

## **CIRCULAR LETTER NO.17**

September 3, 2004

### **TO ALL LOCAL CHAIRPERSONS:**

Dear Sirs and Brothers:

As an on-going process - in the General Chairman's office, we send out Circular Letters as circumstances dictate in regard to issues that are of importance to all of our Membership. We are requesting that you read these documents at your Union Meetings for the Membership's benefit and also place them on bulletin boards for those Members who cannot attend the Union Meeting. Incorporated below are issues of importance for our Membership.

#### **✍ ✍ HOURS OF SERVICE - AWAITING TRANSPORTATION:**

Attached are copies of correspondence between the FRA's Assistant Chief Counsel for Safety and the Union Pacific Law Department regarding the application of the Federal Hours of Service Law. The correspondence addresses the time spent waiting for deadhead transportation subsequent to the expiration of twelve (12) hours on duty. Please note the distinctions between "on duty, off duty, and limbo time". Questions have been raised regarding a Service Unit bulletin requiring crews waiting for deadhead transportation to contact a train dispatcher at thirty-minute intervals until the arrival of a transport vehicle. If such a bulletin is in effect on your service unit, please advise this office, or notify your local or state legislative representatives. We will request an interpretation of those duties from the FRA.

#### **✍ ✍ ENGINEER TRAINING PROGRAM:**

Attached is the carrier's response to my July 22, 2004 letter regarding the administration of the UTU Engineer Training Agreement. The carrier has identified the carrier officer on each service unit who is responsible for coordinating the training program with the local UTU committee. Please contact these individuals to review the training program and the progress of the trainees in your area of jurisdiction.

*ES* **DESIGNATED LEGAL COUNSEL:**

International President Paul Thompson has appointed Mr. Robert E. O'Connor, Jr., from Omaha, Nebraska, as a UTU Designated Legal Counsel. Please accord Mr. O'Connor every courtesy in his efforts to assist our membership.

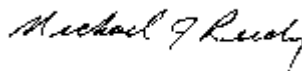
Mr. Robert E. O'Connor, Jr.  
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Omaha, NE 68144  
Phone # 402-330-5906  
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*ES* **DLC - RECOMMENDATION BY LOCAL OFFICER OR MEMBER:**

UTU General Counsel Clint Miller has issued an opinion regarding the recommendation of non-designated legal counsel by union officers or members. Please review the attached opinion.

Trusting this information will aid you in keeping our Membership informed of issues confronting us and with best personal wishes, I remain

**Fraternal ly yours,**



**Michael J. Reedy**  
**General Chairman, G. C. A.**

**MJR: j g**

cc: Paul Thompson, President - UTU  
Rick Marceau, Assistant President - UTU  
Dan Johnson, III - General Secretary/Treasurer - UTU