



# UTU News

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The Official Publication of the United Transportation Union

## UTU “will not back down” defending members

Delivering on the theme of the 2012 regional meetings – “We will not back down” – UTU International President Mike Futhey told more than 1,000 attendees at the Memphis meeting how the UTU is using every tool available – negotiations, legislative and legal – to defend its members’ jobs and workplace safety.

- On the Belt Railway of Chicago, where the carrier is demanding contract changes to permit one person crews at carrier discretion, the UTU has asked the National Mediation Board to declare a bargaining impasse. Belt Railway General Chairperson **Chris Votteler**’s negotiating team, assisted by International Vice President Delbert Strunk, faces a carrier that refuses to take crew consist changes off the table – three years following start of negotiations – even though the carrier is party to a moratorium on the issue.

### “We will not stand down on crew consist”

“We will take every action necessary to protect our members’ jobs. We will not stand down on crew consist,” Futhey said.

- As to conductor certification – mandated by Congress and put into regulatory language by the Federal Railroad Administration – Norfolk Southern has filed an FRA-required certification plan without discussion and coordination with general chairpersons.



International President Mike Futhey addresses the nearly 1,000 persons who attended the regional meeting in Memphis.

The NS proposed plan seeks to provide a pilot for remedial training only for conductors who have not traveled over a territory for 36 months, rather than the 12 months required in current agreements; and then seeks to place the burden of notification solely on the conductor rather than tracking the time period electronically.

Additionally, the NS plan does not discuss procedures it will follow in an investigation even though FRA regulations require railroads to provide all documents and the list of witnesses prior to a hearing.

Futhey said the UTU will not permit “a tor-

tured interpretation” of congressional and FRA intent, and will work to ensure every railroad follows the letter and intent of the law and regulations prior to the required Sept. 1 deadline for certifying conductors.

- In Pennsylvania, Norfolk Southern is attempting to disregard state safety laws and regulations through federal preemption affecting workplace safety at hump yards. “We will take every action necessary to prevent railroads from weakening workplace safety protections, whether at the state or federal level,” Futhey said.

### “We are not going to allow harassment and intimidation”

- Pointing to millions of dollars in fines assessed by the Occupational Safety and Health Administration against railroads that have harassed, intimidated, disciplined and fired workers for reporting injuries and workplace safety concerns, Futhey reminded members that UTU designated legal counsel is pledged to assist in bringing and pursuing such complaints. Information on filing these complaints is available at the UTU website at [www.utu.org](http://www.utu.org) by searching “OSHA.”

“We are not going to allow carriers to continue their pattern of harassment and intimidation of

*Continued on page 11*

## Member killed in switch accident

Trainman **Georgiy Soloviyov**, 35, became the fifth UTU member killed on duty in 2012 following a Union Pacific yard accident in Mason City, Iowa, early July 31.

Soloviyov, of Stanhope, Iowa, and a member of Local 867, Des Moines, had seven years of service. Reports indicate he was part of a three-person conventional switching crew when he was pinned between two cuts of freight cars.



Soloviyov

Four UTU rail members have been killed in accidents in 2012 and a bus member was murdered on the job. Ten UTU members were killed in on-the-job rail accidents in 2011, and eight in 2010.

The National Transportation Safety Board and the Federal Railroad Administration are investigating, with assistance from the UTU Transportation Safety Team.

George, as he was known, was a native of Kiev, Ukraine, who married an American serving there as a missionary. Surviving, in addition to his wife, Lori, are two sons, Yuri and Aleksei, and two daughters, Tatyana and Katya.

## Congressman warns UTU members: Be wary of Tea Party extremism

If you’re part of a working family and attracted to some of the positions of the Tea Party, you had best check the bait for a barbed hook intended to reel in labor unions, government-provided benefits such as Railroad Retirement, Social Security, Medicare and unemployment insurance, and workplace safety protection.

That was the unvarnished message from U.S. Rep. Steve Cohen (D-Tenn.) July 23, as he told some 1,000 UTU members at a regional meeting in Memphis that the Tea Party has become so extreme that it is driving from the Republican Party those of moderate political positions who once made bipartisan cooperation possible in Congress. “The Republican Party as we know it today is run by Tea Party extremists,” Cohen said.

### “The Republican Party today is run by Tea Party extremists”

He contrasted the approach of Democrats and moderate Republicans in Congress – who historically worked to create jobs and protect the middle class – with today’s Tea Party extremists, whom he said are committed to revoking collective bargaining rights, repealing workplace safety laws and regulations, and spending more supporting foreign wars than rebuilding a crumbling



From left, Sheet Metal Workers International Association General President Joe Nigro, Rep. Cohen, and UTU International President Mike Futhey following Cohen’s talk to members at the UTU regional meeting in Memphis.

American infrastructure that would “create American jobs in America.

“I’m a liberal and I don’t hide it,” Cohen said. “I’m inspired by John F. Kennedy, Adlai Stevenson, Lyndon Johnson and Hubert Humphrey,” all praised by Cohen as having worked “to give people a step up” by a government “that provides for the common good.”

If Mitt Romney and Republicans beholden to

*Continued on page 11*

# Around the UTU

## Local 30, Jacksonville, Fla.

This members of this local, along with Tri-Rail and subcontractor Veolia, held a retirement party June 20 for **Charlie Anzalone** and **John Jeanneret**, Local Chairperson **Andrew J. D'Egidio** reports. Both were hired 23 years ago and were among the original 21 employees hired by UTDC Transit Services in November 1988, about six weeks before service on Tri-Rail began. Anzalone hired out as a conductor and Jeanneret as an engineer.



Local Chairperson Andrew J. D'Egidio, center, displays one of the UTU watches that were presented to Tri-Rail retirees Anzalone, left, and Jeanneret.

## Local 48, Norfolk, Va.

Hailee Welch, stepdaughter of member **Michael Russell**, was awarded a \$500 college scholarship from the AFL-CIO's Union Plus program. "I am so thankful for the union that has given my sister all the medical help she had and will ever need," Hailee wrote in an essay for the scholarship regarding her four-month-old sister's needed open heart surgery. She has contributed about 2,000 hours of community service and is looking forward to becoming a dentist.

## Local 200, North Platte, Neb.

Rebekka White, daughter of member **Melissa White**, was awarded a \$500 college scholarship from the AFL-CIO's Union Plus program. A participant in band, choir, cross country, speech, dance, track, volleyball and basketball, Rebekka was also a member of the National Honor Society and a community volunteer. "My family owes the union so much gratitude," she said. She plans to continue giving back by becoming a counselor for troubled adolescents.

## Locals 363 & 706, Roanoke, Va.

Members of these locals held their first family fun day and picnic at Moyer Park in Salem, Va., June 30, State Legislative Director **Patrick Corp** reports. "Even though it was 102 degrees and mass power outages hit the area that day, many members and their families came on out for a great time," Corp said. "Given the circumstances, there is nowhere to go but up! We look forward to next year. Thanks to all who helped organize the event."

## Local 951, Sheridan, Wyo.

State Legislative Director **Stan Blake**, along with GO 245 Chairperson **Randy Knutson** and Vice General Chairperson **Randy Doyle**, recently met with Wyoming BNSF Locals 951 (Sheridan), 465 (Gillette), 1279 (Greybull) and 1280 (Casper) to discuss conductor certification, the importance of UTU PAC and other local issues.



At Local 951's annual picnic in Sheridan, Wyo., from left, Local Chairperson Nick Bohnsack, Knutson, Local President April Ford, Legislative Rep. John Kooper, Doyle, Blake and Local Chairperson John Scott.

## Local 650, Minneapolis, Minn.

Retired former Vice Local Chairperson **Donald C. Ericksen**, 70, died July 26, according to State Legislative Director **Phil Qualy**. He was employed with the C&NW/UP railroads for 48 years. "Don



UTU member Daniel Lemyre, a Union Pacific engineer in Portland, Ore., visits with his mother, Janet, a UTU member and LIRR conductor in New York.

## Like mother, like son

Most of us have heard the saying "like father, like son," and it's surely not uncommon in the railroad industry. Thousands of members both past and present have followed in their fathers' footsteps and sought employment in the industry.

But Daniel Lemyre didn't follow in his father's footsteps, he followed in his mom's.

A Union Pacific engineer and vice local chairperson for Local 117 in Vancouver, Wash., Lemyre sought employment in the railroad business about 15 years after his mother, Janet, began her career as a conductor for Long Island Rail Road.

Janet hired on with Long Island Rail Road in November 1993. She is a member of Local 645 in Babylon, N.Y. She had previously worked in the mortgage industry and met a number of LIRR train and engine service employees as a result of her job. She decided to apply and was hired as a brakeman.

Daniel said he was looking to get away from the big city and decided to move west about eight years ago. Once there, his mother suggested he look for work with the railroad.

He was hired as a Union Pacific conductor in 2009, but later took promotion to engineer. "UP was desperate for engineers at the time," he said.

After becoming interested in the affairs of his local, Daniel was elected vice local chairperson. "I was pleasantly surprised," Janet said. "He always liked to help others."

East Coast Janet and West Coast Daniel say they are both happy to be working in the railroad industry.

was a military veteran and was one of our best local officers," Qualy said. "He was an expert at mediating carrier charges against our members and at cross-examining of carrier officers during formal investigations. His wealth of knowledge will be missed, but not lost, as he had mentored many younger railroad workers." He is survived by his mother, Maclynn, eight children and their mother, Carol, eight grandchildren and one great-grandson.

## Local 982, Rochester, N.Y.

Local Chairperson **Dave Murphy** reports that two local officer positions have been filled. **Chris Zegarelli** is now serving as local president and **Mike Paye** is the new secretary & treasurer. Murphy is also asking all local members who are not receiving his local newsletter electronically to contact him at (315) 468-1867 or by email at DMM123@aol.com to provide an email address.

## Local 1043, Sparks, Nev.

A fund has been established to benefit the family of former Local Chairperson and Delegate **Lee M. Sandoval**, 38, who died July 25 from kidney cancer, Local President **John Ludke** reports. Donations to the "Lee Sandoval Memorial Trust Fund" can be sent to Mountain America Credit Union, 700 Los Altos Parkway, Sparks, NV 89436. Honorably discharged from the U.S. Marine Corps in 1997, Sandoval worked in corrections before entering train service for Union Pacific in 2004. "Lee was passionate about repre-

senting his fellow union members, performing his last investigation only seven days before he was placed in hospice care," Ludke said. Sandoval is survived by his wife, Andrea, and six children.

## Local 1344, Mandan, N.D.



From left are Local Chairperson and Associate General Chairperson Phil Miller, Local President Tan Davis, Local Vice President Jessica Schwartz and Local Chairperson Terry Berger at this BNSF local's annual summer picnic. Members are reminded that the local's monthly meetings are held the third Tuesday of the month at 11 a.m. at the Westside Bar and Grill in Mandan.

## Local 1365, Youngstown, Ohio

Thanks to shrewd situational awareness and the quick action of two UTU members, the life of a Road and Rail contract car inspector at Goodman Yard in Lordstown, Ohio, was likely saved. While engaged in switching operations in June, Local Chairperson **Shawn Bruderly** heard the inspector fall from the top of a tri-level car and found him motionless. He immediately radioed yardmaster and former Local Chairperson **David Chiafullo** (1948) to call 911 and summon EMT on site. Chiafullo also notified his Norfolk Southern supervisor and the inspector's employer. In a letter to Bruderly, Road and Rail Supervisor Kevin Brown thanked Bruderly for his emergency action plan.

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

Members of this local demonstrated solidarity with other unions representing employees of New York's Metropolitan Transportation Authority by participating in a rally held July 24 regarding MTA funding, Secretary & Treasurer **Vincent LaBella** reports. To view a portion of the rally, visit [www.youtube.com](http://www.youtube.com) and enter "MTA labor coalition" in the search window. After this rally, LaBella said UTU local members attended another rally concerning locked out employees of New York's Con Edison. "This is another example on how the UTU is fighting for the rights of the members along with other affiliated MTA unions," LaBella said.

## Local 1526, Michigan City, Ind.

Members of this Northern Indiana Commuter Transportation District local held a retirement party to honor three of its former officers, Vice Local Chairperson **Kay Harmon** reports. Former Secretary & Treasurer **Larry Stradtner** (37 years), former Local and General Chairperson **James Thompson** (34 years) and former Local Vice President **Marty Cawley** (35 years) were the guests of honor. A collection was taken up by the local and a contribution was made by Andrew Fox of the South Shore to cover the cost of the party, Harmon said, which was well attended by retired and active members.



From left to right are Thompson, Stradtner and Cawley.

# Staten Island Railway members gain new contract

UTU members employed by New York's Metropolitan Transportation Authority (MTA) and working in numerous crafts on Staten Island Railway have a new agreement retroactive to January 2007, following an award by a state arbitrator.



Strunk

Negotiations had dragged for nearly six years, leading to the arbitration award. Under New York State's Taylor Law guiding public-employee labor relations, strikes are not permitted.



Wilson

The arbitrator, appointed by the state, rejected a request for a six-year agreement, meaning the almost 42-month agreement he imposed is already ripe for amendment, and UTU officers on the railroad are preparing to begin a new round of wage, benefits and rules negotiations even as members await retroactive pay under the arbitrated agreement.

"The MTA fought us every step of the way, throwing obstacle after obstacle in our path, such

as filing unwarranted charges of bad-faith bargaining against the union when we filed for arbitration after 44 fruitless negotiating sessions," said General Chairperson **Tom Wilson** (GO SIR).

Affected by the arbitration award are conductors, engineers, track maintenance, third-rail power, equipment maintenance, signal and electrical craft employees, all represented by the UTU.

Wilson and International Vice President Delbert Strunk, who assisted in negotiations and the arbitration, said the award includes full retroactive wage increases, additional sick days, union release time, night and weekend differentials, pension plan improvements, and a new grievance and arbitration procedure.

Wilson and Strunk praised former UTU Local 1440 President Jaime Brownell and all local and general committee officers – including General Committee Secretary **Joe Palmieri** and Local 1440 Secretary and Treasurer **Vincent LaBella** – for "truly tireless and unrelenting efforts during this difficult negotiating and arbitration process."



Wilson said "the members of Local 1440 can hold their heads high as proud members of a union that will climb into the trenches and battle for their members. Delbert rolled up his sleeves and jumped in to show the might of the UTU International."

Strunk also thanked UTU members who made contributions to a fund benefiting the financially and emotionally devastated family of his niece, **Tori Swoape**, who died in May.

Strunk said the outpouring of support, including cards, letters, phone calls and emails, helped "not only **Tori's** family, but gave me a needed boost while away from family members during this emotionally difficult time while I worked on the arbitration award.

"In every way, on the job and away from the property, UTU members take care of their own, which makes the United Transportation Union America's preeminent labor organization," Strunk said.

The Metropolitan Transportation Authority was created by the New York legislature in 1968, and took over control and operation of the passenger service of Staten Island Railway in 1971 from Baltimore & Ohio Railroad (now part of CSX).

## Illinois Central yardmasters vote

UTU-represented yardmasters employed by Canadian National Railway's Illinois Central Railroad have reached a new tentative agreement following mediation assistance from the National Mediation Board.

A tentative agreement reached last March was rejected by the membership, which will now vote, through Sept. 15, on the new tentative pact.

Negotiations were led by International Vice President Paul Tibbit and General Chairperson **Doyle Turner** (GO 347).

"This tentative agreement, as with others negotiated with Class I railroads, is intended to bring parity in wages, benefits and work rules to the thousands of employees in the railroad industry, along with the many other protections offered by union membership," Turner said. "The seniority, scope and discipline rules these members now enjoy are what makes union membership valuable."

Illinois Central connects Chicago with New Orleans and Mobile, Ala., and also reaches Omaha, Neb., and Sioux City, Iowa. CN gained control of Illinois Central in 1998.

## Western Rail Road members ratify pact

Train, engine and mechanical forces represented by the UTU on shortline Western Rail Road in Texas have ratified a new agreement reached with mediation assistance from the National Mediation Board.

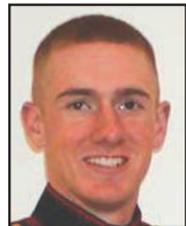
Negotiations were led by UTU Vice President Paul Tibbit and UTU General Chairperson **Doyle Turner** (GO 347), who heads the UTU's shortline outreach program.

"This agreement, as with others negotiated with shortlines, brings parity in wages, benefits and work rules to the thousands of employees in the shortline railroad industry, along with the many other protections offered by union membership," Turner said. "The seniority, scope and discipline rules these members now enjoy are what makes union membership valuable."

Western Rail Road, owned by Cemex, connects a quarry and cement plant at Dittlinger with Union Pacific's Austin, Texas, subdivision. Dittlinger is four miles south of New Braunfels and about 50 miles south of Austin.

## UTUIA field supervisor's son wounded

Marine Cpl. Ryan Hale, 25, son of UTUIA Field Supervisor **Greg Hale** and wife Celeste, was wounded in Afghanistan in August when his base was attacked from within by a turncoat Afghani armed with eight rocket-propelled grenades. (The attacker reportedly shot off seven grenades, and used the eighth to commit suicide.)



Hale

Ryan, who handles and trains dogs to detect munitions and is serving in his first tour of duty, was asleep next to his dog when the attack occurred.

"Ryan and the dog woke up when they heard the first explosion nearby. Then the second grenade hit his barracks and the place exploded," Greg Hale said.

Ryan suffered a concussion and brain trauma, and is experiencing memory and vision problems, Hale said.

Ryan was expected to be transported to North Carolina for rehabilitation the first week of September, Hale said.

Those wishing to send messages of condolence should send them to Ryan care of Greg Hale, P.O. Box 1144, Granger, IN 46530-1144.

## C&C rail workers ratify new contract

Train and engine, mechanical and maintenance of way employees on Columbia & Cowlitz Railway in Washington state, all represented by the UTU, have ratified their first agreement since voting "UTU yes" in October 2011. They are members of Local 1348, Centralia, Wash.

Negotiations were led by UTU International Vice President Paul Tibbit and UTU Assistant President Arty Martin.

Tibbit praised the efforts of members **Sean Kibbee** and **Eddie Steed**, "who worked with the membership every step of the process and fully explained the tentative agreement. They presented their case very well and in a professional manner and we achieved nearly everything we sought."

## Open enrollment now conducted online

This year's annual open enrollment for active railroad employees covered by the National Railroad Health & Welfare plans (NRC/UTU and GA 23000) may be completed online during September and October.

You start the open enrollment process by going to the "Alerts and Important Dates" section on the Railroad Information Depot home page ([www.rriinfo depot.com](http://www.rriinfo depot.com)). During the open enrollment period in September and October, you can link directly into the Railroad Enrollment Services secured portal.

The new web-based open enrollment period will be available 24/7, and will provide the following capabilities:

- Step-by-step review of personalized benefit election choices with links to everything needed to enroll for the upcoming year.
- Links to your medical provider's network.
- A quick and easy way to update your information.
- The ability to add, delete, and/or change dependent information. (If you're adding a dependent who is not listed, you will be required

to send in the specified documentation before the dependent can be added to the plan. Information on what is needed and where to send it will be provided on the site.)

- The option to review enrollment information in Spanish.

- Flexibility to make multiple changes during the open enrollment period.

- An immediate confirmation statement once you complete your selections.

If you use the online portal, there is no need to mail any paper enrollment forms.

In September, you will receive a personalized letter with information about how and when to access the Railroad Enrollment Services portal.

For those unable to enroll online, instructions on how to obtain a paper kit will be in the September mailing. You will not need to access the Railroad Enrollment Services portal if you elect to keep your current benefit options for the 2013 calendar year or do not choose to opt out.

For assistance with the online enrollment website, call Railroad Enrollment Services at (800) 753-2692.



Railroad enrollment services

**"You take my life when you do take the means whereby I live." – William Shakespeare**

# Romney/Ryan want to destroy labor unions

There is an old political saying: "If you stop lying about me, I'll stop telling the truth about you."

When it comes to Mitt Romney, we don't have to tell the truth about him. He already is telling the truth about himself. Here is what he promises to achieve:

- Outlaw labor union political action committees (PACs), which allow union members to contribute toward the election campaigns of labor-friendly lawmakers, but leave in place the ability of employers to spend unlimited amounts of money supporting anti-union candidates;

- End Medicare as we know it, forcing future retirees to purchase health care insurance on their own;

- Phase out Social Security and Railroad Retirement, requiring



## International President's Column

By Mike Futhey, International President

- Eliminate whistleblower protections for those denied proper medical care for on-the-job injuries, and for those harassed, intimidated and fired for reporting workplace safety concerns;

- End all federal funding for Amtrak and future high-speed rail, which likely would shut down most intercity rail passenger service;

- Slash federal spending on public

work (for less) legislation, allowing workers to opt out of paying union dues used to negotiate better wages, benefits and working conditions.

would appoint anti-labor supporters to the National Mediation Board, the National Labor Relations Board, the Federal Railroad Administration, the Federal Motor Carrier Safety Administration, the Federal Aviation Administration, the National Transportation Safety Board and the Surface Transportation Board.

With Mitt Romney and Paul Ryan in office, the road to a good contract would face a treacherous negotiating environment.

If you cast your vote for Mitt Romney and Paul Ryan, be assured all of

### A vote for Romney is a vote to throw working families under the bus

Romney's chosen running mate, Paul Ryan, has been pushing for those same objectives as a member of Congress.

If elected president, Romney

their above objectives would be assured because that is what they promise: to throw working families under the bus by weakening and destroying labor unions.

### Romney would end Medicare, repeal FELA and slash Amtrak and transit funding

workers – regardless of their financial skills – to create their own retirement plans by investing in the stock market, where even the savviest of investors can be wiped out;

- Eliminate tax deductions for companies providing employees with health care insurance, which could encourage employers to drop those plans and force workers to purchase their own health care insurance;

- Eliminate collective bargaining rights for public employees;

- Repeal the Federal Employers' Liability Act (FELA);

bus and rail transit;

- Repeal the Affordable Care Act, which allows children to remain on policies until age 26, prohibits insurers from limiting maximum patient care payments to those with serious chronic illnesses, prohibits denial of coverage for pre-existing conditions, prohibits copays for certain preventive care procedures, and requires insurance carriers to spend at least 80 percent of premiums on patient care;

- Continue and expand tax cuts for the wealthy while scaling back unemployment benefits.

- Expand to all states right-to-



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

# Conductor certification rules coming

Every conductor should be familiar with the FRA's conductor certification regulations that require testing of conductors, implementation of carrier training programs and territorial qualification requirements.

As of Sept. 1, each railroad was to have grandfathered as "certified" all conductors on Class I and II railroads, Amtrak and commuter railroads who were performing conductor duties as of Jan. 1, 2012.

After Sept. 1, those railroads must issue certification to all



## By Larry Mann UTU rail safety coordinator

unless that person has been tested and evaluated in accordance with FRA conductor certification rules. For Class III railroads, that date is after April 1, 2013.

For Class III railroads, the submission date is Jan. 31, and the approval date is April 1.

UTU general chairpersons have 45 days to file comments, objections, and alternative plans with the FRA.

The railroads are required to

conductor shall be assisted by a person who meets the territorial qualification requirements.

For a conductor who has never been qualified over the particular territory, the assistant shall be a certified conductor who is not an assigned crew member.

If the conductor was previously qualified, but such qualification has expired for one year or less, and who has not regularly traveled over the territory prior to the expiration, the assistant may be any person, including an assigned crew member who meets the territorial qualification requirements.

If the qualification expired more than one year, the assistant may

### Testing and evaluation required after Dec. 1 for most railroad conductors

those authorized to perform as conductors between Jan. 1, 2012, and Dec. 1, 2012. Class III railroads must designate and issue certificates to all persons authorized to perform as conductors between Jan. 1, 2012, and April 1, 2013.

After Dec. 1, Class I and II railroads, Amtrak and commuter railroads may not initially certify or recertify a person as conductor

In all cases, testing and evaluation must be conducted under FRA-approved carrier certification programs.

Class I and II railroads, Amtrak and commuter railroads have until Sept. 30 to submit to FRA for approval their programs for training, testing and evaluation of conductors.

The programs must be approved by the FRA no later than Dec. 1.

### UTU general chairpersons have 45 days to file comments, objections with the FRA

conduct annual reviews of their programs and respond to detected instances of poor safety conduct by certified conductors.

If a conductor lacks territorial qualification on mainline track physical characteristics, that con-

also be any person, so long as the duties of the assistant do not conflict with his safety duties and he is qualified for the main track physical characteristics and that person is not the assigned locomotive engineer.



# State Watch News from UTU State Legislative Boards

## District of Columbia

District of Columbia Legislative Director **Willie Bates** (Local 1933, Richmond, Va.) has been appointed by Transportation Secretary Ray LaHood to a second two-year term on the Obama administration's Transit Rail Advisory Committee for Safety (TRACS). The committee assists the Federal Transit Administration in drafting national safety measures for rail transit.



Bates

The importance of this appointment has increased with the passage by Congress this summer of a new transportation authorization bill, Moving Ahead for Progress in the 21st Century (MAP-21). The legislation allows the Federal Transit Administration, for the first time, to create basic safety standards – and provide oversight – on transit systems for passengers and workers nationwide, ending a patchwork system of state laws that was inconsistent from one state to the next.

## Nebraska



Mary Ann Borgeson, wife of Nebraska State Legislative Director **Bob Borgeson**, in July was presented the Public Sector Award from the National Alliance to End Homelessness at the John F. Kennedy Center in Washington, D.C. The award recognized “her leadership and contributions to ending homelessness in the community.”

Borgeson serves as Douglas County commissioner; Douglas County is home to Omaha, the state's largest city. She helped start the Metro Area Continuum of Care for the Homeless in 2007, a collective body of service providers, advocates, government agencies and citizens trying to address homelessness, and successfully worked to secure funding for various homeless initiatives.

## North Dakota



Left to right are current State Legislative Director Jim Chase; previous acting State Legislative Director Tessa Burkle; Clinton and retired State Legislative Director Marc Halvorson.

A UTU contingent from North Dakota recently met with former President Bill Clinton at the state's Democratic Party convention.

Clinton commented to the UTU group that the union was an early backer of his presidential campaign and he appreciated the support. “The UTU was on board with Clinton right away, and he remembered that throughout his presidency,” Chase said. “That is another example of the power of the UTU PAC.”

## North Carolina



Left to right: Ingerick; Chris Lienhop (Local 1105, Wilmington); Ben Moss (Local 1011, Hamlet); Brown; Bobbie Jo Craver (Local 783, Spencer); Kevin Harris (Local 1166, Charlotte); Wingo; Lamm and Westbrook.

The North Carolina State Legislative Board held its reorganization meeting, and the following officers were elected by acclamation: **Dickie Westbrook** (Local 1129, Raleigh), state legislative director; **Glenn Lamm** (Local 1129), assistant director; **Ron Ingerick** (Local 782,

Asheville), chairperson; **Ed Wingo** (Local 1596, Charlotte), vice chairperson, and **Eddy Brown II** (Local 1715, Charlotte), secretary. “The meeting was two days, which included an afternoon at the state's General Assembly, which was in session,” Westbrook said.

## Virginia



Corp, left, and Kaine, pictured at the Virginia Museum of Transportation in Roanoke

State Legislative Director **Pat Corp** and UTU members met with former governor, Democratic National Committee chairperson and current Senate candidate Tim Kaine, to discuss issues of importance to UTU members and their families.

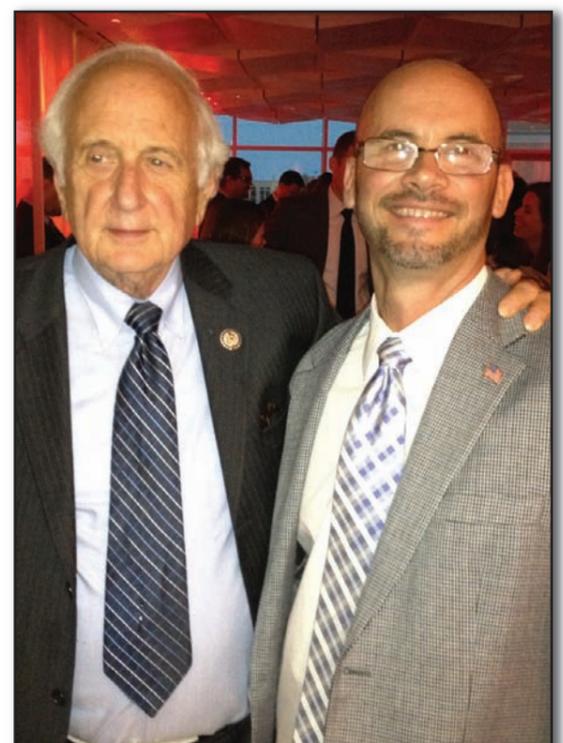
“Kaine reiterated his support for coal (his wife Anne comes from the coalfields of southwest Virginia) and Amtrak, and listened intently to our concerns about the recent Republican attack on Railroad Retirement,” Corp said.

## Arkansas

The Arkansas State Legislative Board held its reorganization meeting in Hot Springs, the birthplace of the UTU.

Elected by acclamation were **Steve Evans** as state legislative director; **Tom Lusinger** (L-462, Pine Bluff) as assistant state director; **Will Seidenschwarz** (L-656, North Little Rock; since replaced by **Jered Davis**, L-656) as alternate state director; **Bryant Steele** (L-221, North Little Rock) as secretary; **Fred Garcia** (L-507, Van Buren) as first vice chairperson, and **Stephen Hensley** (L-733, DeQueen) as second vice chairperson.

## Florida



Levin, left, and Trujillo

State Legislative Director **Andres Trujillo** met with Rep. Sander Levin (D-Mich.), the senior member of the House Ways and Means Committee, to discuss rail issues.

“Congressman Levin is a longtime UTU friend and labor ally,” Trujillo said. “We discussed the upcoming elections, UTU's role in getting out the vote, Amtrak issues and other labor issues in general. The congressman also was complimentary of UTU's work in Michigan under State Legislative Director **Jerry Gibson**.”



Left to right are Arkansas AFL-CIO Secretary Ricky Bell; Hensley; former state legislative director and current Democratic Party National Committeeman Don Beavers; Seidenschwarz; Lusinger; Evans; Steele; Arkansas AFL-CIO President Allan Hughes; Designated Legal Counsel Gene Napier and Garcia.

## Memphis local committee



Local officers who live in or near the regional meeting host city volunteer their time to assist UTU International staff at the regional meeting. Memphis committee members are, from left, Transit Management of Charlotte General Chairperson Kevin Moss (L-1715); Local 1557 (Memphis) Chairperson Butch St. John; Tennessee State Legislative Director Adren Crawford; Local 950 (West Memphis) Secretary & Treasurer Kenneth Park, and Local 750 (Knoxville) Secretary & Treasurer James Beaty.



Local 407 (Charleston, S.C.) Chairperson Ronnie Brewer enjoys an evening with his wife, Dahlia, and daughter Avery, three months, and son Grady, 3.



Attending the welcoming reception were, from left, Local 1594 (SEPTA, Upper Darby, Pa.) Vice Local Chairperson Brian Caldwell, Treasurer Cynthia Kelly-Nash and General Chairperson Waverly Harris.



Assistant National Legislative Director John Risch, second from right, with his wife Kathi, share a photo with Colorado State Legislative Director Rick Johnson, left, and Wyoming State Legislative Director Stan Blake.



# Memphis

UTU/UTUIA 2012 regional meeting photo highlights



Logan Weir, 5, son of Local 1973 (Chicago) Local Chairperson and President Dan Weir, shows he is UTU proud.



Assistant President Arty Martin, left, with arbitrator Dr. Frank Quimm and his wife, Marlene.



Illinois State Legislative Director Bob Guy, left, with his brothers and sisters from the Land of Lincoln (from left): Clint Bundy (L-768, Decatur, Ill.); Mac English (L-195, Galesburg); Carl Draper (L-768); Miguel Marquez (kneeling, L-1494, Chicago); Steve Woosley (L-768); Tina O'Brien (administrator at the state director's office); John O'Brien (L-1290, Chicago) and Bob Blomgren (L-577, Northlake).



The "first ladies" of the UTU (left to right): Connie Thompson, wife of General Secretary & Treasurer Kim; Cindy Martin, wife of Assistant President Arty; April Futey, wife of International President Mike, and Bonnie Stem, wife of National Legislative Director James.



Enjoying a "girls night out" on the dance floor of The Peabody were, from left, Addison Edwards, Sailor Fulton, Avery Edwards, Zoe Edwards and Peyton Rodgers.



The Peninger family: Father Matt (Local 794, Wellington, Kan.) with wife Courtney and daughters (from left) Ashlee, Kileigh and Nicole.



Arkansas State Legislative Director Steve Evans, right, who also serves on the UTU Rail Safety Task Force, with son Ben, a member of Local 1557 at Memphis.



Peabody Hotel Duckmaster Anthony Petrina, left, with Honorary Duckmasters Cohen, 3, and Cody, 5, Griffin, sons of Local 1790 (Fitzgerald, Ga.) Local Chairperson Wesley and wife, Amanda, prepare to escort the ducks from their rooftop mansion to the Peabody's lobby fountain.



International General Secretary & Treasurer Kim Thompson, right, with Bernard Gray III of Local 1033, Atlanta.



National Legislative Director James Stem and wife, Bonnie, greet Amtrak (GO 769) General Chairperson Dirk Sampson and his wife, Laurie.



Enjoying the welcoming reception are, front row, left to right, Logan Weir and Peyton, John and Dillon Rodgers. Behind are Jillian Quimm, CSX (GO 247) General Chairperson Thomas Rodgers and McKenzie Rodgers.



Helping a somewhat wooden Elvis Presley belt out an old blues tune are Kentucky State Legislative Director Jared Cassity and his wife, Mikki.



Transit Management of Charlotte Vice General Chairperson Hasson Trent (L-1715, Charlotte, N.C.) with wife, Ditecha, and daughters Shayla (left) and Breyonia.



Assistant Missouri State Legislative Director Jason Hayden (Local 1405, St. Louis) with wife, Janelle, and daughters (from left) Ellyen, Brooke and Josephine.



Vice Presidents John Lesniewski (left), with wife, Gail, and Delbert Strunk, with wife, Diane.

**UTU**  
*Alumni*

# UTU Alumni Association

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

## UTU retirees honor their fallen brother with memorial

Lloyd "Buddy" Greene was a crew caller for Baltimore & Ohio in Fairmont, W. Va., when he was drafted in 1968. He arrived in Vietnam in June, and was killed in a helicopter crash just three months later. He was just 20 years old, and recently married.

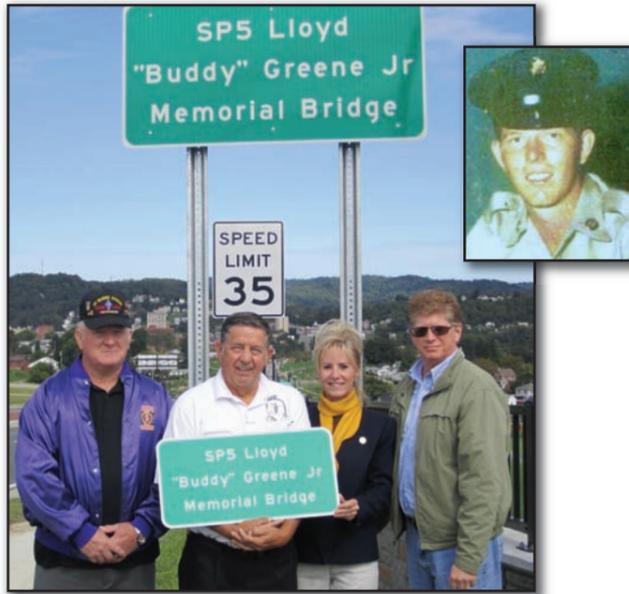
One of seven children fathered by a B&O car foreman, Greene was gone, but certainly not forgotten.

After many years, through the efforts of his UTU-member brothers **Jeffrey** and **Danny**, and West Virginia State Legislative Director **Mark Mewshaw**, Buddy Greene is being honored for his ultimate sacrifice: a bridge has been named in his honor, a bridge that was built over the hill on which he and his brothers and sisters used to sled in the winter.

Danny and Jeffrey are both retired members of Local 605, Grafton, W. Va. Danny was a Marine and was wounded in Vietnam; he received the Purple Heart. He ended up working as a conductor and yard foreman on CSX, retiring in 2008.

Jeffrey served in the Navy in Vietnam. He retired as a locomotive engineer for CSX. He also served his union as secretary & treasurer and local chairperson for many years.

Both belong to the Marion County Vietnam Veterans Memorial Group. The idea to honor Buddy was hatched at one of these meetings.



At the dedication of the "Buddy" Greene Jr. Memorial Bridge are, from left: Danny Greene, Jeffrey Greene, West Virginia Delegate Linda Longstreth and State Senator Bob Beech. Lloyd "Buddy" Greene's service photo is upper right.

With the help of Mewshaw, legislation was passed by the West Virginia legislature to name a bridge on the newly constructed Gateway Connector into Fairmont from freeway I-79 in honor

of Greene. The bridge is located near the Veterans Memorial Bridge and a Vietnam memorial park.

(Twenty-seven persons from Marion County were killed in Vietnam, the highest county per capita in the state of West Virginia. And West Virginia had the highest per capita deaths in Vietnam of any other state in the nation, Greene said.)

A website, partially funded by the Greene family, honors that sacrifice: [www.marioncountyvietnammemorial.org](http://www.marioncountyvietnammemorial.org).)

"My mother, 85, is still alive, and she can see the bridge from her kitchen window, so she was so pleased," Danny Greene said. "She was tickled to death we could get this done for her son."

### RRB recognizes UTU centenarians

Congratulations to the following UTU members who, according to the records on file at the Railroad Retirement Board, recently turned 100 years of age:

**Ernest E. Scott**, a member of Local 98 (San Luis Obispo, Calif.) living in Escondido, Calif., born July 16, who was last employed by Southern Pacific (now part of Union Pacific) as a brakeman and who retired in 1976;

**Louis P. Hartmann**, a member of Local 1447 (Newark, N.J.) living in Bergenfield, N.J., born June 5, who was last employed as a brakeman on Conrail and who retired in 1977;

**Steve M. Robie**, a member of Local 1 (Buffalo, N.Y.) living in Dillsburg, Pa., born May 31, who was last employed by Pennsylvania Railroad (now part of CSX) as a conductor and who retired in 1975;

**Jesse R. Kerby**, a member of Local 1629 (Phoenix) living in Mesa, Ariz., born April 14, who was last employed as a conductor on Southern Pacific (now part of Union Pacific) and who retired in 1977;

**James W. Eichhorn**, a member of Local 891 (Whitefish, Mont.) living in Polson, Mont., born March 21, who was last employed by Burlington Northern Railroad (now part of BNSF) as a conductor and who retired in 1975, and

**Lionel J. Blanchard**, a member of Local 1800 (Tucson, Ariz.) living in Phoenix, born March 15, who was last employed as a switchman on Southern Pacific (now part of Union Pacific) and who retired in 1974.

### Deadline nears for fall foliage cruise

The deadline to sign up for a UTU-sponsored fall foliage cruise up the East Coast is approaching.

Landfall Travel, the UTU's official travel provider, has arranged a seven-day voyage on Princess Cruise's Caribbean Princess north along the Eastern seaboard of the U.S and Canada, departing from New York City Sept. 29. Ports of call include Newport, R.I.; Boston; Bar Harbor, Maine; St. John, New Brunswick, and Halifax, Nova Scotia.

Throughout your journey you will be treated to freshly prepared cuisine, great service and the many amenities for which Princess Cruise Lines is famous.

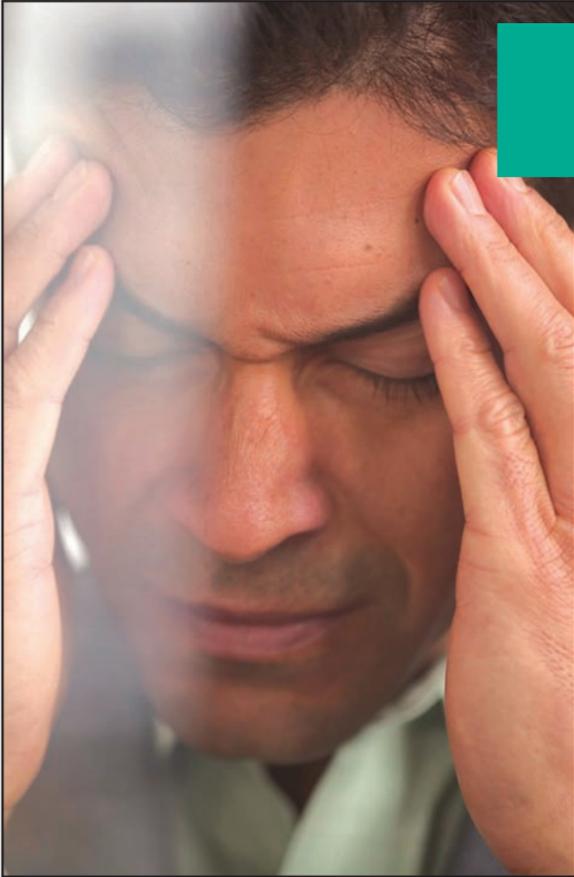
Prices start at \$699 per person based on double occupancy. Air fare, taxes and certain other fees are extra.

You do not need to be a member of the UTU Alumni Association to take advantage of this offer. For more details, contact Landfall at (800) 835-9233 or see the UTU Alumni Association page at [www.landfalltravel.com](http://www.landfalltravel.com).

## 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
118	Meadows, Pauline W.	Hinton, W. Va.	769	Bennett Jr., James A.	Cobb Island, Md.	1233	Heffernan, Gerald F.	Calgary, Alberta
118	Wheeler, Oris W.	Hinton, W. Va.	785	Harris, William N.	Paducah, Ky.	1258	Cunningham, Stanley L.	Mission, Texas
198	Stenger, Lawrence E.	Peoria, Ill.	807	Barton, Donald R.	Sonoita, Ariz.	1261	Thrift, Reuben	Leesburg, Ga.
202	Johnson, Kenneth H.	Denver, Colo.	807	Guiles, Arthur R.	Escondido, Calif.	1374	Freeman, Coy G.	Williamsburg, Ky.
211	Ide, Elwood C.	Dallas, Pa.	811	Anutooshkin, Peter W.	Fort Mojave, Ariz.	1376	Cox, Arnold C.	Columbus, Ohio
212	Melnik, Michael W.	Kingston, N.Y.	830	Roller, Harry S.	Harrisburg, Pa.	1393	Hapeman, James F.	Lockport, N.Y.
258	Mangler, Wayne A.	Clinton, Iowa	830	Shatto, John L.	Enola, Pa.	1393	Mulcahy, Francis X.	Tonawanda, N.Y.
281	Iverson, Richard H.	Franklin, Wis.	857	Buckert, Marvin L.	Windcrest, Texas	1393	Wallace, George H.	Rochester, N.Y.
298	Sharkey, Thomas D.	Las Vegas, Nev.	872	Clapper, Carl M.	Omaha, Neb.	1433	Weltzin, Melvin G.	Eau Claire, Wis.
300	Batten, George F.	Venice, Fla.	872	Letak, Louis E.	Omaha, Neb.	1502	Burton, David L.	Ocala, Fla.
300	Sheedy, Daniel P.	Norristown, Pa.	886	Zanardi, John C.	Iron Mountain, Mich.	1503	Hunt, Richard L.	Axtell, Kan.
313	Hamilton, Charles C.	Sand Lake, Mich.	891	Devall, W.C.	Whitefish, Mont.	1518	Hutchinson, Robert	Plant City, Fla.
318	Grassmyer, William G.	Crandall, Texas	904	Arvin, William C.	Evansville, Ind.	1529	Bird, Merle R.	Lambertville, Mich.
324	West, M.L.	Anacortes, Wash.	904	Chambliss, James R.	Elkton, Ky.	1563	Noe, Clarence L.	Ontario, Calif.
352	Gifford, Donald L.	Feeding Hills, Mass.	911	Netwall, Marcellus A.	LaCrosse, Wis.	1574	Pyne Jr., Gurney A.	McMinnville, Ore.
376	Varble, Richard A.	Crestwood, Ky.	941	Maddox Jr., D.L.	Cedartown, Ga.	1589	Porter, Henry A.	Fayetteville, N.C.
427	Byrd, J.B.	Bogalusa, La.	974	Rauschenberger, Robert R.	Antioch, Tenn.	1628	Austin Jr., George W.	North Versailles, Pa.
489	Rose, Edmond N.	Luling, Texas	977	Clayton, Maxie T.	Pasco, Wash.	1637	Gehring, L.	Bend, Ore.
577	Shaw, Ronald E.	Chicago, Ill.	982	Tinus, Jacob J.	Scranton, Pa.	1760	Kehoe, Dennis M.	Crystal, Mich.
597	Kirk, William E.	Plainfield, Ill.	991	Nelson, William H.	Steubenville, Ohio	1816	Sigrist, Charles J.	Rancho Cucamonga, Calif.
650	Sande, Paul M.	Faribault, Minn.	1003	McCorkle, Delmer D.	Bradley, Ill.	1881	Helsel, Marion C.	St. Petersburg, Fla.
650	Weingart, John R.	Manly, Iowa	1043	Sandoval, Lee M.	Reno, Nev.	1892	Meineke, G.C.	Navasota, Texas
662	Cobb, Hugh A.	Millsboro, Del.	1074	Miller, Harry E.	Pittsburgh, Pa.	1910	Ezzell, James G.	Macon, Ga.
679	Schuster Jr., George A.	Pawtucket, R.I.	1088	Tyner, Roger T.	Brandon, Miss.	1962	Foust, Charles E.	Mantua, Ohio
706	Edwards Jr., Eddie L.	Mount Pleasant, N.C.	1177	Laudenbach, John	Fairmont, Minn.	1962	Roddy, Wayne N.	Fenton, Mich.



# Stressed out? Bills?

## UTUIA's disability income replacement insurance can really help

When you are faced with an illness or accident, the last thing you need is the worry over how you will pay the mortgage, car payments, credit cards and other necessities.

Sure, your health insurance will cover the medical bills, but how will you pay everything else?

Having a UTUIA disability income replacement insurance policy can provide you and your family with peace of mind should a tragedy strike.

It replaces lost income when you are unable to work due to an accident or sickness, helping you on your road to recovery.

Apply for disability income replacement insurance today.

**For more details and pricing information, complete and return the coupon at right, call UTUIA toll free or send an email.**

**Call or email today:  
(800) 558-8842  
utuiasales@utuia.org**

### Information, please

I would like more information on UTUIA's disability income replacement insurance.



Please print

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

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

9/12



## Are you registered to vote? Are you sure?

If you have recently moved to the next street, or the next town or the next state, you have likely changed your voter registration status.

Go to [www.utu.org](http://www.utu.org) to find a link to a voter registration website called Long Distance Voter, one of the most comprehensive, non-partisan websites for voter registration and absentee voting. This website will allow you to register to vote, verify your voter registration and apply for an absentee ballot.

Registering to vote is simple and can usually be completed in a matter of minutes.

Once you are registered to vote, you may want apply for an absentee ballot. If you want to be sure your vote is counted, applying for an absentee ballot is the way to go. Your ballot will be sent to you in the mail and can be completed in the comfort and privacy of your own home.

Should you have any questions on the application process, call the UTU National Legislative Office at (202) 543-7714.



## Quarters cramped?

Our Mortgage Program can help you buy a new home.

With today's great rates, there's no better time to make a move. And no better deal than a Union Plus Mortgage. Visit our website and check out the exciting options available, then let our experts help you find an affordable mortgage that meets your needs. You'll love the special benefits we offer union members—and you'll love your roomier new home!

**LOCK IN HISTORIC LOW RATES.** Choose from a wide variety of loans from lenders you can trust. Get answers to all your questions and reliable guidance throughout the application process.

**CUT YOUR CLOSING COSTS.** Save up to \$495 on your new home purchase.

**GET A \$500 "FIRST HOME" BONUS.** Awarded to first-time union buyers.

**UNIQUE HARDSHIP ASSISTANCE.** Interest-free loans are available to help pay the mortgage when you're unemployed, disabled, locked out or on strike. The first \$1000 is a grant that does not need to be repaid.

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Text **UNION** to **22555** for information about all of your Union Plus benefits.

MightData Rates May Apply. Reply STOP to opt-out. Reply HELP or contact info@unionplus.org for help. Expect no more than 2msg/mo.



MortgageAd3/FullPage—8/2012

## Bus Department

By Bonnie Morr, vice president  
bonniemorr@sbcglobal.net

### We learned at meetings

The UTU regional meetings in Portland, Ore., and Memphis, Tenn., provided hands-on workshops – led by experts from the National Labor Relations Board (NLRB) and the Federal Mediation and Conciliation Service (FMCS) – designed to improve skills of members and officers in pursuing grievances where members' rights have been violated.



Experts from the NLRB summarized and explained federal labor law, including the process for filing unfair labor practices complaints and governance of union representation elections under the National Labor Relations Act.

FMCS mediator Connie Weimer led workshops in the process of mediation and development of mediation skills – especially how to get to a “yes” and past a “no” at the bargaining table. Included was an interactive presentation on protecting the rights of the collective bargaining process and the importance of labor unions in the workplace.

A mock negotiating session was provided in Memphis by FMCS mediator Luther Bennet, with members in attendance playing the role of management. Needless to say, we were brutal as managers, which helped participants better understand the dynamics of negotiations.

One of the most well-attended sessions was led by attorney Steve Young and arbitrator Frank Quinn. A PowerPoint presentation is available that I will send to members via email upon request. My email address is at the top of this column.

The value of workshops at regional meetings cannot be overemphasized, and it is not too early to begin making plans to attend one of the 2013 regional meetings – in Boston, July 1-3, and Anaheim, Calif., July 29-31. Details and registration information will become available at [www.utu.org](http://www.utu.org) early in 2013.

As Election Day approaches, it is important for members and their families to be registered to vote and to vote. At the UTU home page at [www.utu.org](http://www.utu.org) there is a box titled, Are You Registered? Clicking on that box takes you to an interactive page where you and family members can verify that your voter registration is current. If it isn't, you can register to vote at that site. You may use that site to register to vote via absentee ballot.

The October issue of the *UTU News* will contain a listing of congressional candidates, by state, identified as labor friendly.

## Bus locals send all committee members to regional meetings

By Alternate Vice President-Bus Calvin Studivant  
mcooperator2@yahoo.com

At the Memphis regional meeting, I took pride that Locals 759 (Newark, N.J.), 1594 (Upper Darby, Pa.) and 1715 (Charlotte, N.C.) sent their entire committees, recognizing the value of the bus workshops in helping us become better negotiators, grievance presenters and trade unionists.



Local 172 (Darby, Pa.) mourns the loss of two members: **Howard Sheldrake**, 84, a retired member who died in his sleep, and **Tychell Palmer**, 37, who suffered a fatal stroke.

Congratulations go to Local 1715 (Charlotte, N.C.) committee members who successfully pursued an arbitration resulting in the reinstatement of a member with full back pay and all benefits. The member had been out of work for 10 months following a non-preventable accident.

Local 1558 (Westwood, N.J.) has begun contract negotiations, while Local 1589 (New Brunswick, N.J.) officers are soliciting from members suggestions to include among objectives in upcoming contract negotiations.

Finally, the UTU's political consultant, working with the Bus Department and the UTU National Legislative Office, developed a comprehensive bus member survey seeking membership views on workplace and safety issues, communication efforts, and a variety of current political and economic concerns. The survey makes use of scientific research methods to ensure final results are representative of the bus membership as a whole.

Final results will be used by the Bus Department and the National Legislative Office to help further bus members' legislative and workplace priorities at the national, state and local levels. Results will be published in the *UTU News* this fall.

## Bus operators ratify new contracts

UTU-represented members employed as bus operators by the Santa Cruz (Calif.) Metropolitan Transit District have become “the highest paid bus operators in America” following ratification of a new three-year labor agreement, said Bonnie Morr, vice president of the UTU Bus Department.

Local 23 members ratified two agreements – one by bus operators, and a second affecting drivers who perform services for the disabled.

Leading the negotiations were General Chairperson **Eduardo Montesino** and Vice Chairpersons **Jason Andrews**, **Daniel Zaragosa**, **Todd Pinsky** and **Sergio Tabag**. Morr provided negotiating assistance.

“These negotiations brought a balance to a workforce that had a 37-day strike in 2005 in order to obtain benefits that been denied them over the years,” Morr said.

## UTU policy concerning fees objectors

1. Any person covered by a UTU union shop or an agency shop agreement in the United States who elects to be a non-member has the legal right to object to political and ideological expenditures not related to collective bargaining, contract administration, or other activities germane to collective bargaining. Each non-member who objects shall pay the reduced fees.

To the extent permitted by law, a non-member cannot participate in union elections as a voter or as a candidate; attend union meetings; serve as delegate to the convention, or participate in the selection of such delegates; or participate in the process by which collective bargaining agreements are ratified.

2. The objecting non-members shall provide notice of objection by notifying the UTU International general secretary & treasurer of the objection by first-class mail postmarked during the month of September preceding the calendar year to which he/she objects, or within thirty (30) days after he/she first begins paying fees and receives notice of these procedures. The objection shall contain the objector's current home address. Once a non-member objects, the objection shall stand until revoked. Objections may only be made by individual employees. No petition objections will be honored.

3. The following categories of expenditures are chargeable:

a. All expenses concerning the negotiation of agreements, practices and working conditions;

b. All expenses concerning the administration of agreements, practices and working conditions, including grievance handling, all activities related to arbitration, and discussion with employees in the craft or class (or bargaining unit) or employer representatives regarding working conditions, benefits and contract rights;

c. Convention expenses and other union internal governance and management expenses;

d. Social activities and union business meeting expenses;

e. Publication expenses to the extent coverage is related to chargeable activities;

f. Litigation expenses related to contract administration, collective bargaining rights, and internal governance;

g. Expenses for legislative and administrative agency activities to effectuate collective bargaining agreements;

h. All expenses for the education and training of officers and staff intended to prepare the participants to better perform chargeable activities;

i. All strike fund expenditures and other costs of economic action, e.g., demonstrations, general strike activity, informational picketing, etc., that benefit members of the bargaining unit or craft represented by UTU.

4. The UTU International shall retain a certified public accountant to perform an independent audit of the records of the UTU International and subordinate units maintained by the UTU International general secretary & treasurer. The UTU International shall designate an analyst for the purpose of determining the percentage of expenditures that fall within the categories specified in Section 3. The amount of the expenditures that fall within Section 3 shall be the basis for calculating the reduced fees that must be paid by the objector. The analyst shall also give an opinion concerning the adequacy of the escrow amounts maintained pursuant to Section 17, and later will verify the existence and the amounts of money in any escrow accounts.

### Percentage of chargeable fees determined by analyst for calendar year 2011

<b>UTU International<sup>1</sup></b>	86.8 percent
<b>State legislative boards<sup>2</sup></b>	
LO 005 California <sup>3</sup>	20.8 percent
LO 038 Ohio	73.0 percent
LO 045 Washington	18.5 percent
Unreviewed boards	0.0 percent
<b>General committees</b>	
GO 577 Union Pacific	100.0 percent
GO 927 Union Pacific	99.9 percent
Unreviewed committees <sup>4</sup>	99.6 percent

<sup>1</sup> Estimate; final ratio forthcoming.

<sup>2</sup> Unreviewed state legislative boards will have a 0 percent chargeable percentage applied to new objectors.

<sup>3</sup> Calculated by applying the lowest of previous reviews of the applicable legislative board, providing the board has had eight or more reviews.

<sup>4</sup> Unreviewed general committees will have the historical average of chargeable percentages of audited general committees, which is 99.6 percent, applied to any new objectors.

5. The analyst shall complete the report no later than August 31. This report shall include an analysis of the major categories of union expenses that are chargeable and non-chargeable.

6. Each person entitled to receive the analyst's report may challenge the validity of the calculations made by the analyst by filing an appeal with the UTU International general secretary & treasurer. Such appeal must be made by sending a letter to the UTU International general secretary & treasurer postmarked no later than thirty (30) days after issuance of the independent referee's report.

7. After the close of the appeals period, the UTU International general secretary & treasurer shall provide a list of appellants to the American Arbitration Association (AAA). All appeals shall be consolidated. The AAA shall appoint an arbitrator from a special panel maintained by the AAA for the purpose of these arbitrations. The AAA shall inform the UTU International general secretary & treasurer and the appellant(s) of the arbitrator selected.

8. The arbitration shall commence by October 1 or as soon thereafter as the AAA can schedule the arbitration. The arbitrator shall have control over all procedural matters affecting the arbitration in order to fulfill the need for an informed and expeditious arbitration.

9. Each party to the arbitration shall bear their own costs. The appellants shall have the option of paying a pro-rata portion of the arbitrator's fees and expenses. The balance of such fees and expenses shall be paid by UTU.

10. A court reporter shall make a transcript of all proceedings

before the arbitrator. This transcript shall be the official record of the proceedings and may be purchased by the appellants. If appellants do not purchase a copy of the transcript, a copy shall be available for inspection at the International during normal business hours.

11. Appellants may, at their expense, be represented by counsel or other representative of choice. Appellants need not appear at the hearing and shall be permitted to file written statements with the arbitrator instead of appearing. Such statement shall be filed no later than fifteen (15) days after the transcript becomes available, but in no case more than thirty (30) days after the hearing closes.

12. Fourteen (14) days prior to the start of the first hearing, appellants shall be provided with a list of all exhibits intended to be introduced at the hearing and a list of all witnesses intended to be called, except for exhibits and witnesses that may be introduced for rebuttal. On written request from an appellant, copies of exhibits (or in the case of voluminous exhibits, summaries thereof) shall be provided to them. Additionally, copies of exhibits shall be available for inspection and copying at the hearing.

13. The UTU International shall have the burden of establishing that the reduced fees set forth in the analyst's report are lawful.

14. If the arbitrator shall determine that more than one day of hearings is necessary, hearings shall be scheduled to continue from day to day until completed. The parties to the appeal shall have the right to file a brief within fifteen (15) days after the transcript of the hearing is available, but in no case more than thirty (30) days after the hearing closes. The arbitrator shall issue a decision within forty-five (45) days after the submission of post-hearing briefs or within such other reasonable period as is consistent with the rules established by the AAA.

15. The arbitrator shall give full consideration to the legal requirements limiting the amounts that objectors may be charged, and shall set forth in the decision the legal and arithmetic basis for such decision.

16. If an objector receiving an advance reduction wishes to continue objection, he/she shall continue to pay the reduced fees that he/she is currently paying until the neutral referee issues the report. As soon as possible after the issuance of the analyst's report, he/she shall pay the amount of the reduced fees calculated by the analyst. Persons objecting for the first time shall be sent a copy of the report prepared by the analyst for the previous year and shall pay the reduced fees as soon as possible.

17. Each month thereafter for all objectors, an amount shall be put in an interest-bearing escrow account equal to 25 percent of the reduced monthly fees, or such other greater amount as the neutral referee may recommend. All objectors from the previous year shall be paid the amount of non-chargeable money that is in the escrow account as determined by the analyst's report as soon as practicable after its issuance. The appropriate unit of UTU shall not, however, take its portion of the monies in the escrow account until fifteen (15) days after the conclusion of the period within which an objector may appeal the report of the analyst, or upon the issuance of the decision of the arbitrator, whichever is later.

18. When the decision of the arbitrator is announced the monies remaining in the escrow account shall be distributed in accordance with the decision.



# FRA urges Congress to delay PTC install

The Dec. 31, 2015, deadline for installing positive train control (PTC) on some 60,000 miles of mainline track may not be met, says the Federal Railroad Administration (FRA), which is urging Congress to extend the deadline.

PTC is a crash-avoidance safety overlay system utilizing the satellite global positioning system (GPS), wireless communications and central control centers to monitor trains and prevent collisions by automatically applying brakes on trains exceeding authorized speeds, about to run a red light, violating a work zone or running through a switch left in the wrong position.

In a 50-page August report to Congress on PTC progress, the FRA said “most” of the railroads will not meet the deadline first imposed by the Rail Safety Improvement Act of 2008. Congress mandated that PTC be installed on all Class I track carrying certain hazardous materials, intercity passenger trains and commuter trains.

## UTU worked to include PTC in 2008 rail-safety act

The FRA cited “significant technical and programmatic issues” as causes for the delay. It said these issues include problems with the communications spectrum, hardware, track data verifications and installation engineering.

This is despite railroads already having invested \$1.5 billion and the federal government having provided some \$50 million toward PTC installation.

PTC installation is “hampered by the novel nature of the issues,” the FRA told Congress.

Earlier this year, the FRA, in writing rules to flesh out the congressional mandate, permitted railroads greater flexibility to determine on which lines PTC is to be installed.

Railroads had told the agency that the original FRA rule, which would have required PTC

installation on 60 percent of mainline track – some 70,000 miles – failed to consider changes in routing of dangerous hazmat.

The FRA reduced the PTC requirement by 10,000 miles to less than 40 percent of mainline track.

Partial installation of PTC can be achieved by the deadline, said the FRA, and until full installation can be achieved, existing train control systems should be utilized.

For two decades, the National Transportation

Safety Board has had PTC installation at the top of its public-safety objectives.

The UTU worked with labor-friendly lawmakers to include the Dec. 31, 2015, mandate in the Rail Safety Improvement Act of 2008.

Amtrak (on track it owns), Los Angeles Metrolink, Chicago Metra and Southeast Pennsylvania Transportation Authority (SEPTA) – in conjunction with owners of track over which they operate – previously said they expect to have PTC operational as early as 2013.

## UTU will not back down defending members

*Continued from page 1*

workers who are injured on the job,” Futhey said. “The FRA and OSHA recently signed a letter of intent to investigate jointly all complaints of carrier harassment and intimidation, and the FRA has informed each carrier of its intent to work with OSHA to end the long-standing practice of carriers disciplining injured workers “where the facts fail to support the charges. We are lawyered up, too, and will take this to wherever we must to protect the interests of our members.”

- Recalling the horrific murder of a UTU-member bus driver in Los Angeles, the fatal shooting of a train-crew member near New Orleans, and assaults on bus operators and intrusions into locomotive cabs by armed robbers elsewhere, Futhey said the UTU is working with lawmakers and regulators to implement better safeguards for its air, bus and rail members. The FRA recently imposed a requirement that all new and remanufactured locomotive cabs be equipped with secure cab locks.

“I promise every member that the UTU will stand shoulder-to-shoulder with our members to ensure their safety. Our voices will be heard,” Futhey said.

As to the state of the union, Futhey said the UTU International’s general fund balance is improving as carriers bring back furloughed workers, that the UTU Insurance Association now has a \$28-million surplus and is financially strong, and the Discipline Income Protection Plan (DIPP) is financially sound with more than \$10 million in assets.

Futhey emphasized that while competing discipline plans often seek ways to deny payment of claims, the UTU’s DIPP is aggressive in paying claims. Futhey cited an example of two workers on the same assignment on CSX – one covered by the UTU’s DIPP and the other by a competing plan – who were both suspended. “Where the competing

plan denied the claim, DIPP paid the claim. End of story,” he said.

As for the UTU’s disability insurance plan covering bus and rail members, Futhey said it has paid out more than \$22 million in disability benefits for off-duty injuries and is proving to be a valuable benefit.

As to organizing, Futhey said that since January 2008, when he took office, the UTU has an unprecedented record of organizing one new property every seven weeks. One of the first post-merger coordinations has been the joint strengthening with the Sheet Metal Workers International Association of organizing efforts, which makes greater resources available for organizing transportation, building trades and production workers.

Futhey also explained how the UTU negotiating strategy in national handling has already paid off for rail members covered by the national rail contract.

“When we entered national rail contract negotiations, our strategy was to hold the monthly cost sharing premium under \$200 – rather than allow it to escalate to \$300 or more – in exchange for somewhat higher copays,” Futhey said. “The Affordable Care Act now eliminates many of those copays, saving affected members money on many health care services while those members enjoy one of the lowest cost-sharing premiums in the public and private sectors.”

## UTU has organized one new property every seven weeks

## Tea Party warning

*Continued from page 1*

the Tea Party win in November, said Cohen, “they are coming after you – your jobs, your working conditions and your economic standards.”

To combat the anti-union, anti-middle class Tea Party agenda, which Cohen said is bankrolled by conservative billionaires, the middle-class must contribute to union PACs, register to vote and help get out the vote on Election Day for candidates who support the middle-class. “This election is about [saving] the middle-class,” Cohen said.

Cohen, who spent 24 years in the Tennessee state senate before being elected to Congress in 2006, has a 100 percent voting record on issues of importance to working families, according to the AFL-CIO. He is a member of the House Transportation & Infrastructure Committee.

## UTU needs your photos

The UTU International is seeking good railroad, bus and airline photos, taken by its members, for the annual calendar and other uses.

High-resolution digital photographs should be emailed to “[utunews@utu.org](mailto:utunews@utu.org).”

Printed photographs should be mailed to UTU News, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.

Include the photographer’s name and local number, the name(s) of the person(s) in the photo (left to right) and any other information.

All photographs submitted become property of the UTU.



## Bay area railroaders to meet

Retired conductor John Herrmann of Local 694, Dunsmuir, Calif., reminds all active and retired railroaders in the San Francisco Bay area of the fifth annual lunch and reunion Oct. 13 at Spenger’s Fresh Fish Grotto, Berkeley, Calif. For reservations, call Herrmann at (925) 465-4122. Railroaders, family and friends from SP, UP, WP, AT&SF and Amtrak, as well as other lines, from all crafts, are invited.

## Discipline Income Protection Program: It Pays!

**What is the Discipline Income Protection Program?** This program pays you a specific amount of money 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?** All UTU members may enroll 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 email “[dipp@utu.org](mailto:dipp@utu.org)” or check out the Discipline Income Protection page on [www.utu.org](http://www.utu.org).





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## Photo of the month

The UTU International is always looking for good photos, and awards UTU gear to monthly photo winners.

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

Printed photographs should be mailed to UTU News, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.

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

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

All photographs submitted become property of the UTU.

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



This photo was taken by Adirondack Trailways General Chairperson **Russell Gaillard**, a member of Local 1582, Albany, N.Y. "The picture was taken at the State University of New York campus in Albany. The bus is a Prevost H3 45, fully equipped with free Wi/Fi, electrical outlets, CD/DVD/TV," Gaillard said.

## Sleepy? Rail website offers guidance

Sleep, fatigue, workplace safety and quality of life are stitched together tighter than the seams on a major league baseball – and unpredictable work schedules can undo those stitches faster than a Stephen Strasburg 100-mph heater.

A new website, created by sleep scientists at Harvard Medical School, the Volpe National Transportation Systems Center and the Federal Railroad Administration – following anonymous survey input from train and engine workers represented by the UTU and the BLET – provides train and engine workers an interactive guide to a better understanding of factors that contribute to, and inhibit, proper rest.

The "Railroaders' Guide to Healthy Sleep" website provides articles, videos, a game, a quiz and illustrations intended to help railroad workers understand their body clock, recognize sleep impediments, reduce fatigue, stay alert and safe, and improve their quality of life.

Consider it high-tech chicken soup for the overworked



rail worker struggling to balance work and family life.

Included are practical steps to combat fatigue by adjusting nap times and consumption of caffeine and other beverages and foods, and practical ways to deal with individual variations in sleep needs and the daily ups and downs in human alertness and sleepiness.

A quiz helps participants determine how well they sleep, while an interactive game permits them to test their reaction times.

There also is information on sleep apnea and other sleep problems, and a guide on how to find sleep specialists throughout the country.

Give the website a test drive by going to the following website:

[www.railroaderssleep.org](http://www.railroaderssleep.org)

For many railroad workers, the website may ensure that they return home in one piece – and for all rails, the website will help achieve a better balance between work and family life.

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



For the Lemyres, it's "like mother, like son." See page 2.



Son of UTUIA field supervisor wounded in attack. See page 5.



Photo highlights of the Memphis regional meeting. See pages 6/7.



UTU retirees honor their brother killed in Vietnam. See page 8.