



# Teamsters Rail Conference "Pulling together for you"

## Who is working to protect your job?

The United Transportation Union worked with the NS and CSX railroads to defeat legislation that would have guaranteed *by law* 2 people on every freight train.

As Introduced

124th General Assembly  
Regular Session  
2001-2002

S. B. No. 287

Senators DiDonato, Brady, Shoemaker

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**A BILL**

To enact section 4999.09 of the Revised Code to prohibit a railroad, other than a passenger train, from operating a locomotive over the road between two terminals with less than two crew members present in the crew compartment, and to provide a criminal penalty.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

Section 1. That section 4999.09 of the Revised Code be enacted to read as follows:

Sec. 4999.09. (A) No railroad operating in this state shall allow the over-the-road operation of a locomotive between two terminals unless the locomotive has a crew of at least two individuals, one of whom at all times shall be present in the crew compartment and operate the unit that controls the movement of multiple units. The other crew member shall be present in the crew compartment at all times that the locomotive is in motion, except that this crew member may dismount the locomotive when necessary to perform switching activities or other duties in the course of employment.

(B) Division (A) of this section does not apply to any passenger train operating in this state.

(C) The public utilities commission shall enforce this section and may issue any order that may be proper to ensure compliance with this section.

(D) Whoever violates division (A) of this section shall be fined one thousand dollars for each offense.

Timothy R. Harely, Vice Chairman  
P.O. Box 190  
Canal Winchester, OH 43110

James F. Ong, Chairman and  
State Legislative Representative  
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Brotherhood of Locomotive Engineers  
**Ohio State Legislative Board**  
Columbus, Ohio

November 15, 2002

Mr. Bob Shaw  
Vice Chairman NS Northern Lines GCA  
3620 Good Road  
Seville, Ohio 44273

Dear Sir and Brother,


Enclosed please find some material used by The Ohio State Legislative Board of the Brotherhood of Locomotive Engineers to progress our legislative agenda. As you know it has been quite some time since bills pertaining to rail have been introduced in the Ohio General Assembly. We are proud that since May we have caused two such bills to be introduced and have worked hard to get the Governors' office to work with us on our legislative agenda. Also enclosed are copies of both bills SB287 (which would ensure keeping conductors on the head end of through freight) and SB299 (that would restrict the use of RCO's). We may well run out of time to see these two bills passed in this lame duck session but have taken the necessary steps to have both bills reintroduced for consideration early in the year by the next General Assembly.

Bob, I was really saddened to hear what the UTU has done to some of the men on the Wheeling and Lake Erie Railway. I guess this is Byron Boyd's weapon of mass deductions. I think selling the seniority of the men has gone a little far and that most of our good UTU brothers don't endorse this sort of action but are powerless to stop it. It's hard to believe that anyone would do such a thing. Although, I can tell you that on this end they have worked hand and hand with the carriers to try to stop SB 299, and have not lifted a hand to help with SB 287, which would protect their own members' jobs. We have received a lot of help from the Ohio AFL/CIO and International Brotherhood of Teamsters and look forward to their continued participation. Here we are the Teamsters and the BLE fighting to keep a conductor on all through freight in Ohio while the UTU in my opinion goes out of their way to find human error as the cause of remote accidents thus attacking their own members and siding with the carriers.

With warmest personal regards I remain,

Fraternally yours,  
*Jim Ong*  
Jim Ong, Chairman  
Ohio State Legislative Board BLE

### FIND OUT WHAT THEY DON'T WANT YOU TO KNOW .



**ROBERT F. HAGAN**  
STATE SENATOR  
33rd Senate District

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May 18, 2005

Mr. Jim Ong  
3743 Bratton Drive  
Canal Winchester, OH 43110

Dear Mr. Ong:

Thank you for the opportunity to discuss with you Ohio rail safety issues.

Insofar as your suggestion to re-introduce the "Two men in a cab" bill, I'd like to remind you that when I originally co-sponsored this bill, which Senator DiDonato introduced at your request, representatives of the Norfolk Southern Railroad and CSX Transportation visited the Ohio Statehouse and actively lobbied to defeat it. Unfortunately, they were accompanied by the United Transportation Union representative, who claimed railroad conductors didn't want this bill to pass, and agreed with the carriers.

I ask that if the partnership between that union and those rail carriers still exist, we postpone re-introducing this bill until such time when all of rail labor can join together in support of this important safety law.

Sincerely,  
*Robert F. Hagan*

Robert F. Hagan  
State Senator, 33<sup>rd</sup> District

Full Committees:  
Controlling Board  
Energy, Natural Resources, and Environment, Ranking Minority Member  
Health, Human Services and Aging  
Highways and Transportation

If given the opportunity, what would you do?

CARPE DIEM

