

**Brotherhood of Maintenance of Way Employees Division
of the International Brotherhood of Teamsters**



NEWS CLIPS

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5/15/2009 Traffic

AAR: Traffic woes continue for North American railroads

New month, same traffic story for North American railroads. During the week ending May 9, U.S. railroads' originated 249,576 carloads, down 25.5 percent compared with data from the same week in 2008, according to the [Association of American Railroads](#).

Intermodal volume dropped 21 percent to 181,662 trailers or containers.

Canadian rail carload counts continued to lag, as well. Last week, their carloads plummeted 34.6 percent to 53,699, and intermodal volume fell 15.5 percent to 41,750 trailers or containers.

Meanwhile, Mexican railroads originated 9,575 carloads, down 16.9 percent, and 4,354 trailers or containers, down 22.8 percent.

Specter seeking compromise on labor organizing measure

Friday, May 15, 2009

By James O'Toole, Pittsburgh Post-Gazette

Arlen Specter Looks Worried About His Re-Election

Pressed by labor officials and leaders of his new party, embattled Sen. Arlen Specter is one of the players in multiparty negotiations seeking a compromise bill that would make it easier for unions to organize new workplaces.

The former Republican expressed optimism yesterday that an accord could be reached on the legislation, and a senior labor official cited progress toward agreement.

Uncertainty remains, however, on whether and when deals can be struck to overcome stumbling blocks on election procedures and rules to ensure that employers and new unions reach contracts within a reasonable period of time.

The measure, the Employee Free Choice Act, is a key priority of the labor movement in this Congress. Mr. Specter was its only Republican supporter on a crucial procedural vote on similar, unsuccessful legislation two years ago -- a vote that supporters of the bill have reminded Pennsylvanians of in a prominent round of television commercials. But in one of his last acts before leaving the GOP, Mr. Specter announced earlier this year that he would vote against the bill in its current form. Mr. Specter said he favored labor law reform in general, but said he was particularly opposed to a provision that would permit unions to be recognized without a requirement for a secret ballot election. He also faulted the bill's call for binding arbitration in cases where unions and employers failed to negotiate an initial contract.

In an interview with The Associated Press yesterday, Mr. Specter said of the ongoing talks, "I think the prospects are pretty good. It's impossible to predict with certainty, but I think the prospects are pretty good."

Mr. Specter, according to a transcript of the exchange provided by his office, was circumspect about the details of a prospective agreement.

"That does not lend itself to a short answer. And it's not advisable to start talking about compromises," he said. "That's something for negotiations."

Bill Samuel, director of government affairs for the AFL-CIO, said the labor group has had repeated contacts with Mr. Specter on the bill since his statement of opposition.

"We're making progress," he said. "He's putting a lot of energy into it. ... I think he is genuinely seeking a bill that would pass the Senate and achieve our goals."

There are multiple players in the talks. After Mr. Specter declared his opposition, several centrist Democratic senators expressed similar reservations. Another Democrat, Sen. Dianne Feinstein of California, has also criticized the bill's election procedures, a lightning rod for its business opponents.

Under the existing proposal, employers would not be permitted to demand a secret ballot election if a majority of workers signed cards supporting a union. The bill's opponents portray that approach as a potential enabler of coercion by union organizers. Its supporters argue, in contrast, that this so-called "card check" feature is needed to circumvent coercion by union opponents.

Ms. Feinstein has suggested a compromise whereby organizing elections could be conducted by mail. If a majority mailed pro-union cards to the National Labor Relations Board, the union would automatically be recognized. Sen. Tom Harkin, a key supporter of the bill, has reportedly welcomed the Feinstein suggestion.

But Mr. Harkin has also been a strong supporter of the bill's call for mandatory arbitration in cases where talks do not produce a contract, a provision that Mr. Specter singled out for criticism in his recent rejection of the bill.

The political stakes for Mr. Specter are clear. While his political conversion brought the embrace of senior Democrats, including President Barack Obama and Gov. Ed Rendell, labor leaders have done their best to hold his feet to the fire on their long-sought organizing legislation. While the state AFL-CIO and other labor groups have supported Mr. Specter against Democratic opponents in the past, they have made clear that their support next year could turn, depending on where Mr. Specter stands on the organizing legislation.

Their leverage is enhanced by the possibility of credible opposition to Mr. Specter in next year's Democratic primary. U.S. Rep. Joe Sestak, D- Delaware County, has stopped just short of declaring his candidacy against the five-term veteran, although sources close to Joe Torsella, the first declared Democratic hopeful for the seat, confirmed that he is dropping his short-lived bid. That still leaves Michael

Lamb, the Pittsburgh city controller, and state Rep. Bill Kortz, of West Mifflin, who are also eyeing possible challenges to Mr. Specter.

The campaign of former Rep. Pat Toomey, the Republican who effectively drove Mr. Specter out of the GOP and its 2010 primary, greeted the reports of Mr. Specter's negotiations with a "Specter Flip-Flop Alert," e-mailed to reporters across the state.

"Arlen Specter had the right position on card check for a grand total of six weeks," said Toomey aide Nachama Soloveichik. "But it is clear his short-lived support for workers was motivated by politics, not principle. ... This kind of power-hungry flip-flopping is exactly the kind of behavior that upsets Pennsylvanians regardless of their party affiliation."

Union group part of lawsuit over home prices

By Steve Green (contact)

Sat, May 9, 2009 (12:45 p.m.)

A union trying to organize construction workers helped put together a lawsuit accusing KB Home and Countrywide Financial of inflating home values and appraisals in Nevada and Arizona, a union spokeswoman said Saturday.

The plaintiffs in the suit, which was filed in Arizona, are members of the Alliance for Home Buyer Justice, a group that has been agitating against KB Home, Pulte Homes, Lennar Homes and D.R. Horton -- all builders active in Las Vegas. The alliance was created by the Laborers' International Union of North America.

Laborers' Union spokeswoman Dawn Page said the union and the alliance did the research for the lawsuit and that the law firm handling the case is doing so on a contingency fee basis, meaning the union, the alliance and the homeowner plaintiffs didn't pay the law firm up front for its work.

A news release issued Thursday by the plaintiffs' law firm didn't disclose the participation of the union or the Alliance for Home Buyer Justice. The law firm, Hagens Berman Sobol Shapiro LLP, has offices in Phoenix and Seattle.

Page said the union and the alliance have been working with homebuyers in Southern California and Phoenix who were hurt by subprime loans and may also work with similar buyers in Las Vegas as well.

She said the lawsuit was not part of a union organizing campaign, but that in the future as the economy improves the union would like to represent workers who build houses.

On Tuesday, the Laborers' union and the alliance plan an event at the Builder 100 Conference in Chicago to protest Pulte Chief Executive Officer Richard Dugas being awarded homebuilder "Executive of the Year."

"The corporation's customers might think differently, according to a group of Pulte homeowners who allege that the company relied on deceptive practices to push buyers into subprime loans and other risky mortgages. They also allege serious defects in homes built by Pulte," the union said.

Pulte and its Del Webb subsidiary in the Las Vegas area have previously denied union organizers' allegations of defects in its homes.

Pulte is buying Centex Homes, another builder active in Las Vegas.

The Laborers' union's campaign targeting homebuilders says on its Web site:

"Nearly 1 million working men and women labor each day building America's houses. At the hands of corporate homebuilders, they face unsafe working conditions, substandard pay and exploitation.

"Denied the most basic dignity and rights, LIUNA is helping residential construction workers unite for better lives. Working with homebuyers and community, civic and faith groups, those who build America's houses will win living wages, safer job sites and quality construction skills – and homebuyers will know they are making a life investment in a home, not just a house that denies the American Dream to others.

"The historic effort has begun among thousands of hard-working men and women in metro Los Angeles, Phoenix and Las Vegas."

Pulte Homes was targeted in Southern Nevada by a different group of union organizers in March. The Building Justice campaign -- a partnership of the International Union of Painters and the Sheet Metal Workers International Association, with the support of the AFL-CIO -- organized a protest against Pulte during a Nevada State Contractors Board meeting in Henderson in March.

In the Countrywide and KB Home case, the law firm said Thursday it filed the suit in U.S. District Court in Arizona seeking class-action status against KB Home, Countrywide Financial and LandSafe Appraisal Services, claiming the three conspired to illegally rig home appraisals in KB developments in an effort to boost home values and sales prices.

The suit claims KB and the other defendants inflated home prices by as much as \$280 million in Arizona and Nevada alone during a three-year period beginning in 2005.

KB Home and Bank of America, which now owns Countrywide, have denied the allegations.

UAW members did their jobs without fail

To the Editor:

I see in the May 8 letters one more slap at many friends of mine that I have known for 50 years. I was proud to be on board the UAW train during our days in the sun and I'm not talking about the Japanese rising sun.

No one in the front office checked with us to see if a vehicle getting 12 mpg would sell, no one asked us about the design. All of that falls under "management rights." None of us were responsible for the Edsel, hiring a lazy, good-for-nothing employee who just so happens to have a front office brother-in-law.

Where were all the bad mouths when the Big Three were making money hand over fist? Where were the whiners when autoworkers were building our tanks, jeeps, half-tracks, rifles, PT boats and Higgins wooden troop landing craft during WWII? Even today, we still help search the stars in conjunction with NASA projects.

The union workers of America have raised the world standard of living tremendously. Who were the

frontiersmen who negotiated traditional pensions, paid holidays, birth-to-death health care, hearing aids, dental and vision care, unemployment subsidy, paid vacations and life insurance, not the Chamber of Commerce. Are our unions responsible for Japan's present financial woes?

Sure, it cost money to create good benefits but look at all the suppliers, new subdivisions, schools, raw material and hospital jobs that sprang up almost overnight. Question: Are American unions responsible for all of Japan's auto financial losses today, also?

Don Corn, NASHVILLE 37221-

5/21/2009 Legislation

Nadler introduces freight-rail funding bill in the House

Yesterday, Rep. Jerrold Nadler (D-N.Y.) introduced the Freight Rail Economic Development Act of 2009.

The bill proposes to provide capital grants that would fund the construction or rehabilitation of rail switches and sidings in parts of the country with insufficient or underutilized freight-rail infrastructure. The legislation aims to restore and renew economic development opportunities in locations hardest hit by the recession, according to Nadler, who serves on the House Transportation and Infrastructure Committee.

“Depressed economies, like those we have in upstate New York and many other industrialized parts of the Northeast, would benefit greatly from an improved and expanded freight-rail infrastructure,” he said in a prepared statement. “New switches and sidings could mean new jobs and opportunities for regions working to bring in investment.”