

# UTU News

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The Official Publication of the United Transportation Union

## NTSB wants cameras, voice recorders in locomotives

The National Transportation Safety Board has recommended that railroads install inward-facing cameras and voice recorders in every locomotive cab in the nation, warning that cell phone texting by engineers and conductors is a growing and lethal danger.

The NTSB made its recommendation in the wake of its investigation into the deadly collision of a commuter train and a freight train in Chatsworth, Calif., in 2008 – a crash that killed 25 and injured 135, which the NTSB blamed on a Metrolink engineer who passed a stop signal while text messaging.

The engineer's prolific text messaging was "egregious," NTSB chairwoman Deborah A.P. Hersman said, citing records of his phone use. "This was an accident waiting to happen."

The NTSB said the Union Pacific conductor on the freight train the Metrolink commuter train slammed into also was improperly texting.

Only constant monitoring would have stopped the Metrolink engineer, who died in the collision, from texting, Hersman said. Cameras would mean "management cannot turn a blind eye to bad actors who are not doing their job."

The Chatsworth crash prompted Congress, in 2008, to pass legislation requiring railroads to install positive train control (PTC) within six years, which the NTSB said could have prevented the accident. But rather than await installation of PTC, the NTSB now wants inward-facing cameras (cameras aimed at crew members inside the cab). The NTSB said other forms of enforcing bans on text



messaging, cell phones and other personal electronic devices have proven inadequate.

The NTSB does not have authority to require installation of inward-facing cameras and voice recorders, but is asking the FRA to require such installation.

Rail labor has long contended that such cameras and voice recorders are an invasion of privacy and that the fail-safe nature of PTC will prevent collisions such as that at Chatsworth.

The FRA, in October 2008, banned the use of cell phones,

texting devices, GPS devices, electronic calculators, Game Boys, laptop computers and any other personal electronic devices by train and engine service crews, including hostlers and remote control operators. Penalties for violating

the ban include being taken out of service and fined up to \$25,000 by the FRA.

FRA regulations and railroad operating procedures already provide for extensive recording of locomotive and signal data, and radio conversations are routinely recorded.

**Rail labor contends cameras are an invasion of privacy and the fail-safe nature of PTC will prevent collisions such as that at Chatsworth, Calif.**

### News and Notes

#### Member killed in fire

CLARKE COUNTY, Ala. – Member **Aaron Milhouse**, 46, died Jan. 14 from injuries suffered as a result of a Norfolk Southern train fire Jan. 12. He was a member of Local 1053, Selma, Ala.



Milhouse

Milhouse, along with Local 1053 member **Mickey Stepp**, both NS train-crew members, were burned when their train encountered a burning trestle, then ground to a stop directly over the fire.

According to reports, the southbound freight train led by three locomotives braked when the crewmen saw the trestle on fire. The diesel fuel ignited as the men jumped into the water below.

The men contacted their trainmaster, then waited about an hour for help to reach them in the remote stretch of track. The fire spread to all three locomotives, which remained on the bridge.

Milhouse was the first UTU member killed on duty in 2010. Eight UTU members lost their lives in on-duty accidents in 2009.

#### UTU gives to aid Haitians

In the wake of the horrifying earthquake devastation in Haiti, our hearts especially go out to the hundreds of UTU members of Haitian descent, most of whom have family members in Haiti.

UTU International President Mike Futhey authorized a \$1,000 contribution to the American Red Cross in the name of UTU members of Haitian descent.

"This is a small humanitarian gesture, and I hope others within our union donate what they are able to relief efforts in Haiti," Futhey said.

Several UTU bus locals in the New York/Northern New Jersey metropolitan area, and elsewhere in the U.S., have a large number of members of Haitian descent.

**FRA urges safety-rule compliance. See page 3.**

## Final PTC rule requires two screens in cab

A final rule on how positive train control technology (PTC) is to be implemented by the nation's railroads was issued in January by the FRA.

The Rail Safety Improvement Act of 2008 mandated that freight, intercity passenger and commuter rail routes have operable PTC in place no later than Dec. 31, 2015.

Railroads must submit their final PTC plans to the FRA by April 16. The FRA said this final rule will allow railroads to meet the April 16 compliance date.

PTC, which has been on the National Transportation Safety Board's "most wanted" list since 1990 – and which has strong support from the UTU – utilizes on-board and external track signaling and remote dispatch center computer and satellite technology to assist train crews avoid train collisions.

PTC components include digital radio communications, computers, geographical information systems (GIS) and the Global Positioning System (GPS).

The technology is not capable of replacing two sets of eyes and ears in the locomotive cab.

Two computer screens must be installed in each locomotive cab, said the FRA.

The rule provides: "The PTC systems onboard apparatus shall be so arranged that each member of the crew assigned to perform duties in the

locomotive can receive the same PTC information displayed in the same manner and execute any functions necessary to that crew member's duties.

"The locomotive engineer shall not be required to perform functions related to the PTC system while the train is moving that have the potential to distract the locomotive engineer from performance of other safety-critical duties."

DOT Secretary Ray LaHood said PTC would help avert derailments caused by excess speed and accidents caused by human error or misaligned switches, as well as help prevent harm to maintenance-of-way workers.

A BNSF pilot program, being monitored by the FRA and called Electronic Train Management System (ETMS), is being tested on some 300 miles of track in Texas and Oklahoma. It relies on GPS in concert with a geographical information system to determine train location. The train and engine service crew receives data about the train and track status on cab displays that indicate authority limit, speed, switch position and track integrity (broken rails and signal aspect). Should the crew fail to respond to a warning, ETMS is designed to stop the train.

The *Wall Street Journal* reported in October that carriers estimate PTC might have to be installed on as much as 80 percent of mainline track, "far more than the industry [earlier] anticipated."

**The technology is not capable of replacing two sets of eyes and ears in the cab.**

# Around the UTU

## Local 194, Elkhart, Ind.



Ball, Holbrook

Robert L. Holbrook displays the etched plaque presented to him upon his retirement by Local Chairperson **James E. Ball**, commemorating his many years of service as chairperson to this Norfolk Southern local.

## Local 324, Seattle, Wash.

The Web site address of this BNSF Railway local has changed, Local President **Paul McGill** reports. Members seeking local information should now visit [www.utu324.com](http://www.utu324.com).

## Local 756, San Antonio, Texas

The members of this Union Pacific local in the Laredo area organized a toy drive for the Casa de Misericordia, a domestic violence shelter providing comprehensive services to abused women and their children, member **Bobby Flores** reported. "Through the cooperation of Local Chairperson **Mario Valadez** and our members, we were able to donate more than 200 toys to this local shelter," Flores said. "We are very proud of contributing to our community in this time of need, and we thank the officers of our union for giving us the means to be able to give to others."



Local 756 member Bobby Flores presents Casa de Misericordia Executive Director Sister Rose Mary Welsh with some of the more than 200 toys the local provided to the shelter.

## Local 792, Cleveland, Ohio

Furloughed conductor **Gordon Wanyek** wrote *UTU News* to express his appreciation for the efforts of fellow members in assisting furloughed employees during the holiday season. "As a furloughed Norfolk Southern freight conductor, I would like to share with all the generosity that was displayed here this Christmas season. Our local chairpersons asked for donations to assist the 35 furloughed Cleveland Terminal employees. The response was overwhelming, despite the economy. This spirit of individual sacrifice and the desire to help others has made me even prouder to be part of this team. I would like to express my gratitude to all and look forward to returning to work with the outstanding members of Cleveland Terminal," Wanyek wrote.

## Local 887, Harvey, N.D.

A fund has been established to assist the children of CP conductor **Kevin Goldade**, who died in November, State Legislative Director **Marc Halvorson** reported. Goldade's wife, Bobbie, passed away in 2006. "Following the unexpected passing of both parents, the family is now left to care for Goldade's three sons and daughter, Jacob (18), Karly (14), Hunter (12) and Kolby (11)," Halvorson said. The UTU brothers and sisters at Harvey have established an account to help offset the children's living expenses. Local 887 has donated \$500 to the fund. Send contributions to the Kevin Goldade's Children Fund, First International Bank & Trust, 910 Lincoln Ave., P.O. Box 245, Harvey, ND 58341.

## Local 898, Boston, Mass.

**Arthur Gonsalves Jr.**, 22, an assistant conductor with the Massachusetts Bay Commuter Rail Co., was killed in an automobile accident on Jan. 6, Local Treasurer **Frank Teague** reported. He would have turned 23 on Jan. 8, Teague said.

## After nearly 2 decades, member gives gift of life

In 1990, UTU member **Matt Taylor** and his girlfriend, Catherine, were visiting a local shopping mall when they happened upon a Red Cross mobile blood-donation center.



Matt Taylor

"Want to give?" he asked.

They both made a blood donation, and also agreed to provide blood samples to the National Marrow Donor Program, an organization that assists patients with leukemia and other life-threatening diseases to find blood marrow donors and raise funds to help make bone marrow transplants possible.

In August 2009, nearly 20 years later, Taylor was contacted by the marrow registry and informed he appeared to be a match for a 36-year-old woman suffering from leukemia. "Still interested?," they asked. His reply: "Absolutely."

Taylor lost both of his parents to cancer. His father, Harvey, died from colorectal cancer in 2002, and his mother, Patricia, succumbed to lung cancer in 2007.

"After I was contacted, I drove from Columbia, S.C., to Charleston, where I submitted a new blood sample for retesting, then underwent a complete physical and a full battery of tests," he said.

The registry confirmed his status as a match for the woman and Taylor agreed to the donation.

Marrow cells can be harvested by tapping into a donor's bone, or through a process known as apheresis.

During apheresis, blood is removed through a vein in the arm, neck or chest, run through a machine that removes blood marrow stem cells, then returned to the donor's body. To stimulate the production of stem cells, the donor may be given a medication to increase the number of stem cells released into the bloodstream.

Taylor was given the medication and he suffered a severe reaction. His body produced an abundance of marrow stem cells. "I was the sickest I have ever been in my life, but my reaction was very rare," he said. "There was no way I could back out."

Once the process was started, he explained, the marrow recipient also began receiving treatment to destroy her natural stem-cell production. She would likely die without the transplant proceeding.

The marrow foundation's records are kept confidential and the last Taylor heard, she was responding positively to the transplant and doing well.

"After one year, we may be able to exchange names and even meet," Taylor said.

Taylor, a Norfolk Southern conductor who serves as chairperson for Local 793 in Columbia, S.C., married Catherine and they have two sons, Layton and Cameron.

"I would do it again if they asked," he said.

For more information on becoming a marrow donor, visit [www.marrow.org](http://www.marrow.org).

## Local 1081, Glendale, Ariz.

Conductor **Kurt Loveless** unexpectedly lost his wife, Amie, just before Christmas, State Legislative Director **Greg Hynes** reported. Local President **Jay Woodward** and Vice President **Tom Clem** took up a collection among local members and were able to deliver 10 presents for

each of Loveless' two children, Emma, 2, and Tyler, 4. They also provided the family with \$635 in gift cards.

## Local 1183, Port Huron, Mich.

Legislative Rep. **Fred Beidler** contacted *UTU News* to express his family's appreciation to everyone who provided assistance and monetary contributions after the family lost their home to fire just before Christmas. "Thank you for everything. Those words just cannot convey the depth of our gratitude. Our sincerest 'thanks' for all of your good wishes and all of the generous gifts. We thank you for your kindness and prayers. We will not soon forget. We are eternally grateful. We cannot say 'thank you' enough," he wrote.

## Local 1293, Altoona, Wis.

Conductor **Jon Duffy**, 54, died while on duty at the Union Pacific's South St. Paul yard, Minnesota State Legislative Director **Phil Qualy** reported. He is survived by his wife, Kim, his parents, two brothers and a sister. The incident remains under investigation.

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

Members of this Staten Island Railway local generously participated in a food drive to benefit the Staten Island Project Hospitality program, Secretary & Treasurer **Vincent LaBella** reported. The food drive was organized by **Kerry Halvorsen** and her co-workers in the building and bridges department. In other news, **William Crocco** and Halvorsen were recently elected to the positions of local vice president and local safety officer, respectively.



Project Hospitality Program Director Teisha Diallo, second from left, graciously accepts the non-perishable food items collected by Local 1440 from (left to right) Local President Jaime Brownell, Local Chairperson Thomas Wilson, Vice Local Chairperson Jerry Ruggiero, Local Safety Officer Kerry Halvorsen and member Steve Ulitto.

## Local 1544, Maywood, Calif.

Secretary & Treasurer **Gary Proctor** informed *UTU News* that the members of this BNSF Railway local are mourning the loss of disabled member **John E. Reams**, 52, who died Jan. 5.

## Local 1670, Laredo, Texas

This El Metro bus local presented a \$500 check to *Navidad en el Barrio* to help keep a local Christmas tradition alive, **KGNS-TV** in Laredo reported. The non-profit organization is dedicated to improving the lives of the less fortunate in its communities and it sponsored a two-day Christmas party for underprivileged children at the Laredo Entertainment Center. "This (donation) was voted on by the members of the maintenance department," Local Chairperson **Bill Koehn** said. "They also gave a check to the Webb County Food Bank for \$1,200 earlier in the year."

## Local 1741, San Francisco, Calif.

Members of this bus local joined AFL-CIO President **Richard Trumka** and nearly 1,000 San Francisco hotel workers and others at a rally outside the Hilton Hotel on Jan. 5 in support of the 9,000 unionized hotel workers who have been working without a contract since Aug. 19. Some 140 people in all, including Trumka, were arrested and cited for trespassing. "The struggle of hotel workers here in San Francisco and across our country is so important. If we don't protect the wages and benefits and health care of workers, no job is safe, no worker is safe, no family is safe," Trumka said.

# FRA urges compliance with all rail-safety rules

Shocked that 16 railroad employees were killed in on-duty accidents during 2009 – eight of them UTU members – Federal Railroad Administrator Joe Szabo has issued a strong plea that all employees “think about rules compliance and consider its impact on ensuring a safe return home after each tour of duty.”



Szabo

Said Szabo, a former conductor and UTU's Illinois state legislative director prior to being chosen by President Obama as FRA administrator:

“Having spent 19 years on the ground myself, I – like you – understand the realities of railroading.

“My stomach still turns in knots each time I hear of an on-duty fatality.

“Let us each do everything we can to take care of ourselves and our coworkers.

“Zero fatalities is the only acceptable number, and it's a number we can all live with.”

**“Zero fatalities is the only acceptable number.”**

Judy Gertler, for 26 years a railroad safety expert with the consulting firm Foster Miller, which holds FRA contracts for data collection and analysis, said of Szabo's plea, “This is the first time I have seen an FRA administrator send out anything like this regarding rules compliance.”

## AFL-CIO creating online college

The AFL-CIO is joining with the National Labor College in Silver Spring, Md., and the Princeton Review to create an online college for the federation's 11.5 million members and their families, reports *The New York Times*.

The new college, tentatively named the College for Working Families, will be the first and only accredited degree-granting online institution devoted exclusively to educating union members. It plans to begin offering courses this fall, including ones on criminal justice, education, business and allied health sciences.

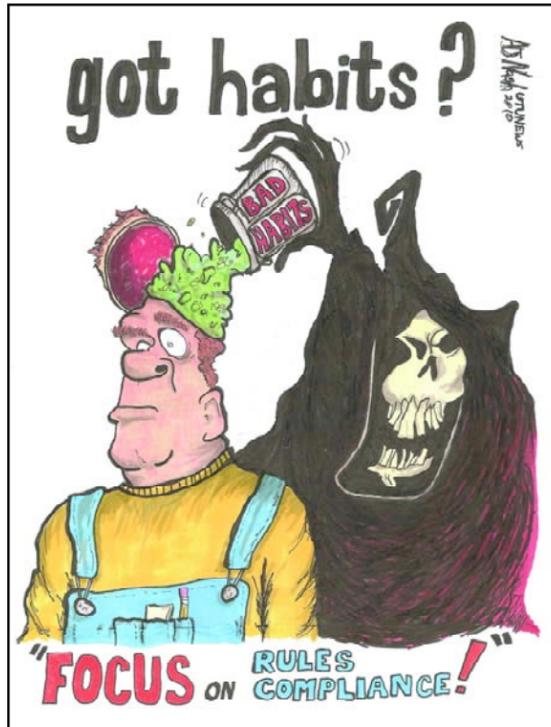
“We're working on a survey to send out to the AFL-CIO's members to find out what they'd be interested in,” said William Scheuerman, president of the National Labor College, a 41-year-old college for union members.

He said the online college would charge \$100 to \$150 a credit, competitive with community colleges and far cheaper than most four-year colleges and for-profit schools.

Scheuerman said the labor college selected the Princeton Review and its Penn Foster subsidiary as partners because of their expertise in distance learning.

Scheuerman said workers whose labor unions were not in the AFL-CIO, like members of the Teamsters and service employees' unions, could also take courses in the new college. He said they would probably have to pay a premium above what AFL-CIO members pay.

Scheuerman said the online college would first offer bachelor's degrees and would ultimately also offer associate's and master's degrees.



Of the 16 rail workers killed in on-duty accidents in 2009 – and one UTU member killed on the job Jan. 14, 2010 – Szabo said:

“This tragic toll is more than just a number; it

represents human lives: a father not there to walk his daughter down the aisle, a mother not there for her son's first day of school, an employee nearing retirement who did not live to enjoy the fruits of his labor.

“I'm asking each of you to use your time and talents to help eliminate railroad employee fatalities. In this world of instant communication and technology and information overload, we need to maintain complete situational awareness.

“Keep your mind clear of distractions – keep cell phones and other devices turned off – and focus on the task at hand.

“The railroad environment is totally unforgiving and the slightest lapse could be tragic.

“We must break down the barriers that keep us from achieving rules compliance, like taking a shortcut or yielding to pressure from a supervisor to unsafely expedite a move.

“We must take the time to ensure each rule is complied with, and mentor fellow coworkers. Remind them that it is all about going home safely, and if you are pressured by a supervisor to expedite a move by turning your back on the rules, report it.

“The FRA will work diligently to ensure that the focus on rules compliance is consistent within each carrier's organization.”

## El-Sibaie named to safety post

A civil engineer with an extensive railroad engineering background is the Federal Railroad Administration's new deputy associate administrator for safety, regulatory and legislative affairs.

Dr. Magdy El-Sibaie succeeds Grady Cothen in the post, following an extensive nationwide search to fill the position. Cothen announced his retirement in late 2009, but is remaining at the FRA through March to assist El-Sibaie in the transition.

Most recently, El-Sibaie was acting associate administrator for hazardous materials safety at DOT's Pipeline and Hazardous Materials Safety Administration.

Until October 2009, he was the FRA's director of research and development, following a successful tenure as the agency's chief of track research, where he managed the FRA's track inspection technology development program that created improved systems for measuring track geometry at high speeds.

El-Sibaie earned a doctorate in engineering mechanics from the University of Delaware in 1986, and was recruited by the Association of American Railroads as a researcher at the industry's Chicago Technical Center, where he is credited with pioneering new methods of computer modeling to measure the dynamic behavior of track under varying loads, speeds and conditions. For that work, the American Society of Mechanical Engineers honored him in 1980 with its Rail Transportation Award.

In 1989, he was reassigned by the AAR to its



El-Sibaie

Transportation Test Center in Pueblo, Colo., where he worked on vehicle/track interaction modeling and testing, in-train stability and wheel-load dynamics. He returned to the Chicago Test Center in 1993 to lead the AAR's track assessment and test program.

El-Sibaie joined the FRA in 1995 as a senior program manager in the Office of Research and Development, chairing a government/industry working group that formulated the first set of safety standards for U.S. high-speed rail service.

He also worked with rail suppliers and Amtrak to establish standards for Amtrak's high-speed Acela trains operating on the Northeast Corridor.

As deputy associate administrator for safety, regulatory and legislative affairs, El-Sibaie will lead FRA initiatives that develop and implement industry safety regulatory strategy. These efforts include leading the Rail Safety Advisory Committee (RSAC) in studying emerging safety issues, including the incorporation of new technology into the rail environment, as well as risk-reduction strategies and close-call reporting.

“Dr. El-Sibaie's numerous and demonstrated accomplishments make him an excellent choice for this position,” said UTU National Legislative Director James Stem. “We look forward to working with him in our never-ending effort to improve workplace safety and bring our members home from the job in one piece.”

## Feds set drug, alcohol test rates

FRA-mandated minimum drug and alcohol random-test rates will remain at their lowest levels in 2010, said the agency Jan. 13 after reporting that positive tests for substance abuse among railroad workers is barely a blip on the random-testing radar screen.

The FRA said it would require railroads in 2010 to administer random drug tests to one in four rail workers in safety-sensitive positions, and random tests for alcohol use to one in 10 rail workers in safety-sensitive positions.

This is the same minimum testing level as was required in 2009.

Announcing that “because the industry-wide random drug testing positive rate has remained

below one percent for the last two years of data,” the FRA said it would impose the minimum annual random drug-testing rate of 25 percent in 2010.

And “because the industry-wide random alcohol testing violation rate has remained below one-half of one percent for the last two years,” the FRA said it would retain the minimum 10 percent random test rate for alcohol use in 2010.

Were positive tests for drug use to exceed 1.0 percent, or positive tests for alcohol to exceed 0.5 percent, the FRA could impose a considerably higher random testing requirement – as high as one in two workers for drug and alcohol random testing.

# Union rep rules out of sync with times

The National Mediation Board, which administers the Railway Labor Act, proposes changing the rules by which rail and airline employees choose labor union representation. The UTU supports the change.

The NMB rules for representation elections now require a majority of employees eligible to vote actually cast a ballot favoring a union before that union is certified as the bargaining agent. Those not voting are assumed to have cast a "no" ballot.

By contrast, the National Labor Relations Board, which administers



## International President's Column

By Mike Futhey, International President  
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answer is that circumstances were markedly different when the rule was first imposed in the 1930s.

Back then, the NMB was concerned with company unions, racial discrimination, conflict

those voting) more conclusively communicated to management an employee desire for an independent labor union.

African-American employees often were denied representation in company unions, and were discriminated against in hiring, assignments and discipline.

Many railroads back then tried to deny ballots to African-American employees. By certifying representation elections based on the majority of those eligible to vote, the NMB advanced racial democracy.

In that earlier era, dozens of labor unions were in competition for representation, as it was not until 1954 that the AFL-CIO constitution prohibited "raiding" by its member

took up to five AT&T operators to complete long-distance calls, which cost up to \$33 in current dollars.

By requiring a majority of eligible employees vote in favor of representation, the procedure better assured an informed vote.

Finally, during the 1930s, communist agitators advocated worker militancy. The NMB election procedures of that era sought to prevent a handful of agitators from rigging elections.

Circumstances have, indeed, changed. And that is why the NMB now proposes to bring its 75-year-old representation election voting procedures in sync with the universal rule of democratic elections.

Meanwhile, Congress currently has before it the Employee Free Choice Act, which affects our bus members covered under the National Labor Relations Act.

Employers and their friends in Congress have so far blocked passage of that law.

The Employee Free Choice Act would do three things to level the

### It's time for the National Mediation Board to update rep-election procedures

labor law affecting the bus industry, certifies representation elections based on results of those actually voting – the universal standard in democratic elections.

The UTU submitted comments supporting the change. A decision may be issued this month.

You might wonder why the NMB has been out of sync with universal democratic voting procedures. The

among competing unions, lower reading comprehension among union members, primitive means of communication, and even communist agitators.

Two-thirds of the NMB workload in the 1930s involved purging outlawed company unions, which were controlled by management. Requiring a majority of those eligible to vote (as opposed to a majority of

### The Employee Free Choice Act will level playing field

unions. Thus, the NMB sought to "get it right" in determining which union the majority of employees favored.

During the 1930s, only 30 percent of workers held high school diplomas (versus more than 70 percent today), and voting was by mail ballot with detailed written instructions. Communication also was primitive.

This was no small concern, as under the Railway Labor Act, representation is system-wide. It may be hard to believe in this era of cell phones, but during the 1930s, it

playing field for employees and employers.

It would strengthen penalties against companies that illegally coerce employees from expressing support for union representation; it would require a neutral third party impose a contract when a company refuses to negotiate in good faith; and it would require an employer to recognize a union immediately if a majority of employees sign union-authorization cards.

The UTU supports passage of the Employee Free Choice Act.



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

## Amtrak CEO optimistic about future

As I travel the Amtrak system, I find there is real excitement, enthusiasm, and a sense of purpose among Amtrak employees throughout the company, including among the dedicated and professional men and women of the UTU.

There is reason to be optimistic about the future. The days of wondering if Amtrak is going to survive another year are behind us. This year, and the years ahead, will be focused on growing the business, not mere survival.

Just look at the facts. Congress has given Amtrak a strong long-term national mission. The White House has a real vision for intercity and high-speed passenger rail. Amtrak is experiencing record ridership. Federal economic stimulus funding is helping to rebuild our railroad and create new jobs. We are adding new state partners, expanding services on state corridor routes, and are about to enter into a new commuter rail contract.

And make no mistake about it –



### A message to UTU members from Amtrak President and CEO Joe Boardman

Amtrak is a major part of the future of intercity and high-speed passenger rail in America.

In late January, Amtrak became a significant beneficiary of President

meet our new challenges and opportunities. We can, and are, doing that today. The investments we're making and the steps we're taking to improve are designed to secure our

### "A strong partnership with rail labor is critical to Amtrak's future."

Obama's historic federal investment in passenger rail with approximately \$4.5 billion of the \$8 billion grant awards directed to state-led projects that support improvements to current or future Amtrak routes.

Amtrak must change and rise to

leadership position in the industry. A strong partnership with rail labor also is critical to the future.

We're also making significant strides in creating a safer workplace for all Amtrak employees. Safe-2-Safer will change the way we

approach safety by shifting our focus to working in a way that reduces risk and increases collaboration. Our focus should be on reducing risks and protecting each other, not statistics.

As front-line employees with significant direct interaction with our passengers, UTU members play a critical role in helping Amtrak to stand out from our competition and I will look to you for your support as we move forward.

I am very excited about the coming years. They will be filled with achievements that demonstrate a safer, greener, and healthier railroad and is an improved financial and customer focused company that lives up to its role in meeting America's national passenger rail needs.

I thank each and every UTU member for the good work you do for Amtrak. Please continue to work safely.

# State Watch

## News from UTU State Legislative Boards

### New York

State Director **Sam Nasca** reports that the recent earthquake in Haiti has affected many drivers who are members of Local 153, Spring Valley, which represents workers at Chestnut Ridge Transportation.

"Local 153 has more than 300 members who are of Haitian descent and have family, friends and property in Haiti," Nasca said. "It has been a very trying time for those members, as they try to determine the fate of their family members, friends and others.

"We have urged assistance for the Haitian recovery, through the authorized agencies and entities approved to handle such assistance. UTU members also have gathered and sent items needed in the recovery effort."

(See a related story on UTU International's donations to the Haitian relief effort, page 1.)

### Illinois

State Legislative Director **Bob Guy** recently attended a rail summit hosted by Gov. Pat Quinn that examined the economic impact of rail transportation in the state.

The guest speaker was former state legislative director and current FRA Administrator Joe Szabo.

Items discussed included local rail development, manufacturing, connecting to a global economy and innovation.

"This was a really good forum, and good opportunity for the UTU to connect and communicate with industry leaders," Guy said. "This kind of meeting shows how railroads have become a priority for both the Quinn and Obama administrations."

Also in attendance were Sen. Dick Durbin (D-Ill.); Rep. Debbie Halvorson (D-Ill.), Illinois Transportation Secretary Gary Hannig and U.S. Department of Commerce Assistant Secretary for Economic Development John Fernandez.

### Georgia



The Georgia State Legislative Board was recently asked to sponsor the first Georgia Working Family Caucus luncheon meeting of 2010 at the state capital in Atlanta. Approximately 70 attendees, including many state senators and representatives, were in attendance to hear and discuss pending and upcoming legislation in both houses of the General Assembly, State Legislative Director **Howell Keown** reports.

Sen. Nan Orrock (D - 36th Dist.) introduced and thanked Director Keown and the attending members of the Georgia State Legislative Board for hosting and sponsoring the luncheon.

Pictured above, left to right, are: Jay Gibson (L-674, Augusta); Georgia AFL-CIO President Richard Ray; Bernard Gray (L-1033, Atlanta); Asst. State Director Jim Finley (L-1261, Atlanta); Marvin Evans (L-941, Columbus); Keown (L-511, Atlanta); Gary Whitt (L-1971, Atlanta); Mike Parker (L-535, Macon) and Patrick Folsom (L-1263, Valdosta).

### Missouri

At the urging of the UTU, State Sen. Timothy Green (D - Spanish Lake) has introduced legislation to regulate the transportation of railroad employees by contract carriers to establish much-needed safety standards.

Senate Bill 762 would increase the safety of railroad workers by adopting new regulations on hours of operation to combat driver fatigue, require driver alcohol and drug testing after accidents, review and maintain workers' driving records, create important maintenance and repair standards for vehicles, and set reasonable liability insurance standards on contract carriers that transport railroad employees.

"Two of the biggest safety issues are distraction and fatigue, ones that we have all experienced," Green said. "A tired driver is a dangerous driver as performance starts to decline when sleep is reduced by even a few hours."

Last year, similar legislation passed in the Arkansas General Assembly with unanimous votes and was signed into law by the governor.

"The safety of our railroad workers and other drivers on Missouri's highways is the number one objective of this legislation," State Legislative Director **Ken Menges** said. "Sen. Green, a dedicated member of Missouri's organized labor movement, realizes the importance of safety on our roadways and is committed to fighting for our hardworking UTU members."

## EPA works to curb school bus emissions

Millions of school children across the nation ride on buses every day that burn diesel fuel, exposing them to dangerous pollutants and serious health hazards.

Part of Jim Blubaugh's job as head of the Environmental Protection Agency's (EPA) National Clean Diesel Campaign is to clear the air by reducing emissions from thousands of diesel-fueled school buses, and in the process protect children from these noxious exhaust fumes, *The Washington Post* reports.



As part of EPA's Clean School Bus USA program, Blubaugh and his team have provided millions of dollars in grants to states and school districts since 2003 for the installation of new exhaust systems and filters on their bus fleets to reduce nitrogen oxides, particulate matter and air toxics.

Last year, the program got a big boost with a \$300-million appropriation under the American Recovery and Reinvestment Act to install clean-diesel technologies across the nation, which represents a six-fold increase over 2008 funding.

"The Recovery Act funds will allow the program to assist many more fleets and communities with lowering diesel emissions from the 11 million engines in the existing fleet," said Blubaugh.

The problem of pollution is bigger than just school buses. More than 11 million diesel engines are in operation today that do not meet the EPA's clean diesel standards.

Blubaugh's program focuses on a wide variety of pollution reduction initiatives in the transportation, agricultural and construction equipment sectors. To date, Blubaugh's team has upgraded or replaced hundreds of thousands of non-school-bus engines, including locomotives, vessels, trucks and construction equipment.

"Diesel emissions are one of the most challenging and important public health issues facing the country," said Blubaugh. "It's difficult because diesel engines are the work horse of the country. You'll find them in school buses, in construction equipment, and locomotives."

## Government bans texting by bus, truck drivers

The U.S. Department of Transportation has issued a ban on texting by commercial bus and truck drivers as part of what DOT calls an effort to combat traffic deaths stemming from distracted motorists, Bloomberg News reports.

The Federal Railroad Administration – in October 2008 – banned the use of all electronic devices in the cabs of locomotives, and violators are subject to fines as high as \$25,000, plus other discipline.

Bus and truck drivers caught violating the DOT ban may be subject to civil or criminal penalties of as much as \$2,750, DOT said. The restriction applies only to drivers of buses carrying more than eight passengers.

Transportation Secretary Ray LaHood has made the issue a priority after more than 5,800 people died in 2008 in accidents where at least one form of driver distraction was cited in the crash report. DOT's move comes almost four months after President Barack Obama banned the nation's almost three million federal employees from texting while driving on the job.

"Our regulations will help prevent unsafe activity within the cab," Anne Ferro, head of the Federal Motor Carrier Safety Administration, said. "We want to make it crystal clear to operators and their employers that texting while driving is the type of unsafe activity that these regulations are intended to prohibit."

Research shows that drivers take their eyes off the road for an average of 4.6 seconds for every six seconds spent sending and receiving text messages.

### UTU seeks info on members, families in military

The United Transportation Union is seeking to honor its members, or their children or spouses, who are serving in any branch of the U.S. military. The *UTU News* plans to publish these names, and any photos received, in a future edition.

Along with the photo, please mail or e-mail the name and rank of the individual, the branch and unit of the military in which they serve, where they are stationed, along with the UTU member's name and local number.

*UTU News* also welcomes photographs of these military personnel, in uniform, for publication. Photos can be returned if requested.

Names and photographs should be e-mailed to [utunews@utu.org](mailto:utunews@utu.org) or sent to UTU News, United Transportation Union, 14600 Detroit Ave., Cleveland, OH 44107-4250.

# UTUIA: YOUR union-owned insurance company

## Insurance for unionized transportation employees, managed by labor-represented employees FOR labor-represented workers

**Aaron Combs**  
Phone: (815) 693-5773  
a\_combs@utu.org



Disability income replacement insurance has always been the most important coverage I want my own members to have. Having been a local chairperson, I saw too often what an injury can do to a family's finances.

Also, accidental death insurance is a must for all railroaders. We always think we will come home from work in one piece, but accidents can and do happen.

**Gary Snyder**  
Phone: (541) 281-2871  
gbsnyder@utu.org



UTU members need to understand that the UTUIA is their insurance company, sponsored by their labor union, run by labor-union executives and managed by union-represented workers. Name me one other insurance company that can make that claim. UTUIA knows the transportation business and gears its products to the needs of transport workers.

**David Landstrom**  
Phone: (307) 630-2927  
d\_landstrom@utu.org



Disability income replacement insurance is the foundation of all good financial planning. This policy pays benefits directly to the insured, tax free, with no payback provisions.

UTUIA's term life insurance offers the UTU member and his or her family the protections they need while raising a family, paying off a mortgage and saving for retirement.

**Charlie Skidmore**  
Phone: (303) 564-5616  
charlieskidmore@utu.org



Disability income replacement insurance can help ease the financial burdens that occur if you are sick or injured and unable to work.

Everyone should invest in the UTUIA's accidental death and dismemberment policy. Accidents happen, and you need to be prepared for them. Do not add insult to injury by being caught short.

**Dan McElley**  
Phone: (970) 260-1631  
danmcelley@utu.org



UTUIA annuities and IRAs are the cornerstones of a savings plan. Investments can be deducted from paychecks. The best way to save money is to pay yourself first each payday.

UTUIA's term life insurance offers valuable protection at a reasonable cost. You only pay for the protection you want and need.

**Steve White**  
Phone: (864) 379-4062  
s\_white@utu.org



I tell the young guys to buy a little whole life insurance when they are young because the rates are cheaper and guaranteed not to increase. It's a good deal. Our cancer policy is the same: your low rates are locked in at the age you purchase and will not increase over time.



**Joe Solito**  
Phone: (504) 914-0008  
joesolito@utu.org



The railroad industry is a dangerous line of work. That is why I recommend that all UTU members take advantage of the accidental death and dismemberment coverage offered by the UTUIA. It is an inexpensive way to provide valuable benefits.

Cancer is a dreaded disease. That is why I ask all UTU members and their families to consider the purchase of a UTUIA cancer policy. It can be a financial lifesaver.

**Serge Decoste**  
Phone: (909) 292-7361  
fs136@msn.com



Our members should know that life insurance benefits are paid out tax free, which is an important consideration in financial planning. I often hear people say they can do better investing on their own, to which I respond: Life insurance isn't an investment, it's a sure thing.

**Chris Fly**  
Phone: (252) 813-7319  
cfly@utu.org



The UTUIA's cancer policy provides daily income while confined to a hospital, and a two-for-one benefit while at home recovering. This income can greatly ease your financial burdens.

Our accidental death and dismemberment plan pays daily benefits for lodging and meals for family while confined in an intensive-care unit as a result of accident. This is a plan with considerable payouts for a nominal premium.

**Art Rayner**  
Phone: (724) 699-1233  
art\_rayner@utu.org



Transportation workers can put their hard-earned money to work for them by investing in an annuity or IRA through the UTUIA. If they invest a little bit each paycheck, the compounded rewards they will reap down the line can be tremendous.

Those who purchase UTUIA whole-life insurance do not want to burden their loved ones with funeral and other final expenses; they want to leave them with something of value, something upon which they can rely.

**Greg Hale**  
Phone: (574) 286-5902  
greghale@utu.org



I recommend the UTUIA's cancer policy. This policy not only pays daily benefits for hospital stays, but pays benefits while you recover at home. For around \$10 a month, this policy is essential.

Often I hear, "I am single. Why do I need life insurance?" Here's the answer: Money if you die; money (cash value) if you live!

**Malcolm Morrison**  
Phone: (910) 995-6720  
tbone@utu.org



I recommend the purchase of term life insurance to all young UTU members. It offers guaranteed, affordable premiums and provisions that guarantee the insured can upgrade to a whole-life policy.

UTUIA individual retirement accounts (IRAs) provide the best way for a member to start saving for the future. If you establish an IRA with the UTUIA, you have taken an important step towards financial independence.

**Don Dysart**  
Phone: (770) 335-4549  
dondysart@utu.org



UTUIA's whole life (permanent life) insurance provides both the protection of a death benefit with cash value (dividends), money you can access either by cashing in the policy or borrowing against it.

The UTUIA offers three different retirement plans (the Roth, traditional and flexible premium), and each are currently earning a 4 percent interest rate.

## Insurance is the foundation of your financial plan

By Tony Martella  
UTUIA Director of Insurance & Marketing



Martella

The foundation of a sound financial plan is to assure sufficient income to protect our loved ones in the event of an untimely death, catastrophic illness or long-term disability.

The United Transportation Union Insurance Association (UTUIA), owned by its policy holders, offers top quality insurance products for every stage of life and family circumstance, geared specifically for transportation industry members and their families.

UTUIA is all about dedicated trade unionists assisting dedicated trade unionists in a not-for-profit company.

With more than \$23 million in surplus, UTUIA is financially sound and offers a broad portfolio of competitive products.

### ACCIDENTS

The UTUIA's accidental death and dismemberment insurance policy offers guaranteed approval for all active transportation employees!

Premiums for this plan start at just \$6.50 a month.

For just \$19.50 per month, our best plan provides all of these benefits:

- \$180,000 for death caused by common carrier
- \$90,000 for death caused by automobile
- \$60,000 for accidental death
- \$30,000 for dismemberment
- \$60,000 for double dismemberment
- \$600 per day for intensive-care confinements
- \$60 per day for family lodging
- \$30 per day for family meals
- Up to \$1,800 for air ambulance transportation
- Up to \$300 for surface ambulance transportation
- Optional family rider covers your spouse and children for as little as \$3 per month. Remember, as a transportation employee, your approval is guaranteed.

### RETIREMENT

The traditional IRA and Roth IRA are specialized savings plans that help you accumulate funds for retirement.

Depending on your income level, and if you choose a traditional IRA, you may be able to deduct some or all of your contribution on your federal tax return. Contributions to a Roth IRA are not tax deductible.

The Flexible Premium Deferred Annuity (FPDA) is an insurance product. It has the same benefit as an IRA of having your investment earnings accumulate tax free until withdrawn. There are no limits on your contributions to an FPDA and any amount can be contributed at any time, subject to a \$25 minimum.

These products are currently paying 4 percent interest!

The UTUIA offers several payout options to best serve your needs. Upon death, the annuity value will be paid directly to your beneficiary, avoiding the expenses, delays and frustrations of probate.

Visit us on the Internet at [www.utuia.org](http://www.utuia.org) and click on the "Contact Us" button.

Or, call us, toll-free, at (800) 558-8842 and we will have a field supervisor contact you directly.

Or, complete, clip and mail the coupon at right; someone from the UTUIA will contact you.

And unlike so many private insurance companies, the union-friendly UTUIA doesn't engage in anti-union activities, such as lobbying for corporate-favored public policies.

To learn more about UTUIA products, contact a UTUIA field supervisor. The list of field supervisors and their contact information is shown on the opposite page.

### DISABILITIES

Today you are healthy and have the ability to earn an income. Tomorrow, that may change. Income replacement insurance is one of the most critical forms of insurance you can own and yet it is one of the most overlooked.

Your most valuable asset is your ability to earn a living. How will your family manage if you are disabled for a prolonged period of time?

Don't take that gamble. Let the UTUIA help; our disability income plan can make all the difference.

Our policy is guaranteed renewable, which means we can never refuse to renew your coverage as long as you pay the premiums.

This is one of the best investments you'll make to insure your family's financial future.

### CANCER

The costs associated with cancer treatment can be devastating, not only to the person who is diagnosed with this terrible disease, but to his or her family members as well. To help, UTUIA offers an affordable cancer policy. The benefits include:

- First diagnosis benefit: \$2,000
- Hospital confinement benefit: \$300 per day
- Home recovery and convalescent benefit: \$100 per day
- Extended stay benefit: \$600 per day
- Bone marrow transplant benefit: \$15,000

Less than \$1 a day covers you and your family! Also, there is no "lifetime maximum" on the total benefits you can collect from this plan!

### LIFE INSURANCE

#### Whole life insurance

Permanent life insurance offers guaranteed premiums, a guaranteed death benefit, guaranteed cash values and may pay dividends. It provides whole-life coverage up to age 121.

Loan provisions allow you to borrow up to 90 percent of the cash value in your policy. Other benefits include supplements (called "riders") to cover your spouse and dependents, an accidental death benefit provision and a waiver of premium if you become disabled.

#### Term Life Insurance

Term life insurance offers substantial insurance coverage for low premium costs. It also provides coverage for a specific period of time, up to age 95. Conversion privileges guarantee your approval to a whole life insurance policy, without medical review.

### Information, please

I would like more information on UTUIA's products.

Please print

Full name

Sex

Date of birth

Address

City

State

ZIP

Telephone number with area code

UTU local number

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

03/10

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

UTU  
Alumni

# UTU Alumni Association

News, information for members of the UTU Alumni Association

## UTU offers Alaskan cruise, tour

The UTU is offering the members of the UTU Alumni Association the vacation of a lifetime – an 11-day excursion to Alaska – at a group-tour price that is hard to beat.

This tour includes a seven-day cruise up the Inside Passage, a flight to Fairbanks and a two-day tour aboard the McKinley Explorer, a luxury train with domed passenger cars.

Vacationers will depart Vancouver, B.C., Aug. 15 aboard Holland America's five-star cruise ship M.S. *Statendam*. This vessel boasts fewer passengers, larger staterooms and more space than any other plying the Alaska waters.

Aboard ship you can enjoy a massage in the **Greenhouse Spa**, a cooking lesson in the **Culinary Arts Center** or hundreds of other activities.

On day three you will discover Ketchikan, possibly enjoying a flightseeing trip to breathtaking **Misty Fjords National Monument**.

On day four you will explore Juneau. You can wander the lush **Tongass National Forest**, explore **Mendenhall Glacier** or go whale watching.

You will be in Skagway on the fifth day of your adventure. This is home to the **Klondike Gold**



**Rush National Historical Park** and the historic **White Pass & Yukon Route Railroad**.

On day six the ship will cruise **Glacier Bay National Park**, Alaska's number-one glacier experience. You will cruise from the Reid and Lamplugh glaciers to the mighty Johns Hopkins – surrounded by rugged peaks and unforgettable scenery.

After a relaxing morning at sea on day seven, you will enter **Prince William Sound** and see the only place in Alaska that surrounds you on three sides with flowing rivers of ice, the **College Fjord**.

On day eight you will disembark at Seward and board a motorcoach for a scenic journey through the **Chugach National Forest** to Anchorage, where you will board a flight to Fairbanks.

You will board the luxurious **McKinley Explorer train** on day nine where you will take in the sights and sounds of the **Alaska Railroad**. You will arrive at **Denali National Park** lodge that evening.

The morning of day 10 is for exploring and side trips. Then you will reboard the Explorer for a

trip over the **Hurricane Gulch Bridge**, alongside lush mountains and raging rivers to Anchorage.

You will depart Anchorage the following morning, or stick around and explore if you desire.

The UTU, through its association with Landfall Travel/American Express, is able to offer this once-in-a-lifetime trip beginning at **only \$1,352 per**

person. Certain other fees and taxes apply.

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

For more information contact Landfall Travel toll free at (800) 835-9233; log onto the UTU Alumni Association page at [www.landfalltravel.com](http://www.landfalltravel.com), or email [travel@landfalltravel.com](mailto:travel@landfalltravel.com).



### Alumni member George Harris: Still going strong

Meet **George M. Harris**, a UTU Alumni Association member and lifetime member of Local 1518, Indianapolis. Brother Harris, 94, started railroading April 24, 1937, and retired Dec. 7, 1981.

He worked as a conductor for the New York Central, Penn Central and Conrail. He also served many years as local chairperson and vice general chairperson.

"George is probably the oldest New York Central conductor still living in this area, if not the whole Big Four System," said friend and fellow Local 1518 retiree Jim Arnett.

"George is still in good health, doesn't take



Harris

any prescription drugs, works in his vegetable and flower gardens and was, until recently, a regular Lake Michigan fisherman. He used to spend time near Luddington, Mich., fishing every summer. He still gets out and shovels snow in the winter months for exercise.

"George met Cecil Mottu in Frutigen, Switzerland, in 1946 during World War II and they have been married for more than 63 years. They had two children: Alex, a former BNSF engineer in California, and a daughter, Georgiane, of Indianapolis. He has five grandchildren, one of whom was an engineer for the BNSF," Arnett said.

### Railroaders to picnic in St. Petersburg, Fla.

Retired member **Joe Alenduff** is again organizing an annual picnic for railroaders in the St. Petersburg, Fla., area.

The event, scheduled for Saturday, March 20, will run from 11 a.m. to 3 p.m. at Shelter 15 in Ft. DeSoto Park in St. Petersburg.

Coffee and iced tea will be furnished. Participants are urged to bring two covered dishes to share, their own place settings and cups.

All railroaders, their friends and relatives are welcome and encouraged to pass the word, Alenduff said.

Take U.S. 19 South, or Exit 17 on I-275 at St. Petersburg and follow the signs.

For more information, contact Alenduff at (727) 522-6808 or send an e-mail to him at [jalenduff@tampabay.rr.com](mailto:jalenduff@tampabay.rr.com).

## THE FINAL CALL

Following are the names of recently deceased members who maintained annual membership in the UTU Alumni Association (formerly known as the UTU for Life Program), 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	Mauk, James G.	Elyria, Ohio	322	Dahlin, Mark J.	Kaukauna, Wis.	903	Rolfe, William E.	Jacksonville, Fla.
2	McCoy, Robert V.	Auburndale, Fla.	407	Brantley Jr., Thomas C.	Charleston, S.C.	904	Jenkins, Austin L.	Evansville, Ind.
6	Doan, Hubert W.	Danville, Ill.	440	Marcum, Earl C.	Winfield, Tenn.	1074	Baker, Harry F.	Smithton, Pa.
94	Felkins, Marion E.	Independence, Kan.	492	McClure, Harold E.	Carson City, Nev.	1075	Losasso, Delmer L.	Lucasville, Ohio
117	Baker, Fred K.	Portland, Ore.	500	Rettig, Walter A.	Grand Junction, Colo.	1301	Chadwick, Doyle R.	Powell, Tenn.
194	McClintock, Jack R.	Sicklerville, N.J.	587	Noonan, John S.	Clifton Park, N.Y.	1366	Moore, Ralph B.	Ivins, Utah
194	Ward, Clarence L.	Brazil, Ind.	596	Benson, Joseph M.	Butler, Pa.	1379	Underwood, Franklin T.	Carnegie, Pa.
239	Klobas, Albert	Albany, Calif.	627	Weiner, Marlin A.	Blue Springs, Neb.	1382	Erdmann, DuWayne L.	Wausau, Wis.
243	Anthony, Robert G.	Fort Worth, Texas	630	Ray Sr., Ernest B.	Pikeville, Ky.	1433	Moran, John L.	Schaumburg, Ill.
278	Wieczorek, Walter J.	Jackson, Mich.	631	Dallas, Lawrence H.	Knoxville, Md.	1462	Nelson, Cecil E.	Titusville, Fla.
284	Dunn Jr., William F.	Brook Park, Ohio	645	Jones, John M.	Brodheads ville, Pa.	1501	Tucker Jr., John W.	Metairie, La.
293	Steele, Charles W.	Houston, Texas	706	Akers Jr., Raymond D.	Vinton, Va.	1505	Simmet, Kenneth L.	Elk, Wash.
298	Beall, Harold G.	Logansport, Ind.	770	Daniels, Melvin D.	Heavener, Okla.	1548	Ross, Paul L.	Westfield, Ind.
298	Jensen, Herman W.	Garrett, Ind.	783	Hill, Henry L.	Royal Palm Beach, Fla.	1567	McKnight, Preston O.	Evarts, Ky.
313	Altschwager, Donald	Ludington, Mich.	838	Montgomery, Frank R.	Aston, Pa.	1831	Softy, Joseph H.	Boca Raton, Fla.
313	Gould, Keith A.	Ada, Mich.	857	Brown, Edward E.	Victoria, Texas	1886	Corley, Charley M.	Houston, Texas

# UTU member returns \$2,830 found on train

NEW YORK – Meet the most trusted train conductor in New York: Long Island Rail Road conductor and UTU member **Larry Pinkham Jr.**, a member of Local 645, Babylon, N.Y.

One of the LIRR train conductor's duties is to walk through his or her train after all customers leave at the final stop, checking for items passengers may have left behind, said LIRR General Chairperson Anthony Simon.

Pinkham did just that on Jan. 12, when the 2:52 p.m. train from Penn Station completed its run at Huntington, N.Y., at 3:59 p.m.

Pinkham was checking the train when he came across what he described as "a wallet that was large and bulky," right near the window seat of one of the cars.

The wallet turned out to contain \$2,830 in cash and, luckily, identification of its owner.

Pinkham, a 10-year LIRR veteran, turned in the wallet and contents to LIRR managers at the railroad's lost and found office in Penn Station.

The cash was tagged and deposited for safe-keeping and its owner, attorney David Sperling, was contacted.

The billfold was eventually reunited with Huntington resident Sperling, who said he was "absolutely frantic" when he reached and realized he didn't have his wallet.

LIRR procedure is to store found money in a



UTU member and Long Island Rail Road conductor Larry Pinkham, left, speaks to the media after returning a wallet he found containing \$2,830 to David Sperling, second from left. Joining them at the presentation were UTU LIRR General Chairperson Anthony Simon, far right, and LIRR Vice President of Public Affairs Joe Calderone.

fund and cut the rightful owner a check after they can prove it is theirs.

Pinkham, who was humble about his heroic deed, was not allowed to collect reward money as an LIRR employee. "We're here for the customers," he said.

"I am extremely proud of the honesty that Mr. Pinkham displayed by returning that type of cash," Simon said. "His actions are a true example to the integrity that is displayed by UTU members throughout our property."

# COBRA subsidy extended for laid-off workers

COBRA, the Consolidated Omnibus Budget Reconciliation Act, has long enabled many people who lose their job to keep their health insurance, generally for 18 months, at 102 percent of the full cost, meaning the portions paid by both the employer and employee.

But such coverage is expensive, and many people can't afford it. With so many Americans unemployed at once, a subsidy was deemed necessary to prevent the percentage of uninsured Americans from growing dramatically.

The subsidy was launched in March 2009 and paid 65 percent of the health insurance premium cost for nine months for workers laid off between Sept. 1, 2008, and Dec. 31, 2009 – saving families an average of \$722 per month on average health insurance premiums of \$1,111.

With a recently enacted extension, families get 15 months of subsidy instead of just nine. And the extension will apply retroactively even to those whose subsidy ended between Nov. 30 and Dec. 21 (the time between the end of the initial legislation and the start of the new measure), according to the Department of Labor.

Under the extension, a worker now qualifies for COBRA premium assistance if he or she was laid off involuntarily (meaning not fired for cause) between Sept. 1, 2008, and Feb. 28, 2010, and is eligible for COBRA assistance.

Workers are generally eligible for COBRA if they received their health insurance through their employer. (For full details on eligibility, log on to [www.dol.gov/cobra](http://www.dol.gov/cobra) or call the Department of Labor at 866-444-3272.

Though COBRA coverage generally lasts up to 18 months, the current extension provides the premium subsidy for up to 15 months more. An analysis by benefits consulting firm Hewitt Associates, based in Lincolnshire, Ill., found that average monthly enrollment rates in COBRA healthcare plans among subsidy-eligible workers have increased by 20 percentage points since the COBRA subsidy began.

COBRA – and the premium subsidy – ends if the individual becomes eligible for other employer-sponsored healthcare coverage (through a new job or a spouse's new job, for example) or Medicare.

Some people eligible for the subsidy might have dropped coverage when their COBRA subsidy ended in November or December because the full cost proved prohibitive. Employers must give those who did that the opportunity to pay back premiums and remain covered. Payment must be made within 60 days of the date when the subsidy initially expired.

## Register online now for regional meetings

Online registration is now available for the two UTU/UTUIA regional meetings scheduled for later this year.

The meetings are scheduled for July 26-28 at the Arizona Biltmore Resort and Spa, Phoenix, Ariz., and Aug. 23-25 at the Grove Park Inn in Asheville, N.C.

The online registration forms can be accessed from the "Meetings" button on the UTU Web site, [www.utu.org](http://www.utu.org). Payments can be made via credit card over the secure link.

The registration fee for these meetings, \$150 per person in advance or \$200 on site, is the same as that charged the last three years. Children 11 years of age and younger are complimentary.

Registration fees cover all meeting materials, the welcoming reception, three lunches and one dinner. Registered spouses and children also receive a discount on tours.

Each person attending the regional meeting, including family members and guests, MUST be registered in order to attend any social event or meal.

Registering before the regional meetings speeds sign-in procedures, helps organizers plan more accurately, and saves on meeting costs.

Those registering online can also make their hotel reservations through the same "Meetings" page. Attendees are urged to reserve their rooms as soon as possible because rooms held for the UTU are limited at both facilities.

Watch for complete regional meeting details in next month's issue of the *UTU News*.

## 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: Discipline Income Protection Program, UTU, 14600 Detroit Ave., Cleveland, OH 44107-4250, or e-mail "dipp@utu.org" or check out the Discipline Income Protection Program page on [www.utu.org](http://www.utu.org).



# UTU asks Senate to fast track FAA legislation

The UTU has joined other transportation labor organizations in urging the Senate to make Federal Aviation Administration (FAA) reauthorization a priority and bring the measure to the Senate floor for a vote quickly.

The House already has passed an FAA reauthorization bill, but the Senate must act before a final measure can become law.

Since October 2007, the FAA has been operating on a series of short-term funding extensions, leaving crucial safety, modernization,

**America needs job-creating initiatives like the investment provisions embodied in this bill.**

infrastructure programs and worker rights issues awaiting congressional action.

“A strong FAA reauthorization bill brings the promise of major reforms: increased investment in our airports and infrastructure; modernization of the air traffic control system; implementation of vital safety reforms; a fairer system of collective bargaining at the FAA; protection of workers’ rights; and reaffirmation of federal policy on the foreign ownership and control of U.S. air carriers,” said the labor organizations’ letter to Senate leaders.

“America needs jobs-creating initiatives like the investment provisions embodied in this bill,” the organizations said.

Besides the UTU, labor organizations signing

the letter were the Association of Flight Attendants, the Air Line Pilots Association, the National Air Traffic Controllers Association; the International Federation of Professional and Technical Engineers, the American Federation of State, County and Municipal Employees; the Machinists Union, the Laborers’ International Union, the Office and Professional Employees

International Union, the Transport Workers Union, and the Professional Aviation Safety Specialists.

The letter was addressed to Senate Majority Leader Harry Reid (D-Nev.), Senate Commerce Committee Chairman Jay Rockefeller (D-W.Va.), and Senate Finance Committee Chairman Max Baucus (D-Mont.).

## Retired BNSF exec tapped for Amtrak board

President Obama nominated on Jan. 19 retired BNSF executive Jeffrey R. Moreland to be a member of Amtrak’s nine-member board of directors, which currently has four vacancies.

Moreland now joins two other Obama nominees to the Amtrak board – Anthony R. Coscia and Bert DiClemente – awaiting a Senate confirmation hearing on their nominations.

Coscia and DiClemente were nominated by Obama Nov. 10 and, like Moreland, must be confirmed by the entire Senate.

Moreland, an attorney, was BNSF’s executive vice president for public affairs prior to his 2007 retirement. He also served as a BNSF lobbyist and its general counsel.

Prior to joining BNSF predecessor Atchison, Topeka & Santa Fe Railway in 1978, Moreland was an attorney with the Securities and Exchange Commission.

He earned an undergraduate degree from

Georgetown University, a law degree from Catholic University, and a master’s degree in business administration from the University of Chicago.

Coscia, chairman of the Port Authority of New York and New Jersey since 2003, has the support of New Jersey Democratic Sen. Frank Lautenberg, one of Amtrak’s strongest congressional supporters.

Rep. Robert Menendez (D-N.J.) has praised Coscia’s leadership in upgrading the PATH subway system and advancing plans to construct a new rail tunnel linking New Jersey with midtown Manhattan. Coscia earned a law degree from Rutgers.

DiClemente is a commercial real estate executive who, for two decades until 1997, was an aide to now-Vice President Joe Biden when Biden was a U.S. senator from Delaware. DiClemente earned an undergraduate degree from the University of Delaware.

## THE UTU INTERNATIONAL STAFF: HERE TO SERVE YOU

### RITA KELLY

Rita Kelly is assistant director of the UTUIA Policyholders Service Department. She started in 1998 in the Updating Department and moved to her current position in 2003. “I assist members with whatever questions they may have about insurance policies they hold with the UTUIA,” she explained. “I handle requests for loans against policies, look up cash values, process cash surrender values and much more. I enjoy talking to and helping our members; they are great. Every day is different on this job, and that makes it interesting.”



### MELISSA HUFF

Melissa Huff is a new systems developer in the Information Technology Department. She started with the UTU in 2007. What is a “new systems developer”? “I develop web-based computer applications,” she said, “such as the iLink system, which is our online membership database, among other things. I also work on the online registration Web site for the regional meetings. I also help local officers navigate their way around iLink. All this is the wave of the future and I am happy to help the UTU stay on the cutting edge.”



### KAREN LASBY

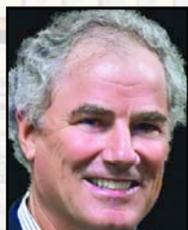
Karen Lasby is an annuity administrator with the UTUIA. She started in 1980 in the Claims Department, then was promoted to actuarial assistant before moving to her present position in 1996. “I assist members who invest in individual retirement accounts (IRAs) and annuities through the UTUIA. I process their investments, assist them with withdrawals and answer questions about benefits and payouts. I really enjoy working with our members and helping them with retirement plans that they can count on in the future.”



## Meet your UTU Designated Legal Counsel

There is no more dangerous work environment than on the railroads, where injuries too often are severe. The Federal Employers’ Liability Act (FELA) makes railroads accountable for unsafe working conditions. Railroads retain skilled attorneys to protect their interests. You also have access to skilled and experienced attorneys who understand the railroad industry, its

safety hazards, and every aspect of the FELA. They are the UTU Designated Legal Counsel, chosen for their special knowledge and experience. Their job is to represent you. This continuing column introduces you to all of the UTU Designated Legal Counsel. For a complete listing, go to the UTU home page at [www.utu.org](http://www.utu.org) and click on the blue tile, “Designated Legal Counsel.”



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UTU designated legal counsel (DLC) are available to provide free and confidential advice and counsel to UTU members regarding their rights when injured at work. When an injury occurs, no matter how slight, the injured person should get advice from DLC as soon as possible. Remember, a lawyer cannot change the facts and facts are made at every turn, once an injury occurs.

Why hire designated legal counsel? They can protect you from railroad efforts to force you to go to company doctors, who may say you can go back to work without fully evaluating and treating your injuries; they are familiar with the tactics of railroad claims agents; they will help to stop the harassment you may face; they can properly evaluate the merits of your FELA case, and are familiar with railroad rules and federal regulations.

# Passenger-rail funding aims to create jobs

With international transportation expert Anthony Perl calling it “the most important transportation initiative that the U.S. has seen in my 47-year lifetime,” the Obama administration on Jan. 28 awarded \$8 billion in jobs-creation stimulus money for 13 passenger-rail corridors in 31 states.

The biggest winners were California, Florida and Illinois. The Associated Press says the massive national rail-building program “could rival the Interstate highways begun in the Eisenhower era.”

Perl, a transportation fellow with the Post Carbon Institute in Santa Rosa, Calif., and a member of the Via Canada Rail board of directors, said, “The program opens the door to a post-carbon mobility future in ways that tinkering with vehicle fuel efficiency, auto emissions and intelligent vehicle and highway designs can never accomplish.

“All these trains will be powered by electricity, an open-ended energy carrier that can blend renewable energy sources with decreasing carbon content,” Perl said.

## Program lays foundation for future

This funding, said President Obama, “creates jobs immediately and it lays the foundation for a vibrant economy in the future.”

Obama said this \$8 billion is a down payment. In fact, Congress already has approved, but not awarded, an additional \$2.5 billion for transportation projects. Transportation Secretary Ray LaHood said some of that \$2.5 billion could also be directed toward passenger-rail projects.

Additionally, Obama’s fiscal-year 2011 federal budget request is expected to seek even more money for these projects, reports the Associated Press.

## VISION for HIGH-SPEED RAIL in AMERICA



The stimulus funding is not just for high-speed rail, although a proposed California rail corridor is intended to support passenger-train speeds exceeding 200 mph, and one in Florida would support speeds exceeding 150 mph.

Many of the designated projects will improve reliability of conventional passenger trains operating no faster than 79 mph, such as an Ohio corridor connecting Cleveland, Columbus, Dayton and Cincinnati.

## U.S. trails other nations

The U.S. trails China, France and Japan in high-speed rail projects. China, for example, has announced plans for a \$300-billion, 16,000-mile high-speed rail network to be completed by 2020.

“We face a steep learning curve in building modern electric railroad infrastructure and

equipment after decades of neglect and disinvestment,” Perl said.

“We should partner with Asia and Europe to share their know-how, rather than reinventing the wheel at greater expense and with more mistakes if we opt to go it alone.” Perl is author of a book published in 2002, *New Departures: Rethinking Rail Passenger Policy in the Twenty-First Century*.

Obama said in a prepared statement, “This historic \$8-billion investment is expected to create or save tens of thousands of jobs over time in areas like track-laying, manufacturing, planning and engineering, and rail maintenance and operations.

“More than 30 rail manufacturers, both domestic and foreign, have agreed to establish or expand their base of operations in the United States if they are hired to build America’s next generation high-speed rail lines – a commitment the administration secured to help ensure new jobs are created here at home,” Obama said.

## Funding targets population centers

Said Vice President Joe Biden of the projects chosen: “In the 1950s, building the Interstate highways, we picked the portions that would have the heaviest traffic, and built them out.

“The DOT picked Tampa-Orlando because it is the most ready. We picked California because they are planned and ready to go.

“By getting railroads like Richmond-Washington to 100 mph, we can increase the speed enough to make a difference in congestion,” Biden said.

“I-95 cost \$22 million per lane-mile. You can build the railroad for less than \$2 million per route mile,” Biden said.

## Obama administration will be funding these high-speed rail projects:

- **California:** \$2.3 billion to begin work on an 800-mile-long, high-speed rail line tying Sacramento and the San Francisco Bay area to Los Angeles and San Diego.
- **Florida:** \$1.25 billion to build a 324-mile rail line connecting Tampa with Orlando, and eventually extending south to Miami.
- **Illinois/Missouri:** \$1.1 billion to improve a rail line between Chicago and St. Louis so that trains travel up to 110 mph.
- **Massachusetts:** \$40 million for a second main-line track linking Springfield with New Haven, Conn.
- **Michigan:** \$244 million to improve speeds on a 300-mile corridor linking Detroit with Chicago.
- **Missouri:** \$31 million for bridge and crossover expansion linking St. Louis and Kansas City.



- **Northeast Corridor:** \$112 million for engineering on a new tunnel in Baltimore and various track work in New Jersey and Rhode Island.
- **North Carolina:** \$520 million for projects that will increase top speeds to 100 mph on trains between Raleigh and Charlotte, and double the number of round trips on a route that links Washington, D.C., Richmond, Raleigh and Charlotte.
- **Ohio:** \$400 million for a new Cleveland-Columbus-Dayton-Cincinnati corridor.
- **Wisconsin:** \$810 million to upgrade and refurbish train stations and install safety equipment on the Madison-to-Milwaukee leg of a line that stretches from Minneapolis to Chicago.
- **Washington/Oregon:** \$590 million to upgrade and expand a rail corridor linking Eugene, Portland, Seattle and Vancouver, B.C.

## UTU joins in Amtrak snow-removal waiver fight

The UTU and four other rail labor organizations, whose members work in safety-sensitive positions, have asked the FRA to deny an Amtrak request to waive permanently the existing mandatory and safety-critical functions governing passenger-platform snow removal outside the Northeast Corridor.

The result would be the scrapping of on-track safety protection for Amtrak employees as well as contractor employees. Amtrak withdrew an earlier waiver request – also opposed by the UTU and the others labor organizations – that would have required a conductor to coordinate platform snow removal to the detriment of the conductor’s other safety-critical functions.

Amtrak now is asking that its employees and contractor employees be permitted to remove snow from station platforms with no real on-track safety in effect. If granted by the FRA, said the

labor organizations, there would be “no means whatsoever for a roadway work group to establish on-track safety through the dispatcher or control operator, establish on-track safety through train coordination or train approach warning, or otherwise withhold trains from the work area.

“Amtrak seeks to permanently remove the mandatory and safety-critical functions of the roadway worker in charge from station platform snow-removal operations and proposes to substitute minimal ‘procedures’ for roadway worker groups engaged in snow removal at high- and low-level passenger platforms nationwide,” said the labor organizations.

“Under Amtrak’s waiver request,” said the labor organizations, “Amtrak employees and contractor employees will perform this dangerous work on passenger platforms in high-speed territory, utilizing both power tools and hand

tools, all while unsupervised and unprotected by a qualified roadway worker in charge.

“This work, by its very nature, is most often performed in extreme weather conditions that can affect a worker’s alertness and judgment. These workers will necessarily be dressed in heavy winter clothing, which can adversely affect the workers’ vision, hearing, agility, and ability to react to unanticipated danger. Such extreme working conditions underscore the need for full compliance with federal on-track safety regulations to protect roadway workers.”

Additionally, the labor organizations said, “by removing the roadway worker in charge, the waiver will severely impede the ability of roadway workers to make a good faith challenge. First-level good faith challenges are, in virtually all cases, presented to the designated roadway worker in charge, who is uniquely qualified and equipped to immediately rectify safety-related matters on-site and in real time.”



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## “Why don’t we just shut ‘em down?”

By Dan Johnson

We frequently hear from frustrated members, “Why don’t we simply go on strike, shut the railroad down and be done with it?”

I, too, have shared these feelings witnessing excessive discipline, outrageous demands of arrogant managers, and carrier negotiators focusing on their year-end bonus.



Johnson

But the fact is, it’s against the law to simply “shut ‘em down.”

Before labor or management may engage in strikes or lockouts, each must satisfy numerous steps spelled out by the Railway Labor Act (RLA). In most disputes – defined as differences over application or interpretation of contracts – the RLA requires final and binding arbitration.

In the few disputes that can lead to a strike or lockout – involving collective bargaining over contract amendments affecting wages, benefits and working conditions – the Supreme Court held that the RLA purposely creates “interminable” delay designed to encourage both sides to reach a mutually-acceptable solution and keep the trains running.

Among the lengthy steps is open-ended mediation by

the National Mediation Board, and recommendations for settlement by a White House-appointed presidential emergency board (PEB).

Railroads are deemed so essential to national defense and a healthy economy that even in the few instances where all intermediate steps fail, and a strike or lockout is permitted, Congress usually inserts itself and passes a back-to-work law imposing settlement demands generally mirroring PEB recommendations.

### It’s against the law to simply “shut ‘em down”

We, in rail labor, have learned from bitter experience that our membership is better served by a voluntary settlement – even if we don’t get all we want – than having a third party, with no real-world knowledge of our industry, cram a settlement down our throats.

Finally, if we ignore the law and “shut ‘em down” anyway, we face fines and civil judgments that could bankrupt the union and result in jail terms for those involved.

*(Dan Johnson hired on as a Southern Pacific trainman in 1966. He served as UTU International general secretary & treasurer from 2001 until his retirement in 2007.)*

## This month’s winning photo:

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

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

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

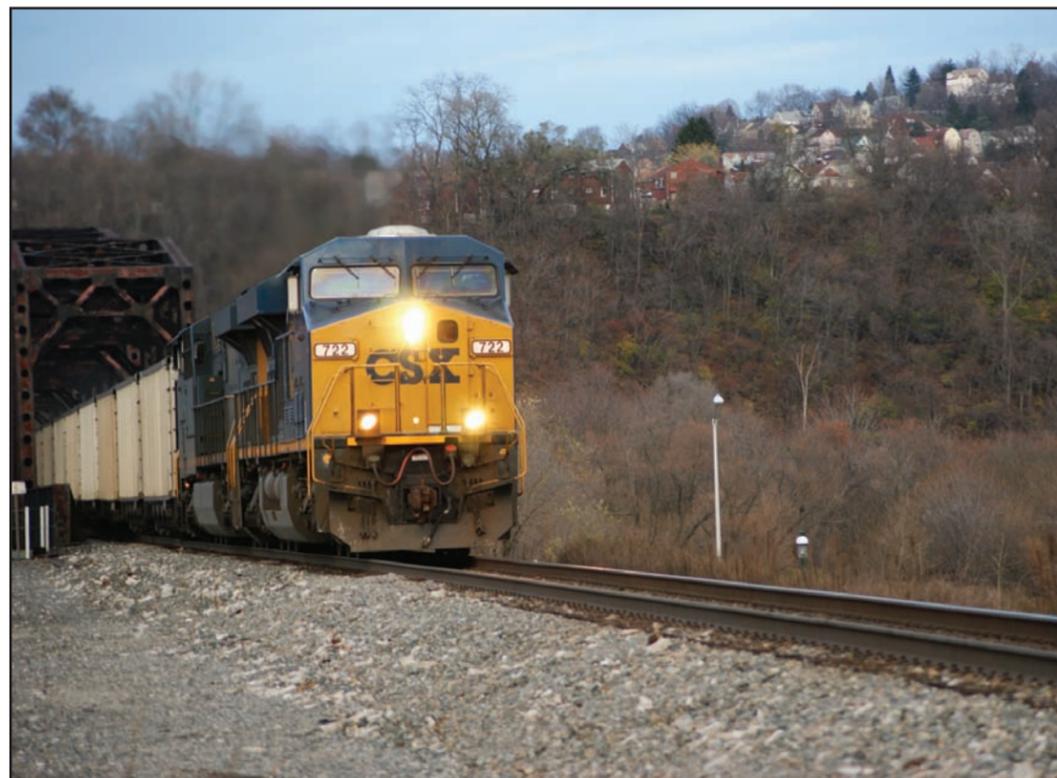
Printed photographs should be mailed to UTU News, 14600 Detroit Ave., Cleveland, OH 44107.

High-resolution digital photographs should be in the JPEG format and e-mailed to “[utunews@utu.org](mailto: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 photo of a CSX consist was taken by **Matt Oravik**, a trainman/engineer of Local 1379, Homestead, Pa. “This photo was taken Nov. 29, 2009, in Homestead. It is train V89328 out of Newel, Pa.,” Oravik said.



Please recycle

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



NS conductor **Matt Taylor** gave the gift of life. See page 2.



CEO **Joe Boardman** optimistic about Amtrak’s future. See page 4.



UTU offers Alaskan cruise, tour to retirees. See page 8.



UTU member **Larry Pinkham** honored for honesty. See page 9.