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The Official Publication of the United Transportation Union

THE VOICE OF TRANSPORTATION LABOR

“As stewards of the public interest, Congress has the responsibility to prevent fatigue, and I intend to address the issue legislatively.” – *House T&I Committee Chairman James Oberstar (See back page)*

News & Notes

Canada halts UTU strike

The UTU on April 19 instructed its members to return to work on Canadian National Railway following enactment by the Canadian government of back-to-work legislation. CN similarly ended its lockout of UTU-represented employees.

The UTU represents some 2,800 CN employees. After UTU members on April 10 rejected a Feb. 24 tentative agreement – negotiated under threat of a similar back-to-work law – the UTU engaged in rotating strikes to pressure CN back to the bargaining table.

The strike-ending law forces final-offer selection arbitration on the parties, in a winner-take-all process where only the arbitrator chooses.

The Canadian labor minister will be appointing the arbitrator. In the meantime, the new law extends the agreement that was in force in December 2006 until such time as the arbitrator renders the decision, which, by law, must be no later than 90 days following the arbitrator's appointment.

To keep informed on the appointment of the arbitrator and the arbitration process, regularly log on to www.utu.org.

USPS offers “Mili-kits”

The U.S. Postal Service makes available a military care kit, or “Mili-kit,” to make it easier for military families and friends to send care packages to their loved ones stationed overseas.

Since the inception of the military care kit, the U.S. Postal Service has shipped more than 150,000 kits. Each kit contains two priority mail boxes, six priority mail flat-rate boxes, eight priority mail labels, one roll of priority mail tape and eight customs forms with envelopes.

This kit may be ordered by calling the USPS Expedited Package Supply Center at (800) 610-8734. There is no charge for the kit. The priority mail flat-rate boxes included in the kit can be shipped to any APO/FPO in the world, regardless of weight, for \$8.10.

All packages and mail must be addressed to individual service members.

For more information, contact your local post office or go to www.usps.com.

Pittsburgh meeting tip

UTU members attending the UTU/UTUIA regional meeting in Pittsburgh, Pa., July 16-18, can save money if they take the Airport Flyer from the airport to within a block of the Hilton Pittsburgh at Gateway Center. The Port Authority's 28X line costs travelers \$2.25 (exact change only) to get from the airport to one block from the hotel, as compared to roughly \$25 for a cab. Get more information at www.portauthority.org.

Railroads get ‘C minus’ on condition of tracks

The vice chairman of the U.S. Surface Transportation Board (STB) last month delivered a slap in the face to railroads over the condition of their track, giving rail infrastructure a grade of “C minus” and illustrating his point by holding up a rusty rail spike he said he had taken from a railroad right of way.

STB Vice Chairman Douglas Buttrey faced the chief executive officers of each of the U.S.-based Class I railroads and dramatically laid the rusty railroad spike prominently on the judicial bench in front of him so that the uncomfortable CEOs could look at it throughout a daylong federal hearing into railroad capacity problems.

Rail CEOs taken to task by Buttrey's theatrics included BNSF's Matt Rose; CSX's Michael Ward; Kansas City Southern's Michael Haverly; Norfolk Southern's Wick Moorman and Union Pacific's James Young.

Rose, when testifying, told Buttrey he had it wrong – but Buttrey did not retract his state-

ment. Another CEO, who could not be identified, was heard through an open microphone at the witness table to say to another CEO that Buttrey should have been arrested by railroad police for trespassing on rail private property and taking the spike.

Said Buttrey to the CEOs in holding the rusty spike aloft, “This symbolizes the condition of some of the rail infrastructure and the need to improve it.”

Buttrey also quoted from an American Society of Civil Engineers' report that gave the railroads' infrastructure a “C-minus” grade.

In fact, there have been a series of high-visibility railroad accidents, including deadly chlorine spills in Graniteville, S.C., and Macdonia, Texas, and CSX has been described as a “rolling pyrotechnics exhibit in the East” following a series of spectacular accidents.

**Rusty track spike
“symbolizes the
condition of the
rail infrastructure,”
STB's Buttrey says**

Continued on page 10

Lack of workers hinders capacity

“Better training and more staffing are the two easiest methods to ensure the development and continuation of a sound rail transportation system,” the UTU told federal regulators last month. “These two actions can help solve any capacity constraints on the U.S. rail system.”

The UTU's comments were made during a daylong hearing of the U.S. Surface Transportation Board, which was probing the problem of too much freight crowded onto too little infrastructure. The STB called the hearing in response to concerns that railroads are operating at capacity and not investing in their infrastructure at the rate that rail freight-traffic demand is growing.

Although rail officials want huge federal subsidies in the form of tax breaks to encourage additional rail construction, the UTU, other

Continued on page 10

FRA allows test of new brakes

The Federal Railroad Administration will soon allow BNSF and NS to test the operation of locomotives and rail cars equipped with electronically controlled pneumatic (ECP) brakes.

The FRA waiver, granted March 21, applies specifically to air brake inspections covered under specific federal safety regulations. The agency will soon permit a train operating in ECP brake mode to operate to its destination, or up to 3,500 miles (whichever is less), without stopping to undergo certain routine brake inspections.

That is more than double the distance currently allowed by federal regulations.

The new technology is said to shorten the distance needed to stop by up to 60 percent and reduce train derailments, according to the FRA.

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Around the UTU

News from around the U.S.

Local 18, El Paso, Texas

This local, representing Union Pacific employees, has moved its headquarters to 905 Dallas St., El Paso, TX 79902, said Local Chairperson (enginemen) **Jim Maynard**. Thanks go to those members who helped make the transition go smoothly, including Local Chairperson (switchmen) **David Acosta**; Secretary and Treasurer **Jim Werner**; Local Chairperson (trainmen) **Carlos Fuentes**; Vice Local Chairperson (switchmen) **Tom Chavez**; Vice Local Chairperson (enginemen) **Duane Miller** and switchman **Ruben Tapia**.

Local 30, Jacksonville, Fla.

The members of this Amtrak and Herzog local are expressing their thanks and appreciation to retired member **Thomas W. "Tommy" Pope** for his years of service to the local, which he helped establish, and to the union. He continues to serve as local president, delegate and legislative representative. "Tommy is not only a brother, but a good friend to many of us as well," said Secretary and Treasurer **James L. Searles**.

Locals 78 & 265, Pocatello, Idaho

Officers and members of these two Union Pacific locals, along with members of *UTU for Life* and the Idaho Auxiliary, met with State Sen. **Charles "Chick" Bilyeu** to celebrate his 90th birthday, said State Legislative Director **George Millward**. Millward reminded those in attendance that Sen. Bilyeu never once voted against a labor bill, and the senator replied that "labor, the UTU and the AFL-CIO made America and Idaho what they are today."

Local 258, Rock Island, Ill.

Members of this Iowa Interstate Railroad local have established a fund and a blood drive to aid **Andy Schulte**, 19, who was crushed in a switching accident around 8 a.m. on Easter morning (April 8), said Local President and Delegate **Jeff Fugate**. Brother Schulte had been working on the Iowa Interstate for a year and five days when the accident happened. To contribute to the fund, mail checks or money orders payable to "Schulte Benefit Fund" to Valley Bank, 2102 Spruce Hill Dr., Bettendorf, IA 52722. For information about the blood drive, contact Fugate by calling (309) 738-5772 or send e-mail to jsf2620@yahoo.com. Send cards with best wishes to Schulte/Patient, University of Iowa Hospitals and Clinics, 200 Hawkins Dr., Iowa City, IA 52242. Send e-mail to Schulte at andyschulte19@yahoo.com.

Local 375, Edgemont, S.D.

Members of this BNSF Railway local offer best wishes to former Local President **Larry K. Barndt**, who recently retired. The new president of the local is **Robert G. Harding**.

Local 477, Newton, Kan.

A golf fundraiser was set for May 1 to help 24-year-old conductor **Justin Belisle**, who was injured March 3 while on the job and remains hospitalized at Via Christ Medical Center-St. Francis campus in Wichita. Belisle is not eligible for Railroad Retirement disability benefits until July 1. To learn how to help Brother Belisle with a donation, contact **Tim Porter** at (316) 774-7574 or **Derek Smith** at (316) 215-2375.

Display pays tribute to nation's veterans

Those who ride the rails into Union Station in Washington, D.C., on Memorial Day (the last Monday in May) or Veterans Day (Nov. 11) will see a large, illuminated display paying tribute to the men and women of the U.S. military, assembled largely through the efforts of a UTU-represented Amtrak conductor.



Tkachenko

Appearing every year beginning in 2001, the displays are the result of **Larry Tkachenko's** reaction to the terrorist attack on the USS Cole on Oct. 12, 2000, in which 17 sailors lost their lives.

"After that attack," Tkachenko said, "some of us on Amtrak felt we needed to do something for our veterans. I went to Daryl K. Pesche, general superintendent of Amtrak's mid-Atlantic division, and asked for money for a sign and for a canopy. He supported us wholeheartedly."

Legislative representative for Local 1470 in Edmonston, Md., Tkachenko has served his local in the past as president, vice president and vice local chairperson. He began his rail career as a brakeman on the Penn Central Railroad in 1973, but took a leave of absence from 1979 to 1982 to serve in the U.S. Marine Corps. The experience played a major role in his feeling of indebtedness to those who preserve our freedom.

"The displays include a free-standing commemorative wreath with red, white and blue banners," Tkachenko said. "Amtrak graciously pays for the flowers, but I put the rest of it together on a shoestring. In the past, I had help from **Tom Schreiber**, another Amtrak conductor from my local, but he's retired now."

The moving display also includes a red carpet with red ropes around it, the U.S. flag, a POW-MIA flag, the flags of all the U.S. military services, and patches from every state in the union, as well as the nation's commonwealths and possessions, such as the Puerto Rico, the Virgin Islands and the Northern Mariana Islands.

"The *Washington Post* includes a special section on these holidays called Faces of the Fallen," Tkachenko said, "and the photos from it are included in the display. And in some years, I've had a bugler play taps at 3 p.m."

Tkachenko said that most veterans on Amtrak "are kind of invisible. We don't see much official recognition, so this was well received. It's surprising how many vets work on the railroad, and I had no idea about them until I started putting up these displays. Now, it's not uncommon for people to stop by and ask if they can lend a hand."

Local 486, Glendive, Mont.

Members send best wishes for a speedy recovery to **Tim Fulton**, who was hurt in April during a routine switching operating in the Forsyth rail yard. Fulton is a former Rosebud County sheriff who left the agency in 2006 after serving as sheriff for seven years.

Local 1075, Trenton, Mich.

Members of this local representing employees of CN Railway (Grand Trunk Western) and the Detroit, Toledo & Ironton recently conducted a fundraiser to estab-

lish a college fund for the four-year-old twin sons of **Robert H. Marrs's** daughter, who died in a fluke accident just after Marrs retired, said Secretary and Treasurer **John R. Purcell II**. In addition to the money raised by the event, the local voted to contribute another \$100 to the cause.

Local 1290, Chicago, Ill.

A foundation has been established to commemorate the slain adopted son of Metra employee and Local President **Jeffery Fields**, said Local Chairperson **Barry Abbott**. Nineteen-year-old **Johnathan Fields** was found murdered in his Chicago apartment on March 15. The foundation is dedicated to providing counseling for children in foster care. Donations can be made payable to the Johnathan B. Fields Foundation and mailed to Lynn Lidbury, Oakwoods Center, 23540 Western Ave., Park Forest, IL 60466.

Local 1348, Centralia, Wash.

Members of this local, which represents those working on the Union Pacific, the Columbia & Cowlitz and the Longview Portland & Northern, are mourning the death of retired conductor **George Finni**, who succumbed in April to cancer, according to retired former Local President **John Walch**.

Local 1697, Lubbock, Texas

Members of this local working for Texas, New Mexico & Oklahoma Coaches last month rejected by a wide margin a contract offer from the company, said Local Chairperson **Greg Hansen**. The membership is looking for a pact that adequately addresses raises, job security and the transfer of work between divisions within the company. Meanwhile, bus operator **Pat Tuman** recently received a 30-year service award from the company.

Local 1951, Albany, N.Y.

CSX yardmaster **Mike Doherty** raised more than \$6,500 for the Dana-Farber Cancer Institute by competing for the fourth time in the Boston Marathon. He finished with a time of 3 hours and 55 minutes, placing 12,000th out of 20,640 runners. Doherty said his local and CSX made generous donations again this year, but the total is slightly short of the \$7,500 he hopes to raise before the May 31 deadline. To donate, send a check payable to "Dana-Farber Cancer Institute" to Doherty at 76 Pike St., Tewksbury, MA 01876. Contact him at (978) 835-4013 or send e-mail to Michael_Doherty@csx.com.

RETRENDO Club plans dinner, dance

A group of Pennsylvania Railroad and Conrail retirees planning their 25th annual dinner and dance has extended an invitation to rail veterans from all crafts to attend the upcoming event.

The RETRENDO (REtired TRainmen and ENginemen SOcial) Club's gathering will be held Sun., May 20, at the Lamplighter Restaurant on Route 22 in Delmont, Pa., said retired yardmaster **A.V. "Jock" Powers** of Local 1948, Youngstown, Ohio.

For information, write to Powers at P.O. Box 325, Westmoreland City, PA 15692, or call him at (724) 863-1232.

FEC employees help earn carrier recognition

Railway Age magazine this year honored the Florida East Coast Railway – a unionized operation with employees who chose the UTU as their bargaining representative in 1994 – as its 2007 Regional Railroad of the Year.

While UTU General Chairperson John Hancock (GO-851) wasn't invited to the April 23 event where the actual award was bestowed, he forwarded his congratulations to the carrier in absentia, and expressed pride in his fellow UTU members and the distinction they earned for their employer.



Hancock

"The award speaks a lot about the employees," Hancock said. "A good union man is also a good employee for the company, and certainly, it was UTU members who made the FEC the regional railroad of the year."

The 351-mile FEC was recognized for overall excellence, the magazine said. "This year's winners show the small-road industry what it takes to be a top performer," said Railway Age Publisher Robert P. DeMarco. "It's all about

strong marketing efforts, first-class customer service, effective asset utilization, wise capital investments, teamwork within the organization and with connecting roads, and, above all, safe operations."

Also honored by the magazine this year was the West Virginia Line as 2007 Short Line Railroad of the Year. Both railroads were featured in the magazine's April 2007 issue.

The FEC, a Class II regional railroad, boosted revenue per employee 10 percent over 2005, and approximately 40 percent since 2003, and saw expenses per track-mile rise just 7 percent over 2005, even with capital improvement projects totaling \$45 million in 2006. The projects included building 12-plus miles of double track, upgrading three terminals and leasing four new SD70M-2 high-horsepower, low-emissions locomotives from EMD.

An FEC official said the carrier has increased its focus on safety, and said the carrier has seen an 81-percent improvement since 2002 in the number of reportable injuries.

Hancock said a lot of credit for the success enjoyed by the FEC goes to three local chairpersons, including Kenny Brookins and Jim

McCorkle of Local 1138 in Miami, and Jim Bush of Local 903 in Jacksonville.

"Over the last four contracts, FEC employees have seen wages and benefits improve by a value of about 65 percent," Hancock said. "Before they were represented by the UTU, they had no paid holidays. Today, they have 10, and their health and welfare coverage is comparable to that enjoyed by members under the national rail contract."

Hancock said the UTU represents all operating crafts on the FEC. "They get an hourly rate on the FEC, and they make good wages," he said. "A unique thing we've negotiated there is that conductors qualified as locomotive engineers get the same rate of pay as locomotive engineers in through-freight operations."

The current four-year contract will be due for renegotiation on Dec. 31, 2008.

Recounting the history of unions on the FEC, Hancock credits its employees for turning things around. "The carrier now has respect for organized labor," Hancock said. "Through being a union – and collectively working together – we've made great strides. The FEC membership believes in the union."

Member swoops in to aid injured eagle

When a UTU-represented conductor works with his twin brother – an engineer represented by the Brotherhood of Locomotive Engineers and Trainmen – to save an American bald eagle, it's not hard to read symbolism into the event.

"This was an awesome day!" said Jonathan A. Barbara of Local 1075 in Trenton, Mich. "It was probably the pinnacle of my wildlife experiences, and I've been trapping since I was six years old.

"Somehow, it seemed what we were doing was very patriotic."

In late March, Barbara, a CN Railway employee with 33 years of rail experience, received a phone call from an engineer who knew he was an experienced outdoorsman.

"He said he'd seen an eagle with a broken wing along the tracks and wondered what to do," Barbara said. "I told him I'd talk to my brother, Joe, about it."



Jonathan and Joe Barbara

Five days later, while southbound out of Detroit, Barbara spotted the eagle himself. He and his brother (whose son, Joseph A. Barbara III, is also a member of Local 1075) consulted with the Michigan Department of Natural

Resources and got in touch with Dave Hogan, a raptor handler in Monroe County, Mich.

Hogan said it would be a few days before he could try trapping the eagle, but after talking with the Barbaras, he realized they could handle capturing the bird themselves.

"On April 6, my brother and I, along with Joe's wife (who caught everything on video) and a friend of ours, got a game plan together and hit the woods.

"In five minutes, I spotted the eagle and herded him towards my brother. My brother spread his coat out with his arms to look big.

"The eagle responded by spreading his wings, turned and ran towards me, then rolled over on his back, with his talons in the air. I scooped him up, and there we were!"

The eagle, weighing in at five pounds and sporting a six-foot wingspan, is now recuperating with Hogan, who got a veterinarian to pin the forearm of its left wing.

Changes in UTU Discipline/Income Protection Program

As a result of increased costs and unusual claim volumes, D/IPP premiums, known as monthly assessments, will increase from 50 cents to 60 cents per \$1 of daily benefits. This change will take effect Aug. 1, 2007. (These new rates do not apply to members of UTU Local 1088.) The new schedule of maximum benefits is shown below.

You may change the benefit level you have selected or cancel your coverage at any time by submitting the appropriate form to UTU.

If you do not change your current benefit level, your current benefit level will remain in place, and, if you pay monthly assessments by payroll deduction, the higher monthly assessments will automatically be deducted from your paycheck.

The D/IPP trustees are International President Paul Thompson, Assistant President Rick Marceau and General Secretary & Treasurer Dan Johnson.

SCHEDULE OF MAXIMUM BENEFITS

Monthly Assessment		\$3.60	\$6.00	\$12.00	\$18.00	\$24.00	\$30.00	\$36.00	\$42.00	\$48.00	\$54.00	\$60.00	\$66.00	\$72.00	\$78.00	\$84.00	\$90.00	\$120.00
Maximum Days for Suspension & Discharge	Number of Active Months of Membership in Income Protection Program	\$6 Daily Benefit	\$10 Daily Benefit	\$20 Daily Benefit	\$30 Daily Benefit	\$40 Daily Benefit	\$50 Daily Benefit	\$60 Daily Benefit	\$70 Daily Benefit	\$80 Daily Benefit	\$90 Daily Benefit	\$100 Daily Benefit	\$110 Daily Benefit	\$120 Daily Benefit	\$130 Daily Benefit	\$140 Daily Benefit	\$150 Daily Benefit	\$200 Daily Benefit
		Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable	Maximum Payable
250	Less than 24 months	1500	2500	5000	7500	10000	12500	15000	17500	20000	22500	25000	27500	30000	32500	35000	37500	50000
300	24 months but less than 60 months	1800	3000	6000	9000	12000	15000	18000	21000	24000	27000	30000	33000	36000	39000	42000	45000	60000
365	60 months or more	2190	3650	7300	10950	14600	18250	21900	25550	29200	32850	36500	40150	43800	47450	51100	54750	73000

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Undoing the wrongs

Even mamas, who let their babies grow up to be cowboys, teach them never to ride their horses hard and put them away wet.

For sure, it's difficult to find a genuine cowboy among corporate CEOs these days. As columns on this page by President Thompson and Brokenrail make painfully clear, employers increasingly are looking down on employees as modern-day discards. "Ride 'em hard, put 'em away wet. There are more of you where you came from – and probably less expensive, too."

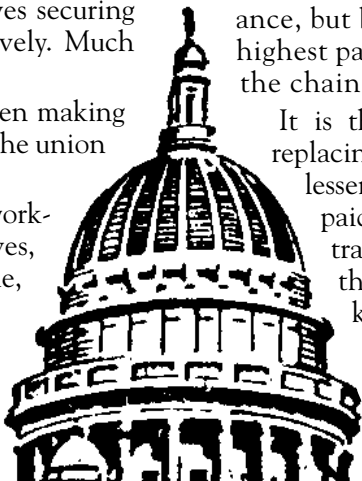
What these short-term-profit CEOs cannot grasp in their spreadsheet-clogged minds is that unionized companies typically deserve their unions.

Difficult as it may seem, times have been tougher for employees – such as the darkest days before our brave forebears risked their lives securing legal rights and protections to organize and bargain collectively. Much blood was spilled, and many families ruined, in the struggle.

Employers, in cahoots with anti-union lawmakers, have been making progress turning back the clock. We, as brothers and sisters in the union movement, are fighting back.

Our UTU PAC, combined with contributions from other worker-friendly PACs, helped to regain, from anti-union conservatives, control of Congress. As evidenced on the back page of this issue, our friends now control key congressional leadership posts.

Let's not forget how we got them there. Let's continue our donations to UTU PAC to keep them there.



WASHINGTON WATCH

By James M. Brunkenhoefer

Safety down; profits up. It's time for change.

Dear Railroad CEO:

It is time to take notice that your conservative, anti-union friends are no longer in charge of Congress.

Your thinking has become warped, with greater profits your only objective. Running a railroad safely and in the public interest is farthest from your mind, no matter what you claim.

You were caught by federal regulators double-charging your customers for higher fuel costs.

You want federal tax credits (subsidies, really) to finance track improvements so you can haul more traffic at higher rates and earn more profits.

You are so busy satisfying your unquenched greed that you are ignoring why and how your trains crash and derail. Your answer to deadly hazmat accidents is to demand that Congress force hazmat shippers to cover the costs of your own actions.

You have returned to your roots as public-be-damned monopolists. Victimized shippers have arms full of complaints about deteriorating service and rate gouging.

Your single biggest shipper – United Parcel Service – says you are the only mode of transportation delivering goods no faster today than 15 years ago.

Your employees are exhausted and demoralized because you treat them no better than disposable pencils.

4

Our unreal reality

By Paul Thompson
International President

Forget television. There is a more important reality show playing out in America.

It is the reality of jobs being exported.

It is the reality that 90 percent of Americans are earning less than they earned the previous year, while the highest paid are earning more than ever before.

It is the reality of 47 million Americans without health-care insurance.

It is the reality of billions of dollars in sweetheart federal contracts handed to favored corporations, but insufficient medical care and squalid medical facilities for wounded soldiers.



Thompson

It is the reality of Wal-Mart requiring long-term employees to work weekends and nights in hopes they'll quit, after a company executive calculated that "the cost of an associate with seven years of tenure is almost 55 percent more than the cost of an associate with one year of tenure."

It is the reality of Circuit City firing 3,400 sales clerks – not because of poor performance, but because they were the highest paid clerks employed by the chain.

It is the reality of railroads replacing veteran crews with lesser-trained and lower-paid new hires to operate trains carrying some of the most deadly hazmat known to humanity.

It is the reality of railroads refusing to

improve or lengthen training programs for new hires or pay them service scale, while paying executives million-dollar bonuses.

It is the reality of railroads ignoring the serious health and safety effects of limbo time by keeping crews on trains for 20 hours or more, then calling them back to duty with insufficient rest.

It is the reality of availability policies that fracture families.

It is the reality of Leona Helmsley's comment that "only little people pay taxes," as railroads lobby for a \$400-million annual tax rebate.

It is the reality of bus companies raising health insurance co-payments so high that bus operators and mechanics must choose between paying the rent or retaining family health-care insurance.

It is the reality of the Bush administration refusing to appoint seasoned and knowledgeable arbitrators to Presidential Emergency Boards in favor of appointees with well-known anti-union opinions.

It is the reality of corporate America enlisting its conservative friends in Congress to impose significant barriers to workers seeking to join unions.

It is the reality of workers today being treated not as human resources, but like disposable No. 2 pencils, to be chewed up and discarded at will.

It is the reality that, unless we, as union members, hang together, we most assuredly will hang separately.

Railroads are running amuck, and the new Congress is not happy

You ignore that your train crews are suffering dangerous cumulative fatigue. Instead of providing new hires with proper training, you rush them into service with one-size-fits-all training programs.

America's railroads have become accidents waiting to happen.

Where the UTU has tried to work with you in good faith to eliminate fatigue and improve training, you turned your backs, demanding nobody interfere with your availability policies, attendance guidelines and harsh discipline.

Lately, you have seen more federal railroad inspectors than dogs have fleas. But you continue policies that lead to deadly accidents.

In the previous round of negotiations – five years ago – you agreed "at the earliest opportunity in the next national bargaining round" to negotiate "existing service scales" and to address "training and experience."

You now refuse.

Of what you can be assured is that your actions are making our members madder and causing union leaders to meet your strength with our strength.

Take note that the congressional leadership has changed. And your train accidents are resulting in local opinion leaders and decision makers taking notice of unsafe railroads and uncaring railroad officials.

It is time for you to recognize you no longer are sailing in friendly waters, and are heading for a hurricane of your own making.

It's time for you to begin steering a different course before you drown all of us.

State Watch

News from UTU State Legislative Boards

Texas

State Legislative Director **Connie English** voiced the UTU's concerns on safety to members of the U.S. House Transportation and Infrastructure's Subcommittee on Railroad, Pipelines and Hazardous Materials, which held a public hearing in San Antonio last month.



English

The subcommittee was chaired by Rep. Corrine Brown (D-Fla.), with Rep. Charles A. Gonzalez (D-Texas) and Rep. Ciro D. Rodriguez (D-Texas) making up the other members of this panel.

The rash of derailments in the San Antonio area in 2004 was the target of the panel.

The subcommittee enquired what technologies have been developed for devices to override train operator mistakes, Positive Train Control (PTC), and limiting shift hours for railroad workers. After the derailment at Macdona, Texas, the NTSB stated the contributing factors were crew members' fatigue, Union Pacific Railroad train crew scheduling practices and the lack of a positive train control system in the accident location.

The subcommittee first questioned government officials to find out what the government is doing to develop PTC and limit shift hours for workers. Government officials' testifying before the subcommittee were FRA Deputy Associate Administrator for Safety, Standards, and Program Development Grady C. Cothen Jr. and the National Transportation Safety Board's Director of the Office of Railroad Pipelines, and Hazardous Materials Investigations Bob Chipkevich.

The subcommittee then questioned railroad officials about the same problems. Lance Fritz, vice president-Southern Region, Union Pacific Railroad, said UP has made changes in San Antonio with the hiring of 179 more workers, increased training, testing and rule compliance

along with tens of millions of dollars of track improvements.

English said his concern with PTC is the railroads will use this technology not merely as a safety back-up system but for crew reduction, as was attempted with the one-person crew concept.

Minnesota

State Legislative Director **Phil Qualy** is urging members to support a bill now before the legislature, the Railroad Walkway Safety Act, that would re-establish the position of state rail safety inspector.

The measure also would improve track and bridge inspections and shore up walkway areas where train crews work regularly.

Qualy said the proposed legislation would prevent incidents like the one in Scott County last month, where a wooden trestle bridge collapsed beneath a Union Pacific freight train. Luckily, neither of the crew members was injured.

Qualy said several bridges in the area are worn out and unsafe. "Most of us who work the line have predicted bridge failure in this area for years," he said.

Beyond inspecting track, a statewide inspector would monitor rail yards and industry tracks, where workers are on and about the cars around the clock, Qualy said.

An inspector also would be responsible for keeping clean the areas where railway work gets done – walkways alongside the tracks. When debris or vegetation builds up in the walkways, it can lead to tripping, slipping or falling, he said.

"Company track inspectors are under a lot of pressure to keep up with the carrier's daily inspection schedules and, obviously, hazardous conditions are being overlooked," Qualy said.

"This is an example of what our legislation seeks to address. It is in the state's interest to protect railroad workers and public safety."

Florida

State Legislative Director **Andres Trujillo** recently testified before the state senate's Banking and Insurance Committee in opposition to legislative efforts to lessen protections for union members not protected by the Federal Employers' Liability Act (FELA).



Trujillo

Trujillo said the UTU is working with other unions in the AFL-CIO to kill S.1204, which would substantially revise compensability standards for injuries that occur during a deviation from employment.

The bill provides that an employee who is injured while deviating from the course of employment, whether leaving or remaining on the employer's premises, is not eligible for workers' compensation benefits unless the deviation is an emergency.

"This change in the law would drastically and adversely affect our Parsec members from the UTU Bus Department as well as TriRail members who work in the commuter-rail field. Neither are covered under FELA," Trujillo said.

Iowa

State Legislative Director **Patrick Hendricks** was recently elected president of the Iowa Association of Railroad Passengers, part of the National Association of Railroad Passengers.

Iowa recently became the tenth state (of 11) to join the Midwest interstate passenger rail compact, which meets quarterly to work to get Congress to appropriate funds for high-speed rail in the region, Hendricks said.

Gov. Chet Culver also recently commissioned Hendricks as an honorary colonel of the Iowa National Guard. "We were early supporters of Culver and we have a friend in the governor's office," Hendricks said. "We also have many friends in the legislature, and UTU PAC has helped make that happen."

Bus Department

By Roy Arnold, vice president/director

Local union leaders deserve our thanks

On a recent airline flight, I sat next to a young soldier who, incredibly, thanked ME for thanking him for his service to our country. He said it was the first time anyone had taken the time or effort to thank him for putting his life on the line to protect our nation and our way of life. The encounter reminded me of union leaders at the local level.

At the heart of every labor union are the leaders at the local level who rarely are thanked for the job they do – especially in right-to-work (for less) states where local union leaders represent non-members as fully as they represent dues-paying union members.

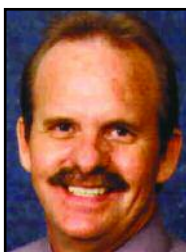
So often, our local leaders daily hear gripes and complaints – but hardly ever a "thank you."

At the International level, I frequently hear from disgruntled members who seem unhappy with their local leadership. Often, the complaint is, "What has my union done for me?" Sometimes these complaints are the result of insufficient communication between the local and its membership.

Just like the young serviceman I met, our local union leaders protect members and non-members alike from uncertain circumstances – and do so without a second thought to personal risk.

Throughout history, fearless union leaders have fought hard for a better way of life for all of us, with little regard for self and personal gain. They endure long and difficult battles with management to achieve gains we too often take for granted.

When you get a chance, please take a few minutes and thank your local union representative. They deserve your support and respect, as do our servicemen.



Yardmasters

By J.R. "Jim" Cumby, vice president

FRA report confirms yardmasters' vital role

The FRA's Office of Research and Development hired the consulting firm of Foster-Miller to examine the role of yardmasters and yard safety.

For five months in 2005, Foster-Miller conducted nine focus groups with 56 yardmasters from five Class I railroads to identify issues and risks associated with yardmasters' jobs that might compromise safety.

In the report, Foster-Miller says that yardmasters offer an additional and valuable perspective to yard safety because they manage the work flow and they are often responsible for making up trains that operate on mainline track.

Furthermore, yardmasters have numerous tasks and responsibilities that have the potential to result in temporary task overload and distraction. Task overload and distraction, combined with a fast-paced and highly dynamic work environment – accompanied by mental fatigue from stress – can lead to errors and possible negative health and well-being of yardmasters.

That certainly is no surprise to yardmasters. What is important is that the federal agency responsible for rail safety now has an official report confirming what we have been saying for years.

The problems stem from a constant change in train make-ups, track occupancies and assignments, track conditions and traffic flow, coupled with a younger work force that has been fed to the wolves without adequate training. Moreover, your supervisor often is the least experienced of all.

This understudied perspective of railroading has been long overdue. I look forward to using this information in raising the awareness of our position.

The FRA's 77-page Foster-Miller report can be viewed at www.fra.dot.gov/downloads/Research/ord0701.pdf.



Congress to look at eliminating limbo time

Fatigue in the railroad industry poses a significant safety risk to employees and the public.

Contributing to fatigue is limbo time, which is time on duty that is seldom paid for and not counted toward hours of service. It is not uncommon for crews to remain on trains for four, six and even eight hours after their 12-hour shifts, awaiting transportation back to their home terminals.

Because limbo time is not counted toward hours of service, and because limbo time can keep train crews in the cab for up to 20 hours or more, limbo time causes start and quit times to fluctuate wildly and interferes with the ability to get sufficient rest or nutritious meals before having to report back to work. Limbo time creates an unhealthy lifestyle.

Why is UTU fighting limbo time?

The UTU national negotiating team sought an end to limbo time in talks with the National Carriers' Conference Committee, but the NCCC refused to negotiate.

Carriers contend safety is not an issue and allege that crews are paid for their excessively long hours under limbo time, but that most often is not the case.

The fact is, road freight crews are not entitled to overtime until they have "run off" the mileage for their trip. For example, a crew in a 325-mile pool must accrue more than eight hours of limbo time before being entitled to overtime.

Limbo time is a safety issue

As for safety, the carriers contend that since crews are not performing service while



Fatigue already is a severe problem in the railroad industry. Insufficient train crews require railroads to demand employees work up to 30 days without rest periods. It is common for train and engine service employees to receive less than six hours of uninterrupted sleep daily. Fatigue is most often cited by the National Transportation Safety Board as a contributing factor in railroad accidents. Noted sleep scientist William Dement of Stanford University compares going to work fatigued with going to work drunk, because fatigue impairs motor skills and judgment.

in limbo, there can be no safety hazard. The carriers ignore that the crew is required to be alert and observant (under operating rules) during limbo time. Of greater concern is that limbo time contributes to accumulated fatigue, and limbo time plays havoc with the body's internal clock (so-called circadian rhythms).

Limbo time also exposes train crews to unnecessary and dangerous excess exposure to diesel fumes, prevents crews from obtaining two and sometimes three nutritious meals, and can interfere with requirements

ments that prescription medication be taken at specific intervals in conjunction with meals.

It affects quality of life

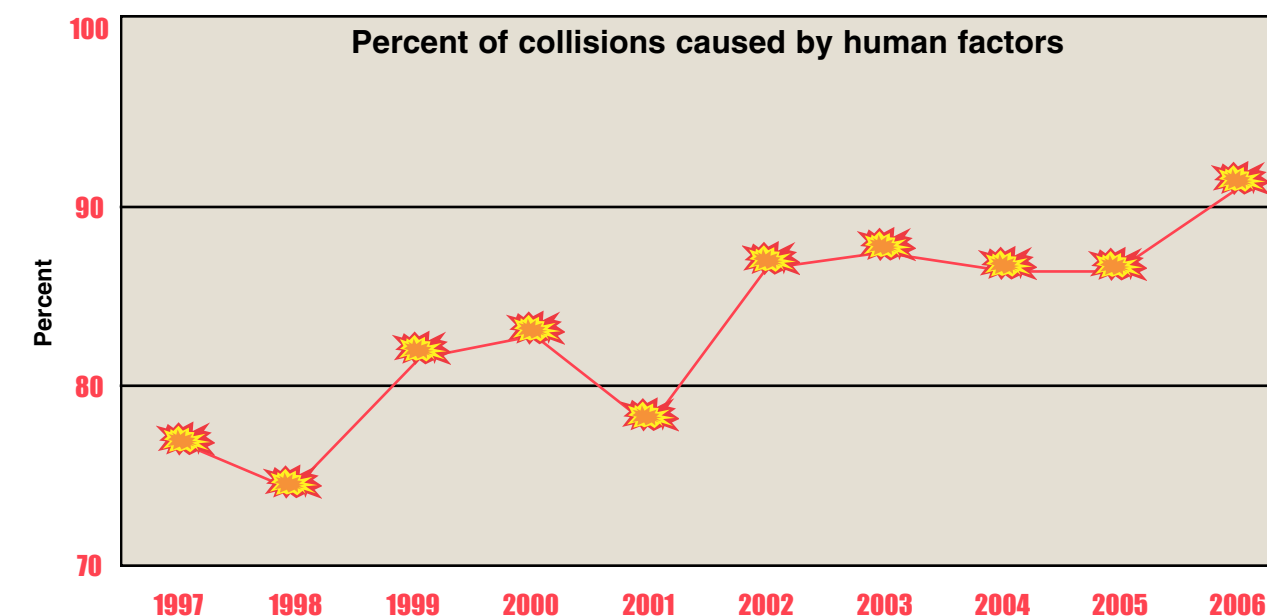
Also, by keeping crews on duty for more than 12 hours and causing wild fluctuations in start times, limbo time limits the ability of train crew members to spend quality time with their families. In two-earner families with children (which has become the norm in America), the combination of limbo time and carrier availability policies makes it difficult, if not nearly impossible, for the spouse to hold a regular job.

In the case of divorced crew members, they often must make a choice between seeing their children within the limits imposed by divorce custody orders and facing discipline for poor attendance – and many divorces are a direct result of the work demands imposed by the railroad in the first place.

Let's put an end to limbo time

Carriers are unwilling to eliminate limbo time. We must look to Congress to eliminate limbo time, and our friends in the current Democratic leadership have promised to work at achieving that goal.

In the weeks ahead, UTU members and their families will be urged to communicate with their congressional representatives and senators and ask them to support the legislation. UTU members will be informed when it is time to start making the phone calls and sending the e-mails. Visit www.utu.org regularly to stay current on this and other issues.



From 1997 through 2004, human-factor-caused rail accidents grew in number and rate. Many of these accidents are traceable to cumulative fatigue, brought on by limbo time. The consequences, too often, are deadly.

Contacting Congress

To contact your senator or representative, visit the UTU Web site at www.utu.org. On the menu bar on the left-hand side of the page, click on the Washington Watch tab, then click on the link entitled *Contacting the Congress*. On the next page, click on your home state on the map of the United States. You will be taken to a page that has a complete listing of the senators and congressional representatives from your state, along with telephone numbers for their Washington, D.C., offices and their e-mail addresses.

Limbo time affects family life



have an adverse impact on society when the child becomes an adult.

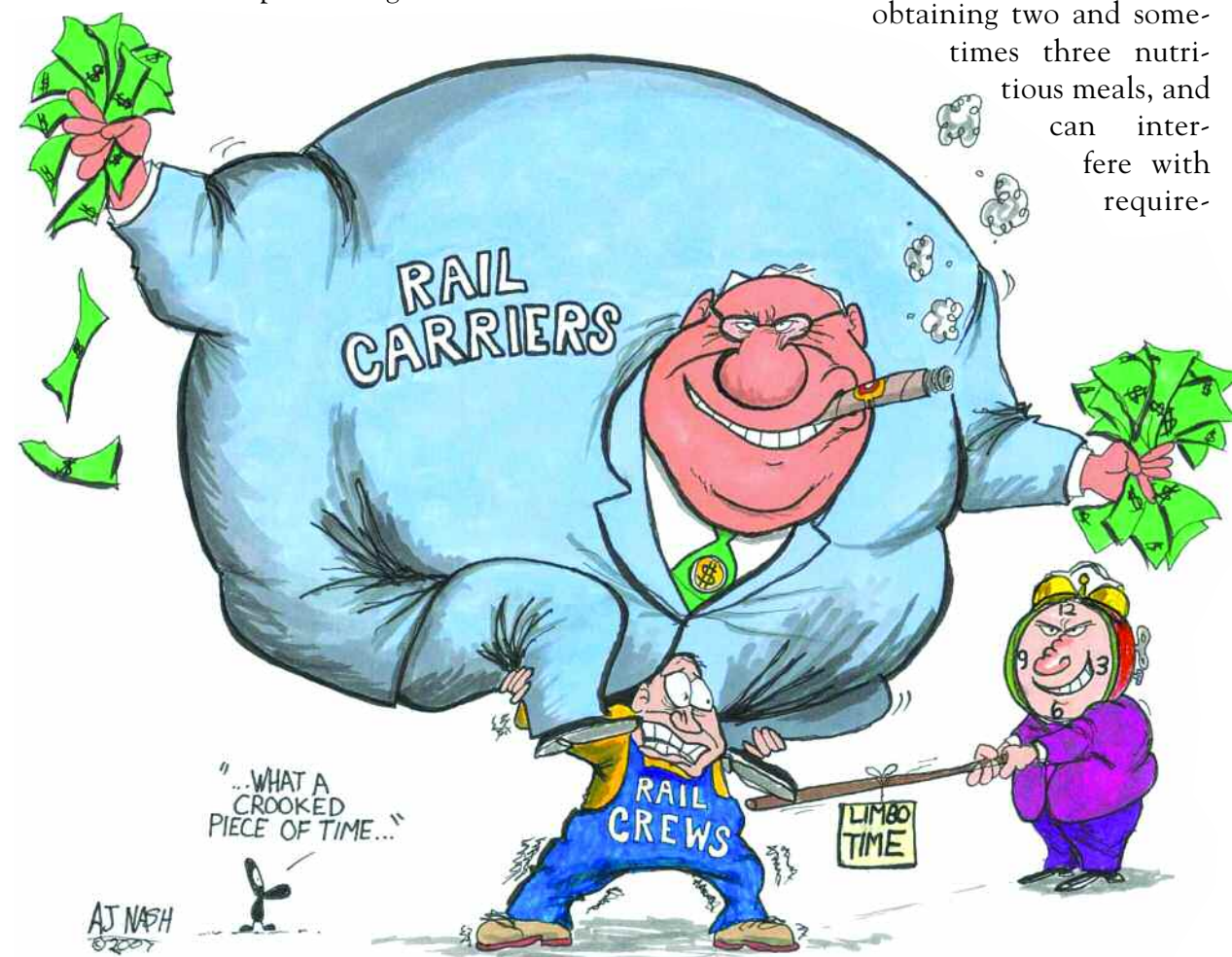
- In a society where two-income earners are the norm, limbo time often prevents the non-railroad spouse from holding a job with regular hours.

Limbo time affects health



The heat waves seen in this photo are a sign of the amount of diesel exhaust produced by running locomotives.

- The State of California found that long-term exposure to diesel exhaust poses "the highest cancer risk of any toxic air contaminant."
- The New York Times reported that workers with long-term exposure to diesel exhaust suffered lung cancer rates up to 50 times higher than



Drawn exclusively for UTU News by Alan Nash, Local 257.

UTU for Life

Railroad Retirement benefits top Soc. Sec.

By V.M. "Butch" Speakman Jr.

Employers and employees covered by Railroad Retirement pay higher retirement taxes than those covered by Social Security. But Railroad Retirement Tier II benefits for career railroad workers are substantially in excess of Social Security benefits.

The average age annuity being paid by Railroad Retirement to career railroad employees is \$2,285 monthly. Spouse benefits, meanwhile, averaged \$670 monthly.

The benefits awarded to recent retirees are generally greater than the benefits payable to those who retired years ago because recent awards are based on higher average earnings. For career railroad employees retiring at the end of fiscal year 2006, regular annuity awards averaged nearly \$2,925 a month, while monthly benefits awarded to workers retiring at full retirement age under Social Security averaged some \$1,350. If spouse benefits are added, the combined benefits for the employee and spouse would approximate \$4,105 under Railroad Retirement coverage, compared to \$2,030 under Social Security.

Survivor benefits are also generally higher if payable by the RRB rather than Social Security. At the end of FY 2006, the average annuity being paid to all aged and disabled widow(er)s averaged \$1,115 a month, compared to \$955 under Social Security. Benefits paid by the RRB at the end of fiscal year 2006 to aged and disabled widow(er)s of railroaders averaged \$1,500 a month, compared to \$780 under Social Security.

For more information about Railroad Retirement benefits, contact the nearest office of the board. Addresses and phone numbers can be obtained by calling the automated toll-free RRB Help Line at (800) 808-0772, or by using the board's Web site at www.rrb.gov.



Speakman



Notable retirees pass away

Three noteworthy retired UTU members recently passed away, including Harold G. Malone, Louis H. Menges and Howard A. Rigg.

Harold G. Malone

Brother Malone, a longtime UTU activist and former director of the Massachusetts Legislative Board, passed away April 3 in Woburn, Mass. He was 79 years old.

Malone was a member of UTU Local 262 in Boston, where he served as local chairperson.

Malone was born on Christmas Day 1927. He served in the U.S. Navy during World War II, hired out on the New Haven Railroad in 1954 where he worked as a yard conductor, and joined Brotherhood of Railroad Trainmen Lodge 97. He was first elected local chairperson in 1958, was elected a delegate in 1964 and last served as a delegate in 1991. He was the director and chairperson of the Massachusetts Legislative Board from 1978 to 1992. He retired in November 1993.

Malone is survived by his wife, Patricia (Phipps), his two daughters, grandchildren, great-grandchildren and nephews.

Donations may be made in Malone's name to the Sophia Gordon Cancer Center, Lahey Clinic, 41 Mall Rd., Burlington, MA 01803.

Cards of condolence may be sent to the Malone family at 5 Oak Knoll Dr., Woburn, MA 01801.

Louis H. Menges

Brother Menges, a retired conductor, father of UTU Missouri Assistant State Legislative Director **Ken Menges** and his brother **Denny**, and father-in-law of UTU Auxiliary International President **Carol S. Menges**, died April 14, 2007, at St. Mary's Health Center in Jefferson City. He was 88 years old.

Menges was a member of Local 933 in Jefferson City, as are his sons.

Menges was born April 30, 1918, in Wichita, Kan., and was married Nov. 22, 1939, to Julia Ellen Hughes, who died Oct. 24, 1999. A 1936 graduate of Cathedral High School in Wichita, he was employed by the Union Pacific Railroad for more than 37 years as a conductor, retiring in 1978.

He was a member of Immaculate Conception Catholic Church, the Knights of Columbus, the

Holy Name Society and the National Association of Retired and Veteran Railway Employees.

Survivors include four sons and daughters-in-law; three daughters and sons-in-law; 21 grandchildren; 22 great-grandchildren; three step-grandchildren, and 10 step-great-grandchildren. He was preceded in death by his parents; wife; a great-grandson; a step-grandson; six brothers, and three sisters.

Memorials are suggested to the Immaculate Conception Catholic Church, 1206 E. McCarty St., Jefferson City, MO 65101.

Howard A. Rigg

Brother Rigg, a local chairperson over a period of 30 years, passed away in Amarillo, Texas, on March 4, 2007. He was 69 years old.

Rigg was a member of Local 923 in Dalhart, Texas, where he also served as a delegate.

Born Sept. 28, 1937, in Texhoma, Okla., he began his 42-year rail career with the Chicago, Rock Island and Pacific Railroad as a lineman in 1957, and transferred to train service in 1959. He worked as a conductor for the Rock Island; the Oklahoma, Kansas and Texas Railroad; the St. Louis Southwest Railway (Cotton Belt), and retired from the Union Pacific Railroad in 1999.

Rigg's family had strong ties to railroading and unionism. His father, Clarence Rigg, was a signal maintainer with the Rock Island until his death in 1969, and served as a delegate for his union. His mother, Edna Rigg, 93, was a telegrapher and station agent for the Rock Island from 1942 through 1972. His son, **Howard Rigg Jr.**, a disabled member of UTU Local 506 in Herington, Kan., hired out on the Union Pacific in 1978 and is a former vice general chairperson of GO-953.

Rigg enjoyed bowling, fishing, poker and golf, and twice scored a hole-in-one.

Rigg is survived by his mother, his wife, two daughters, his son, five grandchildren and two great-grandchildren.



Menges



Rigg

THE FINAL CALL

Following are the names of recently deceased retirees who maintained annual membership in the UTU For Life program (formerly known as the UTU Retiree Program), according to reports received at UTU International Headquarters. These brothers and sisters will be missed by their many friends and by fellow UTU for Life members.

Local	Name	City/State
6	Cravens, Gayle H.	Henderson, Tenn.
14	Faulkner, Richard H.	Latonia, Ky.
60	Datz, Edward	Hazlet, N.J.
72	Hampton Jr., Jesse O.	Brookhaven, Miss.
72	Hanzlyk, Dennis J.	Cape Coral, Fla.
195	Scheideman, Daniel	Wever, Iowa
234	Fillmore, Truman D.	Bloomington, Ill.
262	Malone, Harold G.	Woburn, Mass.
300	Almond, Robert E.	Campbell, N.Y.
318	Chalk, Peter A.	Elmira, N.Y.
352	Fleury, Raymond L.	South Hadley, Mass.
376	Cubbage, Lester D.	Louisville, Ky.
385	Anselmo, Frank M.	Port Orange, Fla.
386	Klemm, Emil H.	Schuylkill Haven, Pa.
440	Walters, Claude E.	Milford, Ohio
445	Latta, Melvin J.	Chillicothe, Ill.
469	Cathcart, Robert L.	Hot Springs Village, Ark.

Local	Name	City/State
486	Lunde, Norman B.	Glendive, Mont.
498	Thatcher, Sanford W.	Wescosville, Pa.
584	McArthur, E.R.	Meridian, Miss.
610	Adams, Thomas H.	Baltimore, Md.
627	Harris, Kenneth E.	Arvada, Col.
650	Weiland, C. J.	Mitchell, S.D.
706	Burrows, Howard C.	Roanoke, Va.
750	Carper, Leighton G.	Knoxville, Tenn.
782	Thoms, Elbert P.	Weaverville, N.C.
792	Ponder, William G.	Mars Hill, N.C.
923	Rigg, Howard A.	Dalhart, Texas
924	Jasper, Charles A.	Chester, Va.
927	Petracich, Louis	Hazel Park, Mich.
933	Menges, Louis H.	Jefferson City, Mo.
942	Hardaway, William D.	Florence, S.C.
1200	Parlier, Philip J.	Cromberg, Calif.

Local	Name	City/State
1291	Blocker, Rufus E.	Birmingham, Ala.
1346	Bess Jr., Frank H.	Nashville, Tenn.
1365	Ober, James F.	Senecaville, Ohio
1366	Copenhaver, William N.	Murray, Utah
1374	Spangler, Charles E.	Ashtabula, Ohio
1382	Goetz, Conrad J.	Freeport, Ill.
1382	Rotta, George I.	Milwaukee, Wis.
1409	Harman, George V.	Kansas City, Kan.
1468	Zitterkopf, Robert K.	College Place, Wash.
1526	Reiter, Raymond H.	Chesterton, Ind.
1574	Fleming, Thomas V.	Portland, Ore.
1607	Gutierrez, Gonzalo F.	Rancho Cucamonga, Calif.
1638	Boros, James J.	North Olmsted, Ohio
1765	Turner, Donald E.	Zeeland, Mich.
1770	Gilbert, Walter F.	Anaheim, Calif.
1770	Feddersen, Theodore W.	West Covina, Calif.
1883	Travis, Brice F.	Dutton, Ala.
1918	Graham, Barney R.	El Paso, Texas

Make life insurance your number-one priority

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Are you prepared?

By securing a life insurance policy **TODAY**, you're providing for tomorrow. You're preparing for final expenses that will need to be paid and providing financial security for your loved ones upon your demise.

At UTUIA, we know about preparing. Our agents have devoted months to studying the ins and outs of life insurance so that they can assist you in determining which policy would most benefit you and your loved ones. Our agents will take the time to explain the different types of life insurance available at UTUIA. They will discuss and calculate, at no cost or obligation, an insurance plan prepared exclusively for you. Call toll-free **800-558-8842** now for a free, no-obligation quote.

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UTU local number

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State

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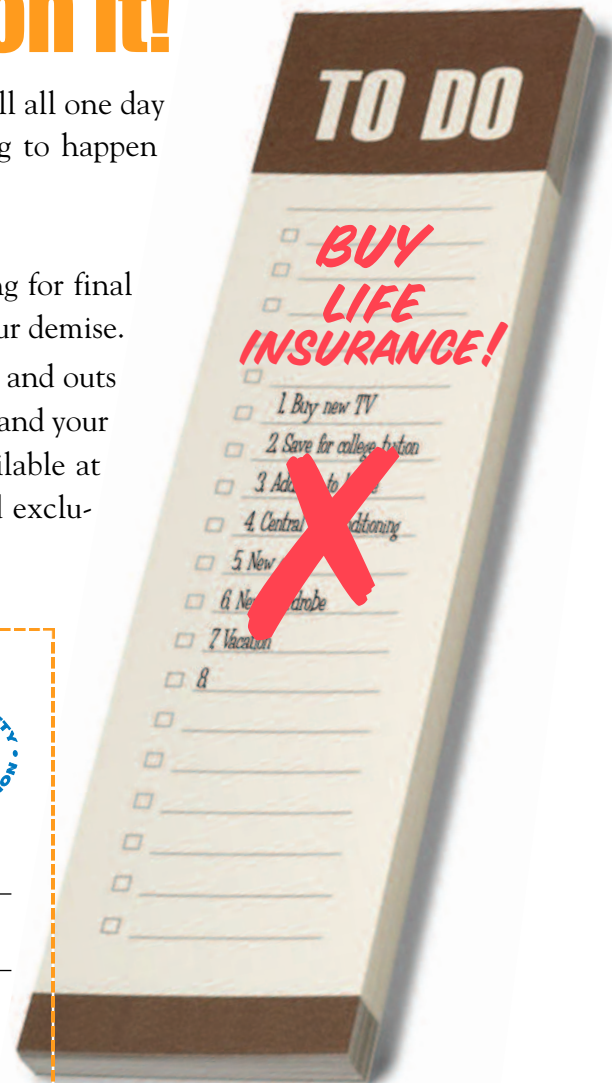
Sex

Male ☐

Female ☐

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05/07



UTU BUS LINES

News items culled from the UTU's Daily News Digest, posted every morning on the UTU Web site, www.utu.org.

Old Chinese gravesites a problem for LA Metro

Chinese graves discovered in 2005 by construction workers in Boyle Heights, Calif., building an extension of the Gold Line commuter rail are causing problems for L.A. Metro, the *Los Angeles Times* reports.

The Metropolitan Transportation Authority is hoping to find distant relatives to claim the artifacts and skeletal remains of 128 people found at the site.

The campaign launched last month is up against incredible odds to find anyone related to the interred – some of whom were buried as long ago as 1885. Compounding the problem is that local historians believe the graves belonged to Chinese sojourners who were probably just as anonymous when they walked the streets of Chinatown as their remains are today.

The MTA has run advertisements in Chinese media, both locally and abroad, announcing the discovery and asking readers and listeners to contact the MTA if they think they may have had relatives buried in the area.

Images of the finds can be viewed online at www.metro.net/projects_programs/eastside/post_cards.htm.

States told to prepare for gray driver boom

The number of elderly drivers will explode in America over the next two decades. And that could pose problems for states concerned about highway safety, according to William Neikirk of the *Chicago Tribune*.

A little more than half the states have taken steps to deal with safety problems posed by older drivers, but there is growing concern that as the Baby Boom population retires, states might have to do more to prevent additional age-related accidents.

The Government Accountability Office cited the issue in a report last month as a looming problem that will mean more public expenditures to help the aging Boomers stay safe on the roads.

The oldest Baby Boomers will turn 61 this year.

"Older driver safety issues will become increasingly significant in the future because older adults represent the fastest-growing segment of the U.S. population," the GAO said. "By 2030, the number of licensed drivers aged 65 and older is expected to nearly double to about 57 million."

Riders assail SEPTA's 'doomsday' plan

Riders, community leaders and others warned SEPTA officials of devastating effects should the Philadelphia transit agency follow through with threatened 31-percent fare hikes and 20-percent service cuts. The agency is trying to fill a \$129-million budget hole, according to the *Philadelphia Daily News*.

For years, the Pennsylvania Legislature has ignored SEPTA's pleas, said Paul R. Levy, president of the Center City District, which aggressively promotes downtown business vitality.

Last-minute magic by Gov. Rendell, who borrowed \$412 million from federal highway funds, avoided a "SEPTA doomsday" in 2005.

Rendell has been mum on final-hour magic this time, so SEPTA officials say that if the state fails to find \$100 million, the transit agency will be forced to finally unleash its doomsday plan.

If the state finds the funds, SEPTA could raise the remaining \$29 million through 11 percent fare hikes, with no service cuts.

SEPTA's doomsday plan would hike a \$2 cash fare to \$2.50, a weekly TransPass from \$18.75 to \$25, and a monthly TransPass from \$70 to \$95.

Oberstar

Continued from back cover

We also need to consider improvements to the FRA's inspection and enforcement program. The FRA relies on 421 federal inspectors and 160 state inspectors to monitor the railroads' compliance with federally mandated safety standards. The sheer magnitude of the U.S. railroad system, however, limits the FRA's ability to inspect each railroad's operations and investigate each accident that occurs.

According to the Government Accountability Office, the FRA is able to inspect only two-tenths of one percent of railroad operations each year. Additionally, the DOT's inspector general reports that the FRA investigates only a small number of accidents. For example, the FRA investigated only 13 percent of the most serious

grade-crossing collisions that occurred from 2000 through 2004.

Compare those statistics to the Federal Aviation Administration's record: In 2004, the FAA conducted on-site investigations of 1,392, or 93 percent, of the 1,484 general aviation accidents that the FAA had responsibility for investigating in 2004. Unlike the FRA, the FAA has an Office of Accident Investigations staffed with eight full-time investigators whose mission is to detect unsafe conditions and trends and to coordinate the process for corrective actions. In addition, the FAA uses personnel from other disciplines to conduct investigations, including 2,989 inspectors from its Office of Aviation Safety.

Clearly, we must make it a priority to increase the number of inspectors at the FRA. Those inspectors should not only conduct direct inspections of individual railroads and properties, but they should also have the authority to

focus on preventing systemic railroad safety problems. To ensure that there are sufficient deterrents to violating federal rail safety regulations, we must assess whether the fines and penalties that are imposed by the FRA need to be increased.

The federal government, states, railroads, workers and local communities all play a role in reducing worker fatigue and managing its impact in the workplace. I firmly believe that accidents caused by worker fatigue can be reduced in a way that meets employees' needs, as well as the operational requirements of the railway companies.

By working together, we can develop a system to maintain working conditions that allow railroad employees sufficient opportunity to obtain adequate rest between tours of duty and to sustain alertness throughout the duty period. We should accept no less.

C-minus track

Continued from page 1

The Federal Railroad Administration has ramped up its safety inspections of railroads in the wake of these accidents.

Indeed, April 11 was not a good day for the railroad CEOs. Also at the STB hearing was an official of United Parcel Service – the railroads' single biggest customer – who cited railroads as the only mode of transportation not moving freight faster than it was moved 15 years ago.

Adding to the rail CEO's woes was the president of the National Industrial Transportation League, whose members include the major railroads. NIT League President John Ficker declined at the STB hearing to support the railroads' legislative agenda for a \$400-million investment tax credit.

Other captive-shipper witnesses complained of railroad rate gouging and deteriorating service.

Also, on April 11, news wires carried a story about Union Pacific's chief lobbyist cashing in almost \$1 million in stock options – noted privately by some as “insensitive” in the face of railroad demands for employee givebacks, the railroads' refusal to invest in improving the quality of employee training and the railroads' demand for federal subsidies.

Railroads also have upset chemical shippers – among their largest customers – over an attempt by the railroads to shift to chemical shippers all monetary liability following railroad derailments and other accidents.

In other words, railroads, among the nation's most profitable corporations, want someone else to pay for their misdeeds.

As railroad CEOs on April 11 received an earful from irate captive shippers, and endured the visual spectacle of Buttrey's rusty spike, two

rail-captive shipper groups – Consumers United for Rail Equity and the Alliance for Rail Competition – readied a letter to Congress calling for legislation ordering the STB to be more forceful in ensuring those shippers' access to competitive rail service.

The UTU joined in signing the letter.

“Railroads haven't yet come to grips with the stark and unpleasant reality that their long-term cozy relationships with lawmakers, regulators and policy makers in Washington, D.C., have been exposed and are coming to an end,” said UTU International President Paul Thompson.

“Perhaps the release of a comprehensive and tough rail safety bill being prepared by the Democratic leadership will finally jolt the railroads to understand that their reign of terror over customers and employees, and their public-be-damned attitude, has run its course,” Thompson said. “Thus ever it be with tyrants.”

Capacity

Continued from page 1

labor organizations and many shippers disagree – pointing to record profits of the railroads and the fact that tax breaks for railroads merely will shift additional tax burdens to individuals and other, less profitable, industries.

Instead, the UTU supports proper training and adequate staffing as the most effective solution.

“Without proper training and adequate staffing, the rail system cannot function at its highest levels,” the UTU testified. “Priority should be placed on the improvement of these two areas of operation, and the UTU urges the STB to closely examine their importance.

“The UTU has consistently asked the

nation's Class I freight railroads to hire more operating employees and to improve the training provided to these individuals. Better implementation of both of these policies would greatly enhance the productivity of the rail industry's infrastructure,” the UTU testified.

“First, hiring more operating employees clearly would improve rail-system capacity, since it would eliminate employee shortage problems, which would then create a more fluid system. The number of employees needed to operate the service is further impacted by hours-of-service laws that limit employees' work time. The carriers clearly need more employees to ensure that their system can be operated at full capacity, which can easily be solved by more hiring,” the UTU told the STB.

“Moreover, with more adequate staffing,

rail employees will be better rested and operate more safely. The improvements in safety alone by better rested employees will result in fewer incidents on the nation's rails, which will then permit a freer flow of traffic on the system,” the UTU said. “This fluidity will allow rail carriers to run more trains since tracks are less likely to be blocked by accidents or other matters.”

As for training, the UTU told the STB that “better training of operating employees will improve rail capacity based on this same logic. Better-trained employees will only make the nation's railroads more fluid, which will result in less operational congestion. These better trained employees will also be able to move trains faster, which will improve rail capacity.”

Train brakes

Continued from page 1

Joseph Boardman, administrator of the agency, said he believes the technology can prevent accidents.

The electronically controlled pneumatic brakes apply pressure uniformly on all rail cars, not from one car to the next as with conventional pneumatic brake systems, the agency said. The new brakes also perform electronic self-diagnostic checks to identify maintenance needs.

The FRA said the brakes are designed to allow trains to travel up to 3,500 miles without inspections, more than double the distance normally allowed by the government.

Boardman also said the agency is considering enacting regulations later this year to allow the widespread use of the brake technology.

The UTU and others in rail labor had asked the agency to impose numerous restrictions on any use of the new braking technology, requests the agency honored with regard to additional train inspections and brake-shoe thickness requirements.

“The UTU encourages the implementation of all new technology that is verified to improve the safety of railroad operations for the employees and the public,” UTU International President Paul Thompson said.

The FRA placed several conditions on the waiver approval, including requirements that the railroads clearly define a process for handling brake problems discovered en route;

ensure that qualified individuals perform ECP brake inspections, and that they provide appropriate training to crew members.

The FRA says the waiver will allow it to gather data to be used in developing a proposed rule-making on ECP brakes.

NS plans to equip 30 locomotives and 400 rapid-discharge coal hopper cars with ECP brakes this year and use the equipment in dedicated coal train service.

BNSF plans to test ECP brakes within its intermodal fleet, focusing on international business to and from the San Pedro Bay ports.

In addition, BNSF says it is pursuing a partnership with an undisclosed major coal customer “to integrate this technology into one of the longest-distance coal routes in the country.”

Sign up to attend a UTU / UTUIA regional meeting!

The 2007 UTU/UTUIA regional meetings have been designed to provide education and fun for the whole family.

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

A completed registration form listing each attendee, regardless of age, and complete payment in U.S. funds must be received at the UTU International Headquarters, 14600 Detroit Ave., Cleveland, OH 44107, 30 days prior to the scheduled start of the meetings or the registrant will be charged an on-site registration fee of \$200.

The pre-registration fee for the 2007 regional meetings is \$150 per member, spouse or child over age 11. Additional fees apply for the golf outings. You must make your own room reservations.

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

Kansas City, Mo. June 11-13

Hyatt Regency Crown Center 2345 McGee St. Kansas City, MO 64108 www.crowncenter.hyatt.com

Hotel reservations: (800) 233-1234 toll free or (816) 421-1234 direct to the hotel. Reservation code: UTU1. Room rate: \$105 single/double, \$130 triple/quad plus tax; rates good for three days before and after the meeting depending on availability. Reservation deadline: May 7, or as soon as all rooms being held for the UTU are reserved. Parking: Self park: \$13.50/night. Golf outing: The golf outing will be held at 8 a.m. on Sunday, June 10, at the Royal Meadows Golf Course, 10501 E. 47th St. The cost is \$80 per golfer, which includes transportation, golf, lunch and prizes.

Pittsburgh, Pa. July 16-18

Hilton Pittsburgh, Gateway Center, 600 Commonwealth Plaza, Pittsburgh, PA 15222 www.hiltondirect.com

Hotel reservations: (800) HILTONS toll free or (412) 391-4600 direct to the hotel. Reservation code: UER. Room rate: \$99 single/double, \$119 triple/quad. Room rates are good three days before and after the meeting, based upon availability. Reservation deadline: June 14, or until all rooms being held for the UTU are reserved. Parking: \$15 per day. Golf outing: The UTU Regional Meeting golf outing will be held Sunday, July 15, at 8 a.m. at the Grand View Golf Course, 1000 Clubhouse Dr., N. Braddock. The cost is \$80 per golfer, which includes transportation, golf, lunch and prizes.

UTU Regional Meeting Registration Form

Registering before the regional meetings speeds sign-in procedures at the meeting site, helps organizers plan more accurately and saves on meeting costs. These savings are passed on to each pre-registered attendee. Each person attending the regional meeting, including family members and guests, MUST be registered in order to attend any planned event. Please note that these meetings last 2 1/2 days and conclude on the afternoon of the third day. Registration fees are \$150 per person; children 11 years of age and under are complimentary. On-site registration will be \$200 per person. All fees must be paid in U.S. funds. Canadian funds will be returned, possibly delaying your registration. If you have questions, consult your bank. Registration forms with payment must be received 30 days prior to the start of the meeting.

Which regional meeting will you be attending? Kansas City Pittsburgh

Arrival date: Departure date: Transportation type: Automobile Air Other

Member Registration

Name Local Title (if any) Home address City/State/ZIP Phone number () Email Meals: Day 1: Lunch No meal Day 2: Lunch Dinner Both No meals Day 3: Buffet breakfast No meal

Spouse Registration Kansas City Pittsburgh

Spouse name Title (if any) Meals: Day 1: Lunch No meal Day 2: Lunch Dinner Both No meals Day 3: Buffet breakfast No meal

Child Registration Kansas City Pittsburgh

Child name Age Meals: Day 1: Lunch No meal Day 2: Lunch Dinner Both No meals Day 3: Buffet breakfast No meal

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Guest Registration Kansas City Pittsburgh

Guest name Relationship to member Home address City/State/ZIP Meals: Day 1: Lunch No meal Day 2: Lunch Dinner Both No meals Day 3: Buffet breakfast No meal

Golf Registration Kansas City Pittsburgh

Name Handicap Name Handicap Name Handicap Name Handicap (Golf fees are \$80 per golfer; include in total payment.)

Payment Options

Check/money order (U.S. funds only) \$ Credit card VISA MasterCard Card number Exp. date Total charged \$ Signature

Should additional space be needed, make copies of this form and attach to the original. This form and payment of \$150 per person over the age of 11, plus golf registration fees of \$80 per golfer (if applicable), must be received at the UTU International Headquarters, 14600 Detroit Ave., Cleveland, OH 44107-4250, 30 days prior to the regional meeting. Make checks or money orders payable in U.S. funds to "UTU Regional Meeting." Those who do not pre-register for the regional meeting but instead choose to register at the meeting site will be charged a \$50 penalty fee.

UTU arranges discount airfares, car rentals

Continental Airlines is offering discounted airfares to the regional meeting cities. Avis is offering discounted rental-car rates to those attending either regional meeting. Go to the "Meetings" page of www.utu.org for details.



This month's winning photo:

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

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

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

Printed photographs should be mailed to UTU News, 14600 Detroit Ave., Cleveland, OH 44107-4250.

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

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

All photographs submitted become property of the UTU.

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



This month's winning photograph was taken by Kyle Penn, a BNSF conductor and member of Local 331 in Temple, Texas. This photograph, taken in March 2007, depicts an empty BNSF coal train headed north from Temple toward the Fort Worth Subdivision and the coal mines to the north. Pictured is the rear distributed power unit at the Temple fuel pad.



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The Official Publication of the United Transportation Union

Oberstar makes safety, fatigue top congressional responsibility

By Rep. James L. Oberstar (D-Minn.)
Exclusive to the *UTU News*

As the new chairman of the House Transportation and Infrastructure Committee, one of my highest priorities is to improve safety and reduce worker fatigue in the railroad industry.

Congress last passed legislation to reauthorize the Federal Railroad Administration (FRA) and the Federal Rail Safety Program in 1994. That authorization expired in 1998. In the past decade, the railroad industry has changed dramatically. Economic growth and an increase in international trade have led to record traffic levels. Unfortunately, that growth has put a lot of pressure on our rail system and has had a significant impact on worker and public safety.

Although the overall safety record of the railroad industry has improved since it was partially deregulated in 1980, there has been little progress over the past decade in making railroads safer. Serious accidents resulting in injuries, deaths and property damage continue to occur at an alarming rate.

According to the FRA, 40 percent of all train accidents are the result of human factors; one in four of those accidents result from fatigue. Fatigue is sometimes called the "silent killer." It works its way into every action that a pilot, driver or train crew takes. It

weakens the senses, slows reaction times and makes it impossible for a person to function.

The FRA has launched a number of initiatives focused on reducing accidents caused by fatigue and other human factors. However, there are limits to the FRA's ability to address fatigue-related safety issues, because it is the only agency within the Department of Transportation that does not have any regulatory authority to address hours-of-service requirements. Instead, the hours-of-service rules can only be changed by statute.

Despite widespread agreement that these rules are antiquated and in need of updating, it has been nearly 40 years since substantial changes to the law have been made. In previous congresses, I introduced legislation to strengthen hours-of-service requirements. The railroads fought against it, stating that hours-of-service rules should be dealt with at the collective bargaining table. I believe that the safety of railroad workers and the general public should not be relegated to a negotiation.

As stewards of the public interest, Congress has the responsibility to prevent fatigue, and I intend to address the issue legislatively when the Committee on Transportation and Infrastructure considers a reauthorization bill later this year.



Oberstar

Continued on page 10



Inside this issue of the UTU News:



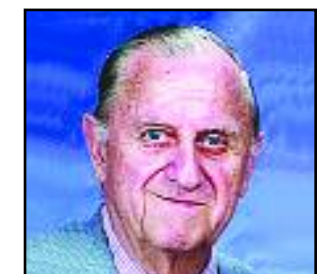
Stand up and salute member Tkachenko. See page 2.



Brothers help save injured American bald eagle. See page 3.



Limbo time got you down? Fight back. See pages 6 and 7.



Louis H. Menges leaves behind a UTU legacy. See page 8.