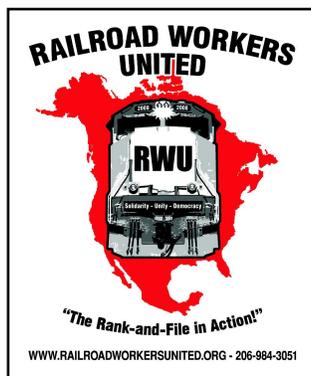


# The Highball

## *The Monthly Newsletter of* **Railroad Workers United**



### OUR FIRST ISSUE

**Thank you** for picking up a copy of our first newsletter! Whether you're sitting in the yard office or cab, taking a break from grinding rail or dispatching, servicing locomotives or cars - this newsletter is for *you*. We are creating an industrywide caucus where we can all come together to help each other build the solidarity, support, democracy and strength that is missing in our individual craft unions. Membership is open to all who share RWU's goal of building a "solidarity and unity caucus" among railroaders and to act as a support group for workers in their struggles. If you have comments, news, or story ideas, please e-mail [news@railroadworkersunited.org](mailto:news@railroadworkersunited.org). Remember - this is *your* newsletter!

**Rail labor activists** from across North America are coming together to form a new cross-craft inter-union caucus that includes all rail workers in North America. Membership in this new organization is open to workers from all the various crafts and unions. In addition, special efforts will be made to include Canadian and Mexican workers as well. To build this broad based unity and solidarity, the activists have launched Railroad Workers United (RWU). "We



want everyone to understand that we are not creating another rail union to compete with those already in existence", explains Jon Flanders, member of Machinists #1145 in Selkirk, NY. "Instead, we are creating an industry-wide caucus where we can all come together to help each other build the solidarity, support, democracy and strength that is missing in our individual craft unions. Who knows what the potentials and possibilities could be for such an organization of all rail labor."

### SMART Merger Update

On June 2007, then President of the UTU, Paul Thompson, unveiled a secret deal he brokered for a merger with the SMWIA to create the Sheet Metal, Air, Rail and Transportation Workers (SMART) union. In violation of the very merger agreement he created, Thompson submitted the merger agreement, without the SMART constitution, to the UTU membership for a quickie ratification vote. Thompson repeatedly assured the members that UTU autonomy would remain and the UTU Constitution would be inserted intact into the SMWIA Constitution. The merger agreement was approved in August in one of the lowest voter turnouts in UTU history. Only 8,625 members of the 80,000 member UTU voted in favor of the merger and Thompson never did publicly release the vote totals. The merger was to take effect on January 1, 2008. (cont'd p. 3)

**RWU** is still in the preliminary organizing stage and is, in effect, an “organizing committee”. The actual organization has yet to be formally constituted. That will all take place at the Founding Convention in Dearborn, Michigan on April 11, 2008. Please join us! For more information, see the back page of this issue.

**Current Steering Committee Members:**

Justin Eubanks, BLET 182 UP, Jon Flanders, IAM 1145 CSX, Tom Heike UTU 610 CSX, Ron Kaminkow, BLET 51 Amtrak, Steve Koth, UTU 582 CN, Brian Lewis, UTU 239 UP, Lewis Meyers, BLET 316 UP, Ed Michael, BLET 724 UP, Ryan Peltier, UTU 590 CP, John Villalobos, BMW 922 UP, Jeanette Wallis, BLET 518 BNSF, Matt Weaver, BMW 2624 CSX, Chet Whyers, UTU 979 UP, Joe Wyman, UTU 807 UP, Steve Desavouret, TCU 6608 CN

**Designed** to be a dues-paying membership-based organization, RWU will include among its ranks, members of the following unions: United Transportation Union (UTU), Brotherhood of Locomotive Engineers and Trainmen, (BLET), The Brotherhood of Maintenance of Way Employees (BMWED), Transportation Communication Union (TCU), Brotherhood of Railway Carmen (BRC), the largest TCU affiliate, Brotherhood of Railroad Signalmen (BRS), American Train Dispatchers Association (ATDA), International Association of Machinists (IAM), International Brotherhood of Electrical Workers (IBEW), Sheet Metal Workers International Association (SMWIA), International Association of Boilermakers, Blacksmiths, Iron Ship Builders, Forgers & Helpers, National Conference of Firemen & Oilers (NCFO), and the Transportation

Workers Union (TWU). RWU also hopes to include retirees, family members, and rail workers on properties that have yet to be organized.

**RWU has drawn up a “Statement of Principles”** to act as a guide to its work. Those railroaders wishing to join the organization are expected to agree with and support RWU’s principles and goals which include support for the following:

- Unity of all Railroad Crafts
- An End to Inter-Union Conflict
- Rank-and-file Democracy
- Union Membership Education, Participation and Action
- Solidarity: “An Injury to One is an Injury to All!”
- Coordinated Bargaining -- No to Concessions

RWU reserves the right to exclude those who are opposed to RWU’s principles.

## THE AMTRAK TENTATIVE AGREEMENTS – VOTE NO!

### EDITORIAL

On December 30th, Amtrak PEB #242 released its findings. Within 18 short days, rail union officials of the eight (nine) unions which are party to this PEB had penned Tentative Agreements with Amtrak based largely on the PEB’s findings. Railroad Workers United (RWU) concedes that the PEB findings support rail labor’s positions on a number of issues. We, like the rest of rail labor, are surprised by the relatively “pro-labor” position of a Bush PEB. However, like most of the other contracts signed this past round of bargaining with the carriers, the TAs - soon to be mailed out to the respective unions’ memberships for ratification - only maintain the status quo at best. At worst, this agreement would sell-out retirees and could set a dangerous precedent for future negotiations – not just with Amtrak, but with the freight and other carriers as well.

Regarding back pay, hundreds, if not thousands of recently retired Amtrak workers will get the shaft. Only Amtrak workers employed on December 1, 2007 eligible for back pay. So a retiree as recent as November 30, 2007 would get nothing for the pay owed for the last eight years of work! This is an outrage, and every Amtrak worker should think long and hard about the implications of this before casting a “Yes” ballot. *(cont’d on next page)*

**AMTRAK STRUGGLE** (CONT'D)

If the unions agree to this poison pill, we will only give Amtrak—and by extension, all rail carriers – the incentive to drag out future bargaining for years. The PEB and the Carrier are once again trying to divide the workforce, this time between the young and old, the active workers and the retirees. The irony here is of course, that for years, starting with the fateful “Halloween Agreement” in 1985, the carriers have been able – through entry level rates, the dual basis of pay, productivity bonus, etc. – to severely divide rail union workers young from old. If the TA is approved, the Carriers will now have yet another divisive tool in their war chest – dividing old from young! Young workers should take a principled position and stand in solidarity with the old. Younger workers tempted by this TA to take the money and run, should think of the implications for themselves. Is this how you as a young worker would want to be treated when you approach retirement age? If the Amtrak TA is approved by the membership of these nine unions, what will a rail worker who is approaching retirement do in the future? Often older workers seek to maximize their pensions by working as much overtime as possible in their last three years. Adoption of the TA would be a

blow to all workers who plan to retire one day from this industry. Soon-to- retire workers, fearing losing thousands of dollars may, rather than retire at 60-to-65, elect instead to hang on for months or even years in order to protect themselves from being robbed of back pay. And while bargaining drags on, the carriers would have an incentive to make older employees’ work lives miserable to get them to retire and forfeit the back pay. Think about it...

Even if the offensive language that screws the retirees were absent from the agreement, the Amtrak TAs offer little change. Amtrak union workers – like all railroad workers across North America – should consider the question: “Am I worth no more today than two, four, six or even eight years ago?” What is the purpose of having a booming economy if working people are not allowed to share in this wealth? Maybe we draw the line in the sand at Amtrak, and maybe not. It’s up to the members to make that decision. Sooner or later, rail workers in North America *must* take a stand and demand what is rightfully ours. **Railroad Workers United** believes that the time has come!

**SMART?** (CONT'D FROM PAGE 1)

Later in the fall of 2007, the truth about the intended structure of the merged unions began to come to light. Members requested copies of the SMART Constitution, but Thompson refused to release it until after the merger became effective. It became apparent that the members had been misled about many aspects of the merger. Four UTU members, convinced that the ratification vote was in violation of both the merger agreement and of their right to an informed vote under the LMRDA, filed suit

against the UTU and its President in Federal Court to stop the merger.

On December 27, a Federal Judge in Akron , OH issued a temporary restraining order to put the merger on hold until the case could be settled. You can keep abreast of the ongoing situation by visiting the Save Our Union website at <http://www.freewebs.com/savetheutu/index.htm> . And you can receive email updates by sending your email address to [savetheutu@gmail.com](mailto:savetheutu@gmail.com) .

## THE KEYS TO A GOOD CONTRACT - UNITY, SOLIDARITY, DEMOCRACY, ACTION!

As this first issue of the new RWU Newsletter goes to press, this round of rail bargaining is winding down. The Amtrak “rebellion” seems to have been quelled by a PEB which found, at best in favor of the status quo and opposed to the worst of Amtrak’s excessive regressive demands. Let’s take an honest look at the objective facts of this last round of bargaining:

- The carriers, by their own admission, have made record profits over the last few years. In fact, the fortunes of the carriers have been going great guns since the 1990s!
- The wage “increase” – mostly in the 3% per year range, barely keeps pace with inflation. Hence, we did not win a wage increase, but rather we settled, for at best, the status quo.
- Minimal increases granted by the carriers around such things as meal allowance, certification pay, etc., were “won”. However, these increases did not even keep pace with the inflation over the period. Once again, the status quo.
- Health care cost sharing and co-pays continued to increase. On this front, we have, in fact, lost ground.
- The carriers withdrew their demands for “work rule” changes, yes. Similarly, we did not win anything in terms of improved language on work rules. Hence, here again, we settled for, at best, the status quo
- While the claim of no work rule changes is championed, this claim is false. “On property” agreements with a number of carriers contain language which opens the door to expanded use of RCO, with engineers authorized to operate the locomotive from the ground while out on the mainline!

So we would argue that this latest round of bargaining did not even result in a continuation of the status quo. Even if it did, maintaining the current wage level, benefits, and working conditions is NOT victory! If our unions are incapable of delivering more, especially in time of economic expansion and record profits, then the membership will continue to become demoralized, apathetic, and turned off to the whole idea of unionism.

Therefore, Railroad Workers United proposes a whole new strategy for the next round of bargaining, which is slated to commence on November 1<sup>st</sup>, 2009, less than two years from now! We propose a strategy to win! Preparations for the next round should start today. We propose the following:

- The leadership of all rail unions should begin the process of polling their respective memberships. What are the rank-and-file’s issues in the next round? What are we willing to do to achieve a real victory?
- All union officials must enter negotiations with each other, to build towards a universal bargaining coalition to include ALL unions that will engage in concerted bargaining with the carriers.
- Our unions need to make a commitment and a pledge to one another – no union settles until all settle! We must not allow the carriers to drive a wedge between us as they have traditionally been able to do.
- Formulate a strategy to win a good contract. The rank-and-file must be kept informed and invited to participate in the process *every step of the way*. No more negotiation news “blackouts”! Local unions in terminals across North America should be empowered to build cross-craft inter-union “action coalitions” designed to support the bargaining team and pressure the carriers to sign a decent contract.

Over the coming months, **Railroad Workers United** will be organizing rail workers across the continent to these ends. If you agree with the above analysis and prescription to win, please join  
RWU and do your part! We need you!

## ***A BRIEF HISTORY OF RAILROAD WORKERS UNITED***

The impetus and energy for the building of such an organization largely comes from Railroad Operating Crafts United (ROCU). Organized itself in the spring of 2005, ROCU's goal was to end the warfare between the two unions that represent the operating crafts -- the BLET and the UTU -- and to unite them into a single powerful and democratic union. When these hopes were dashed in 2007 when the UTU instead merged with the Sheet Metal

Workers, most ROCU activists felt that the time had come to change course. "Rather than continue to beat our heads against the wall in face of the determination of the officials of the BLET and the UTU to remain separate and at war with each other", states Union Pacific engineer Ed Michael of Salem, IL., "we decided to put our energy into building something that most of us already believe in, or have come to believe in, as a result of our experience in

ROCU. We believe that an organization of all rail labor is the key to building real rank-and-file power in our industry." While RWU continues, in principle, to support the concept of a united single union of the operating crafts (and all of rail labor), this will not be the focus of its work. Rather, RWU aims to build a *solidarity movement* of all rail labor in the struggle with the carriers. (More information on ROCU can be found at [www.rocutooday.org](http://www.rocutooday.org).)

### ***THE FUTURE***

To these ends, RWU will specifically engage in numerous activities including the following activities:

- Support candidates, who actively support RWU goals and principles, for leadership positions in the various unions.
- Support movements for democracy and accountability within the various rail unions
- Build unity between unions at the next round of bargaining.
- Act as a solidarity organization locally, regionally and nationally by building awareness and support for each others' job actions, strikes, etc.
- Develop a newsletter to be distributed continent wide with news and views about the rail labor unity movement and various struggles across North America.
- Develop and maintain an up-to-the-minute website to augment the newsletter, providing railroaders with timely information about rank-and-file issues.
- Support mergers between rail unions where they make sense and empower the rank-and-file.
- Build local chapters in terminals to more effectively recruit new members, build solidarity at the base, and support the general organization.
- Get behind national legislative campaigns that would benefit rail workers, facilitate union organizing, and benefit the working class in general.

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### ***BLET ALERT!***

Even though there has not been a peep out of the BLET National Division office in Cleveland, there has been a lot of activity in the leadership ranks. Charged by the Independent Review Board (IRB) with embezzling union funds; BLET President Don Hahs has been very busy.

The IRB directed Jimmy Hoffa to hold a panel to hear the embezzlement charges against Hahs. In an attempt to head off the hearing, Hahs brokered a deal which included a partial restitution and a six-month suspension from office. He sold the deal to Hoffa and once the BLET Advisory Board approved it, Hahs actually began serving his self-imposed sentence.

As required, Hoffa submitted the deal to the IRB for review. They ruled that the "penalty" was not adequate. Amazingly, the Advisory Board allowed Hahs to return to his office and several General Chairmen have written letters of support for Hahs' handling of member's dues monies.

Hoffa has subsequently scheduled a hearing of the charges for February 4. The hearing panel will have to decide Hahs' punishment and Hoffa will again submit his recommendation to the IRB for review.

Why has the National Division remained silent even when Hahs vacated the office and Ed Rodwicz took over as President? When are the dues-paying members going to be informed?

# I'll Help!

## RWU Supporters Form

Name \_\_\_\_\_ Carrier \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
 E-mail \_\_\_\_\_  
 Occupation \_\_\_\_\_ Union \_\_\_\_\_ Local # \_\_\_\_\_

\_\_\_ I want to join. Enclosed are my dues.:  
 \$50 for 1 year  \$90 for 2 years  \$120 for 3 years  
 \_\_\_ Here is my donation of: \_\_\_ \$100 \_\_\_ \$75 \_\_\_ \$50 \_\_\_ \$25 \_\_\_ Other  
 \_\_\_ Please send me fliers to hand out to my co-workers  
 \_\_\_ Contact me about setting up an RWU Chapter in my terminal.  
 \_\_\_ Add me to the RWU email news alert list (or register at the RWU website)

Return to: RWU, P.O. Box 1053, Salem, IL 62881

To Join or donate on-line, go to [www.railroadworkersunited.org](http://www.railroadworkersunited.org)

# Winning Strong Contracts An Action Plan for Rail Labor

## RAILROAD WORKERS UNITED



**"The Rank and File in Action"**

[railroadworkersunited.org](http://railroadworkersunited.org) • [info@railroadworkersunited.org](mailto:info@railroadworkersunited.org)  
(206) 984-3051 • PO Box 1053, Salem, IL 62881

## Winning Our Fight

All union members have a responsibility to our unions and our future. We will not get a good contract by simply expecting our union leaders to sit down at the table with representatives of powerful rail corporations and walk away with the goods. We need to educate ourselves about the issues, attend union meetings, run for office, work for reforms inside the union, and hold our leaders accountable. And we need to take action, collective action, together with our fellow workers, to build a real union presence in the workplace—not just at contract time—but every day we go to work.

**Want to help win strong contracts on the rails?  
Contact RWU today. Mail in the form above, call  
206-984-3051, or email [info@railroadworkersunited.org](mailto:info@railroadworkersunited.org).**



## RWU T- SHIRTS: Available Now!

### SHOW YOUR PRIDE

Available in S,M,L, XL, XXL, XXXL, or XXXXL. Shirts are \$15 a piece. You can pay with check made out to RWU and mail to: RWU P.O. Box 1053 Salem, IL. 62881. Or use your PayPal account and pay to:

[treasurer@railroadworkersunited.org](mailto:treasurer@railroadworkersunited.org) Order as many as you like. Give them to your coworkers, friends and family! For online orders, please check out our website at [www.railroadworkersunited.org](http://www.railroadworkersunited.org).

# Railroad Workers United

## Interim “Statement of Principles”

(As adopted 11-13-07)

**Unity of All Rail Crafts:** For decades, the carriers have played one craft off against the other to our mutual detriment. This lack of unity has contributed greatly to our lack of power, which has in turn hampered our ability to negotiate and enforce good contracts. We are unable to effectively confront the carriers on issues of vital concern to our membership—attendance, crew fatigue, discipline, safety, etc.—because we are divided. The carriers are degrading and deskilling our crafts, implementing new technologies that threaten our jobs, our safety and livelihoods, propose the dismantling of FELA, demand drastic health care concessions, and more. In the face of this aggressive attack, is there any doubt of the need for the greatest possible cross-craft unity? Therefore, Railroad Workers United supports the greatest possible unity and cooperation between all rail crafts and unions both at the leadership level and among the rank-and-file.

**An End to Inter-Union Conflict:** We condemn any and all hostilities between the rail unions. The open warfare between the UTU and the BLET is especially to be condemned. We demand an immediate halt to the irresponsible and reckless name calling, mud slinging and finger pointing that the leadership has long engaged in. We favor neither union in this – or in any other – destructive fratricide between brothers and sisters who are each others’ natural allies.

**Rank-and-File Democracy:** Union leadership is all too often out of touch with the needs and issues of the membership. We need unions that are built upon democratic control by their members, unions that are not simply dues collection agencies for a few highly paid officials with jobs-for-life. We need constitutional provisions that include, but are by no means limited to: direct election of officers at all levels, including General Chairmen; the right to recall of officers; salary and expenditure limits; an end to special perks and privileges; proportional representation at conventions; and guarantees of protection for minority and dissenting views.

**Membership Participation and Action:** In addition to building unity and democracy, it is of equal importance that we build a rail labor movement based on the mass action of the members themselves. For too many years we have allowed our unions to be “led” by a small handful, while the average union member has remained uninformed, uninterested and uninvolved. In order to effectively stand up to the carriers, we must overcome the cynicism, apathy and despair of the ranks, and build in its place a union of inspired, educated, and active members who are willing to take action on the job in defense of our jobs and our unions.

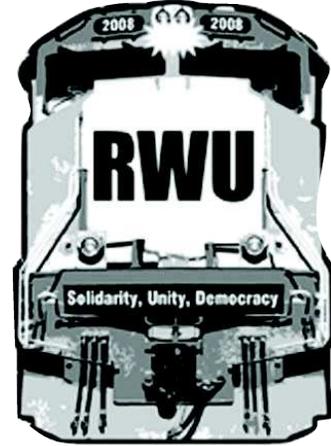
**Solidarity:** For years, we have allowed the Carriers to whipsaw craft against craft, member against member. It’s time we returned to the labor standard of “An injury to One is an Injury to All!” Only when we stand up for each other, go to bat for each other, and take action on the job in defense of each other, will we have a strong union. Remember, this is how unions were built in the first place! If the Carmen on the BNSF in Seattle are under attack, we ALL are under attack. When UP engineers are threatened, we ALL are threatened. Railroad Workers United strives to rebuild this spirit of solidarity.

**No to Concessionary Bargaining:** After decades of concessionary bargaining, rail workers have practically come to expect lousy contracts. We say NO! to further give-backs at the bargaining table. If the union cannot at least maintain the current standard of living and working conditions for its members, it will become increasingly irrelevant in their lives. We are committed to a coordinated bargaining strategy of all rail unions. We pledge ourselves to oppose any and all concessions at the bargaining table, and pledge to build a fighting movement of rank-and-filers that includes all railroad crafts to take the necessary action to defend our jobs, our livelihoods, our rights and our union!

## Railroad Workers United

[info@railroadworkersunited.org](mailto:info@railroadworkersunited.org)  
[www.railroadworkersunited.org](http://www.railroadworkersunited.org)

# Railroad Workers United Founding Convention



On April 11, railroaders from all crafts, all unions, and from all carriers across North America will come together to lay the foundation for solidarity, unity, and democracy on the rails at the Founding Convention of Railroad Workers United.

- ▶ **Meet rank-and-file railroaders** from across the continent.
- ▶ **Share strategies** with union activists from the different crafts.
- ▶ **Set the course** for our movement to build unity and power on the rails.

## **Make Your Plans Today**

**Friday, April 11**  
**9 am – 6 pm**  
**Dearborn, Michigan**  
**Lunch included**

**Register Today:** Call (206) 984-3051 or email [info@railroadworkersunited.org](mailto:info@railroadworkersunited.org)



*"I've been looking forward to this day for over 20 years. See you in Detroit!"*

**Steve Desavouret**  
**Recording Secretary, 2006-2008**  
**Brotherhood Railway Carmen TCU/IAM**  
**Lodge 6608, CN, Chicago**

*"Railroad Workers United offers the unity we need to move forward again. All for one and one for all! The founding convention is a landmark opportunity. Stand up and be counted."*

**Jon Barron, UTU 662**  
**CSX, Richmond, Va.**



*"We need Railroad Workers United. It is an historic opportunity to create an organization to fight the longstanding divisions that have plagued rail labor. Join us in Detroit for a fresh start."*

**John Flanders**  
**Machinists Lodge 1145, Selkirk, NY**



## **While You're There: Stay for the Labor Notes Conference**

**April 11-13 • Dearborn, Mich.**

- ▶ **Over 40 educational workshops**
- ▶ **Sessions on the healthcare crisis and beating concessions**
- ▶ **Meet the union members who are putting the movement back into the labor movement**

**For more info or to register for the Labor Notes Conference:**  
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