Administrator for Safety Grady Cauthen, could cause these employees to be removed from service by the carrier.

“Employees should not be removed from service simply because they suffer from a med-

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Around the UTU

News from around the U.S. and Canada

Local 23, Santa Cruz, Calif.

Members employed by the Santa Cruz Metropolitan Transit District and Community Bridges rallied with other unions in late October to get the vote out. Also last month, Local President **Carol J. Moore** spearheaded an effort that sent letters to 5,000 union workers in Ohio seeking support for Sen. John Kerry's bid for the presidency, said General Chairperson **Bonnie Morr**.

Local 166, Salt Lake City, Utah

Members of this Amtrak local are mourning the passing of **Gary L. Bowler**, who succumbed to cancer on Oct. 14, said Secretary-Treasurer **Bill Magazin**. Brother Bowler had served as president and local chairperson of this local, as well as chairperson of Local 84 in Los Angeles, Calif.

Local 240, Los Angeles, Calif.

The members of this Union Pacific local offer best wishes to **Saleh Castille**, **G.K. Rasmussen** and **Doug West**, who are headed off into retirement, said Secretary-Treasurer **Fred G. Comeau**.

Local 262, Boston, Mass.

This CSXT local is holding its holiday party in Florian Hall on Hallet Street in Dorchester, Mass., on Sat., Dec. 11, at 7:30 p.m., said Local Chairperson **Tom Driscoll**. Tickets, \$30 each, are available to retirees at \$15 each. For information, contact Driscoll at (617) 448-1357 or send him e-mail at utut262@aol.com.

Local 313, Grand Rapids, Mich.

At the request of the CSXT employees in this joint CSXT/Norfolk Southern (NS) local, NS General Chairperson **Delbert Strunk** and General Committee Secretary **Rich Ross** (GO-687) attended a recent meeting. The discussion centered around the Canadian Pacific's intention to run trains through Strunk's seniority districts, said Local Chairperson **Jeremy Ferguson**. Such traffic currently operates on CSXT, and a majority of the work is performed by members of this local.

Local 464, Arkansas City, Kan.

This BNSF local will hold its annual holiday dinner for active and retired members on Dec. 8 at the Mule Barn at 1107 S. Summit Street, said Local Chairperson **J. L. "Jim" McDaniel**. Social hour begins at 6:30 p.m., with dinner served at 7 p.m. Guests will include General Chairperson **Jim Huston** (GO-009) and Kansas State Legislative Director **Don Lindsey Jr.**

Local 469, Madison, Ill.

This local, representing employees of Conrail and the Terminal Railroad Association of St. Louis, will hold its holiday party Dec. 8, immediately after the union meeting at about 6:30 p.m., said Secretary-Treasurer **John I. Payer**. The event will include a catered buffet dinner and refreshments, followed by a drawing to give away a 25-inch television, a dozen hams and dozens of camping, fishing and hunting items. All UTU members are welcome. For information, contact Payer at (618) 452-0775.

Local 838, Philadelphia, Pa.

Members are mourning the recent death of Amtrak conductor **Larry Thomas**, 37, who



Chalking up the highest score on the safety test at the recent Metro Bus Roadeo held by the Los Angeles County Metropolitan Transportation Authority was Miguel Lopez of Local 1565 in West Hollywood, Calif. (Photo by Ramon Peniche of Local 1565.)

LACMTA honors top bus operators

Miguel Lopez may be the safest person to be with in Los Angeles traffic.

A member of Local 1565 in West Hollywood, Calif., Brother Lopez was one of four bus operators from his local to distinguish themselves at the recent Metro Bus Roadeo held by the Los Angeles County Metropolitan Transportation Authority (MTA), according to the local's legislative representative **Kevin Devlin**.

Among the hundreds participating in the invitation-only competition, Division 7 operator **Aubrey McElroy** placed eighth, Division 7 operator **Juan Romo** came in 27th, and Division 15 operator **Hugo Repreza** placed 28th.

The competition also included a written multiple-choice safety test, won by Brother Lopez, who chalked up the highest score. A Division 7 operator, the 54-year-old Lopez has been employed by MTA since July 1, 1991.

"I wanted a little challenge to see how good I was," Lopez said. "To be honest, I thought I was going to win because I did my homework."

Meanwhile, winning the Metro Bus Roadeo this year was El Monte Division operator **Luduvico Castro**, a two-time finalist, a 32-year MTA veteran and a member of Local 1563 in El Monte, Calif.

Brother Castro was among 500 employees recently honored by MTA for their achievements over the past five years during a "Night of Stars" ceremony. Those honored with a special medallion met criteria that included no disciplinary action, no lost time due to injuries, no traffic accidents and no more than 30 days of absences over the last five years, the MTA said.

Other UTU-represented bus operators honored at the event included 28-year veteran **Carmine Zeccardi** of Local 1565; 17-year veteran **Douglas Park** of Local 1564 in Los Angeles, Calif., and 23-year veteran **Andrew Harris** of Local 1607 in Los Angeles, Calif.

leaves behind a wife and three children, said Delegate **J. J. McCollum**. Earlier this year, Thomas, a diabetic, needed immediate medical attention after taking Aleve for a headache. The medication sent his blood pressure soaring and may have damaged his kidneys, said Treasurer **Eric Feld** of Local 1375 in Philadelphia.

Local 1313, Amarillo, Texas

Long-time members of this BNSF local want to officially welcome the nearly 90 new BNSF employees who have come aboard in 2004 and encourage them to

become involved in the UTU, said Local Chairperson **Gary Clements**.

Local 1524, Houston, Texas

This Union Pacific local offers best wishes to recent retiree **O.J. Huddleston**, who worked for the Houston Belt & Terminal (HBT), and then the Union Pacific when it bought the HBT, for 59 years and retired in September at 80 years of age. Local Chairperson **James McDaniel** said Brother Huddleston was always a good union man who supported UTU PAC.

Local 1594, Upper Darby, Pa.

Forty-four members of this local employed as bus operators by SEPTA were lauded at the annual safety banquet held Oct. 30, said General Chairperson **Ron Koran**. The event paid tribute to those who achieved 10 years or more of safe service this year. Meanwhile, a suggestion form is being circulated seeking ideas to pursue in the upcoming negotiations, and plans are being made for a holiday party, Koran said.

Local 1741, San Francisco, Calif.

Four members of this bus operators' local, including Local President **Ange Beloy**, **David Kush**, **Jim Charas** and **Shane Hoff**, participated in the recent Million Worker March in Washington, D.C., where they met up with International Vice President and Bus Department Director **Roy Arnold**. Participants rallying around the Lincoln Memorial called for universal health care, a national living wage, more school funding, repeal of the Taft-Hartley Act and 18 other items. Officials of many unions spoke at the rally, as well as Martin Luther King III, Dick Gregory and Danny Glover.

Local 1760, Detroit, Mich.

This CSXT local's annual holiday party will be held Dec. 21, said Secretary-Treasurer **Jerri D'Ortenzio**. For more information, contact him at (734) 522-1043. Meanwhile, members are mourning the recent death of **William "Bill" Holman**, 66, who passed away on Aug. 22.

Local 1778, N. Vancouver, B.C.

The fall issue of this BC Rail local's newsletter, *The Meeting Point*, is now available on the website shared with Local 1923 in Prince George, B.C., said Secretary-Treasurer **David Moorhouse**. This issue features articles about work/rest rules, negotiations and DIPP, and includes a special postcard from Junkyard Dog.

Aux. Lodge 803, Jacksonville, Fla.

Magnolia Lodge recently contributed \$1,000 to UTU PAC, said Secretary-Treasurer **Sue Boling**. Money was raised by raffling a wristwatch and through a "bakeless" bake sale. The lodge is now collecting donations to help needy families over the holidays.

UTUIA Unit #16

The unit recently sold tickets for a drawing to raise money for *Habitat for Humanity*, said Unit President **Dan McElley** and Secretary-Treasurer **Nile Drago**. Winner of the drawing, **Doug Demaree** of Local 464 in Arkansas City, Kan., received a fishing rod and reel, and \$500 will be donated to the charity in his name. Second-place winner **Bryan Dance** of Local 305 in Lincoln, Neb., won a UTU golf putter.

UTU, TCU fight UP's efforts to export jobs

WASHINGTON, D.C. – Union Pacific Railroad should not be permitted to export safety-sensitive jobs to Mexico, the United Transportation Union told the Federal Railroad Administration (FRA) in concert with the Transportation Communications Union (TCU).

Union Pacific is seeking from the FRA a waiver that would permit the railroad to have crucial train-safety inspections on northbound cross-border rail traffic performed in Mexico by employees of Transportación Ferroviaria Mexicana (TFM). Such tests would affect locomotive and freight car safety appliances, including brake systems, initial terminal inspection, end-of-train device testing, pre-departure inspection and daily inspection.

Union Pacific's desire to export these jobs related to train-safety inspections would throw out of work dozens of skilled carmen who belong to the Brotherhood of Railway Carmen Division of TCU.

"Officers and members of TCU and its Carmen Division are time-tested friends of the UTU and we will not sit idly by while a railroad puts its profits ahead of safety and joins the shameful caravan of U.S. corporations exporting jobs to low-wage, low-benefit nations," said UTU International

President Paul Thompson.

"The UTU's current administration considers an injustice to one brother or sister, regardless of union or craft, an injustice to all brothers and sisters," Thompson said.

"This reckless move by UP is especially appalling as it could put countless thousands of

"An attempt by UP to grab more profits at the expense of safety"

American lives in danger," said UTU Assistant President Rick Marceau.

By exporting these crucial safety inspections to Mexico, Union Pacific said it could save five to seven hours in transit time on cross-border rail traffic moving north through Laredo, Texas. As many as 16 UP northbound freight trains daily would be affected.

The UTU said train and community safety are

far more important than alleged slightly faster train service by a railroad notorious in Texas for a high rate of safety-related incidents.

Were Union Pacific permitted by the FRA to export these safety-sensitive jobs to Mexico, UP trains originating in Mexico would be traveling up to 1,000 miles into the U.S. before highly skilled, U.S.-trained inspectors had the opportunity to check crucial safety systems.

"TFM is a baby railroad with only a few years of operating experience and no demonstrated or documented safety culture," UTU Associate General Counsel Dan Elliott told the FRA.

"U.S.-trained carmen have been making these train-safety inspections for decades and their dedication to safety is unquestioned," Elliott said. "This is nothing more than an attempt by the UP to avoid rigorous safety inspections – a grab for more corporate profits at the expense of safety."

The UTU has learned that the Texas Mexican Railway (Tex-Mex) intends to seek a similar waiver in the near future. The Tex-Mex operates about 10 trains daily that originate in Mexico. "We will join our brothers and sisters at TCU in opposing that waiver as well," Thompson said.

UTU leading way on improved cab standards

WASHINGTON, D.C. – The Federal Railroad Administration (FRA) said train crews will more likely survive and probably suffer fewer and less severe injuries from accidents under new locomotive safety regulations proposed by the agency.

Newly manufactured and rebuilt freight locomotives will be designed to meet minimum crashworthiness safety performance standards of the FRA, the agency said, to better ensure that the structural integrity of the locomotive cab is maintained in the event of an accident or collision.

The proposed rule builds upon, and significantly augments, industry standards implemented in 1989, the FRA said.

"While we are certain that the proposed crashworthiness standards will better protect our members in the event of an accident, the fact remains that noise, temperature and vibration are environmental factors linked to the early onset of fatigue in our industry," said UTU Assistant President Rick Marceau.

"We need additional locomotive cab improvements, and the UTU is seeking them as part of the its 2005 national Section 6 notices," Marceau said.

The proposed regulation would require that the locomotive withstand a frontal impact with an object intended to simulate the lading carried by a heavy highway vehicle, as well as an oblique impact with an object simu-

lating a misaligned or offset intermodal container on a train traveling on adjacent parallel track, the FRA said.

Proposed standards include the integration of anti-climbing features, collision posts, short-hood structures and under-frame structural improvements. External fuel tanks will be strengthened to decrease the chance of a rupture and the interior of the locomotive cab will have emergency egress, emergency lighting and reconfigured controls, the FRA said.

"Locomotive engineers and conductors deserve increased safety protection as they transport the goods and raw materials that keep the American economy moving," said FRA Acting Administrator Betty Monro. "We have spent considerable resources researching and testing the applicability of new technology. It exists, it works, and we should use it to protect the lives of our railroad workers."

The Railroad Safety Advisory Committee, a consensus-oriented rule-making body of representatives from the FRA, the railroad industry, rail labor, manufacturers, suppliers and others, examined this issue and recommended these regulatory improvements, the FRA said.

Comments about the proposal may be submitted to the docket for the proceeding (FRA 2004-17645) via the U.S. Department of Transportation online Docket Management System at <http://dms.dot.gov> until Jan. 3, 2005.

UTU cookbook makes a great holiday gift

Looking for a tasty holiday gift? The UTU cookbook created to raise funds for breast cancer research, *Labor of Love for the Cure*, suits any discerning palate.

The book is a compilation of recipes and helpful household hints submitted by UTU members and others, collected by volunteers at the UTU International office. Proceeds from the sale of the book are donated to the Case Comprehensive Cancer Center of the University Hospitals of

Cleveland and Case Western Reserve University for breast cancer research.

"The *Labor of Love for the Cure* cookbook finally became available for distribution late last year," said UTU International President Paul C. Thompson. "I would like to take this time to thank everyone who made this project possible and thank you in advance for purchasing this cookbook. Together, we can help fund the research necessary to eradicate this dreaded disease."

Thompson's wife Roberta was diagnosed with breast cancer last year. Following surgery at the Cleveland Clinic, she received successful follow-up treatment at the Case Comprehensive Cancer Center.

Also last year, Betts Miller, the wife of UTU General Counsel Clint Miller, passed away after a long-fought battle with the disease. Marcyle Hotzel, the wife of former Local 94 Secretary-Treasurer and Legislative Representative David Hotzel, also died from breast cancer. The book is dedicated to their memory and to others in the UTU family who have suffered as a result of the disease.

To order a cookbook and to help raise funds for breast cancer research, please complete the order form at left. Be sure to include your name, complete mailing address and telephone number. On the order form, please indicate the number of books you wish to purchase.

The cost of each book is \$25, which includes shipping and handling. Write the total amount of your enclosed check in the appropriate space.

Checks and money orders, along with your order form, should be mailed to: UTU Cookbook, Attn: Cheryl Sneed, 14600 Detroit Ave., Cleveland, OH 44107-4250.

Labor of Love for the Cure Cookbook

Make checks payable to **UTU Cookbook**. Cost of the cookbook is \$25, which includes shipping and handling for each book ordered. Please indicate the number of books desired and the total cost of your order.

Quantity x Cost per book = Total amount enclosed

Full Name

Address

City

State

ZIP

Telephone Number with Area Code

Complete and mail to: UTU Cookbook, Attn: Cheryl Sneed, 14600 Detroit Ave., Cleveland, OH 44107-4250



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No free lunches

Imagine you ran a restaurant. Imagine some customers bring in uncooked food and use your stove, utensils, supplies, air conditioning, tables and chairs, but pay you nothing. Your paying customers would have to pick up the difference.

That's what happens when trainmen join the other organization but expect the UTU to negotiate their contracts and protect their seniority. UTU dues-paying members pick up the costs of protecting those freeloaders and it's wrong.

This is happening because the other organization has been raiding our membership with the lure of reduced and free dues. The objective is to destroy the UTU. Until the other organization eliminates our crew consist protection, it can't negotiate engineer-only agreements as it unsuccessfully sought with its Lake Erie Plan, but did accomplish on Canada's VIA Rail.

The maintenance of membership and seniority accumulation fees UTU general committees are implementing require everyone who derives benefits from the UTU to pay for those benefits.

And now a word to those who bolted to the other organization for reduced dues. How long can they last? Engineers pay more than \$27 per month to the other organization, and face an \$11 monthly increase in another year, making their International dues \$38 monthly versus \$20.50 for the UTU.

Do you think you will still be paying cut-rate dues to the other organization if the UTU is destroyed??



WASHINGTON WATCH

By James M. Brunkenhoefer

You are the future of this great union

The railroads are finally awake and are increasing employment. We are welcoming thousands of new members into the UTU.

Please excuse some of our grumpy older members. They continue to suffer exhaustion and fatigue from being overworked by an industry that was slow to recognize the need for more employees. So while some of our old heads may be a little grumpy and wish new hires had more experience, you are truly a pleasing sight and we all welcome you aboard.



Brunkenhoefer

What is most urgent for every new hire is staying safe on the job. The lessons taught in safety class were not idle chatter. The railroad environment can be deadly. Yes, you may see some more experienced employees occasionally cutting a corner. It is wrong and dangerous and doubly wrong and dangerous for those with less experience. Safety rules are the result of years of experience and dreadful accidents.

As for what you do off the job, that is your business, unless it involves ingesting non-prescription drugs. There have been too many instances where drug use caused other crew members, as well as the user, to be seriously injured or killed. If you choose to use, this is not the career for you.

4

**Work safely,
support your union
and take an active role**

Delivering for \$20.50

By Paul C. Thompson
International president

It is said, "The strong shall take from the weak and the smart shall take from the strong."

Being smart is the most effective strategy when dealing with a strong employer.

Daily we learn of new economic hardships: layoffs, loss of health-care insurance and failing pension plans.

By contrast, UTU contracts with railroads, bus lines and airlines consistently provide for stronger job security, increased earnings and improved health-care insurance.

The credit for UTU contract gains properly goes to our local and general committee officers, but we shouldn't overlook the assistance provided by the International.

Our vice presidents have many years of successful negotiating experience at the local and general committee levels. Frequently, general committees call upon these vice presidents for assistance. Our transportation safety team assists National Transportation Safety Board investigators.

The International also has three full-time attorneys to assist in grievance handling and contract negotiations. We pursue more grievances before federal agencies than any other labor organization. When necessary, we file lawsuits in federal and state courts. Our record of success pursuing grievances and lawsuits is enviable when compared with other organizations.

Our legislative department works on behalf of members with the congressional leadership as well as regu-

lators at the National Mediation Board, National Labor Relations Board, Federal Railroad Administration, Federal Motor Carrier Safety Administration, Surface Transportation Board and other agencies.

Our staff helps respond to hundreds of member questions weekly about health-care insurance, seniority protection, working conditions, rates of pay and contract interpretation. International staff also assists with research for contract negotiations and arbitration cases.

Our public relations department maintains a website, publishes this newspaper, provides other research and coordinates the *UTU for Life* program.

The International provides these services at one of the lowest member costs among unions. International dues of \$20.50 per month have not been raised since 1999 even though costs have been rising steadily. Engineers belonging to the Brotherhood of Locomotive Engineers and Trainmen pay more than \$27 monthly in International dues, and that amount will rise to more than \$38 when a per capita assessment to the Teamsters goes into effect Jan. 1, 2006.

Here is how the \$20.50 per month in UTU International dues is spent:

General Fund:	\$15.50
Quadrennial Convention Fund:	2.00
Maintenance of Membership Fund:	1.00
Education & Training Fund:	1.00
Strike Fund:	.75
Public Relations Fund:	.25
Total:	\$20.50



Thompson

In the meantime, work safely, support your union and take an active role.

State Watch *News from UTU State Legislative Boards*

Iowa



Longtime Iowa State Legislative Director Lambert Burkhalter, who passed away Sept. 24 at the age of 83, was honored recently by Sen. Tom Harkin (D) for his years of dedication to the state and organized labor. Burkhalter served as UTU state legislative director from 1970 until his retirement in 1981. In the photo above, Lambert, right, is shown when he attended the Iowa State Legislative Board's annual reorganization meeting earlier this year as the honored guest. Shown with Burkhalter are (left to right) Judy Shaw, Iowa legislative board office secretary for 30 years (including the terms of Burkhalter and three other state directors); Cong. Leonard Boswell (D), and current State Director Patrick Hendricks.

Alabama

International President Paul Thompson will be attending an open forum informational conference hosted by Local 762 on Thur., Nov. 18, at 5:30 p.m. at the Prattville Holiday Inn, I-65 North and Exit 179, Prattville, Ala.

This is an open forum and Local President Dale Barnett and Secretary-Treasurer Jimmy Weekly extend an invitation to all who want to attend and visit with President Thompson and participate in the conference.

There will be a buffet dinner served at 5:30 p.m., followed by the conference. There are a limited number of rooms available; anyone needing assistance with room reservations should contact the Alabama State Legislative Board office at (334) 264-8758.

Nevada

Former UTU Nevada State Legislative Director Leonard K. Fitzgerald, 85, passed away Oct. 11 at Reno, Nev., according to Assistant State Director Rod Nelms.

A member of Local 1043 in Sparks, Nev., Fitzgerald began his career in 1936 and was promoted to conductor in 1941. Throughout his career he held various positions in the former Brotherhood of Railroad Trainmen and UTU, including local chairperson and legislative representative. He was a delegate to numerous conventions, served on the UTU Board of Appeals and was a member of the International Legislative Committee in Washington, D.C., Nelms said.

Fitzgerald also served his country in World War II in Italy and Africa.

He is survived by his wife, Josephine, three sons, a daughter, a sister and numerous grandchildren and great-grandchildren.

A memorial-fund donation may be sent to the Trinity Episcopal Church, 200 Island Ave., Reno, NV 89505.

Minnesota

The state legislative board has completed its reorganization, with Phillip J. Qualy (Local 650, Minneapolis) continuing as state director; Robert Pearson (Local 1177, Willmar) elected assistant state director and Richard Olson (Local 1175, Duluth) elected secretary.

"The current board has a number of veterans who bring a wealth of knowledge and experience, as well as some new, young legislative representatives who have done a great job from the start, working to enforce safety law on the Union Pacific and CP system," Qualy said. "I especially want to commend Jack Wrich (Local 911, Minneapolis) for doing a great job on some vital safety issues."

Qualy also said the committee wanted to commend John Smullen, former state director, for his years of dedication and work with the Switching Operations Fatality Analysis (SOFA) group.

North Carolina



North Carolina State Legislative Director Dickie Westbrook and Assistant Director Glenn Lamm recently attended a press conference on Norfolk Southern's East Carolina Business Unit in Raleigh, N.C., where two rail safety grants were announced. The first, a \$482,000 grant, will be used to research the use of locomotive-mounted digital video cameras to capture real-time data of highway-rail grade crossing collisions and trespass incidents. "The project will analyze more than 400 accidents caught on video-equipped engines to try to determine what can be done to make crossings and railroads safer," Westbrook said. The second grant, for \$795,000, will be used to design and construct a pedestrian underpass in the town of Clayton, N.C. Above, Westbrook (left) and Lamm (right) meet with Betty Monro, acting administrator of the Federal Railroad Administration, who attended the meeting.

The state director also said the legislative representatives had worked hard during the election to get out the vote, volunteering with local telephone banks and on direct-mail campaigns.

Qualy said he will be working to get funding approved for Northstar commuter passenger operations in the state. "It appears the project will be passed in the transport funding bill early in 2005, and this will be the first of, hopefully, several heavy-rail commuter systems in the state."

Qualy also thanked members in the state "for voting for their own jobs and families first."

Bus Department

By Roy Arnold, vice president-director

Bus security must come first

For the 26 years I have been a bus operator, I have been advocating improved safety and security. Unfortunately, many employers do not see bus security as a priority until something serious happens. It took 9/11 for my employer to use government funding to provide safety shields for their buses.

As I travel to bus locals throughout the country, I constantly see how lax security is. Neither passengers, their baggage nor carry-on items are inspected. At a bus terminal in El Paso, Texas, a sawed-off shotgun went off in a duffle bag just as baggage handlers were preparing to unload freight. It is only a matter of time before terrorists and others looking to make a gruesome public point choose buses rather than airliners as their target.

Sadly, history shows that it frequently takes a national or regional disaster to get the attention of lawmakers. This is wrong. We must continue to lobby Congress and state legislatures to gain greater awareness of the need for increased bus security.

When you have a ticket agent in New York getting her throat slashed by a lunatic who jumped over the ticket counter, it is time to stop waiting patiently and quietly. This near-fatal attack could have been prevented had the company installed safety glass between the agents and the public. But no, the company, wanting what it calls a better relationship between employees and customers, refuses to install a protective glass shield. As we say in Texas, bull chips.

We should be mad as hell and not take it anymore. Together, let us demand even more loudly that security come first.

United, we will make a difference.



Yardmasters

By J.R. (Jim) Cumby, vice president

Yardmasters ratify three contracts

Three contracts have been ratified by members of the Yardmaster Department, all providing improved wages and health-care benefits.

On Union Pacific, some 475 yardmasters ratified an agreement involving the UTU and Transportation Communications Union, both covered by the United Supervisors' Council of America, which was formed following the UP-Southern Pacific merger in 1996. The ratified agreement adopts the TCU national package and includes four general wage increases dating to June 30, 2002, no rules changes and enhanced health-care benefits.

Because of the length of time gaining this new agreement, which has a Jan. 1, 2005, reopening date, we are formulating new Section 6 notices in preparation for the start of a new bargaining round with the UP.

On Long Island Rail Road, UTU-represented yardmasters ratified an agreement providing for a lump-sum payment and three general wage increases through January 2006. Improved health-care benefits were negotiated and yardmasters will now be covered by the defined MTA pension plan. The agreement extends through Dec. 31, 2006.

On Illinois Central, yardmasters ratified an agreement that adopts the UTU national wage package, including 15 minutes turnover time and supplemental sickness benefits. The agreement also includes improved vacation pay, eliminates service scale, increases off-track vehicle benefits and avoids retroactive contributions to health care.

Agreements still not settled from the 2000 round of collective bargaining include Amtrak, Canadian Pacific (Soo Line) and Canadian National (Wisconsin Central).



Jump-start your retirement NOW!

Planning offers the key to a secure retirement; UTU/UTUIA can help with information, investment options

With a little luck, and after a lifetime of hard work, most UTU members, whether employed by the rail, bus or airline industry, should be able to look forward with optimism to their retirement.

Healthy and secure in the knowledge that their savings, benefits and investments will allow for a comfortable lifestyle, they should be able to stop setting an alarm clock, kick back, and enjoy their golden years without a care.

In an ideal world, it would be that simple. In the real world, this won't happen without some careful planning and attention to details, preferably well before retirement.

The information that follows can't anticipate every individual's specific circumstances, but it can serve as a guide to pave the way for members and help them avoid some nasty surprises.

Money and health

In some ways, retirement represents a new way of life. But at its core, that new life is remarkably similar to the one preceding it. Topping the list of retirement concerns are money and health.

As a rule of thumb, between 70 and 80 percent of pre-retirement income is needed to enjoy a comfortable retirement, according to Public Affairs Specialist William Jarrett of the Social Security Administration (SSA).

At the same time, in the opinion of Don Heffernan, a retired member of Local 1252 in Fresno, Calif., "the biggest pitfall to retirement is medical care."

Medicare and more

For most UTU members, health care in retirement is addressed by their contracts, or options have been negotiated by the UTU International that can carry them over until they are eligible for Medicare.

While a lot of what you read and hear about health care may seem confusing, three underlying points should be noted. First, most such benefits are only available until age 65 when the employee must enroll for Medicare Parts A and B. Second, there are limits to what Medicare covers, and many retirees opt to purchase so-called "medigap" policies to cover what Medicare doesn't. And third, help in understanding this information is only a phone call away.

Whether employed in the rail, bus or airline industry, the first stop for explanations and to learn about available health care options is your general chairperson.

Rail employees still baffled can call the UTU Membership Services Department; yardmasters can call the UTU Yardmaster Department, and those in the bus or airline industry can call the UTU Bus Department. These departments can be reached at (216) 228-9400. In addition, information is available on the UTU website at www.utu.org by clicking on "Healthcare" in the blue area on the left on the home page.

Information about Medicare and medigap policies is available directly from Medicare itself at (800) 633-4227, from the Social Security Administration at (800) 772-1213 or from the U.S. Railroad Retirement Board (RRB). To find the RRB office nearest you, call the RRB Help Line at (800) 808-0772.

Additionally, information about Medicare's scope and limits can be obtained from the Medicare website (www.medicare.gov), the RRB website (www.rrb.gov) and the Social Security website (www.socialsecurity.gov).

Don't leave health care to chance! Learn about coverage options well before retirement!

Sources of income

"Social Security benefits, on average, only replace about 40 percent of pre-retirement income," said SSA's William Jarrett. "The system was never intended to be your sole source of retirement income. Social Security should be part of a three-legged stool of retirement security. The other two legs should include pension benefits, such as those from a 401(k) plan or company-sponsored pension, and investments."

Jarrett's statements about Social Security also apply to benefits received from other agencies, such as the RRB. Simply stated, responsible planning for retirement calls on you to be informed about the pension plan, or plans, available to you. To live a secure lifestyle, you'll also need to learn something about making investments.

Pension plans

Most UTU members participate in a pension plan, whether it's a defined benefit plan or a defined contribution plan.

A defined benefit plan usually promises the participant a specific monthly benefit at retirement and may even state this as an exact dollar amount. Monthly benefits could also be calculated through a formula that considers a participant's salary and service. A participant is generally not required to make contributions in a private-sector fund, but most public-sector funds require employee contributions. Unlike most defined contribution plans, the

participant is not required to make investment decisions.

A defined contribution plan provides an individual account for each participant, and benefits are based on the amount contributed. A defined contribution plan, such as an employee stock ownership plan, a profit sharing plan or a 401(k), can be affected by income, expenses, gains and losses.

On some properties, such as the Los Angeles County Metropolitan Transportation Authority (MTA), UTU-represented members can participate in a 457, a 401(k) and a defined benefit plan. In addition, there are a variety of options that come into play, said Vice General Chairperson Vic Baffoni, who also serves as chairperson of Local 1608 in Chatsworth, Calif.

Again, the general rule of thumb is that you can always call your general chairperson for information about pension options. UTU-represented MTA employees can contact their local chairpersons or members of the general committee sitting on the pension board, such as General Chairperson James A. Williams or Vice General Chairperson Vic Baffoni at (626) 962-9980, or they can call the MTA's Pensions and Benefits Department at (213) 922-7184.

Investment income

While there are many places to make investments, the United Transportation Union Insurance Association offers some of the best options. Three products in particular are specifically designed with retirement in mind, said Director of Insurance Administration Sandra Kranick.

"The Roth IRA (individual retirement account), the Traditional IRA and the Flexible Premium Annuity are all products our members should consider putting to work for themselves and their families," Kranick said. "All three products have a guaranteed interest rate, and unlike the risk you take gambling on the stock market, you'll never lose your principal."

Kranick cites one of the basics of building wealth and security: "Pay yourself first!"

To learn how the UTUIA can help ensure a smooth retirement, call toll-free (800) 558-8842. (Also, see the sidebar appearing below and to the right of this article.)

Monthly benefits

Most UTU members will receive monthly benefit checks from the RRB or from Social Security. But some, such as those in transit operations in Santa Cruz and Santa Monica, Calif., participate in neither program. Instead, they participate in the California Public Employees Retirement System (CalPERS).

For information about CalPERS and the benefits it administers, call the agency at (888) 225-7377, Monday through Friday, from 8 a.m. to 5 p.m., or visit its website at www.calpers.ca.gov.

But whether it's the RRB, CalPERS, SSA, or some other entity, the important element is to be aware of which system will be sending you a monthly check so estimates of monthly benefits can be obtained, eligibility requirements can be determined, and an accurate accounting of your earnings can be verified.

In all cases, the accuracy of the earnings record is especially important, as benefit amounts will be based on this record.

Those covered by the RRB should receive a statement of earnings each year called a BA-6. If the earnings information on the BA-6 is incorrect, your monthly benefit payment will not be correct. Geraldine Clark, assistant to the RRB labor member, said UTU members should check their BA-6 closely each year to ensure there are no discrepancies. This is especially important because, as a general rule, those covered by Railroad Retirement can only protest a discrepancy going back four years, she said.

Likewise, the SSA is now sending out an annual statement about three months before an individual's birthday that includes a record of earnings throughout an individual's career. "You want to check those figures for accuracy," said SSA's Jarrett. "If the record is inaccurate, call us and be ready to supply W-2s or self-employment papers that show the correct figures. No matter how far back the discrepancy appears, if you have proof of the earnings, the record can be fixed."

The annual mailing from SSA also includes an estimate of reduced benefits that will be payable if early retirement is taken, an estimate of unreduced benefits, an estimate of survivors' benefits and an estimate of disability benefits, making it easier than ever to be aware of the monthly payment likely to come your way.



Contact information

Below are phone numbers and URLs for websites that can help you secure your plans for retirement.

UTU International
(216) 228-9400
www.utu.org

UTU Insurance Association (UTUIA)
Toll free (800) 558-8842

Yardmasters Retirement Health Coverage Trustmark
Toll free (800) 351-2526

UnitedHealthcare GA-23111 Plan D or F (Medicare supplements)
Toll free (800) 809-0453
<https://www.myuhc.com>

UnitedHealthcare GA-46000/Plan E (Early Retirement Health Insurance)
Toll free (800) 842-5252
<https://www.myuhc.com>

U.S. Railroad Retirement Board
Toll free (800) 808-0772
www.rrb.gov

Social Security Administration
Toll free (800) 772-1213
www.socialsecurity.gov

Medicare
Toll free (800) 633-4227
www.medicare.gov

CalPERS
Toll free (888) 225-7377
www.calpers.ca.gov

Department of Veterans Affairs
Toll free (800) 827-1000
www.va.gov

there's an advantage to waiting a little longer to retire, or you may find that you and your spouse should both file for benefits immediately — or maybe several years apart. You may also find out more about Medicare, the RRB's "current connection" concept, or something else you may have failed to adequately explore.

With some advance planning and attention to detail, the transition from employment to retirement should be smooth sailing. And the best time to begin the process is now!

Members share thoughts on retirement



Kiki Garrison
L-161, Seattle, Wash.

I'm 53 and single, and I've been a bus operator with Evergreen Trails (Gray Line of Seattle) since 1998. Prior to that, I worked for 18 years in nursing care and private care. We pay into Social Security and we have a pension plan, but I can't tell you much about it. I have no idea. I don't put any money into it.

They send me a paper, I look at it briefly, and go about my business.



Philip Gurley
L-1477, Dearborn, Mich.

I'm a general chairperson and an engineer on Conrail Shared Assets, and I'm all set. I've been in a 401(k) program for 10 years, and would have been in longer if it were available. I've also invested on the side in a Roth fund, my wife's in a 401(k) where she works, and we have a savings account and some real estate investments. I started saving to have college money for the kids. I wasn't thinking about retirement at 18 or 20.



Don Heffernan
L-1252, Fresno, Calif.

I've been retired for about four years now, and for me, the biggest pitfall has been medical care. It's a unique situation, but I belonged to a BNSF hospital association, and shortly after I retired, they decided they didn't want people under 65. I was left high and dry. Where do you go for insurance at age 63? I tried a few things and now have private insurance. I had a 401(k) fund, but they were relatively new, so I only had it for eight years.



Richard Saffron
L-1589, New Brunswick, N.J.

I'm 35, married with two children, and I've worked as a Suburban Transit charter bus operator for eight years. We pay into Social Security, and through our contract, the company contributes to a 401(k). I try to encourage everyone at our garage to take advantage of it, but a lot don't. My wife works for the state, so she pays Social Security and has a pension plan, too. We participate in an investment program through our bank.

UTUIA helps plan secure retirements

Members who can count on a pension program, as well as Railroad Retirement, Social Security, CalPERS or a similar benefit program, are two-thirds of the way to where they want to be when they retire. To complete the picture, experts agree some kind of investment income is needed.

The UTU Insurance Association (UTUIA) provides members and their families with three great options specifically designed with retirement in mind. "All three products have a guaranteed interest rate, and unlike the risk you take gambling on the stock market, you'll never lose your principal," said Director of Insurance Administration Sandra Kranick.

These three products include the **Roth** and **Traditional IRA**, and a **Flexible Premium Annuity**. Interest earned is tax-deferred until such time as you start making withdrawals, which enhances growth potential. Providing certain conditions are met, interest earned in a Roth IRA may be tax-free.

An individual must have earned income to contribute to a Roth or Traditional IRA. The contribution limit is \$3,000 for tax year 2004 for individuals under age 50 and \$3,500 for individuals who have reached age 50 before the close of the tax year. These amounts will increase in tax years 2005 through 2008.

Unlike the Roth and Traditional IRA, it is not necessary to have earned income to contribute to a Flexible Premium Annuity, and there is no limit with respect to the amount of money that can be contributed to a Flexible Premium Annuity.

At retirement, IRA and Flexible Premium Annuity proceeds can be withdrawn in a lump sum, in a series of monthly payments, or the proceeds can be withdrawn on an as-needed basis, the same way you'd withdraw money from a savings account at the bank.

Regardless of the savings vehicle you select, Kranick said the best time to start saving is now. "The earlier you start, the better off you are due to interest accumulation. Make a point of paying yourself first!"

To learn how UTUIA can make your retirement more secure, talk to a UTUIA field supervisor today or call UTUIA toll free at (800) 558-8842.

UTU for Life



These seven members of an extended family boast 218 years of railroad experience. Standing in the back row are, from left, Joseph Waymire, Bobby Spencer, Donald R. Goley and Thomas Waymire. In the front are, from left, William Waymire, the late Richard Waymire and Michael Goley.

Proud family totals 218 years on rails

When the the Waymires, the Goleys and the Spencers got together earlier this year, the house held 218 years of railroad experience.

Sadly, on Oct. 14, the family patriarch, Richard Waymire of Local 298 in Garrett, Ind., passed away a month shy of his 94th birthday. His first rail job was maintaining switches for the Chesapeake & Ohio. A short time later, he began work as a brakeman. He was a conductor and member of Local 1282 in Peru, Ind., when he retired in 1975 after 34 years of service.

Brother Waymire fathered three sons who went to work on the railroad, and welcomed into the family two railroading sons-in-law. His oldest son, Thomas, worked on the former Wabash line as an engineer and retired in 2001 with 34 years of service. His middle son, William, is a conductor with 34 years of experience and has served as a local chairperson for Local 1202 in Fort Wayne, Ind., for 20 years. His youngest son, Joseph, has worked on the old Nickel Plate line for 26 years, and his grandson, Michael Goley, is a Norfolk Southern engineer and a member of Local 1202 with nine years on the rails. Son-in-law Bobby Spencer, a CSXT conductor, has 42 years of service, and son-in-law Donald R. Goley is a CSXT engineer with 39 years of service. Both are active members of Local 1917 in Cincinnati, Ohio.

RRB, Social Security COLAs, earnings limits to rise in 2005

Most Railroad Retirement and Social Security benefits are scheduled to increase in January 2005 based on the rise in the Consumer Price Index (CPI) during the 12 months preceding October 2004.

Railroad Retirement Tier I benefits, like Social Security benefits, will increase by 2.7 percent, which is the percentage of the CPI rise. Tier II benefits will increase by 0.9 percent, which is 32.5 percent of the CPI rise, the U.S. Railroad Retirement Board (RRB) said.

Vested dual benefit payments and supplemental annuities also paid by the RRB are not adjusted for the CPI rise, the RRB said.

In January 2005, the average regular Railroad Retirement employee annuity will increase \$35 a month to \$1,692 and the average of combined benefits for an employee and spouse will increase \$48 a month to \$2,390, the RRB said. For those aged widow(er)s eligible for an increase, the average Railroad Retirement annuity will increase \$21 a month to \$884.

Widow(er)s whose annuities are being paid under the Railroad Retirement and Survivors' Improvement Act of 2001 are not receiving 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, the RRB said. Almost 33 percent of the widow(er)s on the board's rolls are being paid under the 2001 law.

For about 47 million individual Social Security recipients and another seven million Supplemental Security Income recipients, the increase will translate into a rise in average monthly benefits of around \$20. The average of combined benefits for an employee and spouse receiving Social Security will increase \$42 a month to \$1,574, the Social Security Administration (SSA) said. For aged widow(er)s receiving Social Security, the average benefit will rise \$24

a month to \$920, SSA said.

More than half of the increase for the average Social Security recipient will be eaten up by higher Medicare Part B premiums, which will rise 17.5 percent in 2005, bringing the total monthly payment to \$78.20.

If a Railroad Retirement or survivor annuitant also receives a Social Security or other government benefit, such as a public service pension or another Railroad Retirement annuity, the increased Tier I benefit is reduced by the increased government benefit. However, Tier II cost-of-living increases are not reduced by increases in other government benefits. If a widow(er) whose annuity is being paid under the new law is also entitled to an increased government benefit, her or his annuity may decrease.

Meanwhile, Railroad Retirement and Social Security annuitants subject to earnings restrictions can earn more in 2005 without having their benefits reduced, as a result of increases in earnings limits indexed to average national wage increases.

Earnings restrictions apply to all those who have not attained full Social Security retirement age, which ranges from age 65 for those born before 1938 to age 67 for those born in 1960 or later.



UTU calendar coming via mail

The colorful 2005 UTU calendar, featuring photographs of rail and bus properties, has been mailed to all current members of the UTU for Life program.

For information about the UTU for Life program, including a list of benefits available to members, click the "UTU for Life" button on the home page of the UTU's website at www.utu.org, or call the UTU International at (216) 228-9400.

THE FINAL CALL

Following are the names of recently deceased retirees who maintained annual membership in the UTU For Life program (formerly known as the UTU Retiree Program), according to reports received at UTU International Headquarters. These brothers and sisters will be missed by their many friends and by fellow UTU For Life members.

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
1	Bartlett, Donald D.	Naples, Fla.	645	Clark, Harry G.	Somerset, Mass.	1389	Riggs, Garrett L.	Ceredo, W. Va.
195	Burkhalter, Lambert C.	Ottumwa, Iowa	656	Russell, Billy J.	Cabot, Ark.	1462	Jordan, Archie B.	Raynham, Mass.
202	Reid, Phillip J.	Flushing, Mich.	707	Sutton, Richard A.	Topeka, Kan.	1462	Wolstencroft, Herbert S.	Roseland, Fla.
233	Johnson, William M.	W. Des Moines, Iowa	807	Carlise, Sylvester	Tucson, Ariz.	1477	Harmon, C.L.	Inkster, Mich.
240	Galvin, William	Eugene, Ore.	830	Wynn, Charles E.	Hummelstown, Pa.	1518	Hill, Jack E.	Indianapolis, Ind.
256	Kenna, Charles H.	Grafton, N.Y.	991	Stiffler, John B.	Burgettstown, Pa.	1518	Ley, James F.	Noblesville, Ind.
258	Miller, Robert D.	Sabula, Iowa	997	Kadenko, Mike	Mount Joy, Pa.	1518	Renfro, Vernon L.	Bellevue, Fla.
259	Chew, Earl D.	St. Joseph, Mo.	997	Goss Jr., Charles A.	Lewistown, Pa.	1526	Schacht, Elvin W.	Saint George, Utah
292	Sherman Jr., John F.	East Syracuse, N.Y.	1000	Zachau, James H.	Sartell, Minn.	1529	Banks, Clyde H.	Rosford, Ohio
309	Ochranek, John A.	Altoona, Pa.	1007	Ripka, Edward F.	Cleveland, N.Y.	1529	Domigan, Julius L.	Temperance, Mich.
312	Cords, Robert G.	Mesa, Ariz.	1059	Christenson, Maurice E.	Minot, N.D.	1545	Crook Jr., Ernest H.	McGehee, Ark.
369	Malott, Douglas G.	Trout Lake, B.C.	1059	Nelson, Marc A.	Bottingeau, N.D.	1549	Jaqua, John D.	Temperance, Mich.
385	Matyi Jr., Andrew G.	Croton-on-Hudson, N.Y.	1074	Vargo, Elmer J.	Huntingdon, Pa.	1597	Vinton, William H.	Aurora, Ill.
385	Westhoff, John N.	Oldsmar, Fla.	1252	Bowers, Arthur	Fresno, Calif.	1607	Madrid, Jesus H.	Whittier, Calif.
454	Arraje, Joseph A.	Thousand Palms, Calif.	1299	Lococo, Tony	Bradenton, Fla.	1638	Finlin, John D.	Rocky River, Utah
587	Granger Jr., Pliney N.	Littleton, N.H.	1375	Troy Jr., John	Ocala, Fla.	1765	Merdzinski, George E. J.	Grand Rapids, Mich.
606	Sobolewski, John	Fairmont, W. Va.	1382	Christian, Donald R.	New Berlin, Wis.	1790	Hageman, William A.	Rochelle, Ga.
607	Hackett, D.R.	Thayer, Mo.				1831	Delisio, Tony	Staten Island, N.Y.
						1831	Stile, August E.	Cedarhurst, N.Y.
						1949	Ridenour, William F.	Baltimore, Md.

Parents, grandparents...

This holiday, give a gift that will last a lifetime

Have you ever stopped to think about what you could have done with the money you spent on holiday gifts in the past? If you're like most parents and grandparents, you go overboard. But what usually happens to those gifts? Do they end up in the corner, rarely played with – or worse yet, broken? Why not give your little ones a lasting gift this holiday season?



Retired UTU member Willis G. Croonquist and his wife, Rita, pose for their annual holiday photograph with their seven grandchildren. The Croonquists gave each of their grandchildren a gift that will last a lifetime: a paid-up, \$25,000 life insurance policy from the United Transportation Union Insurance Association.

"The best thing I gave each of them was a paid-up \$25,000 life insurance policy."

Willis G. Croonquist
Local 1177, Willmar, Minn.

Permanent life insurance is a wonderful way to provide a lifetime benefit for your youngsters. What better way to show them you care? Permanent life insurance is very inexpensive at young ages, and premium-paying choices are endless, since premiums can be paid in one easy payment or over just about any period of time you select. Give a gift that **keeps on giving** by returning the coupon on the right, or by calling toll-free, (800) 558-8842, for assistance from your UTUIA representative.



Information, Please



I would like more information on UTUIA's ULTIMATE PAR policy. Please Print.

Full Name of Member _____ Sex _____ Date of birth _____
 Address _____ City _____ State _____ ZIP _____
 Telephone Number with Area Code _____ UTU Local Number _____

Please provide full name, sex, date of birth, and relationship of the child for whom the information is requested on the line below.

Full Name _____ Sex _____ Date of Birth _____ Relationship _____

Complete and mail to: UTUIA Sales Dept., 14600 Detroit Ave., Cleveland, OH 44107-4250 11/04



UTU PAC HONOR ROLL

Individuals who have begun contributing to UTU PAC or increased their donations to \$100 or more, per year, during the past month

Name	Local	City	Name	Local	City
PLATINUM CLUB (\$1,200 OR MORE PER YEAR)					
Harrington, Jr., Robert E.	168	Chicago, Ill.	Svedberg, Michael R.	556	Tacoma, Wash.
DOUBLE DIAMOND CLUB (\$600 OR MORE PER YEAR)					
Sullivan, Michael J.	281	Milwaukee, Wis.	Boyd, Dwayne	577	Northlake, Ill.
Paoli, David R.	891	Whitefish, Mont.	Daniels, Lawrence L.	577	Northlake, Ill.
Smith, Michael E.	1129	Raleigh, N.C.	Knauss, Timothy E.	646	Council Bluffs, Iowa
UTU Auxiliary Lodge	803	Jacksonville, Fla.	Simpson, Michael R.	646	Council Bluffs, Iowa
DOLLAR-A-DAY CLUB (\$365 OR MORE PER YEAR)					
Trinkle, Roger L.	432	Champaign-Urbana, Ill.	Pancake, Neil Thomas	744	Frankfort, Ind.
Utley, Randy D.	490	Princeton, Ind.	Draper, Carl Nicholas	768	Decatur, Ill.
Swayze, Alan D.	583	Fond du Lac, Wis.	*Daum, William F.	878	Greenville, Tex.
Wirkus, Allen J.	583	Fond du Lac, Wis.	*Hale, Harold R.	878	Greenville, Tex.
Lewis, Joyce	Aux 419	Hammond, Ind.	*Frost, James G.	891	Whitefish, Mont.
DIAMOND CLUB (\$300 OR MORE PER YEAR)					
Smith, Chad E.	94	Kansas City, Kans.	Barrese, Mark A.	934	Alliance, Nebr.
Russ, Randy L.	283	Portland, Ore.	Cain, Michael F.	934	Alliance, Nebr.
*Steiger, Gerald L.	1503	Marysville, Kans.	Davidson, Braden V.	951	Sheridan, Wyo.
GOLD CLUB (\$100 OR MORE PER YEAR)					
Williams, Kevin	94	Kansas City, Kans.	Podvin, Ross Allen	980	Enderlin, N.D.
Linstra, Ronald A.	113	Winslow, Ariz.	*Tucker, K. E.	1011	Hamlet, N.C.
Corgatelli, Brett	265	Pocatello, Idaho	Wallace, Ronald L.	1011	Hamlet, N.C.
Davis, Robert B.	265	Pocatello, Idaho	Latendresse, Kellen C.	1059	Minot, N.D.
Nicolai, Edward C.	283	Portland, Ore.	Poole III, York D.	1129	Raleigh, N.C.
Seiling Jr., Roger A.	311	La Crosse, Wis.	Williams, Ben Epps	1129	Raleigh, N.C.
Leffler, Jack W.	376	Louisville, Ky.	*Gaynor, Robert	1190	Ludlow, Ky.
Salyer, Patrick Allen	376	Louisville, Ky.	Davis, William T.	1397	Columbus, Ohio
Williams, Kenneth S.	376	Louisville, Ky.	Esposito, Thomas M.	1413	Jersey City, N.J.
*Patterson, James A.	426	Spokane, Wash.	Carney, Richard	1462	Boston, Mass.
Nugent, James R.	432	Champaign-Urbana, Ill.	Johnson, Jerome	1501	Baton Rouge, La.
Simmick, Eric D.	432	Champaign-Urbana, Ill.	Braserton Jr., Clifford M.	1554	Ogden, Utah
Welling, Richard D.	432	Champaign-Urbana, Ill.	*Price, Howard L. E.	1594	Upper Darby, Pa.
Sacks, Jacob J.	477	Newton, Kans.	Votteler, Jeff	1597	Chicago, Ill.
			*Hartsock, Gene	1840	Glasgow, Mont.
			Rogney, Darby D.	1840	Glasgow, Mont.
			Wanderman Sr., Phillip	C	Yonkers, N.Y.
			Montgomery, Joan	Aux. 583	Sterling, Colo.
			Walter, Edythe	Aux. 793	Minerva, Ohio

* = Retired member

Menges elected new Auxiliary president



The UTU Auxiliary has a new International president.

Carol Menges was elected to the position by a vote of the Auxiliary's nine vice presidents, who convened in Cleveland recently to conduct the vote and to attend to other Auxiliary business.

The election was necessary due to the recent retirement of UTU Auxiliary International President Edythe Walter.

Menges is a member of Auxiliary Lodge 933 in Jefferson City, Mo. Prior to her election as International president, she served as Auxiliary convention delegate, Missouri state legislative director and alternate national legislative director.

Walter joined Auxiliary Lodge 793, Minerva, Ohio, in 1961 and served a variety of offices. She was elected International president in 1998.

"I have enjoyed my many years as a local officer and Grand Lodge officer," Walter said. "I have made many friends and acquaintances, who I know I will miss seeing and visiting with. The constant being away from home, my age, and the fact my husband, Bob, has been retired for six years after almost 40 years working for the railroad gave me reason to retire," Walter said. "I feel it is time for me to be with him and do the things we have planned to do while we both have good health."

Above, Walter (right) administers the oath of office to Menges.

UTU cooperates in rail fatigue study

Officers and members of the United Transportation Union are working with representatives of the University of Denver on a study of fatigue in the railroad industry.

Other participants in the study are the Federal Railroad Administration (FRA) and the Union Pacific (UP) Railroad.

Data for the study will be collected between Nov. 3 and Nov. 7 from train and engine service employees at the Union Pacific's Kirby Yard in San Antonio.

UTU Local Chairpersons Greg Burger (Local

756, San Antonio), Robert Bourland (Local 489, San Antonio) and John Dunn (Local 756, San Antonio) will be the contact persons with the UTU for the study.

They will be meeting with Dr. Patrick Sherry, associate professor and director of training at the university's counseling psychology program, on Nov. 3 to start questioning crews.

A three-party endorsement letter will accompany the information-gathering process to authenticate the validity of the study.

The preliminary report will be presented

Dec. 15 at a "feedback" meeting, with the final report, including findings, recommendations and countermeasures, due by the end of the year.

Focus group interviews will be conducted with both management and labor employees.

General Chairperson T.L. Johnson said that "there has been a dire need for a study for several years in order to find a solution to alleviate the issues surrounding fatigue in the railroad industry. This study should be beneficial to train and engine service employees."

Sleep apnea

Continued from page 1

ical condition that can be successfully treated by a physician," said UTU International President Paul Thompson. "Sleep disorders are not a crime."

FRA's safety advisory stems from a November 2001 Illinois Central Railroad double-fatality collision of two opposing-direction trains near Clarkston, Mich.

The National Transportation Safety Board determined the probable cause of the accident was crewmember fatigue "primarily due" to the engineer's untreated, and the conductor's insufficiently treated, obstructive sleep apnea (NTSB Report No. RAR/02/04).

Sleep apnea is a sleep disorder characterized by cessations of breathing during sleep, and therefore causes sleepiness during waking hours. Some 18 million Americans are thought to suffer from sleep apnea, and some researchers suggest 90 percent of the cases are undiagnosed.

More information on sleep disorders may be

found at the UTU website, www.utu.org. In the far left-hand column, click on "Healthcare." Then scroll down and click on "Health columns by Dr. Norman K. Brown." Then click on "New help for the sleepless." Dr. Brown is the UTU's medical consultant.

The NTSB recommended the FRA order rail employees in safety-sensitive jobs and who suffer

**"Sleep disorders
are not a crime."
President Thompson**

from "performance-impairing" medical conditions to be removed from duty. Thompson said such action would be "extreme, unfair and counterproductive because the fear of being removed from service would encourage employees to hide symptoms and not be truthful with medical providers.

"The advisory also could be used improperly

by carriers to intimidate and harass less-favored employees," Thompson said.

"The effective method to treat performance-impairing medical conditions is not to deprive families of their breadwinner, but to work with the employee constructively to solve the problem through appropriate medical treatment," Thompson said.

"A far more pressing fatigue problem is carriers working their train and engine service crews to the point of exhaustion, day after day, week after week, month after month and year after year."

FRA said its current regulations addressing the fitness of employees are limited to hearing and vision requirements for engineers, and control of alcohol and drug use for all employees in safety-sensitive positions.

Among treatments for sleep apnea is a new medication approved for use by the Food and Drug Administration earlier this year, called Provigil. The medication initially was prescribed to treat narcolepsy, but more recently has been found to be effective in treating sleep apnea.

SPARTA operators join UTU; SEPTA pact okayed

SPARTANBURG, S.C. – Mass transit bus operators working for the Spartanburg Area Regional Transit Agency (SPARTA) in Spartanburg, S.C., have overwhelmingly chosen the UTU as their collective bargaining representative, according to election results released by the National Labor Relations Board.

"We are pleased to welcome these bus operators into the UTU family, and we look forward to working closely with them as they begin to secure a contract," said UTU International Vice President and Bus Department Director Roy Arnold.

Arnold said he and Alternate Vice President – Bus – East Rich Deiser have been working with the bus operators since January, and he thanked three SPARTA employees in particular for their efforts in this victory.

"I'm very grateful to Ray Mahaffey, Margaret Foster and Robert

Woodruff for their time and dedication," said Arnold. "It was their determination that made this positive outcome possible."

In other news, by an eight-to-one margin, UTU-represented conductors and assistant conductors employed by the **Southeastern Pennsylvania Transportation Authority's (SEPTA) rail division** have ratified a new agreement.

The agreement resolves the matter of longevity pay in favor of the UTU. "The agreement is an important recognition by SEPTA that the pay of conductors and engineers is wed together," said UTU International Vice President Bruce Wigent, who assisted UTU Local 61 General Chairperson Ralph Vazquez in the negotiations.

The agreement was reached in September as a second presidential emergency board (PEB) was considering the last final offer of the two parties.

UTU 35th Anniversary watch now available



Each UTU 35th Anniversary limited-edition gold watch features a brilliant, die-struck, 14-karat gold-filled watch face and a number of certification on the back.

The UTU has commissioned a **35th Anniversary Limited-Edition union-made watch** for the members of this great union. The watch, created by American Time, features a brilliant, die-struck, 14-karat gold-filled watch face that captures the detail of the union logo in proof-coin brilliance.

Sequentially numbered from 1 to 1,000 (men's) and 1 to 500 (ladies'), this limited-edition members' watch will provide you with an heirloom that will be treasured forever.

The timepieces are created by union-represented watchmakers at the American Time Company in Rochester, N.Y., so you know these watches guarantee you quality and reliability in the tradition of the great railroad watches of yesteryear.

The watches are available with either an expansion bracelet or leather band. The cost is \$125 for either the men's or ladies' style, plus \$6.95 for shipping and handling.

Also, 20 percent of the purchase price will be donated to the UTU PAC fund, so your purchase gives twice!

Honor this historic event and reserve your limited-edition 35th Anniversary UTU watch today.

To order call (800) 272-5120. You also may download an order form from the UTU website, www.utu.org.

If you prefer, you can fax your order to American Time at (585) 295-8004; please include your choice of men's or ladies' watch, band desired, credit card number and expiration date.



“We must preserve crew consist agreements”

By Brian Houston
Legislative representative
Local 750, Knoxville, Tenn.



Houston

Many post-1985 rail employees have limited knowledge of the UTU's crew consist agreements – the single most important job protection of any rail labor organization.

The UTU's crew consist agreements guarantee a conductor will be present on every train that operates. Carriers, as well as the Brotherhood of Locomotive Engineers

and Trainmen (BLET), seek to abolish these agreements.

Destruction of crew consist agreements is the railroads' top priority because they are an obstacle to the carriers' ultimate goal of unmanned trains. Technology is fast becoming available to permit operation of trains from a remote location using satellite-assisted computer technology, known as positive train control.

As for the BLET, it has no crew consist agreements ensuring an engineer's presence on trains, and thus must eliminate the conductor, through destruction of crew consist agreements, to survive.

The BLET places its own self-interest ahead of its membership's as it did when the railroads

began implementing remote control technology.

Had the BLET worked with the UTU on remote control, engineer jobs could have been preserved. But in Canada and the U.S., the BLET refused to join the UTU at the negotiating table.

While the history of the UTU is one of protecting crafts, the BLET – as evidenced with remote control and its attack on the conductor craft in Canada on VIA Rail – has a history of attacking other crafts.

Our jobs and our families' well-being depends upon our preserving our crew consist agreements against attack by the carriers and the BLET. We must never forget this.

Crew consist

Continued from page 1

sist agreements. But this can only be done if the BLET eliminates the UTU as the bargaining representative for trainmen.

BLET eliminated conductors

Far fetched? Hardly. When the BLET convinced conductors on Canada's VIA Rail to join the BLET and thus take control of the conductors' contract, the BLET immediately negotiated an end to the conductor craft in favor of engineers.

As UTU members are aware, the BLET has embarked on a raid of the UTU by offering reduced dues to trainmen who would join the BLET. Those dues are considerably less than are paid by engineers to the BLET.

The BLET also imposed “seniority maintenance” fees for all engineers on the Illinois Central and the Kansas City Southern, or else those engineers will not accumulate engineer seniority. More recently, the BLET imposed seniority accumulation fees on Conrail Shared Assets Area. This means junior engineers flowing back to trainmen must pay seniority accumulation fees to the BLET or lose their engineer seniority. Engineers on these railroads do not currently pay such fees to the UTU.

These actions by the BLET are not merely attempts to gain more members. They are attempts to eliminate the most important job protection available to UTU members – the UTU's crew consist agreements.

BLET gave UTU no choice

Thus, the BLET has given the UTU no choice but to gain from the carriers the ability to invoke exclusive representation, seniority maintenance and seniority retention fees. These provisions will be implemented as a defense against continued BLET raiding whose real objective is to destroy UTU crew consist agreements and erode trainmen protection.

The UTU has made clear to the BLET that the UTU will not impose any of these provisions if the BLET stops its raiding of the UTU through reduced dues for trainmen and scraps its own seniority maintenance and retention fees.

If the BLET halts its raiding of the UTU, the UTU will back off imposing these defensive provisions. Specifically, the BLET must advise the UTU in writing that it will stop offering cut-rate or free dues to UTU-represented employees, that it will terminate all seniority maintenance fees for locomotive engineers, and will terminate any type of seniority retention and exclusive representation provisions. Otherwise, the UTU will defend itself by rapid implementation of its defensive provisions.

Some background may help newer members better understand the situation. Train and engine service employees have historically shuttled among the various operating crafts, which have been represented by different unions.

This shuttling led to the creation of the United Transportation Union 35 years ago. Instead of brakemen, conductors, firemen, hostlers, switchmen and yardmen looking to individual unions to negotiate and administer contracts, they voted to merge into a single organization.

Unity gave a stronger voice

The resulting UTU gained a stronger voice at the negotiating table, seniority within each craft was protected and continued to be accrued, and single dues covered the costs of negotiating and administering contracts covering rates of pay, work rules and working conditions.

The Brotherhood of Locomotive Engineers (now BLET) did not choose to participate in the merger creating the UTU even though many operating employees continued to shuttle back

and forth between train and engine service. Many firemen and trainmen who were promoted to engineer chose to continue their membership in the UTU. They looked to the UTU to represent them when grievances arose under their engineers' contract.

The UTU had no choice but to gain from the carriers the ability to invoke exclusive representation, seniority maintenance and seniority retention fees. These provisions will be implemented as a defense against continued BLET raiding.

This beneficial state of affairs was destabilized in 1984, however, when the BLET implemented an “exclusive representation” provision on Amtrak. The BLET's exclusive representation agreement prohibited the UTU from representing engineers on Amtrak during on-property handling of claims, grievances and disciplinary matters. The BLET's exclusive representation provision was upheld by the U.S. Supreme Court.

Further destabilization occurred in 1992 when the BLET successfully argued before Presidential Emergency Board 219 for an exclusive representation provision on all the major freight railroads.

PEB's 1992 ruling aided BLET

The BLET's successful grab for exclusive representation on Amtrak and major freight railroads meant that engineers belonging to the UTU no longer could look to the UTU to handle their grievances on the property when they worked in engine service.

The BLET's exclusive representation provision was upheld by the U.S. Supreme Court.

Also, the UTU preserved and protected their seniority while those trainmen worked outside the craft.

It is crucial to understand, however, that while the UTU gained the seniority accumulation provision, it was never put into effect by the UTU except at two locations.

BLET given a choice

The UTU also made clear once before that if the BLET dropped its exclusive representation provisions, the UTU would terminate its seniority accumulation provisions.

In 1996, the UTU negotiated a national agreement that provided such a result.

But then the BLET embarked on its new raid of the UTU by offering reduced dues to trainmen who would join the BLET.

Clearly, the UTU was given no choice but to seek from the carriers a defense against this latest BLET raid – a defense that will not be used if the BLET halts its raiding practices as described above.

(For more information on crew consist agreements, see the article above by Brian Houston, legislative representative for UTU Local 750 in Knoxville, Tenn.)

This month's winning photo:

The UTU Public Relations Department awards UTU gear to the union member who submits the best photograph during the previous months.

The winning photo will be published in the *UTU News*. Exceptional photographs will be included on the UTU website.

The UTU would like to see photographs or digital photographs of work-related scenes, such as railroad, bus or mass transit operations, new equipment photos, scenic shots, activities of your local, or photos of your brothers and sisters keeping America rolling.

Printed photographs should be mailed to UTU News, 14600 Detroit Ave., Cleveland, OH 44107-4250.

High-resolution digital photographs should be in the JPEG format and e-mailed to "utunews@utu.org".

With each photograph, please include your name and UTU local number, the names of the persons in the photo (left to right), where the photo was taken, and all other pertinent information.

All photographs submitted become property of the UTU.

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



This month's winning photograph was taken by member **Barry Prager**, a bus operator for Laidlaw Transit and member of Local 1741 in San Francisco, Calif. The photo, of a Laidlaw school bus, was taken in front of the Golden Gate Bridge.



www.utu.org / www.utuia.org

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Zook, Young, Brown and Henry: Let us honor their memories

Four railroad employees killed in accidents over past month

It has not been a good month for operating railroad employees.

Four railroaders have been killed in separate accidents over the past month, including three killed in the span of just four days.

First, Brother **Raymond Zook**, a Norfolk Southern conductor and member of Local 997 at Enola, Pa., was killed in a switching accident Oct. 4, in Harrisburg, Pa.

Three days later, **Shawn Young**, 31, of Waterloo, Ill., who had been working for the Union Pacific only a few weeks, was crushed to death early on the morning of Oct. 7 when a freight car passing through Springfield, Ill., tipped off the rails and fell on him.

Later that afternoon, Brother **Eugene Brown**, a member of UTU Local 1092 in Teague, Texas, a Burlington Northern Santa Fe (BNSF) conductor, died following a switching accident at about 9:30 a.m. in the railroad's yard in Teague.

Finally, early on the morning of Nov. 1, Brother **Brian Henry**, 45, a BNSF conductor and member of Local 544 at Havre, Mont., was killed when he stepped off his stopped locomotive and into the path of an oncoming train.

Officials are still not sure what happened to Brother Zook. He was found beside the tracks in the yard. Results of an autopsy have yet to be released.

Neither Zook nor others in the immediate area were working with remote-controlled locomotives.

Zook, 58, hired out in 1970 and was looking forward to retirement in a year and a half, Local 997 Chairperson Don Samsel said.

Zook, who was unmarried and the son and grandson of railroaders, lived with and cared for his 84-year-old mother.

In the second accident, Young died of injuries incurred when a tank car tipped over as he walked alongside of it, trapping him between the tracks and a fence, according to reports.

"When the train derailed and the car fell on him, he just had no place to go," Sangamon County Coroner Susan Boone said. "He was right there between the fence and the car."

Neither was Brother Brown working on or near remote-controlled locomotives, according to Local 1092 Chairperson Glenn D. "Dale" Welch.

Brown, age 60, had 31 years of service and was 20 days away from retirement, Welch said. He was the father of two daughters and a son.

Henry, who had only been railroading since May, apparently stepped off his eastbound train about 5:20 a.m. and into the path of an approaching westbound freight that he was to inspect as it rolled by.



Inside this issue of the UTU News:



LACMTA bus operator Miguel Lopez makes the grade. See page 2.



Seven family members boast 218 years of rail experience. See page 9.



Carol Menges elected president of UTU Auxiliary. See page 8.



Member Brian Houston values UTU protections. See page 11.