



1 The UTU has called for a vote of railroad operating employees on the formation of one operating labor union. *Special pull-off section.*



1 UTU has reached an agreement with CSX and NS to protect union jobs when Conrail is purchased. *Details on Page One.*



6 Irregular schedules, antiquated regulations and the resultant fatigue are driving rail workers to the edge of disaster. *A special report.*



8 Transit employees like UTU member Burt Kearns face challenges unlike many other workers. *Read Part II of a bus report.*

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Special Edition

UTU asks National Mediation Board to create single operating craft in railroad industry

Action would call for representation election on Union Pacific Railroad

CLEVELAND, OHIO — On January 12, the United Transportation Union (UTU), the largest rail labor organization in North America, asked the National Mediation Board (NMB) to rule that a “representation dispute” exists industry-wide among railroad operating employees in a single craft or class of Train and Engine Service Employees and to “order elections” among union operating employees starting on the Union Pacific Railroad.

Specifically, the UTU is asking the NMB to rule that anyone who works on a train crew, including engineers, conductors and brakemen, constitute a new Train and Engine Service Employees craft or class on properties covered by Presidential Emergency Board 219 and Public Law 102-29 (4/1/91) and to order elections for these workers.

The UTU contends that “as a matter of functional integration and community of interest, the line between the craft or class of engineers on the one hand, and conductors and trainmen on the other, has been blurred to the point of practical extinction.” The union also said that in “today’s world on the nation’s railroads, trainmen, conductors and engineers share a community of interest and a degree of functional integration hitherto unknown.”

“We are asking the NMB to allow the rank-and file operating employees, who are members of either the UTU or the Brotherhood of Locomotive Engineers (BLE), to decide their own future in the rail industry,” said Charles L. Little, UTU International President. “We are asking to hold representation elections on the nation’s railroads so the Train and Engine Service employees themselves can pick either the UTU or BLE to represent them.”

The UTU represents engineers, conductors, brakemen, switchmen, yardmasters and others in the rail

industry, as well as bus drivers and other transportation workers. The BLE also represents engineers. Both Internationals have headquarters in Cleveland, Ohio.

The UTU contends that given certain “intertwining factors and precedent” the NMB “should quickly conclude the propriety of the craft or class of Train and Engine Service Employees existent on the nation’s railroads.” The union cited as precedent an NMB ruling in the airline industry that found a single craft or class of Flight Deck Crewmembers. The UTU said the ruling it is asking NMB to make is no different than what “the Board did in 1935 in finding a craft or class of Maintenance of Way Employees in the rail industry because of the lines of progression within their ranks.”

All brakemen hired since 1985, called “post-’85 employees,” are required to take timely promotion to conductor and engineer in turn, with training fully paid for by the nation’s carriers. A great number of operating employees on U.S. railroads fall into that category. The UTU says that continuing with the current representation structure is outdated and would continue fragmentation and instability among operating employees that is detrimental to the industry.

Little said that the UTU has tried to resolve the representation issue with the BLE, but has not reached a successful conclusion.

“When organized labor itself fails to resolve such an obvious issue affecting representation, then it is time to go to the National Mediation Board for a solution,” said Little. “That is what we have done, and the real winners will be the operating rail union members who will have a real choice between progressive, forward-thinking leadership or maintaining a status quo that isn’t working in today’s world. Unions must change with the times or face becoming irrelevant.”

UTU News

The Official Publication of the United Transportation Union

SPECIAL EDITION

An Open Letter to Operating Rail Union Members

"It is time for one operating railroad union now"

Dear Brothers and Sisters,

It is time for you to decide your own future. It is time to put aside our differences and do what is best for operating rail labor. It is time to make rail labor history.

The leadership of the United Transportation Union believes that the memberships of the UTU and the Brotherhood of Locomotive Engineers (BLE) should be allowed to decide their own fate. You, not the officers of either organization, should freely choose which union is right to represent you. It is your future, and your democratic right to vote should not be denied.

To that end, the **UTU is taking the necessary steps to let you have the decisive vote on the future of operating rail labor**. Once and for all, the ultimate decision will be placed in your hands where it belongs. Now, it will be up to the rank-and-file members of the UTU and BLE to do what is right.

Therefore, with the enthusiastic support of the UTU's officers, general chairpersons and state legislative directors, we have asked the National Mediation Board (NMB) in Washington, D.C., to rule that a "representation dispute" exists industry-wide among railroad operating employees in a single craft or class of Train and Engine Service Employees. We are asking the NMB to "order elections" among operating rail employees on the Union Pacific.

We expect there will be opposition from those who may fear change, or do not know how to address the change necessary in our industry. There will also be opposition from those who have their own political agendas that are not served by uniting the operating crafts. But we believe this is the right thing to do for railroad labor and the members of both unions.

The leadership of the UTU is reaching out to BLE leadership and asking them to join with us to endorse the right of our unions' members to vote on which organization will represent them.

Specifically, the UTU is asking the NMB to rule that anyone who works on a train crew, including engineers, conductors and brakemen, constitute a new Train and Engine Service Employees craft or class because of the technological changes in the rail industry. Concurrently, the UTU is asking the NMB to order that elections be held on certain proper-



UTU International President Charles L. Little

ties covered by Presidential Emergency Board 219 and Public Law 102-29 (4/1/91) for rank-and-file members of the UTU and BLE to vote for a single union to represent them.

We believe it is imperative for the long-term viability of operating rail labor that the rank-and-file members in both unions be allowed to decide their own future by choosing either the UTU or BLE to represent them. We are doing this because it is in the best interests of the operating rail worker, and because neither union can any longer effectively represent the operating employees as long as there are two separate unions with competing interests.

Rail labor must be responsive to a changing workplace environment. **The UTU has proposed putting the issue to a vote of both memberships, but BLE International President Clarence Monin flatly refused this proposal.** UTU leadership has no desire to continue to promote separation in representation. We want to do what is best for you.

The UTU's filing with the NMB contends that as "a matter of functional integration and community of interest, the line between the craft or class of engineers on the one hand, and conductors and trainmen on the other, has been blurred to the point of practical extinction." The UTU also said that in "today's world on the nation's railroads, trainmen, conductors and engineers share a com-

munity of interest and a degree of functional integration hitherto unknown."

Over the last decade, the dramatic acceleration of hiring and the quick integration of operating employees have changed the foundation of the railroad industry and the rail labor world. The simple reality is that because of this change the distinction between the duties and training of an engineer, brakeman and trainman have been blurred to the point of extinction.

Operating labor must change and adapt to reality. As in government and business, which have been "re-engineering themselves," organized labor must also change to be able to best serve its members. The vision of Eugene Debs still remains the UTU's guiding principle to this very day. We believe it is a principle shared by the majority of the membership in the UTU and BLE.

Organized labor must change with the times or face becoming irrelevant. We believe that for operating rail labor to remain relevant it should consolidate into one strong operating craft of Train and Engine Service Employees represented by one union, which will have more than 100,000 operating members in North America. It is the right thing for operating rail labor, the rail industry and the labor movement.

We must resolve to come together. We must always move forward and not live in the past. We also understand and respect that there always will be sincere differences in philosophy between groups. But we must put our differences aside to do what's best for our members and respect their wishes.

The UTU members and leadership look forward to the day when our BLE brothers and sisters can close ranks with us to build the strongest operating craft union in the history of railroading. Through our common bond and interests, we can do what's right for today and for those who follow in our honored tradition. Together, the memberships of the UTU and BLE can forge a powerful new future.

Fraternally yours,

A handwritten signature in cursive script that reads "Charles L. Little". The signature is written in dark ink and is positioned above the printed name and title.

Charles L. Little
International President



Frequently asked questions: What you need to know about UTU's call for unity



Q What is the action the UTU is about to take?

A The United Transportation Union (UTU) is asking the National Mediation Board (NMB) in Washington, D.C., to rule that a "representation dispute" exists rail industry-wide among operating employees in a single craft or class of Train and Engine Service Employees and to "order elections" among union employees on the Union Pacific.

Specifically, the UTU is asking the NMB to rule that anyone who works on a train crew, including engineers, conductors and brakemen, constitute a new Train and Engine Service Employees craft or class on properties covered by Presidential Emergency Board (PEB) 219 and Public Law 102-29 (4/1/91) because of the technological changes in the rail industry. The NMB is being asked to order representation elections on railroads where rank-and-file members of the UTU and the Brotherhood of Locomotive Engineers (BLE) will vote for only one of the unions to represent them. Under the Railway Labor Act such disputes are most often resolved by an election.

Q What exactly is the UTU doing?

A It's simple. The UTU is asking the NMB to rule that anyone who works on a train crew, including engineers, conductors and brakemen, constitute a new Train and Engine Service Employees craft or class. In 1993, the NMB recognized a consolidated craft of train and engine service employees on a certain carrier, concluding that conductors and engineers "share a community of interest." There is more than sufficient law and NMB precedent to support the UTU's request.

The UTU is asking the NMB to allow the rank-and-file operating employees, who are members of either the UTU or BLE, to decide their own long-term fate and future in the rail industry by sanctioning representation elections on the nation's railroads so the Train and Engine Service Employees themselves can pick either the UTU or BLE to represent them. Operating employees can no longer be represented to the fullest possible extent since the two crafts have been

effectively consolidated and there are two separate unions with competing interests representing them. In fact, the BLE, in a legal brief filed with the NMB on July 14, 1994, said that the "basic controversy between the UTU and BLE involves a pure question of representation. It can be solved by a representation election...."

Q Why are we doing this now?

A We are doing this now to be able to represent operating employees effectively from a position of strength. All brakemen hired since 1985, called "post-'85 employees," are mandated to take timely promotion to conductor and engineer in turn, with training fully paid for by the nation's carriers. Moreover, the 1985 UTU national agreement provides that ground service employees (conductors, brakemen, yard foremen, switchmen) shall be the source of supply for engine service employees. Thus, there is a clear line of progression for railroad operating employees from trainman to conductor to engineer.

A great number of the operating employees on U.S. railroads are included in that category. Continuing with the current representation structure is outdated and would continue fragmentation and instability among operating craft employees that is detrimental to the industry.

The UTU's filing with the NMB contends that as "a matter of functional integration and community of interest, the line between the craft or class of engineers on the one hand, and conductors and trainmen on the other, has been blurred to the point of practical extinction." The UTU also said that in "today's world on the nation's railroads, trainmen, conductors and engineers share a community of interest and a degree of functional integration hitherto unknown."

The UTU represents engineers, conductors, brakemen, yardmasters and others in the rail industry as well as bus drivers and other transportation workers. The BLE also represents engineers. Both Internationals are headquartered in Cleveland, Ohio.

Q What is the National Mediation Board's role in making this decision?

A The National Mediation Board was created by Congress to handle disputes of this nature. The NMB has historically had the last word in determining issues involving representation disputes. The courts have generally left it up to the NMB to decide representation disputes. Usually the NMB lets the rank-and-file members vote to choose among competing unions.

A part of the Railway Labor Act (RLA), Section 2 Ninth, confers exclusive jurisdiction on the NMB to resolve representation disputes. In addition, the U.S. Supreme Court and other federal courts have concluded that when Congress passed the RLA it "left the so-called jurisdictional controversies between

unions to agencies or tribunals other than the courts," such as the NMB. The NMB is required to certify to the carrier the name or names of the individuals or organizations that have been designated to represent the employees involved in the dispute.

Q Is there another way to accomplish the same goal?

A No. We've tried, but have had no success with the BLE, on partnering and consolidation. The state of the railroad industry itself, and rail labor's stake in it, is now at a critical junction. Safety and system breakdown issues call for action now. So, we are taking action with the NMB to preserve and promote the place of the operating employee on today's railroads.

Reactions...

"This is great! This will make a lot of BLE engineers on the Wisconsin Central very happy. This gives them another opportunity to vote. A lot of the old Soo Line engineers were UTU members, and they'll appreciate the opportunity to have the UTU back as their representative." *Jeff Minton (582), Stevens Point, Wisc., General Chairperson, Wisconsin Central*

"I'm glad we're finally taking this positive step. I hope with all my heart the UTU wins in this, because I don't want to be represented by BLE." *G.K. "Trudy" Weber (1908) Buffalo, N.Y., Alternate Vice President-Bus-East*

"This is the best thing we've ever done. This should have been done 27 years ago, when I hired out. The rank-and-file members have been pushing for it for years. Our members, as well as BLE members, have been waiting for this. On the local level, UTU and BLE members have gotten along well for years. We socialize, we work together, and we all have the same goals. I think the carriers have loved it in the past when they saw us fighting among ourselves, but I think I see how the carriers could go either way with this situation. They may prefer to deal with just one union. Because the outcome is going to be one-on-one. Just the company and a union." *Ken W. Mason (1423), Galesburg, Ill., General Chairperson, BNSF/Chicago, Burlington & Quincy*

"If there's a proper thing to do, and a proper time to do it, this is it. As far as the rank-and-file members are concerned, in conversations with BLE and UTU members, they always ask, 'Why two unions?' If there's any loyalty to the UTU, I don't see how this can lose. Most UTU guys I know are satisfied with the UTU, but it may be a real horse race." *Robert L. VanGorp (1381), Hammond, Ind., General Chairperson, Indiana Harbor Belt/Conrail*

"It's going to be exciting. I think everybody will stick together and we'll be successful. I think our leadership has put a lot of thought and work into this. I'll be surprised if the BLE decides voluntarily to merge with us. I don't think they'll come o the table. The majority of the membership will back it, though, because for years the feeling has been that there should only be one union." *Delbert G. Strunk, Jr. (225) Bellevue, Ohio, General Chairperson, Norfolk Southern*

Over the last seven years, the dramatic acceleration of hiring and the quick integration of operating employees have changed the foundation of the railroad industry and the rail labor world. The simple reality is that because of this change the distinction between the duties and training of an engineer, brakeman and trainman have been blurred to the point of extinction.

Operating rail labor must change and adapt to the reality of the industry it works in. As in the worlds of government and business, institutions must change or merge to be able to best serve their constituents. The founding vision of Eugene Debs continues to be the UTU's guiding principle. Recently, the UTU has tried to resolve this current serious representation issue by seeking to create one strong operating craft union. But current BLE President Clarence Monin has repeatedly rebuffed the UTU attempts at merger discussions.

When organized labor itself fails to resolve such an obvious issue affecting representation, then it is time to go to the National Mediation Board for a solution. Unions must change with the times or face becoming irrelevant. The UTU believes that for rail labor to remain relevant it should consolidate into one strong operating craft represented by one union, which will have more than 100,000 members in North America.

Q What is the timetable of this action?

A That is up to the NMB. The UTU will be ready for representation elections as soon as the NMB rules to hold them.

Q Do we have to take any action with the AFL-CIO?

A We will also ask AFL-CIO leadership to support this action, as it is a clear example of labor being responsive to a changing workplace environment. This is not a labor politics issue, but a matter of providing for a better representation for all operating employees. The UTU has been willing to merge with the BLE and has proposed putting the issue to a vote of both memberships. This proposal was refused by BLE International leadership and now should be resolved by operating employees themselves

through a representation election so the rank-and-file can decide their own fate. This UTU leadership has no desire to continue to promote separation in representation.

Q Is there precedent for an action like this in the transportation industry?

A Yes. A landmark NMB ruling in the airline industry found a single craft or class of Flight Deck Crewmembers, which is similar to the situation that exists on today's railroads. The UTU believes that given certain "intertwining factors and precedent" the NMB "should quickly conclude the propriety of the craft or class of Train and Engine Service Employees existent of the nation's railroads." In addition, the ruling the UTU is asking NMB to make is no different than what the board did in 1935 in finding a craft or class of Maintenance of Way Employees in the rail industry because of the lines of progression within their ranks.

Q What will be the BLE's reaction to this action?

A We expect the BLE to oppose this action.

Q What will happen to the UTU if the NMB rules in favor of our request?

A We will immediately begin preparations for representation elections on the designated railroads.

Q What will happen to the UTU if the NMB rules against our request?

A We will continue operations as usual and continue to actively seek to resolve this issue through other means, including continuing to press for a merger between the UTU and BLE.

Q How will this affect the future of operating rail labor?

A This is the critical representation issue for operating rail employees. The UTU believes that continuing with the current representation structure is outdated and would continue fragmentation and instability among operating craft workers that is detrimental to the industry.





The Official Publication of the United Transportation Union

Welcome to the "Voice of Transportation Labor"

"It is time for you to decide your own future. It is time to put aside our differences and do what is best for operating rail labor. It is time to make rail labor history."

- UTU International President Charles L. Little

News & Notes

Little declares for reelection

Charles L. Little, elected to his first term as UTU International President in 1995, announced on January 12, 1998, that he would seek a second term. Little told an assembled group of 400 International officers, general chairmen and state legislative directors attending a meeting in Cleveland he would stand for reelection at the 1999 UTU International Convention to be held at the Fontainebleau Hilton in Miami Beach, Fla. Earlier in the meeting, Little told the group he was asking the National Mediation Board to rule that a representation dispute exists and that elections should be conducted on the Union Pacific Railroad.

Amtrak facing cuts

UTU members are being asked to contact the White House and their representatives in Congress to urge continued support for Amtrak.

The Clinton Administration's proposed 1999 fiscal budget would cut off operating subsidies for Amtrak, which threatens the future of the national passenger railroad and the Railroad Retirement System, six senators said in a letter to the president.

The lawmakers told Clinton that if enacted, the administration's proposal would leave Amtrak "woefully short of money and unable to continue operating as planned."

Members are urged to call John Podesta or Karen Tremontano at the White House, (202) 456-1414.

CSX, NS agree to protect union jobs in Conrail purchase

CLEVELAND - United Transportation Union (UTU) general chairpersons, with the assistance of the International, have obtained commitments to protect union jobs in the event the planned acquisition of Conrail by the Norfolk Southern and CSX railroads is approved by the Surface Transportation Board (STB).

"This is a milestone commitment to protect union jobs by having the carriers agree to grant automatic certification to train and engine service employees, yardmasters and hostlers who could be adversely affected by the looming purchase of Conrail by CSX and Norfolk Southern," said Charles L. Little, UTU International President. "This commitment, which our general chairpersons asked us to facilitate last summer at our Atlanta regional meeting, enhances New York Dock protection and covers all of these crafts."

At the UTU's Atlanta regional meeting last summer, the union's general chairpersons asked Little and Assistant President Byron Boyd to hold discussions with the carriers to obtain commitments to ensure UTU members were protected in the event the STB approves the sale of Conrail.

The commitment from the carriers provides

for income protection and continuation of benefits for employees who are affected by the transactions involved in the railroads' application pending at the STB.

The carriers also will grant automatic certification to any engineers adversely affected by the transaction, and who are working on properties where engineers are represented by the UTU. The UTU holds the National Fireman Manning and Training agreement, which governs the training of all engineers.

"Our members will know that their earnings are protected and their families are protected when the STB ultimately approves the sale of Conrail," said Little. "This sale is inevitable, and our job is to make sure that UTU workers will be protected to the fullest extent possible."

The commitment is in exchange for the UTU's support of the transaction and use of its best efforts to negotiate implementing agreements prior to the STB's approval of the Conrail sale.

If the UTU and carriers cannot come to an agreement, arbitration will be used to try to quickly resolve issues. However, automatic certification for the employees is not dependent upon reaching a voluntary agreement.

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UTU home pagewww.utu.org

Three railroads challenge Wisc. two-person locomotive crew law

Three railroads have gone to court seeking to overturn a new Wisconsin law that requires two-person crews on all trains operating in the state.

The carriers contend that less stringent federal railroad laws take precedence over the state law. They also argue that the requirement will harm interstate commerce.

The new law will harm interstate commerce "by imposing an additional and unnecessary burden on railroads by requiring them to hire and maintain on their payrolls superfluous employees who serve no useful function," according to the lawsuit.

The action was filed by the Wisconsin Central (WC), Union Pacific and Burlington Northern Santa Fe.

"We are confident we will prevail," UTU Wisconsin State Legislative Director Tom Dwyer said, "because the railroads have no basis for this claim."

The claim that the new law will hinder interstate commerce "is a fallacy argument," Dwyer said, explaining that the law "validates what's going on" and only makes current operating practices common law.

Wisconsin lawmakers passed the legislation in the wake of a number of serious railroad accidents in the state, and also in response to plans by the WC to increase the use of one-person crews in the state. The carrier had been using one-person crews for over-the-road and yard operations but discontinued the practice after the UTU and FRA raised concerns about certain other aspects of WC's safety record.

"The Federal Railroad Administration has audited railroads' use of one-person crews in their operations and has never taken the position that the use of such crews is directly prohibited by Federal Railroad Safety Act or the Federal Railroad Administration Act," the lawsuit said.

Around the UTU

News from around the U.S. and Canada

Local 4, Charny, Quebec

Members are working with local groups to save Charny & Levis Station and the 7.8 miles of track heading south over the St. Lawrence River that CN wants to abandon. Rallies are being organized where petitions against the proposed abandonment can be signed, with the goal of getting 10,000 signatures by February 21, 1998, according to Secretary-Treasurer **Louis-Francois Garceau**.

Local 150, Carnegie, Pa.

Members send their best wishes to **Ernest C. D'Achille**, the recently retired general chairperson on the Monongahela Connecting Railway who held a variety of union positions during his 41-year career, including legislative representative and delegate.

Local 556, Tacoma, Wash.

Money will be raised for cancer research in the name of a member on May 22, 1998, when the local, along with UTU Designated Legal Counsel **Yaeger, Jungbauer, Barczak & Roe**, sponsor the **Bill Reeves Memorial Golf Tournament** at Spanaway Golf Course in Tacoma, Wash., according to Local President **James P. Shelley**. Brother Reeves held a number of offices during his years representing the local and was known as an outstanding union man. Event organizers note individuals can donate items as prizes, sponsor a hole, or simply contribute to the memorial fund. For information, contact Shelley at (253) 752-2980, or call John Ward at (253) 272-2390.

Local 1201, Stockton, Cal.

Members are mourning the death of Brother **Richard Lee Thomas**, a switchman and single father of two teens who worked for the Union Pacific for 27 years. Thomas, known as "Cupcake," died in an auto accident on December 11, 1998. Memorial contributions may be made to the Richard Thomas Memorial Trust Fund, Bank of Stockton, Carson Oaks Office, P.O. Box 7036, Stockton, CA 95267.

Local 1378, Wilmington, Del.

New by-laws include provisions for the first time in 15 years for regularly scheduled meetings to be held outside of Wilmington, Del. In the months of January, April, August and October, meetings are held at 7:30 p.m. at the Colony Inn on the second Tuesday of the month in Harrington, Del. All other months of the year, meetings are held on the second Tuesday at 7:30 p.m. at the VFW Hall on Elkton Road in Howard, Del.

Local 1445, Elizabeth, N.J.

Local Chairperson **James W. O'Donnell** noted the location for regular monthly meetings has been changed to the VFW Hall (Post #335) at 479 South Avenue E., in Cranford, N.J. The meeting schedule includes a few changes from the old routine. The next meetings will be held at 2 p.m. on February 8,

March 15, May 17 and June 7, 1998. Those wanting a schedule for the remainder of the year, or with any questions, can contact Brother O'Donnell at (908) 353-0642.

Local 1582, Albany, N.Y.

The General Committee of Airport Group International is struggling with major issues concerning their employers' policies connected with disciplining those who get hurt on the job, and policies that fail to consider employees' records, according to Vice President



UTU Alt. Leg. Director Eugene Plourd retires

Eugene R. Plourd, "the dean of UTU state legislative directors," posted a permanent "Gone Fishing" sign on his door at the end of 1997, pulling the pin to enjoy retirement with his wife Rosemary along a lakeshore near Oriental, N.C.

A member of Local 1400 in South Portland, Maine, Plourd had been UTU Alternate National Legislative Director since 1993, when he was elected to the position by acclamation by the UTU Board of Directors.

Plourd began his career as a laborer on the Maine Central Railroad/Portland Terminal Company in December 1954. He became a fireman in August 1955 and was promoted to engineer in 1962.

In 1960, after holding a number of local offices, he gained the position of Maine-New Hampshire state legislative director for the Brotherhood of Locomotive Firemen and Enginemen, and continued in that role after unification.

Involved in a variety of efforts producing landmark rail legislation, he began assisting the UTU National Legislative Office in 1973, playing a role in that year's restructuring of the Railroad Retirement System. By 1985, he was working at the Washington, D.C., office on a full-time basis.

"The membership of the UTU is better off today because of the efforts of Gene Plourd," said National Legislative Director James M. Brunkenhoefer.

Bernie McNelis, director of the Bus Department, who said it appears the issues likely will be resolved in arbitration. McNelis lauded the efforts of the committee members, including Chairperson **Bill Taylor**, Vice Chairpersons **Gary Hughes, Phil Britt, Ron Palka** and Secretary **Joseph Vecchio**.

Local 1608, Chatsworth, Cal.

Members have joined together to offer congratulations to **Richard Brady**, a bus operator on the Los Angeles County Metropolitan Transportation Authority, his wife Renee, and their son Kenneth, who is a National Merit Scholarship finalist and one of only 3,000 high school seniors nationwide commended to U.S. colleges and universities as a result of his performance on the 1997 PSAT/NMSQT.

Local 1637, Vancouver, Wash.

The local hosts a website that includes a noteworthy search engine and directory allowing UTU members from around the continent to visit, look up other members, and leave their own contact information. The site also includes links to various railway archives, a collection of rail heralds, and copies of the local's agreements. The site can be accessed at <http://jaysworks.com/1637/> or via the "Other Sites" link on the UTU International's site.

Local 1670, Laredo, Tex.

Regular meetings are held the last Sunday of each month at 8:30 p.m. at the Knights of Columbus Hall on Houston Street in Laredo. For more information, call **Bill Koehn** at (956) 791-1244. Also, members have filed with the U.S. Department of Labor under Fair Standards Labor Act (FSLA) and hope to collect back-pay for travel time, going back to August 1995.

Local 1707, Ashtabula, Ohio

The local hosts a website which includes a comprehensive "Fatigue Resource Directory" that includes accident and safety studies, neurological research projects, studies by the NTSB and NASA, and includes links to public interest groups, various industry databases, and reports on countermeasures from a wide variety of sources. The site can be accessed at <http://www.alltel.net/~vialld/local/> or via the "Other Sites" link on the UTU International's web site. Members meet on the second Monday of each month at the East Ashtabula Club, 2323 Columbus Ave., Ashtabula, Ohio, at 7 p.m.

Local 1715, Charlotte, N.C.

Winners of the local's fund-raising raffle held at January's monthly meeting were Steve Smith, who won a color TV, Cindy Hill, who took home a Sony Discman, and Joe Mendola, who received an answering machine. Meanwhile, members will be missing bus operator Lewis Grant, who passed away in December, and operator V.Q. Grant, a 30-year employee who recently retired.

Transportation Report

FRA directs safety inspectors to clamp down

In welcome news for UTU members concerned about a safe workplace, and in a welcome change from previous practices, the Federal Railroad Administration (FRA) has directed its safety inspectors to clamp down on anyone who is lax in conducting safety inspections of trains and rolling stock.

"FRA is particularly concerned about the practice of conducting pre-departure inspec-

tions...while the equipment is moving (i.e., a 'roll by' inspection) or by conducting such inspections from locomotives on an adjacent track," the agency said.

"FRA believes such inspections require that inspectors position themselves in such a manner that all of the required observations can be safely made," the notice said.

Observations of car bodies, couplings, wheels, journals, brakes and other rigging "cannot be made in an adequate manner while equipment is moving or when the inspector is positioned on a moving locomotive on an adjacent track," the FRA said.

The agency said its inspectors should consider issuing violations whenever they observe such inspection practices, which often are required of UTU members by carrier officials.

The FRA also said its inspector may assess a civil penalty for each car in a train that does not receive the proper pre-departure mechanical inspection.

"Furthermore, civil penalties may be assessed or other extraordinary remedies may be sought against any individual who willfully violates the pre-departure inspection requirements..." the FRA said.

"The railroads had been telling the FRA that less-than-complete inspections were adequate," UTU National Legislative Director James Brunkenhoefer said. "The carriers have been requiring UTU members to do it wrong. Now the FRA has clarified what is the proper inspection of a train. This is another sign that it's not business as usual over at the FRA, and we certainly are thankful for that."

Bus members take organizing classes

UTU Bus Department Vice President Bernie McNelis recently sent six union members who are employed in the bus industry to a week-long organizing course at the George Meany Center in Silver Spring, Md.

Those members were Carolyn Scarsella (1908); Brenda and Steve Smith (1715); Tom Bisignani (1594); Ed Rosa (1582) and Blair Reid (104).

The organizing course consisted of training to make house calls, one-on-one communications, media relations, grass-roots organizing and other issues.

"The members all felt the courses were very informative and gave the attendees renewed vitalization that labor is still strong," McNelis said. "All attendees from this class and the previous class are now anxious to start putting their expertise to work."

Railroads set records in 1997

U.S. railroads set records in two key measures of freight traffic during 1997, according to reports.

Intermodal volume totaled 8.69 million trailers and containers for the 52 weeks ended Dec. 27, breaking by 6.8% the previous 52-week record of 8.14 million units set in 1996.

Total freight volume also set a record for the year with an estimated 1,372.6 billion ton-miles of freight moved, 0.9% more than the previous record of 1,360.1 billion ton-miles, which was set in 1996.

Although carload freight didn't set a record, the total volume of 17.7 million carloads was up 0.8% from last year and trailed the modern record set in 1995 by just 0.3%.

Aside from grain (down 2.9%), non-metallic minerals (down 2.8%) and primary forest products (down 2.2%), major rail commodities either essentially remained constant or increased. Motor vehicles and equipment led the gainers with a 4.7% hike, while chemicals, metals and lumber all were up more than 3%.

Bus Column



"Bus Department officers and committees of bus locals in right-to-work states have an ongoing struggle to keep some members in the union, and to convince non-members to become members regardless of facts."

-Bernie J. McNelis, vice president, director, Bus Department

Facts don't lie

Bus Department officers and committees of bus locals in right-to-work states have an ongoing struggle to keep some members in the union, and to convince non-members to become members regardless of facts, such as the following:

- None of the 21 right-to-work states are among the top 15 states whose workers have the highest average annual pay;
- At the time they passed their right-to-work laws, 20 of the 21 right-to-work states were below the national average for per capita income. By 1993, 19 of them remained below the national average;
- Weekly pay checks for production workers in free bargaining states average \$68.56 (16%) higher than those in the 21 right-to-work states;
- Workers in right-to-work states suffer job fatality rates far higher than those in free bargaining states because there are fewer unions to enforce job safety standards. The 15 states with the highest job fatality rates are right-to-work states;
- Right-to-work states invest far less of their public resources in education. On average, free bargaining states invest nearly \$1,300 (or 30%) more per year per pupil on education;
- Individuals and families in right-to-work states are more likely to live in poverty. According to federal statistics, poverty rates for right-to-work states are 15% higher than those for free bargaining states.

Still, we have those employees out there that will not support their union by becoming a member in spite of the fact that unions make a difference not only in the workplace but in the community as well.

Yardmasters



"President Little and Assistant President Boyd are to be commended for fulfilling the request given them by the CSX, Conrail and NS general chairpersons during the 1997 Atlanta regional meeting."

-Don Carver, assistant to the president, yardmasters

Persistence

"In the middle of every difficulty lies opportunity"—*Albert Einstein*.

President Little led the UTU in objecting to the CSX and NS purchase of Conrail. The three carriers subsequently proposed, among other benefits, an offer of automatic certification for UTU-represented yardmasters, ground and engine service employees. Amtrak yardmaster "flowback" agreements will be preserved and honored by the purchasing carriers. The offer was contingent on UTU supporting the purchase of Conrail. Yardmaster general chairpersons attending the proposal review meeting unanimously supported its acceptance.

President Little and Assistant President Boyd are to be commended for fulfilling the request given them by the CSX, Conrail and NS general chairpersons during the 1997 Atlanta regional meeting. The request was to secure, if possible, automatic certification and some enhancements of the New York Dock provisions.

Houston Belt & Terminal General Chairperson Larry Smith and Burlington Northern Santa Fe General Chairperson Bill Cobean reached a Section 4 implementing agreement covering the portion of the HBT transferred to the control of the BNSF. The agreement expanded the representation jurisdiction of the BNSF yardmaster committee to apply to the BNSF Houston Terminal yardmasters. The BNSF Yardmaster System Agreement, as modified, will govern the rates of pay and working conditions of the Houston yardmasters.

Charles L. Little, International President
Byron A. Boyd, Jr., Assistant President
Roger D. Griffeth, General Sec./Tres.
James Brunkenhoefer, Nat. Legislative Dir.

One Operating Union for All!

The headline says it all.

Elsewhere in this special edition of the *UTU News* are the reasons why this is the time to create a single class and craft of Train and Engine Service Employees. The reasons are sound and the logic is real. The very future of operating rail labor demands this consolidation take place now.

If not now, when? And if not the UTU, who?

It's the right thing to do. It's the right time to do it.

Dual pay system must go

We won't mince words: entry rates and the dual basis of pay in operating rail labor must go!

This is something we will soon address because it is a core issue in the survivability of the railroads. Once, it took eight years to graduate to engineer. Today, it takes about one year.

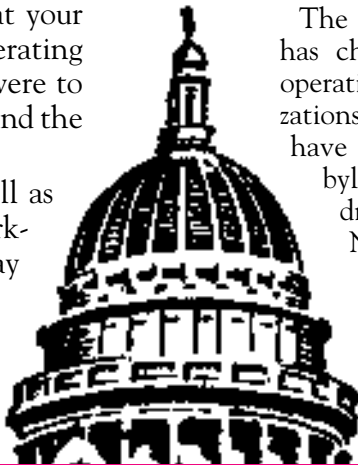
The whole world, including the railroad industry, is about how you control change. One change we plan to control is saying good-bye to the dual-pay system.

Don't cut Amtrak funding - yet

Mr. President, we know you are a friend of rail labor and the railroads. That is why we are disappointed to learn that your administration has tentatively decided to cut off all operating subsidies to Amtrak in the next federal budget. If this were to happen, the future of passenger rail in the United States and the Railroad Retirement System would be in serious peril.

Amtrak operates 253 long-distance trains a day as well as 708 daily commuter trains. There are 23,000 Amtrak workers, including several thousand UTU members. Someday Amtrak should be able to stand on its own feet.

But that day is not now or in the near future. Until that day comes, Mr. President, Amtrak deserves the continued support of your administration and the American people.



WASHINGTON WATCH

Wake up, rail labor

On January 12, 1998, the United Transportation Union issued a wake-up call to all members of railroad labor organizations.

The UTU said the tail would not wag this dog. When it comes to the future of operating rail labor, we will lead.

Needless to say, this bark does not sit well in a follow-the-pack world.

When the UTU asked the National Mediation Board (NMB) to do its job, the leadership of the Brotherhood of Locomotive Engineers (BLE) went crying to the AFL-CIO.

The BLE asked the rail labor division of the Transportation Trades Department to condemn our request to let you vote on who will represent you in the fast-changing railroad industry. Without gathering any impartial information, this group voted to try to stop your right to vote.

The UTU is in the right

First of all, the UTU is in the right. It is your democratic right to choose your representation. The law is very clear that the NMB is the ultimate authority on representation disputes in the railroad industry.

The railroad-operating world has changed dramatically and operating railroad labor organizations must change, too. We have not violated AFL-CIO bylaws and we will not withdraw our application to the NMB.

The UTU has merely brought the representation issue, which the BLE itself said has existed since 1993, to the NMB

as directed by the courts.

And what a selective memory this rail labor group collectively possesses.

What about the BLE's raiding practices it has historically engaged in against the UTU?

Where were these unions when the BLE crossed our picket line in the Soo Line strike?

Or sold out hundreds of conductor jobs on the Soo Line and Montana Rail Link?

Or made a secret deal with VIA Rail management in Canada to eliminate conductors altogether?

Or offered cut-rate dues to raid UTU members? The list goes on and on.

UTU will protect rights

It is the UTU, not the BLE, that holds the National Firemen Manning and Training Agreement, the contracts which governs the training of all engineers. The UTU will continue to protect the seniority rights and interests of engineers and conductors.

And what about the BLE telling everyone openly in *Traf-fic World* magazine it intends to be the "survivor" lead dog in operating rail labor?

"It is our belief that there eventually will be one operating craft across the country and the BLE will represent that craft," BLE Vice President William Walpert told *Traffic World* on June 23, 1997, and repeated the thought in September.

Well, this dog is not going to let the BLE tail wag it. This dog can hunt. You can be assured of that.



Byron A. Boyd, Jr.



"Why are carrier officers exploiting injured employees? The answer is simple: Money!"

-UTU National Legislative Director James Brunkenhoefer

A Sad Story of Fraud and Reward

Since the beginning, physicians have held that the key element to healing is a positive mental attitude. It follows, then, that any interference to that positive mental attitude will have a detrimental effect on the healing process.

Unfortunately, the railroads in this country don't fully understand this concept. When a UTU member is injured on the job, the railroad's first response is too often to hold an investigation or a hearing, without representation or a transcript, at the scene of the injury. Often, this delays the administration of prompt medical treatment.

There are cases where carriers have refused to provide transportation of the injured employee to a medical facility. Transportation and treatment take a second seat to inquisition. At other times, carrier officers have conducted the inquisition on the way to a medical facility. Arrival at the medical facility often doesn't insure that the injured member will find his or her medical needs addressed either. Railroad officials often try to direct the dispensing of medical services or tell medical personnel how to treat injured crew members. These same officers continue to question injured members who are still in pain and under duress. If the member, in pain and possibly medicated, doesn't answer the questions exactly the same way every time, he or she is accused of lying. Note of those inconsistencies will be found in the report of the injury filed by the carrier officer.

Why are carrier officers exploiting injured employees? The answer is simple: Money! The railroads have a very productive fraud and reward system. The carrier official who is able to use discipline, threats or other sanctions to discourage proper reporting of injuries, is given a bonus. If no report is made, the injury doesn't become part of the railroad's statistics. The railroads can then report a lower-than-truthful accident rate to the FRA and become eligible to win the prestigious Harriman Award for Safety!

If the railroad is successful in pulling the injured member out of service on grounds that he or she was responsible for his or her own injury or lied about it, statistics show them off on disciplinary time instead of being injured. This, too, makes the carriers look statistically better in the eyes of the Federal Railroad Administration.

When Congress meets this year, it will consider rail safety legislation. During the course of its deliberations, this story will be told loud, it will be told clearly and it will be told often. Not only are the victims suffering unnecessarily and sometimes permanently, not only are the FRA, Congress and others receiving a distorted view of rail safety, but railroad officials are getting bonuses for their distortions of the truth and the railroads are running around giving themselves awards. The railroads could bring an end to this fraud now, before Congress acts. Sadly, I don't believe they have the guts.

Feedback

Innovative program focuses on time off

by Franklin R. Hickman, Local Chairman, Local 1175, Duluth, Minn.

Since May 1, 1995, every conductor and engineer in the Superior, Wisc., "chain-gang" pool has enjoyed five consecutive days off in each 15-day cycle. These "Ten/Five" agreements grew out of a 1992 pilot project aimed at addressing train delays, spot manpower shortages, and excessive held-away-from-home time. UTU and BLE local chairmen, with BNSF crew managers for Superior, launched this innovative program that forgoes attempts to predict train schedules and concentrates instead on scheduling time off for pool-service crews.

Frustrated by their repeated failed attempts to address employee fatigue and low morale caused by chaotic work schedules and poor train lineups, this labor/management team focused first on known factors, such as average trip length and average daily crew utilization.

By studying old calling records, they found that two-thirds of all Superior pool turns either arrived or departed the terminal on each calendar day. They also found that crew members who were repeatedly held at the away-from-home terminal were three times as likely to lay off at the home terminal on weekends.

Before entering into the Ten/Five, the labor/management team took several preliminary steps that helped ease the way.

Chain-gang service at Superior is unusual in that the single pool runs to three different distant terminals, hundreds of miles apart. With that arrangement, it was common for crews to deadhead from one distant ter-

terminal to another to handle trains into the home terminal. This practice tended to keep crews away from home longer. Starting in 1993, crews were only deadheaded from the home terminal to a distant terminal, and then only deadheaded directly to the inbound train. The practice of deadheading for rest at the distant terminal was discontinued.

Another preliminary step all but eliminated held-away-from-home payments. When a Superior crew arrives at any one of the three distant terminals, and there is no train on the lineup within the next 10 hours, the crew is immediately deadheaded home. The cost for transporting these crews is offset by reduced costs for lodging, meals, and held-away pay. Fewer crews lay off and fewer trains are delayed waiting for manpower.

Since its inauguration 31 months ago, Superior's successful Ten/Five agreement has spawned similar projects across the BNSF system. Eleven/Four and Eight/Three agreements already exist at a number of locations, with heavy interests by labor and management to try new terminals. In October 1997, the Ten/Five pioneers at Superior started an Eleven/Four agreement for its road extra boards. Even here, the innovators added a twist. Each extra-board employee gets one long layover at home in the middle of the eleven-day work cycle.

Noting improvements in all categories of costs, safety, and employee satisfaction, it appears that a grassroots project has scored the first consistent successes in the fight to improve the quality of life for train service employees.

State watch *News from the UTU State Legislative Boards*

Illinois

State Legislative Director **Joe Szabo** reminds UTU members that the Illinois Legislative Board web page is up and running and can be reached at www.illini.utu.org.

Among other things, the page features a *Hot Topics* section regularly updated on critical issues affecting UTU members in Illinois and throughout the nation, as well as a direct e-mail link to Szabo. He noted that visiting the Web site regularly is a great way for members to keep abreast of current UTU affairs.

Links are also available to the Federal Railroad Administration, Surface Transportation Board and the Railroad Retirement Board.

South Dakota

State Legislative Director **Rick Davids** reports that UTU Local 233 in Aberdeen, S.D., is once again home to the state's "traveling trophy."

The trophy is awarded each December to the UTU local in the state with the highest average contribution per member to the UTU's Transportation Political Education League. The 48 active members of Local 233, who are employed by the Burlington Northern Santa Fe, had an average monthly contribution of \$2.64.

Robert C. Lathrop, local chairperson and legislative representative of Local 233, will retain possession of the trophy, which was originally awarded to the local in December 1996.

Davids also reports that while lobbying Congress in support of Amtrak legislation last November, he and several other UTU state legislative directors attended a fund-raiser and 50th birthday celebration for Senate Minority Leader Tom Daschle (D-S.D.) at the American Legion Hall in Washington, D.C.

Daschle's term expires in 1998 and Davids said it is likely that the South Dakota Legislative Board will endorse him for another stint in the Senate.



Arkansas State Legislative Director Don Beavers and his wife Mary Frances, attending a December 12 White House dinner, posed for a photograph with President Bill Clinton and First Lady Hillary Clinton.

Arkansas

On December 12, 1997, Arkansas State Legislative Director **Don Beavers** and his wife Mary Frances were guests of President Clinton for a Christmas reception and dinner at the White House.

The Beavers were seated with Craig and Leann Smith. Mr. Smith has served President Clinton in several positions and currently is appointed political director.

The following day, the Beavers attended an "Arkansas Dinner" at the 171-year-old Decatur House, where fourteen White House staff members from the President's home state were honored.

Beavers and his wife received a special honor by being seated at the head table with President Clinton and former U.S. Senator David Pryor.

North Carolina

James A. Stem, Jr., director of the North Carolina Legislative Board, is proud to report that the state is home to two of the top ten UTU Locals in the nation with the highest average Transportation Political Education League (TPEL) contribution per member.

Legislative Representative **Richard Westbrook** of UTU Local 1129 in Raleigh, N.C., was recently honored with a plaque recognizing that local as having the highest average contribution per member. UTU Local 1105 in Wilmington, N.C., was recognized for placing ninth among top ten locals, according to Legislative Representative **Billy Fisher**.

Stem added that the state is home to five of the top twenty-five UTU locals in terms of highest average TPEL contribution per member.

"We are proud of the contribution that our members make to society, and TPEL is an excellent tool to communicate that message to our elected officials," Stem said.



Pictured above are UTU Minnesota Legislative Director John Smullen, Maryland Legislative Director Lawrence Kasecamp, U.S. Sen. Tom Daschle (D-S.D.) and South Dakota Legislative Director Vaughn "Rick" Davids.

Fatigue puts railroad wor

Irregular schedules, antiquated regulations and railroad culture create crews of weary workers running trains.

By Charles Boisseau

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Photographs courtesy UTU Iowa
State Legislative Director Pat Hendricks

Veteran railroad conductor Jimmy Davis told his wife the early morning train trip would be “a piece of cake.” Instead, it would be his last.

The 57-year-old conductor died along with three other train workers on July 25, 1994, when his Southern Pacific (SP) freight train entered a curve of West Texas track and plowed head-on into another train coming from El Paso. The dozen colliding diesel engines burst into flames and created a jolt that some residents of nearby Marathon initially thought was an earthquake.

Federal investigators later concluded the probable cause was that the crew members of the eastbound train missed a stop signal as they suffered from “reduced alertness consistent with falling asleep and were not aware of the signal indications.” The conductor had 4 1/2 hours of sleep in the prior 51 1/2 hours, while the engineer had slept 4 1/2 hours in 35 hours.

More specifically, the railroad’s poor scheduling system made it difficult for workers to predict their work and rest times and plan their sleep, the National Transportation Safety Board (NTSB) said.

“My dad always said, ‘You know, the unpredictability and the way they are pushing men to the brink, one of these days there’s going to be the mother of all accidents,’” said Davis’ oldest son, J.C., an engineer for Union Pacific (UP), which bought the SP. “And he was right.”

Worker fatigue is an age-old problem in the 24-hour, seven-day-a-week railroad business, which has long demanded that employees ignore their body clocks and adapt to oddball schedules to move the goods.

A steep price to pay

In September, after the first of two safety inspections, federal regulators cited UP for safety problems including the concern that employees weren’t getting enough sleep.

Of 14 accidents on UP lines in the past year that are under investigation by the NTSB, including three wrecks since June 22 that have claimed seven lives, at least two involve crew fatigue as a possible factor. Among them is the collision at 2:15 a.m. on July 2 in Rossville, Kan., in which an engineer was killed when his train rammed a passing freight train. The ensuing hazardous chemical fire forced 1,000 people to evacuate the area, including 76 residents of a nearby nursing home.

Engineers and conductors in the Houston area and elsewhere in Texas said they often work 70, 80 or more hours a week. Their work schedules have become even more wearisome since the summer, when UP began suffering from highly publicized traf-



In the words of one locomotive engineer, “The first hour of my run is a one-hour climb up a hill at about 10 miles per hour. I set the throttle in the lead engine at notch eight, the throttle on the pusher engine at the rear of the train at notch eight, and settle down knowing that for the next hour I’ll be able to get some sleep. The alerter button? Studies have shown that you hit the alerter button faster when you’re asleep than when you’re awake.”

fic tie-ups starting at the railroad’s big Greenwood Yard in northeast Houston. This has resulted in long delays and longer hours for employees.

But many conductors and engineers said despite working longer hours, the hardest part of the job is their ever unpredictable schedules. Often working seven or more days in a row, train workers privately confessed to suffering from exhaustion and sometimes falling asleep or operating trains while drowsy.

“We’re not machines,” said one 44-year-old conductor, who spoke on the condition of anonymity, like most other railroad employees interviewed.

Workers said the pay is good – about \$45,000 to \$100,000 a year – but the cost is high. Such a lifestyle can result in little family contact, widespread divorce and often a bone-weary exhaustion.

Omaha, Neb.-based UP, the nation’s largest railroad, is not alone. Industrywide, the NTSB has identified crew fatigue as a factor in at least 10 major railroad crashes since January 1988. That’s when it first cited fatigue as a probable cause in a head-on collision that killed four Conrail workers in Pennsylvania.

Labor unions complain that since Congress passed the Staggers Act in 1980 to largely deregulate railroads, numerous mergers have taken place and railroads have abandoned thousands of miles of tracks. This has meant fewer railroads are carrying more freight on one-third less track with almost one-third fewer employees than a decade ago.

“This is the only industry I know of in the world that the majority of its operating

employees don’t know when they are going to go to work, don’t know how long they are going to work and don’t know how long they are going to get off,” said Jim Brunkenhoefer, UTU legislative director and an ex-railroad engineer.

“A horrible way to live.”

“It makes good money, but it’s a horrible way to live,” he said. With the rash of recent accidents, there is growing debate about the merits of the 90-year-old federal law that dictates hours of service for the nation’s 250,000 railroad workers.

The law, unchanged in more than a quarter century, limits train crews to working 12 consecutive hours, and allows them to be called back to work within eight to 10 hours. But union members fear a change in the law would cut their paychecks.

And, railroads worry a change would greatly increase their costs, requiring them to add more workers. For each new hire, a railroad reportedly can expect to pay an additional \$20,000 a year in fringe benefits alone.

“It’s kind of a ticklish situation. No one wants to make the first move on this,” said Bob Lauby, director of the rail division of NTSB.

Meanwhile, some carriers are responding on their own by addressing fatigue in new ways, mindful of recent findings of sleep researchers into such things as circadian rhythms, the internal clock that beckons the body to surrender to sleep at certain times of day.

Some railroads have begun allowing train crews to nap while on duty, developing new scheduling systems and launching widespread employee training and educational

ers on a dangerous track

programs.

However, safety experts said while such changes likely will improve the situation over time, new technology also must be part of the solution to make safer this historically slow-to-change, macho industry.

Coping with fatigue

At a Houston union meeting, a 31-year-old engineer consulted a time book and calculated he had worked 96 hours, 15 minutes during the previous seven days.

This included one day in which he was on duty for 18 hours, 10 minutes, well over the 12-hour federal limit. However, the law applies to how long a worker can operate a train. It doesn't count "limbo time," the time a worker may wait on an idled locomotive for a van to pick him or her up and commute to a terminal.

"After you get back home, do your chores and rest, they're calling us in four to five hours" to go back to work, said the engineer, who is assigned to the railroad's "extra board."

"You get to the point that you are so tired that your ability to make decisions is hampered severely," said one 49-year-old conductor.

Another conductor showed his time sheets covering a recent seven-day period in which he worked a total of 68 1/2 hours. He started work at a different time each day: 1:30 a.m., 11:55 p.m., 2:15 a.m., 10 p.m., 10:30 p.m., 5:45 p.m. and 7 a.m.

During their off-hours, train workers can try to gauge how long they will be off by calling the railroad's toll-free phone line that gives a recorded message listing train "lineups." A worker punches in his or her Social Security number, and a recorded message tells where in line a worker is for various jobs.

Lineups highly inaccurate

But these lineups give approximate reporting times and are highly inaccurate, workers said. And because of the unpredictability, even when workers are given plenty of time off, they aren't necessarily rested. When staying at a motel during a trip to an away-from-home terminal, workers may be awake for 12 to 15 hours and ready to work, but not get a call. Just as they start to tire again, the phone rings.

"When I'm on the conductor extra board or on the pool board you cannot plan your days off," said a conductor. "The thing about it is the uncertainty of when the call's going to come." Workers said the railroad can reprimand them for being absent when they are called for work. Though they can ask for time off, often subtle or not-so-subtle pressure is applied for them to work. Some said they must lie and claim they are ill to get time off when they are tired.

Many crew members said they not only worry about being overly tired themselves, but also whether employees on oncoming trains and dispatchers are properly rested. Many said they fear the dispatchers they rely on are being overworked.

Finally, the widespread congestion on Union Pacific has contributed to longer hours in recent months, crew members said.

"UP's caused a lot of fatigue on us," said a 47-year-old engineer for Burlington North-



He's been awake for 34 hours straight. He never knows exactly when he's going to go to work. He never knows when he's going to get home. He never knows how long he'll be home before the telephone rings again. The sleeping quarters at his away-from-home terminal are noisy and uncomfortable. For many, the only way to get some rest is to lie, to claim he's sick, that he can't work. He won't get paid for the time he lays off, but it's the only way he can keep the company from working him to death.

ern Santa Fe Railway Co., which operates over many UP tracks. "It takes two to three crews just to make it to Lafayette, because of their problems. It used to take one."

Working to exhaustion and at odd hours, many train workers confessed they've fallen asleep on the job. Sometimes, they sneak in a nap while their train is stopped at side track waiting for oncoming traffic to pass. Other times they may inadvertently nod off while running the train.

"I can tell you it's happened to me before," said an engineer. "You come past something, and you say man what was that last signal? I've actually gone to sleep for 10 to 15 seconds—you just can't help it."

Brief blackout periods common

These brief blackout periods, or "micro sleeps" as sleep researchers refer to them, can be extremely dangerous, especially considering how long it takes to stop a freight train, and the fact many are loaded with dangerous chemicals, experts said.

"If the general public had any idea some of the chemicals we haul through this town, they would get real concerned," said Donnie Rainer, general chairperson of UTU Local 293, Houston.

Ex-Southern Pacific engineers complained that UP recently eliminated a rule that had allowed them to request extra time off, up to 18 hours of undisturbed rest when at their home terminal and 12 hours when away from home.

In exchange, UP implemented a policy that allows any of its 3,500 train and engine employees in Texas who work 14 consecutive days to qualify for two days off. Asked why the company doesn't provide all workers with regular days off each week, UP spokesman John Bromley said: "We can't do that because of the 24-hour, seven-day-a-week nature of our operation and (because) traffic varies day to day. You always have a constant flux of how many

people you need. It's a problem in our industry forever."

Fatigue gets more attention

Accident investigators are paying more attention to fatigue, said Lauby of NTSB. "In the past, we never would have put as a probable cause that the crew member was asleep."

The NTSB has identified irregular work/rest cycles as a contributing factor in a variety of accidents, including the November 1990 head-on collision of two Atchison, Topeka and Santa Fe Railway Co. trains in Corona, Calif., which killed four crew members and injured two others.

The NTSB has recommended the Federal Railroad Administration adopt rules that limit the irregular work/rest periods, so far to no avail.

The Texas Railroad Commission, which regulates rail crossings and equipment in the state, recently asked the FRA to require a 12-hour minimum rest period between shifts before workers in Texas can return to work. "We believe people should not operate hazardous trains through the neighborhoods of our state unless the engineer and conductor with them has had sufficient time when they were rested," said Jerry Martin, director of the rail division of the commission. "We wanted to say, 'Railroads, you can't work your people to the death to the point the public's safety is endangered.'"

However, it is Congress, not the FRA, that sets the hours. The FRA has asked Congress to grant it the same authority over railroad work rules that federal agencies have over the airlines and highway carriers, but Congress has declined.

An FRA spokesman said the issue is complicated by the fact that workers want to work long hours to make more money.

"Some guys are greedy," admitted one conductor. But he said, "Ninety percent of us want our rest."

Differing laws complicate members' struggle

Last month, the **UTU News** published the first of a two-part series on the issues affecting the union's bus membership. Part 2 looks at work rules, hours of service, laws, and the UTU's dues structure. The series was written by **UTU News** correspondent John H. Horvath.

Members represented by the United Transportation Union's (UTU) Bus Department today face a wide range of challenges, often unique to the type of service they provide and the individual properties where they work.

There are more than 7,000 members represented by the UTU Bus Department, working under more than 40 contracts in the U.S. and Canada. The details of their problems may differ, but the root causes are frequently the same. Likewise, their road to a better future is paved by unity.

Whether employed in light-rail, trolley or high-speed line service, or by municipal, charter or school bus operations, they share a constant battle over work rules and hours of service, a struggle complicated by a crazy-quilt complex of local, state, provincial and federal laws.

"You almost have to be a Philadelphia lawyer to run your local," noted General Chairperson W.J. Koehn of Local 1670 in Laredo, Tex., who represents drivers, mechanics and custodians working for a municipal system, Transit Management of Laredo (El Metro).

"We have to deal with state laws, federal laws, and organizing restrictions in a right-to-work state," Koehn explained. "Because of our unique circumstances, we have to negotiate our contracts and work rules individually," Koehn said.

Bus laws create difficulties

General Chairperson James T. Harford of Local 1741 in San Francisco, Cal., agreed the laws create difficulties unique to the industry.

"Rail workers are concerned primarily with the federal Railway Labor Act," Harford said. "In the bus industry, a lot depends on whether we're working for public transit agencies, private agencies, school systems, or charters," he said.

Harford also noted that the different laws sometimes work against a unified approach to



A member of Local 1715 in Charlotte, N.C., Burt Kearns is employed by Transit Management of Charlotte, Inc., a company formed to manage the Charlotte Transit System. North Carolina is a "right-to-work" state, and the city is prohibited by state law from negotiating directly with any union, making such management companies necessary. Because state law puts no limit on hours of service, Local 1715's contract guarantees drivers the right to eight hours off after 13 hours on duty.

labor problems. "We're kind of isolated from each other," he said in reference to other properties represented by the UTU Bus Department. "We don't do a common sort of work, and we don't interact the way rail people do, in that we don't have overlapping general committees."

For those represented by the Bus Department, the various levels of law affect their employers' funding and the level of benefits they enjoy.

The law has recently given General Chairperson Blair Reid and the members of Local 104 in Sault Ste. Marie, Ont., more than their fair share of headaches. The 73 municipal transit system workers employed by the Sault Ste. Marie Transportation Commission supply their services as drivers on municipal lines, in charter service and as paratransit drivers.

"Provincial Bill 99 has taken away our right to appeal decisions made by the compensation board," Reid said. "And if the city incorporates any of its unionized services with any other city, it can now unify the collective bargaining agreements, thanks to Bill 136."

Though their last contract was settled in April 1997, Reid said management now insists a 2.3% savings has to be found, and it has to come out of operations. "They'll just cut runs, which means some here will be put on the extra board, with only eight hours of work available to them in a week," Reid explained. "Management can make the claim that no jobs are cut, but meanwhile, here's this guy sitting at home with no work."

Legislative attacks pose threat

UTU National Legislative Director James M. Brunkenhoefer said legislative attacks at the federal level in the U.S. pose a constant threat.

"As the appropriations process gets tougher and tougher, we want to see that our people get operating funds," Brunkenhoefer said. "We're also fighting on a constant basis to protect the rights of workers in the transit industry. Last year, Cong. Bud Shuster (R-Pa.) sponsored legislation that would have cut Section 13(c) protection by one-third, but UTU was

successful at heading it off."

The 140 municipal drivers working for the Santa Cruz Metropolitan Transit District are feeling the unexpected impact of two legislative developments, according to General Chairperson David Lyall of Local 23 in Santa Cruz, Cal.

"Welfare reform and the Americans with Disabilities Act (ADA) have had a large impact on public transit here," Lyall explained. "Ridership has gone up 20% in the last two years, with a lot of it due to people being taken off welfare and going to work. With the increased work load, we need work-rule changes that will give us more time to complete our routes."

ADA requires paratransit services

Paratransit services required by ADA create a ripple effect. "Those services are run out of our district by a nonprofit, non-governmental organization that's paid with our system's funds," Lyall pointed out. "These funds otherwise would have been available to us. There's a conflict between paratransit demands and regular route demands."

The ADA ripple reaches even further, Lyall said. "Laidlaw and Mayflower are getting into paratransit," he said. "To organize these people, we need flexibility."

Along with other bus and rail general chairpersons, Lyall believes part of that flexibility needs to come from the UTU.

"Our dues are high when compared with those paid by members of other unions in this industry," Lyall said. "I think we have to revisit the dues structure and get flexibility based on what people earn. We took a step in the right direction at the 1995 UTU Convention," when delegates added language to the UTU constitution that allows dues reductions in special circumstances.

The pay disparities among bus workers is illustrated at Local 1741 in San Francisco, Cal., where General Chairperson James T. Harford represents drivers, office and clerical workers, and yard and maintenance workers on Laidlaw Transit, Inc., a municipal operation. Also members of the same local are the recently organized school bus drivers of West Coast Transportation.

Laidlaw workers earn around \$18 an hour, while the school bus drivers make between \$8.50 and \$12 an hour.

Besides the difference in pay, earnings for West Coast drivers are hampered by another development. "A change in the schools' schedules reduced some workers' hours to six per day," Harford noted. "We're in arbitration to get eight hours' pay guaranteed for each driver."

Where earnings, dues, and organizing are the issues, UTU members have an ally in UTU Vice President Bernie McNelis, Director of the Bus Department. "If we're going to grow, we need to address the dues structure," he said. "Bus workers simply don't make the money rail workers do. There must be a tiered system or a percentage system."

Among bus general chairpersons, there is little question that organizing will play a key role in assuring their members' well-being.

"One of the best things we can do to improve our conditions is to organize other companies," said General Chairperson Daniel T. Bentley of Local 324 in Seattle, Wash., who represents drivers and mechanics working for Evergreen Trails. "It helps level the playing field, and gives more power in negotiations."



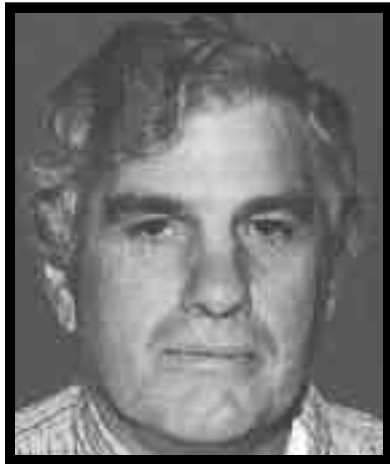
A rail operator for the Southeastern Pennsylvania Transportation Authority (SEPTA), Chuck Fowler is a member of Local 1594 in Upper Darby Pa., the only UTU local that represents members working light-rail, heavy-rail and bus service, and one that goes back to the days of the Brotherhood of Railroad Trainmen. The local's contract expires April 1, 1998, according to General Chairperson Robert T. Gabe, who recently began negotiating a new pact. "It's tough for a single local to compete with an agency's labor relations department when it enjoys nearly \$2 million in funding annually," Gabe noted.

Voices: *Has technology made your job simpler or more complicated?*



L. E. Chappell
L-1291, Birmingham, Ala.

"I'm a conductor/trainman on NS. In some respects, my work's simpler, and in others, it's more complicated. The time slips are on computer now, and I think it's a lot easier than filling out the old forms. But the dispatchers are computerized, and when that computer's down, we can't get a track warrant. Of course, they've had to air-condition the cabs in the newer locomotives because they're computerized now. They sure didn't air-condition it for us!"



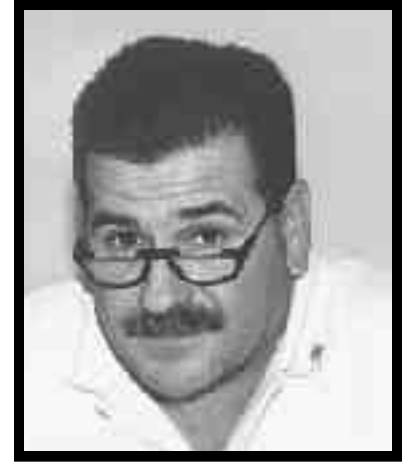
Peter Ruggiero
L-1558, Bergenfield, N.J.

"It's more complicated. I'm a bus mechanic for Rockland Coaches, and with computerized buses, 99% of the time you have more problems. The computer says one thing, but the bus says another. The buses have a code in them, and you read back the code, and the code should tell you what's wrong. But it doesn't always work out that way. You get a hot-engine light, bring the bus in, look it over, find nothing really wrong, take it back out, and you never see the light again."



Nile Dragoo
L-1503, Marysville, Kan.

"I'm a conductor on the UP, running ID (interdivisional) service. The impact of technology has been a mixed bag. The UP has a state-of-the-art dispatching system in Omaha that's great, but when the computer goes down, everything stops! In some respects, technology's made my job easier. I have more access to information than ever before. When we go to work, we can bring the board standings up on the computer. But when things don't work right, it's a real pain."



John Maccarelli
L-1138, Miami, Fla.

"Simpler. I'm an engineer on the Florida East Coast Railroad. We have an automatic train control (ATC) signaling system, and it's an excellent machine. The way it rains in south Florida, sometimes you can't see. With this machine, you don't have to worry. Now we know for sure what's coming up. If I could pass laws, every train would have it. It should be mandated by Congress. Handling time slips is another matter. We've just gone computerized, and it's a nightmare!"

FELA Update: True or false? You decide...

QUESTIONS:

1. You don't have to file an accident report if you have a small injury with no time loss.
2. If the railroad pays your wage loss and your medical bills, you do not need a lawyer.
3. UTU bus members are covered by the Federal Employers' Liability Act.

The answers to all of the above statements is FALSE!

ANSWERS:

1. Company rules require the filing of an accident report for all injuries. Failure to file a report can result in discipline and discharge. It is also important to report your injury because it may become worse later.
2. An injured person is entitled to be compensated for more than simply medical bills and wage loss. Federal law provides for compensation for other factors such as pain, suffering and permanent injury.

3. While bus members are covered by state workers' compensation laws and not the Federal Employers' Liability Act, UTU designated legal counsel are available to help all members, not simply those covered by Federal law.

For questions on this and other legal matters, or to get the name of a UTU Designated Legal Counsel near you, call:

Monte Bricker, coordinator
Designated Legal Counsel Program
1-800-547-8811

Monthly apparel award winner

This month's lucky winner of his or her choice of any item of UTU-logoed wearing apparel is **John C. Meehan** of White Plains, N.Y.

Brother Meehan is an active member of Local 77 at New York, N.Y., which represents workers employed on the Metro North commuter railroad.

Brother Meehan will be receiving by mail a gift certificate redeemable for any one of the many fine quality union-made UTU jackets, shirts or caps available through the International (many new items are now available; write the UTU Supply Department for details). This program is a way to thank the many men and women who make this union great.

Anziano earns F.I.C. designation

United Transportation Union Insurance Association Field Supervisor Thomas R. Anziano, Jr. has been designated as a Fraternal Insurance Counsellor by the National Fraternal Congress. Anziano becomes the 13th UTUIA field supervisor so recognized and honored. He is a member of Local 1373 at Philadelphia, Pa., and lives in nearby Holmes, Pa.

Field supervisors possessing the F.I.C. designation are recognized in the insurance industry as professional insurance counselors, with specialized training in fraternal insurance and fraternal benefits.

"You have completed this difficult course, and we are proud of you and your accomplishment," International President Charles L. Little wrote Anziano. "Your designation as a Fraternal Insurance Counsellor brings additional recognition to you and to the United Transportation Union Insurance Association."

Tri-State Booster scholarships

Each year, the Tri-State Boosters Association awards two \$2,000 scholarships payable at \$500 per year to the children and grandchildren of active members of United Transportation Union locals and Ladies Auxiliary units in Virginia, North Carolina and South Carolina.

The scholarships are awarded based on need and academic achievement. The applicant must be a high school senior graduating in the spring of 1998.

A request for applications should be forwarded to Ms. Evelyn Linder at 2927 Mars St., Raleigh, NC 27604. Donations for the scholarship fund should be forwarded to Ms. Margaret Hunter, 4956 North Lake Dr. N.W., Roanoke, VA 20419.

All donations are appreciated and are tax deductible.

Senior News

Senior Spotlight

Thanks to a failed attempt to organize a New York City sweatshop during the Depression, readers today can enjoy a book that vividly recreates the days when rail was king.

Written by retired member **G. R. "Ralph" Patalano** of Local 587, Greenfield, Mass., *Behind the Iron Horse* is



G.R. Patalano

one of those rare railroad books that places the emphasis on "the men who made the trains run and their union activities, rather than the horsepower and the colors of rolling stock," Patalano explained.

His intentions are made clear by the subtitle of his book: *The People Who Made the Trains Run in the Bellows Falls, Vermont, Area (1941-1980)*.

Patalano's focus on people doing their jobs began in earnest when he was 20 and became involved in a wildcat strike in the garment industry. "We lost the strike, but I determined the next job I'd have would be a union job, and that's why I went to work with the railroad."

Beginning his rail career at age 23 as a yard helper on the Boston & Maine, Patalano proudly notes he's been "a continuous member of Lodge 704 of the BRT and UTU Local 587 since April 1941." He served as a delegate to seven BRT and UTU conventions, and spent 25 years as local chairman of his local and its grievance committee.

When he retired in 1980, he enrolled in a creative writing course at a local community college. "I first wrote a book about my family history, just for my family," Patalano said. "The second book I wrote, *Anatomy of a Sweatshop*, was about my experiences in the garment industry, but it wasn't published, either."

His next writing exercise resulted in *Behind the Iron Horse*. A historian at Vermont College read the manuscript, shared it with fellow members of the Vermont Labor History Society, and brought it to the attention of the Vermont Historical Society, which decided to publish it.

Those wishing to obtain a copy of Patalano's book can call the Vermont Historical Society at (802) 828-2291, or call Patalano during the winter months at (941) 463-8745. During the summer, write to Patalano at 15 Highland View, Bellows Falls, VT 05101.

Clinton names Cherryl T. Thomas to chair Railroad Retirement Board

Cherryl T. Thomas, Chicago Department of Buildings Commissioner, has been nominated by President Clinton to chair the U.S. Railroad Retirement Board (RRB). The nomination is subject to U.S. Senate confirmation.

If confirmed, Thomas would succeed Glen Bower, who received notification from the White House on December 18, 1997, that his services were no longer necessary.

As buildings commissioner, Thomas manages the second-largest building department in the U.S., with a budget of \$28 million. She was appointed to that position by Chicago Mayor Richard M. Daley in 1994.

Over the past 15 years, Thomas has worked in various capacities for the city of Chicago, including deputy chief of staff to the mayor (1992-1994), director of personnel policy and utilization for the Department of Water (1989-1992), and director of management services for the Department of Aviation (1983-1989).

While working for the Department of Aviation, Thomas designed and maintained the department's personnel record system and represented the city and department in employee relations practice hearings and labor contract negotiations involving more than 18 national labor unions.

Thomas received her B.S. in Biology and Chemistry from Marquette University and her M.S. in Physiology from the University of Illinois in Chicago.

A former Republican state representative from Effingham, Ill., Bower had been appointed as RRB chairman by former President George Bush, and had served in that capacity since April 1990. He was subsequently reappointed to a five-year term that expired Aug. 28, 1997.

Bower had long advocated and often implemented changes to the system that rail labor viewed as detrimental to rail workers and retirees. The UTU and rail labor first called for his removal from office in early 1995, when he and RRB Management Member Jerome Keever

recommended that all RRB functions be transferred to federal and state agencies or private entities.

Bower received notification that his services were no longer needed one year to the day that more than 350 rail workers held a rally at the RRB's headquarters in Chicago protesting his efforts to strip their rights to a disability pension.

Terms of office for members of the RRB are of five years duration and are scheduled to expire in different years. One member is nominated upon the recommendation of railroad employers, one is nominated on the recommendation of rail labor organizations, and the third, who serves as chairperson, is nominated to represent the public interest. All are subject to confirmation by members of the U.S. Senate.



Medicare benefits expanded

The new year brings seniors and those with disabilities better access to medical tests and preventive care, thanks to a major upgrade of Medicare benefits in the U.S. that went into effect January 1, 1998.

Medicare now covers annual mammograms for Medicare-eligible women 40 years old and over; pap smears, pelvic exams and breast exams every three years for all Medicare-eligible women (annually for high-risk women); and colorectal cancer screening, using specified tests.

As of July 1, the program will expand coverage for diabetes self-management training and home glucose monitoring for beneficiaries with diabetes, and coverage of bone-mass measurements for those at risk of bone loss.

Meanwhile, President Clinton has proposed an expansion of Medicare that would allow early retirees and laid-off workers as young as 55 to buy into the federal health care program.

Chairmen of the House Budget and Ways and Means committees said they would oppose the plan, and predicted it would be rejected by the GOP-controlled Congress.

Travel: Irish Discovery Tour, Caribbean Jazzfest Cruise lie ahead

An eight-day visit to Ireland in April and a seven-day Thanksgiving week "Jazzfest" cruise of the eastern Caribbean in November lie ahead for UTU members who take advantage of the packages being offered by the UTU Travelers Club.

Irish Discovery Tour

Those wishing to participate in the "Irish Discovery Tour," slated for April 17-24, 1998, are urged to make their reservations before March 1, as space is strictly limited and the roster is filling fast!

The package price of \$1,499 per person (based on double occupancy; single-supplement is \$225) includes round-trip airfare between Chicago and Shannon via AerLingus, with return from Dublin; use of escorted motorcoach for entire tour; six nights hotel

accommodations; all dinners and a full Irish breakfast each morning; a cruise on the Lough Corrib; passage on the Tarbert Ferry; an Irish pub walking tour in Dublin; admission fees to Blarney Castle, the Cobh House, the Waterford crystal factory, Kerry the Kingdom and other attractions; an Irish coffee reception in Killarney, and much more.

Caribbean Jazzfest Cruise

Those with a taste for great food, excellent music and unmatched company in superb surroundings will enjoy the Thanksgiving week Jazzfest cruise of the eastern Caribbean aboard Norwegian Cruise Lines' fabulous luxury ship *The Norway*.

Set for November 21-28, 1998, pricing for this package starts at just \$959 per person (inside stateroom, double occupancy, airfare

not included) and will take travelers from Miami, Fla., to St. Thomas, St. John, and St. Maarten.

For more information, color brochures, or to make reservations, call Landfall Travel's Lynn Westphal today at **1-800-835-9233**, or write to: **UTU Travelers Club, Landfall Travel, 14724 Detroit Ave., Lakewood, OH 44107**.

Members get free cruise

UTU members who had signed on for the *New Years Cruise Aboard the Norwegian Star*, set for last Dec. 28, 1997 to Jan. 4, 1998, found their plans abruptly changed when an onboard generator failed before the ship left the dock. The trip was canceled, and all passengers were given full refunds, plus a voucher good for a free seven-day Caribbean cruise.

T P E L H o n o r R o l l

Individuals who have begun contributing to TPEL or increased their donations to \$100 or more per year within the last month.

Name	Local	City	Name	Local	City	Name	Local	City
PLATINUM CLUB (\$1,200 OR MORE PER YEAR)								
Van Bree, Frank E.	72	Battle Creek, MI	Vahldick, Eric M.	303	Springfield, MO	Hernandez, Edwin F.	945	La Junta, CO
Bruggess, George T.	1620	Elkhart, IN	Thompson, Gary F.	311	LaCrosse, WI	Martinez, Anthony L.	945	La Junta, CO
DIAMOND PLUS CLUB (\$400 OR MORE PER YEAR)								
Aubert, Gary J.	311	LaCrosse, WI	Koestner, Larry W.	329	Boone, IA	Masias, Joseph A.	945	La Junta, CO
*George, James A.	462	Pine Bluff, AR	*VonGlahn, Karl	385	Croton/Hudson, NY	Pearl, George R.	945	La Junta, CO
Huschka, Joseph L.	486	Glendive, MT	Winkelman, John N.	418	Sioux City, IA	Root, Albert A.	945	La Junta, CO
Lewis Jr., Harry C.	597	Des Plaines, IL	Hardin, Richard T.	426	Spokane, WA	Crawford, David L.	951	Sheridan, WY
Diegel, Robert C.	627	Wymore, NE	Hufnagel, David M.	445	Niota, IL	Davis, Tommy L.	951	Sheridan, WY
DOLLAR-A-DAY CLUB (\$365 OR MORE PER YEAR)								
Smith, David E.	77	New York, NY	*Mills, Charles M.	453	Clinton, IL	Gomez, Benigno R.	951	Sheridan, WY
Peterson, Ronald J.	202	Denver, CO	Stuckey, Alan H.	490	Princeton, IN	Herbst, Perry L.	951	Sheridan, WY
Guelzow, Harry L.	265	Pocatello, ID	Marcotte, Kenneth F.	495	Salina, KS	Huber, Reinhold G.	951	Sheridan, WY
Carmody Sr., John S.	1081	Glendale, AZ	*Schuler, Eugene K.	498	Allentown, PA	Kooper, John W.	951	Sheridan, WY
*Kenny, Edward C.	1375	Philadelphia, PA	Wright, Jimmy D.	513	Gainesville, TX	Legge, Kelly G.	951	Sheridan, WY
*Miller, Donald Q.	1732	San Jose, CA	Appleby, George H.	564	Cleburne, TX	Martini, David A.	951	Sheridan, WY
Carver, Donald R.	1963	Louisville, KY	Austin, Donald F.	564	Cleburne, TX	Michelena, Gale D.	951	Sheridan, WY
DIAMOND CLUB (\$300 OR MORE PER YEAR)								
Bottles, Raymond C.	2	Toledo, OH	Bassham, Roger L.	564	Cleburne, TX	Norcross, Frank P.	951	Sheridan, WY
Lyford, Harold C.	259	St. Joseph, MO	Bourne, John W.	564	Cleburne, TX	Sullivan, Robert J.	951	Sheridan, WY
Krupa, Edmond F.	349	Kansas City, MO	Carleton, Denver L.	564	Cleburne, TX	Ungrecht, Terry L.	951	Sheridan, WY
Nowlin, Charles A.	349	Kansas City, MO	Collins, Earnest G.	564	Cleburne, TX	Worsley, Steve R.	951	Sheridan, WY
Colgan, Daniel T.	911	Minneapolis, MN	Eason, Russell M.	564	Cleburne, TX	Eckart, Steve S.	980	Enderlin, ND
Engbrecht, Patrick M.	945	La Junta, CO	Hall, Kenneth D.	564	Cleburne, TX	Engstrom, Jerome A.	980	Enderlin, ND
Jaure, Leonard E.	945	La Junta, CO	Harris, Albert R.	564	Cleburne, TX	Nelson, Keith L.	980	Enderlin, ND
Evans, Craig A.	951	Sheridan, WY	Looper Jr., David L.	564	Cleburne, TX	Schreiner, Darrel	1000	Minneapolis, MN
*Sloan, George F.	1646	N. Kan. City, MO	Newsome, Robert L.	564	Cleburne, TX	Ray, Ryan D.	1042	Oklahoma City, OK
GOLD CLUB (\$100 OR MORE PER YEAR)								
*Reizovic, Frank J.	60	Newark, NJ	Odom, Matthew G.	564	Cleburne, TX	*Yancey, Rob H.	1129	Raleigh, NC
Thomas, Michael J.	60	Newark, NJ	Pallett, David M.	564	Cleburne, TX	Chavez, Billy	1168	Clovis, NM
Valse, Anthony N.	60	Newark, NJ	Peters, John M.	564	Cleburne, TX	Reiser Jr., George W.	1168	Clovis, NM
Shaw, Michael J.	77	New York, NY	Rogers, Preston J.	564	Cleburne, TX	Wilkins, Richard E.	1168	Clovis, NM
Whyte, Peter J.	77	New York, NY	Taylor, Darren R.	564	Cleburne, TX	*Simmons, John A.	1188	Oklahoma City, OK
Morton, Glenn E.	84	Los Angeles, CA	Taylor, Johnny R.	564	Cleburne, TX	Brantley, Robert W.	1263	Valdosta, GA
Youseff, Thomas J.	84	Los Angeles, CA	Shanklin, David A.	582	Stevens Pt., WI	Johnson Sr., Thomas E.	1263	Valdosta, GA
Villanueva Jr., Enrique	110	Laredo, TX	Strawn Jr., Richard L.	622	Birmingham, AL	Runco, Alphonso F.	1379	Pittsburgh, PA
Fernandez, Carl W.	201	Trinidad, CO	George III, Fred L.	631	Brunswick, MD	*Dillow, John O.	1402	Dupo, IL
Sedustine, William R.	202	Denver, CO	McMurry, John V.	631	Brunswick, MD	Danzinger Jr., Albert F.	1517	Cincinnati, OH
Gallo, Gary G.	228	Cedar Rapids, IA	*Conlee, Donald V.	643	Fort Madison, IA	Posadny, James	1529	Walbridge, OH
Kruse, Dustin	228	Cedar Rapids, IA	Foster Jr., Byron D.	733	De Queen, AR	Utcai, Louis P.	1529	Walbridge, OH
Wehr, Lyle J.	228	Cedar Rapids, IA	*Smith, William J.	724	Fort Wayne, IN	McFarland, Bruce D.	1532	Kansas City, KS
*Scoggins, Lloyd A.	243	Forth Worth, TX	Mussett, Michael S.	733	De Queen, AR	Navarro, Mario M.	1607	Los Angeles, CA
Gingrich, William J.	281	Milwaukee, WI	Kemper, Klint W.	823	Big Spring, TX	Kirchner, Ronald J.	1608	Chatsworth, CA
*Dittman, John	286	North Platte, NE	Marlow Jr., Thomas F.	823	Big Spring, TX	Weatherell, Martin D.	1626	Anchorage, AK
McKenney, James A.	286	North Platte, NE	Norman, Eric W.	823	Big Spring, TX	O'Rourke, Elaine S.	1741	San Francisco, CA
Gonzales, Joel C.	303	Springfield, MO	Adkins Jr., Ernest F.	891	Whitefish, MT	Hopkins, Porter C.	1780	Kansas City, MO
			Poeschl, Roger J.	891	Whitefish, MT	Huston, Bill A.	1780	Kansas City, MO
			Shining, Larry L.	891	Whitefish, MT	Kelly, Peter V.	1780	Kansas City, MO
			*Bass Jr., Joseph O.	903	Jacksonville, FL	Melichar, Ken	1780	Kansas City, MO
			Johnson, Ralph E.	911	Minneapolis, MN	Wilson, Steve E.	1857	Green River, WY
			Douglas, Glen	940	Wichita Falls, TX	Ladies Aux. Lodge	523	San Bernardino, CA
			Godino, Rueben	940	Wichita Falls, TX	Ladies Aux. Lodge	863	St. James, MN
			Kaser, Kent L.	940	Wichita Falls, TX			
			Martin, Greg D.	940	Wichita Falls, TX			
			Deleon, David M.	945	La Junta, CO			
			Dutton, Donald W.	945	La Junta, CO			
			Fosdick, Sammy J.	945	La Junta, CO			

* = Retired Member

Regional Meeting dates, rates set

Listed below are telephone numbers and room rates for the host hotels for the three **UTU/UTUIA Regional Meetings** scheduled for next year.

Due to the popularity of the meetings and the limited number of rooms available at the hotels, those members planning on attending a Regional Meeting should call as soon as possible to make their room reservations.

A one-night deposit is required to guarantee your reservation. It can be paid by credit card when you call.

Remember, each Regional Meeting will last **three full days**, and will offer something for everyone, from bus and rail members to local and general committee members to family members. A **golf outing** will be held the day before the first day of the meetings.

The schedule of the 1998 Regional Meetings, telephone numbers and room rates is as follows:

Monday, Tuesday and Wednesday, June 22-24
International Plaza,
Toronto, Ontario, Canada
(800) 668-3656
(416) 244-1711
\$99 (Canadian) per night

Monday, Tuesday and Wednesday, July 20-22
Westin Galleria and Oaks,
Houston, Tex.
(800) 228-3000
\$92 per night

Tuesday, Wednesday and Thursday, Aug. 11-13
Reno Hilton,
Reno, Nev.
(800) 648-5080
\$99 per night

T H E F I N A L C A L L

Following are the names of members of the UTU Retiree Program who have died recently, according to reports received at the UTU International Headquarters. These brothers and sisters will be missed by their many friends and by fellow UTU Retiree Program members.

Local Name	City/State	Local Name	City/State	Local Name	City/State
0028 Seckman, Paul G.	Loveland, CO	0633 Hull, Marshall A.	Hagerstown, MD	1293 Nelson, Adolph F.	St. Paul, MN
0117 Levak, Frank	Milwaukie, OR	0633 Sheppard, Svend D.	Westernport, MD	1376 Plant, Richard E.	Grove City, OH
0137 Pinkie, Malcolm C.	Elyria, OH	0724 Nielsen, Dudley F.	Bridgeview, IL	1381 Okrey, August J.	Munster, IN
0138 Lewis, Jasper C.	Florence, KY	0781 Beach, Cleo J.	Joaquin, TX	1462 Anderson Jr., Carl E.	Coventry, RI
0243 Lankford, R. J.	Waco, TX	0807 Boyd, C. A.	Tucson, AZ	1473 Sullivan, Edward J.	Dover, MA
0278 Seaburg, Harry L.	Grass Lake, MI	0830 Peters, Charles B.	Chambersburg, PA	1505 Bertholf, Harold C.	Spokane, WA
0286 Sanders, Clifford P.	Lincoln, NE	0838 Crabtree, Arthur W.	Drakes Br., VA	1534 Lester, William J.	Chicago, IL
0320 Sodeman, Wm. O.	Saginaw, MI	0867 Mullan, Maurice A.	Des Moines, IA	1591 Walter Sr., Wm. M.	Baltimore, MD
0471 Cunningham, M.C.	Springfield, OR	0924 Draffin, Waverley M.	Richmond, VA	1594 Schick, Larry A.	Drexel Hill, PA
0474 Angelica, Carlo	Gretna, LA	0931 Dearybury, C.H.	Greenville, SC	1620 Knight, Paul C.	Elkhart, IN
0498 Hannis, Raymond L.	Allentown, PA	0991 Dilworth, Harold H.	Steubenville, OH	1724 Littleton, Homer M.	Niles, OH
0544 Storck, Gordon E.	Laurel, MT	1038 Jensen, Arnold M.	Salt Lake City, UT	1732 Ryder, Robert B.	Edmond, OK
0565 White, Tim R.	Anna, IL	1106 Jackson, Julius C.	Hope Mills, NC	1761 Cherry, Chester J.	Saginaw, MI
0632 Deboss, Tony J.	Philipsburg, PA	1289 Looney, Harold R.	New Braunfels, TX	1928 Gaghen, Francis B.	Toledo, OH

UTU, UTUIA employees complete coursework



Pictured above are UTU and UTUIA International employees who have successfully completed their Fall 1997 Life Office Management Association (LOMA) coursework. From left are Laurie Boysko, Barb Tomasch, Jane Kane, Barbara Papp, Paula Grant, Cathy Goode, Helen Townsend, Bruce Karl, Bill Toth, Barb Hann, Anne Ezra, Rob Zanath, Jerry Palmer, Joe Oros, Sandra Kranick, Pat Durica and Karen Turchan.

To reinforce the United Transportation Union's commitment to providing the best possible service to its membership, a number of International employees of the UTU and UTUIA are participating in a workplace skill development program to increase their knowledge in the insurance and financial service industries.

The Life Office Management Association (LOMA) insurance education program schools UTU and UTUIA employees in a broad array of course work ranging from Principles of Life and Health Insurance to Information Management in Insurance Companies to Economics and Investments.

All participants in the LOMA program study their course work on their personal time and are required to pass examinations administered by a LOMA education representative. LOMA training is recognized by insurance companies around the world, and many of the largest insurance companies in the United States and Canada use LOMA instruction when training their employees.

The UTU and UTUIA believe in the value of education and are proud to support the continuing education of our International employees.

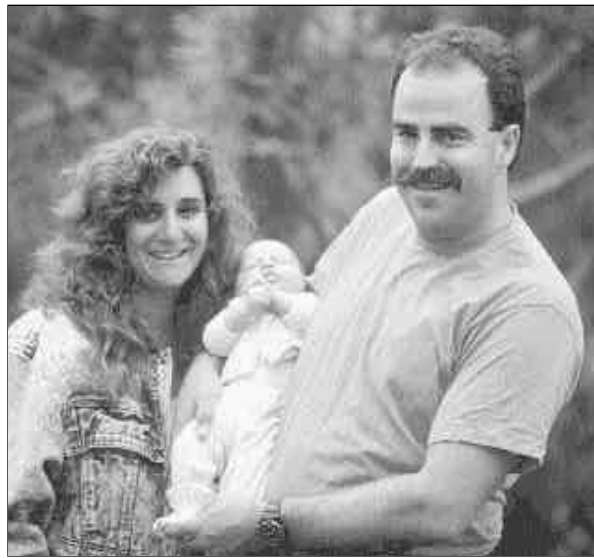
"Educated employees will help ensure the continued strength and growth of the UTU and UTUIA," said International President Charles L. Little.

ULTIMATE PAR

Don't Put Off Until Tomorrow...

You know the rest. So safeguard your loved ones today with permanent life insurance protection that allows you to choose the premium-paying period.

Unlike other whole life insurance, the **flexibility** of ULTIMATE PAR is in the premium-paying period. This policy can be created to allow premiums to be paid for shorter durations than the lifetime of the insured. A



limited premium-paying pattern allows you to make payments during the period when your earning power is high and relieves you of payments during later years when income decreases, such as at retirement.

Under a limited premium-paying pattern, you can create a policy which is paid-up with a single premium, or the premium can be spread over any number of years you select.

ULTIMATE PAR is especially suited for adults who wish to create a paid-up policy as quickly as possible, or to parents or grandparents who wish to provide a paid-up policy for their children or grandchildren. **Issue ages are 0-70.**

Make your own choice about the schedule of your premiums by choosing UTUIA's ULTIMATE PAR.

Information, Please

I would like more information on UTUIA's ULTIMATE PAR policy. **Please Print.**

Full Name		UTU Local Number
Date of birth	Sex	
Address		
City	State	Zip
Telephone Number with Area Code		
If the information is for someone other than yourself, please provide full name, sex, date of birth, and relationship of the person for whom the information is requested on the line below.		
Full Name		
Relationship	Date of Birth	Sex

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

2/98

UTUIA seeks 1998 Volunteer of the Year

The United Transportation Union Insurance Association is looking for a special person to honor as its 1998 Volunteer of the Year.

Do you regularly volunteer at a hospital or nursing home? Do you lead a Cub Scout or Girl Scout troop or work with the handi-

capped? Are you involved in some other activity that benefits those in your community? If so, we would like to know about it.

A panel of judges at the UTU International will review all submissions and select the 1998 Volunteer of the Year. The individual

selected as UTUIA Volunteer of the Year will receive a \$1,000 U.S. Savings Bond and a plaque of appreciation from UTUIA. Additionally, he or she will be honored at the 1998 UTU/UTUIA Regional Meeting nearest his or her home (all expenses paid by UTUIA). Also, 20 runners-up will be selected to receive certificates of appreciation for their volunteer efforts.

Deadline for submission of nominations is February 28, 1998.

The outstanding individual will be notified by registered mail, and certificates of appreciation will be forwarded to runners-up as soon as possible. Decision of UTUIA judges is final. Previous nominees may be nominated again, however, former Volunteers of the Year are ineligible to receive awards.

The Volunteer of the Year program is designed to accomplish many things, not the least of which is the opportunity for UTUIA to let its fraternal light shine. It also provides an opportunity for UTUIA to recognize its volunteers for their outstanding contributions to others.

The nomination form should be mailed to: **UTUIA Volunteer of the Year, 14600 Detroit Ave., Cleveland, OH 44107-4250.** Don't forget to include a separate sheet of paper describing your volunteer activities.

UNITED TRANSPORTATION UNION INSURANCE ASSOCIATION 1998 Volunteer of the Year Nomination Form

Name		Local
Address		
City	State	Zip
Telephone Number	Dates of Volunteer Activity	
Total Volunteer Time (hours, minutes)	<input type="checkbox"/> Weekly <input type="checkbox"/> Monthly	\$ Value of Contribution (if applicable)

Please attach separate sheet of paper describing volunteer activity.
The more documentation you can provide, the better.

2/98

UNITED TRANSPORTATION UNION INSURANCE ASSOCIATION, 14600 DETROIT AVE., CLEVELAND, OH 44107-4250.

Fatigue puts railroad workers on a dangerous track

Irregular schedules, antiquated regulations and railroad culture create crews of weary workers running trains.

By Charles Boisseau

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Photographs courtesy UTU Iowa State Legislative Director Pat Hendricks

Veteran railroad conductor Jimmy Davis told his wife the early morning train trip would be "a piece of cake." Instead, it would be his last.

The 57-year-old conductor died along with three other train workers on July 25, 1994, when his Southern Pacific (SP) freight train entered a curve of West Texas track and plowed head-on into another train coming from El Paso. The dozen colliding diesel engines burst into flames and created a jolt that some residents of nearby Marathon initially thought was an earthquake.

Federal investigators later concluded the probable cause was that the crew members of the eastbound train missed a stop signal as they suffered from "reduced alertness consistent with falling asleep and were not aware of the signal indications." The conductor had 4 1/2 hours of sleep in the prior 51 1/2 hours, while the engineer had slept 4 1/2 hours in 35 hours.

More specifically, the railroad's poor scheduling system made it difficult for workers to predict their work and rest times and plan their sleep, the National Transportation Safety Board (NTSB) said.

"My dad always said, 'You know, the unpredictability and the way they are pushing men to the brink, one of these days there's going to be the mother of all accidents,'" said Davis' oldest son, J.C., an engineer for Union Pacific (UP), which bought the SP. "And he was right."

Worker fatigue is an age-old problem in the 24-hour, seven-day-a-week railroad business, which has long demanded that employees ignore their body clocks and adapt to oddball schedules to move the goods.

A steep price to pay

In September, after the first of two safety inspections, federal regulators cited UP for safety problems including the concern that employees weren't getting enough sleep.

Of 14 accidents on UP lines in the past year that are under investigation by the NTSB, including three wrecks since June 22 that have claimed seven lives, at least two involve crew fatigue as a possible factor. Among them is the collision at 2:15 a.m. on July 2 in Rossville, Kan., in which an engineer was killed when his train rammed a passing freight train. The ensuing hazardous chemical fire forced 1,000 people to evacuate the area, including 76 residents of a nearby nursing home.

Engineers and conductors in the Houston area and elsewhere in Texas said they often work 70, 80 or more hours a week. Their work schedules have become even more wearisome since the summer, when UP began suffering from highly publicized traf-



In the words of one locomotive engineer, "The first hour of my run is a one-hour climb up a hill at about 10 miles per hour. I set the throttle in the lead engine at notch eight, the throttle on the pusher engine at the rear of the train at notch eight, and settle down knowing that for the next hour I'll be able to get some sleep. The alerter button? Studies have shown that you hit the alerter button faster when you're asleep than when you're awake."

fic tie-ups starting at the railroad's big Englewood Yard in northeast Houston. This has resulted in long delays and longer hours for employees.

But many conductors and engineers said despite working longer hours, the hardest part of the job is their ever unpredictable schedules. Often working seven or more days in a row, train workers privately confessed to suffering from exhaustion and sometimes falling asleep or operating trains while drowsy.

"We're not machines," said one 44-year-old conductor, who spoke on the condition of anonymity, like most other railroad employees interviewed.

Workers said the pay is good — about \$45,000 to \$100,000 a year — but the cost is high. Such a lifestyle can result in little family contact, widespread divorce and often a bone-weary exhaustion.

Omaha, Neb.-based UP, the nation's largest railroad, is not alone. Industrywide, the NTSB has identified crew fatigue as a factor in at least 10 major railroad crashes since January 1988. That's when it first cited fatigue as a probable cause in a head-on collision that killed four Conrail workers in Pennsylvania.

Labor unions complain that since Congress passed the Staggers Act in 1980 to largely deregulate railroads, numerous mergers have taken place and railroads have abandoned thousands of miles of tracks. This has meant fewer railroads are carrying more freight on one-third less track with almost one-third fewer employees than a decade ago.

"This is the only industry I know of in the world that the majority of its operating

employees don't know when they are going to go to work, don't know how long they are going to work and don't know how long they are going to get off," said Jim Brunkenhoefer, UTU legislative director and an ex-railroad engineer.

"A horrible way to live."

"It makes good money, but it's a horrible way to live," he said. With the rash of recent accidents, there is growing debate about the merits of the 90-year-old federal law that dictates hours of service for the nation's 250,000 railroad workers.

The law, unchanged in more than a quarter century, limits train crews to working 12 consecutive hours, and allows them to be called back to work within eight to 10 hours. But union members fear a change in the law would cut their paychecks.

And, railroads worry a change would greatly increase their costs, requiring them to add more workers. For each new hire, a railroad reportedly can expect to pay an additional \$20,000 a year in fringe benefits alone.

"It's kind of a ticklish situation. No one wants to make the first move on this," said Bob Lauby, director of the rail division of NTSB.

Meanwhile, some carriers are responding on their own by addressing fatigue in new ways, mindful of recent findings of sleep researchers into such things as circadian rhythms, the internal clock that beckons the body to surrender to sleep at certain times of day.

Some railroads have begun allowing train crews to nap while on duty, developing new scheduling systems and launching widespread employee training and educational

programs.

However, safety experts said while such changes likely will improve the situation over time, new technology also must be part of the solution to make safer this historically slow-to-change, macho industry.

Coping with fatigue

At a Houston union meeting, a 31-year-old engineer consulted a time book and calculated he had worked 96 hours, 15 minutes during the previous seven days.

This included one day in which he was on duty for 18 hours, 10 minutes, well over the 12-hour federal limit. However, the law applies to how long a worker can operate a train. It doesn't count "limbo time," the time a worker may wait on an idled locomotive for a van to pick him or her up and commute to a terminal.

"After you get back home, do your chores and rest, they're calling us in four to five hours" to go back to work, said the engineer, who is assigned to the railroad's "extra board."

"You get to the point that you are so tired that your ability to make decisions is hampered severely," said one 49-year-old conductor.

Another conductor showed his time sheets covering a recent seven-day period in which he worked a total of 68 1/2 hours. He started work at a different time each day: 1:30 a.m., 11:55 p.m., 2:15 a.m., 10 p.m., 10:30 p.m., 5:45 p.m. and 7 a.m.

During their off-hours, train workers can try to gauge how long they will be off by calling the railroad's toll-free phone line that gives a recorded message listing train "lineups." A worker punches in his or her Social Security number, and a recorded message tells where in line a worker is for various jobs.

Lineups highly inaccurate

But these lineups give approximate reporting times and are highly inaccurate, workers said. And because of the unpredictability, even when workers are given plenty of time off, they aren't necessarily rested. When staying at a motel during a trip to an away-from-home terminal, workers may be awake for 12 to 15 hours and ready to work, but not get a call. Just as they start to tire again, the phone rings.

"When I'm on the conductor extra board or on the pool board you cannot plan your days off," said a conductor. "The thing about it is the uncertainty of when the call's going to come." Workers said the railroad can reprimand them for being absent when they are called for work. Though they can ask for time off, often subtle or not-so-subtle pressure is applied for them to work. Some said they must lie and claim they are ill to get time off when they are tired.

Many crew members said they not only worry about being overly tired themselves, but also whether employees on oncoming trains and dispatchers are properly rested. Many said they fear the dispatchers they rely on are being overworked.

Finally, the widespread congestion on Union Pacific has contributed to longer hours in recent months, crew members said.

"UP's caused a lot of fatigue on us," said a 47-year-old engineer for Burlington North-



He's been awake for 34 hours straight. He never knows exactly when he's going to go to work. He never knows when he's going to get home. He never knows how long he'll be home before the telephone rings again. The sleeping quarters at his away-from-home terminal are noisy and uncomfortable. For many, the only way to get some rest is to lie, to claim he's sick, that he can't work. He won't get paid for the time he lays off, but it's the only way he can keep the company from working him to death.

ern Santa Fe Railway Co., which operates over many UP tracks. "It takes two to three crews just to make it to Lafayette, because of their problems. It used to take one."

Working to exhaustion and at odd hours, many train workers confessed they've fallen asleep on the job. Sometimes, they sneak in a nap while their train is stopped at side track waiting for oncoming traffic to pass. Other times they may inadvertently nod off while running the train.

"I can tell you it's happened to me before," said an engineer. "You come past something, and you say man what was that last signal? I've actually gone to sleep for 10 to 15 seconds—you just can't help it."

Brief blackout periods common

These brief blackout periods, or "micro sleeps" as sleep researchers refer to them, can be extremely dangerous, especially considering how long it takes to stop a freight train, and the fact many are loaded with dangerous chemicals, experts said.

"If the general public had any idea some of the chemicals we haul through this town, they would get real concerned," said Donnie Rainer, general chairperson of UTU Local 293, Houston.

Ex-Southern Pacific engineers complained that UP recently eliminated a rule that had allowed them to request extra time off, up to 18 hours of undisturbed rest when at their home terminal and 12 hours when away from home.

In exchange, UP implemented a policy that allows any of its 3,500 train and engine employees in Texas who work 14 consecutive days to qualify for two days off. Asked why the company doesn't provide all workers with regular days off each week, UP spokesman John Bromley said: "We can't do that because of the 24-hour, seven-day-a-week nature of our operation and (because) traffic varies day to day. You always have a constant flux of how many

people you need. It's a problem in our industry forever."

Fatigue gets more attention

Accident investigators are paying more attention to fatigue, said Lauby of NTSB. "In the past, we never would have put as a probable cause that the crew member was asleep."

The NTSB has identified irregular work/rest cycles as a contributing factor in a variety of accidents, including the November 1990 head-on collision of two Atchison, Topeka and Santa Fe Railway Co. trains in Corona, Calif., which killed four crew members and injured two others.

The NTSB has recommended the Federal Railroad Administration adopt rules that limit the irregular work/rest periods, so far to no avail.

The Texas Railroad Commission, which regulates rail crossings and equipment in the state, recently asked the FRA to require a 12-hour minimum rest period between shifts before workers in Texas can return to work. "We believe people should not operate hazardous trains through the neighborhoods of our state unless the engineer and conductor with them has had sufficient time when they were rested," said Jerry Martin, director of the rail division of the commission. "We wanted to say, 'Railroads, you can't work your people to the death to the point the public's safety is endangered.'"

However, it is Congress, not the FRA, that sets the hours. The FRA has asked Congress to grant it the same authority over railroad work rules that federal agencies have over the airlines and highway carriers, but Congress has declined.

An FRA spokesman said the issue is complicated by the fact that workers want to work long hours to make more money.

"Some guys are greedy," admitted one conductor. But he said, "Ninety percent of us want our rest."