

# UTU News

www.utuia.org

www.utu.org

The Official Publication of the United Transportation Union

## THE VOICE OF TRANSPORTATION LABOR

“There is no question that with regard to rail-passenger security and safety, the conductor and assistant conductor are the front line of defense.”

– UTU International President Paul C. Thompson

### News & Notes

#### Healthcare page updated

The UTU has revamped the healthcare page at its website, [www.utu.org](http://www.utu.org), in a continuing effort to expand the effectiveness of the website. The webpage not only has a new look, but new features as well.

Important information regarding health insurance has been posted for rail industry members who are nearing retirement and for rail members who are currently not working due to disability.

There is also important information posted regarding open enrollment under UnitedHealthcare's GA-23111 insurance plans. The web page includes a question-and-answer section to address concerns members may have in regard to those plans and to changes in Medicare.

Open enrollment for GA-23111 is only in May 2004 and enrollment forms must be in the mail this month for the application to be considered. Individuals eligible for coverage under one of the GA-23111 plans can enroll and be accepted without any medical underwriting or requirement of good health.

Persons eligible for Medicare interested in the GA-23111 plans should call (800) 809-0453; persons not eligible for Medicare should call (800) 842-5252.

#### Board declines charges

CLEVELAND, Ohio – Charges filed by former General Secretary and Treasurer Roger Griffith against UTU International President Paul Thompson and International Vice President David Hakey have been found to be “baseless and without merit and will not be considered,” the UTU Executive Board ruled on April 28.

Thompson was charged with failure to comply with Article 16 of the UTU Constitution and Hakey was charged with failure to comply with Article 41 of the UTU Constitution.

## Rick Marceau is elected UTU assistant president

CLEVELAND, Ohio – Richard L. “Rick” Marceau, 61, was elected assistant president of the United Transportation Union by the UTU Board of Directors April 6.

A native of Missoula, Mont., Marceau had been serving as a UTU International vice president. He will fill a vacancy created by the elevation of Paul C. Thompson to the post of UTU president following the retirement in March of Byron A. Boyd Jr. Thompson also was officially sworn into office as UTU International president.

The 10-member board elected Marceau on the first ballot. “There is no finer officer in the UTU than Rick Marceau,” Thompson said. “It is a compliment to this administration that an individual such as Rick will serve as assistant president.”

John W. Babler was elevated to Marceau's now-vacant post as UTU International vice president, effective June 1. Babler is currently alternate vice president – west. Also, UTU International Vice President Carl M. Vahldick was elevated to the International Board of Directors.

Marceau began his train and engine service career in 1967 on the former Northern Pacific



General Secretary and Treasurer Dan Johnson (right) administers the oaths of office to Assistant President Rick L. Marceau (left) and International President Paul C. Thompson.

Railway (now part of Burlington Northern Santa Fe), following an education at the University of Montana and a three-year enlistment in the U.S. Army. Marceau was promoted to conductor in 1972 and to engineer in 1978.

He was elected a UTU vice local chairperson for yardmen in 1972, local chairperson for brakemen in 1973, local chairperson for conductors and brakemen in 1975, and local chair-

*Continued on page 10*

## FRA hits NS injury reporting

Repeatedly, Norfolk Southern Railroad (NS) officials deny they intimidate and harass their employees and seek to prevent injured employees from receiving immediate and proper medical treatment.

Even when UTU officials serve up evidence in the form of signed employee statements and eyewitness accounts, NS officials frequently deny their own actions.

An NS official told a newspaper reporter the UTU was not telling the truth about how an NS official falsely posed as a clergyman to gain entry to a hospital emergency room to influence the treatment of an injured employee so that NS would not have to report the injury to the Federal Railroad Administration (FRA).

Signed statements and witness accounts were brushed aside by the railroad official. He

*Continued on page 10*

## 19 DLC attest to compliance

CLEVELAND – Numerous attorneys who held United Transportation Union designated legal counsel (DLC) status have been removed from the “recommended” list after they resigned and/or failed to attest to the fact that neither they, nor any member of their firms, violated the UTU's Rules of Conduct for DLC by making cash payments to any of four defendants who pled guilty in criminal proceedings in Houston, Texas.

The decision to remove these DLC was made by Joshua M. Javits, chairperson of the UTU Board of Ethics, in response to a request by UTU International President Paul C. Thompson to determine the impact of the Houston case and guilty pleas on the DLC program.

Nineteen other attorneys who did certify that neither they, nor any member of their

*Continued on page 10*

### Bus Data



Average cost of a new bus in 2003/2004 as reported by the American Public Transportation Association (<http://www.apta.com>):

Articulated Coach	\$503,000
Intercity Coach	\$410,000
45-foot Transit Coach	\$336,000
40-foot Transit Coach	\$303,000
35-foot Transit Coach	\$287,000
30-foot Transit Coach	\$259,000

# Around the UTU

## News from around the U.S. and Canada

### Local 23, Santa Cruz, Calif.

The seniors of Santa Cruz County were recently treated to a dinner and entertainment by the Market Street Players courtesy of the bus operators in this local employed by the Santa Cruz Metropolitan Transit District, according to the *Santa Cruz Sentinel*.

### Local 221, N. Little Rock, Ark.

The annual picnic and fish fry sponsored by this Union Pacific local will be held Aug. 7 from 11:30 a.m. until 1:30 p.m. at the Hospitality House in Burns Park, said Secretary & Treasurer **Paul Lampton**. Contact Lampton at (501) 835-7955, Local Chairperson **H. F. Cook** at (501) 835-8085 or Local President **Jeff Westbrook** at (501) 778-4289.

### Local 257, Morrill, Neb.

This Union Pacific local will host its Fourth Annual Powder River Railroaders Informational Seminar from 9 a.m. to 5 p.m. on May 5 at the Gering Civic Center in Gering, Neb., according to Secretary & Treasurer **Tom Jones**. Speakers will include International Vice President **Pat Drennan**, Union Pacific General Chairperson **John Babler** (GO-225) and State Legislative Director **Ray Lineweber**. All railroaders are invited.

### Local 343, Hamilton, Ont.

Members of this Canadian National local in Canada went to bat for fellow members in the U. S. by contacting Cong. **Michael Capuano** (D-Mass.) and Cong. **Robert E. Andrews** to explain why proposed amendments to H.R. 3550 dealing with remote control operations would be detrimental, said Local President and Legislative Representative **Scott Montani**.

### Local 597, Des Plaines, Ill.

Union Pacific engineers retiring from this local will receive complimentary memberships for one year in the *UTU for Life* organization, with the \$9 membership fee paid by the local, according to Local Vice President **Harry C. Lewis Jr.**

### Local 1166, Charlotte, N.C.

The local's annual picnic was held last month at Frank Liske Park in Concord, N.C., where hot dogs, hamburgers and grilled chicken were enjoyed on a beautiful spring day by Norfolk Southern employees and maintenance employees working for Transit Management of Charlotte, said State Legislative Director **Dickie Westbrook**.

### Local 1252, Fresno, Calif.

Planning is in the works for a June picnic, said **Don Heffernan**, retired former secretary & treasurer of this BNSF local. Meanwhile, conductor **Kenneth Jones** passed away after complications following hip surgery. Brother Jones, who leaves behind a wife and five children (including two sons in train service), was a Vietnam veteran, son of retired conductor **L. S. Jones** and brother of conductor **Randy Jones**. Also passing away recently were retired conductors **Bob Tate**, 83, and **Stanley Stalling**, 90, who was first president of the local following unification.

### Local 1397, Columbus, Ohio

This CSXT local is hosting its 55th Annual Old Timers' Fish Fry on May 12 at 7 p.m. at the IAM&AW union hall at 2625 Win-



The three original architects of the Workers' Memorial Monument in Decatur, Ill., pose with Lloyd R. Holman (far right) of Local 453, Clinton, Ill. Joining him are (from left) Paul Kendall (AFSCME), Jimmy Taylor (UAW) and Mike Griffith (UPIU).

## Workers' memorial earns member honor

DECATUR, Ill. – Sen. Richard J. Durbin (D-Ill.), Cong. Lane Evans (D-Ill.) and Illinois Comptroller Dan Hynes were among the dignitaries present last December when the Decatur Trades & Labor Assembly conferred its James H. Ragan Award on UTU member **Lloyd R. Holman**.

Brother Holman, a member of Local 453 in Clinton, Ill., which represents Illinois Central (IC) employees, received the award for his part in spearheading the design and construction of the Workers' Memorial Monument on the grounds of the Macon County Courthouse in Decatur.



Lloyd R. Holman

Holman's nomination cited a multitude of other union and civic efforts dating back more than two decades.

Hiring out as a switchman on the IC in 1970, the 53-year-old has been local chairperson since 1975 and legislative representative since 1983. He chairs the UTU Illinois Legislative Board Executive Committee, and is now instructing students on locomotive remote control operations in Mattoon, Ill.

The Workers' Memorial Monument, hewn from a 10-ton block of Georgia granite, was dedicated on Workers Memorial Day, April 28, 2000, and commemorates Decatur workers who lost their lives in workplace accidents or as the result of diseases triggered by a poor work environment. On its pedestal are carved the names of Macon County workers killed in workplace accidents dating back to the 1960s, with blank spaces left for additional names volunteer researchers might find.

Work had proceeded on the project for about seven years before Holman joined the five-person committee that saw it through to completion. Using contacts he developed in his legislative work for the UTU, Holman secured a \$10,000 grant from the Illinois Department of Labor, as well as additional private donations, including materials, transportation, equipment and labor worth about \$13,000, to complete the project.

"The memorial was a good project," Holman said. "We hope the community sees it's not just for union people, but for all working people, and that all worksites should be safer places and employers should be accountable."

chester Pike in Columbus, said Secretary & Treasurer **Robert Smith**. Director of Strategic Planning **John Nadalin** and **John Larkin** will serve as honorary cooks. For information, call Smith at (614) 871-5087 or send e-mail to [rsmith@utulocal1397.org](mailto:rsmith@utulocal1397.org).

### Local 1440, Staten Island, N.Y.

Staten Island Railway employees send best wishes to **Louis Russo**, who retired after more than 30 years of service, said Secretary **Kevin J. Hughes**. Brother Russo served the local as vice chairperson and chairperson.

### Local 1445, Elizabeth, N.J.

Amtrak conductor **Gary R. Galvin**, secretary of General Committee of Adjustment GO-769 and mayor of Downingtown, Pa., was honored last month as the Downingtown Area Chamber of Commerce Citizen of the Year at the group's 59th annual awards dinner.

### Local 1462, Boston, Mass.

The 2004 New England Division Operation RedBlock golf tournament is set for June 17 at the Richmond Country Club in Richmond, R.I., with a limitation of 144 players, said **E. B. Radovich**. Contact Radovich at (617) 823-4407, **Don Patenaude** at (413) 210-9060 or check out the website at <http://www.nedorb.org/golf2004/index.html>.

### Local 1501, Baton Rouge, La.

Retired member and railroad memorabilia collector **Percy O. Hill**, featured in a story in the April 2004 *UTU News*, found a typographical error in that story and noted for the record that he can be contacted at 12625 Parklake Ave., Baton Rouge, LA 70816, and phoned at (225) 753-8426.

### Local 1549, Springfield, Ohio

The 16th Annual Railroad Unions' Golf Classic will be held June 11 at Locust Hills Golf Course near Springfield, Ohio, said Legislative Representative and Assistant State Legislative Director **L. G. Newsom**. Cut-off date for registration is June 4. Contact Newsom at 3464 Springfield-Xenia Rd., Springfield, OH 45506, phone him at (937) 323-9427 or send e-mail to [lgntu1549@aol.com](mailto:lgntu1549@aol.com).

### Local 1558, Bergenfield, N.J.

Vice Chairperson **Helaine H. Parsons** won a recent run-off election to represent more than 200 bus operators working for Rockland Coaches/Coach USA, said General Chairperson **Rich Deiser**.

### Local 1697, Lubbock, Texas

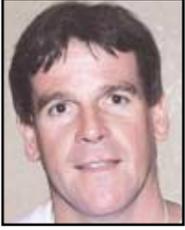
Bus operators with Texas, New Mexico & Oklahoma Coaches last month ratified a three-year contract by a two-to-one vote, said International Vice President and Bus Department Director **Roy Arnold** and General Chairperson **Marvin White**. The pact increases mileage rates for the approximately 100 operators while holding the line on health insurance premiums.

### Local 1778, N. Vancouver, B.C.

The Spring 2004 issue of this BC Rail local's newsletter, *The Meeting Point*, is now available on the website shared with Local 1923 (Prince George, B.C.), as well as a new section for those new to train service, said Secretary & Treasurer **David Moorhouse**. View the website at [www.utubc.com](http://www.utubc.com).

# Local 1594 members ratify pact, maintain benefits

PHILADELPHIA – UTU Local 1594, which represents 311 employees of the Southeastern Pennsylvania Transportation Authority's (SEPTA) suburban light rail and bus division, overwhelmingly ratified a one-year agreement April 4 by a margin of more than 12-to-1.



Koran

"General Chairperson Ron Koran's primary goal, which was met, was to preserve health-care and prescription benefits for members in spite of a looming \$70-million deficit for the carrier," said UTU Vice President Tony Iannone, who assisted with negotiations. Koran's negotiating team included Waverly Harris, Tom Bisignani, Stan Bernatowicz and Tom Toland.

"General Chairperson Koran made it clear to the members that while this round of negotiations ended successfully, the battle is not over," Iannone said. "Ron and his negotiating team must now prepare for the next round, which is going to be even more diffi-

cult given SEPTA's operating deficit and sharply rising health-care insurance premiums."

Following the successful ratification vote, Koran said, "It is always nice to ratify an agreement by a large margin, but we don't have the luxury of savoring this moment because we all know the battle to preserve our health and welfare is ongoing."

Vice Chairperson Harris said, "Although the UTU negotiating team has concluded a successful round with a ratified agreement, our brothers and sisters at AFSCME District Council 47, which represents 3,700 city accountants, engineers, nurses and supervisors, are now at bat and we expect the city to be throwing everything they've got at AFSCME to break the trend. The AFSCME contract expires June 30.

"Also, UTU-represented employees of SEPTA's heavy rail operations remain deadlocked in negotiations with the employer," Harris said. "It is more important now than ever for all labor to come together and demonstrate solidarity."

## PEB to review SEPTA heavy-rail negotiations

WASHINGTON, D.C. – President George W. Bush has established Emergency Board 237 to investigate a collective bargaining dispute between the Southeastern Pennsylvania Transportation Authority (SEPTA) and its conductors represented by the United Transportation Union, according to the National Mediation Board (NMB).

The President appointed Richard R. Kasher of Villanova, Pa., as chairman, and David P. Twomey of Quincy, Mass., and Robert E. Peterson of Briarcliff Manor, N.Y., as members. All three are neutral labor arbitrators and members of the National Academy of Arbitrators.

Kasher has served as the chairman of 10 prior emergency boards and was the first general counsel to the National Mediation Board from 1971 to 1975. He also serves as the permanent arbitrator for more than 20 employers and unions and hears approximately 100 arbitration cases annually,

involving both private and public sector labor relations matters.

Twomey has served on seven prior emergency boards involving disputes in the railroad and airline industries and has extensive experience as a labor arbitrator for numerous employers and unions.

Peterson has served on six prior emergency boards and has broad experience in labor and personnel relations. As a full-time arbitrator since 1982, Peterson has served on numerous permanent arbitration boards and has decided numerous contract and disciplinary grievances. Peterson is an adjunct professor at SUNY-Stony Brook.

Pursuant to the rail commuter provisions of the Railway Labor Act, the emergency board will conduct hearings and make a recommendation within 30 days of the creation of the board. No work stoppages are permissible for the 120 days following the date of the creation of the emergency board.

## Big Sky Airlines seeking to expand service area

RIVERTON, Wyo. – Three airlines are competing to serve Freemont County's only commercial airport, according to the *Billings Gazette*.

Big Sky, Mesa and Great Lakes airlines all promise lower fares and more flight options, with Cheyenne-based Great Lakes pledging to use a larger plane. A meeting on the three proposals was held last month.

"We will have air service," Riverton Regional Airport manager Bill Urbigkit said. "Now the question is what kind of air service, and from whom."

The airport has struggled in recent years to meet federal passenger boardings, with many residents driving to Salt Lake City or Denver for more and

cheaper flights.

It has been nearly 30 years since residents have had much air travel variety. Three airlines once offered nine flights from Riverton every day on three planes, but those figures fell significantly following airline deregulation in the early 1980s.

Great Lakes currently serves the airport, but in May announced plans to abandon service under its old set up. The U.S. Department of Transportation, however, ordered the airline to continue current service until new proposals could be studied and approved.

A new airline could be serving Riverton Regional within 60 days.

## Order *Labor of Love for the Cure* cookbook

The UTU cookbook to raise funds for breast cancer research, *Labor of Love for the Cure*, continues to be in heavy demand.

The book is a compilation of recipes and helpful household hints submitted by UTU members and others, collected by volunteers at the UTU international office. Proceeds from the sale of the book are donated to the Case Comprehensive Cancer Center of the University Hospitals of Cleveland and Case Western Reserve University for breast cancer research.

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

Thompson's wife Roberta was diagnosed with breast cancer last year. Following surgery

at the Cleveland Clinic, she received successful follow-up treatment at the Case Comprehensive Cancer Center.

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

To order a cookbook and to help raise funds for breast cancer research, please complete the order form at left. Be sure to include your name, complete mailing address and telephone number. On the order form, please indicate the number of books you wish to purchase. The cost of each book is \$25.00, which includes shipping and handling. Write the total amount of your enclosed check in the appropriate space.

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

Remember that the proceeds from the sale of this book will be donated to breast cancer research.

### **Labor of Love for the Cure Cookbook**

Make checks payable to **UTU Cookbook**. Cost of the cookbook is \$25.00, which includes shipping and handling for each book ordered. Please indicate the number of books desired and the total cost of your order.

\_\_\_\_\_ x \_\_\_\_\_ \$25.00 = \$ \_\_\_\_\_  
Quantity Cost per book Total amount enclosed

Full Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

ZIP \_\_\_\_\_

Telephone Number with Area Code \_\_\_\_\_

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

**Paul C. Thompson, International President**  
p\_thomps@utu.org

**Rick L. Marceau, Assistant President**  
r\_marceau@utu.org

**Dan Johnson, General Secretary and Treasurer**  
d\_johnso@utu.org

**James M. Brunkenhoefer, Nat. Legislative Dir.**  
utunld@aol.com

### Contact the UTU:

via telephone at (216) 228-9400

via fax at (216) 228-5755

via e-mail at utunews@utu.org

## The steps ahead

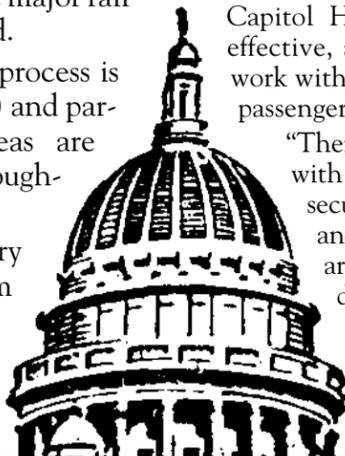
A feature of the U.S. Capitol Building is the 365 steps leading from the basement to the dome, symbolizing days of the year. On the back of the dollar bill is an unfinished pyramid. The symbolism is of unfinished tasks and the steps to their completion.

As International President Paul Thompson, Assistant President Rick Marceau and General Secretary and Treasurer Dan Johnson take inventory of tasks ahead, they encourage a dialogue with members. Their e-mail addresses are posted above.

Assuring workplace safety in the face of terrorist threats, finding an effective solution to problems of fatigue without reducing member earnings, retaining affordable health-care insurance and preparing for a new round of wage negotiations with the major rail carriers are only a few of the urgent tasks that lie ahead.

One means of participating in the decision-making process is to attend a UTU regional meeting (see pages 9 and 11) and participate in the educational workshops, where ideas are exchanged with UTU members and officers from throughout North America.

Regional meetings help us to focus sunlight on every aspect of problems so that we might understand them from the diverse backgrounds of all our members. Those are the first steps to finding effective and efficient solutions in a democratic way.



## WASHINGTON WATCH

By James M. Brunkenhoefer

# Better security needed on our rail, bus lines

On Sept. 11, 2001, more than 3,000 people were killed after four civilian passenger aircraft were hijacked by terrorists. It was one of the greatest human tragedies in U.S. history. It may not be the last, or the worst.

We are being told terrorists are targeting U.S. railroads and even buses. We should not be surprised. Suicide attacks on buses have become regular tragedies in Israel, and a deadly attack on innocent civilians aboard passenger trains in Madrid, Spain, proves that deadly terrorist attacks may occur anywhere at any time.



Some lawmakers have been quick with the rhetoric that they will ensure Americans are not at risk. In fact, tough talk alone will not prevent a passenger, laden with explosives, from taking over a bus and running it into a crowded building. Tough talk alone won't protect 1,000 passengers aboard an Amtrak or commuter train from suicide terrorists with bombs strapped to their bodies. And tough talk alone won't stop an attack on a hazmat rail car as it passes through a populated area or near a strategic facility.

Although Congress followed a UTU recommendation and provided funds for bus operator training, not a single piece of congressional legislation actually doing something to make railroads safer has been passed by Congress since 9/11.

## Our job is security

By Paul C. Thompson  
International President

*Last month I had the opportunity to address the Labor Relations Association of Passenger Railroads, whose members include the chief labor relations officers of Amtrak, commuter railroads and rail transit agencies. Following are my comments:*

"I want to share with you my thoughts on the security of passengers in these dangerous times in which we live – and the role of the passenger conductor and assistant conductor in assuring rail passenger safety.

"Since 9/11, Congress has not passed any meaningful security-related legislation aimed specifically at Amtrak, commuter and rail transit security. The UTU believes adequate funding for more police, new technology to detect explosives and other dangers, and continuous employee training are essential to maintaining passenger security.

"The UTU legislative department is eager to work with carriers and commuter authorities on this issue. The UTU has the largest rail-labor PAC in the U.S. The UTU presence on Capitol Hill is substantial and effective, and we stand ready to work with you there to maintain passenger security.

"There is no question that with regard to passenger security, the conductor and assistant conductor are the front line of defense.

"Conductors screen passengers upon boarding and during

the trip. Conductors are in charge of all train movements. No wheel turns without the authority of the conductor. Conductors are the only figures of authority in event of an accident or incident. Injured and confused passengers look to conductors for direction and assistance. Rapid, informed and decisive action by conductors will save countless lives.

"Our members performed heroically on 9/11 on PATH. More recently aboard an Amtrak train in Arizona, our members responded quickly and without concern for their own safety when a fire broke out.

"With regard to the ever-present terrorist threat, conductors and assistant conductors require more training as to what to look for, how to act and respond, how to communicate, and how to execute an action plan in event of various scenarios. They also require training in how to deal with irate and hostile passengers in the normal course of the workday.

"Conductors and assistant conductors also require more practice sessions and advanced first aid and lifesaving skills – not a one-time training course, but continuing education and training.

"It also is important to understand that work/rest issues are not limited to freight operations.

"The UTU wants to work with you to make sure your conductors, who are our members, receive the training and rest they need to protect passengers in these times of heightened security.

"We make a better friend than enemy."



Thompson

**The most crucial obligation is to protect the people you serve.**

UTU International President Paul Thompson said two-and-a-half years of talk is enough. He said a priority of his administration is to insist Congress act in a meaningful way to make the rail and bus workplace safer for our members and the public we serve.

There have been enough words. Meaningful action to make trains and buses safer is what is needed and needed now.

Congress, the Department of Defense, the Department of Homeland Security, the Transportation Security Administration and the Department of Transportation should and must drop the rhetoric and hunker down by consulting with the rail and bus industry, its labor unions and outside security experts to determine the appropriate course of action – and then make the dollars available.

It's time for government to borrow a principle from organized labor's playbook: "The most crucial obligation is to protect the people you serve."

# State Watch *News from UTU State Legislative Boards*

## Minnesota

State Director **John Smullen** is urging members in the state to contact their lawmakers and urge them to fight attempts to allow heavier trucks on the state's roads.

A legislative proposal currently before lawmakers would increase truck weights to nearly 100,000 pounds.

"That would be bad for Minnesota's roads and bridges!" Smullen said. "Please call Governor Pawlenty today and tell him that this is a bad idea for all of Minnesota. Tell him we do not want heavier trucks damaging our bridges and roads and endangering our lives, and that we oppose Senate File 1324 and House File 804.

"According to 2000 national bridge inventory data, there are 161 bridges in Minnesota on the National Highway System that are 'structurally deficient' or 'functionally obsolete.' With Minnesota's current budget deficit of more than \$1.953 billion, we cannot afford to jeopardize more of our bridges with heavier trucks," Smullen said.

### Endorsed

**Arkansas State Legislative Director James Matthews** is urging support for Blanch Lincoln for U.S. Senate; Marion Berry for Congress, Dist. 1; Vic Snyder for Congress, Dist. 2; Jan Judy for Congress, Dist. 3, and Mike Ross for Congress, Dist. 4

**Montana State Legislative Director Fran Marceau** is urging members to vote for the following candidates: Bob Brown for governor; Mike McGrath for attorney general; John Morrison for state auditor; Linda McCulloch for superintendent of public instruction, and Jon Ellington for secretary of state.

**North Dakota State Legislative Director John Risch** is urging support for Joe Satrom (D) for governor; Byron Dorgan (D) for re-election to the U.S. Senate, and Cong. Earl Pomeroy (D-At Large) for re-election to the U.S. Congress.

## Kentucky



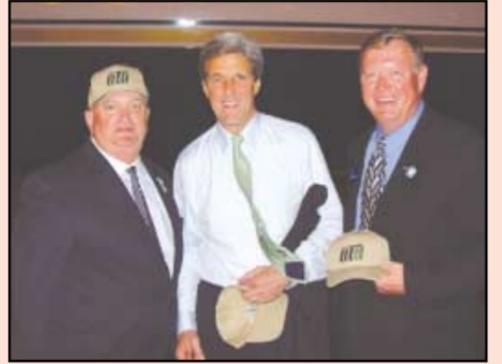
A reorganization meeting of the Kentucky legislative board was held last month, and David Miracle was elected the new state director. He had been serving as assistant state director. Shown above are, seated (left to right) Vicky Deaton (ALR, Local 1315); Retired State Director Bobby Marshall; Susan Rice (LR, Local 1310); standing (left to right) are Rick May (LR, Local 1377); V.P. Roy Boling; Bill Oliver (LR, Local 1963); Andy Volpeheim (LR, Local 1190); State Director David Miracle (Local 573); Larry Adkins (LR, Local 1389); Chairperson Rodney Bevins (Local 630); Butch Loe (LR, Local 785); Assistant State Director Donnie Head (Local 1567); Terry Tyrell (LR, Local 376); Alternate National Legislative Director James Stem; Joe Edlebroich (LR, Local 1315). Absent from photo: Donnie Farmer (LR, Local 1316) and Michael Downs (LR, Local 1328).

## Kansas



The Kansas State Legislative Board held its reorganization meeting last month. The board was addressed by, among others, Nancy Boyda, Democratic candidate for Congress (2nd Dist.), seen above with State Legislative Director Don Lindsey Jr. Also, Kansas State Rep. Jan Pauls, wife of Ron Pauls (LR, L-477), was made an honorary UTU member for her help and hard work on behalf of members and families.

## Georgia



Massachusetts Sen. John Kerry, the UTU-endorsed candidate for President, was in Georgia recently, where he was escorted by UTU Georgia State Legislative Director Danny Boyles. Above, Kerry (center) accepts a UTU baseball cap from Boyles (left) and Assistant State Director Hal Keown.

## Pennsylvania



UTU-endorsed presidential candidate John Kerry was in Pittsburgh recently for a rally. UTU members volunteered to drive in the motorcade and handle luggage and equipment for the Kerry entourage. Kerry met with the UTU members and emphasized the importance of ensuring that all UTU members be registered to vote. Above, left to right, are Teresa Heinz Kerry; Sen. Kerry; Paul Lasky (ALR, L-1374); State Legislative Director Don Dunlevy; Dave Nogacek (LR, L-1374); Leo Channels (LR, L-1418); Mike Britzki (LR, L-1379), and Joe Donati (L-1374).

## Bus Department

By Roy Arnold, vice president-director

### Labor solidarity delivers every day

I saw a bumper sticker, "Yesterday is history, tomorrow is a mystery, today is a gift." It made me reflect on recent changes within our union. We must remain solid and united, do the best we can and strive to be respected in every area of our lives – by our employer, by our union and by our union brothers and sisters.

Within our UTU Bus Department, our officers have been dedicated, trustworthy and diligent to help every UTU bus local. Whether we are a large local with many members or a small local with a few, we are all one family.

Congratulations go out to Brother Rich Deiser of Local 1558, Bergenfield, N.J., who was elected alternate International vice president.

Congratulations also to the negotiating team of Local 1897 in Lubbock, Texas, which provided members with a new agreement that increased mileage rates while holding the line on health-insurance premiums.

Deserving special praise for negotiating that ratified contract are General Chairperson Marvin White, Vice Chairperson Pat Tuman and Joe Briones Sr. in Lubbock; Vice Chairperson Ken Fritsch and Roger Compton in Amarillo; Vice Chairperson Barry Lindsey and Don Vigil in Pueblo, Colo.; Vice Chairperson Greg Hansen and John Warner in Albuquerque, N.M.; and Vice Chairperson Frank Thompson and Phil Dominguez in El Paso.

We sent a strong message to TNM&O Coaches that this local is solid and will be ready at the end of this agreement for an even better and stronger agreement.

Finally, we offer our deepest sympathies to Kenneth Moore, retired vice president and former director of the Bus Department, on the passing of his wife, Dorothy M. Moore.



## Yardmasters

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

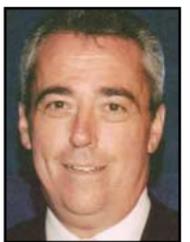
### UTU supports Conrail Shared Assets Areas

When CSX and Norfolk Southern carved up Conrail, these two giant railroads needed to preserve competition in certain regions where Conrail's physical plant could not be easily divided. These regions were Northern New Jersey (and New York City), Southern New Jersey (and Philadelphia) and Detroit. Created were three Shared Asset Areas where Conrail still exists, but in the form of a terminal railroad owned jointly by CSX and NS.

Last month, I testified before the Surface Transportation Board (the UTU, which represents brakemen, conductors, engineers, firemen, yardmasters and others, was the only union called to testify) to provide rail labor's perspective on how these areas are operating. Here are excerpts from my testimony:

"Conrail management has focused and delivered on keeping an open dialog with both local and International union officers. The UTU is optimistic that this partnership will continue for the foreseeable future. As a former working employee and now union officer, it's important to know the Shared Asset Area employees still enjoy the same labor agreements that were in place pre-acquisition. Employees are also free to move from position to position within these geographical areas. Some crafts have the ability to flow to one of the owning carriers on an annual basis.

"Even though there has been a workforce reduction, it has been accomplished on an attrition basis so as not to create havoc with the workforce. It is the position of the UTU that the Shared Asset Areas not be disturbed and be allowed to operate in their current form. Furthermore, it is the opinion of the UTU that CSX and Norfolk Southern look into expanding and adding additional Shared Asset Areas, such as the Delaware & Hudson Railway, which is currently for sale."



# Voter registration guide for UTU members

## By registering to vote and actually voting in November, you will affect jobs, health care, safety and pensions

Here are two four-letter words that everyone should be speaking and hearing more often: "Vote" and "jobs."

The two are linked more closely than many people imagine. In fact, there is even more at stake than jobs when it comes to voting for candidates in federal and state elections.

When we elect labor-friendly candidates, we do more than protect our jobs. We protect our wages, our health-care insurance, our quality of life, our workplace safety and our retirement benefits.

**Log onto the UTU website at [www.utu.org](http://www.utu.org), scroll down to the lower right-hand corner of the page, and click on the red-lettered link "voter registration." Then follow the instructions. Other family members, friends and neighbors may also register to vote at the UTU website.**

In November, we will have an opportunity to help select the President of the United States, all 435 members of the House of Representatives, one-third of the Senate and many of our state lawmakers. We will have that opportunity only if we first register to vote and exercise our power at the ballot box.

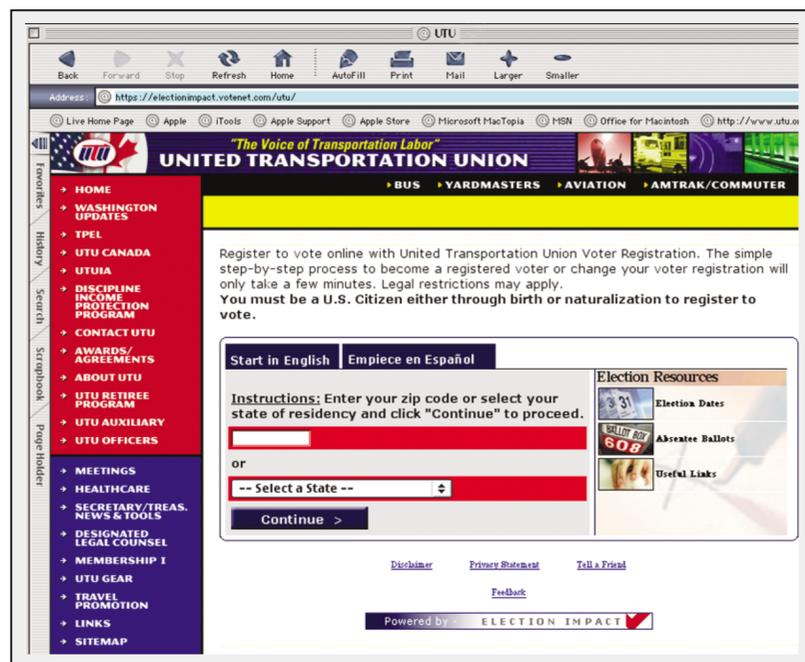
You, your family and even your relatives and friends can register to vote by computer. All you need do is log onto the UTU website at [www.utu.org](http://www.utu.org), scroll

### Which candidates are labor friendly?

UTU International officers and state legislative directors constantly monitor voting records, affiliations, past speeches, newspaper stories and other information to determine which candidates are friendly to labor.

This means that when issues affecting job security, wages, health-care, workplace safety and retirement are being debated in Congress and state legislatures, we can count on these lawmakers to vote as each of us would want them to vote.

Prior to the November election, the UTU will publish a list of recommend candidates for the House and Senate who have passed the labor-friendly screening process. State legislative boards, meanwhile, will compile a list of recommended candidates for state office who have passed the labor-friendly screening process.



When you go to [www.utu.org](http://www.utu.org) and click on "voter registration," you will see the page above. Follow the instructions. Spouses, voting-age children, relatives and even friends and neighbors can register to vote using the UTU website. Every new voter registration you encourage means a greater opportunity for labor-friendly candidates to be elected in November.

### Reasons why you should register to vote

If you don't register, you can't vote! Registering to vote gets your name and current address in the poll book for your local polling place. You can't vote if your name's not on the list, and if you don't vote, you don't have a voice in:

- ✓ Health care/Medicare availability
- ✓ Prescription drug prices
- ✓ Workplace safety laws
- ✓ Trade agreements
- ✓ Tax policy
- ✓ Amtrak's future
- ✓ Rail security
- ✓ Bus security
- ✓ Bus operator CDLs
- ✓ Railroad Retirement
- ✓ Social Security
- ✓ FELA
- ✓ Supreme Court appointments
- ✓ Regulatory agency policy

down to the lower right-hand corner of the page, and click on the red-lettered link, "voter registration." Then follow the instructions.

You may already be registered to vote and your spouse may be also. But how about siblings, other relatives and children at least 18 years old? Did you know that among 18 to 24 year-olds, only about 12 percent of those eligible to vote actually cast a ballot?

When union families vote, labor-friendly candidates are elected and labor-friendly legislation is passed. You may even wish to encourage your labor-friendly neighbors and friends to register using the UTU website. They need not be UTU members.

#### Do labor-friendly candidates matter?

Why labor-friendly candidates? UTU Local 1528 member Eddie Washington is a big reason why. Washington was elected to the Illinois legislature and, as a story on the front cover of this issue shows, he personal-



You, members of your family and your labor-friendly acquaintances have the power to decide. And equally important, you, your neighbors and friends can decide who represents you in the U.S. House of Representatives, the U.S. Senate and your state legislatures. But to have that power you must register to vote – and then vote on Election Day.

ly delivered an important piece of safety legislation benefiting UTU members.

Iowa State Legislative Director Pat Hendricks showed us another reason last month.

Although both houses of the Iowa legislature are controlled by pro-business Republicans, Hendricks found sufficient support among the moderate Republican leadership – all of whom had been helped into office by the UTU – to gain passage of an important bill requiring rail carriers to provide injured employees with immediate and appropriate medical care.

#### Does UTU have a voice in Congress?

In the U.S. Congress, labor-friendly candidates are more likely to ask for – and follow – the opinion of the UTU on various issues.

If it weren't for labor-friendly lawmakers in the House and Senate, 25,000 Amtrak jobs probably would have been lost; millions of dollars probably would not have been appropriated for bus safety and increased bus operator training; many of the regulations ensuring a safer workplace probably would not be in place; and the rights we enjoy to join labor unions and bargain collectively with the employer without interference probably would be under attack.

Big business isn't interested in promoting and voting for labor-friendly candidates.

That's our responsibility.

Only by registering to vote and actually casting a ballot on Election Day for labor-friendly candidates can we protect our jobs, health care, workplace safety and pensions.

### What will President X do while in office?

- Appoint officials who write regulations affecting our jobs, health care, workplace safety, pensions and even rights of union membership.

- Use his leadership position to influence new legislation affecting job security, availability and affordability of health care, the future of Medicare, the cost of prescription drugs and who receives and doesn't receive tax breaks.

- Appoint federal judges who decide cases affecting our labor agreements with the railroads, airlines and bus companies.

- Appoint Supreme Court justices who interpret the Constitution.

Shouldn't each of us – by registering to vote and voting – have a say in who is elected president in November? Our votes can put a labor-friendly president in the White House.

### The numbers are on our side

Voting is how we have a voice in the government that represents us.

Voting is also how we level the playing field with big corporations and the wealthy who make massive contributions to political campaigns to help anti-labor candidates win election. For every dollar working-family advocates contribute to political campaigns, big corporations contribute \$15. But corporate bosses and the wealthy have only one vote to cast, and here is where the numbers are on the side of working families!

But the numbers are on our side only if we register to vote and then exercise that right to vote by casting a ballot.

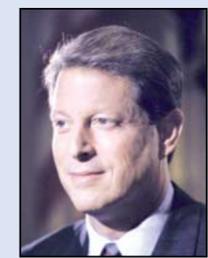
### UTU has friends in both parties

The UTU prides itself on having friends in the Democratic and Republican parties. We are a bi-partisan organization constantly fighting to improve the wages, benefits and working conditions of our members.

Although organized labor traditionally has more friends in the Democratic party, we also have many friends who are elected as Republicans. When the UTU recommends certain candidates for election, the decision is based solely upon that candidate's voting record and/or likelihood that they will support legislation beneficial to our members.

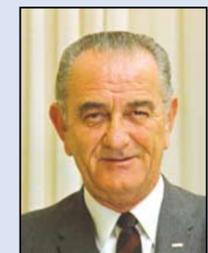


### Things to consider...



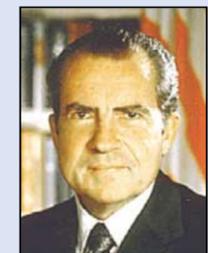
United States of America.

If only 270 people in the State of Florida, where more than five million voters cast ballots in the 2000 election, had changed their vote, Al Gore would have become President of the



primary by that slim margin. He went on to defeat his Republican opponent in the state's U.S. Senate race.

In 1948, Lyndon B. Johnson, the 36th president of the United States, became a U.S. senator by a margin of only 87 votes when he defeated his opponent in the Democratic Party primary



presidency and put Richard M. Nixon into office eight years earlier.

In the 1960 presidential election, one additional vote per precinct in the states of Illinois, Missouri, New Jersey and Texas would have denied John F. Kennedy the office of the

### More...

Approximately 2.6 million private-sector jobs have disappeared since President George W. Bush took office in January 2001...

The share of the economic pie going toward wages in the United States has plummeted to just over 50% – its lowest level in the past 50 years...

44 million Americans have no health-care insurance...

When it comes to supporting political candidates, big business outspends advocates of working families by a margin of 15 to 1...

Working families can make a difference at the ballot box by using their own power of numbers. In 2000, voters from union households comprised 26 percent of all voters even though only about 12 percent of employees belong to labor unions. By encouraging family and friends to register and vote, we can elect more labor-friendly lawmakers.



# UTU for Life



## UTU for Life chapter takes root in Indiana

Retirees in north-central Indiana have an ideal opportunity to reunite with workplace friends, get answers to pension, insurance and health-care questions, influence public policy and enjoy entertaining social events.

Thanks to retired Norfolk Southern conductor **Max Starkey**, all of this and more will take place through the UTU for Life chapter he's bringing to Peru, Ind.



Max Starkey

Brother Starkey, of Local 206 in Peru, is inviting retired railroaders and their spouses to join him and his wife, **Nikie**, when the first UTU for Life chapter in Indiana is inaugurated.

The event, set for May 17, will start with an inexpensive dutch-treat breakfast at 9 a.m., followed by a "business" meeting at 10 a.m. featuring U.S. Railroad Retirement Board District Manager **Robert Braitman** as guest speaker. The event will take place at the Moose Lodge Family Center #249, 110 N. Broadway, Peru, IN 46970. Phone the facility at (765) 473-3413.

Starkey said he anticipates a lot of fun, but sees a practical side to starting the chapter.

"I'm arranging to have speakers from places like our railroad hospital associations, the RRB, the UTUIA and Medicare who can help keep us informed and answer our questions," he said. "I found that once you retire, there's not too many people to help you with health insurance or pension matters."

Starkey, who served as local secretary and treasurer for 18 years and as a delegate for 16 years before retiring in July 2003, expects a healthy attendance. "There were three railroads right here in Peru, and there must be hundreds of retired railroaders in the area," he said. "Retirees from all crafts and organizations are welcome, and spouses are especially encouraged to attend."

For more information or to reserve a spot at the meeting, contact Starkey at 1635 W. Old Stone Rd., Peru, IN 46970, call (765) 473-6344, or send e-mail to maxstarkey@sbcglobal.net.

To learn how easy it is to start a UTU for Life chapter in your area, contact National Coordinator **Jim Shelley** at 21 E. Johnson Dr., Sequim, WA 98382-8549, or call him at (253) 691-6576 or (360) 683-5805.

## Rail Retirement vs. Social Security

**Employers and employees covered by the Railroad Retirement Act pay higher retirement taxes than those covered by the Social Security Act, so that Railroad Retirement benefits remain substantially higher than Social Security benefits. The following questions and answers show some of the differences in Railroad Retirement and Social Security benefits payable at the close of the fiscal year ending September 30, 2003.**

### How do the average monthly Railroad Retirement and Social Security benefits paid to retired employees and spouses compare?

The average age annuity being paid by the Railroad Retirement Board (RRB) at the end of fiscal year 2003 to career rail employees was \$2,000 a month, and for all retired rail employees the average was \$1,555. The average age retirement benefit being paid under Social Security was \$900 a month. Spouse benefits averaged \$600 a month under Railroad Retirement compared to \$440 under Social Security.

The Railroad Retirement Act also provides supplemental Railroad Retirement annuities of between \$23 and \$43 a month, which are payable to employees who retire directly from the rail industry with 25 or more years of service.

### Are the benefits awarded to recent retirees generally greater than the benefits payable to those who retired years ago?

Yes, because recent awards are based on higher average earnings. For career railroad employees retiring at the end of fiscal year 2003, regular annuity awards averaged over \$2,625 a month while monthly benefits awarded to workers retiring at full retirement age under Social Security averaged about \$1,205. If spouse benefits are added, the combined benefits for the employee and spouse would approximate \$3,700 under Railroad Retirement coverage, compared to \$1,805 under Social Security. Adding a supplemental annuity to the railroad family's benefit increases average total benefits for current career rail retirees to over \$3,735 a month.

### Can railroaders retire at earlier ages than workers under Social Security?

Railroad employees with 30 or more years of creditable service are eligible for regular annuities based on age and service the first full month they are age 60, and rail employees with less than 30 years of creditable service are eligible for regular

annuities based on age and service the first full month they are age 62.

No early retirement reduction applies if a rail employee retires at age 60 or older with 30 years of service and his or her retirement is after 2001, or if the employee retired before 2002 at age 62 or older with 30 years of service.

Early retirement reductions are otherwise applied to annuities awarded before full retirement age – the age at which an employee can receive full benefits with no reduction for early retirement. This ranges from age 65 for those born before 1938 to age 67 for those born in 1960 or later, the same as under Social Security.

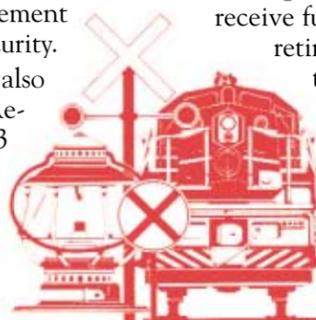
Under Social Security, a worker cannot begin receiving retirement benefits based on age until age 62, regardless of how long he or she worked, and Social Security retirement benefits are reduced for retirement prior to full retirement age regardless of years of coverage.

### Does Social Security offer any benefits that are not available under Railroad Retirement?

Social Security does pay certain types of benefits that are not available under Railroad Retirement. For example, Social Security provides children's benefits when an employee is disabled, retired or deceased. Under current law, the Railroad Retirement Act only provides children's benefits if the employee is deceased.

However, the Railroad Retirement Act includes a special minimum guaranty provision which ensures that railroad families will not receive less in monthly benefits than they would have if railroad earnings were covered by Social Security rather than Railroad Retirement laws.

**For more information about Railroad Retirement benefits or to find the address and phone number of the board's nearest field office, check the RRB's website at [www.rrb.gov](http://www.rrb.gov), or call the automated toll-free RRB Help-Line at (800) 808-0772.**

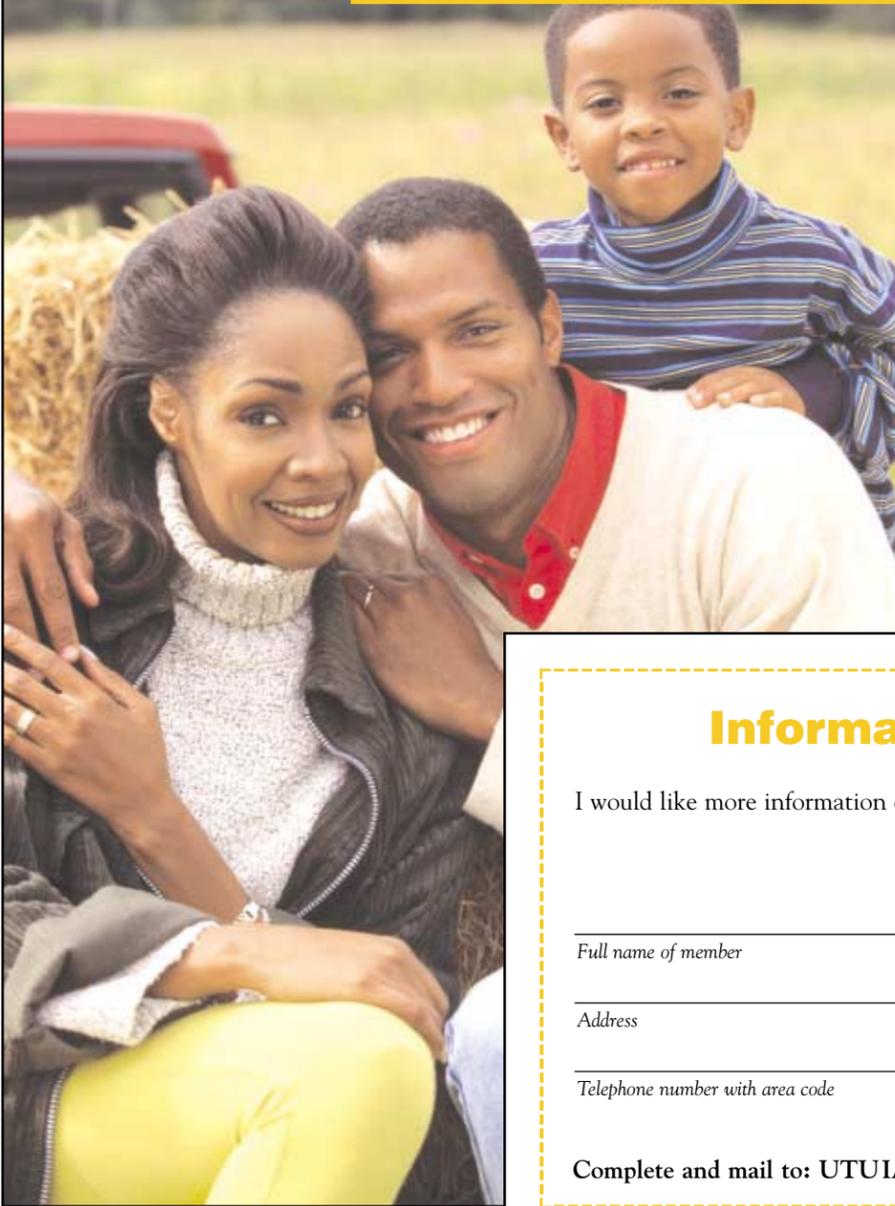


## THE FINAL CALL

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
72	Foreman, Clinton	Midlothian, Ill.	498	Hayden, Joseph L.	Hazleton, Pa.	1031	Turner, Travis F.	Rincon, Ga.
100	Murdock, Richard M.	Ross, Calif.	556	Hufford, Carl W.	Port Angeles, Wash.	1062	Akers, Donald G.	Ashland, Ky.
185	Nickell, Wesley E.	Brookfield, Mo.	565	Wilbanks Jr., Earl C.	DuQuoin, Ill.	1075	Bennett, Merle E.	Lewiston, Mich.
202	Dietz, John V.	Denver, Col.	605	Phipps, Robert L.	Fairmont, W. Va.	1201	Reynolds, E.F.	Stockton, Calif.
240	Vertoch, Carl G.	Walnut, Calif.	782	Mise, Paul O.	Hickory, N.C.	1334	Newell Jr., William	Jacksonville Beach, Fla.
386	Conrad, John H.	Reading, Pa.	792	Campeau, Ernest J.	Cleveland, Ohio	1381	Goddard, Frederick C.	Munster, Ind.
419	Rose Jr., John S.	Melbourne, Fla.	860	Werry, Philip H.	Chester, Ohio	1390	Sandas, Joseph A.	Daytona Beach, Fla.
440	Rust, Robert L.	Southgate, Ky.	911	Goggin Jr., Edward J.	LaCrosse, Wis.	1445	Briody, Frederick	Kendall Park, N.J.
469	Sartin, Vernis E.	Leavenworth, Kan.	933	Amick Jr., Arthur B.	Trinidad, Col.	1525	Skelton, Vernon E.	Collinsville, Ill.
489	Powell, Troyce B.	Livingston, Texas	933	Toebben, Robert L.	Jefferson City, Mo.	1563	Andrew, Max W.	Portage, Ind.
489	Sutton, Norman R.	San Antonio, Texas	1000	Erickson, Roger	Post Falls, Idaho	1628	Biles, Charles W.	Elrama, Pa.
			1031	Gaddy, Larry C.	Savannah, Ga.	1770	Slattery, Louis E.	W. Covina, Calif.
						1918	Gray, George W.	Norco, Calif.

# Protection for your loved ones



## Peace of mind for you

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

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

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

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

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

We can provide the peace of mind you're looking for. **Contact us toll-free at (800) 558-8842.**

### Information, please

I would like more information on UTUIA's Ultimate Term Insurance.

Please print



Full name of member \_\_\_\_\_

Sex \_\_\_\_\_

Date of birth \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

ZIP \_\_\_\_\_

Telephone number with area code \_\_\_\_\_

UTU local number \_\_\_\_\_

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

05/04

## UTU/UTUIA Regional Meeting Program Highlights

### Secretary and treasurer workshops:

- Secretary and Treasurer Workshop*
- Working With UTU's Computerized Accounting Systems (WINSTABS)*
- Manual Secretary and Treasurer Accounting*
- Individualized Training in UTU's Computerized Accounting System*

### Bus Department workshops:

- Tools of the Trade*
- FMCS and the Grievance Procedure*
- Overcoming Collective Bargaining Challenges*
- Contract Costing and Financial Models*

### Local chairpersons' workshop:

- Duties of the Local Chairperson in the Grievance Process*

### Yardmasters' workshop:

- Remote Control*

### *How UTU is Making a Difference*

- Remote Control: Why it Came About, How it Works and Safety Aspects*
- All Organizing is Local*
- UTU Auxiliary Meeting*
- UTU Legal Counsel Presentation*
- Interest-Based Bargaining*
- UTU for Life presentation*
- Power Brake and Other FRA Safety Issues*
- Using our Resources*
- State Legislative Meetings*
- Legislative Workshop*
- History of the Labor Movement*
- National Mediation Board Overview*
- Accident and Incident Reporting (CFR Part 225)*
- High Times: Drug and Alcohol Issues*
- General Committee Meetings*

## Marceau

Continued from page 1

person for conductors, brakemen, yardmen and enginemen in 1978.

In 1983, Marceau was elected vice general chairperson of former general committee GO-735, representing brakemen and yardmen, and associate general chairperson in 1987. He was elevated to general chairperson and re-elected in 1991. He was elected in 1993 as the first assistant general chairperson of consolidated general committee GO-001, representing train, yard and engine service members on BNSF predecessors Northern Pacific, the St.

Louis San Francisco and the Ft. Worth & Denver. He also represented enginemen on BNSF predecessors Great Northern and the Spokane, Portland & Seattle.

Marceau was elected associate general chairperson of GO-001 in 1994 and an International vice president in 1995.

In other action taken April 6, the UTU Board of Directors adopted a new policy directing that any International officer indicted for a felony be required to take an immediate leave of absence until resolution of the charges. The policy change was introduced by Thompson.

Other personnel changes were approved by the board.

Donald J. Anderson was elected alternate

Canadian national legislative representative to fill a vacancy created by the death of Don Tennant.

Richard Deiser was elected alternate International vice president – Bus Department, east, to fill a vacancy created by the resignation of Carolyn Scarsella.

Jacques Gagne was elected to the Canadian Board of Appeals to fill a vacancy created due to Barry McLafferty's departure following a change in representation on Canadian Pacific Railway.

Roland A. Hackl was elected to the Executive Board to fill a vacancy created due to Craig Good's departure following a change in representation on CP.

## DLC compliance

Continued from page 1

firms, violated those ethics standards by making such cash payments will remain as UTU DLC and continue to be recommended to UTU members seeking legal counsel.

The names of those recommended DLC may be found by going to the UTU home page at [www.utu.org](http://www.utu.org) and clicking on "Designated Legal Counsel." (Be sure to "refresh" your browser to bring up the revised pages.)

In March, Javits informed all UTU DLC that they must, by April 6, attest to the fact that neither they, nor any member of their firms, made unlawful cash payments to past UTU presidents Byron A. Boyd Jr. or Charlie

Little, or former UTU/UTUIA employees Ralph Dennis or John Rookard. All four have pleaded guilty in Houston, Texas, to various federal criminal charges.

"In my judgment, the UTU cannot continue to recommend" to its members attorneys who have "engaged in the conduct alleged," Javits said. Following the issuance of Javits' letter demanding that DLC attest to the fact that neither they, nor any member of their firms, made the unlawful payments, "a substantial number of DLC resigned from the program for various stated reasons and others acknowledged being referenced in the indictment but argued extenuating circumstances," Javits said.

"It is not necessary at this time to determine the underlying reason or reasons certain DLC declined to submit a declaration or resigned," Javits said. "Suffice it to say that 19 DLC exe-

cuted and timely returned the required declarations. Accordingly, it is my judgment that at this time it is only appropriate that the 19 DLC who executed the required declarations remain as UTU designated legal counsel.

"My investigation is ongoing. Should further relevant information be forthcoming, this decision will be amended accordingly," Javits said.

Thompson said, "I believe it is important for a union to recommend counsel to its members who are both competent and ethical." Thompson is also considering other changes in the relationship between officers of the UTU and DLC.

"Strong medicine may be needed to heal this union, and I intend to do whatever is necessary to achieve that end," Thompson said. "Our members deserve no less."

## NS reporting

Continued from page 1

denied that winning an annual safety award – by keeping reportable injuries low – is more important to NS than its employees' physical and mental well-being.

Now, NS officials are going to have to take on the FRA because the UTU has embarked on a policy of documenting and reporting each instance of NS employee intimidation and harassment and withholding of immediate and proper medical treatment.

### NS shameful incident No. 1:

After a UTU member was injured while on duty in an NS yard at Moberly, Mo., a trainmaster took the injured employee to a medical clinic where the trainmaster, according to the FRA, "explained to the doctor the criteria for reportability, requesting the physician, if possi-

ble, make the treatment meet the non-reportability criteria." This is a violation of federal regulations because the behavior of the NS official, said the FRA, "was calculated to discourage or prevent" the injured employee "from receiving proper medical treatment."

### NS shameful incident No. 2:

After a UTU member was injured in the collapse of a railroad-owned wooden walkway bridge at an NS yard at Cleveland, Ohio, an NS trainmaster cancelled the ambulance call then took it upon himself – and without emergency medical assistance – to free the trapped and injured employee. The trainmaster then transported the injured employee to crew quarters, where the injured employee was left unattended in a company vehicle. The trainmaster subsequently took the injured employee to a more distant hospital than one closer to the accident site as had been requested by the injured employee, who said he was in extreme pain.

At the hospital, X-rays revealed "a chipped pelvic bone, fluid in the testes, a bruised leg and knee-tissue injury." An NS assistant superintendent informed the injured employee "that if he would take over-the-counter drugs, that the injury would not have to be reported to the FRA."

The FRA report concluded the acts of NS officials "were calculated to discourage or prevent proper medical treatment for the purpose of avoiding" the reporting of the injury.

Equally disturbing is what happened next.

NS, according to the FRA, reported that there were no days lost as a result of the injury even though the injured employee lost numerous days of work. "The initial NS report should have provided knowledge that this was a lost workday case," said the FRA. Moreover, according to the FRA, NS intentionally created a false record that the injured employee was "off sick" at the time of the accident rather than "off due to an on-duty injury," as is required by regulations.

✂ Clip and save

✂ Clip and save

## Changing needs

(One of a series to help you better understand the role of insurance and annuities in planning your future.)

The primary concern of anyone with a family is protecting their financial well-being. This is especially difficult for young families that have very little discretionary cash. An economical way for young adults to protect their loved ones is through low-cost **term life insurance**.

During middle age, you may find it prudent to supplement your term life insurance with **permanent life insurance**. Attractive features of permanent insurance are its guaranteed premium and death benefit, as well as the cash value component that can

be a source of funds for retirement.

As you approach retirement age, you can return your focus to your own needs because your children will undoubtedly be on their own. The death benefit in life insurance can provide an income stream for a spouse who may not be old enough to collect retirement benefits or it can be used to supplement those benefits once retired. Life insurance can also be an important part of estate planning.

Your needs will change a great deal over time. It is prudent to review your insurance needs from time to time to ensure that they haven't changed since purchasing your existing life insurance policy(ies).

✂ Clip and save

✂ Clip and save

# Register now for the Regional Meetings!

The 2004 UTU/UTUIA regional meetings are guaranteed to provide plenty of **fraternalism, education and fun** for the whole family.

Each regional meeting lasts a full three days, with the president's banquet on the evening of the third day. (The second night will be an unscheduled, free night.)

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

All those attending 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.

## See workshop info, page 9

The pre-registration fee for the 2004 regional meetings is \$150 per member, spouse or child over age 11. You must make your own room reservations at one of the hotels listed, 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 \$70 (\$25 on the second day.)

The \$150 registration fee covers the welcoming reception the night before the meeting, three lunches, two evening meals and all workshop materials. Those wishing to attend only the workshops do not need to pay the registration fee.

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.

## Enjoy golf at the meetings

The UTU will hold golf outings at 8 a.m. the day before the start of the two regional meetings.

The dates are Sunday, June 20, in Reno, and Sunday, July 4, in Boston.

In Reno, golfers will play at the Northgate Golf Club in Reno.

In Boston, golfers will enjoy playing the Brookline Golf Club at Putterham, in Brookline, Mass.

The fee, \$80 per golfer, includes transportation from the host hotel, greens fees, a golf cart for every two players, lunch and much more. Register for the golf outings in the space provided on the registration form printed on this page. Be sure to include your golf fee with your registration fee and your true handicap. There is a limit of 144 golfers per outing.

Online registration available at <[www.utu.org](http://www.utu.org)>. Click on "Meetings."

## June 21-23, 2004, Reno, Nevada

**Reno Hilton, 2500 E. Second St., Reno, NV 89595**

Hotel reservations: (800) 648-5080 or (775) 789-2000

Reservation code: UTU

Room rate: \$86 single/double; \$10 each additional person

Reservation deadline: May 27, 2004

Parking: Free

## July 5-7, 2004, Boston, Mass.

**Boston Park Plaza Hotel, 64 Arlington St., Boston, MA 02116**

Hotel reservations: (800) 225-2008 or (617) 426-2000

Reservation code: UTU

Room rate: \$110 single/double

Reservation deadline: June 1, 2004

Parking: \$24

## 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 \$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 must be received 30 days prior to the start of the regional meeting.

### Which regional meeting will you be attending?

Reno  Boston

### Member Registration

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

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

City/State/ZIP \_\_\_\_\_ Phone number ( ) \_\_\_\_\_

### Spouse Registration Reno Boston

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

### Child Registration Reno Boston

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

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

### Guest Registration Reno Boston

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

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

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

### Golf Registration Reno Boston

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  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), 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:

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

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

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

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

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

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

All photographs submitted become property of the UTU.

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



This month's winning photograph was taken by **James Hawley**, a member of Local 211 at Binghamton, N.Y. The photo is of two of the three remaining locomotives still sporting the Delaware & Hudson livery. The photo was taken at Afton, N.Y.

**UTU News**  
www.utu.org / www.utuia.org

MAY 2004

ISSN 0098-5937

Published monthly (except for combined months of December/January and July/August) by the UNITED TRANSPORTATION UNION, 14600 DETROIT AVE., CLEVELAND, OH 44107-4250 • Periodicals postage paid at Cleveland, Ohio, and additional mailing offices • Paul C. Thompson, International President; Daniel E. Johnson, General Secretary/Treasurer • This publication available on microfilm from UMI, 300 N. Zeeb Road, Ann Arbor, MI 48106 • **POSTMASTER: Send address changes to UTU News, 14600 Detroit Ave., Cleveland, OH 44107-4250.**



Please recycle

5/04

Volume 36  
Number 5

May 2004

**UTU News**

www.utuia.org

www.utu.org

The Official Publication of the United Transportation Union

## UTU member works to deliver safer walkways at railroads

**Local 1258 member Eddie Washington, an Illinois legislator, aids UTU members**

SPRINGFIELD, Ill. – Train and engine service employees in Illinois made a giant leap toward improved walkway safety last month.

UTU Local 1258 (Elgin, Ill.) member and State Rep. Eddie Washington (D-North Chicago) convinced his House of Representatives colleagues and the Senate Transportation Committee to pass a walkway safety bill. The 117-0 House vote and Senate Transportation Committee approval set the stage for a positive vote on the state senate floor.

If the measure becomes law, Illinois will join numerous other states that mandate regulations assuring a reasonably flat, smooth walkway free of debris, obstacles and hazards for all railroad employees who work on the ground.

"Eddie Washington really hit in the clutch for walkway safety," said UTU Illinois State Legislative Director Joe Szabo. "When another bill that included a walkway-safety provision became stranded in bickering over an unrelated issue, Eddie quickly stepped up to the plate and rescued the walkway-safety language by putting it into another piece of legislation."

"First, you have to credit the initiative, determina-

tion and legislative savvy displayed by our own Eddie Washington," Szabo said. "He was totally dedicated to walkway safety and knew exactly what to do."

"Second, you have to credit the increasing activism of our members with their contributions to UTU PAC," Szabo said. "Their willingness to support the candidacy of pro-union legislators means the UTU has more friends than ever in Springfield and those friends respect the union's political strength and professionalism."

"And finally, you have to credit the quick response our members showed when we asked them to blitz their state reps with phone calls supporting the bill," Szabo said.

Norfolk Southern and Canadian National are opposed to this legislation and Szabo warned that those railroads would fight hard to derail the House measure when it reaches the Illinois Senate.

"We moved so fast in the House that NS and CN had little time to react," Szabo said. "We won't have that luxury in the Senate and will be looking for our members again to pick up the phone and call their state senators in support of the bill."



Local 1258 member Eddie Washington, a member of the Illinois legislature, speaks in favor of improved walkway safety in the railroad industry.



**Inside this issue of the UTU News:**



Marceau elected as International assistant president. See page 1.



Member Lloyd Holman has done a monumental job. See page 2.



UTU aids Sen. John Kerry in his quest for presidency. See page 5.



Retiree Max Starkey is starting a UTU for Life chapter. See page 8.