



The Official Publication of the United Transportation Union

THE VOICE OF TRANSPORTATION LABOR

“Well-trained conductors and assistant conductors save lives. They are essential to the safety and security of passengers.” – *UTU International President Paul C. Thompson (see centerspread)*

Negotiations update

CHICAGO – UTU’s negotiating team met here with the National Carriers’ Conference Committee Aug. 16-18 to continue talks over rates of pay, rules and working conditions for some 40,000 train and engine service workers on most railroads. Talks concerned issues other than crew consist and FELA, issues in abeyance while a federal court considers a UTU petition seeking a halt to carrier demands that the UTU collectively bargain over those matters.

News & Notes

Local officer elections set

Under Article 57 of the UTU Constitution, elections of local officers – president, vice president, secretary, treasurer and three board of trustees members – will be held by all locals in November. Nominations will commence at all local’s October meeting and elections will be either by mail referendum ballot or at the November meeting as provided by existing bylaws or procedures of each local. A special election circular and samples of all necessary election materials have already been furnished each local secretary.

2006 regional meetings

The dates and locations of the 2006 UTU/UTUIA regional meetings have been finalized:

Reno, Nev.

June 19 – 21 at the Reno Hilton

Asheville, N.C.

Aug. 22 – 24 at the Grove Park Inn

Check future issues of *UTU News* and www.utu.org for details as they develop.

UTU website offers more

Can’t get enough news from the home page of the UTU’s website? Looking for a story that ran before? You need “MORE HEADLINES!”

Most members know the UTU’s homepage at www.utu.org includes a gray-colored area on the right called “Headlines.” But there’s more! Beneath those daily headlines is a phrase that reads “MORE HEADLINES.” Clicking on that phrase will take you to a page with headlines linked to the last 175 news stories posted to the website.

Click on “MORE HEADLINES” and you also can browse all the stories from a particular month and year, or search for an individual story that appeared previously by supplying a keyword. For example, to find a story about SEPTA or CSX, go to the “MORE HEADLINES” page, type in “CSX” or “SEPTA” (without the quote marks) and click the “Search” button.

Changes to D/IPP Plan

Please refer to Page 3 of this issue for a list of the reasons for which benefits under the UTU’s Discipline/Income Protection Program will not be paid.

UTU proposes to carriers 12-point training program

The UTU is challenging the nation’s rail carriers to adopt a 12-point program it designed to provide more comprehensive training for employees.

The points address crucial training issues such as familiarity with day-to-day rail operations, the monitoring and mentoring of new hires, and making training specific to locations and not to systems.

“When it comes to working on the railroad, experienced train and engine service employees know how to get the job done efficiently and safely,” said UTU Vice President John Babler, who helped design the program.

“Those experienced train and engine service employees can also be at the core of an effective training program,” he said.

Babler said that with a sharp increase in retirements owing to liberalized retirement benefits, and a growing demand for rail service, carriers are hiring thousands of new train and engine service employees and that current training methods are often lacking.

“Too often,” Babler said, “current training programs fail to provide new hires with the

day-to-day knowledge and job experience needed to perform the duties and responsibilities of the craft.

“Effective training programs should place emphasis on understanding and applying rules in the territory and situations an employee will actually work.”

Babler said that although carrier training programs have been static, railroads have been introducing new and more complicated technology that must be mastered – and by fewer employees performing more complex tasks.

“It is not uncommon for new hires to suffer information overload,” he said.

“The FRA is beginning to scrutinize today’s accelerated path by which brakeman/helpers advance to conductor/foreman to remote-control operator to locomotive engineer,” Babler said. “The FRA is finding that accelerated promotion does not provide the work experience necessary to develop proficiency in crafts, meaning many employees lack a sound railroading base to formulate their decisions.”

Continued on page 10

A plan to address crucial issues in training new railroad employees

UTU wins help for the injured

The UTU has won for its members stunning legislative victories in Illinois, Iowa and Minnesota that may soon be duplicated in other states.

The legislation passed specifically prevents carriers from delaying, denying or interfering with the injured employee’s access to immediate medical attention.

The purpose of these laws, International President Paul Thompson said, is to end a string of managerial abuses that all railroad crafts have been reporting for years to their union leaders.

The UTU PAC played a significant role in the passage of all three laws because that is what opens doors to legislators in all political parties. Lawmakers recognize that UTU members individually contribute to the UTU PAC

Continued on page 10

One more nail in BLET coffin

OTTAWA – One more nail of societal retribution has been hammered into the BLE coffin by the Canadian government as payback for that organization’s unprovoked, reckless and premeditated sell-out of conductors on VIA Rail.

A far more costly nail of societal retribution is expected to be driven by the Canadian government into the BLE coffin before spring 2006.

That federal reprisal could bankrupt the BLE or lead to a massive dues increase for its members. The federally imposed monetary reparations that the BLE will be required to pay because it sold out another craft could total in the tens of millions of dollars – and the BLE/Teamster merger agreement specifically states the debt is the sole responsibility of the BLE.

The latest nail in the BLE coffin is a ruling by the Canadian Industrial Relations Board

Continued on page 10

Around the UTU

News from around the U.S. and Canada

Local 84, Los Angeles, Calif.

Retired North County Transit conductor **Lawson Chadwick** was recently named by **Rep. Darrell Issa** (R-Calif.) as an alternate delegate to the 2005 White House Conference on Aging. Brother Chadwick began *UTU for Life* Chapter 4, which meets in Oceanside, Calif. For information, contact Chadwick by calling (760) 945-5365 or send e-mail to him at llchad@cox.net.

Local 577, Northlake, Ill.

This Union Pacific local, in conjunction with Local 528 (Chicago, Ill.) and Local 597 (Des Plaines, Ill.), as well as TCU Local 6176, held a Labor Day family picnic on Sept. 5 at Busse Woods Grove #32 in the Ned Brown Forest Preserve in Schaumburg, Ill. In addition, the local has appointed two new vice local chairpersons, with **Kevin Hilko** and Secretary **Kenneth Larson** now working with Vice Local Chairperson **Patrick McNamara**.

Local 933, Jefferson City, Mo.

This Union Pacific local is holding a fish fry Sept. 16 from 4 p.m. to 10 p.m. at the Wardsville Lions Club in Wardsville, Mo., said Legislative Rep. and Delegate **Ken Menges**. At the same location, on Sept. 17, representatives from UnitedHealthcare, the Railroad Retirement Board, Union Pacific Health Systems and UTU designated legal counsel will be on hand for an informational seminar at 1 p.m., followed by a barbecue dinner at 4 p.m. All active, retired and disabled members and their families are encouraged to attend. Also on Sept. 17, a golf outing is being planned. For more information, contact Local President **Dennis Menges** at (573) 634-7962 or **Ken Menges** at (573) 635-6415 or (573) 291-4908.

Local 1190, Ludlow, Ky.

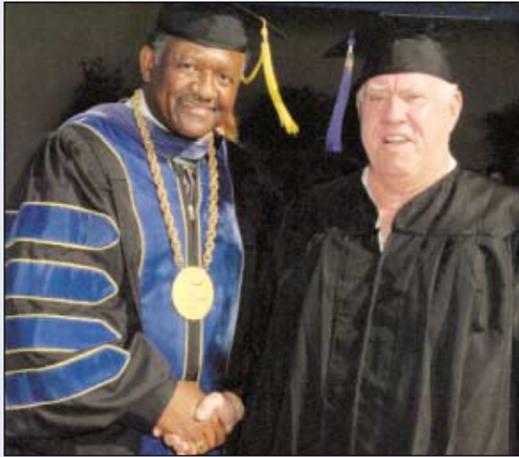
This Norfolk Southern local on Aug. 2 honored recently retired conductor **Terry Ogden**, with Local President **Lou Wartman** presenting Ogden with a brass lantern. On a sad note, members are mourning the death of retired conductor **William E. "Bill" Hughes**, who had served as the local's legislative rep. Contributions in his memory can be made to the Fisher House, c/o Veterans Administration Medical Center, 3200 Vine St., Cincinnati, OH 45220.

Local 1293, Altoona, Wis.

All active and retired members of this Union Pacific local and their families are invited to the annual picnic being held on Sept. 11 from 11:30 a.m. to 3 p.m. at Lake Altoona County Park, said **Ed Thompson**. Food and beverages will be supplied. For information contact retired engineer **Donald Knutson** at (715) 834-4405.

Local 1313, Amarillo, Texas

Members of this BNSF Railway local have two opportunities to attend a seminar and workshop entitled *Know Your Rights Under Federal Law*, said Local President **Joe Romo**. The event will be held at the Holiday Inn Express in Amarillo on Oct. 10 at 6:30 p.m. and on Oct. 11 at 1 p.m. Representatives of UnitedHealthcare, the Railroad Retirement Board and Aetna will be available to answer questions. All members and their spouses are encouraged to attend. For information, contact Romo at (806) 622-2265.



Retired conductor **Frank R. King Jr.** (right) receives a diploma and a handshake from **Horace Mitchell**, president of the California State University (Bakersfield).

Retiree graduates, aims for new goal

The day after retired freight conductor **Frank R. King Jr.** reached one of his long-held goals, life handed him another.

On the morning of June 11, a week short of his 75th birthday, Brother King proudly accepted his bachelor's degree from the California State University (Bakersfield) School of Humanities and Social Sciences, where he majored in history.

"The next morning, my daughter found me unconscious beside the bed," King said. "I don't remember anything about it, but I had a stroke. My goal now is to get out of this assisted living facility as soon as possible and do some traveling."

A member of Local 1581 in Bakersfield, Calif., King has spent most of his life on the move. When he was young, his father worked in the construction trades and followed the jobs wherever they led. Brother King attended 38 schools before graduating from high school in 1948.

"I got out of the Marine Corps in about 1950 or so, and learned from an uncle there was work on the Atchison Topeka & Santa Fe," King said. "I started as a brakeman in Newton, Kan., in 1952 and joined the Brotherhood of Railroad Trainmen Lodge 217, and then Lodge 566. I spent 42 years with the Santa Fe and retired as a freight conductor in 1994."

Education remained in the back of his mind, "but railroading made it practically impossible," King said. But nine months after retiring, he took the plunge and enrolled at Bakersfield College. Illness sidelined him, and he took time off to travel, but he chipped away at it and earned an associate's degree. Enrolling at CSUB in late 2000, he took a class or two each quarter, did some more traveling, and this year graduated.

"When I enrolled in college, people asked me why," King said. "I explained it was for me. I intended to do nothing but enjoy it for myself. If you don't continue to learn, your mind dies."

King remains upbeat and considers his present circumstances a temporary diversion. "Life's a poker game," he said. "I've been dealt a hand and have to play it. And I intend to win!"

Local 1397, Columbus, Ohio

Members of this CSXT local who have not yet received a special T-shirt should contact Secretary & Treasurer **Robert Smith**. The shirts feature the local's name and the UTU logo on the front and back, as well as a patriotic graphic on the back. Extras are available in navy, gray or black for \$15 each. Call (614) 871-5087 or

send e-mail to rlsmith@utulocal1397.org. View the shirt at www.utulocal1397.org.

Local 1563, El Monte, Calif.

A special thanks goes out to General Chairperson **James Williams**, Local Chairperson **Robert Gonzales**, all the other officers and the sponsors who made the annual family picnic held by this Los Angeles MTA local on Aug. 13 a successful and memorable event, said Local President **David Ojeda**.

Local 1594, Upper Darby, Pa.

The contract extension for members of this SEPTA local operating buses, light rail and the Norristown high-speed line was set to expire Sept. 6, with talks stalled on health and welfare, General Chairperson **Ron Koran** said. The local has met with other SEPTA unions and formed a coalition in an attempt to break the logjam. Meanwhile, members raised about \$700 for the American Cancer Society in a 70-mile bicycle ride. Along with Koran, participants included **Stan Bernatowicz**, **Anne Jordan** and **Bruce Wertz**.

Local 1741, San Francisco, Calif.

Members of this bus local, which includes bus operators, staff members and yard workers, report developments on three fronts, said Local President **Ange Belay**. At the San Francisco Unified School District, members recently negotiated a new contract with Laidlaw. (See Page 11 for story.) In San Mateo, the local has submitted an economic proposal to Durham and expects an agreement soon. Meanwhile, in San Rafael, it appears talks with First Student will begin this month.

Local 1846, W. Colton, Calif.

This Union Pacific local on Aug. 1 established a new committee of adjustment for enginemen, said Local President **Richard Escamilla**. Until elections are held in November, **Bob Perrine** has been appointed local chairperson. Members thank International President **Paul Thompson** and General Chairperson **John Previsich** for their help in creating the new committee. Meanwhile special thanks are sent to **Mr. and Mrs. Dennis Robinson** for their hard work in organizing the event honoring recently retired conductor **Tiger Lyons**.

GO-377 (CN/Grand Trunk Western)

General Chairperson **David Hiatt** recently awarded a brass lantern to Amtrak supporter **Rep. Joe Schwarz, M.D.** (R-Mich.) for his efforts in saving 100 trainman and engineman jobs in Battle Creek, Mich. At the Aug. 16 ceremony at the Battle Creek Amtrak depot was Vice General Chairperson **John Henry**.

Lehigh Valley reunion planned

The 24th Lehigh Valley Railroad reunion and dinner, open to all crafts, will be held Saturday, Sept. 17, at the Pen Argyl Fire Company Hall on Rt. 115 in Northampton County, said **E. K. "Gene" Schuler** of Local 498, Allentown, Pa. Dinner starts at 1 p.m. For information, contact Brother Schuler at 1359 N. Van Buren St., Allentown, PA 18109, call him at (619) 432-0631, or send e-mail to cheerup80@aol.com.

UTU honors Florida Congresswoman Corinne Brown

JACKSONVILLE, Fla. – Rep. Corinne Brown (D-Fla.), who represents Jacksonville – the headquarters city of CSX Transportation – long has been a friend of the UTU.

In recognition of her career-long support of the UTU and its legislative agenda, the UTU in August presented Brown with a commemorative plaque and a set of engraved pens. The plaque praised Brown for her “unshakeable commitment to working people.”

“The UTU group met with Brown to honor her with a plaque and pens in recognition and appreciation for her lifetime of leadership and work on legislation that benefits our sisters and brothers in the UTU,” Florida State Legislative Director Andres Trujillo said. Brown regaled all present with stories of her legislative work on various pieces of Amtrak legislation and old war stories were shared by the group. “We look forward to many more years of friendship and collaboration,” Trujillo said.



Meeting with Rep. Corinne Brown, third from left, were, left to right, Local 30, Jacksonville, President and Local Chairperson Tommy W. Pope; State Legislative Director Andres Trujillo; Local 903, Jacksonville, President Steven Lochamy; Auxiliary Lodge 803 Legislative Rep. Cherie Vancura, and CSX Vice General Chairperson Gerald Foster.

Brown has been a steadfast supporter of Amtrak and a national intercity rail passenger network – and the role of the conductor and

assistant conductor – as well as increased funding for bus, commuter rail and transit systems.

A Jacksonville native first elected to Congress in 1992, she is serving her seventh term.

As a member of the House Transportation and Infrastructure Committee and the Railroad Subcommittee, Brown is continually on the front lines fighting on behalf of UTU members and their families.

“On behalf of the United Transportation Union, the employees at Amtrak and the riding public, we wish to thank you for your continued leadership and support for Amtrak, to public transportation in general and your unshakeable commitment to the working people in the State of Florida,” Trujillo told Brown.

“Likewise, you can count on our unconditional support and friendship now and in the future. Time and again you have stood with us and the men and women we represent.”

Drivers campaign for school bus driver stamp

In the wake of the murder of a Tennessee school bus driver earlier this year, drivers there and around the country are campaigning for the creation of a postage stamp to honor the nation’s half-million school bus drivers.

Stewart County school bus driver Joyce Gregory was shot and killed, allegedly by a 15-year-old student boarding her bus, in March of this year. After her murder, fellow drivers and other education officials began a campaign to urge the U.S. Postal Service to issue a stamp honoring all school bus drivers.

Larry Riggsbee, executive secretary of the Tennessee Association of Pupil Transportation (TAPT), began a letter-writing campaign after Gregory’s murder, asking the postal service to create a stamp that honors not only her, but all other school bus drivers nationwide.

“School bus drivers play a vital and often unappreciated role in our educational system and in the lives of our children,” Riggsbee said. “Even though the stamp will not honor Joyce



One proposed version of the school bus driver stamp.

Gregory specifically, Joyce’s death serves as the inspiration for our request to the USPS.

“All you need to do is write a letter to the Citizens’ Stamp Advisory Committee (CSAC), which recommends which stamps should be

printed, requesting they issue a stamp to honor school bus drivers,” Riggsbee said. “Ask your friends, relatives and colleagues to also write letters. The more letters CSAC receives, the better the chance we have to get our stamp!”

TAPT has created a website, www.schoolbus-driverstamp.com, that contains additional information, including sample letters about the project.

Getting approval for a new specialty stamp usually takes about three years.

“School bus drivers, many of them represented by the UTU, carry more than 25 million children twice each day, which is about 55 percent of students in school,” UTU Bus Department Vice President Roy Arnold said. “They do this important job in all types of weather and through all types of road conditions. I think they deserve all the recognition they can get, and a good way would be with a U.S. Postal Service stamp. I urge all UTU members to support this effort.”

Changes to UTU Discipline/Income Protection Program

Effective July 20, 2005, items 10 and 11 have been added to the list of reasons for which benefits under the Discipline/Income Protection Program will not be paid to a participant who is suspended or discharged from employment for disciplinary reasons. The complete list is as follows:

1. Conduct endangering the life or livelihood of a fellow employee;
2. Unavailability for duty; sleeping on duty; missing calls;
3. Insubordination;
4. Misuse, theft or destruction of property of the participant’s employer;
5. Falsification of reports;
6. Failure to take or pass a required examination;
7. Failure to qualify for mandatory promotion;
8. Use, possession or evidence of intoxicants or illegal drugs while on duty or subject to duty;
9. Discipline due to criminal or civil court action;
10. An act or acts, or failure to act, which constitutes a violation of public policy; or
11. Involvement in altercations, verbal or physical.

Death benefits available from MetLife

Families of deceased UTU members may be eligible to collect \$2,000 in unclaimed death benefits, according to MetLife. The death benefit is included as a group policy under contracts between railroads and various labor unions.



“Many families are unaware of the death benefit and may not have filed to claim it,” said UTU International President Paul Thompson. “The UTU for Life Program is working with MetLife to ensure UTU families are aware of the benefit

and the possibility that they may be eligible for \$2,000 in unclaimed death benefits.”

To determine if you are eligible to collect the \$2,000 in unclaimed death benefits, it will be necessary to provide MetLife (not UTU) with certain information.

“If you know of a UTU family with a deceased spouse, father, grandfather or other close deceased relative who retired from railroad service, that family may be eligible to collect the death benefit,” Thompson said.

An individual can initiate a claim inquiry by calling MetLife toll-free at (800) 310-7770 or by

contacting MetLife in writing. If contacting MetLife in writing, a copy of the death certificate, along with the deceased employee’s Social Security number, final address and any available information should be sent to:

MetLife, P.O. Box 6122, Utica, NY 13504

A cover letter should be included indicating you are seeking to determine if you are eligible to collect an unclaimed death benefit from MetLife. MetLife will then conduct an investigation and advise whether it is a valid claim, Thompson said.

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Contact the UTU:

via telephone at (216) 228-9400

via fax at (216) 228-5755

via e-mail at utunews@utu.org

At dawn, we're sleeping

Mediocrity takes less time. Hey, most people won't notice the difference. Until it's too late.

As bus, freight railroads, Amtrak and rail commuter operators shamelessly applaud their security preparations, a missing ingredient as obvious to employees as a fiery explosion is formal training.

Cameras, more razor wire and thick binders chock full of memos, plans and directives miss the most glaring hole in transportation security today – people.

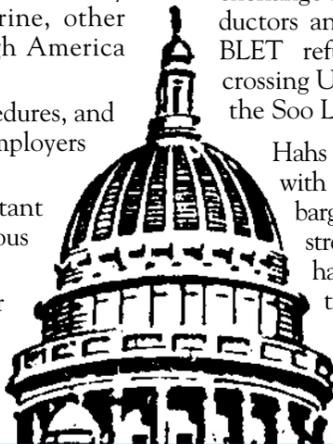
The Association of American Railroads told Congress its security plan is world class – not to worry. But we do worry, and for good reason.

Train and engine service employees on the front lines of freight rail defense don't have a clue about that security plan beyond the fuzzy instruction, "report anything suspicious." So deadly chorine, other toxic chemicals and nuclear waste continue to roll through America on wheels and a prayer.

Bus operators similarly lack formal training in security procedures, and their backs are literally exposed to all passengers because employers have neglected to install protective shields.

On Amtrak and commuter railroads, conductors and assistant conductors require more formal training to identify suspicious behavior and deal with suspect packages.

As the dawn of terrorist attacks rises across America, our transportation companies are content with mediocrity. Training costs money. The alternative could cost far more some day too soon.



WASHINGTON WATCH

By James M. Brunkenhoefer

We continue our fight for working families

Well, Congress is back in session after its August recess.

Before lawmakers left the Capitol, they passed a new highway bill, which is important to our members in the bus, commuter rail and transit industries. It provides much-needed funding for new security projects as well as capital expenditures to improve equipment and facilities.



Brunkenhoefer

Regrettably, Congress did not make changes in the unfair commercial driver licenses disqualification standards as we literally pleaded and begged lawmakers to do as a matter of equity.

It is also unfortunate that spending was capped at about two-thirds what is needed to prevent transportation congestion from worsening. It is predicted that when the new law's spending ceases, buses as well as commuter rail and transit cars will have more people jammed inside, and abuse toward operators and conductors will increase as a result.

Congress passed another bill of concern – a new bankruptcy law that is just what the credit card companies and banks wanted. No longer will bankruptcy wipe the slate clean for most families. And those families are not necessarily deadbeats, but families in tragedy because of illness, divorce and loss of jobs owing to corporate downsizing, globalization and new technology.

Congress also passed a new energy bill that provides new tax cuts for energy companies, with crumbs tossed at devel-

What's with the BLET?

By Paul C. Thompson
International President

BLET President Don Hahs told his members, "I believe labor organizations exist to represent their members."

Yet the Canadian government ruled the BLET "breached its duty of fair representation" when it sold out conductors at VIA Rail, and the BLET opposed Railroad Retirement reform.

When the BLET ordered A-cards distributed on Norfolk Southern, it bragged about AFL-CIO membership. Then the BLET quit the AFL-CIO.

Hahs supported a merger with the UTU. Then he opposed it.

Hahs personally signed the first agreement embracing remote control. Now Hahs says it's unsafe.

The BLET refuses to apologize for once signing an agreement for engineers to work without a fireman in exchange for \$1.50 more per day per engineer. The BLET refuses to apologize for its failed Lake Erie Plan, which proposed reducing train-crew size to just two BLE-represented engineers in exchange for eliminating all conductors and brakemen. And the BLET refuses to apologize for crossing UTU picket lines during the Soo Line strike.

Hahs says the BLE merged with the Teamsters to gain bargaining and financial strength. But the Teamsters haven't organized a major trucking company since 1980, were defeated in an attempt to organize Overnite Transporta-

tion, and posted an \$8-million deficit last year.

Hahs objected to trip rates. Then he signed a contract embracing trip rates.

Hahs authorized the Teamsters to negotiate for the BLET in this round of national handling. But where Teamsters hold the contract for truck drivers, they are paid considerably less than UTU-represented rail workers.

Hahs says the BLET represents all its members. But only the UTU has craft autonomy written into its constitution, and only the UTU has craft protection in the form of crew-consist agreements.

Hahs brags about BLET representation. But it is UTU officers who are working with the FRA on better training for remote control operators, strategies to reduce crew fatigue and new protections for train and engine service employees facing harassment and intimidation.

The BLET says it's fighting for job security. But only the UTU is fighting to stop longer and heavier trucks that suck jobs from railroads. The BLET's Teamster bosses negotiated an agreement limiting the number of highway trailers that may travel by rail.

The BLET claims to support FELA. But only the UTU is in court to prevent carriers from demanding FELA be scrapped.

The BLET complains the UTU imposed a seniority maintenance fee. But the BLET created seniority maintenance fees.

The BLET goes in one direction one day; and another the next. Who knows what the BLET stands for.



Thompson

State Watch *News from UTU State Legislative Boards*

New Jersey

The New Jersey State Legislative Board last month voted to recommend to its members the election of Sen. Jon Corzine (D) for governor this November.

"Sen. Corzine has supported the UTU on issues of importance: mass transit security, Amtrak funding and opposing Bush administration attempts at privatization of Social Security," State Legislative Director **Dan O'Connell** said. "He also was a co-sponsor and voted in support of Railroad Retirement reform."

O'Connell said "time and again Sen. Corzine has stood with UTU and working families. Now it's our turn to stand and support him."

"The New Jersey State Legislative Board reminds members and their families that Election Day is Tue., Nov. 8. The last day to register to vote is Oct. 10, and the last day to submit absentee ballot applications by mail is Nov. 1, and in person Nov. 7. Register and vote!" O'Connell said.

Minnesota

State Legislative Director **Philip Qualy** reports that the members in Minnesota will benefit from several significant victories for railroad labor during the recent legislative session.

"The UTU was an effective partner in the passage of the 2005 bonding bill that provided \$37.5 million for the Northstar Commuter Rail for the northwest suburbs of Minneapolis," Qualy said. "We are one step closer to building Northstar. UTU members will run those trains and we will pick up a significant number of good BNSF jobs in Minnesota in 2007."

The UTU also was successful in getting passed the Injured Workers Medical Treatment Bill, Qualy said. (See page 1 for details.)

"The UTU also got passed a statutory 30-mph speed restriction over a dangerous rail crossing in Orr," Qualy said. "The small town

approached the UTU and asked for help. Through their legislators, all endorsed friends of the UTU, the UTU was able to identify the engineering flaw at the crossing, which has a grade school adjacent.

"The Canadian National had raised track speeds there to 60 mph. Members of Local 1067 and their legislative rep., Jim Busker, stepped up and provided documentation and the UTU local agreed and supported the speed restriction."

"The UTU, along with others, also helped get passed a Senate resolution in support of Amtrak in Minnesota. In early May, the bill passed on a 44-7 vote," Qualy said.

The Brotherhood of Locomotive Engineers and Trainmen was essentially absent from the statehouse, Qualy said. "Over a session that lasted 180 days, the BLET was present working with railroad labor for a total of less than three hours."

"I have seen first hand the importance of our UTU PAC," Qualy said. "It's real simple: to exercise your First Amendment right, to run for office and get your word out and win, it costs money. We have a lot of friends in public office who stick their own necks out for railroad workers. UTU PAC is the best investment a railroad worker can make in his own job."

Colorado

An informational meeting was sponsored on Aug. 10 by UTU Local 202, Denver. Guests included International President Paul Thompson; Vice President David Hakey; State Legislative Director **Rick Johnson**; General Chairpersons Randy Knutson (CB&Q/BNSF) and John Fitzgerald (C&S/BNSF); Vice Chairperson Rich Draskovich (UP Eastern Dist.); UTUIA Field Supervisor Dan McElley and UTU designated legal counsel.

"The conference brought first-hand information from all levels of our union to the members of Colorado locals and their families," Johnson said. "It was also an opportunity to meet the leaders of our great union and discuss important union issues both nationally and locally. About 90 UTU mem-

Arizona



UTU officers were among the dignitaries who recently attended a fundraiser for the state's Democratic Party honoring party members for their volunteer work. Above, State Legislative Director **Scott Olson** (second from left) and Assistant State Director Greg Hynes (third from left) meet with long-time UTU friends Gov. Janet Napolitano and Gov. Mark Warner of Virginia.

bers were in attendance for a day of brotherhood and unionism. Another bonus for the day included lunch that was served for those in attendance."

North Dakota

UTU members living and working out of Harvey, N.D., will soon have their own local, according to State Legislative Director **John Risch**.

These members work on the Portal Subdivision of the CP Soo Line and currently belong to Local 980 in Enderlin, which is about 178 miles away.

The new local will be Local 887. Nominations for officers were made at the local's organizational meeting held Aug. 29. General Chairperson Dennis Baker will define the jurisdiction of the local.

"Establishing a new UTU local in Harvey is a great opportunity for new members to get involved in the UTU," Risch said. "It also makes it a lot easier for our members who live in Harvey to attend local meetings."

Bus Department

By Roy Arnold, vice president-director

Unity is crucial for our success

Recently, I noticed a picket line with union members holding "on strike" signs and chanting "unity."

Naturally, I took pride in their commitment to securing decent wages, benefits and something to look forward to in the future.

It was said by football legend Vince Lombardi that, "The difference between a successful person and others is not a lack of strength, not a lack of knowledge, but rather a lack of will."

I truly believe that each and every person who stands up for what they believe has the ability to succeed at anything they set out to accomplish. Unfortunately, there are those who find it easier to cut and run.

Yes, it takes a lot of courage to walk a picket line in the summer heat, the rain, the snow or in the dark of night. It takes a lot of will to stand up to management and tell them you no longer will work for low wages and no benefits.

I am very proud to see that union people across this country demonstrate the will and courage to stand for what they believe.

I then called one of our bus locals and suggested they assist these striking workers. Our union was there to lend a helping hand to those who had the will to speak up. With will and unity, everyone comes out a winner.

American workers need more will to fight when the going gets tough, rather than a cut-and-run strategy some have adopted. Our will and determination is what assures a better quality of life for us, our families and our union brothers and sisters.



Yardmasters

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

Important Medicare changes coming

If you have Medicare or will become eligible for Medicare in the next 12 months, a new federal law gives you choices about your prescription drug coverage starting in 2006. Before making a decision, keep the following in mind:

- The new plan offered by the government is Medicare Plan D. It only applies to the prescription drug portion of Medicare benefits.

- The initial enrollment period begins Nov. 15 and runs through May 15, 2006. If you do not enroll during this initial period, if you do not have "creditable coverage" elsewhere, and if you later decide to enroll in Part D, you will be assessed a penalty to your premium – and for the entire time you are enrolled in Plan D.

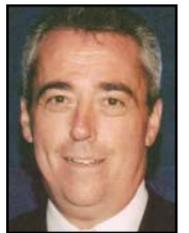
- The projected initial premium for Part D will be in the range of \$32 to \$37 per person per month.

There will be a \$250 annual deductible. After the deductible, there will be cost sharing of 25 percent of the next \$2,000 in prescription drug costs (\$500 from your pocket).

For prescription costs between \$2,250 (the \$250 deductible plus the first \$2,000 in costs) and \$5,100 (the so-called donut hole), you will be responsible for 100 percent of the costs (or \$2,850 from your pocket plus the \$250 deductible plus \$500 cost sharing for prescriptions exceeding \$3,600 annually).

A catastrophic level then kicks in for prescription costs exceeding \$5,100 annually. At this level, you will pay only 5 percent of the costs.

Retired and soon-to- retire members should obtain a detailed cost analysis of their annual prescription costs as part of their budget planning. (For more information on Medicare changes, see page 8).



UTU fights to save assistant conductor

It can't be true that Amtrak wants to ditch assistant conductors.

Amtrak couldn't possibly wish to roll the dice with the safety of its passengers in the wake of 9/11 and passenger-train bombings in Madrid and London.

Good grief, say it ain't so. But it is!

Amtrak wants to scrap current crew-consist agreements. They require a minimum of one conductor and one assistant conductor on trains with between two and six revenue cars; and a minimum of one conductor and two assistant conductors on trains with at least seven revenue cars.

The real losers: passengers

"As many as 400 assistant conductor positions could be eliminated if Amtrak is successful," says Tony Iannone, UTU vice president for commuter operations. "The real losers will be the passengers – and the loss could be their lives. It is the conductor and assistant conductors who are trained to provide first aid, reduce hazards and lead passengers to safety."

When the Sunset Limited left the tracks in 1993, four passenger cars tumbled into a waterway. *The Dallas Morning News* reported:

"National Transportation Safety Board officials singled out one Amtrak assistant conductor, saying his efforts sped the evacuation and may have saved dozens of lives. (He) ran the length of the four upright cars that remained on the track and began directing the evacuation. Once outside, (he) organized survivors into human chains to help pull those struggling from submerged cars...he swam 150-200 yards... (then worked) the next half hour coordinating rescue efforts."

When sabotage derailed an Amtrak train on a trestle in Arizona in 1995, the conductor and assistant conductors evacuated 268 passengers and administered first aid. It took rescuers more than an hour to reach the remote location.

A nighttime Amtrak derailment near Buffalo, N.Y. in 1994 sent nine cars hurtling down a 25-foot embankment. The conductor and assistant conductors assisted the 92 injured passengers and evacuated more than 200 others.



Amtrak conductor Warren James of UTU Local 1470 in Edmonston, Md., assists passengers during boarding. Throughout the trip, James will be observing luggage as well as passenger actions and demeanor.

The conductor and assistant conductors were the heroes in 1991 when an Amtrak train with 407 passengers collided with a CSX freight at Lugoff, S.C. Ditto in Boston in 1990 when an Amtrak and commuter train collided in a tunnel. The assistant conductors "assisted passengers through dense smoke along the catwalk... and guided them to the station," the NTSB said.

"Well-trained conductors and assistant conductors save lives," says UTU International President Paul Thompson. "They are essential to the safety and security of passengers."

Conductors led riders to safety

In 2004, when an Amtrak train caught fire near Tucson, Ariz., at 2 a.m., and smoke filled two passenger cars, the conductor and assistant conductor led passengers to safety and then battled the blaze with fire extinguishers. Both were hospitalized – one in intensive care – suffering from burns and smoke inhalation.

As the World Trade Center's twin towers collapsed on 9/11, the conductors on a PATH train were credited with clearing the platform below the towers and saving hundreds of lives.

As Amtrak stated in a publication distributed to passengers:

"Being an Amtrak conductor is like being the



Amtrak conductor Angel Rivera of Local 1370 in New York City consults with Amtrak police officer Jonathan Blackmon prior to a departure at Washington's Union Station. Note the badge around the neck of explosives-sniffing canine Bo, officially known as K-16. Union Station serves Amtrak passengers as well as commuters using Maryland's MARC trains and Virginia Railway Express.

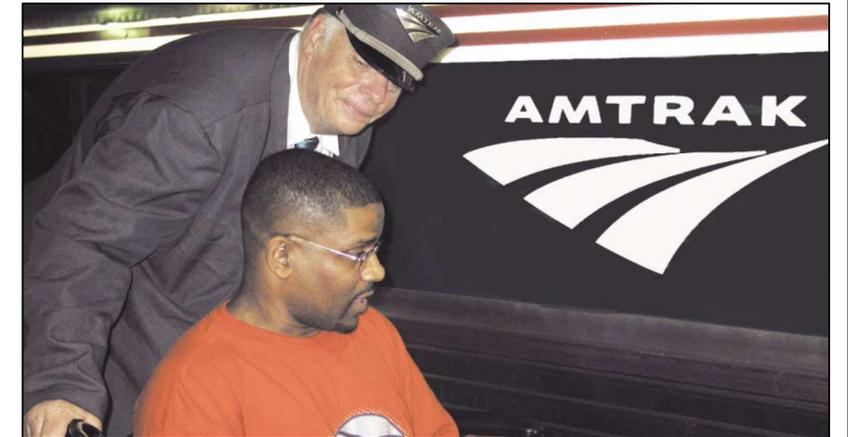
mayor of a city on wheels... Ultimately, conductors are responsible for the safety and well-being of everyone on the train."

And since 9/11, conductors have been given crucial new responsibilities for security and safety.

Detailed railroad knowledge

Forty-year Amtrak conductor Dave Brooks says conductors must have detailed knowledge of engineering standards for equipment and track, speed restrictions and FRA safety regulations. Also, conductors must have an intimate knowledge of the landscape and communities through which their trains travel to identify hazards and quickly take proper action.

"When mechanical problems are encountered, the conductor must determine if it is safe to continue the trip," says George Casey, UTU's New England States legislative director. "The conductor must understand the principles of air brakes and train handling, as the conductor determines when wheels turn."



Amtrak conductor Russ Coupland of UTU Local 1672 in New London, Conn., often assists handicapped and elderly passengers while performing his regular duties.



UTU New England States Legislative Director George Casey, right, reviews security messages at Boston's South Station with Tom Driscoll, left, chairperson of Local 262 in Boston, and Massachusetts Bay Transportation Authority conductor Paul Battista, assistant legislative rep. for Local 898 in Boston. The MBTA, known as the "T," shares the facility with Amtrak and daily operates about 400 trains carrying 130,000 commuters. "At least once a day, I'll have someone report an unattended bag or package," Driscoll said. Casey says conductors and assistant conductors have helped identify to law enforcement personnel "persons of interest."

Downed overhead electrical wires and trains approaching from the opposite direction present deadly hazards to passengers following a derailment, accident or other serious incident.

"With the threat of terrorism, conductors and assistant conductors now must check tickets and passenger identification, be alert for suspicious activity, observe passenger actions and demeanor, and know how to handle instances of unattended luggage and packages," says Iannone. "The safety of the passengers is the top priority of the conductor and assistant conductor. They are well trained to focus on safety and security above all other customer service requirements."

Car standards need to change

In the event of a derailment, accident or terrorism, the role of the conductor is immediately to check on the condition of the engineer, notify the dispatcher and coordinate notification of emergency responders.

This could leave up to 1,000 passengers – many in panic – looking for leadership and assistance from assistant conductors. Cars may be on their sides, protruding onto an adjacent track or in the water. Doors might be blocked or

no longer able to open. Smoke may be thick and some cars may be on fire.

Amtrak general chairpersons Al Suozzo (GO-769) and William Beebe (GO-663) want the current revenue car standard changed to a per-passenger standard. The Federal Aviation Administration, for example, establishes a minimum number of safety-trained flight attendants based upon passenger counts.

Conductors save lives

The crucial importance of such a standard was made abundantly clear recently when within just 90 seconds flight attendants evacuated 309 passengers from a burning Air France jetliner that crashed in Toronto. Their presence, training and actions saved every life aboard that burning jetliner. Amtrak conductors and assistant conductors face a similar challenge.

"Well-trained conductors and assistant conductors save lives," says UTU International President Paul Thompson. "They are essential to the safety and security of passengers."



Amtrak conductor Bob Barrows of UTU Local 262 in Boston, Mass., checks a ticket against a passenger's photo identification.

What Amtrak conductors have to say...



"Following an accident, passengers will be confused. The train's public address system may not work, doors may be blocked or not working, coaches don't have ceiling escape hatches, there may be fire or smoke, overhead electric wires may be down, coaches may be protruding onto an adjacent track and derailed cars may be on a high bridge. One conductor – who may be injured – is not enough to assess the situation, take charge and save lives."

Dave Bowe, conductor treasurer, UTU Local 1462



demeanor. With proper training, those observations are crucial to passenger safety and security."

David Brooks, chairperson, UTU Local 1470 member, UTU Transportation Safety Team

"Amtrak itself says the most important security tool Amtrak has is its employees. So it is incomprehensible Amtrak would even think of removing a conductor from the train. The conductor comes in contact with every passenger and observes their carry-ons, actions and

UTU for Life

Medicare Rx drug law brings changes

Enrollment in Medicare Part D is voluntary and begins on Nov. 15, 2005, but a higher monthly premium applies if you enroll after May 15, 2006.

In 2003, President Bush signed the Medicare Prescription Drug Improvement and Modernization Act that established Medicare coverage for prescription drugs. On Jan. 1, 2006, Medicare will begin covering prescription drugs under a new "Medicare Part D".

For retirees covered by Medicare, this change offers the opportunity to purchase prescription drug coverage for a small monthly premium.

This change is of particular interest to retirees covered under UnitedHealthcare's policy GA-23111 Plan D, which currently provides benefits for drugs. UnitedHealthcare has announced that as a result of this new Medicare coverage, GA-23111 Plan D will be terminating and coverage will be moved to Plan F. Plan F offers the same medical and hospital coverage as GA-23111 Plan D without the drug coverage. UnitedHealthcare will make this move automatically so retirees will not have to do anything to keep their current medical and hospital benefits.

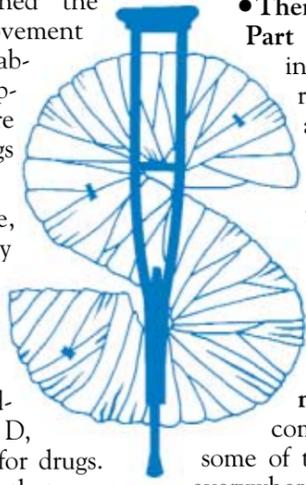
Medicare Part D

Retirees currently enrolled in GA-23111 Plan D who want to continue drug coverage will have to enroll in Medicare Part D. All Medicare eligible retirees should also consider enrolling in Medicare Part D.

Additional details about this new Medicare benefit will be mailed to Medicare beneficiaries in October. However, here are some important facts about the Medicare prescription drug coverage you should know:

Late enrollment penalty

• You will be eligible for Medicare Part D if you are covered under Medicare Part A or Part B. Enrollment is voluntary, but there is a higher monthly premium if you enroll late (after May 15, 2006).



• There will be a cost for the Medicare Part D coverage. If you meet certain income levels, you may be eligible for a reduction in premiums, coinsurance amounts, and deductible. If you think you might qualify for assistance, you should contact the Railroad Retirement Board or Social Security office in your area and ask for an application for a low-income subsidy. You should do this as soon as possible.

• Medicare Part D will be administered by private insurance companies. You will have a choice of which company with whom to enroll. While some of these companies will offer coverage everywhere in the nation, others will be limited to certain regions. If you live in different areas of the country during the year, you may want to choose a company that has a nationwide plan.

• Each company will have its own prescription drug plan. Each plan will cover a Medicare-approved list of drugs – called a formulary. The formularies may be different between plans, but all must have Medicare approval. You will want to compare the drugs you are currently taking to each company's formulary to see which one best fits your needs.

If you take multiple drugs, you may not find all your drugs on any single formulary. If a drug you take is not on the formulary of a plan you like, speak to your doctor about changing your prescription to a drug on its list.

• In addition to different formularies, each plan will have a different network of pharmacies from which you must purchase drugs. Make sure the network pharmacies and other services such as mail order for the company you like are convenient to you.

• Each company will negotiate lower prices with drug companies and pass those discounts on to you. You will have the advantage of being able to purchase your drugs at a discount even if you are paying the full cost of the drug.

• You will be able to change plans once a

year during an annual open enrollment. There are other limited exceptions that may give you a right to switch plans. For example, if you move out of the service area of your current plan, you will have the opportunity to choose another plan that serves your new area.

• If you enroll late, you will pay more. Enrollment for Medicare Part D begins on Nov. 15, 2005, and ends on May 15, 2006. If you are eligible and do not enroll during this period, when you enroll later you will face a late-enrollment penalty of approximately 1 percent of the current premium for each month you delay.

Handbook coming

• More detailed information is on the way. In October, Medicare will send you the 2006 Medicare & You handbook which will include a list of all the plans available in your area. In addition, the companies in your area will be sending you specific information about their plans, including their list of covered drugs and network pharmacies.

Information will also be available through the Medicare website at www.medicare.gov and from www.MedicareRxInfoSource.com, a website hosted by UnitedHealthcare.

Important dates and contact info

Oct. 1, 2005 – Companies will begin to release information about their plans. Medicare will send you the 2006 Medicare & You handbook.

Nov. 15, 2005 – The first day you can enroll in a Medicare prescription drug plan.

Jan. 1, 2006 – The first day you can use your Medicare Part D coverage.

Call UnitedHealthcare's member services at (800) 809-0453. To find the nearest office of the Railroad Retirement Board, call (800) 808-0772. For the nearest Social Security office, call (800) 772-1213. In addition, information about the Medicare program is available at (800) MEDICARE or www.medicare.gov.

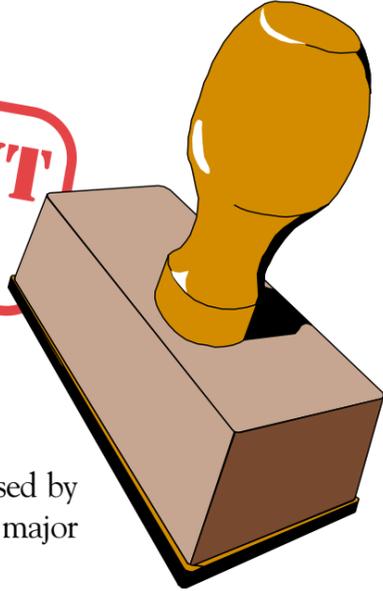
THE FINAL CALL

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
196	Baker, Howard L.	Morris, Ala.	679	Salisbury, George S.	Middletown, Conn.	1361	Domanick, Michael S.	Norwalk, Conn.
200	Bomberger, Dolan C.	N. Platte, Neb.	792	Anatra, Albert V.	Massillon, Ohio	1365	Brophy, Gaylord E.	New Wilmington, Pa.
212	Sofia, Charles J.	Albany, N.Y.	847	Smith, Parker	Piedmont, Ala.	1370	Wardell, Harold F.	Point Pleasant, N.J.
298	Foulks Jr., Lloyd	Columbia City, Ind.	911	Johns, Dewayne T.	Coon Rapids, Minn.	1383	Nussle, John H.	Sun City, Calif.
305	Tillman, Ernest K.	Ashland, Neb.	911	Seleski, Stephen S.	Hastings, Minn.	1386	Loughman, F.F.	Newark, Ohio
309	Wible, Clyde E.	Levittown, Pa.	977	Kilbury, Charles D.	Pasco, Wash.	1393	O'Rourke Jr., James J.	Catlett, Va.
367	Dunn, Roland R.	Tarkio, Mo.	1043	Ahlberg, George William	Fallon, Nev.	1445	Banko, V.G.	Hawley, Pa.
378	Stadler, Leonard H.	Mentor, Ohio	1059	Bjorke, O.R.	Minot, N.D.	1518	Bishop, James C.	Thousand Palms, Calif.
446	Hite Sr., Charles W.	Omaha, Neb.	1074	Reed, Harry L.	Deming, N.M.	1525	Cox, Harold B.	Makanda, Ill.
471	Gruchalla, G.L.	Salem, Ore.	1074	Rose, Benjamin W.	Nanty Glo, Pa.	1674	Pugh, Gerald L.	Perris, Calif.
493	Baker, James R.	Woodside, Iowa	1106	Ferguson, Robert A.	Hope Mills, N.C.	1722	Gohn, William D.	Abbottstown, Pa.
605	Beavers, John J.	Pinellas Park, Fla.	1168	McGregor, Thomas O.	Clovis, N.M.	1962	Fox, Thomas H.	Zephyrhills, Fla.
622	Owen Jr., John G.	Trussville, Ala.	1216	Crofford, K.W.	Falls City, Neb.	1963	Hammond, Jack M.	Lexington, Ky.
646	Moline, Thomas F.	Bellevue, Neb.	1227	Wadkins, J.L.	Wichita, Kan.	1973	Gering, Paul K.	Green Bay, Wis.
			1346	Roland, Jesse M.	Arrington, Tenn.			

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Iron Range caboose wins UTU Brass Lantern Award



What has 2,300 parts and recently won numerous honors at the National Model Railroad Association's national convention, including the prestigious UTU Brass Lantern Award?



It is a circa-1950 wooden Duluth, Missabe and Iron Range caboose, hand built by Thomas Atherton of Middleburg Heights, Ohio.

Atherton, who has been creating models for more than 10 years, built the winning model a few years ago and took it to this year's competition almost as an afterthought. His entry bested numerous other competitors.

The caboose is built to "O scale," which equates to one-quarter inch to the foot.

"I feel great about winning the UTU Brass Lantern Award," Atherton said. "It is recognition for my modeling, hitting the pinnacle of what you are good at. I really appreciate it; it signifies that you did something good."

Retired Vice President C.E. "Red" Wible dies

LEVITTOWN, Pa. – Retired UTU International Vice President Clyde "Red" Wible, age 85, died July 29, 2005.

A member of Local 309 in Altoona, Pa., he began his rail career in 1941 as a brakeman and conductor on the Pennsylvania Railroad. He joined Brotherhood of Railroad Trainmen (BRT) Lodge 174 in Altoona and served as local chairperson, chairperson of the grievance committee and general chairperson. He was elected an alternate vice president at the 1971 UTU convention, and moved up to vice president in January 1974. He was subsequently re-elected to the post at the next three quadrennial conventions and retired Dec. 1, 1984.



Wible

Wible served in the U.S. Navy from 1943 to 1945 aboard the USS Doran in the South Pacific. In 1968, he served on the 40-man Unification Committee formed to create the UTU.

Besides his wife of 64 years, Alma "Sis" (Waite) Wible, he leaves behind two daughters; a third daughter preceded him in death. He also leaves four grandchildren, six great grandchildren, one sister and five brothers.

Memorial contributions may be sent to the Shriner's Hospital for Children, 3551 N. Broad St., Philadelphia, PA 19140.

Reminder about UTU for Life trips

The UTU has arranged two great trips for members of the *UTU for Life* program: a six-day fall foliage tour of New England and a three-day visit to Opryland and Nashville before Christmas. For details, airline tickets or reservations, call the UTU's designated travel agent, Gone With the Wind Travel, toll free at (800) 886-4989, or call (216) 221-2121, or e-mail marcia@gwtw.webmail.com.

Training program

Continued from page 1

"World-class training programs," said Babler, "must link classroom training to actual field application so that the day-to-day application of rules makes sense to trainees.



Babler

"Additionally, remote-control training does not continue beyond the initial training program. Working conditions at terminals change by season. Nor do existing training programs provide for a mechanism to test the knowledge and teaching skills of the trainers," he said.

Babler said the number of remote-control accidents and incidents actually has been rising although injuries have been declining. The FRA has concluded that in many instances, employees are unable to relate to the actual situations they face in the workplace, he said.

UTU new-hire training recommendations

- Training programs for new hires must be of sufficient duration and intensity to familiarize employees with the day-to-day operations of the workplace.
- Training programs must include a minimum time frame before skill-based assessments of the employees are conducted.
- Employees assigned to training programs should be monitored to ensure attendance and understanding of the curriculum.
- Accurate records should be kept of the employee training curriculum.
- The content of training programs must be location specific and not system specific.
- Training should be provided by competent instructors from the crafts who are intimately familiar with the day-to-day operations, rules and special instructions for the location.
- Trainees must be determined as competent with a phase of training before being permitted

to enter the next phase of training. This may include the progression from trainman to RCL operator, and train service to engine service.

- Training programs should be frequently evaluated by the parties for content and instructional value, and updated when new skill-based requirements are added.

- Remedial training should be location specific, continuous and classroom- or workplace-based with interaction between the instructor(s) and participants.

- Criteria and parameters should be developed to determine when operating employees qualify for familiarization.

- Familiarization of employees with locations, circumstances or territories with which they are unfamiliar should be performed by UTU mentor trainers/instructors.

- Familiarization programs may include classroom, on-the-job or other instructional methods.

BLET coffin

Continued from page 1

(CIRB) ordering conductors who were sold out by the BLE and VIA Rail – after the BLE gained control of the former UTU contract – be dovetailed into the VIA Rail engineer seniority roster using the trainman date of seniority.

Earlier this year, the Canadian Supreme Court rejected an appeal by the BLET challenging a federal ruling that the BLE "breached its statuto-

ry duty of fair representation" after it gained control of the former UTU contract on VIA Rail.

All avenues of appeal have now been exhausted by the BLET, meaning the BLET must pay as much as C\$230,000 each to as many as 230 once-UTU-represented former VIA Rail conductors – a potential liability in the tens of millions of dollars.

The to-be-determined monetary damages, and the seniority-list dovetailing order, flow as retribution following the CIRB's finding of serious violations of Canadian labor laws by the BLE with the compliance of VIA Rail.

UTU International President Paul Thompson said, "The lies from the other organization never stop. They promise craft autonomy to gain control of a UTU contract. Then they shamelessly sell out the craft, shrugging that their promises were merely 'campaign rhetoric.'

"More recently, the BLET, now dominated by the Teamsters, sought to woo new conductor hires to their organization by asserting their close association with the AFL-CIO," Thompson said. "Then the Teamsters and BLET bolted from the AFL-CIO. The BLET simply smiled as its Pinocchio nose grew just a little longer."

Help for injured

Continued from page 1

and are among the most energized voters on Election Day.

Individual UTU members, sending e-mails and making telephone calls to lawmakers – many of whom included personal histories of carrier denial and/or delay of medical treatment, or interference – also played a crucial role.

The law in Illinois imposes fines of up to \$10,000 for each violation, and each separate act of attempted delay, denial of medical treatment – or interference – is a separate count.

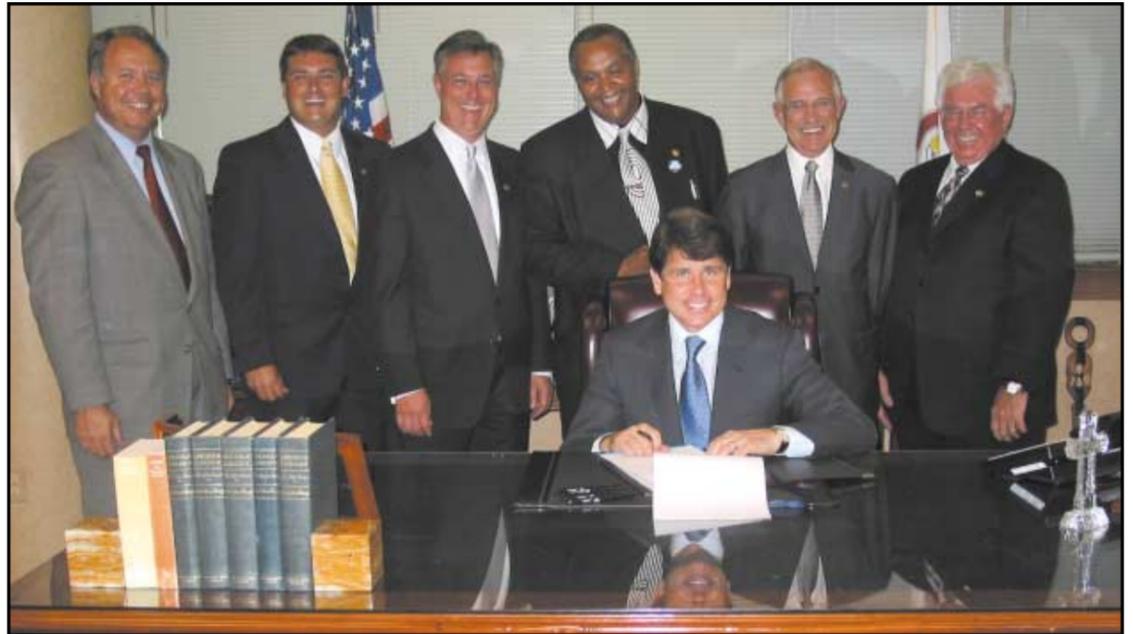
"This is a total victory by the UTU membership and benefits every craft," said UTU Illinois Legislative Director Joe Szabo. "It really shows what organized employees can bring to bear on government when they coordinate their efforts and act as a unified team."

The Illinois law began as a bill introduced by UTU member and State Rep. Eddie Washington (D-North Chicago).

Washington, a conductor on Chicago Metra and a member of UTU Local 1258 in Elgin, Ill., said, "This law is a result of teamwork by committed trade unionists acting in unity and with perseverance."

When one railroad lobbyist testified that the "outlandish allegations" of carrier delay, denial or interference were "unfounded," Assistant Illinois State Director John Burner, assisted by Alternate State Director Bob Guy, supplied each lawmaker with case files documenting actual instances on that railroad.

Railroads asserted the bill violates federal law that gives the Federal Railroad Administration exclusive regulatory authority, but the UTU convinced Illinois lawmakers that while the FRA regulates "harassment and intimidation" of railroad workers, the federal government has chosen to leave to the states the matter of regu-



Illinois Gov. Rod Blagojevich (seated) signs the landmark Railroad Employees Medical Treatment Act. Standing, from left to right, are: House Transportation Chairman Jay Hoffman; UTU Illinois Alternate State Director Bob Guy; UTU Illinois State Director Joe Szabo; State Rep. and UTU member Eddie Washington; UTU Illinois Assistant State Director John Burner and UTU International President Paul C. Thompson.

lating the "integrity of medical treatment" of injured railroad workers.

The Iowa Victory

Last April, UTU Iowa State Legislative Director Pat Hendricks scored a similar victory against substantial odds when the Republican-controlled and largely pro-business state legislature passed a UTU-supported bill requiring railroads to "provide reasonable and adequate access to first aid and medical treatment for employees injured in the course of employment."

The Minnesota Law

"The chief component of our law is that it is a crime," Minnesota State Legislative Director Philip Qualy said.

"While our bill is a misdemeanor crime, with stated right to return for a higher crime level if necessary, the potential value of a criminal finding to a FELA case could be significant for the injured and victimized worker," Qualy said.

"Our bill went through five hearings and passed unanimously in each hearing," Qualy said. "UTU members stepped forward to testify about five specific cases. We withstood difficult conference committees through effective lobbying; frankly, we just plain outworked the railroads. At the end of the day, the railroads never got a single vote."

Qualy praised the efforts of Clyde Larson, local chairperson and legislative rep. for Local 1292, Proctor; Mike Nelson of Local 1614, St. Paul, and David J. Riehle, chairperson of Local 650, Minneapolis.



UTU BUS LINES

News items culled from the Daily News Digest, published every day on the UTU website, www.utu.org.

Santa Cruz Metro drivers set to strike

SANTA CRUZ, Calif. – UTU-represented bus operators here are not seeking pay raises, only some relief on the \$413.90 per month they now pay toward health-care insurance.

But Santa Cruz County officials are saying, “no” – even after their 160 bus operators offered to trade away some other benefits in exchange for lower health-care insurance payments that are draining more than \$100 each week from their paychecks.

This Scrooge-like response left the bus operators little choice but to hit the bricks on Sept. 1 to preserve their barely middle-class status in one of the highest living-cost areas in America – smack dab in prosperous Silicon Valley.

UTU International President Paul Thompson gave UTU Local 23 authority to strike after a 126-4 vote by bus operators favoring a walkout if a negotiated settlement could not be reached.

Local 23 President Bonnie Morr said any work stoppage would not affect handicapped users of the Santa Cruz bus system. The operators would remain on the job to keep that ParaCruz service operating, she said.

Santa Cruz transit district directors walked from the negotiating table Aug. 26, voting to impose harsh new employment terms on their bus operators effective Sept. 1, following expiration of their contract. The imposed new terms would include forcing drivers to take one-month of unpaid leave annually, and to work split shifts while being on call up to 16-hours daily but being paid only for a fraction of the time.

“We don’t want to strike, because we care about our passengers,” Morr said. “Unfortunately, the transit district has given us no other choice.”

NJ Transit says alerts aren’t coming cheaply

ATLANTIC CITY – Increased security measures that were begun at NJ Transit bus and train stations – including those in Atlantic City – after July’s London subway bombings aren’t coming cheap, according to *The Press of Atlantic City*.

NJ Transit estimates it is spending about \$100,000 a week – primarily on payroll – on measures that include doubling the number of police patrols and tripling the number of bomb-sniffing dogs used at its stations.

Additionally, the number of tips from bus and train riders regarding allegedly suspicious activities – all of which get some kind of review or investigation – at the bus and train stations is up considerably, according to NJ Transit spokesman Dan Stessel.

President Bush’s administration raised the terror alert for the nation’s transit systems on July 7, when 52 people were killed and hundreds wounded in a series of terrorist bomb attacks against London’s bus and subway system.

U.S. Homeland Security Secretary Michael Chertoff, however, lowered the alert for the transit systems in mid-August.

However, NJ Transit opted not to drop its alert status. NJ Transit Police Chief Joseph C. Bober said the alert would stay at code orange even though there were no specific or credible threats against NJ Transit.

Stessel said part of the reason is that NJ Transit operates in one of the nation’s most densely populated regions, and a main part of its mission involves getting riders to and from major metropolitan areas such as Philadelphia and New York.

Local 1741 members to vote on contract

SAN FRANCISCO – An agreement has been reached between members of Local 1741, some 263 school bus drivers in San Francisco, and Laidlaw School Bus Services.

A ratification vote will be taken Sept. 14. Local President Angela Beloy is urging members to approve the pact.

“We went into negotiations looking to maintain a decent level of health care. Costs were up 36 percent last year, and Laidlaw wanted us to absorb those costs,” Beloy said.

“We agreed to change health care providers and that brought the cost down. We had no co-pay before, but now we have one with the new provider but we have better benefits, including chiropractic, which is important in our industry.”

The proposal also contains a \$1.04-per-hour wage increase, the first increase in 20 years. “We have not had a raise in 20 years. We have had cost-of-living adjustments, but no raises,” Beloy said.

Drivers will receive a wage increase of 25 cents per hour upon ratification, retroactive to Aug. 1, and the balance at the start of the new year.

Beloy said the proposed contract also corrects some seniority violations and maintains the current contract’s discipline language.

Beloy credited Local Chairperson Melvin Brown and Delegate Paul Stein for their perseverance. “Paul Stein was our numbers guy; he could crunch numbers better than the Laidlaw guy,” she said.

Beloy also credited members who showed up at the negotiating sessions. “Our negotiations are open to our members, and we had a steady group of about 15 people who were always there. They kept us grounded.”

CSX sent packing

Continued from back cover

practice and neither pay the pool members a basic day nor release them from the pool so that they might exercise seniority elsewhere or find temporary alternative employment.

Complaints to CSX by McIntyre resulted in a CSX agreement to release the pool members so that they might earn a living to feed their families and pay the mortgage while not being paid by CSX.

CSX, according to McIntyre’s sworn statement to the court, indicated the pools would be inactive for about a week and re-established on Saturday, July 16. In the interim, CSX would not pay the train crews who had been members of the pool.

But on July 16, CSX, which makes pool positions known via computer, failed to establish conductor positions as it said it would – and this was evidenced by data provided the court by McIntyre from “snapshots” he had taken from CSX computer data. “Thus, any conductor who checked with CSX for open positions in the Erwin pools at that time would have found that no jobs were available,” McIntyre said.

In fact, CSX did not re-establish the conductor pools until July 17, a Sunday, when many of the

displaced employees might be expected to be attending church or engaged in other family activities. “CSX did not take any affirmative steps to notify employees who were in displaced status of the date and time of the upcoming openings,” McIntyre said. “At no time on July 17 did CSX contact me, or to my knowledge, any other UTU representative, to raise any issue concerning the staffing levels in the two Erwin pools.”

“Had the company taken steps in advance to publicize the re-establishment of these positions, or even to make them available for marking up in advance, it would not have found itself short staffed.”

Nonetheless, as McIntyre’s data demonstrated, CSX conductors – on their own – began marking up for those re-established positions as July 17 wore on and as the positions began showing up on computer screens.

On July 18, dissatisfied that the displaced CSX employees were not marking up quickly enough to suit the railroad, CSX filed a lawsuit against the UTU. In fact, Judge Adams initially granted CSX a temporary restraining order in which the UTU was ordered to advise each of the displaced pool members they must return to work.

Although engineers represented by the BLET were similarly slow (and, in some cases, slower) to mark up for re-established positions, CSX sued only the UTU.

Only after the lawsuit was filed against the UTU did CSX provide McIntyre with a list of names and phone numbers of employees in displaced status. Upon receiving that list, McIntyre and an assistant called each of those listed, urging them to mark up.

“Before I even began making those calls, CSX’s records show that more open positions on the pools had already been filled,” McIntyre told the court. And displaced conductors continued to markup even before the temporary restraining order was issued.

“The fact that it took several days for conductors to fill the positions which came open without notice in the middle of the night on a Sunday should thus not surprise anyone,” McIntyre said. “In my experience, had the company taken steps in advance to publicize the re-establishment of these positions, or even to make them available for marking up in advance, it would not have found itself short staffed.”

The court agreed and sent the mismanaged CSX packing.

“Rufus McIntyre is a detail-oriented, no-nonsense general chairperson who makes this union and all its members proud,” UTU International President Paul Thompson said.

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 **Jim Allen**, a retired member of Local 1400 in South Portland, Maine. The photo shows an Amtrak train in Flagstaff, Ariz.



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Mismanaged CSX sent packing by UTU and court ruling

ERWIN, Tenn. – CSX Transportation, which mismanaged a pool of conductors out of two subdivisions here, sought to cover-up its shortcomings by falsely alleging the UTU engaged in an unlawful work stoppage or slowdown.

Carriers don't do that to the United Transportation Union – at least not do it and succeed.

When the case reached the courthouse, UTU General Chairperson Rufus McIntyre (GO-513) used statistical evidence to rebut CSX's baseless and hollow claims. The mismanaged railroad walked from the courthouse with considerable egg on its face.

A federal judge, presented with McIntyre's facts, immediately saw through the CSX flim-flam and declined to grant the railroad's request for a restraining order against the UTU.

McIntyre's statement of the facts convinced Federal Judge Henry Lee Adams Jr. that had CSX managed its railroad in a competent manner and merely advised its employees in advance that work was available, the positions the railroad complained were unfilled would have, in fact, been filled.

The UTU will now move to recover attorney and court costs from CSX. CSX had been required to post a \$50,000 bond; that now could be subject to forfeiture.

The court understood there was absolutely no effort by the UTU, at any level of the union, to impede operations on CSX.

"The court finds that plaintiff (CSX) has not met all the prerequisites for issuance of a preliminary injunction," Adams ruled. "First, plaintiff has not proven that 'unlawful acts have been committed'" and "Plaintiff has failed to prove a work stoppage occurred... Most importantly, the court simply does not find that there is an imminent threat of a strike, stoppage or slowdown."

What happened is this:

In mid-July, CSX, as it has done for at least five previous years, temporarily shut down – for track maintenance – two subdivisions of the former Clinchfield Railroad. A terminal supplying train crews for those subdivisions – which reach north to Shelby, Ky., and south to Spartanburg, S.C. – is located in Erwin. The shutdowns generally last about a week.

Train crews at Erwin are assigned to pools requiring conductors and engineers be on call and available to work 24 hours a day, seven days a week, and are paid only when they actually work.

At least since 1999, when CSX shutdown the two subdivisions for the one-week track maintenance, it paid adversely affected members of the pools a basic day in order that they remain immediately available for work when the subdivision re-opened. But this year, CSX – in a fit of greed – initially said it would depart from past



McIntyre

Continued on page 11



Inside this issue of the UTU News:



Three states pass laws protecting injured railroaders. See Page 1.



Retired conductor Frank King is using it, not losing it. See page 2.



Amtrak is targeting assistant conductors. See pages 6 and 7.



What has 2,300 parts and won a UTU Brass Lantern? See Page 9.