



SMART

Transportation Division News

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

Members ratify five-year Amtrak agreement

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

The new pact covers approximately 2,300 members employed as conductors, assistant conductors, yardmasters and dining car stewards.

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

"The membership recognized the value of the proposed contract and in ratifying the agreement, have secured the wages and benefits that were hard-fought and hard-won by the negotiating team," said SMART Transportation Division Assistant President John Previsich.

With the assistance of Previsich, the contract

negotiations were conducted by Amtrak General Chairpersons **Dirk Sampson** (GO 769), **Bill Beebe** (GO 663) and **Robert J. Keeley** (GO 342).

"I must thank President Mike Futhey and Assistant President John Previsich, whose efforts made this agreement possible," Sampson said. "Despite moments of uncertainty that existed, their leadership, patience and confident demeanor kept this very long and difficult round of negotiations moving forward. I would also like to recognize the efforts of General Chairperson Bill Beebe, Vice General Chairperson **Charlie Yura** and Local 1361 Chairperson **Gary J. Hopson** for their assistance in bringing these negotiations to a conclusion."



Chairperson Keeley added, "I would also like to thank the aforementioned, along with General Committee Secretary **Charles Fowler**, Vice General Chairperson **Salvador Ruiz**, Local Chairpersons **Keenan Lett** and **James Madden**, and Brother **Cleophas Brickhouse**," Keeley said. "Solidarity has always been a fragile thing, fraught with complex and difficult commitments. Real solidarity is an easier statement to make than it is to keep and put into practice. We walked into negotiations together, and we found success together. I want to be sure to thank all involved for demonstrating union solidarity at its very best."

The agreement was passed by nearly 60 percent of eligible train-service members that voted and by 86 percent of eligible yardmasters that voted.

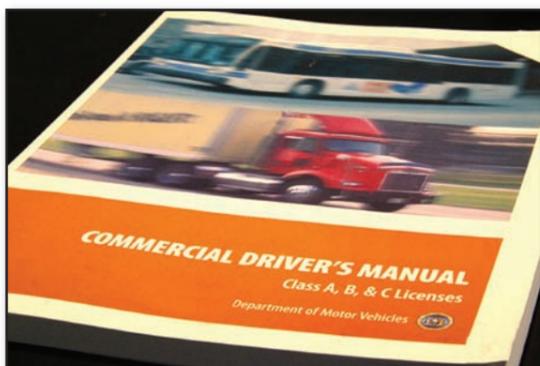
FMCSA drops redundant CDL rule

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

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

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

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



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

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

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

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

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Obama re-nominates three members to NMB

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

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

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



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

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

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

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

President Obama previously nominated Geale on Dec. 17, 2012. Because the Senate failed to act on his nomination prior to Dec. 31, the pres-

General Chair Mark Cook elevated to alternate VP

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



Cook

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

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

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

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

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

Cook and his wife, Danette, live in Maryville, Tenn. They have two sons, Myles and Jerad.

ident had to make new nominations when the new Congress was seated in 2013.

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

Typically, Republican and Democratic nominees are paired for confirmation.

Around the UTU

Local 14, Cincinnati, Ohio

CSX conductor Vincent "Vinny" Kelly, 38, died Jan. 24, GO 049 General Committee Secretary Erik R. Belew reports. He is survived by his wife of 17 years, Melissa; daughter, Brittany; and sons Joshua and Vincent.

Local 239, Oakland, Calif.



This Union Pacific local held a retirement barbecue March 15 at the East Oakland Yard office for former Local Chairperson, Delegate and General Committee Secretary Brian Lewis, who ended his 35-year railroading career Jan 1. The gathering, organized by Local President Tom Cahill, was attended by more than 50 current and former UTU members and retirees. Pictured, from left in the front row, are Matt Kurtz, Local Chairperson Dan Fretty (100), Lewis, Ted Olsson and Vice Local Chairperson Robert Hudson. In the back row, from left, are Local President Darin Spencer (100), Cahill, Lance Jenkins, Local Chairperson Dan Spencer, retired member Bob Paulson (1801) and yardmaster Leslie Dixon (1801).

Local 240, Los Angeles, Calif.

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

Local 243, Fort Worth, Texas



This local hosted a CPR class at its monthly meeting in April, where 12 members were CPR/AED-trained, according to member Steve Cline. Members that completed the training were entered into a drawing for a \$50 gift card, which was awarded to Michael Taylor. Besides Taylor, Rickey Claiborne, DeAndre Anderson, Secretary & Treasurer Cameron Cullum and Vice Local Chairperson Mark Truelove and others received the certification, which was taught by fellow member Joshua Livingston. Pictured above, from left, are Livingston, Claiborne and Anderson.

Local 311, La Crosse, Wis.

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

Local 313, Grand Rapids, Mich.

Michigan State Legislative Director Jerry Gibson would like to thank everyone for their donations and prayers for his daughter, Kelsey, who was seriously injured in an automobile accident Jan. 29. "While she is out of critical care, has



Retired conductor Kenneth Rospert stands beside the Fallen Soldiers Memorial in Bellevue, Ohio, in December 2012, a project he oversaw from start to finish.

Tribute to military veterans is dedicated on their day

Retired Norfolk Southern conductor and U.S. Army veteran Kenneth Rospert has always held military personnel in high regard, and an idea he had four years ago to honor local veterans has finally come to fruition.

On Veterans' Day 2012, nearly 1,000 people gathered in Bellevue, Ohio, for the dedication of the city's Fallen Soldiers Memorial.

"There has never been anything to honor soldiers from Bellevue who served or were killed in the line of duty, so I felt this was something we needed to do for our community," Rospert said. "I was still working at the time, but I knew it wasn't something I could accomplish until after I retired."

A member of Local 225 at Bellevue, Rospert serves as chairman of the board of the Firelands Federal Credit Union. He asked the board to consider a donation of land for the memorial and the board agreed to donate a portion of commercial property in downtown Bellevue.

"I visited a lot of other veterans' memorials and brainstormed with other veterans to accomplish what we wanted to accomplish," Rospert said. "A lot of people stepped up for this project and all the work was done by volunteer help."

The monument recognizes all Bellevue veterans and all branches of the U.S. military. It consists of a large headstone with the names of all Bellevue veterans killed in the line of duty since World War I. It is surrounded by flags honoring each branch of the military and has an American flag and a POW flag at its center.

"We raised money for the big headstone by selling pavers that have the names and ranks of all local soldiers killed in the line of duty, or who wore the uniform. We also received money from individual donors and the Bellevue Hospital was a corporate donor," Rospert said. "Each paver tells a story of somebody's father or mother, brother or sister, and it has all their information."

Firelands Federal Credit Union had its beginnings at the railroad in 1955, when seven Nickel Plate employees joined together to form a financial savings club. Each of them put in \$5 to \$10 and they applied for a charter from the federal government in 1957. In 1970, it was opened to anyone who lives or works in the community and currently has 26,000 members.

"My son was a big motivating factor behind this. He served four tours of duty, twice in Afghanistan and twice in Iraq, as commander of the Army Rangers' 82nd Airborne," Rospert said.

opened her eyes and can recognize voices, we still have a long road for a full recovery. I am so proud to be part of an organization that, regardless if we had ever met, would step up to the plate and assist each other in times of need. Anyone that has never belonged to a fraternal organization would never understand that feeling of unity," Gibson said. "Our family would like to extend a

special thank you to Brother Don Silseth, who on his own, set up the fund for Kelsey."

Local 453, Clinton, Ill.

Decatur (Ill.) Trades and Labor Assembly President Carl N. Draper (768) and Local Secretary & Treasurer Lloyd Holman attended the unveiling of the new additions to the Workers' Memorial in Decatur. Each year April 28, the unions of the AFL-CIO observe Workers' Memorial Day to remember those who have suffered and died on the job and to renew their efforts for safe workplaces. This year, newly added names will be cut in stone instead of displayed on laminated sheets of paper. There are 108 names listed, 21 of which are railroaders, Holman said.

Local 506, Herington, Kan.

This trainmen's local has developed a website at <http://smartlocal506.angelfire.com>, according to Local President Rusty R. Beames. The website features contact information for local officers, local news, agreements, an explanation of the union's structure and more.

Local 446, Cheyenne, Wyo.



This Union Pacific local recently installed Joshua "J.P." Johnson as lodge historian, Local Chairperson Tyler Thompson reports. "J.P. was a natural fit for historian. He is a fifth-generation railroader, a published railroad historian and has college degrees in history and philosophy. He is also a steam locomotive fireman and engineman. Our lodge is proud to have him as our new historian and welcomes his vast knowledge and immense pride as a brother railroader," said Local President Pat Wade. Pictured above, in his trademark conductor's hat, is Johnson, being congratulated

Local 583, Fond du Lac, Wis.

Wisconsin Central/Canadian National conductor John T. Cetnar, 50, died March 30, State Legislative Director Craig Peachy reports. He is survived by his wife, Laurie, daughter, Jenifer, and sons John and Joseph. "Johnny had been battling cancer for quite a long time. It was a courageous battle. He never gave up and always tried to make every meeting for the local. He always wore a smile on his face and was upbeat," Peachy said. A memorial fund in Cetnar's name is being established.

Local 1440, Staten Island, N.Y.

Trainman John "Flyman" Burman, who retired in 2011, has been inducted into the Railroaders' Hall at the Railroad Museum of Pennsylvania in Strasburg, Pa., according to Secretary & Treasurer Vincent LaBella. He had previously served as the local's president and secretary & treasurer. "Mr. Burman's passing in 2011 left a sad hole in his peers' hearts, as he was known for really enjoying his job and being a leader amongst his peers. The members of Local 1440 congratulate Mr. Burman's family on this accomplishment and would also like to thank motorman Anthony Sutera for his assistance with this process," LaBella said. Others wishing to nominate another individual for the hall may contact Sutera at rxz724@gmail.com. In other news, LaBella reported the retirement of engineer Charles Brodbeck, who worked on Staten Island Railway from 1985 until 2013. "He served the passengers, co-workers and the community with polished professionalism," LaBella said.

Local 1892, Houston, Texas

Yardmaster James Boehm reports that his father, James Larry Boehm, passed away April 7. The senior James, 69, hired out with Union Pacific in 1972 as a switchman. He was a UTU member for 31 years. During the last 20 years of his career, he worked as a yardmaster.

AAR issues safety appliance alert



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

Short Lines Agreements

MARC

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

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

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

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

A hiring pool will be created in the event that applications exceed the number of positions available at startup. CSX employees who accept employment with Bombardier will be placed on the new seniority roster in the same relative order as on the CSX roster. The terms and conditions for a leave of absence from CSX are still being negotiated.

The negotiating team was led by General Chairperson **Steve Mavity**, with the assistance of Assistant President/General Secretary & Treasurer John Previsich, and included Vice Chairpersons **Jeremy Ferguson** and **Jamie Modesitt**.

"The team did an excellent job of securing national agreement wages and working conditions for employees of the new operator," said Previsich, who added, "this will protect current employees who choose to work for the new operator and, in addition, provide industry-standard wages and benefits for all future employees of the service."

Kyle Railroad

SMART Transportation Division members on Kyle Railroad have ratified an agreement with the carrier covering engineers, conductors, brakemen, maintenance of way employees, signal employees,

mechanics, helpers and apprentices, carmen and welders.

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

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

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

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

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

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

Appalachian & Ohio

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

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

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

Express Scripts/Medco's packaging may change

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

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

Members may notice different colors of prescription bottles – Express Scripts prescription bottles are orange and Medco bottles are white. Medication may also be dispensed in the manufacturer's packaging instead of a prescription bottle.



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

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

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

Packaging for temperature-sensitive prescriptions may be different based on the pharmacy that it was shipped from, but all packaging meets the temperature requirements for safely shipping your medication.

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

Hale receives Purple Heart



Marine Cpl. Ryan Hale, 25, the son of UTUIA Field Supervisor Greg Hale, was awarded the Purple Heart in February at a ceremony at Camp Lejeune in Jacksonville, N.C. As reported in the September 2012 issue of the UTU News, Hale's barracks was hit with a rocket-propelled grenade fired by an Afghani military trainee in Afghanistan. He suffered a concussion, brain damage, and has memory and vision problems. Since he was injured by friendly fire, it was initially determined that he was not eligible to receive the Purple Heart. However, with intervention from and National Legislative Director James Stem, Hale was awarded the Purple Heart after all. "He's disabled and will be disabled," Greg Hale said. "He hurts, I hurt. You just do the best you can. I pretty much buried myself in my work so as not to think about it. At the ceremony, there was not a dry eye in the camp." The medal made Ryan eligible for scholarships and he was awarded a scholarship to the University of Wisconsin-Whitewater, where he is thinking of becoming a sports coach.

efforts throughout the negotiating process.

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

The Appalachian and Ohio Railroad, owned by P&L Transportation, Inc., operates 158 miles of rail line between Grafton and Cowen, W. Va.

“In the past a leader was a boss. Today’s leaders must be partners with their people... they no longer can lead solely based on positional power.”
 – Ken Blanchard, Management Expert, Author

Do safety programs produce safety, or manipulate reality?

Throughout my career as a union officer, I have experienced every type of carrier safety program imaginable: from official company “snitches” to complex, overly burdensome and intrusive research, to innovative, cooperative, joint ventures. Employees need a program to know the program du jour.

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

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

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

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SMART Transportation Division President’s Column

By Mike Futhey

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

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

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

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

We know the difference when the organization extends an offer to carriers to jointly explore a remedy for repeated violations of whistle-blower, provisions only to be met with “lawyering up.”

Genuine partnerships never, ever pull rank. Genuine partnerships must respect the integrity of the process and all who participate.

The process must be consistently adhered to, even when it is not comfortable to do so.

Genuine partnerships never, ever pull rank. Genuine partnerships must respect the integrity of the process and all that participate.

My message to the various decision-makers, whether they be in the airline, bus or railroad industry is, “it’s your call.”

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

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

Union-busting is part of our history

Whether we like it or not, union-busting is a part of our history. Unions have always fought against big business, government and those that would trample the everyday union worker. The union-busting that occurred last year in Wisconsin, Ohio, Arizona and many other states continues today with local and state governments trying to push through right-to-work legislation.

We must not allow ourselves to become complacent. For it is when we become complacent and stop keeping watch over our rights that we open ourselves up to our enemies’ strikes against us.

We must be diligent in our watch and stay informed about those who want to take away our rights as workers. One way to do this is to contribute to the UTU’s PAC fund. This fund enables us to stay alert and fight the legislation that would harm the middle-class worker and take away our hard-won rights.



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For the latest news, visit www.utu.org; also, register on the UTU website to receive news alerts via email.

Our purpose is safety, security and opportunities

As our Washington staff interacts with decision makers here in the nation’s capital, our focus is to improve our members’ job security and safety and to create more job opportunities in our industries.

We are presently involved in a number of efforts to fulfill those goals.

Fatigue is a major safety issue for our members in the rail, bus and airline industries. In 2012, the FRA published a final rule on passenger rail hours-of-service that requires the use of scientific models to measure the likelihood of fatigue. This is a first for our industry. We are working with other rail unions, the rail industry and FRA to finalize language on federally-mandated “risk reduction plans” that we hope will move us further along in addressing fatigue in the rail industry.

We have also been working with other transit unions to find legislative and regulatory ways to address fatigue for our over-the-road bus operators and operators with early starts.

We have new rules from the Federal Aviation Administration on pilot hours-of-service requirements and we are working with other pilots’ unions to find improved applications of the new rules.

Other safety issues we are addressing are distractions caused by the use of electronic devices and the American culture that leads us to expect



Officers’ Column By SMART Transportation Division National Legislative Director James A. Stem

instant communication. This issue impacts all transportation employees, especially safety critical and CDL-qualified workers.

We are working with several other unions on coal-related issues, because hauling coal by train is such a big part of what our members do. The clean air and clean water laws are pushing the Environmental Protection Agency to issue regulations on gas emissions from coal-fired power plants that we think are too stringent. The low price of natural gas is our main concern, with many power plants converting to gas to take advantage of the lower prices. We have a big challenge here.

We are also working with groups to promote the growth of transit and public transportation options, and stable funding sources for transit operations, inter-city passenger and commuter rail.

There is an effort in the House of Representa-

tives to raise truck weights from the current 80,000 lb. limit to 97,000 lbs. This would cause some traffic to shift from our nation’s railroads onto our already overburdened highways, causing more damage to our crumbling roads and bridges and increasing the stopping distances required for these trucks.

The U.S. DOT is conducting a comprehensive study to determine the impact increased truck weights would have on our infrastructure, but several members of Congress are pushing increased truck weights before the DOT study is complete.

I urge all our members and their families to get registered and to vote in every election. Our transportation industry is most sensitive to legislation and regulation. What government does at every level matters to transportation workers, so your participation in the election process is not just a civic responsibility, it is an important way for you to protect your livelihood and personal safety.

Your UTU PAC contributions are also desperately needed to help us deliver your message to the decision makers who can make a difference. UTU PAC is a tool that opens the door and provides access to lawmakers. So, give to UTU PAC like your job depends on it...because it does.

State Watch News from UTU-SMART State Legislative Boards

Missouri



Pictured above, from left, are Local 303 Secretary & Treasurer Les Wilson, UTU member and Missouri Secretary of State Jason Kander, Legislative Rep. Jeff Nichols and Local Vice President Jeff Shelton.

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

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

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

Speakers at the event included member Missouri Secretary of State **Jason Kander** (933) and Missouri Attorney General Chris Koster. Both spoke about the attacks on labor and working families, right-to-work legislation, paycheck deception and early-voting initiatives.

The keynote speaker was Jim Kabell, president of the Missouri-Kansas-Nebraska Conference of

Teamsters. He also spoke out about the attacks on workers by big business and conservative lawmakers.

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

Ohio

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

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

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

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

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

Wisconsin



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

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

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

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

Bus Department

By Brian Donald, Alternate Vice President-Bus

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There is talk of reducing fatigue amongst commercial drivers. It's not the first time. In 2009, the Federal Motor Carrier Safety Administration (FMCSA) determined that 28 percent of commercial drivers suffered from sleep apnea, with 4.7 percent of cases considered severe and cause for removal from service. Mandatory testing for sleep apnea was proposed and then postponed, presumably under pressure from the carriers.



Donald

Sleep apnea is a potentially fatal condition that should not be ignored. If you have any reason to suspect you may suffer from this condition, you owe it to yourself to speak to your personal physician.

Part 395.5 of the FMCSA regulations say that no driver shall operate a passenger-carrying vehicle after driving more than 10 hours following eight consecutive hours off duty, or after having been on duty 15 hours following eight consecutive hours off duty. On Feb. 27, 2012, Part 395.2 was amended to say "any time resting in a parked vehicle (also applies to passenger-carrying drivers)" is not considered on-duty.

FMCSA does not treat all commercial drivers the same when it comes to on-duty time. Property-carrying drivers may not drive after having been on duty for 14 consecutive hours. Off-duty time does not extend the 14-hour period. Passenger-carrying drivers can be on duty for 15 hours, however off-duty time – time spent resting in a parked vehicle (waiting for group to gamble, eat, etc.) – is not included in the 15-hour period!

Consider this: A Hartford, Conn., motor coach driver takes a group to Atlantic City, N.J., an eight-hour round trip. The group gambles all day, has dinner and sees a show before returning home. The driver is well under the 10-hour driving rule, and with the Feb. 27 rule change, is well under the 15 hours on duty, even though he or she will return home over 18 hours after departing!

Laws do not require a day room, yet consider the 10 hours sitting in the vehicle to be "off duty." By the current rules, eight hours and one minute later, that driver may be required to do it again!

To address fatigue, hours-of-service rules must be amended to 15 consecutive hours. If you are short of sleep, remember FMCSA Part 392.3: No driver shall drive and no carrier shall allow a driver to drive in a state of impairment, such as fatigue. Do not become a statistic! Stay safe, brothers and sisters, and sleep well.

Big Blue Bus operator Jackson takes home big, rodeo trophy

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

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

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

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

Jackson said the drivers also had to complete a safety inspection of their bus after rodeo representatives altered it. "You have to find those missing pieces, or anything that would make the bus unsafe or put it out of service," Jackson said. "They even placed fake bombs on the bus, which the drivers would have to find."

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

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

Jackson isn't only proud of his rodeo win, he is proud of his service to his union. "I have served as my local's legislative representative, vice president and two terms as a member of the board of trustees. I served them to the best of my ability."



Jackson

SMART's Legislative Office is working for you

The SMART Transportation Division has one of the most extensive legislative organizations in the labor movement, with a national director, assistant national legislative director and staff headquartered in Washington, D.C.

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

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

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

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

Voter turnout among members higher than national average

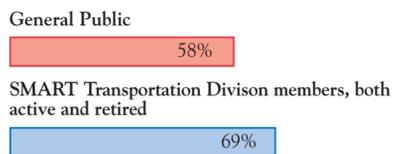
The SMART Transportation Division's Legislative Office was very active in its efforts to encourage members, their families and their friends to register to vote and to participate on Election Day.

These efforts included direct mailings to members, notices in the *UTU News* and on the union's website and encouragement from officers at all levels of the organization at regional, legislative board and local meetings.

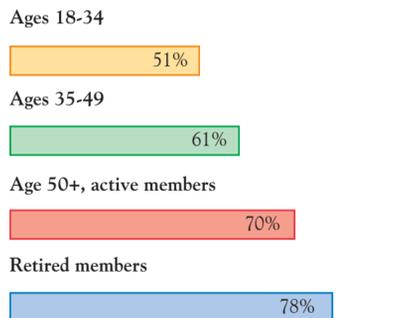
The legislative office's efforts in this endeavor have clearly paid off.

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

Total SMART TD Voter Turnout vs. General Public



SMART Transportation Division Voter Turnout By Age



Three conservative-leaning districts show strong support for Amtrak

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

The three districts, while each unique, have in common at least one Amtrak line running through the district. They were Illinois' 13th District, Missouri's 8th District and North Dakota.

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

By an almost 3-to-1 ratio, (64-23 percent), constituents under age 45 support keeping/increasing government funding of Amtrak, versus eliminating funding. Those over age 65 show a 50 percent positive gap, and age 45-64 show a 43 percent positive gap. The gap refers to the difference between those who want to keep/increase funding as opposed to those who want to eliminate funding.

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



Pictured above is the SMART-UTU Transportation Division Legislative Office in Washington, just a stone's throw from U.S. Capitol.

By a 3.5-to-1 ratio (69-21 percent), self-identified independent voters support keeping/increasing government funding. Democrats have a 71 percent positive gap (80-9 percent support level), and over 50 percent of self-identified Republicans show support for Amtrak funding.

This data will serve a useful purpose when your National Legislative Office and your state legislative director seek to educate lawmakers about government funding for Amtrak and future high speed rail projects. See the results below.

Gender	Eliminate	Keep/Increase	Unsure
Men	27%	62%	11%
Women	17%	68%	15%
Age	Eliminate	Keep/Increase	Unsure
18-44	23%	64%	13%
45-64	23%	66%	11%
Over 65	17%	67%	16%
Party	Eliminate	Keep/Increase	Unsure
Democrat	9%	80%	11%
Independent	21%	69%	10%
Republican	29%	54%	17%

Margin of error of +/-3.0 percentage points.

Give to UTU PAC like your job depends on it ... because it does

The United Transportation Union's Political Action Committee (UTU PAC) is an investment in the future.

Our members, active and retired, need and deserve good government and sympathetic legislators. That's because, compared with others, our jobs, pensions and futures are more directly affected by the actions of state and national lawmakers.

We in the UTU must work for and help candidates whom we feel are capable and knowledgeable and who recognize the problems that affect airline, bus, rail and transit workers.

The best way to help elect representatives that understand the concerns of our members is by contributing to UTU PAC.



Hynes

For the first quarter of 2013, Arizona leads all states in the U.S. in average pledged contribution per member per state. The state legislative board is led by Director Greg Hynes and the state's five locals are served by legislative representatives Robert S. Jones (1081), Dean A. Lynch (1629), David S. Sullivan (807), Brian S. Day (1800) and Christopher M. Todd (113).

To obtain a UTU PAC donation form, or receive more information on the UTU PAC, contact your legislative representative or email Legislative Department PAC Administrator Wendy Miller at PAC_TD@smart-union.org.

When we all pitch in a little, we can do a lot with UTU PAC to protect our interests. Please consider pledging \$1 a day, today, to help elect compassionate state and national lawmakers.

SMART Transportation Division working to stop bigger trucks

Mike Michaud of Maine (D) and Reid Ribble of Wisconsin (R) introduced legislation in the U.S. House that puts rail jobs and America's roads at risk.

House Bill H.R. 612 would allow maximum truck weight to increase on our nation's highways from 80,000 to 97,000 pounds. Consider the impacts:

- An increase in truck weight by 20 percent would put railroads at a competitive disadvantage, meaning more heavy freight diverted from railroads to highways. A recent analysis found that this increase could reduce overall short line traffic by 17 percent.

- Motorists subsidize road infrastructure for heavy trucks at a rate of \$1.9 billion annually. The Department of Transportation (DOT) found that heavy trucks would only pay about 50 percent of the damage they inflict on roads if H.R. 612 becomes law.

- Railroads move cargo nearly four times as far as trucks per gallon of fuel and emit fewer pollutants per mile. By allowing heavier trucks, Congress would be incentivizing more shipments by

truck rather than fuel efficient trains.

- Language like H.R. 612 has already been rejected by a bipartisan committee vote of 33-22. Currently the DOT is conducting a comprehensive study of the issue.

Your National Legislative Office in Washington, D.C., is working with other organizations to put a stop to this flawed proposal.

You can do your part by calling your Congressman and asking him or her to oppose H.R. 612.

Rank	State	Average Pledge
1.	Arizona	8.42
2.	Montana	6.87
3.	New Mexico	4.45
4.	Michigan	4.24
5.	Arkansas	4.08
6.	Wisconsin	4.01
7.	Nebraska	3.86
8.	Wyoming	3.85
9.	Oregon	3.81
10.	Missouri	3.56
11.	Dist. of Columbia	3.46
12.	Colorado	3.32
13.	Idaho	3.28
14.	Indiana	3.23
15.	Illinois	2.99
16.	Utah	2.90
17.	North Carolina	2.75
18.	Iowa	2.71
19.	Kansas	2.64
20.	Minnesota	2.60
21.	Texas	2.26
22.	North Dakota	2.20
23.	Nevada	1.84
24.	California	1.81
25.	Virginia	1.77
26.	Louisiana	1.72
27.	Oklahoma	1.66
28.	Florida	1.56
29.	Tennessee	1.53
30.	South Carolina	1.50
31.	Delaware	1.42
32.	Maryland	1.40
33.	New Jersey	1.33
34.	Washington	1.28
35.	South Dakota	1.22
36.	Mississippi	1.17
37.	Alaska	0.93
38.	Georgia	0.93
39.	West Virginia	0.89
40.	Kentucky	0.87
41.	Alabama	0.85
42.	New England	0.83
43.	Pennsylvania	0.78
44.	Ohio	0.66
45.	New York	0.53
46.	Connecticut	0.19

SMART Polling Numbers on Longer, Heavier Trucks

The SMART Transportation Division sponsored a survey conducted by DFM Research of St. Paul, Minn. Respondents from Missouri's 8th District (southeast Missouri) and Indiana's 4th District (west-central Indiana) were asked the following question:

Some in Congress want to increase the maximum allowable truck weight on our nation's highways from 80,000 to 97,000 pounds. Based on what you know, do you approve or disapprove of increasing the maximum truck weight?

	Gender	Age			Party					
		Men	Women	18-44	45-64	Over 65	D	R	I	
Approve	16%	Approve	19	14	21	14	7	12	17	17
Disapprove	74%	Disapprove	73	75	68	78	82	78	72	75
Unsure	10%	Unsure	8	11	11	8	11	10	11	8

Margin of error of +/-3.0 percentage points.

UTU
Alumni

UTU Alumni Association

News, information for members of the UTU Alumni Association

Retired member conducts again, but this time with baton in hand

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

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

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

This year, Ingalls won first place in the contest, with donations totaling over \$9,000. The second place winner raised \$6,400. In all, the contest brought in \$23,464 for the orchestra.

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

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

Ingalls is considered a "volunteer extraordinaire" for the orchestra as he volunteers for many different events, including the committee for the



Art Ingalls conducts the La Crosse Symphony Orchestra in performing Copland's Fanfare for the Common Man.

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

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

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

"My campaign was to drum up the small dona-

tion: \$5, \$10, \$20 donations," Ingalls said. His theme for the contest that helped him win was "help me be a conductor again."

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

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

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

Former Maine, N.H. State Director E. Phillips dies

Former Maine-New Hampshire State Legislative Director **Ernest "Ernie" A. Phillips**, 77, died March 27.

Phillips was born Jan. 4, 1936, in Milford, Maine. In February 1956, he went to work for Bangor & Aroostook Railroad as a trainman. In July 1962, he was employed by Maine Central Railroad as a trainman and conductor. He was a member of Local 663 at Bangor, Maine.



Phillips

In 1980, he was elected as general chairperson for UTU General Committee of Adjustment GO 529 representing Maine Central, Portland Terminal, Grand Trunk Railroad CN, CP Railroad, Lamoine Valley Railroad and Central Vermont. He also went on to be elected UTU International alternate vice president.

Phillips was a 33-year member of Portland Elks Lodge No. 188, a member of the Air National Guard and a member of American Legion Post No. 24.

He is survived by his wife, Donna; children Dawn, Michael, Randy and Patrick, and seven grandchildren.

A funeral service was held April 2 at Brookings-Smith Funeral Home in Bangor, Maine. Interment was at Lakeview Cemetery in Glenburn at a later date.

Rails may be eligible for death, dismemberment insurance

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

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

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

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

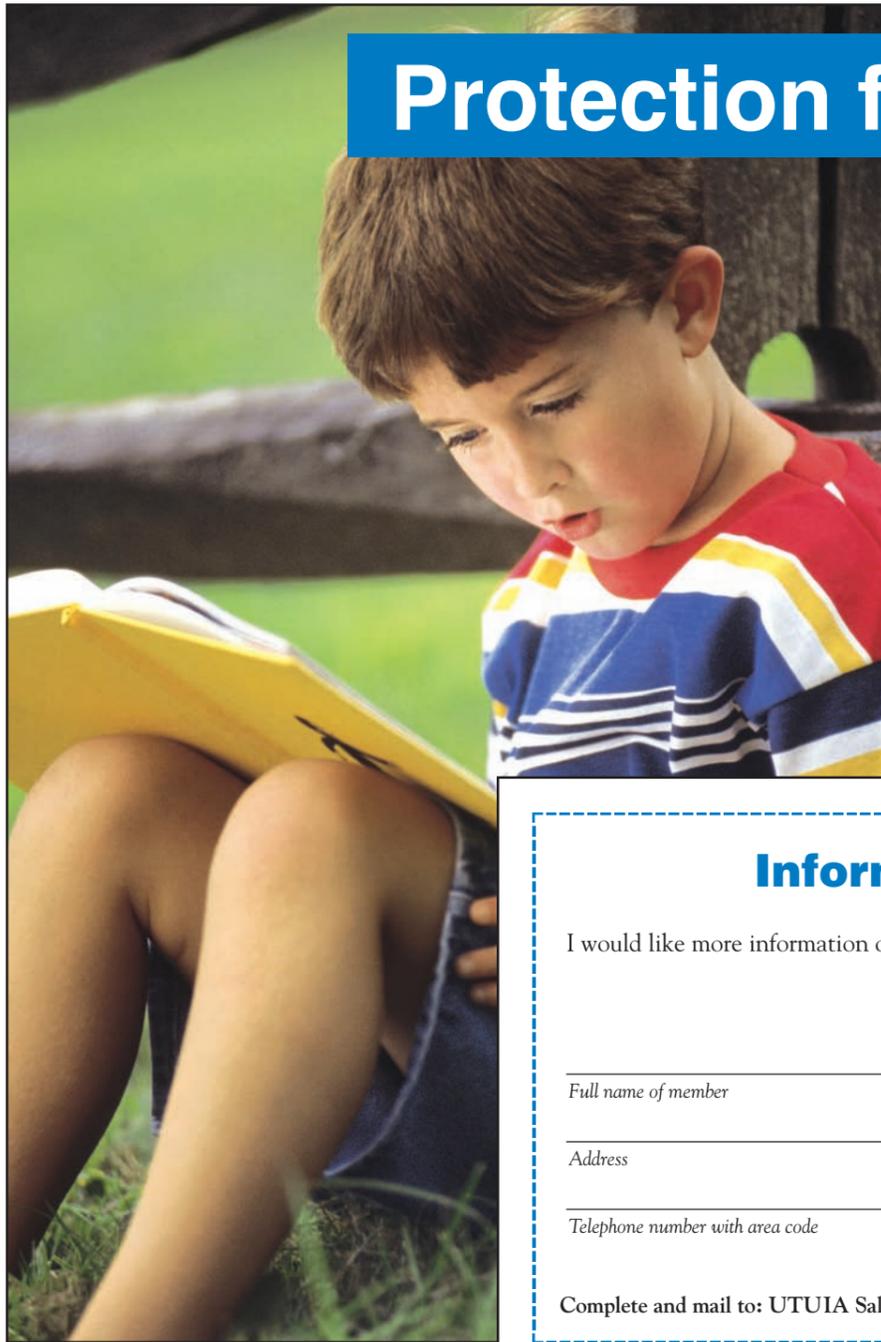
You can also obtain information about this benefit by calling MetLife toll-free at (800) 310-7770.

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

THE FINAL CALL

Following are the names of recently deceased members who maintained annual membership in the UTU Alumni Association, according to reports received at UTU International Headquarters. These brothers and sisters will be missed by their many friends and by fellow UTU Alumni Association members.

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
14	Kelly, Vincent E.	Independence, Ky.	643	Pore, Kerry S.	Rothville, Mo.	1261	Weber, John R.	Lilburn, Ga.
202	Anderson, John H.	Pueblo, Colo.	645	Owens Jr., Cliva	Massapequa, N.Y.	1289	Shegonee, Leland H.	Tulsa, Okla.
240	Siefken, Gary D.	Huntington Beach, Calif.	650	Johnson, Melvin G.	Minneapolis, Minn.	1290	Davis, Paul A.	Flossmoor, Ill.
265	Barber, Jack J.	Pocatello, Idaho	655	Stacy, Lawrence E.	Williamson, W. Va.	1377	Brown, Robert C.	Florence, Ky.
306	Myers, John A.	Estherville, Iowa	663	Levesque, Ronald R.	Van Buren, Maine	1403	McCoy, Harry N.	Lincoln, Mo.
376	Thomas, William R.	Louisville, Ky.	663	Phillips, Ernest A.	Glenburn, Maine	1502	Oglesby, F.L.	Keystone Heights, Fla.
445	Larson, Gerald W.	Galesburg, Ill.	772	Jackson, Henry C.	Florence, Ala.	1503	Joyce, James L.	Marysville, Kan.
462	Robbins, Charles E.	Crossett, Ark.	782	Parris, Benny R.	Sylva, N.C.	1505	Remus, Duane E.	Waitsburg, Wash.
469	Kopfensteiner, Robert	Chesterfield, Mo.	793	Railey, Harry C.	West Columbia, S.C.	1524	King, Frank R.	Houston, Texas
483	Strickland, George K.	Nepean, Ont.	847	Stephenson Jr., Lloyd W.	Trafford, Ala.	1534	Henley Jr., Archie A.	Glenwood, Ill.
504	Decoy Jr., Angelo	Bellaire, Ohio	903	Fish, William B.	Savannah, Ga.	1548	Hemmer, Paul V.	Worthington, Ohio
508	Painter, Lex A.	Yoakum, Texas	911	Koski, Jeffrey L.	River Falls, Wis.	1594	Sarkisian, Mark R.	Havertown, Pa.
577	Steward Jr., Samuel	Chicago, Ill.	942	Gibson, Marion C.	Florence, S.C.	1831	Day, Walter H.	Cape Coral, Fla.
583	Cetnar, John T.	North Fond du Lac, Wis.	965	Larimer, James Wallace	Farmersville, Texas	1883	Gasser, Danny L.	Council Bluffs, Iowa
631	Kline, Nelson E.	Clear Spring, Md.	998	Aspinwall, Jacob E.	Blackshear, Ga.	1972	Lee, Robert E.	Jemison, Ala.



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 via email at emckeeper@utuia.org or toll-free at 1-800-558-8842.

Information, please

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

Please print



Full name of member

Sex

Date of birth

Address

City

State

ZIP

Telephone number with area code

UTU local number

Complete and mail to: UTUIA Sales Dept., 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333 05/13

Obama will veto bill limiting National Labor Relations Board action

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

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

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

Local 1910 holds informational conference, cookout

SMART Transportation Division Local 1910 at Macon, Ga. held an informational conference and cookout March 24 at the Sidney Wheeler Hall in Macon. The local hopes to make the conference and cookout an annual event, said Georgia State Legislative Director **Matt Campbell**. The conference's keynote speaker was Brenda A. Teart of the Railroad Retirement Board. Campbell also thanked the firm of Designated Legal Counsel **Charles Baumberger** for sponsoring the event.



Pictured, from left, front row: Local President John "J.P." Pitts, Billy Wilson, Lois Exum, NS GO 169 General Chairperson A. Marvin Evans, Weldon Battle, Campbell, Reginald Russell and Local Chairperson Thomas Williamson. In the back row, from left, are UTUIA Field Supervisor Steve White, Milton Chapman, Timothy Patrick, Local Chairperson Charles Ellington, Eric Robinson, Eddie Marshall, George Miller, Local Chairperson James Stewart, Charles Hudson, Dale Raburn and Clay Parker. Not pictured, but in attendance, were Local Chairperson Anthony Roland, Melvin Malcolm, Reginald Browner, Willie Watson, Lamartrelle Crowder, Eddie Rutland, Randy Norris, Randy Waites, Donnie Tucker, Rodney Lucas, Tyrone Person and Macey Zellner.

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

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

AFL-CIO, Union Privilege launch new scholarship

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

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

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

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

An application, including an essay, is required. Students can apply online: www.aflcio.org/scholarship. The application deadline is July 1, 2013.



FMCSA drops redundant CDL rule

Continued from page 1

pany once convicted, or based on the individual company policy," said SMART Transportation Bus Vice President Bonnie Morr. "Drivers still need to report a violation based on their employer's policy."

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

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

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

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

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

SMART Transportation Division, UTUIA budgets

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

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

As a result of the adoption of GAAP accounting standards for 2012, the General Fund is valued slightly negative at year end. The reason is

Shuster, Rahall name freight transportation panel

WASHINGTON — Committee on Transportation and Infrastructure Chairman Bill Shuster (R-Pa.) and ranking member Nick J. Rahall II (D-W. Va.) April 16 announced the members of a special panel tasked with examining the current state of freight transportation in the United States and how improving freight transportation can strengthen the U.S. economy.

The full committee's Vice Chairman, Rep. John J. Duncan Jr. (R-Tenn.), will chair the "Panel on 21st Century Freight Transportation." Rep. Jerrold Nadler (D-N.Y.) will serve as the panel's ranking member. By the rules of the committee adopted at the beginning of the Congress, the special panel will serve for a period of six months, beginning with its first scheduled hearing on April 24, 2013.

The Republican members of the panel are: John J. Duncan Jr., Tenn., chairman; Gary Miller, Calif.; Rick Crawford, Ark.; Richard Hanna, N.Y.; Daniel Webster, Fla.; and Markwayne Mullin, Okla.

The Democratic members of the panel are: Jerrold Nadler, N.Y., ranking member; Corrine

Brown, Fla.; Daniel Lipinski, Ill.; Albio Sires, N.J., and Janice Hahn, Calif.

"Given that freight transportation cuts across many modes, this panel will play a critical role in providing recommendations on how to improve the efficient movement of goods between highways, ports, inland waterways, railroads, air carriers and pipelines," said Chairman Shuster. "I am confident Chairman Duncan and the members of the panel will provide the committee with valuable insights for the improvement of freight transportation and our nation's economy."

"Almost all manner of goods sold or produced in this country take a ride on our rails, pass through our ports, wind down our waterways or travel our highways," said ranking member Rahall. "The smooth movement of cargo across all these modes of transportation is essential in keeping our economy moving which is why this panel's task of improving the efficiency of our interconnected freight network takes on such importance."

"The movement of freight is one of the most critical transportation questions for the 21st century," said Rep. Nadler. "How we prioritize, invest and develop freight infrastructure will have considerable bearing on how our economy grows, how we compete on the world stage, and how we create a sustainable and environmentally clean future at home."

Support local food banks at 2013 regional meetings

There will be donation boxes at the regional meeting registration desks in both Boston and Anaheim to raise money for local food banks in the host cities. The SMART Transportation Division and UTU Insurance Association are asking each attendee to contribute at least \$1 to aid the less fortunate. This amount may seem miniscule, but \$1,000 can go a long way at a local food pantry.

United Transportation Union 2013 budget

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

International funds	Jan. 1, 2013 (valued in U.S. dollars)	Receipts and other additions	Disbursements and other deductions	Dec. 31, 2013 (projected)
General Fund	\$(35,452)	\$37,690,175	\$(35,593,193)	\$2,061,530
Education and Training Fund	2,720,832	922,700	(1,527,200)	2,116,332
Maintenance of Membership Fund	(64,936)	709,400	(597,700)	46,764
Public Relations Fund	295,768	179,208	(64,100)	410,876
Strike Fund	4,038,494	536,500	-	4,574,994
Convention Fund	3,017,963	1,960,781	(200,000)	4,778,744
Total International funds	\$9,972,669	\$41,998,764	\$(37,982,193)	\$13,989,240

United Transportation Union Insurance Association

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

Ohio revised code provides that, not later than the first day of June of each year, UTUIA shall either mail to each benefit member, or publish in its official publication, a synopsis of its annual statement. That information is shown below.

Assets		Liabilities & surplus		Summary of operations	
Cash	\$1,159,648	Policy reserves	\$180,501,447	<u>Income</u>	
Bonds	188,809,287	Other liabilities	12,299,621	Premium income	\$15,188,702
Stocks	21,712,083	Total liabilities	\$192,801,068	Investment income & other	10,256,160
Other invested assets	0	Surplus	30,096,315	Total income	\$25,444,862
Real estate	2,305,930	Total liabilities & surplus	\$222,897,383	<u>Expenses</u>	
Policy loans	6,406,607			Benefits	\$(15,712,516)
Accrued interest & other assets	2,503,828			General expenses	(7,576,285)
Total assets	\$222,897,383			Total expenses	\$(23,288,801)
				Operating gain (loss)	\$2,156,061
				Realized capital gain	(122,389)
				Net gain (loss)	\$2,033,672

There's still time to register for 2013 regional meetings

The 2013 UTU/UTUIA regional meetings have been designed to provide a grand sense of fraternalism, lots of 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.

UTU regional meeting registration and hotel information, as well as web links to make hotel reservations online, can be accessed by visiting www.utu.org and clicking on the "Meetings" box.

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

A completed registration form listing each attendee, regardless of age, and complete payment in U.S. funds must be received at the UTU International, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333, by June 21 for the Boston meeting or by July 19 for the Anaheim meeting or the registrant will be charged an on-site registration fee of \$200.

The pre-registration fee for the 2013 regional meetings is \$150 per member, spouse or child over age 11, the same fee charged the last six years. Additional fees apply for the golf outings. You must make your own room reservations, and certain deadlines apply.

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

You may cancel your meeting registration 10 days prior to the first day of the meeting or the golf outing without penalty. Call the International at (216) 228-9400 or email rganath@smart-union.org immediately regarding any changes or cancellations.

Boston, July 1-3:

Westin Boston Waterfront, 425 Summer St., Boston, MA 02210; (888) 627-7115 toll free; (617) 532-4600 direct

Room rate: All rooms at the Westin Boston Waterfront have been reserved. The overflow hotel is the Seaport Hotel, 200 Seaport Blvd., Boston. For reservations call (877) 732-7678. Rates are \$149 a night, and the deadline for reservations is May 31 or until all rooms held for UTU are taken. Mention "SMART union" to get this rate.

Golf outing: The regional meeting golf outing will take place Sunday, June 30, at a course to be announced. The cost is \$80 per golfer, which includes golf, lunch and more.

Anaheim, Calif., July 29-31:

Hilton Anaheim, 777 Convention Way, Anaheim, CA 92802; www.resweb.passkey.com/go/2013SMART

Reservations: (877) 776-4932 toll free; (714) 750-4321 direct; reservation code: SMT

Room rate: \$140 single/double, plus taxes; rates good for three days before and after meeting, depending upon availability.

Reservation deadline: June 25, or until all rooms being held for the UTU are reserved.

Parking: \$22/day valet; \$16/day self park

Golf outing: The regional meeting golf outing will take place Sunday, July 28, at a course to be announced. The cost is \$80 per golfer, which includes golf, lunch and more.

Spouse tours, discounts

At both the Boston and Anaheim regional meetings, the UTU will be offering spouse tours of regional attractions. The union also has arranged discounts on airfare (to Anaheim only) and Avis rental cars (both locations). Go to the "Meetings" page of www.utu.org for complete details.

The tours for the Boston regional meeting have been confirmed and include a trip to **Harvard University** and the **John F. Kennedy Library and Museum** on Sunday, June 30, and a Taste of American History tour on Monday, July 1, with a visit to **Boston's North End**. Meals are included.

UTU REGIONAL MEETING REGISTRATION FORM

Registering before the regional meetings speeds sign-in procedures, helps organizers plan more accurately, and saves on meeting costs. **Each person attending the regional meeting, including family members and guests, MUST be registered in order to attend any 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 is \$200 per person. All fees must be paid in U.S. funds. Canadian funds will be returned, possibly delaying your registration. If you have questions, consult your bank. Registration forms with payment must be received at the UTU International by June 21 for the Boston meeting and by July 19 for the Anaheim, Calif., meeting for all members, spouses and guests to be considered pre-registered.

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

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 Any dietary restrictions? _____
 Day 2 Lunch Dinner Both No meals
 Day 3 Lunch No meal

Spouse registration Boston Anaheim, Calif.

Spouse name _____ Title (if any) _____

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

Spouse/guest tour: Sunday or Monday (\$35/tour per registered spouse; \$75/tour per unregistered spouse)

Child registration Boston Anaheim, Calif.

Child name _____ Age _____

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

Child name _____ Age _____

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

Child name _____ Age _____

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

Child name _____ Age _____

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

Tour: Sunday or Monday (\$35/tour per registered child; \$75/tour per unregistered child) No. attending _____

Guest registration Boston Anaheim, Calif.

Guest name _____ Relationship to member _____

Home address _____

City/State/ZIP _____

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

Spouse/guest tour: Sunday or Monday (\$35/tour per registered guest; \$75/tour per unregistered guest)

Special needs? (Circle appropriate responses): Registrant / spouse / child / guest is:
 hearing impaired / visually impaired / in wheelchair / other: _____

Golf registration Boston Anaheim, Calif.

Name _____ Handicap _____ Name _____ Handicap _____

Name _____ Handicap _____ Name _____ Handicap _____

(Golf fees are \$80 per golfer; include in total payment. Please provide names of others if foursome.)

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



www.utu.org / www.utuia.org

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SMART

Transportation Division News

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

UTU, railroads oppose Senate antitrust bill

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

"This bill proposes sweeping changes that would negatively impact this country's freight rail industry," said AAR President and CEO Edward R. Hamberger. "Sections of this bill are designed to override existing regulatory decisions and could potentially roll back government-approved transactions in railroad history. That retroactive application would inevitably create conflicts and uncertainty for railroads, railroad customers and courts. The resulting regulatory uncertainty could undermine the private freight railroads' ability to sustain necessary and critical private investments in America's rail infrastructure.

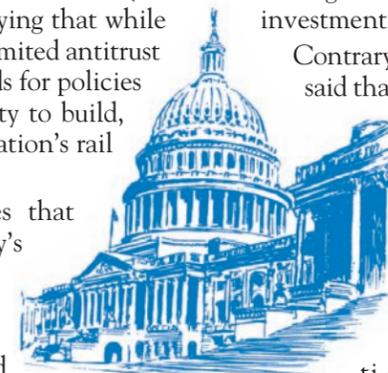
"There's one thing in Washington that everyone agrees on – and that is our nation's infrastructure needs attention and serious investment. Freight railroads have

invested more than \$526 billion in private capital over the past three decades – half a trillion dollars – into America's rail infrastructure so taxpayers didn't have to. A regulatory environment that encourages private investment should remain a priority."

Contrary to what bill proponents assert, Hamberger said that railroads are subject to most antitrust laws. In areas where they do have limited exemptions, railroads are regulated by the Surface Transportation Board (STB). "Bear in mind, there is no gap in government oversight of railroad activities," he added.

"The elimination of billions of dollars from railroads' revenue stream by Congress intervening on behalf of multi-billion dollar corporations trying to get lower shipping rates would certainly eliminate thousands of railroad jobs," SMART Transportation Division President Mike Futhey said.

Added SMART Transportation Division National Legislative Director James Stem: "We did not like the concept of rail mergers that we knew were going to eliminate railroad jobs and customer service, when the mergers were occurring. This issue today is not about customer service, only about the price of the service. We strongly support growing our rail industry."



Please recycle

Photo of the month

UTU-SMART is always looking for good photos, and awards prizes to monthly photo winners.

UTU-SMART seeks photographs or digital images of work-related scenes, such as railroad, 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-SMART, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.

High-resolution digital photographs should be in the JPEG format and emailed to "news_td@smart-union.org".

With each photograph, please include your name and UTU-SMART 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 UTU-SMART.

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



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

Inside this issue of UTU-SMART News:



Tribute to military veterans is dedicated on their day. See page 2.



Express Scripts/Medco's packaging may change. See page 3.



Big Blue Bus operator Jackson takes home big, rodeo trophy. See page 5.



Retiree conducts again, but this time with baton in hand. See page 8.