

# UTU News



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The Official Publication of the United Transportation Union

## News and Notes

### Court extends SMART TRO

Federal District Court Judge John R. Adams issued an order Feb. 5 extending until at least early May the temporary restraining order (TRO) against implementation of a merger by the UTU with the Sheet Metal Workers International Association to create the Sheet Metal, Air, Rail and Transportation Workers Union (SMART).

The judge ordered that a hearing be held April 25 "regarding the motion of Paul Thompson et al. to intervene as party defendants herein." Others joining Thompson as party to that motion – seeking immediate implementation of the merger – are UTU International officers James Brunkenhoefer, Roy Boling, Tony Iannone, J.R. Cumby, John Babler, John Fitzgerald and Vic Baffoni.

The federal court action was initiated by a group of UTU members who successfully complained to the court that UTU members should have been provided – prior to the vote – with a copy of the SMART constitution into which the UTU constitution was to be inserted intact. The complaint was filed following allegations that UTU members were not made aware of conflicts between the two constitutions.

As previously reported, some 140 UTU general committee, state legislative and International officers overwhelmingly demonstrated their support Jan. 30 for a cooperative process to resolve differences over the stalled merger.

### UTU eyes new FRA rules

Core railroad operating rules governing train speed, switching and other actions are being brought under federal jurisdiction in an attempt to reduce train accidents caused by human error.

The regulations, which take effect April 14, apply to all 600-plus freight and passenger railroads regulated by the agency. The maximum fine for a single violation is \$16,000. Railroads, and in some cases individuals, are subject to penalties.

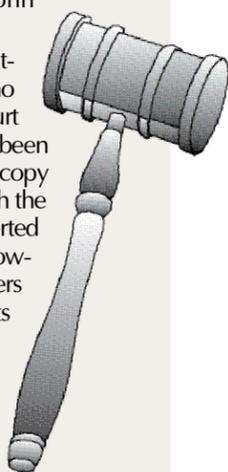
Among the regulation's requirements are that employees have regular briefings to ensure accurate communication of track switch positions, and that railroads be required to conduct quarterly reviews of inspection and accident data.

Also, under the regulations, employees will have a "right of challenge" should they be instructed to take actions that, in good faith, they believe would violate the rules.

"The intent of this rule is certainly one to be applauded," International President Mike Futhey said. "But we contend there should be a better way of differentiating between an employee who willfully violates federal rules and one ordered to do so by a supervisor."

Futhey also wondered what would happen to an employee who caused an accident after being instructed to work beyond his or her allotted hours.

Human error is a leading cause of train accidents. Thirty-eight percent of 2,330 train accidents that occurred last year from January through November were primarily caused by human error, according to the most recent data from the FRA.



# UTU, railroads work to clarify elements of tentative contract

## Seek answers to questions submitted by general chairs

UTU members covered by the tentative contract recently reached with the nation's major railroad carriers probably have questions about the details: the wage hikes, the rates of pay for new hires, the cost-of-living adjustments, work-rule changes and much more.

Under provisions of the UTU constitution, general chairpersons on affected properties have submitted questions to the UTU International regarding provisions of the tentative national railroad contract. (The contract covers UTU members employed by BNSF, CSX, Kansas City Southern, Norfolk Southern and Union Pacific.)

Those questions are being reviewed by both the UTU negotiating committee and the carriers for a joint response, and the complete set of questions and answers will be posted on the UTU Web site, www.utu.org.

On March 25, general chairpersons involved in national handling will meet in Houston to discuss with the UTU negotiating committee the questions and answers. Those general chairpersons will receive a full briefing on the tentative agreement at that time.

At that point, the contract will be submitted to the membership for ratification.

However, the UTU International has received numerous communications from members asking why its national contract negotiating team agreed to what it did – in some cases, asserting that the BLET negotiated better individual agreements with BNSF and CSX.

The truth is, the UTU national agreement is superior not only to the national settlement entered into by the BLET, but also the BLET agreements with BNSF and CSX.



### The latest contract news can be found at www.utu.org

Don't listen to heresay. All the latest factual information about the tentative UTU national railroad agreement can be found at www.utu.org. This is the first place you will see the questions-and-answers section of the tentative agreement that will become a part of the national railroad contract. Visit the UTU Web site daily at www.utu.org.

### Let's talk about BNSF, first.

On BNSF, the BLET agreed to a profit-sharing provision, whereby the BLET traded fixed general wage increases for uncertain profit sharing.

But as BLET General Chairmen Dennis Pierce, Austin Morrison, Rick Gibbons and Pat Williams wrote in a Jan. 31 letter to BNSF (read that letter on the UTU Web site, www.utu.org),

Continued on page 10

## UTU reaches deal with Amtrak; crew consist remains intact

UTU negotiators have successfully reached a tentative contract settlement with Amtrak following almost eight years of difficult negotiations.

Through strength, solidarity and determination, the UTU was able to protect the jobs of some 400 assistant passenger conductors, jobs that Amtrak was adamant about eliminating as a cost-saving move.

The UTU had long argued that assistant conductors are vital to the safe and efficient operation of the nation's passenger-rail system.

The agreement is retroactive to Jan. 1, 2000, and extends through Dec. 31, 2009.

The tentative agreement, which provides

for retroactive and future general wage increases through July 31, 2009, affects some 2,300 UTU conductors and assistant conductors, and was mailed for ratification vote to those affected.

A "yes" vote on the tentative agreement is recommended by the UTU negotiators, General Chairpersons Al Souzzo (GO-769) and Bill Beebe (GO-663).

Souzzo and Beebe achieved in their tentative agreement with Amtrak identical back-pay and wage-increase provisions as Amtrak agreed to with other unions.

Continued on page 10



# Around the UTU

## Local 29, Babylon, N.Y.

Frank Fanelli, the son of Long Island Rail Road employee **Frank Fanelli Sr.**, has been nominated to attend the U.S. Military Academy at West Point. Candidates must receive a nomination from a member of Congress or from the Department of the Army. "The outpouring of support from my (fellow) union members is amazing. One of our own has been selected to one of our most prized academies. I can't tell you how proud I am to be a part of this young man's life! I've always made it clear to my children that hard work does pay," a clearly jubilant Fanelli Sr. wrote.

## Local 94, Kansas City, Kan.

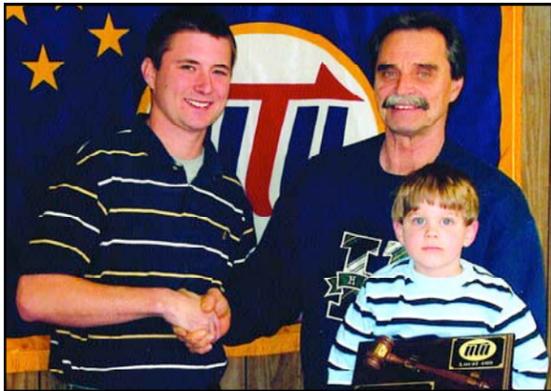
BNSF conductor **S.J. Bobbitt Sr.** was seriously injured in late December when the northbound train on which he was riding struck a southbound train that was diverting off the main line. Local Chairperson **Chad Smith** reports that Bobbitt, who suffered broken ribs and a punctured lung, is hoping to return to work soon.

## Local 330, Poplar Bluff, Kan.

**Jesse Lee Hale**, the long-time president of this Union Pacific local, passed away Jan. 11, Secretary & Treasurer **K.C. Barriner** reports. Hale was first elected to the office in November 1981 and held the position until his retirement on Dec. 1, 2001.

## Local 469, Madison, Ill.

UTU Locals 469 and 1929 will hold their joint annual crappie fishing tournament on April 25 at Mark Twain Lake in Missouri, according to Secretary & Treasurer **John I. Payer**. There will be a barbecue and refreshments, as well as trophies and cash and attendance prizes. For more information, contact Payer at (618) 452-0775, or Local 1929 Secretary & Treasurer **Rick Karraker** at (618) 791-5600. In other news, Terminal Railroad Association of St. Louis General Chairperson **David Wier Jr.** and the members of this local presented Local President **Thomas L. Kennedy** with a plaque upon his retirement on Dec. 31, 2007. The plaque recognizes Kennedy's "leadership and dedicated service" to Local 469 from Dec. 1, 1989, until his retirement, Payer said.



Wier, Kennedy and grandson, Colin

## Local 750, Knoxville, Tenn.

Member **Harvey Boles** of this Norfolk Southern local has been elected as chairman of the 82nd precinct of the Democratic Party in Ellistown, Tenn. Boles is a past local chairperson for UTU engineers and a former vice general chairperson of NS General Committee of Adjustment GO-898.

## Local 785, Paducah, Ky.



Hailey Brown, the daughter of member **Mike Brown**, was recently crowned Miss Tennessee, Tennessee State Legislative Director **Jerry**



Amtrak CEO Alex Kummant, left, greets Chuck Wetzelberger, right, and Mike Sternfeld after signing an order extending benefits for reservists and guardsmen.

## Amtrak's support of troops is result of UTU members' efforts

Amtrak conductor and military reservist Spc. **Eric S. Peterson** was delighted to receive a flag provided by his employer reading, "Amtrak - We Support Our Troops." Peterson is currently serving in Iraq with 35th Military Police Co. out of Topeka, Kan. What Peterson may not have known is that Amtrak's support of the troops became a whole lot stronger late last year due to the efforts of two fellow UTU members: **Mike Sternfeld** and **Chuck Wetzelberger**.

Sternfeld and Wetzelberger are also reservists employed by Amtrak, and their efforts on behalf of fellow national guardsmen and reservists nudged Amtrak to broaden its support. Wetzelberger, secretary & treasurer of Local 1470 at Edmonston, Md., is a member Maryland's 130th Unit of the Air National Guard, while Sternfeld, an Amtrak customer service manager, is a career Army reservist since 1974. Although he holds a management position, Sternfeld maintains his UTU membership.

"My wife was under the care of a primary care physician at the time I was called up (Oct. 2006). She could not continue care under that physician," said Wetzelberger, whose benefits were cut two weeks later. "When you're called up, everything in your life is turned upside down. I called Mike and said 'What can we do?'"

Sternfeld, who had served nine months in Iraq in 2006, said that while the military provides family health care, records have to be transferred at a cost to the family and the nearest military medical facility might not be just around the corner.

Letter-writing campaigns to General Chairperson **Al Suozzo**, Amtrak management, and Amtrak President and CEO Alex Kummant himself, got the ball rolling. Both men also lobbied Kummant in person, with Sternfeld meeting him on an Amtrak train.

On Nov. 26, Kummant signed a policy that extended to 12 months (or more under special circumstances) the health and welfare benefits of Amtrak employees called up for military duty, and their families. Sternfeld and Wetzelberger attended the signing ceremony in uniform.

"Chuck and I are continuing to work together on other issues...to get Amtrak to provide reservists the same level of benefits as the carriers," Sternfeld said. He also praised the efforts of Amtrak Vice President of Government Affairs **Joe McHugh**. "Joe has been instrumental in getting a lot of these things done. This is a great example of labor and management working together to help railroaders."



Spc. Eric S. Peterson and fellow troop members display a flag he received from Amtrak. Peterson hopes to return from duty at the end of May.

**Anderton** reports. Hailey will compete in the Miss USA pageant at Planet Hollywood in Las Vegas on April 11. The show will air live on NBC. Hailey is pictured with members **Larry Pigg**, **Richard Dare**, **David Miracle**, **Tucker Burge**, **Brown**, **Anderton**, **Don Dysart**, **Jim Potter**, **Gary Harper** and **Matt Foster** at the Stockyard Restaurant in Nashville, Tenn., at a dinner in her honor.

## Local 933, Jefferson City, Mo.

This Union Pacific local, in conjunction with the Missouri State Legislative Board, is hosting a retirement party for **W. Larry Foster** from 1:30 to 7:30 p.m. on April 12, at McClung Park in Jefferson City. Local representatives have also reserved a block of hotel rooms at the Truman Hotel (formerly Ramada) here at the discount rate of \$55. To make a hotel reservation, call the Truman Hotel at (800) 392-0202 (Mo. only) or locally at (573) 635-7171. Reservations must be made by April 1. For directions or other information, contact State Legislative Director **Kenny Menges** at (573) 634-3303 or by e-mail at [moutu@embarqmail.com](mailto:moutu@embarqmail.com).

## Local 898, Boston, Mass.

Officials at Massachusetts Bay Commuter Rail Co., which operates and manages the Massachusetts Bay Transportation Authority's commuter rail system, on Feb. 19 recognized conductor **David Sullivan**, who for 29 years has called out the stops between Fitchburg and Boston. On Feb. 14, he celebrated his 50th anniversary on the rails. Sullivan first reported for work in the Fitchburg rail yard on Valentine's Day 1958. "Sully," who still rides the line daily, is known for sharing his vast knowledge on such subjects as watches, jewelry and railroads, the Web site [www.bostonnow.com](http://www.bostonnow.com) reports.

## Local 1687, Belen, N.M.

BNSF conductor **Brandon L. Hidalgo** has returned to work in Albuquerque after serving a three-month tour of duty in Iraq with the New Mexico Air National Guard, Secretary & Treasurer **Donald A. Gallego** reports. Hidalgo's first tour of duty came during the first Gulf War - Desert Storm. He has worked for BNSF since January 2005.

## Local 1869, Williamson, W.Va.

On Jan. 30, Norfolk Southern's Pocahontas Division named the signal at milepost W 2.0 on the Gilbert Branch Main Line "J.J." in honor of UTU engineer **Justin "J.J." Justice**, who passed away July 14, 2007, after a short, but courageous, battle with cancer, Local Secretary & Treasurer **Jimmie Browning** reports. "As railroaders, we all know that is a rare occurrence. I would like to acknowledge the people who were responsible for making this happen," said Browning, who thanked conductor **George Childress**, Trainmaster R.E. Mullins and Division Superintendent G.A. Sheppard for their efforts. The local had held various fundraisers last year to assist Justice with his travel expenses to Duke University for cancer treatment.

## Md. legislative board's scholarship fundraiser

The Maryland State Legislative Board will hold its ninth annual James E. Major Memorial Golf Classic on May 2 at the Forest Park Golf Course in Baltimore, Md. The tournament has 44 slots available on a first-come, first-served basis. All proceeds raised from the tournament will be used to support the James E. Major Memorial Scholarship Fund. The registration fee is \$70. For more information, or to obtain a registration form, visit the board's Web site at [www.utumd.org](http://www.utumd.org) and select James E. Major Jr. Memorial Scholarship Program and Golf Outing.

# UTU members on shortlines ratify agreements

Train and engine-service employees of the Carolina Piedmont Railroad, the South Carolina Central Railroad and the Georgia & Florida Railway have recently ratified agreements with their respective employers.

This is the first labor agreement for employees of both the Carolina Piedmont and Georgia & Florida, who chose the UTU as their collective bargaining agent just last year.

The Carolina Piedmont and South Carolina Central are subsidiaries of RailAmerica; the Georgia & Florida is an OmniTrax property.

The agreement with Carolina Piedmont calls for general wage increases retroactive to January 2007, new overtime payment schedules, increases in matching contributions to the employees' 401k plan, uniform reimbursement and other provisions.

It also allows employees to choose between receiving quarterly bonuses, or opting to receive guaranteed wage increases.

"There is strength in having an organized union to assist employees in gaining benefits, wages, and rules and working conditions," General Chairperson **John Hancock** said. "It is apparent by the 100 percent ratification vote that the employees on the Carolina Piedmont feel the same."

"The employees had been advised by the carrier that if they proceeded with their organizing drive, their quarterly safety bonuses and profit sharing would be halted, which would mean an approximate \$5,000 decrease in annual earnings," Hancock added. "But, they continued to push forward to become members of the UTU. They knew that with UTU representation, they could regain the losses, along with enhanced work rules."



Hancock expressed his appreciation to UTU Local 970 Vice Local Chairperson **William "Ed" Grant** for his assistance in negotiations.

The Carolina Piedmont is based in Laurens, S.C. It operates over approximately 34 miles of track, carrying lumber, minerals, plastic, chemicals and food products.

fair and equitable wages and working conditions was accomplished."

Hancock also thanked UTU International Vice President Roy Boling, Vice General Chairperson **John Whitaker** and Vice Local Chairperson **Hoyt Watson** of UTU Local 942, at Florence, S.C., for their assistance in contract negotiations.

"UTU General Committee 851 is proud to represent these fine members and is eager to continue to improve the milestones accomplished," Hancock said.

The Georgia & Florida deal was negotiated by General Chairperson **Doyle Turner**, who is heading up the UTU's shortline-railroad initiative.

The pact includes improvements in rates of pay; crew-consist protections on both carriers; more predictable job assignments for a better quality of life; the payment of bereavement pay; the establishment of personal-leave days; increased meal allowances; guaranteed work weeks; improvements in overtime pay; pay for attending rules classes; a 401(k) pension plan; seniority rule guarantees; guaranteed extra boards and many other improvements.

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

Turner thanked former CN general chairperson **Warner Biedenharn** for his support during the negotiations.

Turner said negotiations are continuing for UTU-represented employees on the Timber Rock Railroad.

## Employees of the Carolina Piedmont, South Carolina Central and Georgia & Florida are now enjoying the benefits of UTU membership.

UTU members employed by the South Carolina Central Railroad ratified their agreement by a 90-percent margin. The terms of the agreement were very similar to those obtained on the Carolina Piedmont.

"The South Carolina Central and RailAmerica have experienced numerous managerial changes this past year," Hancock said. "Just getting the parties to the table was a feat in itself. However, with persistence, our goal of achieving

# UTU works to strengthen DIPP fund

The UTU Discipline Income Protection Plan (DIPP) has remained steadfast in looking for ways to pay claims of participants.

By contrast, other job benefit plans are looking for ways to AVOID paying claims.

A pattern of harsh discipline imposed by the carriers – resulting in a significant and steady drain on assets as benefits are paid out – has drawn considerable reserves from the DIPP fund.

To adequately maintain this valuable service to UTU members – and ensure the DIPP's survival – the UTU scheduled adjustments to premiums and benefits that became effective, March 1, 2008.



However, the adjustments, which were published in the December/January issue of the *UTU News*, have drawn numerous comments from DIPP participants – and those comments have been heard.

The union has no choice but to impose the premium increase on the scheduled date of March 1.

However, additional changes, which were to include a 15-day elimination period, a 20-percent reduction for a second claim within 12 months, recovery of benefits from a favorable discipline appeal, duration of coverage-period application, and the benefit reduction schedule have been put on hold.

The UTU will continue to monitor and review the DIPP fund, and may implement change in the future, as deemed necessary.

The DIPP fund is much like Railroad Retirement, in that it is a pooled-risk fund whose financial survival depends on a broad base of participants making contributions in order that benefits are available for payment.

In short, if the DIPP fund is to continue to be offered as a service to UTU members, then UTU members must participate in large numbers.

The UTU asks all participants to continue their membership in the DIPP fund, and to encourage participation by their fellow union members.

## MEET YOUR DESIGNATED LEGAL COUNSEL

There is no more dangerous work environment than on the railroads, where injuries too often are severe. The Federal Employers' Liability Act (FELA) makes railroads accountable for unsafe working conditions.

Railroads retain skilled attorneys to protect their interests. You also have access to skilled and experienced attorneys who understand the railroad industry, its safety hazards, and every aspect of the FELA. They are the UTU

Designated Legal Counsel, chosen for their special knowledge and experience. Their job is to represent you.

This column will introduce you to all of the UTU Designated Legal Counsel. For a complete listing, go to the UTU home page at [www.utu.org](http://www.utu.org) and left click on the blue tile "Designated Legal Counsel."



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"The duty to provide a safe place to work includes the furnishing of safe tools and equipment, the selection of proper methods to do the work, the furnishing of sufficient help, and the adoption and enforcement of proper procedures. The railroad may also be negligent if it fails to adopt and enforce safety rules and practices, or by allowing unsafe practices to exist."

"The FELA is vital for the protection of railroad workers. It requires railroads to be accountable to their employees for the injuries caused by carrier negligence. Without the deterrent of this law, the carriers would pay even less attention to workplace safety than the minimal amount they do today, and a hazardous occupation would have a higher cost in workers' lives and injuries than it has today."

# A paper trail leads to safety

We have been receiving numerous reports of members disciplined following an on-the-job injury.

Too often, the injury was the result of a carrier's failure to correct its own safety hazard or safety violation.

But if there is no paper trail of the safety hazard or carrier safety violation prior to the injury, the injured employee can end up becoming a victim for a second time through discipline.

How do you keep from becoming a victim twice? You write a detailed letter to the carrier describing every safety hazard and every violation of FRA safety regulations encountered – but you must also provide a copy of that letter to your local legislative representative and your state legislative director.

By so doing, you have created a paper trail, preventing the carrier from later disavowing knowledge of the safety hazard or safety violation.



By Mike Futhey  
UTU International President

president@utu.org

Beyond protecting yourself against arbitrary carrier discipline following an injury, here are three other reasons why you should write

**safety inspectors.** They cannot, on their own, find every carrier safety violation. When state legislative directors receive copies of your let-

**Only when your local and state legislative directors receive your letter can they take action to help correct the problems.**

that detailed letter:

- The Federal Railroad Administration has a limited number of

ter to the carrier, they can refer those safety violations to the appropriate FRA official.

By collecting those letters, state legislative directors can also identify multiple violations that should be reported to the national legislative office for handling at the highest levels of the FRA.

- State legislative directors work with lawmakers at the state and federal level to craft legislation leading to new and improved safety regulations.

In Illinois, for example, State Legislative Director Joe Szabo convinced the legislature to pass a rail-safety bill based on evidence presented by UTU members about safety hazards.

The current federal rail-safety bill

being considered by Congress includes provisions that would not have been embraced by lawmakers were it not for written evidence provided by UTU members.

- When employees are injured, and they seek recovery under the Federal Employers' Liability Act, it is not uncommon for the carrier to deny knowledge of the safety hazard or its own violation of safety regulations.

But when local legislative representatives and state legislative directors can provide UTU Designated Legal Counsel with copies of such letters, your legal case is strengthened.

Simply calling a carrier's safety hotline is not enough to protect you, your family or your brothers and sisters from carrier safety hazards and safety violations.

Those telephone calls go only to the carrier, which may or may not correct the situation.

Only when your local legislative representative and state legislative director receive your letter can they help you take action to correct the problem and make your workplace safer.

If you need help writing the letter, ask your local legislative representative or state legislative director for that help.

Don't become a victim twice. Write that letter and make sure a copy goes to your local legislative representative and your state legislative director.

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## I urge you to approve this contract

**“ There is not “more” out there for us to gain if this tentative agreement is voted down. There is, however, a lot less for us if we choose to put our contract determination in the hands of a Bush-appointed PEB. ”**

Most UTU members working on freight railroads have been waiting almost three and a half years for a contract.

The tentative agreement our negotiating team obtained – and which you will be receiving soon – isn't all you want or deserve.

But as your representative in Washington, D.C., I can assure you that the tentative contract – which improves upon the pattern entered into by other organizations – is not a floor, but rather the ceiling on what is available.



Brunkenhoefer

If this contract is voted down, the carriers will be in no mood to negotiate further.

We will face a presidential emergency board created by President Bush, and it will not be under the court order that prevented the carriers from demanding elimination of trainmen jobs.

And the PEB with anti-labor Bush appointees will not be restrained from recommending elimination of the Federal Employers' Liability Act.

If we turn down this contract, Bush-PEB recommendations eliminating trainmen jobs and the FELA could be rubber stamped by Congress in a matter of hours if there is a work stoppage.

There could not be a worse outcome for you and your families were that to occur.

Congressional leaders – Democrats usually sympa-

thetic to labor – have told me in no uncertain terms that they do not want to have to deal with a railroad work stoppage this election year.

Our contract preserves crew-consist agreements, leaves the FELA in place, contains no work-rules givebacks, provides a 17-percent wage increase with retroactive pay, and preserves our COLA, which puts hard cash in our pockets while contracts are being negotiated.

It provides everything that the other organizations received in a national agreement – and more.

I have been in the industry more than 40 years, and I've never seen even a labor-friendly PEB recommend all that labor wants.

What we would face is a labor-unfriendly PEB – most likely worse even than PEB 219, which recommended significant givebacks.

And in my time in this industry, I've never seen a national railroad strike last more than a couple of days – because Congress always steps in and sends us back to work, writing our contract for us in the form of legislation, and much along PEB recommendations.

There is not “more” out there for us to gain if this tentative agreement is voted down.

There is, however, a lot less for us if we choose to put our contract determination in the hands of a Bush-appointed PEB and before a Congress that warned us in no uncertain terms that they do not want a railroad strike in an election year.

**WASHINGTON WATCH**  
By James M. Brunkenhoefer

# State Watch News from UTU State Legislative Boards

## Indiana



State Legislative Director Tom Hensler and wife Ginny recently attended a fundraiser for Rep. Brad Ellsworth (D-8th) at the home of State Rep. Russ Stilwell (Indiana House Dist. 74), who also serves as majority floor leader. Hensler presented Ellsworth with a UTU PAC contribution from UTU National Legislative Director James Brunkenhoefer on behalf of all UTU members in appreciation for his support of the UTU. "Ellsworth has proven that he shares many of our concerns and interests in regards to the rail industry and has been there for us when his vote was needed," Hensler said. Above, left to right, are Tom Hensler, Ellsworth and Ginny Hensler, who also serves as legislative rep. and secretary of UTU Auxiliary Lodge 163 in Princeton.

## Tennessee



State Legislative Director Jerry Anderton recently attended a rally for Hillary Rodham Clinton at Fisk University in Nashville. Before the event, former President Bill Clinton met with Anderton and others who serve on Hillary's steering committee in the state. "He asked me to be sure to thank UTU members for all that they have done for him in the past and for what we are doing for Hillary," Anderton said. "He also noted that we were the first union to endorse him in 1992 and that we were mentioned in his book. He pledged to never forget the gratitude he has for our long-time support. We also talked about the 1992 UTU state director's meeting in Cleveland where he received our endorsement." In the photo above, Carolyn Anderton is pictured with Clinton.

## Arizona



Legislative representatives from around the Grand Canyon State convened in January to learn more about their important duties and to elect officials. Elected were Scott Olson (L-1629, Phoenix), director; Greg Hynes (L-1081, Glendale), assistant director; Dave Shearer (L-807, Tucson), chairperson; Paul Jorgensen (L-1800, Tucson), vice chairperson; Mark Marquez (L-113, Winslow), secretary and engineer officer.

A representative from the office of Rep. Ed Pastor (D-4th), Mari Herrera-Daniels, attended, along with Alternate Vice President-West Danny Young, state AFL-CIO Secretary/Treasurer Rebekah Friend and three officers from the FRA.

"We instructed new legislative reps. C.J. Rhoades of Local 1629, Phoenix; Paul Jorgensen of Local 1800, Tucson, and Mark Marquez of Local 113, Winslow, on their duties and expectations of members and the board on their performance in those duties," Olson said. "All officers and members came away from the meeting with high expectations in safety and politics for UTU members in the state."

Pictured above, seated, left to right, are Herrera-Daniels, Olson and Young. Standing, left to right, are Hynes, Rhoades, Marquez, Jorgensen and Shearer.

## Missouri

The "Show Me" state has a new state legislative director. **Ken Menges** has been elected director in the wake of the retirement of longtime director Larry Foster, who retired Feb. 6.

"I'll never forget the feeling I had the first time I rounded the curve on Highway 63 just north of Jefferson City, after my first election in 1992 as director, and saw the capital building glistening in the sunlight," Foster said. "I was reminded of what a wonderful privilege that had been given to me by the UTU membership."



Menges



Foster

ways to make life better for our UTU families and for our democracy. Wow, what a privilege!

"I have each of you to thank for that opportunity. I am most grateful. Your generosity, friendship and investment in good representation were crucial to this journey," Foster said.

## UTU representatives present assault posters



New Jersey State Legislative Director Dan O'Connell, left, and Local 1589 Legislative Rep. Oral McFadden, second from left, present assault-notice posters to Coach USA District Manager John Emberson and Suburban Transit General Manager Ronald Kohn.

It is a criminal offense in New Jersey to assault a bus or rail employee, punishable by fines of up to \$7,500 and prison sentences of up to 18 months.

Public transit operators such as New Jersey Transit and others post warnings of these offenses and penalties on the vehicles they operate.

However, Suburban Transit bus operator **Oral McFadden** noticed they weren't present on his bus or the other buses operated by private company Coach USA. They are now.

McFadden notified New Jersey State Legislative Director **Dan O'Connell** about the lack of the placards on Coach USA buses and the two decided to take action.

They contacted Coach USA and asked that the placards be displayed on private company buses operated by UTU members, including Suburban Transit, Rockland Coaches and Community Transportation in New Jersey.

They even delivered the placards in person to Coach USA District Manager John Emberson and Suburban Transit General Manager Ronald Kohn.

O'Connell said the law was one of the first pieces of legislation he progressed when he became a state legislative director.

The UTU is hopeful that such legislation will be passed nationwide to curb the growing number of assaults on transit employees.

## Bus Department

By **Bonnie Morr**, alternate vice president  
[bonniemorr@sbcglobal.net](mailto:bonniemorr@sbcglobal.net)

## We are driven to make your driving jobs safer

When operating a motor coach – whether carrying students, commuters, tourists or the handicapped – whenever we open the door, we are exposed to assaults.

We are vulnerable to what we do see, and what we cannot see, such as the sneezing, wheezing and coughing passengers spreading illness.

Many of us are versed in "talking down" aggressive and sometimes out-of-control passengers. The federal government and states are toughening penalties for violent acts against transportation workers, and many employers are taking additional steps to protect bus operators, such as by installing video cameras in terminals and on buses.

On page 11 of this issue, our union's medical consultant, Dr. Norman Brown, explains how to protect ourselves against one dangerous micro-organism called MRSA.

A benefit of being a union member is that from the local level to the International, we have qualified officers and staff working each day to help improve workplace safety. For example, to the right of this column is an article and photo showing the success of the UTU in having notices posted in Coach USA buses in New Jersey warning of severe penalties for assaulting bus operators.

If you have ideas about further protecting the safety and health of bus operators, share them with your local officers, and also with Bus Department Vice President Vic Baffoni at the UTU International in Cleveland, whose e-mail address is [v\\_baffoni@utu.org](mailto:v_baffoni@utu.org).



# SEE YOU AT THE 2008 REGIONAL MEETINGS!

The 2008 UTU/UTUIA regional meetings have been designed to provide a grand sense of fraternalism, lots of worthwhile education and tons of fun for the whole family.

As before, each regional meeting will run for 2 1/2 days, ending early on the afternoon of the third day. The evening of the first day has been left unscheduled so you, your family and friends will be free to explore and enjoy the many offerings of the regional meeting cities.

Neither Denver nor Nashville has been designated the joint U.S./Canadian regional meeting; Canadian members are free to attend the meeting that interests them.

All those attending the regional meetings must be registered in order to attend any planned social function. Children ages 11 and under who are pre-registered are complimentary. The registration form is 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 \$200.

The pre-registration fee for the 2008 regional meetings is \$150 per member, spouse or child over age 11. Additional fees apply for the golf outings. You must make your own room reservations, and certain deadlines apply.

The \$150 registration fee covers all workshop materials; a welcoming reception the night before the meeting; two lunches; one evening meal, and a breakfast buffet. Those wishing to attend only the workshops do not need to pay the registration fee. No one-day registrations will be offered.

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.

## DENVER, COL., JULY 7-9, 2008

**HYATT REGENCY DENVER**  
AT COLORADO CONVENTION CENTER  
650 15TH ST., DENVER, CO 80202

[www.denverregency.hyatt.com](http://www.denverregency.hyatt.com)

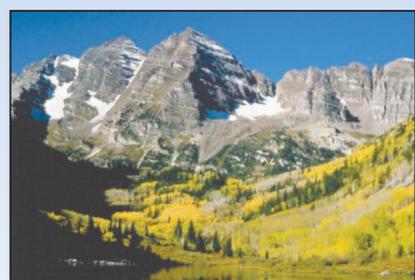
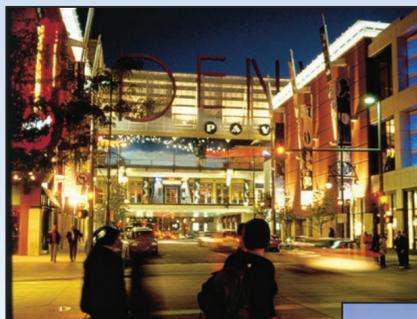
**Hotel reservations:** (800) 233-1234 toll free; (303) 436-1234 direct; (303) 486-4450 fax  
**Reservation code:** "UTU"

**Daily room rate:** \$120 single/double, \$145 triple, \$170 quad, \$160 Regency Club; rates good for three days before and after the meeting, depending upon availability

**Reservation deadline:** June 3, 2008, or until all rooms being held for the UTU are reserved

**Parking:** Self park: \$21 per night; valet park: \$26 per night

**Golf outing:** The golf outing will be held on Sunday, July 6, at the Evergreen Golf Course. The cost is \$80 per golfer, which includes transportation, golf, lunch and much more.



Clockwise from above: Denver Pavilions on the 16th Street Mall, which has 50 shops and restaurants; the Maroon Bells, a range of snowcapped peaks near Aspen that is one of the most-photographed spots in Colorado; view of Denver from Civic Center Park.

## NASHVILLE, TENN., AUG. 18-20, 2008

**GAYLORD OPRYLAND RESORT AND CONVENTION CENTER**  
2800 OPRYLAND DR., NASHVILLE, TN 37214

[www.reservations.oprylandhotels.com](http://www.reservations.oprylandhotels.com)

**Hotel reservations:** (866) 972-6779 toll free; (615) 889-1000 direct; (615) 871-7741 fax  
**Reservation code:** "N-UTU8"

**Daily room rate:** \$125 single/double, \$20 each additional person. Room rates are good three days before and after the meeting, based upon availability.

**Reservation deadline:** July 15, 2008, or until all rooms being held for UTU are reserved.

**Parking:** \$12.00 per day; \$20 valet.

**Golf outing:** The UTU regional meeting golf outing will be held Sunday, Aug. 17, at the Gaylord Golf Springs in Nashville. The cost is \$80 per golfer, which includes transportation, golf, lunch and much more.



Clockwise, from left: Some of the nine acres of lush indoor gardens, winding rivers and pathways at the Gaylord Opryland Resort, which also features a 44-foot waterfall, fountain shows and boat rides; exterior of the Gaylord; items on display at the Country Music Hall of Fame and Museum.

## SPOUSE/GUEST TOUR SET

The UTU is arranging two exciting tours of local attractions at both the Denver and Nashville regional meetings.

The tours will take place the first day of each regional meeting (Mon., July 7, in Denver; Mon., Aug. 18, in Nashville.) Tour fees will be \$25 per registered spouse, guest or child, or \$50 per unregistered spouse, guest or child.

The all-day tours will include transportation from the host hotel aboard a chartered motorcoach, admission to all tour sites and lunch.

Check out [www.utu.org](http://www.utu.org) for complete details.

## UTU ARRANGES DISCOUNT AIRFARES, CAR RENTALS

Continental Airlines is offering discounted airfares of two percent to 15 percent off the base fare to UTU members and others attending the Denver and Nashville/Opryland meetings. To take advantage of the discount, call your professional travel agency or Continental Airlines MeetingWorks at (800) 468-7022 and provide the Z Code "ZDXC" and Agreement Code CQNCME. There will be \$15 service fee collected, per ticket, for all tickets issued through MeetingWorks reservations or any Continental Airlines ticketing facility. The service fee is non-refundable and applies to all itineraries, one way or roundtrip. To avoid a service fee and receive an additional three percent discount, book your reservations online at [www.continental.com](http://www.continental.com). Enter both your Z Code and Agreement Code in the offer code box. The additional three percent discount applies to published fares only. Save an additional \$10 by booking online.

The UTU also has arranged with Avis Rent-a-Car to offer discounted rates to UTU members attending the 2008 regional meetings. To reserve a car, contact Avis at (800) 331-1600 and use the UTU's Avis Worldwide Discount (AWD) number: D150699. Or reserve online at [www.avis.com](http://www.avis.com).

## 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. Please note that these meetings last 2 1/2 days and conclude on the afternoon of the third day.** Registration fees are \$150 per person; children 11 years of age and under are complimentary. On-site registration will be \$200 per person. All fees must be paid in U.S. funds. Canadian funds will be returned, possibly delaying your registration. If you have questions, consult your bank. Registration forms with payment must be received 30 days prior to the start of the meeting.

Which regional meeting will you be attending?  Denver  Nashville

Arrival date: \_\_\_\_\_ Departure date: \_\_\_\_\_

Transportation type:  Automobile  Air  Other

### Member registration

Name \_\_\_\_\_ Local \_\_\_\_\_ Title (if any) \_\_\_\_\_

Home address \_\_\_\_\_

City/State/ZIP \_\_\_\_\_

Phone number ( ) \_\_\_\_\_ Email \_\_\_\_\_

Meals: Day 1  Lunch  No meal  
Day 2  Lunch  Dinner  Both  No meals  
Day 3  Buffet breakfast  No meal

Spouse registration  Denver  Nashville

Spouse name \_\_\_\_\_ Title (if any) \_\_\_\_\_

Meals: Day 1  Lunch  No meal  
Day 2  Lunch  Dinner  Both  No meals  
Day 3  Buffet breakfast  No meal

Tour:  Spouse/guest tour (\$25 per registered spouse; \$50 per unregistered spouse)

Child registration  Denver  Nashville

Child name \_\_\_\_\_ Age \_\_\_\_\_

Meals: Day 1  Lunch  No meal  
Day 2  Lunch  Dinner  Both  No meals  
Day 3  Buffet breakfast  No meal

Child name \_\_\_\_\_ Age \_\_\_\_\_

Meals: Day 1  Lunch  No meal  
Day 2  Lunch  Dinner  Both  No meals  
Day 3  Buffet breakfast  No meal

Child name \_\_\_\_\_ Age \_\_\_\_\_

Meals: Day 1  Lunch  No meal  
Day 2  Lunch  Dinner  Both  No meals  
Day 3  Buffet breakfast  No meal

Child name \_\_\_\_\_ Age \_\_\_\_\_

Meals: Day 1  Lunch  No meal  
Day 2  Lunch  Dinner  Both  No meals  
Day 3  Buffet breakfast  No meal

Tour:  Spouse/guest tour (\$25 per registered child; \$50 per unregistered child) No. attending \_\_\_\_\_

Guest registration  Denver  Nashville

Guest name \_\_\_\_\_ Relationship to member \_\_\_\_\_

Home address \_\_\_\_\_

City/State/ZIP \_\_\_\_\_

Meals: Day 1  Lunch  No meal  
Day 2  Lunch  Dinner  Both  No meals  
Day 3  Buffet breakfast  No meal

Tour:  Spouse/guest tour (\$25 per registered guest; \$50 per unregistered guest)

Golf registration  Denver  Nashville

Name \_\_\_\_\_ Handicap \_\_\_\_\_ Name \_\_\_\_\_ Handicap \_\_\_\_\_

Name \_\_\_\_\_ Handicap \_\_\_\_\_ Name \_\_\_\_\_ Handicap \_\_\_\_\_

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

### Payment options

Check/money order enclosed (U.S. funds only) \$ \_\_\_\_\_

Credit card  VISA  MasterCard

Card number \_\_\_\_\_ Exp. date \_\_\_\_\_ Total charged \$ \_\_\_\_\_

Signature \_\_\_\_\_

Should additional space be needed, make copies of this form and attach to the original. This form and payment of \$150 per person over the age of 11, plus golf registration fees of \$80 per golfer (if applicable) and spouse/guest tour fees (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.

# UTU for Life

News, information for members of the UTU for Life program

## Canadian chapter prepares to meet

A new UTU for Life chapter is being established to serve retired members in western Canada.

The group will hold its inaugural meeting on Tuesday, April 15, at 1 p.m. at Montana's Cookhouse in Langley, B.C.

The chapter is being organized by **Schulyer Libbrecht**, a 56-year-old retired conductor off CN Rail and a member of Local 701 in Vancouver, B.C.

Libbrecht, who worked on the railroad 34 years, said he spent the first two years of retirement "catching up on all the sleep I missed," and the next two years "thinking about what I wanted to do next."

Forming a UTU for Life chapter to serve retired workers from all railroads in the area, and all crafts, rose to the top of his to-do list.

An invitation has been sent to some 280 UTU retirees living in the Vancouver area. Those wishing to attend the chapter's first meeting are encouraged to return to Libbrecht the postcard enclosed with the letter.

Libbrecht can also be reached by calling (604) 273-4728 or through e-mail at [s.libbrecht\\_utu701@yahoo.ca](mailto:s.libbrecht_utu701@yahoo.ca).

## RRB honors centennarian

The Railroad Retirement Board has sent a letter of congratulations to **Steve J. Donato**, a retired member of Local 421 in Conneaut, Ohio, on the occasion of his 100th birthday.

Donato celebrated the centennial mark Jan. 30. He was employed on the Penn Central as a trainman. He joined the BRT in 1948 and retired way back in 1973.

## UTU News needs your news, photos

Got an item or photo you think would be interesting to your fellow members? Send it to **UTU News, 14600 Detroit Ave., Cleveland, OH 44107**, or e-mail it to [utunews@utu.org](mailto:utunews@utu.org).

## UTU retiree Willey honored for crime-fighting efforts

Retired UTU member **Richard Willey** doggedly took a bite out of crime recently.

Willey, a member of Local 792, which represents Norfolk Southern members in the Cleveland, Ohio, area, helped police collar two crooks who had been breaking into houses in his Massillon, Ohio, neighborhood.

For his bravery and sense of community, Willey in February was named citizen of the year in Canton, Ohio, and received a plaque from the Canton Exchange Club.

When Willey saw two young men who he had never seen before looking into windows in his neighborhood where a series of break-ins had occurred, he climbed on his bicycle, followed them and called police, said Robert Toth, president of the Exchange Club, which hosts the annual awards ceremony.

Police showed up and surrounded the house.

Willey said he suspected the two were the same ones who would knock on doors to see if anyone was home. The first would knock and the second would go around to the back door.

"Police arrested the men and they were put in jail, thus putting an end to the burglaries going on in the northeast section of Massillon," Massillon Police Capt. Joe Herrick wrote in a letter nominating Willey for the award.



Rick Willey with his awards

"Law enforcement has always encouraged citizens to take a proactive attitude and be the eyes and ears of the police. Rick Willey's efforts serve as a good example of that ideal at work," Herrick wrote.

"The cause of law enforcement and the very safety of our community requires the active participation of citizens like you," Senior Judge David Stucki wrote. "Please accept my congratulations for a job well done which has now been recognized by our community."

## Retired member auctions memories

UTU member **Sammy Houston**, 67, of Temple, Texas, auctioned off his life recently.

During each of his 42 years working for the BNSF, he brought home railroad memorabilia from antique shops and flea markets all over Texas.

Houston, a member of Local 331 in Temple, had to retire from his job in 2002 and recently decided it was time to retire his 600-piece collection. It was sold off last month.

"It leaves an empty spot," Houston told the *Temple Daily Telegram*. "I'll get over it, but I hate to part with it."

It got to the point where his game room was stacked floor to ceiling with railroad collectibles.

Items include pocket watches, lanterns, locks, a poster advertising a baseball game between the Kansas City Monarchs and the Memphis Red Sox – both in the Negro American League –

bells, whistles, oil cans, telegraph machines and conductors hats.

Houston thinks the rarest item in his collection was a Golden Glow locomotive headlight made by the Keystone Co.

Back when the rail companies were converting from coal to diesel locomotives, it was common to send the old trains directly to the scrap yard, so finding a headlight intact is uncommon.

Houston began his career with the Santa Fe Railway in 1959 as a fireman at the age of 18. When he was laid off in 1964, he then hired out in train service as a switchman, brakeman and conductor and stayed with it until March 2002.

He said he loved the job, "but it was brutal. It was 30 years before I could sleep in my own bed. I was on call 365, 24/7." It wasn't until the last 12 years of work that he could come home to his wife and children every night, he said.

## 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	Genis, Roy S.	Erie, Pa.	853	Baker, Ralph A.	Amory, Miss.	1557	Dowdy, Jessie E.	South Fulton, Tenn.
14	Prewitt Jr., Otis D.	Norfolk, Va.	857	Nelson, Vernon E.	Eugene, Ore.	1563	Aguayo, Oscar L.	Baldwin Park, Calif.
300	Whitmore, Joseph J.	Earleville, Md.	941	McCarty, Paul F.	Phenix City, Ala.	1638	Redding, Clarence M.	Dublin, Ohio
329	Atherton, Robert H.	Boone, Iowa	1058	Coon, William J.	Nampa, Idaho	1910	Neal, Fred T.	Cedartown, Ga.
349	Adams, Richard D.	Oak Grove, Mo.	1075	Kastler, John W.	Wyandotte, Mich.	1929	Booher, Arthur E.	Cassville, Mo.
377	Fries, William J.	Salamanca, N.Y.	1188	Smith, Edgar D.	Guthrie, Okla.	1962	Mortland, Earl W.	Grafton, Ohio
432	Sabens, J.R.	Effingham, Ill.	1216	Morrison, George L.	Kansas City, Kan.	1971	Payne, Orlin P.	Middleburg, Fla.
445	Cargle, Kenneth J.	Shorewood, Ill.	1221	Sherman, Garvin V.	Temple Terrace, Fla.			
445	Mills, Leland G.	Mahomet, Ill.	1289	McBride, Elmo E.	Sand Springs, Okla.			
462	Hughes, Dallas A.	Scott, Ark.	1314	Lewis, Herschel M.	Athens, Tenn.			
662	Gann Sr., Frederick	Newport News, Va.	1381	Hartley, George A.	Orland Park, Ill.			
792	Kozma, Steve J.	Maple Heights, Ohio	1418	Nathaniel, Paul	Canal Fulton, Ohio			
838	Morris, James A.	Newtown Square, Pa.	1470	Nipper, Edward W.	Harlingen, Texas			

*Alive and well: Local 1294 member Harold W. Norton of St. George, Utah, and Local 240 member E.S. Northrup of Los Angeles, Calif., are both alive and well, contrary to reports in last month's Final Call. UTU News regrets the error.*

# Start saving for retirement now!

## WHAT ARE YOU WAITING FOR? IF NOT NOW, WHEN? NEED A FEW GOOD REASONS?

Let's talk about 98,521 reasons. If you contribute \$2,000 to a retirement annuity today and each year for the next 19 years, and you increase that contribution by only five percent each year (in year two you would contribute \$2,100), in 20 years your retirement annuity would be worth \$98,521 assuming the current 4.25 percent interest rate.

## WAIT – IT GETS EVEN BETTER...

After 20 years, assuming you make no additional contributions, each month you let your retirement annuity continue to grow at five percent, you will earn more than \$442 per month. By leaving your annuity untouched for another five years, you will be earning \$537 per month. And five years after that, you will be earning \$686 per month. That's money that is working hard for you and your retirement. But you have to take the first step.

## SO, WHAT ARE YOU WAITING FOR?

We offer a Traditional IRA, Roth IRA and a Flexible Premium Deferred Annuity. One of our Field Supervisors can help you decide which plan best fits your needs. Whichever one you choose, the most important thing is to "pay yourself first" by committing to a long-term savings plan. Once you do that, you can enjoy all the benefits described above plus tax-free accumulation, the magic of compound interest, guaranteed minimum interest rates, the avoidance of probate, no sales charge, service charge or maintenance fees, and the security of doing business with an insurer you know.

To learn more, talk to a UTUIA Field Supervisor today, or call the UTUIA Sales Department at (800) 558-8842, or complete and mail the coupon above.



### Information, please

I would like more information on retirement savings plans.

Please print



Full name

Date of birth

UTU local number

Address

City

State

ZIP

Telephone number with area code

Are you currently working? Yes  No

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

03/08



## UTU BUS LINES

News items culled from the UTU's Daily News Digest, posted every weekday morning on the UTU Web site, [www.utu.org](http://www.utu.org).

### Mechanics sue, say school buses unsafe

San Francisco school buses were used to carry children when they should have been grounded because of mechanical problems and concerns over safety, two mechanics are alleging in a lawsuit, the *San Francisco Chronicle* reports.

The lawsuit was filed against the mechanics' former employer, Laidlaw Transit Inc., which holds a \$20-million annual contract with the San Francisco Unified School District to provide bus service for nearly 7,000 students daily.

The two mechanics involved in the suit, Manuel Contreras and William Padilla, each worked for Laidlaw in the San Francisco bus yard for 19 years. Contreras was a shop supervisor and union shop steward.

The two men said in court filings that Laidlaw "has provided shoddy and unsafe buses to transport SFUSD school children," including vehicles with leaking fuel pumps, cracked exhaust pipes or faulty brakes. The allegations go back to 1997.

In addition, the men said the company falsified maintenance records and failed to make repairs and perform routine inspections.

The mechanics participated in such activities against their will and under threat of sanctions and termination, according to the suit.

### New NJ Transit buses start to roll in

The first of 1,145 brand new, refrigerator-white buses ordered by NJ Transit was parked outside the mass transit agency's headquarters last month, smelling like a new car, the *Jersey Journal* reports.

Bus number 5201 is the first of the vehicles, which will become as familiar to riders as the similar buses they will replace, representing about half the fleet of the agency's "transit" or city buses and suburban buses. They will phase out the oldest boxy buses first, starting this summer and continuing for the next six years.

Improved air conditioning and two inches more leg and hip room in suburban-style buses, brighter lighting and individual reading lights are among the amenities included.

Bus stops also will be shown inside the bus on light emitting diode displays.

The buses also are the first to be delivered with security cameras installed inside the vehicle and have improved emissions equipment that meets or exceeds federal pollution standards.

The buses also have a larger area for drivers.

The new buses also have wheelchair lifts for handicapped riders.

### LACMTA sues over alleged Gold Line defects

The Los Angeles County Metropolitan Transportation Authority has filed a multi-million-dollar lawsuit against several contractors involved in the design and construction of a light-rail line, claiming they failed to meet their contractual obligations by doing substandard work, according to the Associated Press.

In the lawsuit filed in Superior Court, the transit company alleged the \$300-million Pasadena Gold Line and its supporting facilities were "not free of defects...the materials and equipment were not and are not of good quality; and the work did not and does not meet all the requirements of the contract."

The Metropolitan Transportation Authority wants at least \$25 million in damages and a court order requiring the contractors to fix the problems.

Some of the defects include deficient and inadequate storm water control and drainage, damaged and deteriorating materials, malfunctioning systems and "dangerous, unsafe and hazardous conditions," the lawsuit claimed, without elaborating.

## Contract

*Continued from page 1*

the payout has proved “abysmal.” The BLET traded away guaranteed wage increases for profit sharing that did not materialize as envisioned.

The UTU tentative agreement provides for a guaranteed 17-percent general wage increase (the same as in the BLET national agreement; but which the BLET traded away on BNSF).

The UTU tentative agreement also provides for a continuation of the COLA, which the BLET gave up in both its national agreement and in its BNSF agreement. Thus, only UTU members will be protected against price inflation during the next round of negotiations when general wage increases are not being paid.

As you know, several years can elapse during negotiations, and only UTU members will collect a COLA during that period. We have gone some 2 1/2 years since our previous general wage increase, and the COLA payment – which has totaled almost \$3,500 over the past 2 1/2 years – has helped UTU members keep up with the sharply rising price of gasoline and home heating and cooling.

Moreover, the BLET agreement on BNSF allows for engineer-only operations (and, in some cases, no-man operations). The BLET not only traded away engineer positions, but seeks to eliminate train-service jobs, a provision the UTU is challenging in federal court.

The UTU tentative national agreement makes no changes to on-property crew consist agreements, and also continues to protect ground-service work on BNSF and all other rail properties.

**Now let's look at the BLET agreement on CSX.**

The BLET agreed to a similar profit-sharing pay plan (called a performance bonus program) on CSX as it has on BNSF, and which, as mentioned above, BLET general chairpersons are calling “abysmal” in practice.

The UTU tentative national agreement provides a guaranteed 17-percent general wage increase. If UTU members on CSX wish to negotiate something different, they have that option. BLET members on CSX traded away any guaranteed general wage increase.

In lieu of back pay (which the UTU tentative agreement provides for), the BLET negotiated a \$2,500 signing bonus on CSX, but it is not compounded into the basic day or over-miles worked, as will be the UTU-negotiated and guaranteed general wage increase.

The BLET also agreed – in its national and on-property agreements – that newly hired engineers continue to receive lower entry-level pay.

By contrast, the UTU obtained a provision for binding arbitration, by which the UTU can achieve an increase in entry-level pay for conductors tied to training. The arbitration will be a standard two-partisan-member panel with a sin-

gle neutral. Had the UTU accepted what the BLET accepted, entry-level pay would remain frozen and there would be no opportunity to arbitrate it.

Also, on CSX, the BLET agreed to short turnaround service, which increases the basic day to 130 miles (a 30-percent giveback).

Fortunately for engineers, the UTU has not made such an agreement. Thus, the UTU has protected CSX engineers from their own union's giveback provision. So long as the UTU national agreement is ratified, there is no threat that the giveback on short turnaround service can be implemented by the carrier.

The BLET also negotiated on CSX that pool engineers may be used to relieve road trains tied up under the hours-of-service law, or are tied up

nal charges by the Department of Labor. This revision will ensure greater accuracy, and relieve local treasurers of a very time-consuming burden. The UTU International pledges an immediate transfer to locals of their portion of dues.

The members of the UTU National Rail Contract Negotiating Team also have been asked why it didn't demand more – why the union leaders are “afraid” of going to a presidential emergency board (PEB).

The simple answer is that a PEB would be appointed by President Bush, and likely not have a single labor-friendly member.

Moreover, the likelihood is high that, in an election year, even the UTU's friends in Congress would not look favorably on a rail work stoppage that threatens further to depress the nation's economy.

Neither a PEB nor Congress would be bound by the court decision that has pre-

vented the carriers from demanding an end to our crew consist agreements, or elimination of the Federal Employers' Liability Act.

The UTU was not willing to roll the dice on its members' job security – especially when the expectation is that the result would be a back-to-work law that mirrored the pattern accepted by other organizations – a pattern that does not include retention of the COLA, an increase in the meal allowance, resolution of the entry-level pay dispute, or a reduction in the waiting period for health insurance coverage for new employees.

Shortly, affected UTU members will be receiving a copy of the entire agreement, along with the questions submitted by general chairpersons and the answers provided by the negotiating team and carriers.

“We have broken the pattern, and we have negotiated an agreement better than any other organization has – nationally or on-property – with any of the carriers,” UTU International President Mike Futhy said. “The proof is in the reading, and we trust you will read the tentative agreement carefully.”

**BLET traded fixed general wage increases for uncertain profit sharing. The payout has proved “abysmal.” The UTU agreement provides for guaranteed wage increases and cost-of-living adjustments.**

for other reasons within yard limits. This work has been performed by UTU-represented yard crews, and the BLET agreement on CSX would deprive UTU yard crews of the work.

Additionally, the BLET agreement on CSX eliminates an engineer's ability to change his mark-off using a personal leave day.

The UTU tentative agreement provides for an increase in the held-away-from-home-terminal meal allowance, which is not found in the BLET national agreement. Although the BLET negotiated an increase in the meal allowance on some individual properties, UTU committees of adjustment can make similar agreements through on-property negotiations (although the carrier would demand something in exchange, as it did with the BLET).

Some members question why the UTU tentative agreement allows the carrier to transmit union dues directly to the UTU International.

While the overwhelming majority of locals are making timely transfers of UTU International dues to Cleveland, there have been problems with some locals, occasionally resulting in crimi-

## All locals must file IRS Form 990

**→ The deadline is May 15, 2008**

Local treasurers and other officers should be aware that all UTU locals are now required to file Internal Revenue Service Form 990 for fiscal year 2007.

The form must be filed no later than May 15, 2008.

Previously, locals that ordinarily received less than \$25,000 in adjusted receipts did not have to file the form unless they received the form from the IRS.

There are three different versions of Form 990.

Locals that have adjusted receipts greater than \$100,000 are required to complete and file IRS Form 990.

Locals that have adjusted receipts ranging from \$25,000 to \$100,000 must complete and file Form 990-EZ.

Locals with adjusted receipts of less than \$25,000 should file Form 990-N. The Form 990-N must be filed electronically. There will be no paper form.

The Form 990-N seeks the following information:

- The legal name of the organization;
- Any name under which the organization operates or does business;
- The organization's mailing address and its Internet Web site address (if any);

- The organization's taxpayer identification number;

- The name and address of a principal officer; and,

- Evidence of the continuing basis for the organization's exemption from the filing requirements under section 6033(a)(1).

Form 990-N has just been made available by the IRS.

Like Form 990, the 990-N will be due no later than the 15th day of the fifth month after the end of an organization's tax year.

Although there is no monetary penalty for failing to file the e-postcard, organizations that do not file for three years in a row will have their tax-exempt status revoked.

To be reinstated, an organization will have to file a new exemption application and pay the applicable user fee.

Congress imposed this new requirement because of concerns that small organizations that have had no annual filing requirement in the past have not kept the IRS up-to-date on address and other changes.

For more information regarding Form 990-N, as well as Forms 990 and 990-EZ, and to download these forms, go to the IRS Web site at [www.irs.gov](http://www.irs.gov).

## Amtrak pact

*Continued from page 1*

The agreement with the other unions followed creation of a presidential emergency board (PEB). The UTU was not a party to that PEB.

The UTU agreement provides for no work-rule givebacks in addition to protection of the assistant conductor position.

UTU International Vice President Tony Iannone, who assisted with the negotiations, called the settlement “extraordinary in its achievement of protecting all jobs, not giving up any work rules and still gaining the full general wage increases and retroactive pay provisions negotiated by the other organizations.”



# Knowledge is power; just ask Nathan Bailey

Thousands of railroad workers will be retiring in the next few years, so Michigan State University has launched a unique program designed to educate the next generation of rail-industry leaders.



Bailey

UTU member **Nathan Bailey**, an Alton & Southern Railway trainman and member of Local 1929 in E. St. Louis, Ill., plans to be one of them.

Bailey, 23, heard about the program months ago and was one of about 2,000 people who took the admissions test. He came in 24th and is now one of 17 people taking the intensive course taught by world-renowned transportation experts and covering virtually every facet of railway operations, from safety to technology, from regulations to finances.

He's also the only union member in the class.

"I hope to gain the knowledge to see the way the company does things, to see railroading from management's point of view," he said. "That way, I hope to change the conditions for the working man."

His eventual aim, Bailey said, is to work as an inspector for the FRA. Nathan said he would consider taking a position with the A&S depending on the circumstances.

Due primarily to the growth of the railroad industry and the aging of its workforce, the industry is expected to hire 80,000 people over the six-year period ending in 2012, according to the Association of American Railroads.

Course instructors include UTU Vice President J.R. "Jim" Cumby, speaking on interest-based bargaining and the roll of labor unions in the industry; Richard Timmons, president of the American Short Line and Regional Railroad Association; AAR President Edward Hamberg-

er; G. Fred Leif, assistant vice president of labor relations for the Kansas City Southern; Jim Dagnon, retired executive vice president for employee relations at Burlington Northern Railroad, and Jeff Young, assistant vice president of the information technologies development for the Union Pacific Railroad.

"I commend Brother Nathan Bailey for his initiative," Cumby said. "You can never have enough education."

The certificate program is geared for railway workers with at least two years of experience. It includes online, classroom and on-site learning, both in East Lansing, Mich., and elsewhere across the nation, said Dennis Neilson, MSU director of railway management programs. The March 9-14 session, for example, will be at the Transportation Technology Center in Pueblo, Colo. For more information log onto [www.raileducation.com](http://www.raileducation.com).

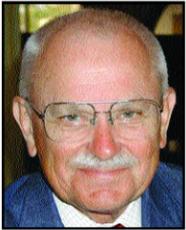
## Advice from the UTU's medical consultant on how bad bacteria can really ruin your day

# MRSA can kill you; wash your hands often

By Dr. Norman Brown  
UTU Medical Consultant

Please wash your hands. Micro-organisms – bacteria, viruses, yeasts – are all around us.

Bacteria live especially closely with us, most often in a friendly manner, in the nose, mouth, lower intestine, genitals, on the skin, and in many healthy foods, such as yogurt. We, in fact, need these friendly bacteria.



Brown

However, in recent years, the most common bacteria on our skin – staphylococcus, or staph, for short – has developed a strain that is resistant to the penicillin-type antibiotics.

This "methicillin resistant staph aureus," so called MRSA, not only resists good antibiotics, but also tends to be a nasty organism when it invades one of us deeper than the skin surface.

Infections with MRSA are usually spread

when MRSA starts growing in a break in your skin. Since MRSA in small numbers are just resting on the skins of many of us, they are nowadays very often the first invaders to take advantage of a break in your skin, such as after a cut, a pimple or an insect bite.

Trouble does not usually show up immediately. So any time that a break in your skin heals too slowly, or becomes red, swollen or painful – say two to three days later – be suspicious of infection and consult with your doctor for recommendations and treatment promptly.

But even before you get such an infection, let's think about simple ways to head it off in the first place.

When you have been exposed to possibly bacteria-laden materials, such as a scab or pus from somebody else, or maybe a boil, a soiled bandage, mucus from the nose or coughed out, or any portions of a bowel movement, please clean your skin as soon as you can.

I am told that alcohol wipes may be the only method available for bus and train operators –

and they do the job; so think of them as equivalent to, "Please, wash your hands."

Soap and warm water are better, in my opinion, when available. By the way, there is good evidence that a few bacteria, even MRSA, on our skin is normal and healthy; but large numbers – usually from someone else's infection – can be the problem.

So, reasonably clean skin, not forever sterile, is the goal.

Keeping our hands clean enough to be comfortable eating with them at any time will go a long way toward preventing MRSA infections.

MRSA is not thought to move through the air, but rather gets transferred around with our own hands, on the skin. So as you work through your day, try to avoid touching materials that may be contaminated with MRSA in the first place – even on your own body.

But if you do have to handle them, remember what mom said: "Wash your hands thoroughly with warm water and soap."

# UTUIA seeks 2008 Volunteer of the Year

The United Transportation Union Insurance Association is looking for a special person to honor as its 2008 Volunteer of the Year.

Do you regularly volunteer at a hospital or nursing home? Do you lead a Boy Scout or Girl Scout troop or work with the handicapped? Are you involved in some other activity that benefits those in your community?

If so, the UTUIA would like to know about it.

A panel of judges at the UTU International will review all submissions and select the 2008 Volunteer of the Year.

The individual selected as UTUIA Volunteer of the Year will receive a \$1,000 U.S. Savings Bond and a plaque of appreciation from the UTUIA.

Additionally, he or she will be honored at the 2008 UTU/UTUIA Regional Meeting nearest his or her home, with all expenses paid by UTUIA.

Also, 20 runners up will be selected to receive certificates of appreciation for their volunteer efforts.

Nominations must be received or postmarked by Monday, April 14, 2008.

The winning individual will be notified by registered mail, and certificates of appreciation will be forwarded to runners up as soon as possible.

The decision of UTUIA judges is final. Previous nominees may be nominated again; however, former Volunteers of the Year are ineligible to receive awards.

The Volunteer of the Year program is an opportunity for the men and women of the UTUIA to let their fraternal lights shine.

It also provides an opportunity for UTUIA to recognize its volunteers for their outstanding contributions to others.

Nomination forms should be mailed to: UTUIA Volunteer of the Year, Attn.: Tony Martella, Director of Insurance, 14600 Detroit Ave., Cleveland, OH 44107-4250.

Do not forget to include a separate sheet of paper describing the applicant's volunteer activities.

**UNITED TRANSPORTATION UNION INSURANCE ASSOCIATION**  
2008 Volunteer of the Year Nomination Form

Name \_\_\_\_\_ Local \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Telephone number \_\_\_\_\_ Dates of volunteer activities \_\_\_\_\_

Total volunteer time (hours, minutes)  Weekly  Monthly Value of contribution (if applicable) \$ \_\_\_\_\_

Please attach a separate sheet of paper describing volunteer activities.  
The more documentation you can provide, the better. 3/08

UNITED TRANSPORTATION UNION INSURANCE ASSOCIATION, 14600 DETROIT AVE., CLEVELAND, OH 44107-4250

# 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 Web site.

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.

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 George Landrock, an Amtrak locomotive engineer and member of Local 117 in Vancouver, Wash. "This photo of BNSF locomotive 4555 and consist was taken Jan. 29 as the train was waiting to depart Wishram, Wash., for Spokane, Wash.," Landrock said. "Wishram is on the Fallbridge Subdivision of the BNSF."*



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## THE UTU INTERNATIONAL STAFF: HERE TO SERVE YOU

### JANE MAJ

Jane Maj (pronounced "My") is the voice of the UTU and the UTUIA. When you call the UTU or UTUIA, chances are excellent it will be Jane who answers your call. An employee since 1991, Jane also greets visitors to the UTU and UTUIA when they alight from the elevators and helps direct them to their destinations. When she's not on the phone (and sometimes when she is) Jane helps other departments with their filing and mailing needs.

*(This feature will appear monthly in the UTU News.)*



### HARRY BRYANT

One of the most effective ways the UTU helps officers and members is by making available to them arbitration awards, agreements, Public Law Board cases and other documentation to help them be more knowledgeable about the rules of the game. Harry Bryant is the person responsible for maintaining that vast database of information, available to all on the UTU Web site. An employee since 1983, Bryant oversees the vast printed and online archive. Got a question about a decision that may help bolster your case? Harry Bryant probably has your answer, or knows where to find it.



### ANGIE HADDOX

If you have questions about the UTU's Discipline Income Protection Program (DIPP) or the UTUIA's scholarship program, Angie Haddox is the go-to gal. With the UTU since 1998, she handles all aspects of the DIPP program, from reviewing claims to issuing new policies to answering questions from members and prospective members. Angie also oversees the UTUIA Scholarship Program, which awards scholarships to UTU and UTUIA members and their families.



## Inside this issue of the UTU News:



Amtrak boosts benefits for enlisted personnel. See page 2.



UTU works to thwart attacks on commuter operators. See page 5.



A photo from the Country Music Hall of Fame and Museum? See page 6.



UTU retiree Richard Willey has crime on the run. See Page 8.