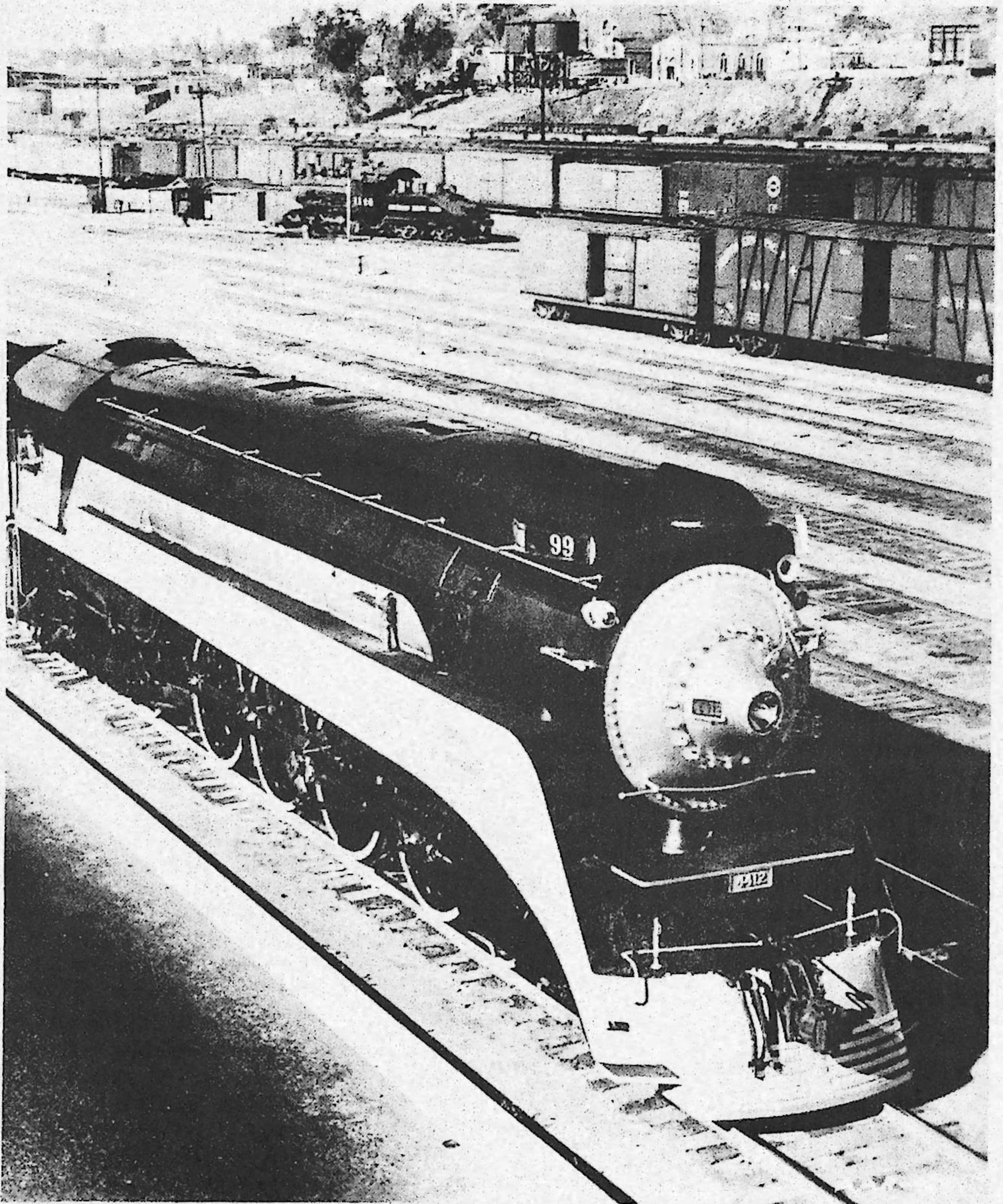


FALL 1991

THE TRAIN DISPATCHER



Cover Story Page 90

THE TRAIN DISPATCHER

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(ISSN 0041 0837)

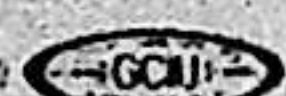
Vol. 74 FALL No. 3

Published four times a year as follows: (1) March, (2) June, (3) September, (4) December, at Train Dispatchers Building, 1401 S. Harlem Ave., Berwyn, Illinois 60402 by the American Train Dispatchers Association.

Entered as second-class matter, December 10, 1965, at the post-office at Ottumwa, Iowa under the Act of March 3, 1879. Subscription price, \$5.00 per year for members and \$12.00 per year for non-members.

POSTMASTER: Forms 3579 should be addressed to The Train Dispatcher, 1401 South Harlem Ave., Berwyn, IL 60402.

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MEMBER



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Change of Address Notice

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THE PRESIDENT'S PAGE

By R. J. Irvin, President



We have a guest writer for this page in this edition, but first a few brief comments are in order.

We're in the midst of preparing for the Twenty-Sixth General Assembly, which convenes in Las Vegas on October 28, 1991. The preparation of an event of this kind is substantial. Besides arrangements with the host hotel, there are committees to appoint, documents to prepare, guest speakers to invite (and arrangements to schedule them and get their accommodations), and reports to make ready.

Notwithstanding the needful work, we are looking forward to renewing acquaintance with many of you who will attend as Delegates.

—•—

Another example of the Reagan-Bush Administration's anti-labor bias has just surfaced. Labor has had enemies in the government before, but the old adversaries were more discreet. By contrast, the present Administration has no sense of shame in its open, unvarnished support of big business in opposition to workers.

Now, the Federal Railroad Administration is soliciting bids from contractors to examine the effect of federal laws on railroad productivity. This is nothing more than an attempt by the White House to promote the railroad industry's legislative agenda, and the FRA states the list of rail-specific laws includes, but is not limited to: The Railway Labor Act; the Federal Employers Liability Act; the Interstate Commerce Act and its practices on labor protection; the Railroad Retirement Act; the Railroad Unemployment Insurance

Act; and the Hours of Service Act.

We find it ironic and discouraging that an agency which was designed to regulate the railroad industry is unashamedly moving to advance the selfish interests of that industry. But even more so, this agency is ready to spend tax dollars for this purpose, while at the same time, by its inaction, it implicitly admits it cannot develop and quantify data on train dispatcher stress factors and workload measurement. These are direct quotations from FRA's "Train Dispatcher Training Standards Inquiry" dated May 1990, concerning occupational stress and workloads, respectively:

"FRA intends to pursue this issue by contracting with outside experts, while retaining control of the process."

"FRA intends to further address this issue in the future."

Well, they say the road to the nether regions is paved with good intentions. Do you wonder why *our* studies are neglected while this attack on *our* laws is promoted? The answer is quite obvious. Anything that benefits labor always takes a back seat while financial interests are advanced. It shall ever be thus when we place our trust in the politicians of extreme conservatism.

—•—

Our guest article was authored by Brother Jack Sheinkman, President of the Amalgamated Clothing and Textile Workers Union. It first appeared in the WALL STREET JOURNAL on March 7, 1991.

Daily News Scoop: Busting Labor Is Bad Economics

by Jack Sheinkman

First Published in The Wall Street Journal, Thursday, March 7, 1991

This morning, Robert Maxwell sits down with representatives from unions of the New York Daily News to work on a deal to purchase the newspaper. The Maxwell meetings may bring an end to a chapter in the long trials of the New York newspaper. Since October, when the paper's workers took to the streets to protest the management of the Chicago Tribune Co., the Daily News has neared death time and again. It is ironic that the executive who has the vision to see the paper's importance as an American institution is a British publishing magnate.

Whether Mr. Maxwell's rescue has a happy ending or not, the story of the Daily News is part of an American tragedy. American industry is trying to compete in the global marketplace. Yet tens of thousands of American workers have lost their jobs in the past few years due to speculative investment policies and management decisions to bust unions. Even though some pundits claim we are already emerging from the recession, this damage will be hard to right.

If Robert Maxwell buys the Daily News, the paper will be a different one, one that has lost some of the spirit—and, at least at first, many of the advertisers—it once boasted. If the paper folds, a part of New York will be silenced forever by the irresponsible tactics of the Tribune Co.

The Tribune Co., under the leadership of Charles Brumbach, was never committed to the collective bargaining process. In the 1980's Daily News unions made important concessions at the request of the Tribune Co. The unions enabled the company to go public, enriching much of its management. Labor scarcely benefited from the change. And it gave up \$30 million in concessions in 1987 based on an unrealized promise of new production facilities.

The Tribune Co. even sold off the paper's most valuable resource: the historic Daily News building on 42nd Street, which most Americans know as the Daily Planet building in Superman movies. To whom did they sell it? To the Tribune Co.

Such behavior was part of a trend we first saw in the 1980s—the trend in which companies acquire new subsidiaries and then systematically ransack their assets. Frank Lorenzo did the same thing when he bought Eastern and sold its assets immediately to his own holding company. We are still seeing the sad result of his work in the Eastern Airlines Chapter 11 court proceedings.

Chief executive officers like Messrs. Brumbach and Lorenzo also ran down their own companies in a second way. They decided that busting unions by using cheaper replacement workers improves a business's operating margins. The Tribune Co. used the same union-busting strategy at all of their subsidiaries: let contracts expire, make superficial negotiating attempts, ignore past agreements, hire replacements and file a lot of lawsuits.

When the nine unions at the Daily News were forced to strike on Oct. 25, they didn't strike over wages. They struck for one overriding reason: the right of workers to be treated with dignity on the job.

The Tribune Co. spent \$25 million for strike preparations at the Daily News in the first 10 months of 1990. All of the company's energies went into destroying the paper and the people who made the paper great, instead of trying to save it. The company spent millions of dollars keeping scabs in hotels, training them and awaiting the moment when the permanent work force would be forced outside the plant gates.

Reporters were forced to work with gun-toting security guards, plant workers with watchdogs. Within 20 minutes of a management lockout last October at the Brooklyn printing plant, busloads of strike-breakers drove through the gates. While the Tribune

Co. tried to blame workers' intransigence and "feather-bedding" for the trouble at the News, the company refused to bargain in good faith, according to a complaint issued by the National Labor Relations Board, an impartial federal agency.

It didn't have to be this way. One little known secret about the Tribune Co. is that when it's forced to deal with unions, it does. In Canada, where the company owns paper mills, it recently settled with its unions. Why? Because the law of the provinces where the mills are located outlaws the use of permanent replacement workers.

Yet the trend here seems to continue. The beginning of March marked the one-year anniversary of another unfair-labor-practice strike—against Greyhound. Like Messrs. Lorenzo and Brumbach, Fred Currey of Greyhound resorted to replacement workers instead of collective bargaining. Today, that company is a shadow of itself and many communities across America that were dependent on the Greyhound bus for travel are disenfranchised.

How did this all happen? A historic trust among labor, business and government, a trust in the collective-bargaining process, is being undermined by tactics like those used at the Daily News. Since a 1938 Supreme Court ruling, employers have had the right to fire and replace strikers, a right they rarely exercised until President Reagan started firing air traffic controllers in 1981. Since then, we've seen a decade of corporate assaults on American workers to hire permanent replacements—or scabs. This recycling of one work force for another is not only inhumane, it is terribly shortsighted. A nation that sits by while its airlines, bus companies and hometown papers self-destruct is a nation behind the times.

That the U.S. has lost international competitiveness in the same years that it permitted such policies is no accident. What are the labor policies of economies bypassing ours? Both Germany and Japan have strong labor movements and co-determination among labor,

government and management. The German trade union movement, for instance, represents 41% of the workers in that country. German management spends time working to improve productivity alongside labor, instead of fighting the workers and causing unemployment and social disintegration. German wages and living standards are high, contrasted with an American corporate policy of the past several decades to decrease workers' wages and living standards.

The time has come for corporate America to figure out how America can compete. New strategy must include motivating American workers by engaging their creativity and loyalty, not instilling fear and insecurity into the workday. Organized labor is open to working with management and government to revive our nation's economy. American workers want nothing less than a secure future for themselves and their children. But corporate America must recommit to maintaining a dedicated work force and renounce the tactics of those executives who would rather fight their employees than negotiate.

"The Labor Day Show" Celebrates American Workers

Labor Day, which began as a protest march to improve workers' lives, is today better known as the chance for one last summer barbecue. The LABOR DAY SHOW, a 90-minute public television special produced by WHYY/Philadelphia, captures the traditional spirit of the holiday by profiling American workers from all walks of life. Airing Monday, September 2 at 8 and 9:30 p.m. EDT, THE LABOR DAY SHOW highlights the bittersweet holiday that honors workers, marks the end of summer and the beginning of school and political campaigns.

Comedy, music, political satire, readings from American literature and nostalgia provide the program's fresh, upbeat approach to the holiday. □

Twenty-Sixth General Assembly

Committee Assignments

Credentials Committee

B.K. Bolton, Jr., G.C., KCS
G.W. Grohn, G.C., BRC
W.C. Young, G.C., NRPC

Constitution and Rules and Order of Business Committee

R.R. Bailey, G.C., BN
L. DeYoung, G.C., GTW
V. Skeans, G.D., CSX

Resolutions and Legislative Committee

G.L. McDaniel, G.C., SLSF (BN)
T.J. Ringwood, G.C., MN (PS)
M.A. Westphal, G.C., NICTD

Committee on Finance, Salaries, and Officers' Reports

G.L. Golden, G.C., Chessie System (CSX)
L.A. Parmelee, G.C., ConRail
D.W. Volz, G.C., SP (EL)

Committee on Press and Greetings

M.F. Greenwell, G.C., Wabash (NS)
G.E. Smith, G.C., D&H
G.S. Wasserman, G.C., PATH

Committee on Grievances and Appeals

A.R. Biegelson, G.C., SIRTOA
J.E. Coleman, G.C., NYC&StL (NS)
R.W. Ford, G.C., SP (WL)

Judge and Tellers

D.G. Masek, G.C., TRRA
G.R. Mueller, G.C., C&NWT
J.M. Varney, G.C., Soo Line

Sergeants at Arms

C.R. Beebe, Jr., G.C., P&PU
P.E. Howard, G.C., B&Ar

Notice of the 26th General Assembly

The 26th General Assembly of the American Train Dispatchers Association will convene at the Riviera Hotel & Casino, Las Vegas, Nevada Monday October 28, 1991.

LEGAL NOTICES

Dues 1991

For those who have elected to pay their 1991 dues on a quarterly basis, dues for the fourth quarter become payable on Oct. 1, 1991. Fourth quarter amounts are: Active, \$142.50. Active Extra, \$71.25. Associate membership dues are payable on an annual basis only, the next payment for those already having paid their 1991 dues, being due on Jan. 1, 1992.

System dues in the amount established by the system committee on each road must be added to and accompany the national dues. FOR THE SAME DUES PAYING PERIOD THE NATIONAL DUES ARE PAID.

Notice of Supplemental Tax Rate For July-September 1991 Quarter

The Railroad Retirement Board is required by law to determine the work-hour supplemental railroad retirement tax rate needed to pay supplemental annuities and administrative costs for each calendar year.

The board has determined that for the quarter beginning July 1, 1991, the rate shall be 28½ cents per work-hour.

PROPOSED AMENDMENTS

Pursuant to Article XX Section 1 of the Constitution and By Laws of the American Train Dispatchers Association, the following proposed constitutional amendments have been received from at least 10 members of CONRAIL who are members in good standing:

Proposed Amendment No. 1

Amend Article 1, Section 4: Form of Application

"The amount enclosed, \$_____, is in payment of the initiation fee, dues to the end of the (monthly) dues paying period...."

Proposed Amendment No. 2

Amend Article 5, Initiation Fee and Dues

"The monthly dues of all active members of this Association effective January 1, 1992, shall be:

One and seven tenths percent (1.7%) of the lowest trick train dispatcher (or power supervisor/director if employed in that craft), monthly rate of pay (including any applicable cost of living allowance) in effect in the office where the member is employed, subject to such increases in pay rates as may subsequently occur.

Where monthly rates of pay are not in effect, they shall be determined, for the purpose of this section, by multiplying the daily rate by 21.75 or the hourly rate by 174 as the case may be."

Proposed Amendment No. 3

Amend page 7 second paragraph:

"Dues are payable monthly in advance."

Proposed Amendment No. 4

Amend Section 7: Maintenance in Good Standing

"Members who fail to pay dues within one calendar month from the beginning of monthly dues paying period, will be considered delinquent and will be so notified by the secretary treasurer."

Proposed Amendment No. 5

Amend Article XI System Committee Section 13: Establishment of System Fund

"Each System committee shall provide a fund to be known as the System fund. The secretary treasurer shall remit eighteen percent (18%) of the monthly dues received from each member on a system to the system fund on that system."

R.L. Rafferty, Secretary/Treasurer

—•—

Pursuant to Article XX Section 1 of the current Constitution and By Laws of this Organization, the following amendments have been submitted by at least 10 members in good standing from CONRAIL:

Proposed Amendment No. 1

Amend Article II, Section 5 (a) and (b), on pages 6 and 7 to read as follows:

a. Effective January 1, 1992, the initiation fee for active membership in the Association shall be One-Hundred Dollars (\$100.00) and for Active-Extra membership Fifty Dollars (\$50.00) these fees to be refunded to the Custodian of the System Fund on each road on which a System has been established.

b. The annual dues of all Active members of this Association shall be computed as follows:

Multiply the established monthly rate of the trick train dispatchers position on each road by 1.7%.

1. on roads where one rate is in effect, that rate shall be used in computing the dues payable each month.

System Fund dues, are established pursuant to Section 13 of Article XI of this Constitution and By-Laws on each road, shall be refunded by the Secretary-Treasurer to the custodian of the System Fund at the rate of 17.5% of the total monthly amount collected.

While dues are computed on a monthly basis, they are payable annually in advance. Dues of Active and Active-Extra members may be paid semi-annually or quarterly should a member so elect....(remainder of this paragraph remains the same)

Proposed Amendment No. 2

Change Article XI, Section 13, pages 39 and 40 to read as follows:

Sec. 13. Establishment of System Fund and Payment of System Dues

Each System Committee shall provide a fund to be known as the System Fund. The Fund shall be maintained by System Fund dues, payable by all Active and Active-Extra members of the Association of the System, in the amount set forth in Article II, Section 5 (b) of

this Constitution and By-Laws.

Special system assessments may be levied upon approval by majority secret ballot vote of the members in good standing on that system, voting in a referendum conducted by the General Chairman, subject to further approval of the President. Such assessment shall be in addition to regular dues, but the amount of the assessment shall not exceed the amount to be received in annual system dues reimbursement during that year. (remainder of paragraph remains the same)

R.L. Rafferty, Secretary/Treasurer

Families USA Charges Insurance Industry Peddles Worthless 'Barebones' Policies

WASHINGTON (PAI)--Insurance industry lobbying has led 17 states to reverse laws assuring consumers that health insurance policies cover vital services such as prenatal care, mammographies, preventive services for children, optometry, and treatment for mental illness and substance abuse, according to Families USA Executive Director Ron Pollack.

At a time when health care costs are skyrocketing, insurance companies are presenting state legislatures with the opportunity to create low-premium, low-protection, high deductible plans as alternatives to high premium plans.

"We are going to save money for you out of your left pocket with low premiums, but then sock it to you in your right pocket," Pollack said, adding that "barebones" policies are bad for the nation's health. He said companies are trying to divert legislatures from establishing real reforms, while limiting coverage.

"The insurance industry is trying to return us to an era of insurance agents selling snake oil: health insurance that doesn't insure. They call it barebones insurance, but the barebones are af-

flicted with rickets," he said. The limited coverage plans are targeted to small, non-union companies that are suffering most from escalating health care costs. Pollack said 60 percent of uninsured persons have incomes at or below 200 percent of poverty (a three-person household earning \$22,000 a year).

In Kentucky, one barebones policy provides no coverage at all for outpatient costs. It includes only 14 days of a hospital stay, and covers only 50 percent of all in-patient fees. Pollack said that even with this limited coverage, the annual deductible is \$300 with a 20 percent co-payment for hospital days. With a Missouri barebones policy, coverage extends to only \$50 worth of emergency care and ten in-patient hospital days.

In Kansas, the report said, a barebones policy gets the worker to pay the first \$5,000 of his health care bills, plus monthly premiums. Pollack said, "The average worker's annual pay in the U.S. is \$18,000 before taxes. Paying a \$5,000 deductible before the insurance takes effect means just one thing: workers cannot afford to get the health care they need."

Families USA advocates prohibiting coverage exclusions for pre-existing conditions. The non-profit research group also advocates reducing red tape, paperwork, and advertising, which is currently costing 40 percent of paid premiums. Standardizing costs and limiting redlining of small businesses are also on the Families USA agenda. Vermont, Maine, Connecticut and several other states are considering such legislation.

Cover Story

This was queen of the road at one time. It was one of the "streamlined" steam locomotives--in this case on the Southern Railway--about which the carriers boasted in the days before diesel became king.

RRB NOTES

RRB Lump-Sum Retirement Payments

by R.L. Rafferty, Secretary-Treasurer

Payments of separation allowances are subject to railroad retirement tier I and tier II payroll taxes. However, while these payments may be fully taxable, they do not always provide additional tier II service credits yielding a higher retirement annuity. In such cases, a lump sum, based on tier II payroll taxes deducted from separation or severance payments, can be paid by the Railroad Retirement Board to employees with 10 or more years of service upon their retirement. This lump-sum provision applies to separation and severance payments made after 1984.

The following questions and answers provide additional information about these lump-sum retirement payments.

1. How much can these lump-sum payments amount to?

The lump sum can never exceed the maximum amount an employee would have paid in tier II taxes for the year the separation allowance was paid.

The 1991 tier II tax rate on employees is 4.9% and the maximum earnings subject to the tax are \$39,600. The maximum lump sum that would be payable to an employee based on a separation allowance paid in 1991 would be equal to the employer's tier II tax of \$1,940.40.

2. Why aren't tier I taxes taken into account in these lump-sum payments?

Tier I benefits are based on lifetime average earnings and additional taxable earnings credits can yield a higher retirement annuity. However, because of the way tier II benefits are figured on the basis of service months and high 5-year earnings averages, additional taxable earnings credits not allocated to service months do not yield higher retirement benefits. And, additional service months are not credited after an employee relinquishes rights to a railroad job.

3. If an employee was credited with 12 months of service and maximum taxable earnings before the payment of a separation allowance in the same year, would a lump-sum retirement payment still be due?

No, because if the annual maximum in railroad retirement taxes had already been deducted from the employee's wages, retirement taxes would not be withheld from the separation allowance. Also, no lump sum is payable if an employee is credited with 12 service months in the year the separation allowance is paid.

4. What if the separation allowance was paid after the end of the year in which the employee had maximum taxable earnings?

If the employee severed his employment relationship in December 1990, no service months could be credited in 1991, but a separation allowance paid in January 1991 would be subject to tier I and tier II taxes. If the separation allowance was \$40,000, the separation allowance would be subject to the tier I tax of 7.65% on 1991 earnings up to \$53,400, and the employee tier II tax of 4.9% on 1991 earnings up to \$39,600, with the latter yielding a lump sum equal to the tier II taxes of \$1,940.40.

5. An employee worked in all 12 months of 1990, earned a total of \$30,000, relinquished his rights in mid-December and was paid a separation allowance of \$42,000. Would this employee be eligible for a lump sum and, if so, in what amount?

No lump sum would be payable. In 1990, the maximum amount of compensation subject to the tier II tax of 4.9% was \$38,100, and the employee's wages were \$8,100 below the tier II taxable earnings maximum. The \$8,100 of the separation allowance consequently subject to tier II taxes would be allocated among the employee's 12 service months to provide maximum creditable compensation for the 12 months of the year and increase future benefits. And, as mentioned earlier, no lump sum is payable if an employee is credited with 12 months of service in the year the

separation allowance is paid.

6. Could the point in time at which an employee relinquishes his rights to accept a separation allowance affect the crediting of his rail service?

Yes. For example, if an employee worked in January and February and relinquished his rights in February, no additional service months could be credited. The amount of the separation allowance that would be taxable, but could not be allocated to any service months, would be the basis for computing the lump sum.

However, if the same employee did not relinquish his rights until April to accept the separation allowance, a portion of the separation allowance would be allocated to March and April, providing two deemed service months. The remaining amounts of the taxable separation allowance (if any) would be the amount used in computing the lump sum.

7. When are these lump-sum retirement benefits paid?

Payment of the lump sum is not made until an employee actually retires and becomes entitled to a railroad retirement annuity. If an employee dies before retirement, payment would be made to his or her survivors.

While payment of a regular railroad annuity can often begin about 30 days after the actual retirement date, payment of the lump sum cannot be initiated until after the railroads submit their annual reports of service and earnings to the Railroad Retirement Board. By the end of February of each year, railroad employers are required to submit reports of the service and earnings of their employees, including all information on separation allowances, for the previous calendar year.

Allowing time for processing the information in the annual reports, it will generally be July or August before payment of the lump sum is made by the Railroad Retirement Board to the retired employees who received a separation allowance in the previous year.

For more information on these lump-

sum payments and other railroad retirement benefits, contact the nearest office of the Railroad Retirement Board. Most Board offices are open to the public from 9 a.m. to 3:30 p.m., Monday through Friday.

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Separation Allowances and Railroad Retirement Benefits

Many railroad employees have raised questions with the Railroad Retirement Board concerning the effect that acceptance of a separation allowance from a railroad employer would have on their future eligibility for railroad retirement and unemployment insurance benefits paid by the Board. The following questions and answers provide information on this subject.

1. Would leaving railroad work and accepting a separation allowance mean that an employee forfeits any future entitlement to an annuity under the Railroad Retirement Act?

As long as an employee has acquired at least 120 months (10 years) of creditable rail service, he or she would be eligible for a regular railroad retirement annuity upon reaching retirement age, regardless of whether or not a separation allowance was ever accepted.

However, if a person permanently leaves railroad employment before attaining retirement age, he or she may not be able to meet requirements for additional benefits paid by the Board to career employees or their families.

2. How are separation allowances credited under the Railroad Retirement and Railroad Unemployment Insurance Acts?

Separation, displacement, dismissal, and similar payments that result from abolishment of an employee's job are creditable as compensation under the Railroad Retirement and Unemployment Insurance Acts. While the actual names of these payments may vary, the treatment given these payments by the Board will depend upon whether the employee has relinquished or retained his or her job rights.

If the employee relinquishes job rights to obtain the compensation, the Board considers it a separation allowance. Separation allowances are credited, up to the maximum earnings base that is in effect, to either the month last worked or, if later, the month in which the employee severed his or her employment relation. This is true regardless of whether the payment is made in a lump sum or on a periodic basis.

If the employee retains job rights and receives monthly dismissal or coordination allowances, the allowances are considered compensation and credited to the months for which the allowances are allocated. This is true even if the employee relinquishes job rights after the end of the period for which a monthly dismissal allowance was paid. However, supplemental unemployment benefits paid under a Railroad Retirement Board-approved nongovernmental plan by a railroad or third-party are not considered compensation for railroad retirement purposes.

3. Suppose an employee is given a choice between (1) relinquishing job rights and having the payment he or she receives to one month or (2) retaining job rights and having the payment credited to the months for which it is allocated. What are some of the railroad retirement considerations the employee should keep in mind?

Individual factors such as an employee's age and service should be considered.

For example, if an employee is already eligible to begin receiving an annuity, the employee may find it advantageous to relinquish job rights, accept a separation allowance, and have his or her railroad retirement annuity begin on the earliest date allowed by law. Any periodic payments made after that date would not preclude payment of the annuity because the employee has relinquished job rights and the periodic payments are all credited to a single month prior to the annuity beginning date.

On the other hand, some younger employees may find it more advantageous to retain job rights and accept

monthly compensation payments if these payments would allow them to acquire 120 months of creditable rail service and establish future eligibility for a railroad retirement annuity. Also, additional service months might allow a longer service employee to acquire 25 years of rail service, which is required for supplemental annuities paid by the Board, or 30 years of service, which is required for early age annuities. Establishing 25 years of service could also aid an employee in maintaining a current connection under the Railroad Retirement Act.

In any case, there are other financial or personal factors involved besides railroad retirement eligibility.

4. Why would maintaining a current connection be advantageous for railroad retirement purposes?

If a current connection is broken, an employee would lose eligibility for any supplemental annuity that may be payable by the Board. In some cases, a current connection can help to establish eligibility for certain disability benefits or vested dual benefits. In addition, if an employee does not have a current connection, the Social Security Administration rather than the Railroad Retirement Board would have jurisdiction of any survivor benefits that become payable in the future. The survivor benefits payable by the Board are generally greater than those paid by social security.

5. How would acquiring 25 years of railroad service assist an employee in maintaining a current connection?

The current connection requirement is normally met if the employee worked for a railroad in at least 12 of the last 30 consecutive months before retirement or death. Work outside the railroad industry following the 30-month period may break an employee's current connection.

However, since 1981, a current connection can be maintained for purposes of supplemental and survivor annuities if the employee completed 25 years of railroad service, was involuntarily terminated without fault from the railroad

industry, and did not thereafter decline an offer to return to work in the same class or craft as his or her most recent railroad service, regardless of the location of the work offered.

If all of these requirements are met, an employer's current connection may not be broken, even if the employee works in regular nonrailroad employment after the 30-month period and before retirement. This exception to the normal current connection requirement became effective October 1, 1981, but *only* for employees still living on that date who left the rail industry on or after October 1, 1975, or who were on leave of absence, on furlough, or absent due to injury on October 1, 1975.

6. Would the acceptance of a separation allowance have any effect on determining whether an employee could maintain a current connection under the exception provision?

In cases where an employee has *no option* to remain in the service of his or her employer, the termination of the employment is considered involuntary, regardless of whether the employee does or does not receive a separation allowance.

However, an employee who chooses a separation allowance instead of keeping his or her seniority rights to railroad employment would, for railroad retirement purposes, generally be considered to have voluntarily terminated railroad service, and consequently would not maintain a current connection under the exception provision.

7. An employee with 25 years of service is offered the choice of keeping his or her current job or relinquishing any rights to it and accepting severance payments. The employee has the option of taking the payment in a single lump sum; or having it paid in several installments; or of receiving monthly payments until age 65. How would each option be treated for the purpose of crediting compensation and service under the Railroad Retirement Act and what effect would each option have on the employee's current connection?

Regardless of which option the employee chooses, the payments would be credited to only one month because the employee relinquished job rights in order to receive the payments. The payments are therefore considered a separation allowance and are creditable only in the month last worked or, if later, the month in which the employee severed his or her employment relation. This is true whether payment is made in a lump sum or in installments, and regardless of how long the payments continue. Also, because the employee did have the option to remain in employer service and voluntarily resigned to accept the payments, his or her current connection would not be maintained under the exception provision. Thus, nonrailroad work after the 30-month period and before retirement could break the current connection.

8. Are separation allowances subject to railroad retirement payroll taxes?

Under the Railroad Retirement Tax Act, which is administered by the Internal Revenue Service, payments of compensation, including separation allowances, are subject to the tier I and tier II tax rates and the annual maximum earnings bases in effect when the compensation is paid. This is true whether payment is made in a lump sum or on a periodic basis.

To the extent that the separation or severance payments do not yield additional railroad retirement service credits, a lump sum, equal to railroad retirement tier II payroll taxes deducted from separation or severance payments, will be paid upon retirement to employees with 10 or more years of service. This lump sum applies to separation and severance payments made after 1984.

If an employee has an option about how a separation allowance is to be distributed, he or she should consider the impact of both payroll taxes and income tax on the payments. Employees with questions in this regard should contact the payroll department of their railroad employer and/or the Internal Revenue Service.

9. Suppose an employee is offered a separation allowance by a rail employer. If the employee accepts, would he or she also be able to receive unemployment benefits paid by the Railroad Retirement Board?

An employee who accepts a separation allowance cannot receive unemployment or sickness benefits for roughly the period of time it would have taken to earn the amount of the allowance. This is true regardless of whether the allowance is paid in a lump sum or installments. For example, if an employee's salary was \$2,000 a month and the separation allowance was \$8,000, he or she would be disqualified from receiving benefits for approximately 4 months.

10. Can an employee receive unemployment benefits after his or her separation allowance disqualification period has ended?

An employee who has not obtained new employment by the end of the disqualification period and is still actively seeking work may be eligible for unemployment benefits at that time. The employee must meet all the usual eligibility requirements, including the availability for work requirement. An employee can establish his or her availability for work by demonstrating a willingness to work and making significant efforts to obtain work. In judging the employee's willingness to work, the Board considers, among other factors, the reason the employee accepted the separation allowance and the extent of his or her work-seeking efforts during the disqualification period.

11. Where can an employee get more specific information on how benefits payable by the Board are affected by a separation allowance?

Employees should contact the nearest field office of the Railroad Retirement Board for information as to how a separation allowance they have been offered could affect their eligibility for railroad retirement benefits. However, Board personnel are not equipped to advise on other financial factors, or personal factors, which may also bear consideration.

TCU Clerical, White Collar Workers Ratify Agreement With Railroads

ROCKVILLE, MD. (PAI)--Transportation Communications President Richard Kilroy announced that TCU members performing clerical, computer and white-collar jobs in the rail industry have ratified a tentative agreement with the railways. Members voted to approve the settlement by a margin of 57 percent to 43 percent.

Based on the average \$14.25 clerical wage rate, members receive \$10,777.68 from ratification by 1995. The added earnings include a \$2,000 lump sum on signing, a three percent wage hike, a \$1,025 lump sum COLA in 1992, and another lump sum COLA in 1993. Other increases are a three percent wage hike in 1993, a \$1,056 lump sum COLA in 1994, a four percent wage hike in 1994, and a \$732 lump sum COLA in 1995. The agreement provides additional cost of living increases every six months following the 1995 payment.

According to the TCU-rail pact, members will not contribute to health care until 1993, when a \$45 a year contribution is estimated. Employee contributions to health insurance will only come out of COLAs, Kilroy said. If there is no COLA in a particular year, there will be no employee contribution to coverage. TCU will offer managed health care programs, but no member will be forced to join.

Some 21,000 members of TCU's Carmen's Division will not fall under the rail agreement, but will pursue their own bargaining settlement before the Special Board, which was established by legislation that ended the April 17 rail strike.

September: that transitory time of year when the glowing fires of the backyard barbecues die out and the little lights on the electric blankets begin to come on.

**Status of Disputes Submitted by A.T.D.A. to Third Division
National Railroad Adjustment Board**

Docket No.	Railroad	Subject of Dispute	Sub- mitted	Status as of 7-12-91
TD-28740	NYC & STL (N&W)	Discipline (Hipsher - Ft. Wayne)	3-16-89	Sustained in part 6-25-91 Award No. 28830
TD-28680	AMTRAK	Discipline - Murdock (Philadelphia)	3-31-89	Sustained in part 6-25-91 Award No. 28827
TD-29678	NYC&StL (N&W)	Overtime (Relief Chief Dispatchers - Fort Wayne)	1-9-91	Withdrawn 6-25-91 Award No. 28868
TD-28673	KCS	Overtime (Tucker & Fleming)	3-17-89	Argued before Referee Goldstein 3-12-90
TD-28520	N&W	Transfer of Work - Power Distribution	8-31-88	Assigned to Referee Benn
TD-28766	GTW	Sick Leave - Rasmussen, et al.	3-31-89	Argued before Referee Meyers 9-7-90
TD-28774	StLSW	Extra Work - G.W. Miller	4-11-89	Argued before Referee Meyers 9-7-90
TD-28781	W&LE (N&W)	Discipline (Geissman - Brewster)	4-13-89	Argued before Referee Meyers 11-16-90
TD-28898	Southern	Classification - Superintendent Transportation Locomotive	7-7-89	Proceedings Stayed by order of Fed. Court
TD-28988	AMTRAK	Discipline (Bucci - Philadelphia)	11-16-89	Argued before Referee Dennis 6-15-90
TD-29129	C&O (CSX)	Compensation - Assistant Chief Work (Grand Rapids, MI)	12-20-89	Argued before Referee Lieberman 1-19-91
TD-29152	NYC&StL	Transfer of Work (Van Loon & 80th St.)	12-29-89	Argued before Referee Vernon 12-17-90
TD-29184	AMTRAK	Discipline (Akins - Philadelphia)	1-23-90	Argued before Referee Vernon 12-17-90
TD-29183	AMTRAK	Sick Leave (Owings - Philadelphia)	1-23-90	Argued before Referee Vernon 12-17-90
TD-29245	Chessie (CSXT)	Transfer of Work - Middletown Branch	3-8-90	Argued before Referee McAllister 3-15-91
TD-29250	CSXT	Discipline - Strelczyk	3-9-90	Argued before Referee Sickles 3-12-91

Docket No.	Railroad	Subject of Dispute	Sub- mitted	Status as of 7-12-91
TD-29352	CSTX	Transfer of Work - Power Distribution	5-7-90	Assigned to Referee Fletcher
TD-29373	CSXT	Transfer of Work - Input of CDR's Register Slip	5-27-90	(a)
TD-29414	Conrail	Overtime Vacancies - (Extra Work - Niszcak, Kuczek)	6-20-90	Assigned to Referee Fletcher
TD-29470	AMTRAK	Discipline - J.E. Meehan (Philadelphia)	9-28-90	Argued before Referee Zamperini 6-11-91
TD-29555	Conrail	Compensation - Instruction Pay	10-2-90	Assigned to Referee Larocco
TD-29562	Conrail	Discipline (J.A. Smolko - Columbus, OH)	10-5-90	Assigned to Referee Wesman
TD-29593	CSTX	Extra Work - F.D. Lane	10-31-90	Assigned to Referee Larocco
TD-29604	AMTRAK	Discipline - W.W. Prettyman (Philadelphia)	11-19-90	Assigned to Referee Wesman
TD-29724	Southern	Doubling of Territory (Greensboro, NC)	2-1-91	(a)
TD-29771	CSXT	Sickness Benefits (V.W. Outlaw)	2-26-91	(a)
TD-29770	CSXT	Order of Call (J.G. Lachaussee)	2-28-91	(a)
TD-29788	Southern	Travel Time and Expenses (L.A. Ledford)	3-1-91	(a)
TD-29789	C&NWT	C.D. Beaver - Dismissed (Insubordination - Duties)	3-6-91	(a)
TD29809	Conrail	Grievance - Location of Signal Dept. Trouble Desk	3-12-91	(a)
TD-.....	BN	Transfer of Work - Issuance of Pick up Message	4-1-91	(c)
TD-29845	CSXT	Order of Call - Claim of A.P. Fox	4-8-91	(a)
TD-.....	AMTRAK	Discipline (J.M. Glassing - Philadelphia)	4-9-91	(c)
TD-.....	CSXT	Temporary Vacancy - Claim of M.M. Brabham	4-11-91	(c)
TD-.....	BN	Rest Day Service-Attending Team Building Workshop	5-10-91	(c)

NOTE: THE DISPUTE SHOWN IN THE LAST ISSUE INVOLVING REST DAY SERVICE - V.W. OUTLAW, WAS WITHDRAWN PRIOR TO BEING DOCKETED AT THE BOARD.

Explanation of Reference Marks in "Status" column:

(a) Awaiting Referee Assignment

(c) Awaiting Ex Parte Submissions

RECENT BOARD AWARDS

By: L.A. Parmelee - Labor Member

This award (No. 28827 ATDA v. Amtrak, Referee Roukis) makes abundantly clear, the position of the Board relative to absences occurring after an employee is warned that their attendance must improve.

Referee Roukis recognizes that "...there is no fixed or concrete measure as to what constitutes excessive absenteeism, and each case is fact specific...", but in this case the Claimant was unable "...to correlate the absent dates with the treatment dates...", and was unable to provide "...information indicating her actual physical condition on these dates...".

Because of the inconsistencies in the sick days claimed and the actual documentation presented at the hearing, coupled together with the prior warnings, the Board found her absences to be excessive.

Therefore, according to the decision of the Board, if you are cautioned about your attendance, and continue to be absent for *any reason*, you must be prepared to precisely identify and document each and every absence thereafter.

The basic facts of this case are set forth as follows: Claimant was absent from duty on January 23, February 23, March 1, 6, 19, 22 and April 18, 1988. As a result of these absences and based upon the issuance of two (2) prior attendance warning letters dated July 16, 1987, and January 12, 1988, Claimant was notified by letter dated April 21, 1988, to appear for an investigation which was held on May 13, 1988. She was charged with violating Amtrak's Rules of Conduct, specifically Rule 0. Based upon the investigative record, Carrier found Claimant guilty of the asserted violation and she was assessed a ten (10) day suspension

(held in abeyance) which was contested and appealed by the Organization.

In defense of its petition, the Organization contends that Claimant was legitimately ill on the aforesaid dates, and as such, it was indeed unreasonable to assess discipline. It cited Third Division Award 28216 as supportive of this interpretative position. It also maintains that since absences were not challenged when she reported off each date, it was improper for Carrier to later charge her with violating Rule 0. It cited Third Division Awards 23555 and 22820 as controlling on this point. It asserts that her absences were due to bona fide medical reasons, namely, extensive oral surgery, and observes that her dentist verified this treatment. His note (undated) read: "M.... has been under my care since 11-16-87 for extensive dental work. If there are any questions you can call our office at 638-2033. Thank you. Abram M. Bennett, D.D.S."

In response, Carrier contends that Claimant was previously warned that her absences were considered excessive and hence she was on notice that she would have to improve her attendance or else be subject to disciplinary action. It does not dispute per se, the Organization's contention of approved absences, but argues that a point is reached, when an employee's absences become palpably intolerable. It observes that Claimant had been absent, late or left work early on 29 days in 1987, and had been absent on 10 days between January 1 and April 21, 1988. It also notes that she could not identify whether the absent dates in the instant matter coincided with actual dental treatment, and the apparent omission in the undated dentist's note as to her ability to work her assignment. It referenced Second Division Awards 11114, 10758 and 8564, et al as defining authority on the question of excessive absenteeism.

In considering this case, the Board concurs with Carrier's disciplinary finding. Firstly, Claimant had been warned on two previous occasions that she had to improve her attendance. Thus she was amply notified that continued absences would lead to discipline. Secondly, while she was given permission to be off on the days cited in the Notice of Investigation, she could not verify whether she was actually treated on these dates. There is no hard evidence indicating that she was unable to work on these days. More pertinent in the absence of prior attendance warnings, the Board would have little difficulty accepting Claimant's representations at face value, but given the unclarity of the dentist's note and Claimant's inability to correlate the absent dates with the treatment dates and the lack of information indicating her actual physical condition on these dates, the Board, of necessity, must find that her absences were excessive. This finding is consistent with our past rulings on excessive absenteeism. While there is no fixed or concrete measure as to what constitutes excessive absenteeism, and each case is fact specific, we find that her absences on the cited dates were excessive, particularly when considered in the context of her attendance record, the prior two (2) warnings and the unclarity of her actual condition on these dates.

On the other hand, we find that the penalty assessed was excessive under these circumstances and accordingly it is reduced to five (5) days suspension.

Award: Claim Sustained in accordance with the Findings.

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Award No. 28830, ATDA and Norfolk and Western Company Referee Roukis, the Appellant was involved in two instances of delaying trains.

During one tour of duty he worked as the Chief Train Dispatcher and the second occurrence he was working the trick train dispatcher position.

Referee Roukis splits his decision in the first case by determining that Appellant was not entirely responsible for the delay while he was working as the Chief Train Dispatcher, however in the second case the discipline remains undisturbed.

In this case two separate disciplinary grievances were joined into one docket submission, but distinguishable circumstances underlying each grievance. Separate investigations were held on each asserted incident.

In the first incident, Claimant was found guilty of delaying Train No. 181 for approximately twenty (20) minutes at the Mardenis Passing Siding, Huntington, Indiana, on April 22, 1988, notwithstanding being given clear instructions that said train was not to be delayed. Claimant does not dispute per se the investigative findings, but maintains that he issued said instructions to his subordinate, The Trick Dispatcher, who was directly responsible for arranging the passing of rail traffic. The assessment of a thirty (30) day deferred suspension activated a previously imposed twenty (20) day deferred suspension.

In the second incident, Claimant was found guilty of failing to call the outbound crew of Train No. 181 on May 10, 1988 prior to its arrival at Peru, Indiana. This location is a crew change point for Train No. 181. On this night, Claimant was working the position of Third Trick Train Dispatcher at Ft. Wayne, Indiana, and was required to call said crew one and one-half hours in advance of the time it was actually needed. This would avoid delaying the outbound train. He was assessed an actual thirty (30) days suspension, which activated the thirty (30) day deferred suspension assessed for delaying the same train on April 22, 1988. In toto, he was actually suspended eighty (80) days. This included the activation of the previous twenty (20) day deferred suspension.

In defense of its petition, the

Organization argues that Carrier prejudged his guilt as evidenced by its failure to charge or require other involved employees to give testimony at the investigation. The Organization also contends that the discipline assessed was punitive and not corrective.

In response, Carrier argues that the investigative findings clearly established Claimant's guilt in said incidents and accordingly, given his past disciplinary record, the suspensions imposed were consistent with the normative precepts of progressive discipline and the serious nature of the charged offense.

In considering this case, the Board finds Carrier had ample justification for assessing discipline, since the record evidence, particularly the investigative transcripts, shows unmistakably that Claimant was responsible for delaying Train No. 181 on April 22, 1988, and also responsible for delaying the calling of the outbound crew on May 10, 1988. On the other hand, we cannot conclude that Claimant was totally responsible in an absolute sense for the April 22, 1988, and, as such, we will modify the assessed thirty (30) day deferred suspension to fifteen (15) days. He is made whole for the difference in The subsequent thirty (30) day suspension was based upon grounds and not excessive, the nature of the offense is cond and his past disciplinary is factored into the assessment us.

: Claim Sustained in accordance with the Findings.

Adjustment Board over the last four years.

As a consequence of working on those figures, I was amazed to discover that out of 2480 cases disposed of on the Third Division (this number represents all Organizations, collectively), only 691 resulted in sustaining decisions.

With the withdrawn or remanded cases excluded (735 of those), the sustained cases reflect a success rate of only 39.8%.

Considering that included in this 39.8% figure, are cases that are sustained only in part, i.e., those involving a dismissed employee who is returned to service but not compensated for any lost time, or where suspension assessed is determined to be excessive and reduced, fully sustained cases are far fewer.

While the ATDA fares considerably better than all the Organizations do as a whole on the Third Division, I thought the membership would find this information interesting and useful.

For your added information, in the "Status of Disputes" section you will notice that I have listed the date a case is argued before the Referee.

This will give you some idea of the elapse time between a case being argued and a decision being rendered and adopted by the Board.

It's also important to realize that 2480 cases disposed of over the last four years averages out to about 52 cases decided each month.

With usually about 1000 cases pending on the Division each month, you can begin to understand how difficult it is to get anything even approaching quick resolution to our disputes.

Success Rate on Cases

by L.A. Parmalee

Recently, at the request of President Irvin, I calculated percentage figures for him to use in his presentation to the delegates of the Twenty-Sixth General Assembly, pertaining to our success rate on cases that we progressed to the Third Division of the National Railroad



Scheduled Informational Conferences Railroad Retirement Board**September**

Wednesday September 11	(Registration 8:00 a.m.) 8:30 a.m. to 1:30 p.m.	Omaha, Nebraska Old Mill Holiday Inn 655 North 108 Avenue (I-680 & Dodge Exit)
Friday, September 27	(Registration 8:00 a.m.) 8:30 a.m. to 1:30 p.m.	Houston, Texas University Hilton Hotel & Conference Center University of Houston Plaza Room 4800 Calhoun Road

October

Friday, October 11	(Registration 8:00 a.m.) 8:30 a.m. to 1:30 p.m.	West Des Moines, Iowa Walnut Creek Inn 1258 8th Street
Thursday, October 24	(Registration 8:00 a.m.) 8:30 a.m. to 1:30 p.m.	Brookfield, Wisconsin Midway Motor Lodge 1005 South Moorland Road

November

Friday, November 8	(Registration 8:00 a.m.) 8:30 a.m. to 1:30 p.m.	Arlington, Texas Comfort Inn Conference Room 1601 East Division
*Thursday, November 14	(Registration 8:00 a.m.) 8:30 a.m. to 1:30 p.m.	Louisville, Kentucky Executive West Hotel Freedom Way at Fairgrounds I-264 at Airport by I-65 Interchange
Friday, November 15	(Registration 8:00 a.m.) 8:30 a.m. to 1:30 p.m.	San Antonio, Texas Holiday Inn - Riverwalk 217 North St. Mary's
*Friday, November 15	(Registration 8:00 a.m.) 8:30 a.m. to 1:30 p.m.	Huntington, West Virginia Holiday Inn - Gateway Conference Center 6007 US Route 60 East

* Asterisk indicates conference not listed on previous schedule or change in Informational Conference.

A Dad Is Good For. . .

A dad is good for putting worms on a hook.

A dad is good for helping you learn to ride a two-wheel bike because he can run along-side and catch you when you fall.

A dad is good for telling your great-aunt you don't want her to kiss you in public.

A dad is good for letting you run the power mower while your mom is sitting on the porch - praying.

A dad is good for telling you the meaning of words you're too embarrassed to ask your mom about.

A dad is good for explaining to your mom why you want to get a set of drums instead of taking violin.

Unions: democracy in the workplace

By Jeffrey M. Sandman

Reprint from *The Indianapolis News*

We Americans seem to have a curious sort of schizophrenia. When we are not at work, we wholeheartedly embrace the concepts of freedom and democracy. We are used to speaking our minds and expect to have a say in major decisions that affect our lives.

Then we go to work.

Most of us Americans have no control over many of the decisions that affect our working lives. For instance, when the boss starts talking about "productivity increases," most workers cringe—and with good reason. The term "productivity increases" have become a code for wage decreases, often accompanied by layoffs and benefit cuts. There is about as much democracy in such decisions as there was in Iraq's invasion of Kuwait.

To many who favor this sort of unilateral decision-making, unions are an anathema. They say unions stand in the way of "productivity increases" by negotiating high wages and benefits for members, enforcing work rules and instituting grievance procedures.

But if this is true, why is more and more evidence accumulating that suggests unions actually make workers and their employers more productive?

Professors Maryellen Kelly and Bennett Harrison of Carnegie Mellon University have recently completed a study of over 1,000 metalworking and machine companies. They concluded that unionized workers are much more productive than non-union workers.

The study found that large metalworking companies with unionized workforces are 31.2 percent more efficient than their non-union counterparts. Even small companies benefit significantly from union workers, enjoying a 10.1 percent productivity advantage.

Kelly and Harrison aren't the only researchers to identify union workers as

the most productive. At North Carolina State University, Dr. Steven G. Allen's study of workers in the construction industry found that union construction workers are 29 percent more productive than non-union workers. Union construction firms build 38 percent faster than non-union firms in office building construction. Union firms also require less paid overtime to complete a project than do non-union firms.

Why, despite their supposed costliness, do unions have such a positive effect on productivity?

One reason — contrary to conventional wisdom — is that unionized companies have lower turnover and employees with greater experience, according to the researchers. Unable to dump their employees without cause (or when they become eligible for pension benefits), corporations are forced to buy better equipment, improve training and invest in people to increase productivity. Ultimately, this is better for business than a group of poorly-paid, badly-trained, inexperienced workers with bad attitudes operating outdated machinery.

The key to labor unions' positive effect on productivity flows from the democracy they engender in the workplace. The Carnegie-Mellon study suggests that employees who feel they have a powerful, independent mechanism through which to express their ideas and concerns are more productive than workers who do not have such mechanisms.

According to the study, employee participation programs in which management has the final say cannot take the place of a strong union. Kelly and Harrison's study shows that employee participation programs are no substitute for unions when it comes to boosting productivity, gaining job security or increasing the level of power sharing with management. Despite the veneer of democracy they may lend to a company, employee participation programs depend on the patronage of management, and so fall short of fulfilling employee needs.

Unions epitomize the democratic tradition of this country. They resolve the frustrations most people feel over the patently undemocratic structures of most companies. Unionized workers are not at the mercy of a management free to rule by decree. Managers must also take a more responsible, long-term approach to the problem of increasing productivity. This honest give-and-take results in a better quality of work by employees and more prudent management by employers. In the end, we all win.

The Reagan and Bush administrations have been merciless in their attempts to cripple trade unionism and workplace democracy in America. From encouraging the use of permanent replacements in the air traffic controllers' strike of 1981 to ignoring Eastern Airline's predicament in 1989, the last two presidents have tried to concentrate power in the hands of management.

We have spent 10 years on this road to nowhere. We must reverse course now, before it's too late. Congress must move to restore the balance of power between labor and management with such measures as proposed legislation banning the use of permanent replacements for strikers.

The idea that allowing workers an independent, powerful voice in the workplace is bad for business is dead wrong. Making America competitive requires extending our democratic tradition to factories and offices. And the best way — indeed, the only practical means of achieving this goal — is by strengthening and empowering our unions.

Jeffrey M. Sandman is senior vice president and general counsel of The Kamber Group in Washington, D.C. the nation's only unionized communications consulting and public relations firm.

Trumka Calls for Coalition of Change to Defeat 'Scab Culture,' Build Unity

NEW YORK (PAI)--Speaking at the 55th anniversary dinner of the Workers Defense League here, United Mine Workers President Richard Trumka urged the passage of bills to ban the hiring of permanent striker replacements. Trumka received the League's David L. Clendinin award.

According to Trumka, "We live in a scab culture." And if we do not challenge a national mentality that says it is acceptable to scab, "we'll find the labor movement decaying internally tomorrow just as we are under attack externally today," he said.

Trumka said passage of H.R. 5 and S. 55, the striker replacement bans before Congress, is a major step for workers toward "building a coalition for change, and turning the victims of this economy into leaders of the fight to change it."

Attempting to galvanize labor and its allies into mobilizing union families across the country and building "support among the families who may only see a picket line from the window of a passing car," Trumka also called for labor's support of the Workers Defense League.

Citing the nine-union victory against "that scab culture" at the New York Daily News, Trumka said, "That's the kind of movement that can win an anti-scab law, that can stop George Bush on free trade, that can pass the Civil Rights Act, that can win health care, that can fight AIDS, that can save our schools, because, brothers and sisters, it's our lives, it's our America, and by God, it's time we took it back."

He said of the Daily News strike, "When you stirred the conscience of millions of New Yorkers, you've shown that it can be done."

The Workers Defense League is a labor defense agency founded by Socialist leader Norman Thomas in 1936. □

DO NOT BUY NATIONAL BOYCOTTS SANCTIONED BY THE AFL-CIO

All trade unionists and their families are asked not to patronize the products and services of the boycotted firms listed below. List current as of first day of month of publication. Subject to change.

ACE DRILL CORPORATION

Wire, jobber & letter drills, routers and steel bars
United Automobile, Aerospace & Agriculture Implement Workers of America International Union

BROWN CORPORATION

Motor Mounts, brackets and dash assemblies.
International Union of Electronic, Electrical, Salaried, Machine & Furniture Workers.

BROWN & SHARPE MFG. CO.

Measuring, cutting and machine tools and pumps
International Association of Machinists & Aerospace Workers

BRUCE CHURCH, INC.

Iceberg Lettuce: Red Coach, Friendly.
Green Valley Farms, Lucky
United Farm Workers of America

CALIFORNIA TABLE GRAPES

Table grapes that do not bear the UFW union label on the carton or crate
United Farm Workers of America

GARMENT CORPORATION OF AMERICA

Work clothes & uniforms
Amalgamated Clothing & Textile Workers Union

GREYHOUND LINES, INC.

Inter-city bus and charter service
Amalgamated Transit Union

GUILD WINERIES & DISTILLERIES

Cook's Champagne
Distillery, Wine & Allied Workers International Union

HOLLY FARMS

Chickens and processed poultry products
International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America

INTERNATIONAL PAPER COMPANY

Producer, International and Hammermill bond, offset and writing paper and related products
United Paperworkers International Union

KAWASAKI ROLLING STOCK, U.S.A.

Motorcycles
Transport Workers Union of America

KRUEGER INTERNATIONAL, INC.

Brand name chairs: Matrix, Poly, Dorsal, Vertebra, Stax, Alfa, Modular, Auditorium and University seating (for airports and auditoriums)
International Association of Machinists & Aerospace Workers

LOUISIANA-PACIFIC CORPORATION

Brand name wood products: L-P Wolmanized, Cedartone, Waferwood, Fibrepine, Oro-Bond, Redex, Sidex, Ketchikan, Pabco, Xonolite
United Brotherhood of Carpenters & Joiners of America, and International Woodworkers of America

MOWHAWK LIQUEUR CORPORATION

Mowhawk labeled gin, rum, peppermint schnapps and cordials
Distillery, Wine & Allied Workers International Union

R.J. REYNOLDS TOBACCO COMPANY

Cigarettes: Camel, Winston, Salem, Doral, Vantage, More, Now, Real, Bright, Century, Sterling, YSL/Ritz; Smoking Tobaccos: Prince Albert, George Washington, Carter Hall, Apple, Madeira Mixture, Royal Comfort, Top, Our Advertiser; Little Cigars: Winchester
Bakery, Confectionery & Tobacco Workers International Union

ROME CABLE CORPORATION

Cables used in mining and construction industry
International Association of Machinists & Aerospace Workers

SHELL OIL COMPANY

Subsidiary of Royal Dutch Shell (Parent Company of Shell South Africa): Gasoline, petroleum and natural gas products
AFL-CIO

SILO, INC.

National retailers of electronic equipment and appliances
International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America

UNITED STATES PLAYING CARD CO.

Brand Names: Bee, Bicycle, Tally Ho, Aviator and Congress
Retail, Wholesale and Department Store Union

At the request of the respective International Unions, Fort Howard Paper Company, Sterling Radiator Company, and John Portman Companies have been removed from the DON'T BUY list.

Railroad Engineers to be Licensed

from UTU News

Locomotive engineers will soon have to pass a battery of tests and earn a competency certificate before they will be able to do their jobs.

Under Federal rules just published, no one will be permitted to operate a locomotive without a license, including supervisory personnel.

As a result, major railroads will need to train and certify supervisors in order to be able to run trains during a strike. The managers not only will need to be able to pass the same tests as the engineers they supervise, but they also will need to be familiar with the route the train will travel.

Railroads will be required to evaluate and certify employees who operate locomotives for visual and aural acuity, training and knowledge of performance skills, and past conduct in operating trains and motor vehicles.

Each railroad will design its own tests and issue engineer certificates. The tests must be approved by the Federal Railroad Administration and adhere to its guidelines.

The rule, scheduled to take effect Sept. 17, 1991, will affect nearly 34,000 engineers on 500 railroads. Initially, carriers will be required to grant interim certificates to existing engineers and designate supervisors qualified to evaluate performance skills. All current engineers must be tested, evaluated and qualified within three years.

All certified engineers will have to be recertified every three years. All engineers must have annual compliance monitoring, which includes a check ride and test.

The railroad also must review the applicant's motor vehicle driving record and previous railroad experience. Motor vehicle violations involving drugs or alcohol are taken into consideration.

Any conviction for drug or alcohol offenses during the three years prior to certification must be evaluated by a pro-

fessional counselor, who will determine if a substance abuse disorder is involved.

The new rule, which was mandated by the Rail Safety Improvement Act of 1988, is a direct response to the 1987 Amtrak-Conrail accident at Chase, MD.

FRA Rule Requires 'Black Box' Use

From UTU News

The use of "black box" event recorders, similar to those found aboard commercial airliners, would be required on all passenger and most freight trains under rules proposed by the Government.

The rule would require freight trains that travel faster than 30 mph, pull 50 or more cars or are longer than 4,000 feet be equipped with the recording devices.

The black boxes would record the train's speed, positions of key controls such as the throttle and the brake levers and the time and distance traveled.

All new and rebuilt locomotives would have to be equipped with the safety devices within 24 months.

More than 70% of all locomotives now in use on major railroads are equipped with the event recorders. All Amtrak intercity trains have them.

The Federal Railroad Administration, which proposed the rule to comply with the Rail Safety Improvement Act of 1988, estimates that installing event recorders on engines not already equipped will cost about \$7.5 million. The recorders cost about \$10,000 each.

"We anticipate that these recorders will be a tremendous asset to Federal accident investigators. Skilled technicians can use recorder data to recreate the history of a locomotive's last 48 hours of operation and provide an electronic picture of the entire trip leading up to a derailment," said Gilbert Carmichael, FRA administrator.

The National Transportation Safety Board has pushed for the installation of event recorders on railroad engines for a number of years. □

OMB Forecasts Pay Raises

The Office of Management and Budget (OMB) has projected the general Federal pay raises for the next five years.

Under the pay reform law passed last year, the annual general white-collar raise will be linked to changes in the employment cost index, a measure of private sector pay and benefits.

The January 1992 raise is scheduled to be 4.2 percent while succeeding years should be close to 4.7 percent in 1993, 4.3 percent in 1994, 4.1 percent in 1995, and 4 percent in 1996. These numbers are only estimates. The actual figures will be tabulated each fall, to be included in the budget proposal made early in the following year.

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- The projected January 1992 Federal retiree raise stands at 2.4 percent based on the March consumer price index. The final 1992 COLA will be determined by the difference between the CPI from the third quarter of 1990 to the third quarter of 1991.

- Hearings will be held soon in Congress on proposals to raise the amount of money a social security recipient may earn in outside income while still drawing a full benefit. Various plans have been offered to raise the levels or eliminate the means test entirely.

- The Office of Personnel Management (OPM) thinks there may be mass retirements from Federal services in or about the year 2002. OPM feels retirements beginning in 2002, when "baby boomers" (those born in 1947) turn 55, could jump by 40 percent.

- Little progress has been made in recent weeks on legislation to lift the ban against Federal employees accepting money for free-lance article writing, speeches and other forms of public appearances.

Legislation pending in the House and Senate would generally repeal the restriction, retroactive to the ban's start at the beginning of this year. After moving quickly at first, press reports indicate the bills have stalled as Congress

struggles to rework language and decide just who would continue to be covered by the ban.

Meanwhile, a court case against the ban filed by the National Treasury Employees Union and the American Federation of Government Employees is still pending.

Union Labor Life Wants to Write Mortgages in City

A union owned insurance company based in Washington, DC, is looking to make mortgage loan commitments to developers in the Baltimore area who are willing to build projects with union contractors and workers.

"We are very excited about the Baltimore market," says Bob Georgine, Chairman and CEO for The Union Labor Life Insurance Company. "It's a good area with a long history of union activity. The fact that Baltimore was recently named an All-American City is good evidence of its attractiveness and potential," says Georgine.

Union Labor Life's Baltimore initiative, which includes ads in local publications and mailings to local developers, is being conducted on behalf of the company's J FOR JOBS mortgage investment account. This account invests funds received from union-oriented pension trust funds in market-rate, long-term commercial mortgages.

According to Tim Durkin, Assistant Vice President for Mortgages, Union Labor Life issues a forward commitment ranging from \$4 million to \$22 million to a developer prior to the actual building of a project. This commitment includes specific criteria in regards to leasing and financial stability, as well as a requirement that all construction and renovation work be performed by union contractors.

"In today's market, a commitment from a lender to issue a long-term first mortgage can make it much easier to get construction financing," Durkin says. "A lot of lenders are backing off from the real estate market, but we con-

tinue to believe that there are a lot of good projects waiting to be built. Those are the ones we're looking for."

The company's Baltimore campaign began the third week of June with ads placed in local newspapers and publications. Also planned are mailings to developers, brokers, financial institutions, construction lenders, realtors, mortgage bankers and general contractors.

The Union Labor Life Insurance Company is a diversified insurance and investment services company with \$2 billion in assets. The company's \$450 million J FOR JOBS account was founded in 1977. One of the ULLICO Family of Insurance, Investment and Benefit Services companies, Union Labor Life traces its origins to 1925 when a special convention of American Federation of Labor unions authorized the formation of the union-owned company.

Transportation Labor Lambastes DOT For Advancing Rail Industry's Anti-Labor Legislative Agenda

WASHINGTON...The nation's transportation workers today pledged to oppose efforts by the White House to promote the rail industry's legislative agenda which seeks to gut the laws protecting rail workers' pension and unemployment benefits, right to collectively bargain and strike, and system of injury compensation.

The Transportation Trades Department, AFL-CIO (TTD), representing several million workers in air, auto, rail, transit, trucking and related industries, called for immediate termination of the U.S. Department of Transportation's (DOT) recently proposed study targeting all laws that affect "railroad productivity."

"DOT claims to be interested in enhancing productivity," declared TTD President Richard I. Kilroy. "But this study has nothing to do with productivity. It's about lining the pockets of railroad companies and shareholders at the expense of thousands of working men and women."

In reality, the DOT study, which is being conducted through its rail safety division, seeks to provide trumped up "evidence" to support the rail industry's push to eliminate laws covering Railroad Retirement, unemployment and injury compensation, and labor-management relations in the rail and airline industries. This anti-worker bias is evidenced by the study's failure to investigate the full range of issues impacting the rail industry.

The study ignores the devastating effects of railroad deregulation on jobs and communities, as well as the Federal Railroad Administration's grossly ineffective enforcement of safety laws, as detailed in a series of scathing audits by the General Accounting Office.

"It's interesting that the DOT study neglects to address the two major areas, deregulation and safety, that badly deserve attention and corrective action," Kilroy added. "As currently contemplated this study is a total waste of taxpayers' dollars and fuels rail management's legislative campaign to undermine employees' rights. This is a political sham and should be terminated immediately."

A study analyzing the "tragic loss" of some 250,000 jobs since enactment of the Staggers Rail Act of 1980, Kilroy pointed out, would be responsible use of DOT funds. "The disappearance of almost 50 percent of the rail work force is an issue worthy of study," he said. "Instead, the DOT is masking its attempts to eliminate the laws that protect rail workers' rights with a study whose scope lies well beyond the FRA's area of jurisdiction."

The marvelous thing about a vacation is that it makes you feel good enough to go back to work and poor enough to make you have to. □

Health Care Bills Debated In Congress As Crisis Creates Demands For Change

By Calvin G. Zon PAI Staff Writer

WASHINGTON (PAI)—Growing dissatisfaction with health care's soaring cost and shrinking availability is stirring debate in Congress, where more than a dozen bills addressing the crisis have been introduced.

Their House and Senate sponsors defended their legislative remedies at a June 11 hearing on the Canadian system before the House Government Operations Committee. The bills range from replacing private insurance with Canadian-type single-payer health insurance to such mild tinkering as providing tax incentives for private insurers to expand access to their coverage.

Some House members criticized, for not going far enough, a Senate Democratic leadership bill introduced the previous week. That bill, S.1227, would aim to provide universal access to health insurance through a "pay or play" system under which employers would have to provide workers and their dependents with insurance or else pay a tax to fund a new public program, AmeriCare, to cover those not in the work force.

The bill has been criticized by business groups and Republican leaders as putting a financial squeeze on small businesses. To offset the cost, S.1227 would offer new tax and other financial breaks aimed at making insurance more affordable to small businesses, and would create state consortia to allow small firms to pool their purchasing power to negotiate lower rates.

However, Rep. Marty Russo (Ill.) told the Government Operations panel, "We can't afford to do anything less than single-payer." Russo's H.R. 1300, the Universal Health Care bill, is similar to the Canadian system in which all health care costs are paid by the government.

"Partial solutions like insurance reform or mandated benefits won't work because insurance companies would continue to administer health care,

wasting billions on paperwork and unable to control costs," Russo said. He said his bill follows the logic of a recent General Accounting Office (GAO) report that a single-payer system would save \$67 billion a year in insurance company overhead and in hospital and physician paperwork costs.

The GAO said many more billions could be saved through universal budgets for hospitals, fee schedules, and controls on expensive technology. "These savings would be more than enough to finance high-quality health care for all Americans and eliminate co-payments and deductibles," Russo added.

Under H.R. 1300, every citizen would receive a federal insurance card covering hospital and doctor bills, long-term care, prescription drugs, immunizations, dental care, and mental health services. It would be funded through the savings achieved by junking the current private insurance system, by higher taxes on corporations and the wealthy, and by a monthly premium for long-term care which would replace the Medicare premium.

Russo said his bill "has the support of 40 members of Congress, 10 major unions, several consumer groups, and the National Council of Senior Citizens.

Rep. Pete Stark (Calif.), who chairs the House Ways & Means Subcommittee on Health, spoke in favor of his H.R. 650, or Mediplan, which essentially would expand the Medicare program for the elderly to insure every American for a core package of acute and preventive services.

Mediplan would be financed mainly through employer payroll and individual income taxes. Care for low-income persons, pregnant women and children would be provided without deductibles and co-payments. It would be administered by insurance companies in a similar way that Medicare is now administered.

Stark said the employment-based approach proposed by the Senate leadership "would not be truly comprehen-

sive. For example, changing family patterns" could leave children and spouses without needed coverage. "A national plan," he added, "is also critical for cost containment."

Rep. Mary Rose Oaker (Ohio) spoke for her bill, H.R. 8, which would establish universal acute, preventive and long-term care programs administered by the states under contracts with private insurers, with federal oversight and contributions.

Oaker noted that the number of those in need of costly long-term care, now eight million, is growing fast and that little of this care is covered by private insurance or Medicare. Nor is preventive care, which saves many more dollars in the long run than is spent, adequately covered by private or public insurance.

Rep. Bernie Sanders (VT) spoke for his H.R. 2530, modeled after Canada's system. Sanders said if the Canadian plan were put into effect, the U.S. "would have the best health care system in the world" at its current health care spending level of \$756 billion a year. Under H.R. 2530, states would be given financial incentives to join the plan and provided federal block grants funded by individual and corporate income taxes.

Rep. Nancy L. Johnson (Conn.), who heads a House GOP health task force, spoke for her H.R. 1565. It would require private insurers to offer a core benefit plan to small businesses and abide by certain standards or else pay a new excise tax. Employers, large and small, would have to offer such plans to their employees or face special taxes. "Managed care" would disallow payment to medical procedures and tests judged unnecessary.

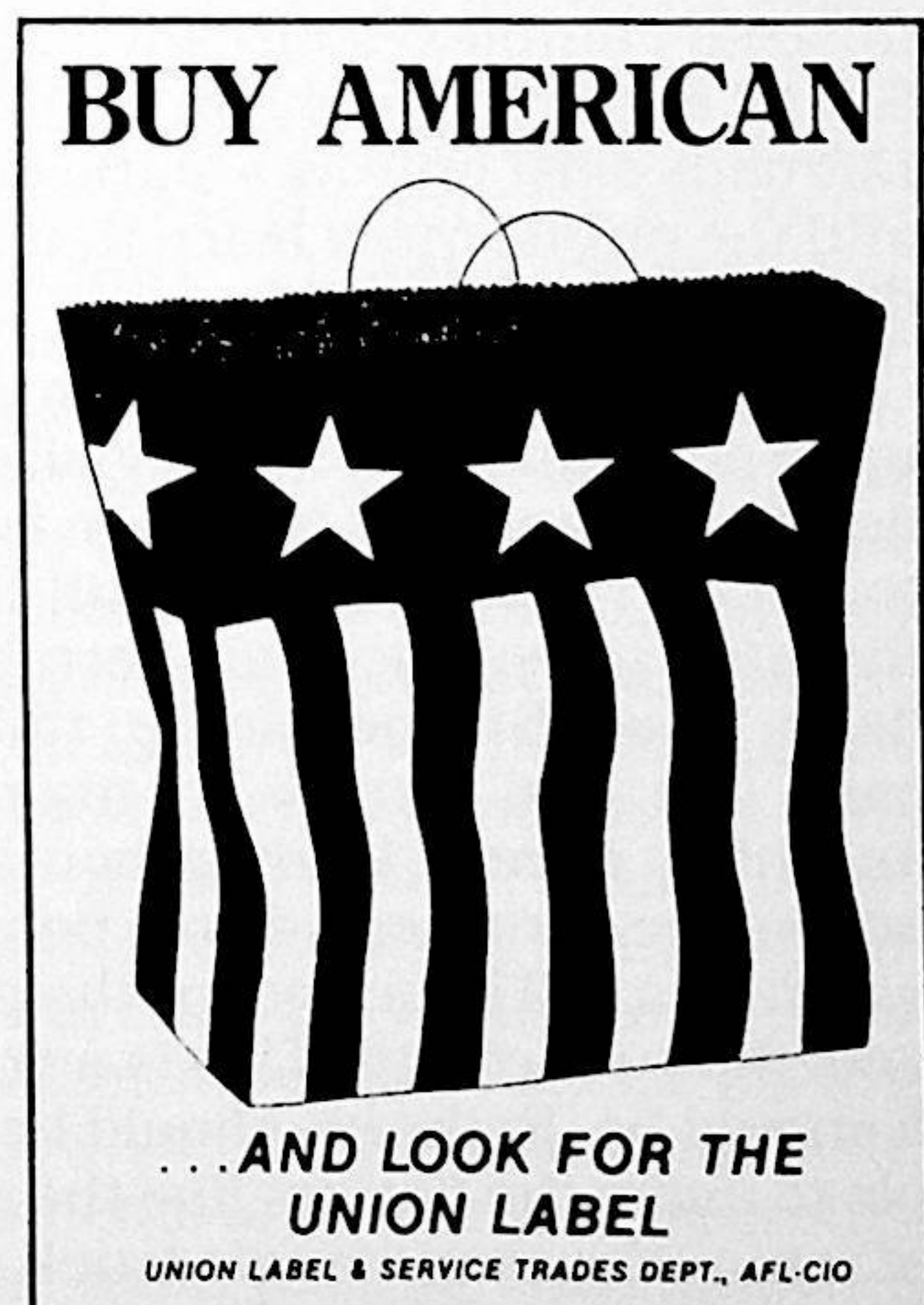
Desert Shield/Desert Storm Military Service

The Railroad Retirement Board has announced that military service performed by rail employees, such as reservists called to active duty, during Opera-

tion Desert Shield/Desert Storm can be creditable for railroad retirement and railroad unemployment insurance purposes.

Generally, service in the U.S. Armed Forces is creditable by the Railroad Retirement Board if the military service is preceded by rail service in the same or preceding calendar year, and the employee entered active military service when the United States was at war or in a state of national emergency, or the employee entered the Armed Forces involuntarily. The Board determined that Operation Desert Shield/Desert Storm is a "war service period" within the meaning of the Railroad Retirement Act, and active military service during the period August 2, 1990, to the date the war service period is terminated may be creditable as rail service by the Board.

Railroaders with questions about the creditability of their military service, or other railroad retirement matters, should contact the nearest office of the Railroad Retirement Board. Most Board offices are open to the public from 9 a.m. to 3:30 p.m., Monday through Friday.



WHAT DO YOU THINK?

By: Dave Sprau

In February, 1991, I listened to President "Gentle George" Bush's state-of-the-union message. Perhaps cynical, I think most of it B.S., written and sanitized by staff writers and psychologists, who want to feed us pabulum considered appropriate to our mentality.

Fleeting mention was made of a subject which should send a chill through every railroader in the country. Gentle George casually mentioned "The need for a new national highway system."

We do *not* need it; furthermore, such activity, protracted, will kill the railroads. Possibly, we need to improve existing routes or build by-passes or cut-offs; but instead of pouring more money down the rathole in an effort to build more interstates, or upgrade other roads into interstate highways and pave over the whole world, we need to wake up the sleepyhead congress and general public who, truck-oriented, ignore our national rail system, which has been taken over by greedy yuppies, bean-counters, and bankers who consider big-buck profits the bottom line; anything which increases *their* dividend at the swill trough is okay and to hell with the consequences. Compare any railroad map of 1950 with one of today. Branch, feeder, connecting, and even main lines have disappeared; and regardless of the "rail banking" rhetoric about abandoned rights-of-way and other such talk, these routes are *gone for good*. There once was a joke about a ticket agent who told a prospective passenger, "you can't get there from here". It isn't a joke anymore; soon, freight and passenger traffic will *not* be able to "get there from here." Railroads will no longer be necessary. Take a look around; many cities and industrial complexes already do just fine with absolutely *no* rail service. Spend enough money on highways, and it is just a matter of time until railroads exist only as a static display at the Smithsonian. Our legislators and the public *must* learn that if this trend is not reversed, railroads are done for, period.

All of rail labor should fight back; organize a top-priority campaign upon state and national legislators demanding prohibition of rail abandonments, and that attention be focused on returning freight shipments to rail carriers. While we still have enough workers to sway the votes, threaten in no uncertain terms to kick these people out if they do not listen to us. Stir people up, rally and protest future abandonments; in case you don't know it, many carriers are not interested in doing anything except loading containers at some port and hauling them across the continent. Some poor soul with a lumber mill or a warehouse wanting a rail spur laid for the purpose of shipping a few railcars yearly, gets the runaround. This is a crime; the incentive is the reverse of what it should be. Railways should be made to co-operate in any manner possible to make the bottom line the ambitious (and probably impossible) goal of removing every single truck and bus off our highways, instead of being obsessed with the size of this quarter's dividend; take care of the former and the latter will take care of itself.

In some cases, getting trucks off overcrowded highways is essential enough to public interest to demand a subsidy be attached to required rail shipment of commodities. Why not? commercial users sure as hell get it, and they then pound our highways to pieces and back traffic up from city limits to the horizon.

Rail labor better wake up before we *all* wake up with no job, and our rail systems liquidated. Call me socialist or radical if you want; if thinking like this makes me that, then I am, I don't care if you like it or not. Let's all get militant, NOW, before Gentle George starts spending taxpayers' money on more interstate highways. How about it, rail union leaders and members?

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A very encouraging note on the labor horizon is the willingness of certain labor organizations, tired of being pushed around by carriers which have discovered to their delight that the Bush administration is not at all serious about enforcing the few remaining federal statutes which exist to protect rail workers, to use the restraining order and/or the lawsuit method to bring things back into perspective. One labor organization recently prevailed in action requiring the FRA to stop winking at carrier laxity regarding train crews whose hours of service had expired. Simply, carriers were required "dead" crews to sit for hours on end waiting for transportation to a location where "feed water and rest" (a term once used in connection with livestock shipments!) could be obtained. Complaints to the FRA fell on deaf ears, but no more, thanks to a federal judge who, agreeing with the union, ordered the DOT to stop sitting on these complaints, and submit violations to the proper U.S. Attorney for action. Score one for a labor union doing its job for its constituents.

Our own organization is in the preliminary stage of similar activity. Some carriers like to make private agreements with its dispatchers. In typical "divide-and-conquer" fashion, certain individuals are being given "perks" such as trips to out-of-town seminars, or service on special "blue-ribbon" committees, charged with "studying" or in some manner mulling over certain carrier problems. Some of these committees are formed in connection with the fashionable "Quality" gimmick. My opinion of these "quality" programs is, that unless the findings of the quality committee are absolutely binding on all parties, and unless these findings do not fly in the face of collective bargaining agreements signed in supposed "good faith" by carrier officers who were supposed to know what they were doing, and unless the appointees to such committees and other programs are *chosen by some equitable method*, such as but not limited to seniority, rotation, etc., then the program is nothing but a farce, a scam to permit the carrier to reward certain employees with goodies and exclude others. And the rewards vary; sometimes, "favorites" get paid better than they would for performing their regular dispatcher service. Others, the "eager-beavers," are willing to work on these projects on their rest days for straight time. Both scenarios are WRONG! This type of activity is only a few steps away from complete disrespect for collective bargaining agreements and, more importantly, disrespect for each other. Moreover, such "hand-picking" of employees and the related practices of making private "deals" for remuneration of each on a case-by-case basis are, in my opinion, a violation of at least

the *intent* of the Railway Labor Act and other laws of the land. Our organization is presently investigating the procedures necessary to obtain, by legal action, restraint against carrier solicitation of employees in such a manner.

Such tactics are often referred to as "Union-busting." They should be more properly referred to as "Employee-busting," inasmuch as the Union is not a bunch of politicians or "*Federales*" in business suits hanging out in some underground bunker smoking Havana Cigars and dispensing favors or penalties at will; rather, the union is YOU and every one of your working associates, banded together for the purpose of achieving bargaining strengths you could not have as individuals. If your union is not performing according to your expectations, the proper course is to elect some different people to be in charge, rather than kicking the entire union out, as some have done. Management types who don't wish to curry the favor of *all* their employees and prefer instead to select favorites and exclude others, or place them in the doghouse, are in actuality sowing the seeds of "Employee-busting;" as next week it may be *your* turn in the doghouse!

What do YOU think?

THE A.T.D.A. NATIONAL WOMEN'S ORGANIZATION

MAIBELL IRVIN, Chairperson
1401 South Harlem Ave.
Berwyn, IL 60402

RUTH PORTER, Co-Chairperson
14826 South Whipple
Posen, IL 60469

CATHY RAFFERTY, Reporter
1401 S. Harlem Ave.
Berwyn, IL 60402

Why Do I Do These Things?

Call it a conditioned response, call it an irresistible impulse, call it stupidity-I just can't seem to stop doing these things:

Reading postcards addressed to other people, which is odd now that I think about it because I barely skim those addressed to me personally. Who, after all, ever writes anything worth reading on a postcard?

Feeling houseplants to find out whether they're real or artificial. Why do I care?

Cleaning my plate, even if I'm absolutely stuffed and even if it's lumpy mashed potatoes.

Having to ascertain when I pass by a WET PAINT sign whether the paint actually is.

Looking up my own name in the telephone directory when I'm in a strange town.

Chuckling babies under the chin.

Buying anything I can get into in a size 8.

Saving nice jars and pretty boxes although I've no idea what I'll ever do with them.

Balancing my checkbook down to the penny even though it's been explained to me time and again that the bank is never wrong and, even if it is, it's not worth spending three hours to find 27 cents.

Answering a ringing telephone even though I'm already twenty minutes late for an appointment.

Buying the first strawberries of the season no matter how much they cost.

Feeling compelled to write something on a steamy mirror.

Sneaking peaks at the last pages of whodunits to see if my hunch about the murder is correct.

Finding something--*anything* else to spray when there's a fourth of a can of paint leftover.

HONOR MEMBERS

25-Year Honor Members

In recognition of their 25 years of continuous service in the A.T.D.A., the following have been awarded the special 25-year membership Honor Emblem.

June 1991

Balser, William K.	Chessie
Clark, Earl A.	Conrail
Grizard, William P.	SP-W
Kane, Dale H.	C&NWT
Wilson, Robert J.	Amtrak

July 1991

Andrews, Lee K.	BN
Bailey, Robert G.	TRRA
Baird, James M.	WP
Celio, William G.	MN
Frana, Joseph F.	Soo
Grim, Larry H.	Conrail
Gualtiere, Arthur I.	MN
Harrison, David P.	NYC
Kenney, Bernard P.	Chessie
Larlee, A.F.	B&AR
Nelson, Stuart J.	Soo
Russell, Ben H.	Conrail
Slinkard, Loren G.	Chessie
Van Dervort, Gerald L.	DM&IR
Vonderschmidt, Terry L.	BN
Welch, Billy E.	CSX
Wyatt, Ernest W.	St.LSF

August 1991

Avery, Franklin D.	CSX
Barber, Harlan E.	Conrail
Barker, J.W.	SP-E
Bell, William A.	Chessie
Bissett, George A.	Conrail
Boatwright, Jack V.	SCL
Depee, Kenneth R.	BN
De Vecchis, Gene	Amtrak
DuBois, Sibley S.	L&N
Eubanks, Joseph F.	Conrail
Fields, John D.	Sou.
Hall, Kermit	Chessie
Hill, Russell C.	NYC&STL
Jackson, Willie C., Jr.	Sou.
McFalls, Jack B.	Sou.
McTaggart, Lawrence M.	CSX
Messal, Harlan H.	SP-W
Overman, Carl, Jr.	SP-W
Pacifico, Angelo	NYC

Pfeiffer, Howard C.
 Russell, William W.
 Shank, Russell L., Jr.
 Sheuerman, Jerry F.
 Skeans, Vernon
 Smith, Charles M.
 Stinson, Herbert E.
 Williams, Donald H.
 Williams, Harold D.
 Woods, James J., Jr.

Conrail
 Amtrak
 Conrail
 BN
 CSX
 CSX
 B&O
 Conrail
 CSX
 PATH

September 1991

Denton, George J.	SP-W
Evans, Thomas C.	Sou.
Queen, Thomas W.	Sou.
Rose, Richard W.	Conrail
Stewart, Bruce C.	L&N

October 1991

Wright, Lynn A.	AT&SF
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November 1991

None

December 1991

None

NEW MEMBERS

May 1991

G.E. Royer	Amtrak
T.M. Coudon	Amtrak
N.I. Ramirez	SP-E
J.R. Schaffer	BN
D. Fox	BN
D.L. Unk	SP-W
J.L. Andrews	BN
A.S. Culver	CSX
K.L. Klingmeyer	Amtrak
M.P. Hicks	SP-W

June 1991

G.L. Echard	B&P
C.E. Ford	B&P
J.L. Buterbaugh	B&P
L.R. Martenis	GTW
G.I. Sands	SP-E
T.M. Bell, Jr.	BN
R.J. Cashman	Amtrak
H.T. Hofman, Jr.	Amtrak
L.P. Williams, Jr.	SP-E
G.V. Moncivais	SP-E
R.P. Kausalik	C&NWT
B.P. Zaleta	Conrail

FIFTY YEARS AGO

In the Fall 1941 issues of THE TRAIN DISPATCHER we find; Former A.T.D.A. President J.G. Lauhrsen, now Executive Secretary R.L.E.A., testifies before the House Committee on Rivers and Harbors in opposition to the St. Lawrence Seaway and power project...The Department of Labor Bulletin No. 41 reports on a survey which discloses dispatchers are among those employees required to work in offices with defective illumination...The Train Dispatcher's Building at Sacramento, CA, "is a pleasure to work in" according to General Chairman D.M. Geil. "We recognize the part the A.T.D.A. played in making this new building possible," he writes...According to President Darling, the most important action of the delegates comprising the Twelfth General Assembly was their unanimous determination to seek a shorter work period and an increase in pay...U.S. workers are doing a magnificent job in turning out warships, airplanes, tanks, and other armament despite the fact they are worried by the problem of making their earnings reach around their necessary expenses...Secretary-Treasurer O.H. Braese continues to receive requests from railroad officials for experienced train dispatchers who will accept positions on railroads in the western region. Sample of humor; "Who are those people doing all the cheering?" asked the recruit as the soldiers marched to the train. "Those," answered the veteran, "are the people who aren't going."

TWENTY FIVE YEARS AGO

In the Fall 1966 issues of THE TRAIN DISPATCHER we find; President R.C. Coutt reminding of the importance of the quadrennial elections for System Committees...An article about passenger trains, stating that U.S. officials are convinced that high-speed mass transportation via rail is the only

solution to the traffic glut which threatens to choke our overloaded highways..."Your Washington Reporter," states that railroads received a "shot in the arm" from the long airline strike. Some lines reported "windfalls" of 30 to 50 percent in added passengers...A typographical error in a press release in President Lyndon Johnson's address to the UAW, left his aids with red faces. It said, "No group in America has done more for the cause of social injustice than the UAW. No leader has shown more competence or courage in that cause than Walter Ruether."...A report by M.G. Peters of the Clifton Forge, VA, office, about Florence McCaleb. She is one of only two female dispatchers in the nation at that time...An article from the LOCOMOTIVE ENGINEER, reports on the amazement of the public that hardly any passenger trains are left and the ones that are left have poor service...The staff of Hudson Institute experts sees a three day weekend and 13 week vacation for most people around the turn of the century. They also forecast a 50-cent telephone call to anywhere in the world...The dictatorial authority of the old Chief Dispatchers is noted in employment records at the turn of the century. Showing reasons for dismissal, most of them were for sleeping on the job, but Miss Bridget Blimp, operator, was dismissed account getting married without the consent of the Chief Dispatcher...An article about Clarence Darrow and his activities in behalf of unions. In 1937 he embarked on a remarkable legal career which would change the thinking of a nation. At a time when unions were considered conspiracies of hoodlums, he championed the right of men and women to improve their wages and working conditions. He did not deserve his reputation as an atheist. He felt it was difficult to prove that there is not a God as it is to prove there is...From the Snickers page: Tourist: "Are those eggs strictly fresh?" Farmer (to hired hand): "Feel those eggs and see if they're cool enough to sell yet."

RETIREMENTS OF MEMBERS

R.G. Dillion

CONRAIL



Retired on Sept. 13, 1989: Richard G. Dillion of the Altoona, PA, office, Conrail, after 39 years of railroading including 21 years as a train dispatcher.

Bro. Dillion was born on April 3, 1929, in Ehrenfold, PA. He began his railroad career as a block operator on Aug. 10, 1950, on the Pennsylvania Railroad, working until 1968. He was promoted to train dispatcher in February 1968. He worked for the Penn Central & Conrail from 1968-72 as a dispatcher and from 1972-89 as a movement director.

He first joined the A.T.D.A. on Aug. 8, 1964 and again Jan. 22, 1973.

Retirement plans are to travel and play golf. His address is 1426 3rd St., Cresson, PA 16630.



J.R. James

CONRAIL



Retired on Sept. 1, 1990: James R. James of the Harrisburg Office, CONRAIL, after 38 years of railroading including 34 years as a Movement Director and Asst. Chief Dispatcher.

Bro. James was born in Montgomery, PA, on Sept. 28, 1928. He began his railroad career as a clerk at Williamsport, PA, on April 3, 1952. He was promoted to Movement Director on Jan. 19, 1956. Jim transferred to Buffalo, NY, on Nov. 1, 1956 on the PRR. The PRR & NYC formed the PC and he was transferred back to Williamsport on Aug. 1, 1968. The office moved again and combined at Altoona, PA, on Aug. 1, 1972. Later CONRAIL was formed.

Jim states that he never posted a single day before working his first day as Movement Director. He says that he always worked with the feeling that he owed the Railroad something when working and never felt he should get something for nothing, emphasizing his opinion and feelings about his job to any and all no matter who they were or what their title.

Bro. James first joined the A.T.D.A. on Jan. 1, 1957, and rejoined on March 1, 1961. He received the special 25-year Membership Honor Emblem on Mar. 1, 1986.

Jim and his wife are involved with "meals on wheels" and other senior citizen programs. They also plan some traveling and will soon be in the last 4 states in the continental states that they haven't been in since 1982. His address is 1934 Bellemead Drive, Altoona, PA 16602.

G.J. Boerner SOO LINE

Retired on April 30, 1990: Gilbert J. Boerner, of the Chicago, IL, office, SOO LINE Railroad, after 39 years of railroading including 3 years as a train dispatcher.

Bro. Boerner was born at Cedarburg, WI, on Aug. 21, 1931. He began his railroad career as an extra agent-operator on March 1, 1951, and was promoted to train dispatcher on May 26, 1956. After working various Agent-Operator positions on the Madison Division of the Milwaukee Road, he worked as extra train dispatcher at Beloit, WI, from 1956 to May 1959 when he was promoted to a management position in Chicago. Bro. Boerner worked various management positions in Chicago and was working as Yard Office Supervisor in Bensenville, IL, when he retired.

Bro. Boerner first joined the A.T.D.A. on July 15, 1957, and rejoined on Sept. 16, 1985.

Retirement plans are to spend summers on Wisconsin lake property. His address is 15 Bryn Mawr Ave., Roselle, IL 60172.

**H.A. Vermilyea CONRAIL**

Retired during 1989: Harold A. Vermilyea of the Dearborn, MI Office, CONRAIL, after 38 years of railroading including 15 years as a train dispatcher.

Bro. Vermilyea was born at Toledo, OH, on May 11, 1933. He began his railroad career as a signalman in 1951. The highlight of his career was when he went to work as train dispatcher in 1968. He has worked at Stanley Yard, Toledo as Trainmaster. He worked in Chicago, at Park 'Manor' Yard, and at Elkhart, IL, on the Corrhence Branch. As Operator, he worked in the General Office in Chicago.

Bro. Vermilyea first joined the A.T.D.A. on July 15, 1968, and rejoined on Sept. 22, 1983. His address is 119 Water Street, Woodville, OH 43469.

**D.R. Scott CHESSIE**

Retired on April 2, 1990: David R. Scott of the Huntington, WV, office, CSXT, after 34 years of railroading including 8 years as a train dispatcher.

Bro. Scott was born at Hinton, WV, on April 2, 1928. He began his railroad career as an agent-operator on Feb. 2, 1952, and was promoted to train dispatcher in 1982. He worked as agent-operator on the NF&G Ry. during 1952-1953, on the Virginian Rwy. during 1953 and 1954 and on the C&O Rwy. Co. from 1954 to 1982. He worked as train dispatcher on the C&O (CSXT) from 1982 until retirement.

David has been a continuous member of the A.T.D.A. since Feb. 1, 1983.

Retirement plans include doing some traveling, some gardening and fishing and taking it easy. His address is P.O. Box 65, Meadow Creek, WV 25977.

W.D. Drumm**CHESSIE**

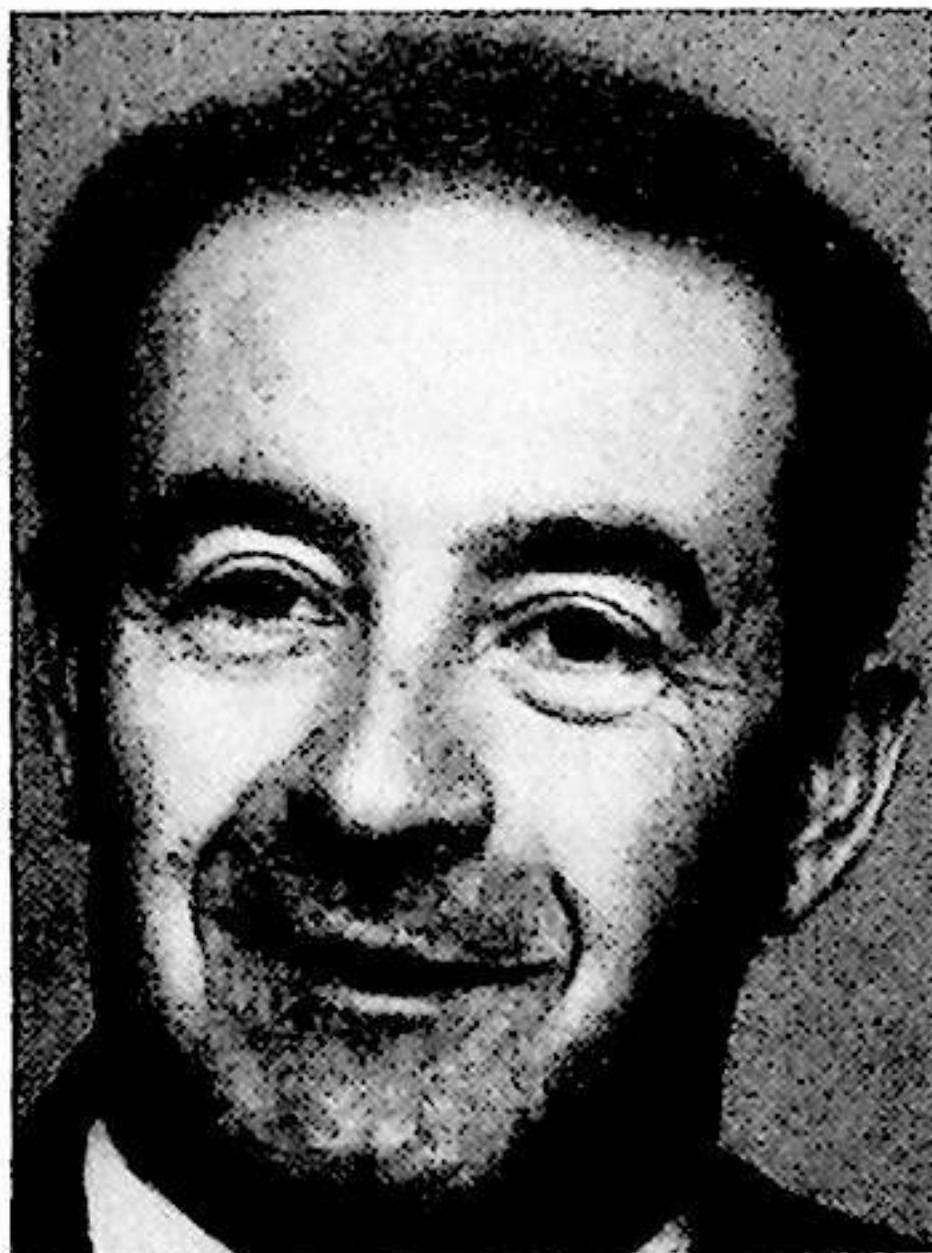
Retired on Jan. 1, 1990: William D. Drumm, Jr., of the Baltimore, MD, office, Chessie System, after 45 years of railroading including 8 years as a train dispatcher.

Bro. Drumm was born on Dec. 16, 1927, in Connellsville, PA. He began his railroad career in the Engineering Dept. in July 1944. He was promoted to train dispatcher on Nov. 25, 1949, working in that position for eight years. The remaining time was spent as a Transportation Inspector, Division Operator, Rules Committee and Road Trainmaster.

He first joined the A.T.D.A. on July 16, 1950, and rejoined Feb. 27, 1980. Dispatching has changed during his time from the train sheets with the horn around the neck to the method they have today in the Jacksonville, FL, office. He enjoyed the many years he served on the Railroad Train

Dispatcher Joint Committee.

Retirement plans are to travel, fish and hunt. His address is 401 Klee Mill Road, Sykesville, MD 21784.

**R.P. Valle****AMTRAK**

Retired on May 1, 1991: Robert P. Valle of the Boston, MA, office, Amtrak, after 37 years of railroading including 26 years as a train dispatcher.

Bro. Valle was born in Brockton, MA, on Aug. 25, 1933. He began his railroad career on June 22, 1953. He was promoted to train dispatcher on May 1, 1964 and to Chief train dispatcher on Sept. 1, 1978.

He has been a continuous member of the A.T.D.A. since Aug. 3, 1965 and was awarded the 25-year membership Honor Emblem on Aug. 1, 1990.

Retirement plans are to spend their summer in Maine, then to tour the U.S. via motor home. Their winters will be spent in Florida. His address is 12 Arnold St., Taunton, MA 02780.

**G.J. Cosenza****CONRAIL**

Retired on June 3, 1990: Gennaro J. Cosenza of the Harrisburg, PA, office, CONRAIL, after 42 years of railroading including 22 years of train dispatcher.

Bro. Cosenza was born on Aug. 6, 1927, in Shamokin, PA. He began his railroad career as a telegrapher on June 17, 1948, and was promoted to train dispatcher on Nov. 25, 1957.

He has been a continuous member of the A.T.D.A. since Aug. 11, 1958, and was awarded the 25-year membership Honor Emblem on Aug. 1, 1983.

His address is 104 S. Maple Ave., Maple Shade, NJ 08052.

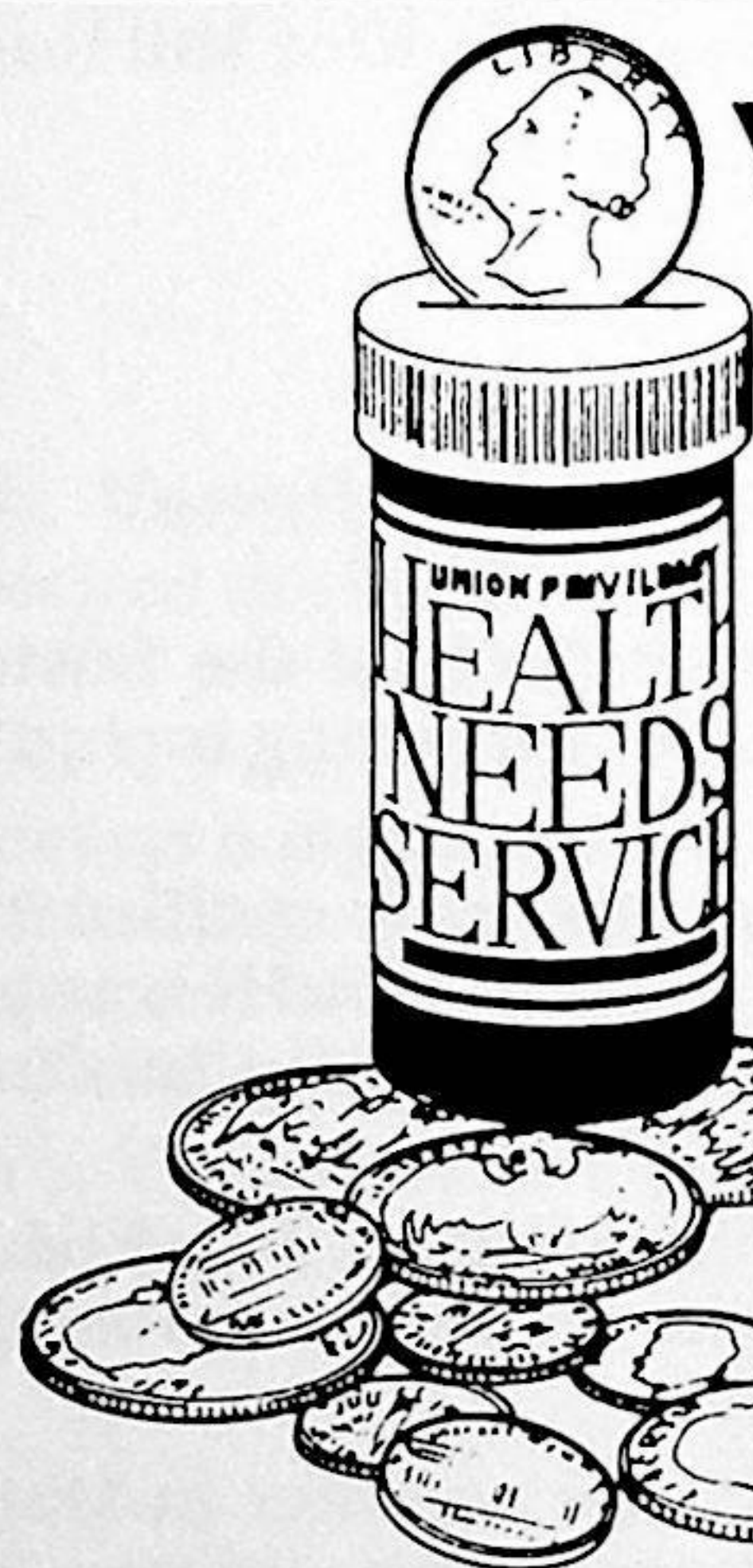
H. Honeycutt NS

Retired on June 28, 1991: Herbert Honeycutt of the Somerset, KY, office, Norfolk Southern Railway, after 42 years of railroading including 34 years as a train dispatcher.

Bro. Honeycutt was born in Harriman, TN on June 31, 1931. He began his railroad career as a telegraph operator on June 30, 1949. He was promoted to train dispatcher on Sept. 15, 1957.

Herbert has been a continuous member of the A.T.D.A. since July 14, 1959, and was awarded the 25-year membership Honor Emblem on July 1, 1984.

Retirement plans are to spend time fishing and traveling. His address is 105 Speedway Drive, Somerset, KY 42501.



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Send In The Coupon To Start Saving. Start fighting skyrocketing prescription drug costs. Send in the no obligation coupon to get everything you need to start saving: a prescription order form, vitamin catalog and special toll-free telephone order number. It's your union privilege.

**UNION
YES** 

☐ **YES**, I'm counting on my union to help me save on health needs. Please send me a free vitamin catalog, prescription order form and the special toll-free telephone order number. Please allow up to 4 weeks for delivery.

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Address

City State Zip

Phone Number

Social Security Number

International Union

Local Union District Lodge

Send to: **Union Privilege Health Needs Service**
National Pharmacies Inc. P.O. Box 1000 Elmwood Park, N.J. 07407



How to Protect Your Credit History

Just like yearly visits to your doctor and dentist, your credit report deserves a regular check-up because it is a key asset of your financial health.

Every time you apply for a credit card, loan, mortgage or even a job the final decision could easily rest on what's in your credit report.

What's in your credit report? Typically it consists of information reported by institutions with whom you have a loan or a credit card. Included are your name, address and social security number, amount of money owed, your repayment history and any judgments against you.

Consumer experts estimate that one in five credit histories contains at least one error. That's why you should review your credit report at least every two years or prior to applying for a major loan or mortgage.

Credit bureaus are required to send you your report on request. If you request it within 30 days of being denied credit based on that report, it will be sent to you free. Your denial letter will contain the name and address of the bureau who issued the report. At other times, you may have to pay a fee of \$5 to \$30.

To find the major credit bureaus near you, look in your telephone book. Then call the bureau. They will tell you what you need to do to obtain a copy of your report.

The three major credit bureaus are CBI/Equifax, TransUnion and TRW.

If you find errors or incorrect information on your report, bring them to the attention of the credit bureau no matter how insignificant they may seem. Incorrect or missing information could cause you to be rejected again.

To correct your report, provide the bureau with any evidence you have to prove the information is wrong. You may have to be persistent. Confirm all phone calls and keep copies of everything you send.

What if the information is correct, but puts a negative mark on your credit history? For example, suppose you missed payments or had financial problems due to illness, or didn't pay for an item because it was defective? The law entitles you to add a brief statement of explanation to your file. You should be sure to do so.

For a free list of publications designed to help you understand credit bureaus and save money on credit, write to: BankCard Holders of America; Publications List; 560 Herndon Parkway, Suite 120; Herndon, VA 22070. A pamphlet, *Understanding Credit Bureaus*, is available for \$3. BankCard Holders is a national education and advocacy organization.

How Safe Are Your Savings?

More and more Americans are now worrying about something almost forgotten since the Great Depression—the security of their savings.

While it's true that most banks, credit unions and Savings and Loans federally insure accounts of up to \$100,000, there are still many ways you can suffer if your financial institution fails.

Your money might be tied up for days or weeks while regulators sort things out. Your overdraft checking account or unsecured line of credit could be cancelled without notice, perhaps when you need it most. Your long-term Certificate of Deposit could have its rate lowered.

That's why you should look beyond fees and interest rates when deciding where to put your money. Warning signs of trouble include:

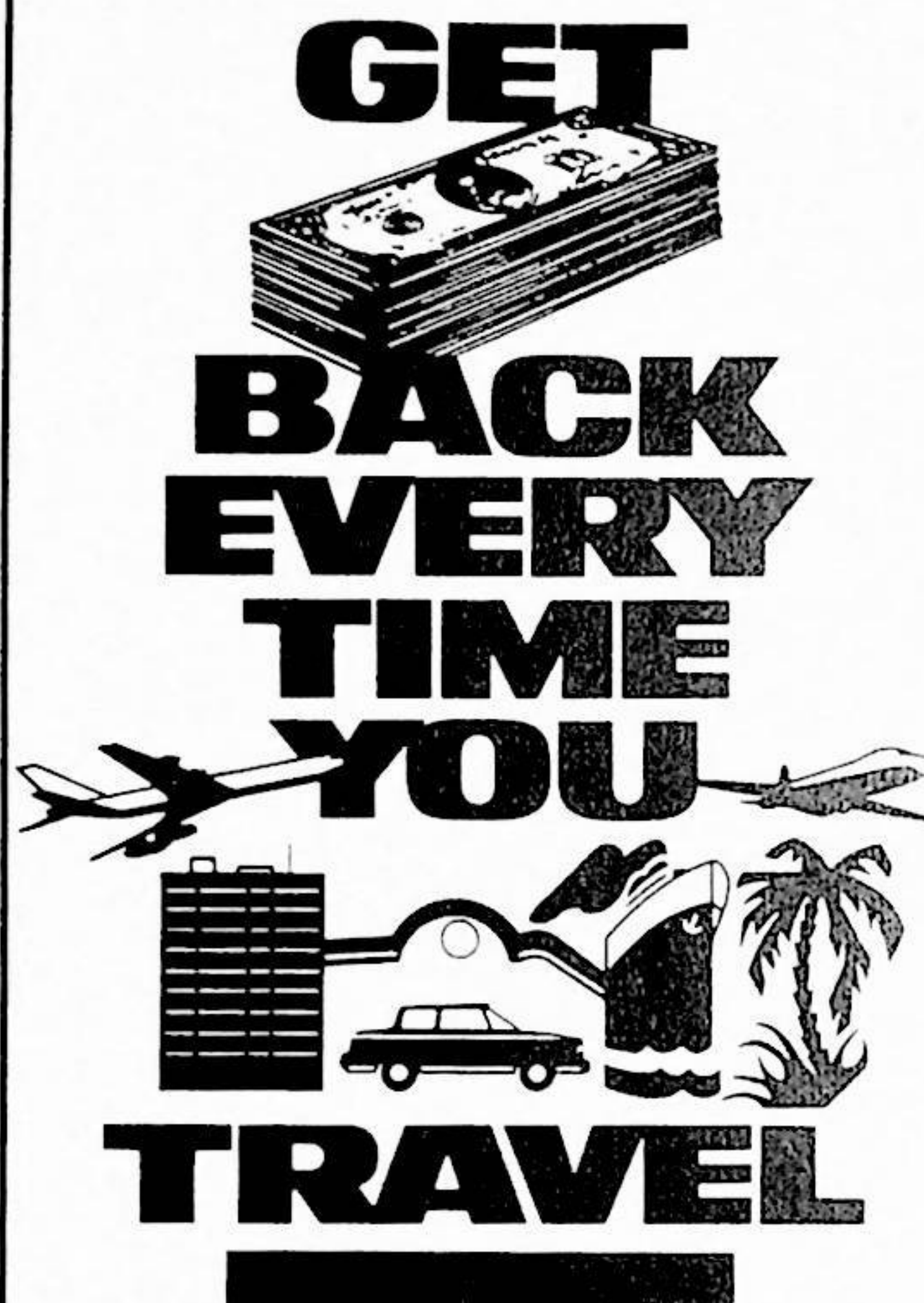
- Unusually attractive rates. Troubled institutions often try to "buy" business by offering high rates of return or discount loans.

- Dropping stock prices and negative articles in the business section of your local newspaper.
- Poor customer service. Long lines could mean a reduced work force.
- Rapid growth. Especially in today's stagnant economy, bigger is not always better.

Considering that government regulators are often taken by surprise when a financial institution fails, what can you do to protect yourself?

- Understand how the insurance offered by the Federal Deposit Insurance Corporation (for banks and S&Ls) and the National Credit Union Share Insurance Fund works. You can get a free pamphlet, *Your Insured Deposit*, by writing the FDIC; Consumer Affairs, 550 17th Street, NW; Washington, D.C. 20429.
- If you have questions about FDIC insurance, or complaints about an individual institution, call the FDIC's consumer hot line: 1-800-424-5488, Mondays through Fridays, 9 a.m. to 5 p.m., Eastern time.
- Remember that banks and S&Ls can be insured, and still offer investments that are *not* insured. This is how savers lost millions in the Silverado scandal.
- Consult your local library's business references like Standard & Poors, Value Line and Dun and Bradstreet.
- Veribanc, a bank rating service, offers instant safety reports of banks, S&Ls and credit unions over the phone. The cost is \$10 for the first bank and \$3 for each additional bank. Call 1-800-442-2657. Detailed analyses are also available for \$35 each.
- Do your saving at two or more places. If one has trouble, all your funds won't be tied up.

Some long time friends have stayed that way by not visiting each other too often.



As a union member, you're now eligible for the newest benefit that's been negotiated for you: The "Better Deal" Union Privilege Travel Plus Club. When you join, you'll get:

- 5% cash back on all domestic airline tickets, hotels, motels and car rentals booked through the club
- up to 65% off on fantastic short notice trips
- guaranteed lowest airline fares
- low discounted hotel rates
- toll-free message service
- free maps and motor routes

As a Travel Plus Club member, you get all this for just \$29—truly a "Better Deal." And you may cancel your membership at any time with a full refund.

Join today. Contact your local union leader for more information.

WASHINGTON WINDOW

Momentum Builds For Action On Health Care Crisis

More than a decade of runaway health care costs have finally produced common agreement—even from such unlikely quarters as the American Medical Association, top corporate executives and congressional Republicans—that the nation's health care system, or rather non-system, has broken down.

That's progress. Unfortunately, however, there's no consensus among policymakers on what to do about the health care crisis. A flurry of bills have been thrown into the congressional hopper; all have the stated goal of lowering costs and expanding access to health care.

Some legislators would tinker with the private insurance system to cover the uninsured and expand Medicaid to help more poor people. Others would scrap private health insurance, Medicaid and Medicare in favor of universal, national health insurance modeled on the Canadian system. Others, including the Senate Democratic leadership, would try something inbetween.

About the only quarter that has remained virtually silent on what is perhaps the nation's most pressing domestic issue is the White House. After promising a plan to revamp the health care system in his 1990 State of the Union speech, there's been hardly a peep from the President.

In response to the Senate Democratic initiative, Bush said he opposes "federally-mandated national medical care." To date, Bush's sole remedy is to limit malpractice awards against doctors and to advise Americans to eat right and exercise to stay fit. He should have added prayer against serious illness and the resulting financial devastation for the uninsured and underinsured. Meanwhile, the Administration says the issue is under study.

In contrast to the naysaying and

silence from the White House, there's a rising sense of urgency on Capitol Hill. Individual cries of pain from the home districts have been growing into a chorus of discontent too loud to ignore.

"The American people are way ahead of Congress and the Administration on this issue. They're fed up with the system as it is," said Rep. Mary Rose Oakar (Ohio) in plugging her health care bill before the House Government Operations Committee. "A recent survey indicates that 67 percent of Americans favor a plan similar to Canada's which guarantees universal health coverage and long-term care," she added.

Rep. Marty Russo (Ill.) told the panel that his bill for a single-payer system was "the best deal in town. This bill is about containing costs because Americans can't afford \$5,500 a year for every man, woman and child by the end of the decade."

"Above all, it's about giving Americans the peace of mind they deserve so that when their children are sick, they can take them to the doctor without having to worry about paying a high deductible. Or that when they change jobs, they won't lose their health insurance. Or that when their mother or father needs long-term care, they won't have to mortgage their home or postpone their kids college education," Russo declared.

"I'm tired of hearing everyone with an inside the (Washington) Beltway attitude say that single-payer is the best system, but it could never happen in the U.S.," Russo continued. "The American people want it and they deserve it. For the amount of money we spend, Americans should be living two years longer than Canadians, not the other way around."

But Rep. Pete Stark (Calif.) predicted that the U.S. health care system "probably will resemble that in Germany, not Canada," because of the political influence of the opposition. He noted that Germany pioneered national health insurance more than a century ago. Stark's Mediplan bill would expand

Medicare core benefits to all Americans, who could purchase supplemental coverage from the private insurers who would administer Mediplan.

"It is possible to build upon the fiscal discipline we have achieved in Medicare," Stark said. "But an employer mandate approach would continue the ineffective patchwork approach to cost containment that characterizes the current system."

"Whatever we do," Stark added, "let's have no more study commissions, unless the commission is made up of uninsured Americans. Maybe we should take away insurance coverage from members of Congress until we pass universal health insurance."

Rep. Bernie Sanders, freshman independent socialist from Vermont, told the panel, "The American people are disgusted with the present system; they want to junk it and go forward."

"This is a political question--not a health care question: Do we have the political courage to go forward against 1,500 insurance companies, the high-paid doctors, the for-profit hospitals, and the medical technology suppliers? I hope we will have the courage to go forward as soon as possible."

Americans Can't Afford the Dream

WASHINGTON (PAI)--The All-American dream consists of college, marriage, two kids, and a house with a white picket fence. But today, that's all it is--a dream. Some 57 percent of U.S. residents cannot afford to buy a median-priced home, according to the U.S. Census Bureau.

Even worse, 48 percent cannot afford a modestly priced home, defined as one where 75 percent of homes cost more. Another 15 percent are unable to pay for the lowest priced housing.

The Census Bureau survey found that African-Americans, Hispanics, single people, and the young are least likely to own a home. About 77 percent of African-American families can afford to buy a median-priced home. Only 6 percent of families headed by someone younger than 25, and 17 percent of those headed by single mothers can afford the same price tag.

Economist Mark Zandi said, "In America, people believe a home is a birthright. It's going to be a problem if they can't afford one."



Railroad Recollections

Baldwin-Felts Mine Detectives Were A Menace to Society:

by Roy C. Long

(Published in Hinton News May 23, 1989)

When I was hired by the Chesapeake and Ohio Railway Company as a telegraph operator, the senior operators were Mrs. Etta Hurt Meadows of Covington, VA, and Mr. Ben R. Boyd of Mallow, VA, both employed July 4, 1888. Mrs. Meadows worked at "CD" office in Covington and Mr. Boyd at "BS" Cabin near Boys Home.

Miss Etta Hurt was born October 14, 1871 and was 17 years of age when she started her long and successful career on the C. & O. When a young lady, she married Seymore Meadows, another telegraph operator who was employed at Hinton January 1, 1888 and was later promoted to train dispatcher with jurisdiction over Greenbrier District (Alleghany Subdivision) between Clifton Forge and Hinton. Mr. Meadows left the service of the C. & O. early in life, preferring to be a 'house husband' while Mrs. Meadows continued in railroad service for more than sixty-five years. For several years Mrs. Meadows worked in the tower at Whitcomb, W. VA, later going to "CD" office in Covington, VA, where she remained until retirement about 1954. They were the parents of two sons. John, the eldest was a telegraph operator at Russell, KY, who died early in life with Hodgkin's disease, and Howard, who was telegraph operator at Hot Springs, VA, and who also died early in life with a heart attack at his parents property near Clarmont, Florida.

Mrs. Meadows owned a large orange grove on her Florida property. She would lay off her railroad job on April 15th every year for about six weeks to take care of her interest in the oranges. It was my good fortune to work in her place at "CD" office, Covington, VA, on several of her extended leaves.

While working at Covington and boarding at Mrs. Tingler's boarding house on

Fudge Street, I became acquainted with the engineer who worked the evening yard and who also boarded with Mrs. Tingler. He was an interesting gentleman to talk with whose first name escapes me now. We knew and referred to him as Mr. B.W. Doggett who lived at Ronceverte, W. VA. (We later learned his name was Beauregard W. Doggett.)

Over the years, we have heard how mean and dangerous it was in the coal fields of Fayette County, West Virginia at the towns of Thurmond and Glen Jean around the turn of the century. No one knew more about it than did Mr. Doggett. He was hired at Hinton as a fireman and worked there for several years before taking a job as engineer in the coal fields with headquarters at Thurmond terminal.

In 1902 and 1903 there was much unrest in the mine towns on Loup Creek Subdivision and at Thurmond, Fayette County, W. VA. Miners were striking against coal operators (owners) and attempts were being made to unionize the mines. Mr. Justus Collins, a coal operator with large holdings at Glen Jean was determined to keep his miners on the job, by intimidation or otherwise. Collins hired several Baldwin-Felts detectives (A private agency in Bluefield, W. VA, supplied the thugs.) to guard the property. The guards were heavily armed and patrolled on foot and on horseback to prevent trespassing and to instill fear in the miners.

Saturday night, June 8, 1903 Engineer B.W. Doggett was sitting in the depot waiting room at Thurmond, W. VA, waiting to catch passenger train No. 6 enroute to his home at Ronceverte. Earlier in the day a Baldwin-Felts employee named J.W. Nelson had ridden the Loup Creek local passenger train from Glen Jean to Thurmond and was insulted by a passenger, so he said. Waiting until dark, Nelson went to the depot waiting room and called Mr. Doggett out and when they got away from the light of the depot, struck Mr. Doggett several times with a black-jack, severely injuring the good man. The attack was unprovoked and was a case of mistaken identity, Nelson thinking he

was the man he had quarreled with earlier on the train.

Nelson left Thurmond on train No. 6. Hinton police authorities were alerted to capture him but he got off at Prince and went to Beckley where he was arrested and returned to Thurmond. He posted bond which proved to be no good and went to Hinton where he was wanted by the police. He had been in Hinton the previous week creating a disturbance on Front Street when he shot several times into one of the saloons. He was arrested and brought before Mayor Jim Smith who fined him \$20.00, which he paid. Authorities returned the prisoner to Thurmond where he was held on a felony charge for the attack on Mr. Doggett.

The present quiet little town of Glen Jean wasn't so quiet and tame in those days either. The town was built by Thomas G. McKell about 1880, a coal operator holding about 25,000 acres of coal land. He named his town, Glen, meaning a narrow secluded mountain valley, and Jean, for his wife Jean McKell.

Fleming P. Thornton grew up near Alderson, W. VA, and went to Glen Jean to seek employment and was hired in the planing mill. During the afternoon of Wednesday, July 8, 1903, exactly one month after the attack on Mr. Doggett, Thornton started to go to Collins' store to make some purchases. He was stopped by a Baldwin-Felts guard and turned away. He obeyed and started back up Collins Hill. He was stopped again by another guard named Henry Ball who ordered him off the property. Thornton, fearing for his life, obeyed the order and tried to make it to the McKell property and safety. Ball however, followed and stopped him again asking, "What the hell do you want here, anyway?" Thornton answered, "I don't know that it is any of your business." Whereupon, Ball struck him with a rock or pistol and secured a piece of scantling (2 by 4) and was about to hit him with that when Thornton drew his derringer and shot point blank into Ball's body, the bullet piercing the heart killing him instantly.

The town constable, Benjamin McCall, arrested Thornton immediately. A mob formed with intent of lynching the prisoner for killing the guard, Ball. McCall and Thornton went into the mountain where they laid out all night arriving at the jail the next morning.

The killing of Henry Ball was the fourteenth man shot and killed at Glen Jean in the past year.

After a preliminary hearing, Thornton was held for the grand jury charged with murder in the first degree. The case was heard in Fayetteville starting Thursday, October 22, 1903 which trial lasted three days. Thornton was defended by Attorneys A.R. Heflin and T.N. Reed of Hinton. The prosecution made a strong effort to find him guilty in the first degree, however, the jury found him guilty in the second degree and he was sentenced to the penitentiary for five years.

Railroading Over 130 Years Ago

(Published in Hinton News June 20, 1989)

Casey Jones would have disapproved. Lon and George Alley and Billy Richardson would have disapproved. So would Frank Hill and John Germer. In fact, very few of the 'old timers' would have approved of the modern means of moving trains from terminal to terminal. I also seriously doubt any of the present day railroaders would approve of the way it will be another 130 years into the future. The way things are done today is much different from the railroad Casey Jones and the other railroad men I mentioned knew. The locomotives, the cars, the road bed, the rails, signals and railroaders are all different. You might say those I mentioned were at the adolescent stage of the baby railroad that has become the giant it is today.

I haven't been there, and probably never will, but I can visualize CSXT's new train dispatching center in Jacksonville, Florida where the entire system will be controlled from one location, or center as it is called. The train dispatchers sit at consoles in air condi-

tioned comfort. On the wall of the section of the system to be controlled by a single man, a display panel will show the location, direction and movement of every train within his charge of responsibility.

In this electronic age of computers, etc., it isn't a question, can it be done, instead, how much can a person handle without danger to his health. Only time will answer that question. A dispatcher in Jacksonville will throw switches and clear signals for trains in Grand Rapids, Michigan; Chicago, Illinois; and Hinton, West Virginia; and over the entire system. Every location on the board is numbered and a hypothetical number for Hinton is 100, so, if he wants to throw a switch and clear a signal at Hinton he punches the number 100. When he does, the number 100 appears on a cathode ray tube (called, CRT) that looks like a TV set and is directly behind his push buttons. He now pushes buttons to select other controls such as a switch he wants to reverse or a signal he wants to display. Each command is verified by a flashing light on the main display panel, giving the dispatcher a double check.

After the dispatcher has selected all the functions he wants at Hinton, location 100, he presses the "start" button on his console. This sends his order out to the actual location, in this case Hinton, where the intended train movement is put into motion.

He can sit in Jacksonville and alert signalmen and other maintenance men in the field when necessary, and can turn on electric switch heaters to melt snow and prevent switches from freezing in winter. Hot Box detectors stand alongside the tracks. If an axle gets hot from inadequate oiling it could shear off and derail a train. Under the sensor system as a train passes, even at speeds up to 70 miles per hour, a thermometer measures wheel heat and transmits it to a recorder that draws a continuous graph of the heat of each wheel in the train. When the system detects too much heat it is recorded on the graph and an alarm sounds. A war-

ning is then sent to the train by radio along with instructions for corrective action.

In this day and time of modern railroading, railroaders and the public alike seldom stop to think of the difficulties encountered by the pioneer railroad man. An ancient timetable of the Old Virginia and Tennessee Railroad, now a part of the Norfolk Southern Railroad, dated Monday, December 31, 1855 is of interest. There was no telegraph or teletype in those days, a man on horseback being the only means of communication except by mail. The timetable was found near Abingdon, Virginia when the road had only been completed to Scavely's Point, east of Marion, Virginia. There were fifteen rules and regulations published in the pamphlet signed by E.H. Gill, Superintendent, some of which were as follows:

Rule 1. Up freight trains will pass up mail train at Lowry's. Up freight train will meet down mail train at Wythville. Freights meet at Bonsack.

When a mail train is over three hours late, from accident or otherwise, a messenger must be sent to Lynchburg.

Rule 3. In cases of the engine attached to any mail train being disabled, any engine on the road shall be taken to supply her place.

Rule 6. When freight trains, by losing time find they cannot arrive at the next passing point on time, they shall proceed cautiously with a man one-third of a mile ahead of the engine with a red flag or lantern.

Rule 8. Should two trains meet on the way, advantage shall be given to the one which has the greatest distance to run back.

Rule 14. Be sure you are right and run no risk.

The reader should keep in mind that these operating rules and regulations were written some ten years before the end of the Civil War. □

Government Failing to Inform Elderly About Medicaid Buy-In

by Jennifer Dowling
PAI Staff Writer

WASHINGTON (PAI)--More than 2 million elderly poor may be paying \$1,000 or more a year in Medicare premiums and deductibles because no one has told them that the government will cover these out-of-pocket Medicare costs, according to a study released at a press conference here by Families USA.

Ron Pollack, head of the national advocacy group for senior health care issues, said, "If this were a benefit for the 2 million richest people in the United States, the President and Congress would make sure that the job was done and that everyone received the benefit." He added that "Congress and the President made a promise to the elderly poor, and that promise is being broken."

According to last fall's budget agreement, those elderly living below the poverty line no longer have to pay out-of-pocket Medicare costs, including a \$29.50 monthly premium taken out of Social Security checks, as well as \$728 in deductibles and 20 percent of all doctor bills.

Medicare handbooks received by beneficiaries in 1989 and 1990 said that Medicaid will pay Medicare costs incurred by those with incomes below the poverty line, which in 1991 is \$6,620 a year for an elderly individual. Couples who earn less than \$8,800 are eligible. According to Families USA, 4.25 million Americans qualify for the Medicare buy-in, but only half actually receive the protection.

"The problem is that you don't get the benefit if you don't apply for it. The government has neglected to notify people of their new rights," Pollack said. "Millions of low-income elderly are eligible but no one has notified them that the benefit even exists. And the government wrongfully continues to make money out of their Social Security checks."

Rep. Henry Waxman (Calif.), principal

author of the buy-in provisions, said, "It's clear that the Social Security Administration, Health Care Financing Administration and states are not doing their job to help get this information out to the elderly who are entitled to this help." He said that the Social Security Administration should send out notices about the buy-in with checks and get these people enrolled.

Pollack supported Waxman's suggestion, adding that the agency could advertise on television and radio stations or visit senior citizen centers to spread the word about the potential savings. Pollack said that the government owes the 2 million elderly not receiving the benefit for past payments. He said buy-in benefits should be paid retroactively.

According to the Families USA study, in state-by-state breakdowns of total numbers of eligible elderly not receiving protection, Alaska, California, Hawaii, Kansas, Indiana, Michigan and Rhode Island reported the worst performances. Alaska has the highest potential percent of eligible citizens not getting the benefits with 98 percent. California is second with 89 percent.

Gail Wilensky, director of the Health Care Financing Administration, the federal agency that administers Medicare and Medicaid, excused the poor enforcement of the buy-in, saying, "The difficulty is that it's hard to know who you don't know about." And, while the federal government thinks it is the responsibility of state welfare offices to find out, the states claim that the job is for the federal government. Pollack said, "It's time for everyone to stop passing the buck on this."

Waxman concluded that "if no one in Health and Human Services wants to take the lead, we may have to act legislatively to push them to do it."

A blind man will not thank you for a looking glass.

English proverb

OBITUARIES

It is with sincere sorrow that the Association records the death of these members, a significant part of whose lives have been spent in support of our mutual ideas and purposes. We extend our sympathy to the bereaved families.



EDWARD PAUL VIDAL, 65, Euclid, OH, on Aug. 31, 1990. Heart aneurysm was the cause of death. He retired on July 29, 1986, from the Cleveland, OH, office, Conrail, after 41 years of railroading including 20 years as a train dispatcher.

Bro. Vidal was born at Fredonia, NY, on July 14, 1925. He started his railroad career on Oct. 23, 1945, as an agent-operator. He was promoted to train dispatcher on Sept. 4, 1966.

He had been a continuous member of the A.T.D.A. since July 3, 1964, and was awarded the 25-year membership Honor Emblem in July 1989. He also was a member of the American Legion Post # 434, Brocton, NY.

Survivors include his wife, Virginia, 482-R Clearview Dr., Euclid, OH 44123; a son, Paul E.; a daughter, Cindy Bodendorfer and 2 grandchildren.

— • —

WARREN G. FERGUSON, 67, Louisville, KY, on July 4, 1991. Cancer was the cause of death. He retired on Oct. 1, 1986, from the Louisville, KY, office, L&N Railroad, after 44 years of railroading including 21 years as a train dispatcher.

He was born at Mt. Vernon, KY, on Oct. 6, 1923. He enlisted in the U.S. Navy on Dec. 14, 1942, and served as a radio operator and instructor at Miami University, Oxford, OH, before serving in the Southwest Pacific for 3 years. He returned to the L&N in December 1945 and was promoted to train dispatcher on Nov. 30, 1965.

He had been a continuous member of the A.T.D.A. since July 25, 1967.

Survivors include a son, Michael, Durham, NC; two daughters, Sharon Prather-Bland and Lynn Ferguson, 5812 Emmalee Dr., Louisville, KY 40219; two sisters and two grandchildren.



SANDHOUSE SNICKERS

The school cafeteria had a breakdown in the kitchen and served peanut butter and jelly sandwiches instead of the usual hot meal. After lunch a satisfied second-grader complimented the cafeteria manager: "Finally, you gave us a home-cooked meal!"

—•—

Recent polls show that during this most recent recession, many people with a B.A., M.A., or even a Ph.D. couldn't always find a J.O.B.

—•—

On a crowded street, a motorist stopped for a red light and his rear bumper was bashed by the car behind.

He got out, looked for damage, glared at the man driving the other car, got back in his car and drove off.

At the next light, the same thing happened again. The other driver got out and came over to him holding his license.

"Look," the victim said, "never mind that stuff. All I want from you is a five minute head start."

—•—

Husband: Honey, you've got to admit, men have better judgement than women.

Wife: I couldn't agree more—you married me, and I married you.

—•—

"Daddy, I just love Grandma. When I grow up I'm going to marry her!"

The father replied: "Oh, no, son, you can't marry Grandma because she's my mother."

Whereupon the son answered: "Why not? You married MY mother!"

—•—

Sign on a country road: "Thirty days hath September, April, June and November. Also anyone driving over 40 MPH on this road."

Ad in farm magazine: "Wanted, dairy employee of good character. Persons who drink, smoke or eat margarine need not apply."

—•—

Rebuked by her mother for having been cross and ill-tempered, the teen-aged daughter retorted, "How come when it's me it's *temper*—and when it's you it's *nerves*?"

—•—

Screen door: something kids get a bang out of.

—•—

On the first day of school, each new kindergartner arrived home with a note from teacher. It read, "Dear Parents: If you promise not to believe all your child says happens at school, I'll promise not to believe all he says happens at home."

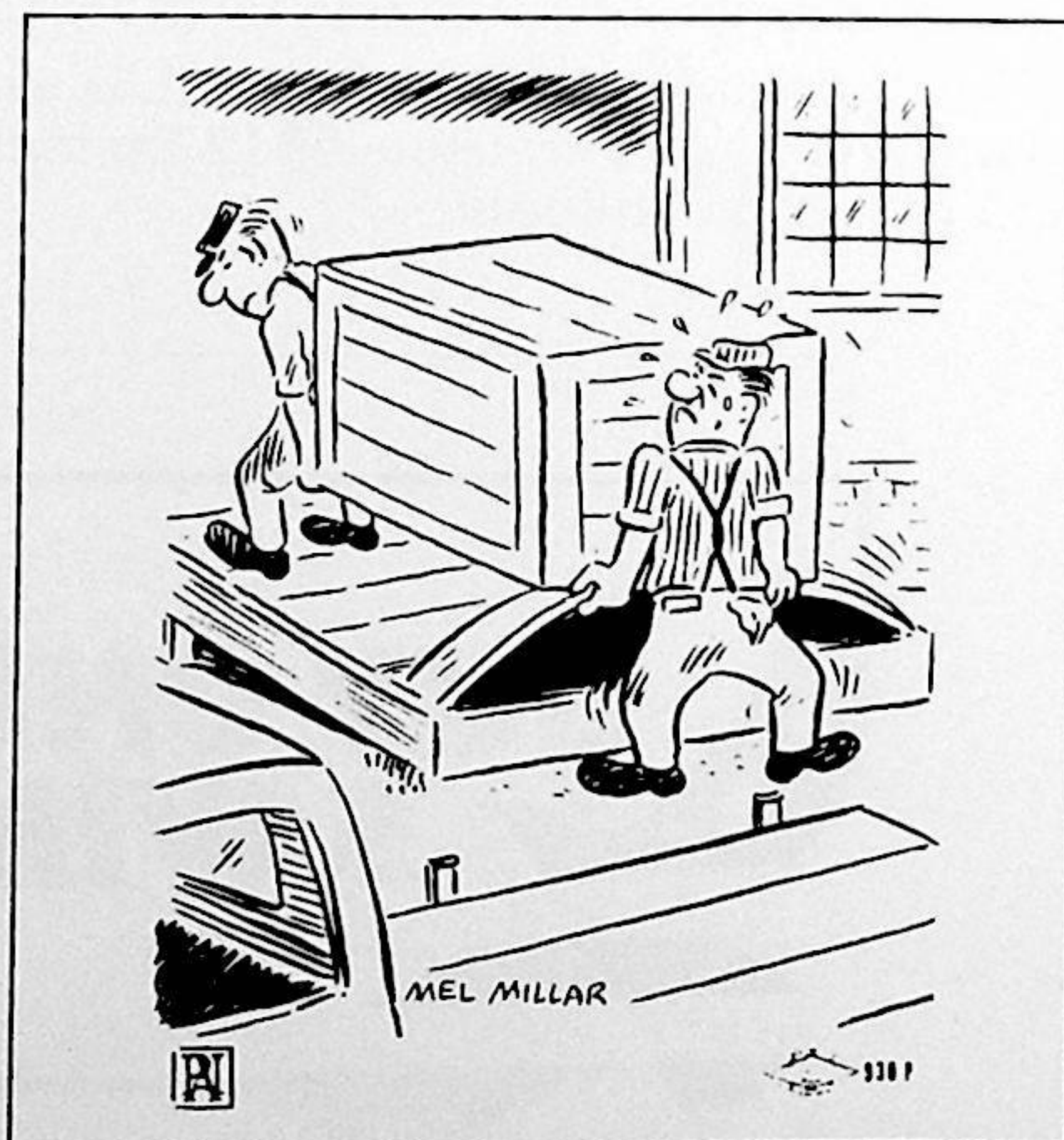
—•—

Considering the attendance record of some Congressmen, we may have gone from taxation without representation to *representation* without representation.

—•—

Game warden: "Hey, you can't use this license—it's last year's!"

Fisherman: "That's O.K., I'm only fishing for the ones that got away last year."



THE DOCTOR'S SAY

Sun Exposure and Skin Cancer

by Phillip L. Polakoff, M.D.

Director, Western Institute for
Occupational/Environmental Sciences

Every year more than 400,000 people learn they have developed skin cancer, usually the result of too much exposure to the sun.

Other risk factors are occupational exposure to arsenic compounds, coal tar, creosote, pitch and radium.

Fortunately, the overall cure rate for skin cancer is 90 to 95 percent. Nevertheless, the risk is worth avoiding.

Basal cell cancer is the most frequent type which usually appears as a pearly, waxy nodule that may ulcerate. They usually appear on sun-exposed parts of the body.

Squamous cell cancer is the second most common and it can appear in areas that are exposed to the sun or not exposed. This type is most frequently associated with a precancerous condition called actinic keratoses--reddish-brown, rough, scaly patches on the face and hands of elderly people.

Melanoma is the more serious skin cancer that may develop in either dark or flesh-colored moles. Approximately 17,000 cases of melanoma develop each year with about 5,200 deaths. Because it can spread quickly, the survival rate drops to 70 percent (among whites who are most often affected) compared to the 95 percent survival rate for the other skin cancers.

Melanoma is most common among fair-skinned people and less frequent in those with dark skin. Light-skinned blacks have an intermediate susceptibility.

How does sun exposure damage the skin?

At the base of the protective layer of skin called the epidermis is a basal layer of growing cells. These cells include those which produce the dark pigment called melanin.

The purpose of melanin is to scatter the ultraviolet light that hits the skin, thereby lessening its harmful impact. The amount of melanin is genetically determined. Since dark skinned people produce more melanin, they have more protection from ultraviolet light.

Ultraviolet light can damage or delay the repair of DNA in skin cells, thus leading to skin cancer.

Damage to the skin by sunlight is directly linked to both the intensity and duration of the exposure. The effect is greatest when the sun is high in the sky (between about 10 a.m. and 2 p.m.) and in midsummer. Reflection will also increase the effect--water, sand (snow in winter) all reflect much of the burning wavelengths of sunlight. Scattered rays also produce sunburn, even on days with haze or thin fog.

You can help prevent sun damage to your skin by using sunscreens. They do allow some tanning, but prevent the burn that many fair-skinned people suffer.

Sunscreens are labeled with an SPF (sun protection factor) number. The higher the number, the greater protection the cream will provide. Many doctors recommend an SPF of 15 or above for good protection.

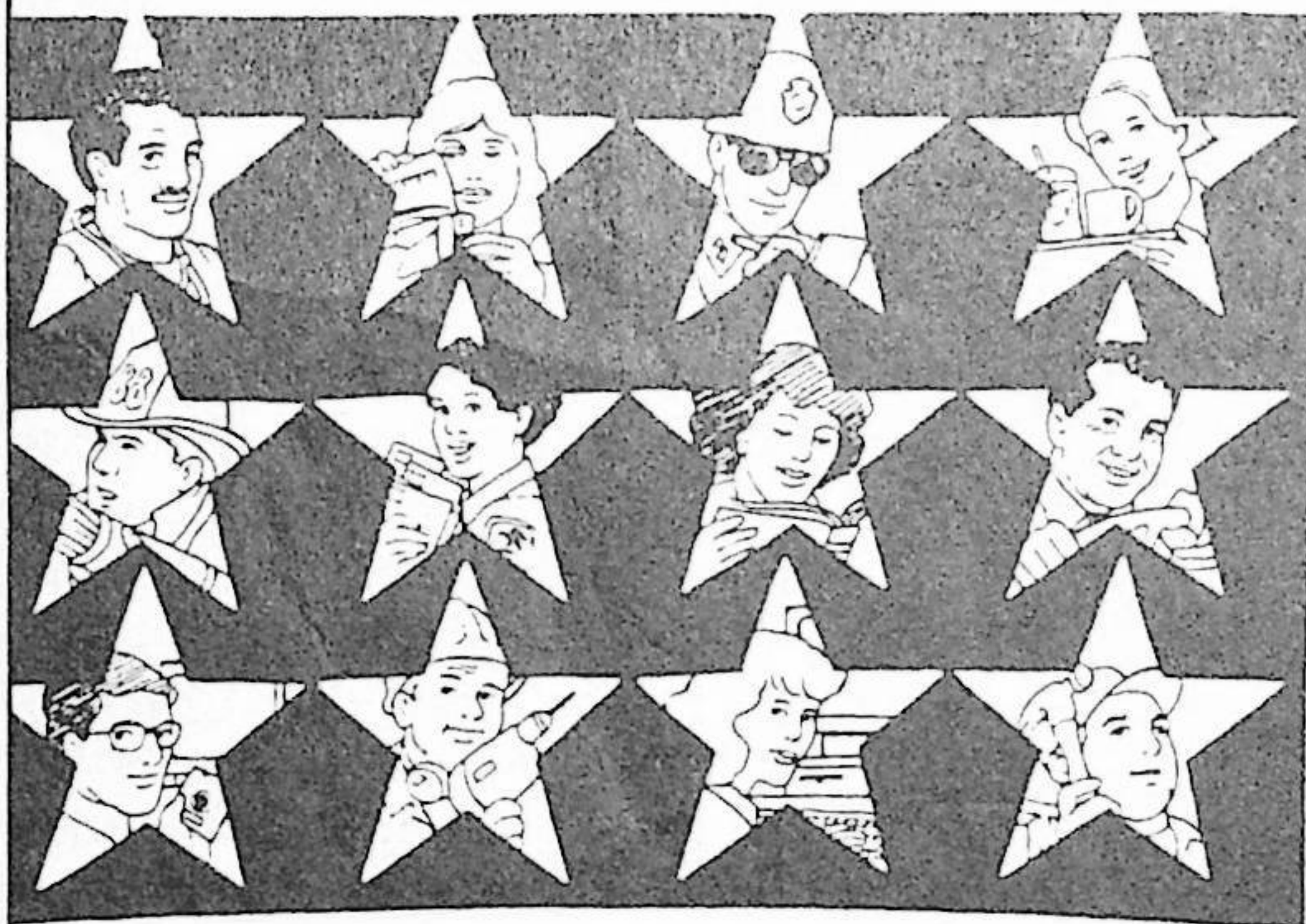
Here's a precautionary note about sunscreens. If you are taking diuretics (water pills) such as the thiazides for high blood pressure or edema, or other sulfa-derived medication, you should avoid using sunscreens formed with PABA (para-aminobenzoic acid). You can find that information in the list of ingredients. PABA combinations can cause sun-sensitivity. An alternate protection substance is one containing benzophenones which will avoid the possible risk. Your pharmacist is a good source of information.

Summer clothing is not necessarily a protection against the burning rays, especially if your outfit is made of airy, light-colored fabrics. Natural fabrics with a denser weave are better shields than loosely woven, thin materials. Dark colors screen better than light ones.

THE TRAIN DISPATCHER

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