

# UTU News

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The Official Publication of the United Transportation Union

## Conductor certification coming Jan. 1, 2012

WASHINGTON – In a Notice of Proposed Rulemaking (NPRM) published in the Nov. 10 Federal Register, the Federal Railroad Administration proposes to make Jan. 1, 2012, the effective date for implementation of conductor certification.

The rulemaking on principles, elements and methods of conductor certification was ordered by Congress in the 2008 Rail Safety Improvement Act.

The NPRM – preceding publication of a final rule, expected in early 2011 (ahead of implementation) – was developed through the FRA's Rail Safety Advisory Committee (RSAC), which is comprised of stakeholders, affected labor unions, railroads, suppliers, manufacturers and FRA safety experts.

The various stakeholders had many conflicting objectives for the rulemaking, and the NPRM is a consensus document that required compromise among all stakeholders.

The UTU was represented on the RSAC Con-



ductor Certification Working Group by a team appointed by UTU International President Mike Futhey:

- Local 1470 (Edmonston, Md.) Chairperson David Brooks, now retired;

- CSX General Chairperson (GO 049) John Lesniewski;
- UTU Training Coordinator and Local 528 (Chicago) Legislative Rep. Ron Parsons;
- National Legislative Director James Stem;
- Alternate National Legislative Director John Risch;
- Local 645 (LIRR, Babylon, N.Y.) Chairperson Vinnie Tessitore;
- UTU Rail Safety Coordinator for Designated Legal Counsel Larry Mann.

The UTU will respond to NPRM with recommendations for improvement and change in the final rule – as will all stakeholders. The FRA will make the sole determination as to contents of the final rule.

Following are major provisions of the rulemaking. A detailed summary is posted at [www.utu.org](http://www.utu.org). (Click on "Transportation Safety," and then "Engineer & Conductor Certification.")

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## OSHA fines BNSF for harassing injured UTU member

A UTU member will collect more than \$95,000 assessed BNSF by the Occupational Safety & Health Administration (OSHA) for violation of the Federal Rail Safety Act.



Huston

OSHA found BNSF guilty of intimidating and harassing the injured UTU member, who reported his workplace injury to the FRA.

The monetary award covers back wages, compensatory damages, attorney's fees and punitive damages.

This is the first major award by OSHA after UTU International President Mike Futhey requested UTU designated legal counsel (DLC) ramp up efforts to assist members whose whistleblower rights have been violated.



Pence

BNSF employee Ronald Helm (Local 1532,

Kansas City, Kan.), targeted for discipline after being injured on the job, didn't feel so helpless after his local chairperson, Joe Lopez, attended a DLC seminar on whistleblower rights.

With assistance from General Chairperson Jim Huston (BNSF, GO 009) and committee Secretary Rex Pence, a case was presented to OSHA, which administers the law applying to whistleblower protection.

"An employer does not have the right to retaliate against employees who report work-related injuries," said OSHA.

In addition to the monetary penalty, BNSF was

ordered to inform each of its employees in its Kansas Division – in writing – of their whistleblower rights.

"This case and the work of our DLC shows that federal law protecting whistleblowers has teeth and can be used to stop the intimidation and harassment faced by our members," Futhey said.

"UTU members who think they have been retaliated against for reporting workplace injuries should discuss the matter with a UTU DLC, their general chairperson or state legislative director," Futhey said.

### Know your 'whistleblower rights'

Every UTU freight and passenger rail member needs to know that federal law protects them from employer retaliation – and threats of retaliation – when they report to the carrier or a government agency alleged violations of safety or security laws or regulations, or allegations of fraud, waste or abuse of funds intended for rail safety or security.

Government agencies include federal regulatory or law enforcement agencies, and members of Congress or their staff.

This protection, provided by the Federal Rail Safety Act of 2007, also extends to employees who refuse to work under certain unsafe conditions, or refuse to authorize the use of any safety or security related equipment.

Retaliation, including threats of retaliation, is defined as firing or laying off, blacklisting, demoting, denying overtime or promotion, disciplining, denying benefits, failing to rehire, intimidation, reassignment affecting promotion prospects, or reducing pay or hours.

An employer also is prohibited from disciplining an employee for requesting medical or

first-aid treatment, or for following a physician's orders, a physician's treatment plan, or medical advice.

This protection is known as "whistleblower protection," and the federal law is enforced by the Occupational Safety & Health Administration (OSHA), which is an agency of the U.S. Department of Labor.

Complaints must be filed with OSHA within 180 days of the alleged employer retaliation.

Relief may include reinstatement with the same seniority and benefits, backpay with interest, compensatory damages (including witness and legal fees), and punitive damages as high as \$250,000.

A rail employee may file the complaint directly with OSHA, or may contact a UTU designated legal counsel, general chairperson or state legislative director for assistance.

A listing of UTU designated legal counsel is available at [www.utu.org](http://www.utu.org), or may be obtained from local or general committee officers or state legislative directors.



### Knorr elevated to board

Kenneth Knorr has been appointed to the UTU Executive Board in the wake of the resignation of Troy Johnson. Knorr formerly served as alternate to that board.

Knorr, of Local 1031, Savannah, Ga., serves his local as chairperson and delegate. He also serves as assistant general chairperson of CSX Transportation General Committee GO 851.

"Congratulations on your elevation as a full member of the board. This office looks forward to working with you and providing any assistance you might require in the fulfillment of the duties of your new position," UTU International President Mike Futhey wrote Knorr.

# Around the UTU

## Local 100, Oakland, Calif.

Former UP/SP engineer **Michael Litwin**, 69, died Nov. 30 after battling melanoma, Local Chairperson **Daniel C. Fretty** reports. "Mike was a long time legislative representative and delegate for this local. He attended seven UTU International conventions as a delegate and served on the Constitution Committee in 1999. He was a staunch supporter of the one man/one vote referendum movement that has shaped the UTU as we know it today," Fretty said. "He will be missed by those who lived and worked with him, not only locally, but internationally, through his tireless efforts on behalf of the organization."

## Local 117, Vancouver, Wash.

Amtrak conductor **Paula Dennis**, who hired out in train service Aug. 12, 1976, on Burlington Northern at Spokane, Wash., during the era of Virginia Slims and the women's rights movement, retired Dec. 29, according to Legislative Rep. **Larry Drawdy**. Dennis was one of the first women to hire out in train service after courts ordered railroads to hire women in all positions, Drawdy said. "Paula and a very few endured, and forced



Dennis

attitudes and perceptions to eventually change for women that followed. Paula always spoke her mind and supported the underdogs, and those who could not help themselves. She mastered the art of getting on and off moving equipment as safely as anyone I ever witnessed. You've come a long way, baby!" Drawdy said.

## Local 492, Sacramento, Calif.

UTU Alumni Association member **William "Hank" Stiles** was one of 15 volunteers from two railway organizations who joined forces to clear several tons of rock and dirt from the Tunnel No. 1 cut on the historical Placerville Branch rail line, Vice Local Chairperson **Kenneth L. Rogers** reports. Crews from the El Dorado Western Railway Foundation and the Folsom, El Dorado and Sacramento Historical Railroad Association donated more than 75 hours of personal labor to ensure safe passage through the cut for pedestrians, cyclists, equestrians and trains. Their service was featured in an article published by the *Mountain Democrat*. The Placerville Branch ran from Folsom to Placerville, Calif., and was abandoned by Southern Pacific years ago.

## Local 587, Greenfield, Mass.

Retired member **Chester L. Ciepiela** was recently going through his cellar and found a number of old railroad and union items from when he was still working. The items include switch keys, cuff straps (two-buckle), "Cliff Meritt" comic books, an unused star lantern, a brake club and other items. Anyone interested in them for a collection or for a museum can contact Ciepiela at (518) 664-6192.

## Local 759, Newark, N.J.

Robbie Roth, son of Community Transportation employee **Eddie Roth**, died after suffering a seizure Nov. 26, General Chairperson **Calvin Studivant** reports. Robbie, 17, is also survived by his mother, Debbie, and brothers Steven and Brandon. "We would like the Roths to know that all of the UTU family expresses their condolences and that we share their grief," Studivant said.

## Local 845, Seattle

The new voice of Local 845 has arrived, recently elected Local Chairperson **Brent Azus** reports. "I have been working on getting a website put together for our local," said Azus, who assumed office Jan. 1. "It is still in the works, but we would like all members of Local 845 to have a look at their new website." The address of the website is [www.utulocal845.yolasite.com](http://www.utulocal845.yolasite.com).



Retired UTU member Gary Dillon, center, and his fellow climbers unfurl the West Virginia state flag atop Mount Kilimanjaro to honor fallen mine workers.

## Retiree reaches new heights to honor fallen mine workers

Some UTU members will go to great lengths to honor their fallen brothers and sisters. Local 915 member **Gary Dillon**, however, went to great heights: 19,340 feet, the summit of Tanzania's Mount Kilimanjaro.

Dillon climbed Kilimanjaro in October to honor the 29 men who lost their lives in April 2010's coal-mine explosion at the Upper Big Branch mine in Whitesville, W. Va., about a mile from Dillon's home. He worked in the mining industry for a brief time before signing on with the railroad.

The 61-year-old retired CSX locomotive engineer and Marine Corps veteran said he picked Kilimanjaro "because the mountain looks like a monument. It stands alone on a plain out in the middle of nowhere. It's the highest freestanding mountain in the world."

When Dillon reached the peak Oct. 5, he unfurled an American flag that had flown over the U.S. Capitol in honor of the Upper Big Branch miners, and a West Virginia flag. He also read aloud the names of those who died in the disaster.

"I took along a list of short biographies that I started to read," he said, "but I got too emotional to finish."

The eight-day trek to the top took Dillon's group of six climbers – one Canadian, an Irishman and three men from the United Kingdom – through five distinct temperate zones, ranging from rain forest at the base of the mountain to glacial ice fields at the top.

Dillon's climbing companions, who were all familiar with the mine disaster, allowed him to lead the final climb to the summit.

In recent years, Dillon has climbed one peak a year, including Oregon's Mount Hood and California's Mount Whitney; Pico de Orizaba, Mexico's highest peak; and Argentina's 22,841-foot Aconcagua, the highest peak in the Western Hemisphere.

"I have my sights set on Bolivia next," he said. "There is a 22,000-foot volcano there I would like to climb."

"I am surrounded by mountains here in West Virginia, and they are good training," Dillon said. "I love hiking and climbing. And, thankfully, I have a wife who is very understanding."

Adventurer Dillon has also tried scuba diving – including a shark dive – and skydiving. "I tried a little of everything before I finally settled on this mountain climbing stuff," he said.

## Local 1378, Wilmington, Del.

Scott Stone, 28, son of Delaware State Legislative Director **William Stone**, died in October following a long and courageous battle with muscular dystrophy. In addition to his father and mother, Deborah Stone, Scott is survived by his fiancée, Jessica Rapolla. Also surviving are three brothers and one sister. The family suggests memorial contributions be sent to Muscular Dystrophy Association, 600 Reed Rd., Suite 104, Broomall, PA 19008.

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

The officers and members of this local congratulate fellow members **Leudy Acosta**, **Charles DeAngelis Jr.**, **David Olivo**, **Joseph DiCosmo** and **Maureen McKeever**, who received commendation awards from the New York City Metropolitan Transportation Authority, Local Secretary & Treasurer **Vincent LaBella** reports. Trackmen Acosta, DeAngelis and Olivo stopped a man while he was severely assaulting a woman at the Annadale train station. Engineer DiCosmo and conductor McKeever were able to stop their train before hitting a man, who was making a suicide attempt. "These five members displayed the courage and desire to help people in need during emergency situations. We are proud of their efforts. They displayed real heroism," LaBella said.

## Local 1674, Los Angeles

"Lit Al" Valenzuela, 13, son of Los Angeles Junction Railway Company Local Chairperson **Al Valenzuela**, is the current California short-track speed skating champion in the "midget division," his proud father reports. He is also ranked thirteenth in the nation in his age group in short-track speed skating and is the first Hispanic to win the "midget division" state title. Though not sponsored by Local 1674, "Lit Al" proudly wears his UTU 1674 skin suit when competing in local and national competitions.



"Lit Al" Valenzuela

## Local 1801, Martinez, Calif.

Former Local Chairperson **Larry Partridge** retired Nov. 16, and his fellow members wish him a long and healthy retirement, Local Chairperson **Danny Kimmel** reports. Partridge hired out as a switchman on Southern Pacific in July 1968. A summer job while attending college turned into a 42-year career, Kimmel said. "Larry was elected local chairperson in 1976 and went on to spend 23 years as a full-time union officer. He served as acting vice general chairperson in 1981, and in 1982 was elected to the position of general chairperson on the SP switchmen's general committee." Partridge will be joining the ranks of the retired with his mother, Evelyn, a retired SP clerk, and his wife, Marian, who recently retired after 35 years as a Contra Costa County librarian.

## CN (GTW) GO 217, Toledo, Ohio

**Duane V. Bartaway** was elected chairperson of this Canadian National (Grand Trunk Western) yardmaster general committee Nov. 24. Bartaway, pictured below at right, being sworn in by International GS&T **Kim Thompson**, is a member of Local 1962, Toledo, Ohio.



## UP GO 927, Tyler, Texas

**Carlos Wallace** has been elected secretary of this Union Pacific (T&P) general committee, General Chairperson **Troy Johnson** reports. Wallace, a UTU International organizer, also serves as local chairperson and delegate of Local 11 at Houston.

# FRA moving to require rail-crew respirators

WASHINGTON – Railroads will be required by the Federal Railroad Administration to provide respirators for train- and engine-service workers hauling hazardous materials.

The Rail Safety Improvement Act mandated that the FRA impose such a requirement through a rulemaking, which is in its final stages toward implementation.

However, the effective date could still be two years away under a draft FRA proposal that is in the process of being finalized.

Inhalation injuries have caused two crew deaths and more than 660 injuries over the past decade, the FRA said.

The FRA proposes that the respirators be capable of protecting train and engine workers for at least 15 minutes following a release of hazardous materials, giving them time to escape the cab and move to safety.

The FRA proposes that Class I railroads comply with the requirement within two years of

final publication of the rule, and smaller railroads would be required to comply within 30 months.

The UTU, in commenting to the FRA on the proposed rule, urged that the respirators be permanently mounted in the cab rather than rail-

roads issuing them to train and engine service workers. The UTU said train and engine crews already carry a lot of equipment, and a permanent mounting would ensure availability of the respirators in the event of a hazmat release.

## First Student drivers say 'YES' to UTU

RIVERSIDE, Calif. – School bus operators employed by First Student here have voted to return to the UTU after a year of being represented by another organization.

Bonnie Morr and John England, both UTU alternate vice presidents, responded when many of the 116 First Student bus operators in Riverside indicated a wish to restore UTU representation.

"The workers at this property realized what a



**First Student**

representation one year ago.

good system they had under the UTU and voted to rejoin the UTU by a vote of 56 to 36," Morr said.

Following the vote to return to the UTU, Morr praised "the organizing energy and determination" displayed by First Student operators **Roman Lara, Felita Moore and Chris Hubbell** – all previous officers of Local 1496 when the UTU held

## FRA specialist wins DOT honor

An FRA safety specialist has been honored with an Excellence Award by the U.S. Department of Transportation for what Transportation Secretary Ray LaHood called "his role in uncovering the widespread failure of a Class I railroad to maintain their fleet of equipment up to the federal standards."

Honored was FRA Motive Power & Equipment Specialist Timothy McQuaid, of FRA's Region 4 office in Chicago. The railroad was CN, and the violations McQuaid documented occurred within Region 4, which includes Illinois, Indiana, Michigan, Minnesota and Wisconsin.

"Because of McQuaid's efforts," LaHood said, "the railroad committed to upgrading their inspection and oversight processes, improving safety on our nation's freight corridors."



McQuaid

McQuaid's award reads:

"[McQuaid] demonstrated superior initiative, leadership, and tenacious attention to duty in finding widespread failure of a Class I railroad to conduct proper mechanical inspections on their equipment and locomotives.

"Over the course of the past year, Mr. McQuaid reviewed hundreds of reports from his inspectors, studied the reports on mechanically caused accidents on the railroad, and conducted countless inspections across the region to determine, first hand, the widespread failure by the railroad to maintain their fleet of equipment up to federal standards.

"He deployed his inspectors to the key terminals, inspecting for the mechanical defects identified as the causes for the derailments...[and] discovered a consistent failure on the railroad's part to correctly identify and repair these defects.

"He personally conducted scores of inspections and interviews with employees to ascertain the level of managerial culpability...thoroughly documenting his findings.

"During a joint FRA/railroad senior management meeting, the railroad acknowledged the seriousness of their shortcomings, identified the need for improved training standards, focus on safety rather than performance, and began tracking all mechanical inspections performed by their personnel.

"In addition, the railroad has committed to upgrading their inspection and oversight processes," the FRA said.

## Alert commuter crew saves life

STOUGHTON, Mass. – An alert and ever vigilant Massachusetts Bay Commuter Railroad crew – that recognized the difference between a bag of clothes between the tracks and a human being – saved a life in this Boston suburb Dec. 9.

The MBCR crew, with engineer Chris Holm at the throttle and conductor **John Gibbs** (Local 898, Boston) in charge, brought the six-car train to a halt after the locomotive's headlight pierced the dark and illuminated what turned out to be an intoxicated man who had stumbled onto the tracks.



John Gibbs (left) and Chris Holm

"He wasn't coherent," Gibbs told the *Boston Herald*. "He told me he wanted to rest. I said, 'This isn't the place to do it.'"

"We're trained to do this," said Gibbs, age 54 and with 17 years of service as a conductor. "It's good to know when it happens you can snap right to it."

An MBCR spokesperson told the *Herald*, "It's hardworking, quick-thinking men like Chris Holm and John Gibbs that show what an excellent job the men and women on the commuter rail do every day."

## Iowa Northern members ratify pact

UTU-represented conductors and engineers on Iowa Northern Railway have ratified their first agreement covering wages, benefits and working conditions.



Turner

Iowa Northern T&E employees chose the UTU as their collective bargaining agent in November 2008.

The agreement was negotiated with the assistance of UTU Alternate Vice President Doyle Turner.

"We will continue to look for railroad and other unorganized transportation workers who want and need union representation," Turner said. "We are trying hard to bring parity in wages, work rules and benefits to the unorganized.

"Among gains workers obtain with UTU representation include job security, a defined grievance procedure and discipline rules, a work schedule that enhances their quality of life, and a defined set of benefits and work rules," Turner said. "These are benefits workers cherish and they won't obtain them without joining a union."

Iowa Northern, headquartered in Cedar Rapids, operates more than 160 miles of former Chicago, Rock Island & Pacific track. It also connects with the Cedar Rapids & Iowa City Railway, which is represented by the UTU.

## Rail workers: take sleep, fatigue survey

An educational website focusing on sleep, sleep disorders and fatigue management has been created in a collaborative effort among the UTU, the Brotherhood of Locomotive Engineers and Trainmen, the Federal Railroad Administration, sleep medicine experts at Harvard Medical School, and Boston Public Radio station WGBH, which is Public Broadcasting's largest producer of educational web and television content.

Input from UTU railroad members, nationwide, is essential to the project.

UTU members are encouraged to complete an anonymous, online survey that should take no more than 15 minutes to complete.

To respond to the questions and complete the survey, go to the following website:

[www.zoomerang.com/Survey/WEB22BBLH-SEXZA](http://www.zoomerang.com/Survey/WEB22BBLH-SEXZA)

Additional information on the project and its website – "Sleep Health for Railroaders" – is available by going to the following website:

<http://sleep.med.harvard.edu/ext/railroaders/>

## Two treasurers' workshops planned

The UTU International is conducting two treasurers' workshops at its headquarters in North Olmsted, Ohio, March 7-8 and March 9-10. Attendance at each workshop will be limited to 24 registrants.

Those interested should contact the office of the general secretary and treasurer to register. Call (216) 228-9400, or e-mail Executive Assistant Nancy Miller at [n\\_miller@utu.org](mailto:n_miller@utu.org).

The deadline to register is Feb. 28.

UTU corporate room rates of \$78 per night, plus tax, are available at the Radisson Hotel Cleveland Airport, 25070 Country Club Blvd., North Olmsted, adjacent to the UTU. Make reservations at (440) 734-5060. Mention "UTU" when making reservations.

# Negotiations are progressing

We continue to make progress in negotiations to amend the national rail agreement, affecting some 40,000 UTU members employed by BNSF, CSX, Kansas City Southern, Norfolk Southern, Union Pacific and many smaller railroads represented by the National Carriers' Conference Committee (NCCC).

The national rail contract was opened for amendment in January 2010. The existing agreement remains in force until amendments are concluded under provisions of the Railway Labor Act.

We have held eight formal negotiating sessions with the NCCC. A



## International President's Column

By Mike Futhey, International President  
(216) 228-9400; [president@utu.org](mailto:president@utu.org)

round had stretched aimlessly into their third year. Within 30 days, our new negotiating team reached an agreement with the NCCC that was overwhelmingly ratified by our membership.

Again, this round, our negotiat-

We are utilizing a health care consulting firm to produce hard data on health care costs, and to assist both sides in exploring innovative solutions to slow the upward spiral of health care costs.

It is not good enough to say we simply want something, because that list is endless. As our negotiating team did in January 2008, we are utilizing interest-based bargaining – joint problem solving whereby each side understands the needs of the other.

In a collaborative atmosphere, we are negotiating toward a win/win agreement, which requires that both sides attempt solutions not anticipated by either side individually, but achievable jointly through commonality of interests.

between yard assignments and at away-from-home terminals.

Of importance to our bus and transit members, we are working collectively with other labor organizations to improve – through regulation and legislation – workplace safety and quality of life.

For our highly trained and skilled airline members, we are working to solve some of the unimaginable workplace conditions they endure. We represent pilots and flight attendants who can't afford basic dental care and who qualify for food stamps.

Education of members is a high priority. We are beefing up the educational offerings – air, bus and rail – at regional meetings, and building on initiatives of several of our progressive rail locals to provide educational seminars at away-from-home terminals.

Education includes communication, and within a few months we will launch a redesigned, expanded and easier to navigate website at [www.utu.org](http://www.utu.org).

Cost control at the UTU International – and within the UTUIA – is of great importance, and is being pursued through more efficient and

## Win/win agreement achievable in 2011

ninth is scheduled in January. Our objective is to reach a voluntary tentative agreement that recognizes the many and significant contributions our members have made to soaring railroad profitability.

When I took office in January 2008, negotiations in the previous

ing team is relying on rock-solid research to counter carrier arguments that the recession requires employee give-backs. We have developed financial and economic data on carrier profits and worker productivity to justify our contract demands.



[utunews@utu.org](mailto:utunews@utu.org)

**Mike Futhey, International President**  
[president@utu.org](mailto:president@utu.org)

**Arty Martin, Assistant President**  
[asstpres@utu.org](mailto:asstpres@utu.org)

**Kim Thompson, General Secretary and Treasurer**  
[gst@utu.org](mailto:gst@utu.org)

**James Stem, National Legislative Director**  
[jamesastem@aol.com](mailto:jamesastem@aol.com)

**Contact the UTU:**

Phone (216) 228-9400; fax (216) 228-5755

**For the latest news, visit [www.utu.org](http://www.utu.org); also, sign up on the UTU website to receive news alerts via e-mail.**

## Airline, bus, railroad member education a top priority

There are other issues high on our 2011 agenda:

We are placing increased emphasis on improving workplace safety and security by expanding the role of the Rail Safety Task Force. This includes working jointly with the carriers to refine and improve provisions of the Rail Safety Improvement Act, as requested by UTU members who participated in the task force's exhaustive safety survey on workplace concerns. Objectives include the matter of time-off –

responsive delivery of services to our members and policyholders.

I pledge that we will continue to represent our members with honesty, ferocity, courage, resiliency and adaptability.

The UTU will be recognized universally as representing hardworking men and women who deliver, with integrity and dedication, essential transportation services to the American economy, which remains the envy of the world.

# We will keep pressing to improve, protect

January brings a new session of Congress and the start of state legislative sessions across the country. Our UTU legislative team in Washington and our state legislative directors will be on guard protecting the interests of our members.

Two old UTU friends are in charge of key transportation committees in the House and Senate. Rep. John Mica (R-Fla.) now chairs the House Transportation & Infrastructure Committee; and Sen. Jay

## 'No' to Social Security, Railroad Retirement privatization

Rockefeller (D-W. Va.) continues as chairman of the Senate Commerce Committee.

Among UTU legislative priorities:

- Growing passenger and freight rail transportation, including Amtrak, public transit and commuter airline service.



## Officers' Column

By National Legislative Director  
**James Stem**

(202) 543-7714; [jamesastem@aol.com](mailto:jamesastem@aol.com)

America has become too dependent on foreign oil and expanded railroad and public transit service can help reduce that dependency and provide not just jobs, but excellent careers.

- Growing funding for transit. While demand is growing, many transit systems have buses and commuter rail cars stored because of a shortage of operating funds. We will work to secure more flexible funding so service can be maintained and expanded.

- Work to prevent the weakening or privatization of Social Security and Railroad Retirement.

- Work with our aviation partners for reauthorization of the Fed-

eral Aviation Administration to include new safety provisions.

- Work to pass improvements to the Railroad Safety Improvement Act of 2008. Our members know

## We will seek improvements in hours-of-service laws

the solution to fatigue: "Just tell me when I must report for work and I will show up rested."

Among improvements sought will be: A 10-hour call for all unassigned road service; a provision to allow regular yard jobs only eight hours off-duty between shifts;

require yardmaster assignments to be covered by hours-of-service provisions; require advance notice of interim release periods; and, a limitation on limbo time to a maximum of two hours for each tour of duty.

While the UTU has many friends on both sides of the aisle, we expect very few major policy issues to pass Congress the next two years given the divided government (Republicans in charge of the House; Democrats controlling the Senate).

While that may be disappointing, we also expect there to be less opportunity for bad things to happen.

That said, we will keep pressing on and do our very best to protect the interest of our members.

# State Watch

## News from UTU State Legislative Boards

### Wyoming

Thanks to Local 1857 (Green River) and the UTU state legislative board, children in Green River were visited by Santa Claus.

Wyoming State Rep. **Stan Blake**, who is also state legislative director, said he attended a Green River budget meeting and heard that there would not be enough money for Santa to visit the town's children.

Although the event – "Santa's Arrival" – only cost \$1,500, the money was simply not in the town's budget.

Blake said he just thought that would be terrible. "We need to keep Santa's Arrival for the kids," he said.

Blake approached Local 1857 to see if they could cover the event's cost. After the meeting with them, the local Chamber of Commerce received \$750 from Local 1857 and \$750 from the state board.



Photo courtesy The Green River Star

From left to right are Local 1857 Chairperson **Diana Archuleta** and President **Kim Collier**, **Blake**, **Janet Hartford** and **Bonnie Bigolin** from the Green River Chamber of Commerce.

The railroad union members just wanted to ensure the Green River children had the chance to see Santa Claus and have a memorable holiday, Blake said.

### Minnesota

State Legislative Director **Phil Qualy** reports mixed, but optimistic, results from the 2010 general election.

Former U.S. Sen. **Mark Dayton** has been elected governor, becoming the first governor to serve from the Democratic Farm Labor Party (DFL) in 24 years, Qualy said.

Minnesotans elected Republicans to lead both the state Senate and House of Representatives for the first time in more than three decades. The House transportation chairperson is former UTU member **Mike Beard** (R-Shakopee), who worked as a brakeman on the Chicago & North Western Railway from 1978 to 1984.



Shown, from left to right, are L-1000 (Minneapolis) Legislative Rep. **Wayne Newton**; Gov. **Mark Dayton**; **Qualy** and Local 911 (Minneapolis) Legislative Rep. **Jack Wrich**.

"The Minnesota legislative board will continue to work with the Republican leadership as we have in the past. Where we can work together to improve railroad safety, security, and service, UTU will be the leader at the table," Qualy said.

### Virginia

**Margaret Fiala**, who retired from CSX in November after 32 years of service, wasn't the first female among the ranks of trainmen, but old heads at CSX recall she was the first woman who considered train service a career.

When she hired on with CSX predecessor Seaboard Coast Line in 1978, a caboose was attached to every train, there were dozens of Class I railroads operating in America, and the remote control foreman job she worked in her final months wasn't even contemplated.



Fiala

Fiala, the wife of Local 924 (Richmond, Va.) Chairperson **Jimmy Chapman**, is said to have designed and championed the 10/3 work-rest cycle, which originated between Richmond and Rocky Mount, N.C. – an innovation that reduced absenteeism and led to the current 6/2 pool operation on CSX.

As Local 924 legislative representative, she was a 24/7 advocate of workplace safety, and never had a formal investigation over her career.

In later years, Fiala was elected assistant Virginia state legislative director.

"There are unique individuals who enter people's lives and make us better human beings for having known them," said CSX General Chairperson **John Hancock** (GO 851) of Fiala. "She was an innovator. She will be missed and we wish her a joyous retirement."

## UTU school-bus driver avoids fatal crash

BUFFALO, N.Y. – UTU member and Buffalo school bus driver **Yolanda Luciano** (Local 1908, Buffalo, N.Y.) is being hailed as a hero – likely saving the lives of one or more of the eight elementary school students aboard her First Student bus by engaging in a split-second emergency defensive driving maneuver on a snowy street the afternoon of Dec. 8.



Luciano

The automobile, its driver allegedly fleeing police – and perhaps traveling 100 mph before the crash, according to Buffalo television news reports – appeared in Luciano's windshield, coming directly at her bus.

Luciano abruptly steered the bus from a direct head-on impact with the blue Chevrolet Impala, but it was still a head-on crash.

"Everything went up in smoke and flames, just horrible," an eyewitness told WGRZ television news. Luciano helped evacuate the children from the bus.

"She really handled the situation well," said General Chairperson **Dale McClain**. "She saved lives."

Only one student – a six-year-old – was injured seriously enough to be taken to the hospital with non life-threatening injuries. The driver of the auto also was hospitalized with unspecified injuries.

Local 1908 represents some 600 First Student drivers and mechanics in Buffalo.

## Send us your photos

The UTU International is seeking good railroad, bus and airline photos.

High-resolution digital photographs should be e-mailed to "utunews@utu.org". Printed photographs should be mailed to UTU News, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070. Please include the UTU member's name and UTU local number, the name(s) of the person or persons in the photo (left to right) and any other pertinent information. All photographs become property of the UTU.

**A message to UTU Bus Department members  
from Alternate Vice President-Bus Calvin Studivant  
mcoperator2@yahoo.com**

## When Parks refused to back down, all Americans were raised higher

December marked 55 years since Rosa Parks refused to give up her seat on a Montgomery, Ala., bus – "an act that challenged the moral conscience of an entire nation," said President Obama in honoring her legacy.

Most historians date the beginning of the modern civil rights movement in the United States to Rosa Parks' act of courage on Dec. 1, 1955.

The Montgomery bus boycott lasted 382 days and brought Parks to the attention of the world. The Supreme Court subsequently struck down the Montgomery ordinance under which Parks had been fined, and outlawed racial segregation on public transportation.

President Obama said the Montgomery bus boycott "marked a turning point in American history...and the eventual outlawing of racial segregation and discrimination."



Parks

Continued President Obama, "Rosa Parks and the many other leaders and foot soldiers in that struggle for justice championed our founding principles of freedom and equality for all. As we commemorate the anniversary of the Montgomery bus boycott, I encourage all Americans to honor their legacy – the legacy of Americans who marched bravely, worked tirelessly, and devoted their lives to the never-ending task of making our country a more perfect union."

In 1996, President Clinton presented Parks with the Presidential Medal of Freedom. She received a Congressional Gold Medal in 1999.

After her death in 2005, at age 92, Parks' casket was placed in the rotunda of the United States Capitol for two days – making her the only woman and second African-American in American history to lie in state at the Capitol.

And congratulations to the brothers and sisters of Local 23 in Santa Cruz, Calif., who, under the leadership of Sister **Sharon Hightower Toline**, helped to organize a historical presentation of Rosa Parks and her legacy. On Dec. 1, the transit district reserved the front seat on buses as a dedication.

On another note, I am happy to report that Southeastern Pennsylvania Transportation Authority employee **Rhonda Taylor** (Local 1594, Upper Darby, Pa.) had her termination case overturned in arbitration. Sister Taylor, out of work since February 2010, was reinstated with full back pay, minus 30 days for suspension, and the discipline will be expunged from her record. General Chairperson **Waverly Harris**, Vice General Chairperson **Brian Caldwell**, and members **Curtis Fulmore** and **David Stinsman** presented the case. I was honored to have provided assistance.



Studivant



# SEE YOU AT THE 2011 REGIONAL MEETINGS!

The 2011 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 meeting registration and hotel reservations can be made online by visiting [www.utu.org](http://www.utu.org) and clicking on the "Meetings" tile in the blue menu bar at the left-hand side of the UTU homepage.**

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

A completed registration form listing each attendee, regardless of age, and complete payment in U.S. funds must be received at the UTU International Headquarters, 24950 Country

## San Antonio, June 20-22

**HILTON PALACIO DEL RIO**  
**200 S. ALAMO ST.**  
**SAN ANTONIO, TX 78205**

[www.hilton.com](http://www.hilton.com)

**Hotel reservations:** (800) HILTONS toll free; (210) 222-1400 direct; (210) 270-0761 fax  
**Reservation code:** UTU

**Daily room rate:** \$139 single/double, plus tax; \$20 for each additional person; rates good for three days before and after the meeting, depending upon availability.

**Reservation deadline:** May 18, or until all rooms being held for the UTU are reserved

**Parking:** \$35.50 per day valet; \$22 per day self park

**Golf outing:** The regional meeting golf outing will be held Sunday, June 19, at a course to be determined. The cost is \$80 per golfer, which includes golf, lunch and more.

### Overflow hotel:

Menger Hotel  
 204 Alamo Plaza  
 San Antonio, TX 78205  
 (800) 345-9285; mention "UTU"  
 \$119 single/double  
 Cut-off date: May 18  
 Parking: \$25/day or \$6-\$18 a day off site



Clockwise from above: the Alamo; the Riverwalk; Market Square



Club Blvd., Suite 340, North Olmsted, OH 44070-5333, prior to the scheduled start of the meetings or the registrant will be charged an on-site registration fee of \$200.

The pre-registration fee for the 2011 regional meetings is \$150 per member, spouse or child over age 11, the same fee charged the last five 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 regional meeting registration by June 6 for the San Antonio meeting or June 20 for the New York meeting without penalty. Please fax any changes or cancellations immediately to the UTU International Headquarters at (216) 228-5755.

## NEW YORK CITY, JULY 4-6

**GRAND HYATT NEW YORK**  
**109 E. 42ND ST. AT GRAND CENTRAL TERMINAL**  
**NEW YORK, NY 10017**

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

**Hotel reservations:** (800) 233-1234 toll free; (212) 883-1234 direct; (212) 697-3772 fax  
**Reservation code:** UTU

**Daily room rate:** \$159 single/double, \$184 triple, \$209 quad, \$259 Regency Club, plus tax. These room rates are only available Saturday, July 2, through Wednesday, July 6, or until all rooms held for the UTU are reserved.

**Reservation deadline:** June 9, or until all rooms being held for UTU are reserved.

**Parking:** Valet parking only: \$47/six hours; \$58/24 hours; limited self parking off site

**Golf outing:** There will be no golf outing at this regional meeting.



### Overflow hotel:

Roosevelt Hotel  
 45 East 45th St.  
 New York, NY 10017  
 (888) 883-3969; mention "UTU"  
 \$199 single/double; \$239 triple; \$279 quad  
 (Rates good three days before/after meeting)  
 Cut-off date: June 11  
 Parking: \$55 valet or self park



Clockwise, from lower left: the Statue of Liberty; Times Square; the Manhattan skyline.

## TWO SPOUSE TOURS SET

The UTU is arranging two different tours of local attractions at both regional meetings. They will be held the day before, as well as the first day of, both regional meetings.

In San Antonio, there will be a cultural tour on Sunday and a mission tour on Monday. In New York, there will be a city tour on Sunday and a Statue of Liberty/Ellis Island tour on Monday. (Details at [www.utu.org](http://www.utu.org).)

Note that tour fees are \$35 for registered attendees, \$75 for non-registered attendees in San Antonio, and \$50 for registered attendees, \$90 for non-registered attendees in New York.

## UTU ARRANGES DISCOUNT AIRFARES, CAR RENTALS

Continental Airlines is offering discounts of 2 percent to 10 percent off published fares to UTU members and others attending the San Antonio and New York regional meetings. To receive the discount, call your travel agent or Continental Airlines MeetingWorks at (800) 468-7022 and provide the Z Code **ZJU3** and Agreement Code **535314**. There will be \$20 service fee collected, per ticket, for all tickets issued through MeetingWorks reservations or any Continental Airlines ticketing facility. The service fee is non-refundable and applies to all itineraries, one-way or roundtrip. To avoid a service fee and receive an additional 3 percent discount, book your reservations online at [www.continental.com](http://www.continental.com). Enter both the UTU's Z Code and Agreement Code, with no space (**ZJU3535314**), in the Offer Code box. The additional 3 percent discount applies to published fares only.

The UTU also has arranged with Avis Rent-a-Car to offer discounted rates to UTU members attending the 2011 regional meetings. To reserve a car, contact Avis at (800) 331-1600 and use the UTU's Avis Worldwide Discount (AWD) number: **D150699**. Or reserve online at [www.avis.com](http://www.avis.com).



## UTU REGIONAL MEETING REGISTRATION FORM

Registering before the regional meetings speeds sign-in procedures, 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 6 for the San Antonio meeting or June 20 for the New York meeting for the member/spouse to be considered pre-registered.

**Which regional meeting will you be attending?** ☐ San Antonio ☐ New York

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** ☐ San Antonio ☐ New York

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 per registered spouse, \$75 per unregistered spouse in San Antonio; \$50 per registered spouse, \$90 per unregistered spouse in New York)

**Child registration** ☐ San Antonio ☐ New York

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 per registered child, \$75 per unregistered child in San Antonio; \$50 per registered child, \$90 per unregistered child in New York) No. attending \_\_\_\_\_

**Guest registration** ☐ San Antonio ☐ New York

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 per registered spouse, \$75 per unregistered spouse in San Antonio; \$50 per registered guest, \$90 per unregistered guest in New York)

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

**Golf registration** ☐ San Antonio

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 \_\_\_\_\_

This form and payment of \$150 per person over the age of 11, plus golf registration fees of \$80 per golfer (if applicable) and spouse/guest tour fees (if applicable), must be received at the UTU International, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333, by June 6 for the San Antonio meeting or June 20 for the New York meeting for the member/spouse to be considered pre-registered. Make checks or money orders payable in U.S. funds to "UTU Regional Meeting." Those who do not pre-register for the regional meeting but choose to register at the meeting site will be charged a \$50 penalty fee. Space on the tours is limited; reservations are first-come, first-served.

UTU

Alumni

UTU Alumni Association

News, information for members of the *UTU Alumni Association*

UTU offers Italy tour; Alaska, Caribbean cruises

A survey of some 200 UTU Alumni Association members by Landfall Travel, the union’s designated travel provider, reveals that the group is ready to get out and see the world.

In December, more than 30 Alumni Association members and their spouses enjoyed the holidays at the Opryland Hotel and Resort in Nashville, Tenn. In August a group of more than 80 Alumni Association members toured Alaska.

“Here are the trips we are offering UTU Alumni Association members and friends in 2011, based on the survey results,” said Ann Huber of Landfall Travel. “What they requested...we supply.”

Genuine Italy tour, May 16 – 25

Tour includes Venice, Cinque Terre, Florence, San Gimignano/Tuscany, Montalcino, Orvieto, Assisi, Rome. Rate: \$3,185 per person; air additional.

Cruise to Alaska, July 28 – Aug. 7

This Holland America Cruise Line cruise to Alaska, July 28 – Aug. 7, runs 11 days (four days land; seven days cruising).

Itinerary includes Denali National Park (McKinley Explorer Rail), Fairbanks, Anchorage, Seward, Ketchikan, Juneau, Skagway, Glacier Bay National Park, and College Fjord Scenic Cruising. Rates start at \$2,190 per person for an inside cabin; air additional.

Post-convention cruises

UTU members and retirees can enjoy a Royal Caribbean Cruise Line cruise – either a three-day weekend cruise or seven-day Caribbean cruise – following the UTU Quadrennial Convention in Hollywood, Fla.



Princess Cruise Lines’ “Crown Princess”

Three-day weekend cruise, Aug. 12 – 15

Aboard the “Majesty of the Seas.” Itinerary includes Cococay and Nassau, Bahamas. Rates start at \$450 per person for an inside cabin, plus air if applicable.

Seven-day Caribbean cruise, Aug. 13 – 20

Aboard the “Oasis of the Seas.” Itinerary includes Nassau, Bahamas; St. Thomas, Virgin Islands, and St. Maarten. Rates start at \$1,375 per person for an inside cabin; air additional.

British Isles cruise Aug. 16 – 28

This Princess Cruise Line cruise of the British Isles aboard the “Crown Princess,” a 12-day tour, takes place Aug. 16 – 28.

Itinerary includes London/Southampton (departure port), St. Peter Port, Cobh, Dublin, Liverpool, Belfast, Greenock, Invergordon, South Queensferry, Paris. Rates start at \$2,240 per person for an inside cabin; air additional.

Cruise of Hawaii, Oct. 15 – 22

This seven-day Hawaiian cruise aboard Norwegian Cruise Line’s “Pride of America” will take place Oct. 15 – 22.

Itinerary includes Honolulu, Maui, Hilo, Kona and Kauai. Rates start at \$1,350 per person for an inside cabin; air additional.

Call Landfall toll free at (800) 835 9233; check out the Alumni Association page on [www.landfalltravel.com](http://www.landfalltravel.com) or e-mail [travel@landfalltravel.com](mailto:travel@landfalltravel.com) for more information.

These tours are open to all UTU Alumni Association members, family and friends; other UTU members are welcome to join them as space permits.

“Without a travel agent, you’re on your own!” Huber said.

Medicare Part B premiums rise

The Centers for Medicare & Medicaid Services says that while the standard monthly Part B premium will rise to \$115.40 in 2011, most Medicare beneficiaries will not see an increase in their monthly Part B premiums.

This is because of a hold-harmless provision in current law that will freeze Part B premiums at the amount paid in 2010.

It is those who newly enrolled in Medicare Part B during 2010 who will pay the new \$115.40 monthly premium in 2011.

Additionally, those who do not have their Part B premiums withheld from Railroad Retirement or Social Security payments, or those subject to income-related additional premium amounts will pay a higher premium in 2011.

The income-related additional premium threshold is annual adjusted income of \$85,000 for individuals and \$170,000 for married couples.

The Centers for Medicare & Medicaid Services estimates that only about five percent of Medicare beneficiaries with Part B will pay higher premiums in 2011.

Lifetime benefit level increased in 2011

The Railroad Employees’ National Early Retirement Major Medical Plan (ERMA) provides for lifetime maximum benefits, which are adjusted annually according to a formula negotiated in 2001 by labor organizations and carrier management.

For 2011, the lifetime maximum benefits payable will be \$126,200, according to United Healthcare, the plan’s administrator.

For individuals who already have reached

the lifetime maximum, an additional \$7,300 may be applied in 2011 to eligible expenses where medical service is provided on or after Jan. 1, 2011.

The lifetime maximum is calculated through a formula that utilizes the October 2010 consumer price index data – as calculated by the U.S. Department of Labor’s Bureau of Labor Statistics – for hospital and related services and physician services.

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
2	Fairchild, George L.	Taylor, Mich.	486	Fitterer, William P.	Laurel, Mont.	1011	Martin Jr., John U.	Albemarle, N.C.
5	Ferguson, John T.	Kansas City, Mo.	495	Dickerman, Eugene A.	Henderson, Colo.	1075	McMurtrie, Douglas	Port Charlotte, Fla.
60	Dame, Sidney L.	Gorham, Maine	525	Ernst, Melvin A.	Bismarck, N.D.	1137	Mertens, Roy L.	Staples, Minn.
145	Watkins, Thomas E.	Dublin, Ohio	590	Frommelt, W.A.	LaCrosse, Wis.	1168	Kilmer, Leland M.	Florence, Ariz.
199	Everman, Barton E.	Creston, Iowa	622	Luther, Vernon L.	Gardendale, Ala.	1200	Krentz, William E.	Hamburg, N.Y.
202	Erickson Jr., Arvid E.	Denver, Colo.	622	McPheeters, Frank T.	Lenoir City, Tenn.	1313	Long, Jerry F.	Lubbock, Texas
204	Ferraro, Sam F.	Pueblo, Colo.	631	Phillips Sr., Francis E.	Fairfield, Pa.	1334	Rainey, Charles L.	Mendenhall, Miss.
265	Moore, Charles R.	Chattaroy, Wash.	631	Stavinoha, Eugene F.	Towson, Md.	1390	Nemeth, John C.	Somerset, N.J.
277	Blais, Henry J.	Thomaston, Conn.	730	Meadors, Allen V.	Great Falls, Mont.	1390	Turner, Eugene T.	Lake City, Fla.
286	Vohland, James H.	Grand Island, Neb.	756	Gambrel, Robert H.	Corpus Christi, Texas	1413	Chomyn, Henry A.	Elizabethport, N.J.
298	Fineran, John J.	Lockport, Ill.	771	Pratt, Roland C.	Needles, Calif.	1433	Toler, James R.	Seminole, Fla.
303	Hackler, Paul W.	Marshfield, Mo.	792	Hocker, William A.	Winter Haven, Fla.	1545	Smith Sr., Earl S.	Ferriday, La.
309	Fabbri, Ralph C.	Ashville, Pa.	832	Erkkila, Rudolph	Superior, Wis.	1563	Donaldson, Robert	Rancho Cucamonga, Calif.
313	Frazee, Edwin J.	Savannah, Ga.	853	Earl, Russell G.	Amory, Miss.	1597	Finlon, Donald R.	Skokie, Ill.
320	Fenske, Kenneth R.	Winter Haven, Fla.	855	Domrese, Lyle M.	Spokane Valley, Wash.	1598	Waddell, Jimmy L.	Woodbury, Ga.
367	Dimmitt, Rex L.	Okeechobee, Fla.	886	Morrison, Cornelius E.	Munising, Mich.	1780	Bouyear, Norman E.	Independence, Mo.
376	Johnson, Houston	Mount Washington, Ky.	886	Versailles, Francis J.	Mesa, Ariz.	1929	Mohlman, Albert E.	Belleville, Ill.
378	Paden, Harold R.	Citrus Springs, Fla.	924	Soper, George E.	Tappahannock, Va.	1949	Petrocelli, Anthony D.	Old Bridge, N.J.
477	Oursler, Raymond E.	Marion, Kan.	1000	Jernberg, Charles M.	St. Cloud, Minn.			

# UTUIA offers protection against accidental death and dismemberment

## UTUIA policy now offers guaranteed approval for active transportation employees!

UTUIA's accidental death and dismemberment policy includes all the following benefits for a reasonable premium:

- \$180,000 for death caused by commom carrier
- \$90,000 for death caused by automobile
- \$60,000 for accidental death
- \$30,000 for dismemberment
- Intensive care confinement benefits of:
  - \$600 per day
  - \$60 per day for family lodging
  - \$30 per day for family meals
  - Up to \$1,800 for air ambulance
  - Up to \$300 for surface ambulance

•Optional rider for spouse/children

This policy provides benefits for acci-dents and not sickness.

Some benefits provided to the policy owner are greater than those provided under the optional family rider.

Some benefits may vary by the poli-cyholder's state of residence.

For more information, complete and mail the coupon at right or call the UTUIA, toll-free, at (800) 558-8842.



Call toll-free:  
**1-800-558-8842**

### Information, please

I would like more information on the Accidental Death and Dismemberment plan.

Please print



Full name	Date of birth	UTU local number	
Address	City	State	ZIP
Telephone number with area code		Sex	Male <input type="checkbox"/> Female <input type="checkbox"/>

Complete and mail to: UTUIA, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333 01/11

# UTUIA seeks 2011 volunteer of the year

The United Transportation Union Insurance Association is looking for a special person to honor as its 2011 volunteer of the year.

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

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

A panel of judges at the UTU International will review all submissions and select the 2011 volunteer of the year.

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

Additionally, he or she will be honored at the 2011 UTU/UTUIA regional meeting nearest his or her home, with all expenses paid by the UTUIA.

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

Nominations must be received or postmarked by March 31.

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

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

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

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

Nomination forms should be mailed to: UTUIA Volunteer of the Year, Attn.: Tony Martella, Director of Insurance, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.

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

## UNITED TRANSPORTATION UNION INSURANCE ASSOCIATION 2011 Volunteer of the Year Nomination Form

Name	Local		
Address			
City	State	ZIP	
Telephone number	Dates of volunteer activities		
Total volunteer time (hours, minutes)	Weekly <input type="checkbox"/>	Monthly <input type="checkbox"/>	\$ Value of contribution (if applicable)

Please attach a separate sheet of paper describing volunteer activities.  
The more documentation you can provide, the better. 1/11

UTUIA, 24950 COUNTRY CLUB BLVD., SUITE 340, NORTH OLMSTED, OH 44070-5333

## COLA to be paid; Tier I taxes drop

A cost-of-living adjustment was made Jan. 1 to UTU-member wages governed by the national rail contract.

The amount of the COLA, based on a formula contained in the national rail contract, is three cents per hour.

The COLA reflects a low rate of consumer inflation.

By contrast, Railroad Retirement and Social Security benefits will be frozen at the 2010 level in 2011 owing to the low rate of consumer inflation as calculated by the U.S. Labor Department's Bureau of Labor Statistics.

The national rail contract also provides that health care insurance cost sharing will increase slightly in 2011.

Effective Jan. 1, the employee contribution

became \$202.90 monthly for operating craft employees, and \$202.71 for yardmasters.

The difference is due to the straight-time equivalent-hours component in the national rail contract formula that determines health-care insurance cost sharing.

Social Security taxes – and Tier I Railroad Retirement taxes – will be cut by two percentage points for employees for the entirety of 2011.

For Tier I, carriers and employees each will pay 6.20 percent on a maximum of \$106,800 of wages.

For Medicare, carriers and employees each will pay 1.45 percent on all wages.

For Tier II, carriers will pay 12.1 percent and employees 3.9 percent on a maximum of \$79,200 of wages.

## Foundation offers aid to rail daughters

The John Edgar Thomson Foundation offers financial assistance to daughters of deceased railroad parents.

The foundation, established in 1882 and endowed by the will of Thomson, the third president of the Pennsylvania Railroad, is accepting applications for aid.

Thomson (Feb. 10, 1808 – May 27, 1874) was an American civil engineer, railroad executive and industrialist. He was president of the Pennsylvania Railroad from 1852 to 1874 and oversaw the railroad's conversion from wood to coal.

The deceased parent must have been in the active employ of any railroad in the United States at the time of death; the cause of death need not be work related and the parent, while on

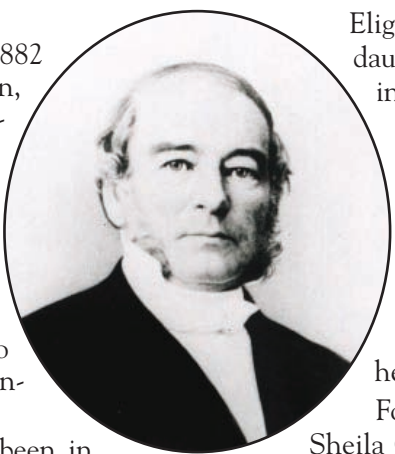
the "active role" of the railroad, may have been receiving disability or sick-leave benefits.

Eligibility is dependent upon the daughter and surviving parent remaining unmarried.

The monthly allowance made under the grant may cover the period from infancy to age 18; under certain circumstances to age 22 to assist grantees who are pursuing higher education goals.

The foundation also offers special health-care benefits.

For further information contact Sheila Cohen, Thomson Foundation, 201 S. 18th St., Suite 318, Philadelphia, PA 19103. Phone (215) 545-6083 or (800) 888-1278 toll free. E-mail: sjthomson@aol.com.



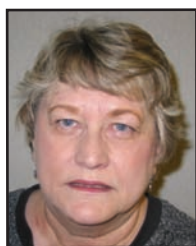
## Two veteran UTU International workers retire

Two veteran UTU International employees – **Barb Hann** and **Bonnie Stoffer** – have "pulled the pin."

Hann, who retired Nov. 30, was hired in 1989 in the Updating Department and worked as a membership records clerk; claim adjuster; insurance representative; annuity representative and billing auditor.

Hann is married to Dennis and has three children and two grandchildren.

Stoffer, who retired Dec. 31, was hired in



Hann



Stoffer

1980 as a utility clerk in the Updating Department. She also worked in data entry, and as a billing auditor.

The widow of former UTU International employee Bill Stoffer, Bonnie has one son and one grandson. You could always tell where Bonnie's desk was: it was always decorated for every

holiday.

UTU International President Mike Futhy praised Hann and Stoffer as "hard workers dedicated to serving the UTU membership."

## Certification

*Continued from page 1*

• Conductors who must be certified are defined as "the crewmember in charge of a train or yard crew."

• Trains are defined as freight and passenger trains on railroads that connect to the national rail network.

• Conductor certification does not cover assistant conductors, brakemen, yard helpers, switchmen, utility men, switch tenders, flagmen or others not in charge of a crew.

### Current conductors to be grandfathered

• Railroads must implement a formal process – to be approved by the FRA – for training conductors and determining they are competent.

• To be qualified for certification, a conductor must successfully complete all instruction, training and examination programs required by the carrier. Conductors must also meet minimum federal safety standards, including minimum hearing and vision standards.

• Passenger train conductors must have received emergency preparedness training to be certified.

• Current conductors will automatically be certified (grandfathered).

• Conductors may be decertified for between 30 days and three years, depending on the number of violations.

• Decertification may occur for violations stemming from operation of their personal motor vehicles, such as impaired driving.

• Decertification may also take place when FRA safety regulations are violated (such as failing to take appropriate action to ensure a locomotive engineer adheres to train speed limits and signals and signposts, or fails to perform or have knowledge that a required brake test was performed).

• Decertified engineers will not be allowed to work as a certified conductor while decertified, nor will decertified conductors be allowed to work as certified engineers. An exception is that a conductor, decertified for violating a 49 CFR Part 218 safety regulation, will be able to work as a certified engineer.

• If the railroad permits, a decertified engineer or decertified conductor may work, for example, as a brakeman, a passenger train assistant conductor, or in another non-certified position.

• If the railroad permits, decertification time may be used for retraining.

### Certification makes conductors professional, more indispensable

• All crews are required to have a certified conductor assigned. The NPRM is crew consist neutral, but provides that a lone engineer must be certified as both an engineer and a conductor, or be accompanied by a certified conductor.

• The process for appealing decertification can be extremely lengthy, and require an attorney-at-law. Mann cites a decertification he is challenging – involving an engineer – that has now dragged into its fifth year. Mann said streamlining the appeals process, before the final rule goes into effect, will be among the top priorities of the UTU.

Although conductor certification carries the risk of decertification, the UTU RSAC Conductor Certification Working Group said certification will enhance the proficiency of UTU members, making them ever more professional and indispensable.

Collective bargaining, not the FRA rulemaking, will determine whether a certified conductor receives additional pay.

## Discipline Income Protection Program: It Pays!

**What is the Discipline Income Protection Program?** This program pays you a specific amount over a length of time if you are suspended, dismissed or removed from service by the carrier for alleged violation of rules or operating procedures, provided that such violations are not on the list of exceptions not covered.

**What benefits are paid?** You choose the level of benefits paid, from \$6 to \$200 per day, all at low monthly assessments. The term of benefits, from 250 to 365 days, depends on how long you have been enrolled in the program.

**Who sponsors the program?** The United Transportation Union International sponsors the Discipline Income Protection Program.

**Who is eligible for coverage?** UTU members in the U.S. and Canada may enroll as members on a voluntary basis.

**How do I get more information?** Contact your field supervisor or local insurance representative, or write to: UTU, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333, or e-mail "dipp@utu.org" or check out the Discipline Income Protection Program page on [www.utu.org](http://www.utu.org).



# UTUIA SCHOLARSHIP: A KEY TO SUCCESS



## DISTRIBUTION

Fifty continuing \$500 scholarships are awarded each year upon verification of enrollment for the fall term. The scholarships are pro-rated according to the number of UTU members in each of nine districts. The names of the 50 scholarship winners for the academic year 2011/2012 will be drawn at UTUIA headquarters in Cleveland after the March 31, 2011, deadline for submission of applications.

## ELIGIBILITY

Requirements for a scholarship applicant are that he or she be at least a high school senior or equivalent; age 25 or under; be a UTU member or UTUIA-insured member, the child or grandchild of a UTU member or UTUIA-insured member, or the child of a deceased UTU member or UTUIA-insured member. (If member is deceased please include date of death). UTU members or UTUIA-insured members must be U.S. residents.

Applicants also must be accepted for admittance, or already enrolled, for at least 12 credit hours per quarter or semester at a recognized institution of higher learning (university, college or junior college, nursing or technical school offering college credit). Graduate schools are not included. Families of full-time International officers are not eligible.

## AWARDS

Scholarships are awarded on the basis of chance, not grades. A UTUIA scholar, however, is expected to maintain a satisfactory academic record to keep the scholarship for the full four years.

## ADMINISTRATION

The UTUIA Scholarship Committee decides whether individual scholarships should be continued or discontinued. Each successful applicant must provide annual proof of eligibility on or before a deadline set by the scholarship committee to qualify for a continuing award. The day-to-day management of the program is handled by the office of the UTUIA general secretary and treasurer.

## INVEST IN THE CHANCE OF A LIFETIME

The UTUIA Scholarship Program is an open program. All eligible students, regardless of previous grades or future plans, are strongly urged to apply, to take five minutes to invest in the chance of a lifetime, the chance for a better future.

UTUIA SCHOLARSHIP DISTRICTS		
District		Scholarships
1	Connecticut, Maine, Massachusetts, New Hampshire New York, Rhode Island, Vermont	5
2	Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania	5
3	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia	8
4	Indiana, Michigan, Ohio	5
5	Illinois, Wisconsin	4
6	Arkansas, Louisiana, Oklahoma, Texas	5
7	Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota	7
8	Arizona, California, Colorado, Nevada, New Mexico, Utah	8
9	Alaska, Idaho, Montana, Oregon, Washington, Wyoming	3



### A message from UTU International President Mike Futhey

Education is the key to success, and the key to an education can be a United Transportation Union Insurance Association scholarship.

With college enrollment time near, I urge all eligible persons to take a few minutes to fill out the UTUIA scholarship application form printed below and apply for a UTUIA scholarship. It will be one of the smartest things they ever do.



This is the 37th year UTUIA is making available 50 continuing \$500 scholarships for its members, and the sons, daughters and grandchildren of its members.

I realize the amount awarded, \$500 a year, doesn't meet the full cost of the recipient's education, but in this way the UTUIA can help a larger number of students with educational costs. They may use the scholarship money for tuition, learning materials or other related expenses.

UTUIA scholarship winners will receive the full amount of the award each year for up to four years of undergraduate study as long as they maintain a satisfactory academic record.

With a UTUIA scholarship, we hope to give the recipient the opportunity for a full-time education instead of a part-time education, day school instead of night school, higher education instead of basic training.

UTUIA scholarship recipients are enrolled in some of the finest and most prestigious colleges and universities in the world. We can point to the many achievements of past scholarship winners who have contributed so much to our great nation.

The key to success is education, and the key to education is a UTUIA scholarship. Take a minute to apply for the chance of a lifetime.

As the saying goes: "If you think education is expensive, try ignorance."

*Mike Futhey, Jr.*

Mike Futhey, President  
UTU International

UTUIA SCHOLARSHIP  
APPLICATION FORM 2011/2012

(PLEASE TYPE OR PRINT)

STUDENT'S NAME

(LAST) (FIRST) (M.I.)

BIRTH DATE

/ /

(M/D/Y)

MEMBER'S NAME

(LAST) (FIRST) (M.I.)

UTU Local #

or

UTUIA Local Unit #

ADDRESS OF MEMBER

OCCUPATION

EMPLOYER

STUDENT'S RELATIONSHIP TO MEMBER

COLLEGE YEAR, 2011-2012

☐ FRESHMAN

☐ SOPHOMORE

☐ JUNIOR

☐ SENIOR

SIGNATURE OF STUDENT

SIGNATURE OF MEMBER

(Please include date of death if member is deceased.)

Applications must be received **no later than March 31, 2011**. Please submit **only one application per student**. Incomplete, photocopied or duplicate applications will not be accepted. The application form printed on this page is the official UTUIA scholarship application form and is the only one you will receive. If you need another application form, request one from the address below. Please include your UTU local or UTUIA local unit number with your request. Complete the form above, cut it out (leaving address on reverse side, if possible), and mail to:

**UTUIA Scholarship Program**  
**United Transportation Union Insurance Association**  
**24950 Country Club Blvd., Suite 340**  
**North Olmsted, OH 44070-5333**

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**POSTMASTER:** Send address changes to **UTU News**, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-



## Photo of the month



**SALUTE TO WOUNDED WARRIORS:** *The Liberty Limited*, carrying wounded war heroes from Walter Reed Army Hospital and Bethesda Naval Hospital north from Washington, D.C., to the Army/Navy football game in Philadelphia, Dec. 11, receives a heartfelt 50-star salute from retired Army Col. Lex Bishop at Northeast Corridor milepost 81, Chase, Md.

The two E-8 locomotives pulling the 19-car special – outfitted in former Pennsylvania Railroad livery – are owned by Bennett Levin, a railfan and friend of the UTU who, with his wife Vivian and son, Eric, first organized this trip in 2005 to honor those who sacrificed so much on behalf of their fellow Americans. Levin reached out to other private varnish owners for use of their cars. The photo was taken by UTU friend Don Kalkman Jr., whose grandfather was a Pennsylvania railroad engineer from the 1920s to the late 1950s.



The Official Publication of the United Transportation Union

## Pigskin to conductor: "It's job security"

**Keith Fitzhugh** is a conductor trainee on Norfolk Southern's Atlanta North District.

He could be playing football with the New York Jets.

If you think trading a National Football League play-book for an operating employee's rulebook is something akin to carrying the ball toward your own goal line, think again.

The 24-year-old Fitzhugh – who has made application for UTU membership when he completes his probationary period in January – knows the value of steady work and regular paychecks in an economy thrown for a loss.

"You can have a fine living working for the railroad," Fitzhugh said.

Cut by the Jets pre-season, Fitzhugh responded to an early December invitation to return as a defensive back with a polite, "thanks, but no thanks."

Fitzhugh began conductor training with NS in September, established seniority in November, and looks forward to membership in Local 511 in Atlanta. He was raised in nearby Hampton, Ga.

"For me, having job security is important," said Fitzhugh, who is helping support his disabled father, a former truck driver. "I was released three times [twice by the Jets, once by the Baltimore Ravens]. There is no job secu-

rity [in the National Football League]. Why risk losing a good job with Norfolk Southern?

"Working for Norfolk Southern is one of the most prestigious jobs you can have," Fitzhugh said.

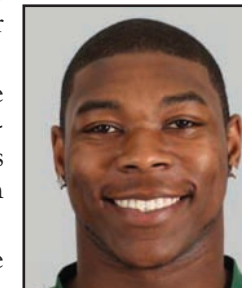
"I don't want to give up what I have now, go back to playing football a couple of weeks and then be released again. I have to look out for what's best for me and my family," he said.

"To sacrifice what he did for his family is the most unselfish thing I've heard by a player in sports," Fitzhugh's agent told the Associated Press.

"I think riding on a locomotive is one of the coolest things," Fitzhugh said. "I talked with my parents about it. They have always thought highly of Norfolk Southern, where it's safety first."

Fitzhugh, a standout safety at Mississippi State University, was signed by the Jets in 2009. He was named by *USA Today* as one of the top 200 college football players in the nation, and played as a senior in the East/West Shrine Bowl.

At Mississippi State, he earned a degree in communications, with a minor in marketing.



Fitzhugh

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



Retiree Gary Dillon honors miners with Kilimanjaro climb. See page 2.



Alert MBCR commuter crew saves man's life. See page 3.



See you at the upcoming UTU/UTUIA regional meetings. See pages 6/7.



UTU arranges tours, cruises for Alumni. See page 8.