

The logo for UTU News features the letters 'UTU' in a stylized, bold font. The 'U' on the left is blue, the 'T' in the middle is red, and the 'U' on the right is blue. To the right of 'UTU' is the word 'News' in a large, black, sans-serif font. Below the logo, the website address 'www.utuia.org' is printed on the left and 'www.utu.org' on the right.

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The Official Publication of the United Transportation Union

THE VOICE OF TRANSPORTATION LABOR

“Rather than two operating unions fighting each other, we should be embracing the dream of Eugene Debs for one powerful rail labor union working in unison for the good of all on the nation’s railroads.” – *UTU Vice President Arty Martin* (see page 10)

News & Notes

Member loses arm

HERMISTON, Ore. – UTU member Tim Gettman of Local 473 in La Grande, Ore., lost his left arm in a switching accident last month in the Union Pacific Railroad’s Hinkle Classification Yard, according to UTU’s Oregon State Legislative Director Delmer E. Hanson.

Brother Gettman was injured around 3 p.m. on May 20, and was taken by aircraft at about 6 p.m. to a hospital in Portland, Ore., about 180 miles away, where his left arm was amputated just below the shoulder, Hanson said.

Remote control operations are in place at the Hinkle Classification Yard. According to Hanson, the tilt feature on the remote control stopped the train movement. A 30-year employee, Gettman is married and has three sons, Hanson said. An investigation is pending.

RRB issues service forms

CHICAGO – Each year, the Railroad Retirement Board (RRB) issues a “Certificate of Service Months and Compensation” (Form BA-6) for every railroad employee who received creditable railroad compensation in the previous calendar year.

The form provides employees with a record of their Railroad Retirement service and compensation. The information is used to determine whether an employee qualifies for benefits and the amount of those benefits.

The forms will be mailed to employees by the board during the first half of June. While the board has made every effort to compile and keep current a file of the addresses of all active railroad employees, employees for whom compensation was reported in 2002, but who have not received Form BA-6 by July 1, or need a replacement, should contact the nearest board field office.

Those offices can be located through the RRB’s website: www.rrb.gov.

Convention rooms limited

CLEVELAND, Ohio – UTU members wishing to attend the union’s quadrennial convention July 28-Aug. 1, 2003, and stay at the host hotel, the Hilton Anaheim, must make room reservations through the UTU. Reservation forms are available online at the UTU website (www.utu.org.) Those wishing to be mailed or faxed a reservation form should call (216) 227-5417.

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Alaska Railroad, FRA test train-control technology

ANCHORAGE, Alaska – Alaska Railroad, with some \$12 million in funding assistance from the Federal Railroad Administration (FRA), is designing, developing and implementing a computer-based collision avoidance and train control system over some 120 miles of its most heavily traveled routes north and south of Anchorage.

UTU Vice President Arty Martin says the new technology demonstrates how imperative it is to unify the operating crafts in order to protect job opportunities and standards of living.

(Read Martin’s commentary on this subject on page 10.)

Because all members of Alaska Railroad train crews are represented by the UTU, new technology is not a concern on Alaska Railroad, said UTU Local 1626 President Gerald Valinske. “We’re not afraid of new technology. And we certainly know it can’t be stopped. What we do know is there will be no impact on our jobs.”

This is because the UTU represents all members of the train crew, permitting the UTU – as in the past – to negotiate agreements protecting employment, seniority and wages of every member of the train crew, Valinske said.

The first demonstration runs of the collision

avoidance and train control system were conducted in May. UTU member Herf Keath was the engineer on all test runs and Valinske the conductor.

The collision avoidance and train control system includes locomotive, wayside and dispatcher office hardware and software. The system is designed to enforce speed limits and authority limits by monitoring locomotive location in relation to authority limits and speed restrictions.

The system also monitors switch alignment, signal indication and wayside detectors and provides the crew with advance information on these devices.

The system will stop a locomotive if an unsafe circumstance is observed. Unsafe circumstances include exceeding authority by going too fast, not pulling into a siding, or passing the point of authority on the track.

Completion of the system is expected in 2005. Its key features include satellite-based Global Positioning System (GPS) technology to track train location and speed; 52 locomotives with on-board computers and consoles that display train movement instructions to the crew; computer monitoring of manual switches at strategic train-meeting locations, and early notification of the status of remote control switches.

FRA chief Rutter backs remotes

WASHINGTON, D.C. – Federal Railroad Administrator (FRA) Allan Rutter says the FRA will not discuss locomotive remote control issues with the Brotherhood of Locomotive Engineers (BLE) so long as the BLE prefers confrontation to constructive discussions.

Rutter also reaffirmed the Federal Railroad Administration’s conclusion that remote control operations on the nation’s railroads “have not created an emergency situation involving a hazard of death or injury to persons.”

Recently, the BLE sponsored a sidewalk rally outside FRA offices to protest remote control operations. BLE also brought legal action against the FRA in an attempt to halt remote control operations.

“Sometimes when you stand outside of some-

Continued on page 10

Member killed in fiery crash

McBRIDE, B.C. – Two railroad workers were killed May 14 when the Canadian National (CN) train they were operating plunged off a bridge in a remote area of British Columbia.

Their remains were found in the wreckage at the bottom of the ravine after crews finally doused a fire that had been raging for 24 hours.

Killed were conductor Ken LeQuesne of UTU Local 1271 in Prince George, B.C., and engineer Art McKay, also of Prince George.

The train was traveling on the CN northern line that links Prince Rupert, on the British Columbia coast, to Edmonton.

The two engines and the first six cars of the 86-car train plummeted into a ravine when it crossed over the trestle bridge, which CN said had just recently been inspected.

Continued on page 10

Around the UTU

News from around the U.S. and Canada

Local 257, S. Morrill, Neb.

This Union Pacific local enjoyed an informational seminar last month arranged by Local Chairperson **David Martin**, said Secretary-Treasurer **Thomas Jones**. Guest speakers included UTUIA Field Supervisor **Ron Tokach** and State Legislative Director **Ray Lineweber**. Supporting the event was Designated Legal Counsel **Yaeger, Jungbauer, Barczak & Vucinovich, PLC**.

Local 292, E. Syracuse, N.Y.

Members of this CSXT local are donating vacation days and personal days to **Donald E. Johnson** so he can spend time with his wife, who has been diagnosed with terminal cancer, said Vice Local Chairperson and Secretary-Treasurer **Jack H. Gross Jr.** To donate time, call the district office at (316) 656-5707 or (315) 656-5708. Financial donations should be made payable to Johnson and sent to: CSX Terminal Supervisor, c/o Donald Johnson, 600 Fremont Rd., E. Syracuse, NY 13057.

Local 340, Connellsville, Pa.

Members of this CSXT local last month participated in a training class and a "blitz" sponsored by Operation RedBlock, said safety committee member **Randy Matthias**. Members lending a hand included **Jim Manges, Denny Stewart, J.J. Sloan, Ron Carter, Gary Trice,** and **Matthias**.

Local 343, Hamilton, Ont.

Members of this Canadian National (CN) local observed two minutes of silence recently in memory of those killed in the McBride trestle accident, said Local Vice President and Legislative Representative **Scott Montani**. Meanwhile, charges have been filed against CN for preventing members from participating in investigations as per their right under the Canada Labour Code.

Local 464, Arkansas City, Kan.

This BNSF local will host a pig roast on June 22 for all active members and their families, said Local Chairperson **Jim McDaniel**. For information, contact McDaniel at (620) 442-9146.

Local 465, Gillette, Wyo.

This BNSF local's Chairperson (E) and Board of Trustees Member **Basil Hipple** recently presented a \$500, one-year scholarship to **Tom** and **Mary Lou Risley's** son **Garrett**. Alternate to receive the scholarship was **Rachelle Greeves**, daughter of **Bill** and **Jeanne Greeves**, said Local President **Billy Montgomery**.

Local 469, Madison, Ill.

Members and their families will be attending the local's annual picnic on June 14 at Long Acre Park in Fairview Heights, Ill., said Secretary-Treasurer **John I. Payer**. Supporting the picnic this year are the **MidWest Railroaders, Lance Callis** and Designated Legal Counsel **John Papa**.

Local 471, Eugene, Ore.

The Seventh Annual J. C. Anderson Memorial Golf & BBQ Tour will be held Aug. 4, said Legislative Representative **Greg Boam**. Proceeds of this Union Pacific local's event will go to five-year-old **Madisen Howland**, who is being treated for acute lymphoblastic leukemia. For information, call Boam at (541) 461-5407 or send e-mail to boomerzrf@televar.com.



Jesse Bryant Jr. of Local 84 in Los Angeles, Calif., displays the UTU Brass Lantern Award bestowed upon him for his heroism in the wake of a rail accident.

Conductor honored for heroic actions

At about 9:15 a.m. on Jan. 6, 2003, MetroLink conductor **Jesse Bryant Jr.** was going about his business on Train #210 when tragic circumstances intervened and underscored the value of having professionally trained, UTU-represented conductors on the team.

"I'd been involved in incidents before, but this was terrifying," said Brother Bryant, a member of Local 84 in Los Angeles, Calif. "We hit something, but kept going and seemed to flip into a tailspin. I felt a fireball, and saw a woman thrown toward me. I got thrown under a seat, and still we were moving! Then I saw another part of the train, and wondered what was going on. We finally slid into a wall and stopped."

Bryant, a 26-year rail veteran, learned later that a heavily loaded truck had illegally circumvented crossing gates when the train, in 79-mph-territory, had slammed into it. The cab car he was in became airborne and flew over the truck as its gas tank exploded. All four cars of the Metrolink train derailed, 34 passengers were injured, and the truck's driver was killed.

"All these people were laid out and in so much pain," Bryant said. "I tried to calm everyone down, and went looking for the two handicapped people and the lady with a baby that I knew were aboard." Bryant also checked the rest rooms to ensure nobody was in them during the accident.

Because the rail car was on its side, exiting through the windows wasn't possible. As soon as rescue personnel had pried open an exit, Bryant began helping passengers and crew members out of the train. Firemen kept telling him to sit down, but Bryant repeatedly went into the burning wreck to bring people to safety.

On April 21, on behalf of UTU International President **Byron A. Boyd Jr.**, and in recognition of his dedication and bravery, Jesse Bryant Jr. was presented the UTU Brass Lantern Award by UTU Vice President **Tony Iannone** and Local 84's Chairperson **Keith Moore**.

"I was grateful for the gesture, but the way I saw it, the award was for all of us," said Bryant in reference to his crew. "What I did is part of our work. This is our job and our livelihood. We know these passengers, we see them every day, they rely on us, they become family, and you don't want anything to happen to your family. It's what a good conductor does."

Local 597, Des Plaines, Ill.

The engineers in this Union Pacific local (formerly C&NW), along with the Heritage Presbyterian Church, will be holding a food drive June 21, said Local Vice President **Harry C. Lewis Jr.** The event will feature two collection points: one at the church (965 Kuhn Road in Carol Stream, Ill.) staffed from 9 a.m. to 3 p.m., and another at the Proviso diesel facility in Northlake, Ill., collecting from 7 a.m. to 7 p.m. The food drive is being held as part of *Join Hands Day*. For more information, contact Lewis at (630) 790-8432.

Local 783, Spencer, N.C.

Members of this Norfolk Southern local are mourning the sudden loss of brakeman **Robert L. Dixon**, who succumbed to a heart attack on April 25, said Local Chairperson and Secretary-Treasurer **Paul Martin Jr.**

Local 1293, Altoona, Wisc.

Union Pacific General Chairperson **John Babler** (GO-225), in the wake of remote control implementation, last month secured protective provisions for everyone on the local's seniority roster, said Local Chairperson **Mark S. Mueller**. The effort began last September and called for Babler to show the local was indirectly affected by operations at the St. Paul-Minneapolis Switching Terminal.

Local 1365, Youngstown, Ohio

Members of this Norfolk Southern (NS) local are mourning the loss of conductor and Local President **Thomas R. Drummond**, who succumbed to cancer on May 13. Brother Drummond, 61, began his career on the Erie Lackawanna in 1964 and served the local as an officer for more than 20 years, said Secretary-Treasurer **James J. Miglets**.

Local 1373, Philadelphia, Pa.

Members of this CSXT local will be hosting the 10th Annual Railroad Retirees Reunion on June 22 at the Folcroft Firehouse from 3 p.m. to 7 p.m. For information, contact **Tom Anziano** at (800) 315-5609 or (610) 583-5609.

Local 1405, St. Louis, Mo.

Members of this Norfolk Southern local attended an arbitration advocacy skills seminar in April led by **Alan Fisher**, an associate of UTU Designated Legal Counsel **Hoey, Farina & Downes** who has experience as a railroader and a federal rail case arbitrator, said Local Chairperson **Shaun Gunter**. Vice Local Chairperson **Sammy Warden**, Legislative Representative **Alan Harbers**, UTU Special Representatives **Rich Ross** and **Jeremy Ferguson** and others learned how to approach the investigation process to prepare cases for appeal.

Local 1594, Upper Darby, Pa.

The team of **Bob Swain** and **Mel Saddic** in April took second place at a SEPTA-sponsored rail rodeo at the Elmwood Depot, said Local Chairperson and President **Ron Koran**. Others who competed for a chance to go the national event in San Jose, Calif., included **Pat Greene, Waverly Harris, Dave Lucas** and **George O'Donnell**. Volunteers who helped stage the event included **Nadine Ketter, Tanya Perkins, Quentin Todd** and **Esther Sacks**.

State Watch *News from UTU State Legislative Boards*

Maryland

The Maryland Legislative Board has established a website to provide information of importance to members in the state, as well as election endorsements and news about the board's scholarship program, reported State Director **Larry Kasecamp**.

The website can be found at the address www.utumd.org or by clicking on the links page on the menu bar of the UTU International website at www.utu.org.

Kasecamp said the website is still in its initial stages but will be updated as soon as time permits. He also said that complete information about the James E. Major Jr. Memorial Scholarship can be found on the website and that applications for the scholarship can be submitted directly through the website.

Missouri

Action taken by the Missouri Legislative Board at the request of Local 5, Kansas City, Legislative Representative **Curt Jones** and former Local Chairperson **Glenn Ritter** has resulted in an order to reopen the rail crossing at 12th Street and Sante Fe in Kansas City.

Tennessee



Tennessee Legislative Director Jerry Anderton, right, greets Sen. John Kerry (D-Mass.) at a meeting with members of organized labor and representatives of the music industry in Tennessee on April 28. Anderton said he and Kerry, who is seeking the Democratic Party's nomination for the 2004 presidential race, spoke about the need to preserve and improve upon the U.S. rail network for both freight and passenger service.

New Jersey



The crew of a New Jersey Transit (NJT) train was honored by the NJT Board of Directors for its outstanding service to a passenger in need of medical care. The female passenger, who was six months pregnant, approached the crew after she had fallen while running to catch the train. The train crew was able to make the woman comfortable while seeking medical attention from other passengers on board (a doctor and three nurses), then radioed NJT and Amtrak dispatchers for priority movement to New York City, where she was treated. The incident was brought to the attention of New Jersey Transit by Len Resto, president of the New Jersey Association of Railroad Passengers, who wrote, "This crew day in and day out provides outstanding service to their riders. This was just a bit more unusual form of customer service." State Director Dan O'Connell, who was invited to attend the board meeting, said, "This is but another example of what we in the UTU already know: that we represent the best people in the transportation industry, passenger or freight, bus or rail." The honored crew members, holding awards, were Trainperson Tom Coyle (Local 60), Engineer Tom Foran, Trainperson Cheryl Endean (Local 60) and Conductor Ken Banta (Local 60). O'Connell is standing at the far left.

The state's Administrative Hearing Commission denied the application of Burlington Northern Santa Fe Railway and the Kansas City Terminal Railway to permanently close the crossing after the UTU opposed the closing on grounds that it would limit access by emergency vehicles to the 19th Street Yard.

The commission found that the applicants failed to ensure that the public safety was not diminished and failed to establish viable alternative routes at the crossing, said Legislative Director **Larry Foster**.

Foster also acknowledged the efforts of Attorney Jason Keck of the Hubbell, Peak, O'Neal, Napier & Leach law firm, for his efforts on UTU's behalf and for "making Kansas City a safer place to work."

Utah

Amtrak's westbound California Zephyr now

arrives in Salt Lake City at 11:27 p.m., one hour earlier than before, thanks to the efforts of Assistant Legislative Director **Jay Seegmiller**.

While that time difference may seem insignificant to many, Seegmiller sees it as the first step in his quest to make Amtrak passenger service more popular in his state and to travelers in general.

He feels that if the Zephyr would arrive a little earlier, the train would bring more people to town and carry more people out. And that could be a boon to tourism, Seegmiller said.

If demand for train service rises, Amtrak could hire more people to provide expanded service here, Seegmiller said.

He estimated that Amtrak paid 55 workers in the state \$2.5 million and spent \$109,502 on goods and services. He believes all of those numbers would increase if the arrival time of the Zephyr were just a bit more reasonable.

Bus Department

By Percy Palmer, vice president-director

Bus Department membership grows

Our UTU Bus Department is steadily improving in membership and is one of the areas where there is a great potential for future growth.

In the "right to work for less" states, we have properties that are organized but not fully unionized. We are therefore currently working on our internal unionizing and need your help. We are asking each union member on those properties to use their organizing skills to try and sign up at least one fellow worker. It is not fair to you that they should be freeloading. In other states we usually negotiate a union shop or an agency shop agreement, which gives us good union security.

During the past four years we have organized and obtained contracts for the following properties: Delco, Darby, Pa.; Evergreen Trails, Seattle, Wash.; TNM&O, Lubbock, Tex.; Lift Line, Santa Cruz, San Rafael, Hesperia, Riverside, Antelope Valley and Santa Clarita, Cal. (On this property we will have to re-do the election since the Teamsters, who had only 10 votes, has filed unfair labor practice charges against the company); Alex's Transportation in Washington, Oregon, Texas, Oklahoma, Kansas, California and Arizona.

Currently we are working on voluntary recognition for other units that Alex's Transportation has recently acquired. We are also receiving a host of calls from all over the country from people who are interested in our representation.

I am proud to be the director of this growing department in our great organization.



Yardmasters

By Don Carver, asst. to president/director

Observe time limits to receive benefits

Contract benefits will be delayed, and possibly lost, by failing to timely submit the required claim forms. The yardmaster supplemental sickness plan is a contractually negotiated and carrier-funded policy that is linked to qualifying for Railroad Retirement sickness benefits. Yardmasters who do not promptly apply for sickness benefits under Railroad Retirement will definitely delay, and possibly lose, benefits under both plans. We have recently worked with yardmasters who have put benefits in jeopardy as a result of delayed filings.

The plan additionally requires employment verification by the carrier and sickness verification by the healthcare provider. Follow up on completion of these two verification forms is key to timely receipt of the sickness benefit compensation. Application by the yardmaster does not automatically ensure receipt of the benefit. All of the information sources must supply their portion of the data for payments to commence. Yardmasters should contact their general committee if they have timely met their obligation and the benefit is not being received.

At this time of the year, many yardmasters are completing the required number of vacation-qualifying days and are planning to retire. If retirement is in your plans within the next 60 days, contact the Yardmaster Department to ensure that proper notifications are made and no post-retirement insurance coverage is lost.

Also, are your life insurance beneficiary designations current?



Byron A. Boyd Jr., International President

Paul C. Thompson, Assistant President

Daniel E. Johnson, Secretary/Treasurer

James M. Brunkenhoefer, Nat. Legislative Dir.

Contact the UTU:

via telephone at (216) 228-9400

via fax at (216) 228-5755

via e-mail at utunews@utu.org

via the Internet at <http://www.utu.org>

Our strength: our members

An abiding truth of the UTU is that our strength is our members. As Illinois Legislative Director Joe Szabo says (*see centerfold*), "While our leaders can set the agenda, it takes the active involvement from each of us to make a difference. We can't expect someone else to do things for us."

That certainly was the successful formula for passage of Railroad Retirement reform and keeping Amtrak in operation.

It was the successful formula for achieving positive bus agreements, a solid new airline agreement and a favorable national wage package, including unprecedented job security, with most of the nation's railroads.

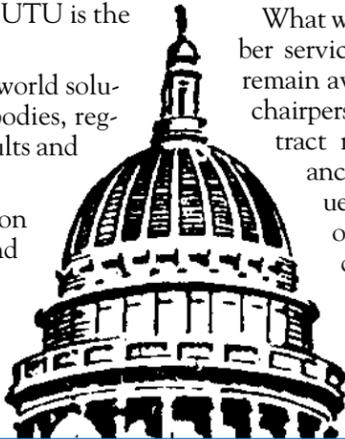
The legislative and bargaining successes of the UTU show what members can achieve working together.

Conductor Margaret Fiala observes (*see centerfold*) that, "The tragedy of not having the UTU is sometimes missed by younger employees. The UTU is the best way for us to save our jobs."

Our long history of confronting real-world problems with real-world solutions and dealing forthrightly and progressively with legislative bodies, regulatory agencies and each other has made the UTU a union of results and not rhetoric.

Ditto for keeping members informed through communication among locals, general committees, state legislative departments and the International.

Informed and active members are what make your UTU stand strong by keeping us in the driver's seat at the bargaining table and delivering our legislative victories.



WASHINGTON WATCH

By James Brunkenhoefer

UTU influence helps ensure jobs, security

Congress created the 15-member Rail Shipper Transportation Advisory Council (RSTAC), made up of representatives of large railroads, small railroads and shippers – and one rail labor member, who is me. The RSTAC makes transportation policy recommendations to Congress. Your UTU's ability to influence the activities of this organization is of consequence to UTU members.



At the request of President Boyd, I advanced two proposals to the RSTAC, which are important to the job security of rail employees. One UTU proposal would allow state governors the flexibility to invest federal grants from the Highway Trust Fund in passenger train operation and development. The second UTU proposal would permit use of Highway Trust Fund grants for intermodal projects. Intermodal means freight that moves partly by rail and partly by truck and/or steamship and the federal dollars would be used to improve access to rail intermodal yards.

It is heartening that not only did the RSTAC adopt these UTU proposals, but the Bush Administration also advocates their passage into law. Your UTU national legislative office now will work with our Democratic and Republican friends in Congress to assure these provisions become law as part of a six-year reauthorization of highway spending programs.

If these UTU-proposed provisions do become law, billions of Highway Trust Fund dollars could become available over the next six years for rail passenger and freight operations. That

Finances on solid ground

By Dan Johnson
General Secretary & Treasurer

One of the most frequently asked questions of UTU officers is, "What is the financial condition of the UTU and the UTU Insurance Association?" In spite of difficult economic times, we are financially sound.

Since the current administration took stewardship of the UTU and UTUIA in 2001, deficits have been eliminated. This was accomplished through prudent cost-cutting that preserves our ability to represent every member promptly, efficiently and with positive results.

Excess expenses were cut by consolidating functions, increasing oversight of spending in each UTU department, slashing the travel budget, reducing the number of separate meetings by making greater use of conference calls and e-mail, and reducing printing and postage costs. For example, the *UTU News*, which reaches 125,000 active and retired members monthly, is now printed on a less-expensive paper under a less-costly printing contract with a union printer, who helped us reduce postage costs through more efficient bulk delivery to the U.S. Postal Service.

What we have not cut are member services. Our vice presidents remain available to every general chairperson to assist with contract negotiations and grievance handling. We continue to improve the quality of our website, including databases that assist officers in defending employees in discipline proceedings. We've upgraded our



Johnson

secretary-treasurer tools, such as WinStabs. We also improved the quality of education at regional meetings as evidenced by the programs available at Seattle and Philadelphia in June and August.

The financial condition of UTUIA is especially bright. The roots of UTUIA are more than 130 years old, but the mission is unchanged: To provide union families with financial protection against death, injury and hardship.

What has changed is the variety of UTUIA offerings. As your UTU negotiated improved wages and benefits assuring UTU families solid upper-middle-class status, more members sought retirement policies such as IRAs and flexible-premium annuities to preserve their lifestyles through retirement.

An independent insurance-rating company concluded UTUIA is financially sound and price-competitive with the 25 largest North American insurance companies – companies such as Prudential and MetLife.

For every \$100 in liabilities, UTUIA has almost \$119 in assets, which exceeds the liability coverage of many of the top 25 insurance companies. UTUIA has a \$35-million surplus of assets beyond its liabilities – and those assets have grown by \$9 million since 2000. Beyond being financially secure, UTUIA is a union-friendly insurer, meaning it doesn't engage in anti-labor activities.

We have many challenges facing us in a rapidly changing economic environment that is not always union friendly. One less concern we have, however, is the financial condition of the UTU and UTUIA, which I am proud to report as financially sound.

UTU'S BOARD OF ETHICS AND QUALIFICATIONS AND RULES OF CONDUCT FOR DESIGNATED LEGAL COUNSEL PROGRAM

A MESSAGE FROM PRESIDENT BYRON A. BOYD JR.

The UTU's Designated Legal Counsel ("DLC") program's historical roots date back more than 100 years to the founding of the Brotherhood of Railroad Trainmen. Then as today the program was essential for the promotion of safety in the railroad industry and the competent representation of our injured brothers and sisters. We have always expected DLC to adhere to the highest ethical and professional standards. Each DLC pledges to vigorously represent our members at a reduced rate, to help educate the membership through our programs and may participate in the support of fraternal functions of this union.

The UTU has periodically issued Guidelines to which each DLC was bound to adhere. Since becoming International President of the UTU, I believed it appropriate to underscore those principles for DLC and UTU members alike. Accordingly, with the assistance of counsel and by the authority vested in me, we have incorporated the Guidelines and expanded them into formal Rules of Conduct and hereby establish a Board of Ethics and Qualifications to review both the qualifications of proposed DLC, as well as to decide grievances regarding possible violations of those Rules by the DLC or any UTU officer, member or employee. The Chairperson of the Board shall be the sole and independent decision-maker. The former Chairperson of the National Mediation Board who is currently a neutral arbitrator, Joshua Javits, has agreed to serve in that capacity for a five-year term.

Introduction

The UTU has established a new Board of Ethics and Qualifications ("Board of Ethics") to govern participants in the UTU's Designated Legal Counsel Program. The Board of Ethics will enforce The UTU Designated Legal Counsel Rules of Conduct set forth herein which defines universal standards of conduct applicable to all UTU Designated Legal Counsel ("DLC") and all officers, members and employees of the UTU and its affiliates. The Board will formulate and administer the Ethics and Qualifications Complaint Procedure which will prescribe a process to ensure that potential violations of the Rules of Conduct are decided in accordance with procedures that are fair and impartial by an experienced arbitrator on the roster of neutrals of the American Arbitration Association, the National Mediation Board or the Federal Mediation and Conciliation Service.

Purpose of the rules of conduct

These Rules are a central guide and reference for all DLC as well as UTU officers, staff and employees at every level of the Union in their activities related to the on-the-job injuries of UTU members and potential claims under the Federal Employers Liability Act ("FELA"). These Rules are meant to complement the UTU Constitution and other laws and is not a substitute for them.

The Rules of Conduct incorporate, inter alia, the UTU Designated Legal Counsel Guidelines last issued by UTU International President Byron A. Boyd Jr. on August 7, 2001, as well as the Directives issued by him on March 1, 2003, and such other Rules as the Board may deem appropriate.

The purpose of these Rules is to encourage the highest standard of professional and ethical conduct for all DLCs in the representation of UTU members. For these Rules to be effective the UTU and its affiliates will make every effort to foster and maintain a culture that supports ethical behavior. The Union will continue to provide and broaden its guidance through informational programs, training materials and other resources. DLCs are expected to report any conduct of which they become aware that is inconsistent with these Rules.

The UTU Designated Legal Counsel Rules of Conduct

1. DLC Agreement To Be Subject To The Rules Of Conduct And The Exclusive Jurisdiction Of UTU Board Of Ethics And Qualifications. All Designated Legal Counsel shall agree as a condition of becoming or remaining a DLC that he or she will be subject to and fully comply with the Rules of Conduct and decisions of the UTU Board of Ethics and Qualifications whose decisions shall be final, binding and conclusive. Each DLC shall, as a condition of becoming or remaining a DLC, specifically in writing waive any and all recourse to any court of law or any tribunal to challenge any action or decision of the Board, its members, or the officers and agents of the UTU which in any way relates to the DLC Program.

2. ABA Model Rules Of Professional Conduct. All DLC shall agree as a condition of becoming or remaining a UTU Designated Legal Counsel that he or she will comply with and be subject to the ABA Model Rules of Professional Conduct as well as the state-law professional responsibility rules and canons for the jurisdiction in which they practice.

3. The Fiduciary Duty Of UTU Officers. The agents of the Union, its officers, staff and representatives have a duty to exercise their authority solely on behalf of and for the benefit of the UTU and its members. The agents of the union must set aside their personal interests and act in the best interests of the Union and its members. No prospective or current DLC shall aid or abet anyone in the violation of their fiduciary duty.

4. Improper Influences. Because an agent of the UTU must make each decision based solely on the best interests of the union, it is necessary that the agent be free of improper outside influences that would interfere with an ordinary person's objectivity in making the decision. Any such influence creates a prohibited conflict of interest. No prospective or current DLC shall offer or attempt to improperly influence any decision of an agent of the UTU.

5. Reporting Of Solicitations To DLCs. Any DLC solicited for a payment or contribution by any UTU or UTUIA officer, staff member or employee must report the details including the date, time

and amount of such solicitation to the Board of Ethics immediately and in writing. This is in addition to and not a substitute for any other legal or ethical requirement that may attach.

6. Reporting Of Payments. Any and all payments, and gifts over \$100 in value, given by any DLC to any UTU or UTUIA officer or staff member or other employee at the International, General Committee or Local level shall be reported to the Board of Ethics through the General Counsel's office on a form to be provided. Such report shall fully disclose the details of any payment or gift of whatever kind whether related or unrelated to FELA cases.

7. DLCs Permitted To Become UTU Members. All DLCs will be permitted to become members of UTU, paying all dues except General Committee of Adjustment dues, and should be available and willing to attend their local's meetings and answer questions concerning the FELA and related laws.

8. Prohibition Against Involvement In Union Politics. No DLC, under any circumstances, at any time, shall become involved in union politics. DLCs may, but are not required to, sponsor generic union social and fraternal events and regional meetings to promote unity and education among the union's officers and members.

9. Prohibition Of Union Political Solicitations Or Contributions. Any request by a UTU member for a political contribution from a DLC and any provision by a DLC of a political contribution of any kind including, without limitation, anything of value such as money, goods, services or entertainment to or on behalf of a candidate for union office is absolutely prohibited. Any such solicitation must be immediately reported to the Board of Ethics.

10. Prohibition Against Employment By DLC. The employment of or provision of office space to UTUIA Field Supervisors or to full-time UTU elected officers, staff or employees is prohibited.

11. Prohibition Against Payment Of Referral Fees. Under no circumstances is a referral fee to be paid to any UTU member or union officer who recommends the DLC to an injured employee. If such a fee is requested, the Board of Ethics shall be immediately notified.

12. Prohibition Against Fee Splitting. As provided in ABA Model Rule 5.4: "A lawyer or law firm shall not share legal fees with a non-lawyer."

13. Limitation On Contingency Fee To Be Charged To UTU Members. Any contingency fee charged by a DLC in cases involving a UTU member concerning an on-the-job injury under FELA and related laws will not exceed 25% of the recovery, exclusive of costs.

14. Requirement That All Actionable Cases Be Handled. Each DLC and members of their firm must be willing to handle all actionable injury cases, not only those of high potential recovery. They must also be willing to handle related matters on an injured member's behalf at the Railroad Retirement Board.

15. No Charges For Initial Consultation. DLCs and members of their firm must be willing to give advice concerning the rights and liabilities of union members for on-the-job injuries, either by telephone or by interview, at no cost to the union member, and should return all members' calls related to such issues.

16. Reporting Of Complaints Against DLCs. Any civil, criminal, administrative or bar complaint, investigation or proceeding commenced against a DLC by any union member or governmental entity shall be immediately reported to the Board of Ethics.

17. Notification Of Ethical Violations Found. If a state bar association or other body recommends a finding that a DLC or a member of their firm violated ethical obligations, or such violations are found by any court or other adjudicatory body, the DLC shall immediately notify the Board of Ethics.

18. Reporting Of Changes In Law Firm. DLCs should immediately advise the UTU General Counsel if there is any significant change in the membership of their firms (e.g., merger, consolidation, departures, etc.).

19. Certification Of DLC Candidates By UTU Board Of Ethics And Qualifications. No appointment of DLC shall be made by the International President of the UTU unless the ethical and professional qualifications of such candidate shall be certified following a thorough review by the UTU Board of Ethics and Qualifications prior to such appointment.

20. Sanctions For Failure To Comply. The failure to comply with any of these Rules shall be cause for sanctions up to and including immediate revocation of the DLC designation by the UTU Board of Ethics and Qualifications, and in the case of UTU members, referral to the International President for corrective action consistent with the UTU Constitution.

The Board of Ethics and Qualifications

There shall be established a UTU Board of Ethics and Qualifications ("Board of Ethics"). The Board shall consist of three members: the Neutral decision-maker; the UTU General Counsel who shall serve as Secretary and be responsible for its administration in the receipt, investigation and docketing of complaints and other correspondence; and a Board Counsel who shall be an experienced attorney in private practice and shall serve as counsel to the Neutral member of the Board. Board Counsel shall investigate any complaints filed with the Board through the General Counsel and otherwise assist in the development of the record to be presented to the Neutral member. The Chairperson of the Board shall be an experienced Neutral who shall be the sole decision-maker on matters of qualifications or complaints before the Board. The independent judgment of the Board shall be protected and preserved. The Neutral member of the Board shall have a non-renewable, five-year term and may only be removed for misfeasance or nonfeasance.

The Board shall adopt the foregoing Rules of Conduct and such others as are deemed appropriate. The Board shall establish a procedure for the certification of proposed DLC based on their ethical and professional qualifications. The Board shall adopt a complaint procedure to review inquiries or complaints concerning alleged violation of the Rules of Conduct. The procedure is intended to be informal and the record shall be based on the written submissions of the parties and witness interviews.

Members are the strength, and the future, of the UTU



Ray Cunningham
Director, Human Rights Committee
Local chairperson
Local 1933, Washington, D.C.

Diversity makes the UTU a strong union just as diversity makes our nation strong. Everybody within our union brings something different to the table. Because of this strength from diversity, no other organization can match the quality of our leadership, the enthusiasm of our members and the accomplishments of the UTU on behalf of the membership.

Diversity contributes to our progressive leadership at the local, general committee, state legislative and International levels. Through communication and education, our members understand issues, what can be done to resolve them successfully and how to come together to ensure that victory.



John Eschmann
Yardmaster general chairperson
Northeast Passenger

Successful union officers are those who communicate with members by listening to what members say and acting promptly on those concerns. Successful union officers stay in touch with what is going on with the carrier and ensure members are informed and aware.

No other organization matches the UTU's ability to resolve member concerns. We are a union that works to understand the past in order to know where we should be going in the future.

To remain strong we must provide education for our young officers, continue to be concerned about every member, plan for the future and take action.



Robert Kerley
General chairperson, BNSF

Any union is only as strong as its members' personal involvement. The successful resolution of claims, grievances and safety concerns encourages members to participate to a greater degree and gives them a sense of ownership in their union.

Resolving claims and grievances successfully requires getting detailed statements of fact and handling them promptly. As for safety, successful unions are proactive. Rather than waiting until an accident or injury occurs, we address those hazards with the carrier before something happens.

Our UTU is strong because our members have a real voice. As they participate in union activities, they help shape their future.



Joe Szabo
Illinois Legislative Director

When the rank and file gets involved politically by writing letters, making phone calls and contributing to TPEL, we can move mountains.

The lives of transportation employees are controlled considerably by the legislative process – from safety regulations to operations to retirement benefits – and all are driven by politics. Union is all about collective strength to shape the future through the political process. While our leaders can set the agenda, it takes the active involvement from each and every one of us every day to make a difference. We can't expect someone else to do things for us.



Margaret Fiala
President, Legislative Rep.
Local 924, Richmond, Va.

There would be no safety if there was no union. There is no profit in safety. My union says I have the right to safety and I want it. It is important that we can go home to our families in one piece.

The tragedy of not having the UTU is sometimes missed by younger employees. They will see as time goes by that the changes without the union would be horrifying. The UTU is the best way for us to save our jobs. Had it not been for the UTU I would not have the job I have today.



Larry Grutzius
S&T, Local 1895, Chicago

The UTU is headed in the right direction organizing employees in the air, bus and rail industries. This shows the UTU is not concerned about only one craft, but about all employees in transportation. Diversity is one of the UTU's biggest assets.

The best way to handle new technology is to take a head-on approach and not try to hide from it. What the UTU does so well, and what no other organization does as well, is to reach out to all crafts to provide leadership and representation. Diversity is the UTU's greatest asset.



Ralph Vazquez
General chairperson, SEPTA

Local officers are the voice of the employee to the carrier. The International, in turn, is the local officers' voice. When an individual employee realizes this, that he has the ability through me and the International to get the message heard and acted upon, that is what pulls the union together and makes it apparent that everyone counts. Our members are our strength because we are a family.

Communication among the International, the locals and our members is important. If we don't have that communication, members' needs go unfilled.



John Hancock
General chairperson, CSXT

In members' eyes, local officers are the union. Each member has his or her own problems and local officers must be responsive. Listening to members' needs, working to resolve them and talking to brothers and sisters in a caring manner is what builds a strong brotherhood and sisterhood.

I am so proud of the UTU. It sees where we are today and translates that into a vision of where we should be in five and 10 years. Among our goals is to protect jobs into the future. When we protect jobs, our members obtain a lot of other things.



Dirk Sampson
Member, Board of Appeals
Local chairperson, Local 117
Vancouver, Wash.

The strength of the UTU is the members who support our goals of working toward long-term solutions. The UTU is a union that looks ahead.

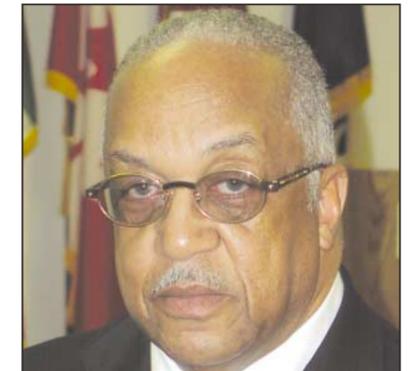
Our membership realizes how fragile Amtrak funding is and how important it is to have a presence before Congress and state legislatures. When our U.S. senators are visiting their home districts and we talk with them, they know who Brokenrail is and who Byron Boyd is because they have been on Capitol Hill interacting with our lawmakers. The UTU is a known entity with lawmakers at the state and federal level.



Clint Miller
UTU General Counsel

The UTU is the modern embodiment of the Eugene Debs' idea of bringing diverse crafts into a single organization. The more employees you represent in the industry, the greater the leverage at the bargaining table. That leverage is crucial to countering the extreme economic power of the carriers.

The UTU is a strong and effective union because of our sophisticated membership. The jobs our people do require talent and that talent is used within the organization. We also have great lines of communication among all levels of our union, which puts everyone on the same wavelength when it comes to problem solving.



James Williams
General chairperson, LACMTA

The UTU has a reputation of doing what needs to be done for each member. Knowing that the International supports what we do 100% gives me great confidence in assisting my bus and rail members. Our general committee is effective because we bring together five local chairpersons with the general chairperson for problem solving.

We have lost a lot of our hardcore union people. We must work to educate our new members about the union, the sacrifices made and the progress achieved that gives our members the best labor contracts you will find anyplace in the nation.

UTU for Life

Retiree's need for speed leads to Hall of Fame

Henry E. Kijewski Jr. isn't the type of person who would let something like a disability retirement slow him down. Since he was about 14, he's had a need for speed that sets him apart.

Brother Kijewski, 59, a member of Local 740 in Joliet, Ill., continues to serve as Elgin, Joliet & Eastern (EJ&E) general chairperson, despite retiring from his job as brakeman/conductor in August 1996. And despite the fact that his last official participation in motor sports occurred in 1967, he continues to receive recognition for accomplishments related to speed.

Last month, Kijewski was inducted into the East Chicago, Ind., Sports Hall of Fame. "I went 54-and-0, never losing a race in my class," said Kijewski, who set four world records in 1967 while drag racing motorcycles.

The records, set on two different BSA motorcycles, held for three years until Japanese manufacturers came on the scene with a new breed of bike, he said. "On June 4, 1967, in the D Modified 500cc class, I clocked in at 12.2 seconds and ran 103.44 mph," Kijewski said. "Then on July 4, in the C stock 650cc class, I set the world record at 12.37 seconds, hitting 107.14 mph."

When he was 14, a group from the neighborhood let Kijewski tag along to the drag strip, "and I was hooked," he said. "In 1964, I was racing a '57 Chevy, but it got too expensive. A buddy had a BSA motorcycle that was whipping all the cars in town, so I got one, and things just developed from there."

Especially helpful, Kijewski said, was getting a factory sponsorship in 1967 and having a relationship with a good mechanic.

Kijewski began his rail career on the EJ&E as a tower operator in February 1969, and in November of that year transferred to the transportation department, becoming a brakeman. Today, he has two sons and four grandchildren.

"My youngest son has raced cars and motorcycles and done about everything," he said. "We ran time trials against each other out at the strip a number of times, and I always won. I still have a BSA we work on together, but unfortunately, because of my disability, I can't ride!"

New UTU for Life chapters to meet as program grows

Two more *UTU for Life* chapters are set to hold their first meetings, while plans are proceeding for the formation of a number of chapters in Pennsylvania, according to Coordinator **Jim Shelley** of Local 556 in Tacoma, Wash.

"We've got meeting dates and locations set up in California and Idaho, and **George Koval** (of Local 300, Philadelphia, Pa.) is working with Pennsylvania State Legislative Director **Don Dunlevy** on setting up meetings in Harrisburg and Philadelphia," said Shelley, who recently coordinated creation of the first chapter in the Seattle/Tacoma area.

UTU for Life is an expansion of the UTU Retiree Program created by UTU International President **Byron A. Boyd Jr.** with the aim of bringing UTU retirees and active members together for activities focused on fellowship, information and political action.

Shelley said a chapter is being created in Pocatello, Idaho, by **Francis J. McCarty** of Local 265 in Pocatello. That chapter will hold its first meeting at 9:30 a.m. on June 28 at the Golden Corral Buffet at 850 Yellowstone Avenue in Pocatello. The cost is \$4.99 plus tax and tip per person for all you can eat, and spouses are wel-

come to attend.

Those in the area who have not already had contact with McCarty but would like to learn more or attend the meeting can contact Brother McCarty by calling (208) 637-0310 or by writing to him at 630 Redman St., Pocatello, ID 83202.

Thanks to the efforts of **Lawson L. Chadwick** of Local 84 in Los Angeles, Calif., the first meeting of a *UTU for Life* chapter in Oceanside, Calif., will take place about a week later at noon on July 7 at Johnny Mañana's, located at 308 Mission Avenue in Oceanside. Chadwick said the special guest speaker at the meeting will be California State Legislative Director **J. P. Jones**.

For more information about the Oceanside chapter and its meeting, contact Brother Chadwick by calling (760) 945-5365, by writing to 5059 Nighthawk Way, Oceanside, CA 92056, or by sending e-mail to him at LLCHAD@cox.net.

Meanwhile, Shelley said he is still looking for retired members who want to form a *UTU for Life* chapter in their own hometown. Those interested can contact him by calling (253) 691-6576 or by writing to him at 21 E. Johnson Dr., Sequim, WA 98382.



Retirees welcome at regional meetings

Retired members and their spouses are welcome to attend any of the sessions at this year's regional meetings, and will not be charged a fee unless they participate in one of the meals.

Seniors are urged to attend the *UTU for Life* session hosted by Coordinator **Jim Shelley** from 3:30 p.m. to 5 p.m. on the first day of each meeting. Among the guest speakers will be National Legislative Director **James Brunkenhoefer**, UTUIA Field Coordinator **Joe Fletcher**, and U.S. Railroad Retirement Board Representative **Geri Clark**.

Meetings are being held June 9-11 at the DoubleTree Hotel, Seattle Airport, and Aug. 25-27 at the Wyndham Philadelphia at Franklin Plaza.

Conrail retirees hold bash in Buffalo

Conrail retirees, as well as those of the old Lehigh Valley Railroad, are invited to a party for all crafts to be held in Buffalo, N.Y.

According to retired member **Mike Murphy**, the event will begin at 1 p.m. on July 24 at the Victoria Square Restaurant at the corner of Ridge Road and South Park Avenue in Buffalo.

To reserve a spot at the restaurant, call Murphy as soon as possible at (716) 667-3532 or contact **Carl Lehsten** of Local 1393 in E. Buffalo, N.Y., at (716) 674-4892.

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	Schmidt Jr., John W.	Buffalo, N.Y.	412	Drinkwater, Harold W.	Emporia, Kan.	1081	Kerley, Edgar K.	Glendale, Ariz.
6	Weisenberger, Theron W.	Mt. Carmel, Ill.	498	Jarvis, Eugene M.	Phillipsburg, N.J.	1376	Chapman, Oris D.	Carroll, Ohio
195	Jobe, P. V.	Galesburg, Ill.	565	Spurlin, William L.	Herrin, Ill.	1403	Bly, Ernest D.	Independence, Mo.
202	Zimmerman, Vernon J.	Steamboat Spring, Col.	586	Kuehn Jr., Otto D.	Lorain, Ohio	1447	Kuhran, William	N. Bergen, N.J.
212	Alston, Robert P.	Albany, N.Y.	674	Webster, G. V.	Lawrenceville, Ga.	1529	Dombrowsky, Edward C.	Elmore, Ohio
225	Fox, Wilbur M.	N. Ridgeville, Ohio	770	Edge, C. L.	Ft. Smith, Ark.	1549	Gunlite, Walter H.	Toledo, Ohio
234	Maitland, John W.	Bloomington, Ill.	816	Zeigler, George C.	Mechanicsburg, Pa.	1570	Samuelson, John W.	Carson City, Nev.
324	Beebe, Carl D.	Monroe, Wash.	933	Perrey, Charles V.	Boonville, Mo.	1598	Waller, Marvin L.	Manchester, Ga.
340	Shultz, Walter H.	Connellsville, Pa.	974	Jones, R. L.	Avon Park, Fla.	1949	Proctor, Jess W.	Bumpass, Va.
385	Risko, Frank W.	Boca Raton, Fla.	1062	Coynor Jr., Albert L.	Hurricane, W.Va.	1971	Link Jr., Herman G.	Melrose, Fla.
404	Kirk, Jack W.	Newark, Ohio				1974	Clements, James G.	Texarkana, Tex.

Union member rights and officer responsibilities under the Labor-Management Reporting, Disclosure Act

The Labor-Management Reporting and Disclosure Act (LMRDA) guarantees certain rights to union members and imposes certain responsibilities on union officers. The Office of Labor-Management Standards (OLMS) enforces many LMRDA provisions while other provisions, such as the bill of rights, may only be enforced by union members through private suit in Federal court.

Union member rights

Bill of Rights: Union members have:

- equal rights to participate in union activities;
- freedom of speech and assembly;
- voice in setting rates of dues, fees, and assessments;
- protection of the right to sue;
- safeguards against improper discipline.

Copies of collective bargaining agreements: Union members and nonunion employees have the right to receive or inspect copies of collective bargaining agreements.

Reports: Unions are required to file an initial information report (Form LM-1), copies of constitutions and bylaws, and an annual financial report (Form LM-2/3/4) with OLMS. Unions must make the reports available to members and permit members to examine supporting records for just cause. The reports are public information and copies are available from OLMS.

Officer elections: Union members have the right to:

- nominate candidates for office;
- run for office;
- cast a secret ballot;
- protest the conduct of an election.

Officer removal: Local union members have the right to an adequate procedure for the removal of an elected officer guilty of serious misconduct.

Trusteeships: Unions may only be placed in trusteeship by a parent body for the reasons specified in the LMRDA.

Prohibition against certain discipline: A union or any of its officials may not fine, expel, or otherwise discipline a member for exercising any LMRDA right.

Prohibition against violence: No one may use or threaten to use force or violence to interfere with a union member in the exercise of LMRDA rights.

Union officer responsibilities

Financial safeguards: Union officers have a duty to manage the funds and property of the union solely for the benefit of the union and its members in accordance with the union's constitution and bylaws. Union officers or employees who embezzle or steal union funds or other assets commit a Federal crime punishable by a fine and/or imprisonment.

Bonding: Union officers or employees who handle union funds or property must be bonded to provide protection against losses if their union has property and annual financial receipts which exceed \$5,000.

Labor organization reports: Union officers must:

- file an initial information report (Form LM-1) and annual financial reports (Forms LM-2/3/4) with OLMS;
- retain the records necessary to verify the reports for at least five years.

Officer reports: Union officers and employees must file reports concerning any loans and benefits received from, or certain financial interests in, employers whose employees their unions represent and businesses that deal with their unions.

Officer elections: Unions must:

- hold elections of officers of local unions by secret ballot at least every three

years;

- conduct regular elections in accordance with their constitution and bylaws and preserve all records for one year;
- mail a notice of election to every member at least 15 days prior to the election;
- comply with a candidate's request to distribute campaign material;
- not use union funds or resources to promote any candidate (nor may employer funds or resources be used);
- permit candidates to have election observers;
- allow candidates to inspect the union's membership list once within 30 days prior to the election.

Restrictions on holding office: A person convicted of certain crimes may not serve as a union officer, employee, or other representative of a union for up to 13 years.

Loans: A union may not have outstanding loans to any one officer or employee that in total exceed \$2,000 at any time.

Fines: A union may not pay the fine of any officer or employee convicted of any willful violation of the LMRDA.

The above is only a summary of the LMRDA. The full text of the act, which comprises Sections 401-531 of Title 29 of the United States Code, may be found in many public libraries, or by writing the U.S. Department of Labor, Office of Labor-Management Standards, 200 Constitution Ave., N.W., Room N-5616, Washington, DC 20210, or on the Internet at <www.dol.gov>.

Member arranges burn-unit care for Iraqi girl

ANN ARBOR, Mich. – A 15-year-old Iraqi girl severely injured in Baghdad at the start of the U.S.-led war is receiving expert care at the University of Michigan's burn center thanks to a UTU member's faith in the possible.

A phone call made by Local Chairperson and Alternate Delegate James K. Thornberry set into motion events that brought Hannan Shihab and her mother to the U.S.

Thornberry, a member of Local 1709 in Pontiac, Mich., and a 30-year yard brakeman employed on the Midwest Division Michigan Zone of Canadian National (CN), is also the father of two teenage daughters and an adult son.

Thornberry had seen a telecast before heading to work. "It was about the lack of medical care for a girl who had been burned on her face, chest and arms when explosions near her home knocked an oil lamp off a shelf," he said.

Thinking about his own daughters and recalling the care his now-deceased father had received following a house fire years ago, Thornberry called the burn center. "I asked if they'd care for the girl," Thornberry said. A half hour later, the burn center called back, saying they'd treat her at no charge.

Still, Thornberry had no idea who the girl was or how to contact her family. "I had to head to work, so I called on my friend Steve Thompson."

U.S. Alternate Vice President-East Steven J. Thompson, also of Local 1709, struck pay dirt. The telecast had been produced by a British television network, which put Thompson in contact with the team that had "adopted" the girl and her family and knew exactly how to reach her.

Thompson considered the girl's travel expenses, and called UTU Interna-

tional President Byron A. Boyd Jr. and CN President and CEO E. Hunter Harrison, both of whom pledged \$2,500 toward the cost.

Thornberry knew he needed someone to act on his behalf in Iraq, and because no commercial flights were available, he would have to convince the military to fly the girl out. "I called my representative, Cong. Mike Rogers (R-Mich.), and it turned out he was headed to Iraq."

Through Cong. Rogers, the medical, immigration and travel logistics were overcome, and Hannan was flown to a U.S. military hospital in Germany. "A University of Michigan staff member was helping me price airline costs from Germany," Thornberry said, "and Northwest Airlines ended up picking up all the costs."

Thornberry said he's not generally a religious person. "In fact, I tend toward being self-centered," he said. "But when I first heard from the burn center, I knew this was going to happen. The whole process took about three weeks, and I got a lot of support from my wife Connie. Toward the end, we hit some speed bumps, but for some reason, I never lost faith that this was going to happen."



U.S. Alternate Vice President-East Steven J. Thompson (left) and Local Chairperson and Alternate Delegate James K. Thornberry, both of Local 1709 in Pontiac, Mich.

Let's work in unison to protect our futures

by Arty Martin
Vice President

The new collision avoidance and train-control technology being funded by the Federal Railroad Administration and tested on the Alaska Railroad demonstrates how imperative it is to unify the operating crafts.



Martin

This new computer-based technology is a jarring wake-up call that the ability exists – and exists now – to control trains by other than human beings. This system being tested is just one of many that allows a train to be stopped, slowed and accelerated by computers that function with assistance of a satellite and/or microwave communications.

While minor technical problems exist, it is only a matter of time before the bugs are worked out. As those demonstrating the system made clear, “this technology assures that if the crew or engineer does not take action to slow or stop the train before any type of incident would occur (such as violating a slow order, passing a block signal or not stopping for a misaligned switch), the system will stop the train.”

Brothers and sisters, we could not stop the introduction of new technology as we experienced with radios, end-of-train devices and remote control. Our only choice is to harness that new technology and make it work for us by

gaining job and income protection as well as new training. What your union can do for you is to make the necessary protective agreements. When the UTU recognized that remote control technology (RCL) was here to stay, it made an agreement guaranteeing UTU members the work. It was an unprecedented agreement because it was the first time that new technology didn't cost us work opportunities.

Look at the history. When automated crossing protection was developed, we lost the crossing guards in spite of vigorous opposition. When telephones and radios came on the scene, we lost the telegrapher and clerical jobs. When end-of-train devices were developed, we lost cabooses. When distributive power was introduced, the carriers made two trains out of three. The list goes on.

When your UTU responded in a proactive manner by working to harness new technology for the benefit of members, a different result was achieved.

For example, your UTU won something of value in exchange for crew-size reduction – reserve-board protection and productivity pay. And with remote control, we gained an agreement that nobody goes to the street as a result of RCL.

Now we face another reality. The computer-based collision avoidance and train control systems further threaten the traditional jobs of loco-

motive engineers. Today in North America, many transit operations are under computer control without a locomotive operator.

No rail labor person wants to lose more work opportunities. As an engineer, I certainly don't want to see my craft eroded or friends' jobs eliminated. This is why I support merging the operating crafts into a single, strong union able to devote all of its resources to protecting our seniority, our jobs, our skills, our wages and our benefits. Rather than two operating unions fighting each other, we should be embracing the dream of Eugene Debs for one powerful rail labor union working in unison for the good of all on the nation's railroads.

We must not let egos get the better of us, but rather understand that the majority of today's operating employees have both train and engine service skills, with train

service being the true job protection for all hired since 1985.

Technology is encroaching on work opportunities once again. Have we not learned the bitter lesson that new technology cannot be derailed? What we can do is work in unison to protect job and training opportunities, wages, benefits and our Railroad Retirement. Rather than running from operating-craft unification, we should be using the collective strength and resources within our ranks to preserve job protections and the family lifestyles we have earned.

**“As an engineer,
I certainly don't want
to see my craft
eroded or friends'
jobs eliminated.”**

Remote control

Continued from page 1

one's office and shout for an answer with a bull-horn, you may not get the answer you like,” said UTU National Legislative Director James Brunkenhoefer after reading Rutter's seven-page, single-spaced letter.

The BLE has taken dual positions on remote control locomotive operations (RCL). Where the BLE has a contract to operate remote control — such as on Montana Rail Link (MRL) — the BLE is comfortable with remote control. But where the UTU has a contract to operate remote control operations, the BLE has sought either to halt those operations or gain the work for its own members without an interest in protecting UTU-member jobs. By contrast, the UTU's agreement on remote control provides labor pro-

tection for operating employees.

Recently, a BLE engineer who operates remote control on MRL told a journalist, “Personally, I don't miss being in the cab. If I'm in the cab, I'm somewhat disconnected to the whole mission of the day ... And with the remote, I'm not as concerned about harming someone.”

Rutter said that “based on current safety data available to FRA, there is nothing that would indicate that RCL operations are any less safe than conventional operations ... Further, FRA has developed accident/injury reporting codes for RCL operations to ensure that any future safety hazards related to such operations can be easily identified, investigated and analyzed for the purpose of discovering any potential safety risks associated with this evolving technology.”

Responding to a BLE assertion that 40 “incidents” involving death, injury or accidents have resulted from remote control operations, Rutter

said, “To date, none of the FRA reportable accidents or incidents concerning RCL operations have been the result of RCL technology (although a few have been the result of non-RCL equipment failures...)”

Rutter said a tragic death of an RCL operator in Dewitt Yard in Syracuse, N.Y., in February did not appear to be RCL related. “Although FRA has not yet issued its final report regarding the investigation of this accident, at this point there is no indication the operation of the RCL caused the incident.”

Boyd continues to meet with Rutter in constructive discussions on remote control safety. Shutout from discussions, the BLE has been lobbying local communities symbolically to ban remote control operations in rail yards. It is symbolic because under federal law, only the FRA has authority to regulate remote control operations. Locally passed bans have no legal effect.

Member killed

Continued from page 1

The trestle collapsed under the train and crumbled into the ravine with the cars, but it is not known what caused the accident. The bridge had been inspected by CN Rail engineers two days before the crash.

The cars that went over were full of lumber. The crash ignited a fire that blazed through the night. Work crews were forced to build a road to the isolated location near the Alberta border and beside the Fraser River.

Ken LeQuesne's widow told the *Vancouver Sun* it is ironic her extremely safety-conscious husband was one of the two men whose lives were lost in the accident.

LeQuesne and McKay, both 51 years old, were

long-time employees of CN, with 30 years experience each.

“It's just ironic that he ends up dying in something like this,” said his widow, Lillian. “He was a very careful conductor. He went by the book.”

She said her husband loved his job but was looking forward to retiring to Victoria when he reached 55.

“Ken was a very kind man, a true friend to anyone who knew him. It was just a horrible accident. They (investigators) don't really know what happened yet. If the bridge went out, or a wheel came off.”

The couple had been married for 27 years and had no children.

McKay, also married and the father of a 25-year-old son and 23-year-old daughter, was described as very athletic and community-minded.

His sister-in-law Nelda McInnis said McKay

loved curling, golfing, and coached fastball. “He was very kind, always thought of someone else. He donated a lot of his time to volunteering.”

She said the family is so overcome with grief they have not really thought about what caused the accident.

“That line is inspected once a week,” CN Rail spokesman Jim Feeny told the press. “Our engineers did a visual inspection on Monday (May 12) and we ran our electronic test car over it not long before that, to test the rails and the grade and so on.”

The trestle was built in 1969 and is made of wood, he said. Neither the bridge's age nor the materials are unusual, he said, and the bridge wasn't scheduled for major maintenance or replacement as far as Mr. Feeny knew.

It received its last annual full inspection in September 2002, Mr. Feeny said.

Register now for the regional meetings!

The upcoming UTU/UTUIA regional meetings are guaranteed to provide plenty of fraternalism, education and fun.

Each regional meeting lasts a full three days, with the President's Banquet on the evening of the third day.

The Seattle regional meeting has been designated the joint U.S./Canadian regional meeting.

All those attending must be registered in order to attend any planned function. Children age 11 and under who are pre-registered are complimentary. The registration form is printed 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 Headquarters, 14600 Detroit Ave., Cleveland, OH 44107, 30 days prior to the scheduled start of the meetings or the registrant will be charged an on-site registration fee of \$175.

The pre-registration fee for the 2003 regional meetings is \$125 per member, spouse or child over 11. You must make your own room reservations, and certain deadlines apply. One-day registrations also are being offered for those who would like to attend the regional meetings but can't spare the time away from work or family. One-day registrations are \$60.

You may cancel your regional meeting registration 10 days prior to the first day of the meeting or the golf outing without penalty. Please fax any changes or cancellations immediately to the UTU International Headquarters at (216) 228-5755.

Lots of fun

In addition to three days of classroom-type instruction, panel discussions and Q&A sessions, the regional meetings offer fun. In Seattle, there will be a night out at Safeco Field to watch the Seattle Mariners face the Montreal Expos. This will be on Tue., June 10. A pre-game tailgate party inside the stadium will include food and beverages for any registered regional meeting attendee.

On Wed., June 11, there will be a special tour of Seattle with lunch. Tour participants will visit Pike's Place Market, the International District and other locations. Additionally, shuttle buses will run daily from the host hotel to downtown Seattle.

The tour in Philadelphia will include many historic sites, including the Liberty Bell. The night out will take place at the new National Constitution Center.

The day tours will start at 8:30 a.m., with buses leaving from the host hotels.

All persons planning on taking these tours must pre-register (either online or on the registration form at right), and space is limited.

Golf outings set

The UTU will hold golf outings at 8 a.m. the day before the start of the two regional meetings: June 8 in Seattle and Aug. 24 in Philadelphia.

In Seattle, golfers will play at the High Cedars Golf Club in Orting, Wash., at the base of Mt. Renier. In Philadelphia, golfers will enjoy playing Ron Jaworski's Valley Brook Golf Club in Blackwood, N.J.

The fee, \$80 per golfer, includes transportation from the host hotel, greens fees, a golf cart for every two players, lunch and more. Register for the golf outings in the space provided on the registration form. Include your golf fee with your registration fee and your true handicap. There is a limit of 144 golfers per outing. Soft spikes or spikeless shoes in Seattle, please.

Online registration available at <www.utu.org>. Click on "Meetings."

June 9-11, 2003, Western Regional Meeting

DoubleTree Hotel, Seattle Airport

18740 Pacific Hwy. S., Seattle, WA 98188

Hotel reservations: (800) 222-8733 or (206) 246-8600

Reservation code: UTU; Room rate: \$129 single/double; \$139 triple; \$149 quad

Reservation deadline: May 6, 2003

Parking: Self; \$12/day

August 25-27, 2003, Eastern Regional Meeting

Wyndham Philadelphia at Franklin Plaza

17th and Race Streets, Philadelphia, PA 19103

Hotel reservations: (800) WYNDHAM or (215) 448-2000

Reservation code: UTU; Room rate: \$99 single/double/triple/quad

Reservation deadline: 5 p.m. EST, July 29, 2003

Parking: Self; \$13/day

UTU Regional Meeting Registration Form

Registering before the regional meetings speeds sign-in procedures at the meeting site, helps organizers plan more accurately, and saves on meeting costs. These savings will be passed on to each pre-registered attendee. Each person attending the regional meeting, including family members and guests, **MUST** be registered in order to attend any planned event. Registration fees are \$125 per person; children 11 years of age and under are complimentary. On-site registration will be \$175 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 must be received 30 days prior to the start of the regional meeting.

Which regional meeting will you be attending?

Seattle Philadelphia

Member Registration

Name _____ Local _____ Title (if any) _____

Home address _____

City/State/ZIP _____ Daytime phone number () _____

Spouse Registration Seattle Philadelphia

Spouse name _____ Title (if any) _____

Will spouse/children attend the UTU tours? Yes No How many? _____

Child Registration Seattle Philadelphia

Child name _____ Age _____ Child name _____ Age _____

Child name _____ Age _____ Child name _____ Age _____

Guest Registration Seattle Philadelphia

Guest Name _____ Relationship to Member _____

Home address _____

City/State/ZIP _____

Golf Registration Seattle Philadelphia

Name _____ Handicap _____ Name _____ Handicap _____

Name _____ Handicap _____ Name _____ Handicap _____

Golf fees are \$80 per golfer (include in total payment)

Payment Options

Check/Money Order (U.S. funds only) \$ _____

Credit Card (please indicate type) VISA MasterCard

Card number _____ Expiration date _____ Total charged \$ _____

Signature _____

Should additional space be needed, make copies of this form and attach to the original. This form and payment of \$125 per person over the age of 11, plus golf registration fees of \$80 per golfer (if applicable), must be received at the UTU International Headquarters, 14600 Detroit Ave., Cleveland, OH 44107-4250, 30 days prior to the regional meeting. Make checks or money orders payable in U.S. funds to "UTU Regional Meeting." Those who do not pre-register for the regional meeting but instead choose to register at the meeting site will be charged a \$50 penalty fee.

This month's winning photo:

This month's winning photograph was taken by **Fred Rayman**, a trustee of Local 1042 at Oklahoma City, Okla., which represents employees of Jefferson Bus Lines. Rayman's photo is of a Prevost LeMirage XL2-45 bus, shown at North Little Rock, Ark., after a 395-mile run from Oklahoma City.

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.



UNITED TRANSPORTATION UNION INSURANCE ASSOCIATION

14600 Detroit Ave., Cleveland, OH 44107-4250

NOTICE OF PRIVACY POLICY

At the United Transportation Union Insurance Association, protecting your privacy is very important to us. The reason we collect information is to better serve your needs. Having accurate information about you permits us to provide you with an appropriate range of insurance products.

The non-public personal information that we collect about you varies according to the products, services or benefits you request, and may include:

- Information we receive from you on applications or other forms, such as name, address, social security number, assets and income;
- Information about your transactions with us, our affiliates or others, such as name, address, social security number, policy coverage, premiums and payment history;
- Information we receive from consumer reporting agencies, such as a credit history.

We may share the above non-public personal information we have about you with the United Transportation Union. Sharing this information assists us in:

- Processing the payment of your insurance premiums;
- Maintaining your insurance policies in force;
- Providing you with better customer service.

We may share the above non-public personal information we have about you with persons or companies that perform services on our behalf and to other financial institutions with which we may have joint marketing agreements. We may share this non-public personal information with affiliated or non-affiliated third parties as permitted by law. We do not disclose personal medical information about you except as permitted by law or as you may authorize.

We restrict access to non-public personal information about you to those employees who need to know that information in order to provide products or services to you. We are, and will continue to be, vigilant in safeguarding your personal and medical information. We maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your non-public personal information. This privacy policy applies even if you no longer have policies or a relationship with us.



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