



The Highball

Official Publication of
Railroad Workers United

RWU Holds Fourth Biennial Convention in Chicago

On April 3rd and 4th, Railroad Workers United conducted our fourth Convention, once again this year in the railroad capital of the world, Chicago, Illinois. The event was truly international in scope, with railroad workers in attendance from not just the U.S. and Canada, but also from South Korean, France and Brazil. Dock workers from Hong Kong

sat in on Friday. Numerous guest speakers -- including locomotive builders from GE and crew van drivers from Renzenberger -- gave presentations throughout the event. To learn more about the proceedings, including what was discussed, what was decided, and what the new RWU Steering Committee looks like, please see Pages 4 & 5.



The new RWU Steering Committee is seated at the conclusion of the Fourth RWU Biennial Convention. From left to right are Andrew Weir, Jen Wallis, Dreadsden Owen, Paul Matchett, James Wallace, Kaouaratin Lamperiere (guest from France), Ron Kaminkow, Celina Maranhão (guest from Brazil), Hugh Sawyer, John Vitaska. Mark Burrows, J.P. Wright and Gail Francis (RWU Solidarity member)

FRA To Propose Rules on Minimum Train Crew Size

On April 9, 2014, the Federal Railroad Administration (FRA) announced its intent to require two-person crews "for most mainline train operations including those trains carrying crude oil." The announcement comes in the wake of high profile train wrecks and crashes in recent months. While the actual rule has yet to be promulgated, it appears that finally the FRA will take some sort of action on the issue of single employee crews and the danger they represent.

Meanwhile, the Safe Freight Act (HR 3141), a bill that would

mandate a minimum of two crew members on every train, continues to work its way through Congress.

Since our founding in 2008, Railroad Workers United has consistently opposed single employee crews. And a previous group -- Railroad Operating Crafts United -- which merged into RWU, has been working to stop single employee crews since 2005. RWU is guardedly optimistic about the FRA's recent announcement and the prospects for HR 3141 To get the full scoop, see the commentary on Page 7.

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RWU Adopts a Series of New Resolutions at Convention

At the 4th Biennial Convention in Chicago, RWU adopted a series of resolutions. While these are simply public statements of our position of various issues, they are designed to anchor the organization and give it guidance and direction in the coming years. Without action of course, these resolutions are hollow words. So let's make them happen!

Resolution on Dignity & Respect

This Resolution commits RWU to set up a committee to address issues of dignity and respect for railroad workers on the job. These human situations are at the core of most of the challenges we face on the rails, be it labor relations, policies, culture, etc. RWU will soon create a survey to invite the membership of RWU and all railroad employees to weigh in on the seriousness of the issues surrounding dignity and respect. We will advertise the survey on our website, list serve, and through social media. Be on the lookout for this soon and have your voice heard.

Resolution on Expanding RWU in Canada and Mexico

While we now have RWU members in most states in the U.S., mass membership has failed to take root in Canada or Mexico. This resolution cites the importance of building RWU among all three countries of North America and commits the organization to doing just that. The rail carriers know no boundaries; for example, witness the actions of CN and CP in the U.S., or the KCS and the UP in Mexico. Railroad workers need to build international solidarity.

Resolution on Inward Facing Cab Cameras

RWU has adopted two previous resolutions on this subject, one of great importance to the operating crafts. This new Resolution speaks to the new conditions that we are now

facing since the FRA announcement this past winter of its intent to promulgate rules for the generalized installation of inward facing cameras in *all* locomotives. While we still hope to stop them, this Resolution points to the need to place limits and restrictions on just how the rail carriers would be able to make use of such in-cab cameras.

Resolution on Expanding RWU in Non-Operating Crafts

Similar to the Resolution on expanding RWU throughout North America, this Resolution directs RWU to build our membership among the non-operating crafts. While the vast majority of crafts and unions are present among the membership ranks of RWU, the organization - which has its roots in the operating crafts - continues to be dominated by those in train and engine service. This Resolution makes it clear that RWU intends to develop our membership among the non-operating crafts in the coming years.

Resolution on Ongoing Training & Education

In the face of computerized and automated testing, abolition of group face-to-face classes, and a "one-size-fits-all" approach by the carriers, RWU has adopted this Resolution to promote regular quality learning experiences for railroad workers. Many rails are unhappy with the trend towards isolated individualized testing, the inability for employees to ask questions and obtain clarifications, and the lack of a group learning experience. We hope the rail carriers will heed this message.

To see the full wording of any or all of these Resolutions, and to make copies and circulate them to your co-workers, union or company officials, please see the RWU website: <http://railroadworkersunited.org/rwu-resolutions/>

Railroad Workers United

Railroad Workers United was organized in April 2008 at a Founding Convention in Dearborn, MI. RWU grew out of decades of struggle within the craft unions for unity, solidarity, and democracy. We are carrying on a tradition of rank-and-file activity which dates back to the 1890's and the time of Eugene V. Debs.

RWU is a cross-craft inter-union caucus of rail labor activists across North America. All rail workers of all crafts from all carriers who support our Statement of Principles are welcome to join in our efforts. Please write, call or email the address below.

Statement of Principles

- *Unity of All Rail Crafts*
- *An End to Inter-Union Conflict*
- *Rank-and-File Democracy*
- *Membership Participation & Action*
- *Solidarity Among All Railroaders*
- *No to Concessionary Bargaining*

Railroad Workers United P.O. Box 1053 Salem, IL. 62881

RWU International Steering Committee

- Mark Burrows**, UTU #1433, CP, Chicago, IL
- Paul Jenvey**, IBEW #889, UP, San Luis Obispo, CA
- Ron Kaminkow**, BLET #51, Amtrak, Reno, NV
- Paul Matchett**, WSOR, Janesville, WI
- Dreadsen Owen** IWW #520, MRS, Chicago, IL
- Hugh Sawyer**, BLET #316 NS, Atlanta, GA
- Daniel Scudder**, TCU/BRC #6354, NS, Atlanta, GA
- John Vitaska**, NCFO #395, CP, Chicago, IL
- James Wallace**, UTU #305, BNSF, Lincoln, NE
- Andrew Weir**, TCRC-CTY #240, CN, Sarnia, ON
- John Wright**, BLET #78, CSX, Louisville, KY

www.railroadworkersunited.org

206-984-3051

info@railroadworkersunited.org

UP Dispatchers Suffer Defeat; Remain Non-Union

On January 15, 2014 the Train Dispatchers at Union Pacific rejected representation by the American Train Dispatchers Association (ATDA) by a vote of 348 to 176. There were 593 employees eligible to vote in the representation election. Of all the Class I rail carriers, only UP dispatchers remains non-union, despite a number of union organizing attempts in recent years.

Organizers are disappointed, but determined to get back to work. One rank & file organizer stated, "The company was effective at putting fear into everyone. Their not-so-veiled threat was telling everyone that if we voted for the union, then we would have to start with a clean slate and that our pay, benefits, and work rules may be worse than what they were without the union. That's ridiculous but a lot of people bought into it. There isn't really any other way of explaining how we got over 60% of our co-workers to send in A (authorization) cards and then many of them turn around and vote no."

This is the 7th time since Union Pacific bought Southern

Pacific in 1996 that the UP Dispatchers have attempted to bring the union in to the property, and the 3rd time since 2007. But the dispatchers will not give up. As Stanley Aronowitz wrote in *From The Ashes Of The Old*, "In steel, textiles, auto, and many other industries, organizing drives and strikes have been soundly defeated by employers, and commentators have confidently announced the death of the unions. Five, ten, or twenty years later a new generation of workers takes up the cudgels and tries again, because, for most workers, there is no alternative to collective action."

For a more in-depth analysis of the situation with the UP dispatchers, check the RWU website later this spring.



Railroad Workers Memorial Day is Friday, June 13th

Railroad Workers United will observe Railroad Workers Memorial Day once again this Fathers' Day Friday, June 13th, 2014. This will be the sixth year that we have observed a day in honor of all fellow railroad workers killed on the job. The initial inspiration for Railroad Workers Memorial Day came when Jared Boehlke, a young conductor, was killed on Mothers' Day, 2009 while working a single employee RCO job in the bowl in Selkirk, NY. RWU called for a day of remembrance and action for that Fathers' Day Friday a month later.

Since then, we have called on railroad workers and their allies to wear black shirts every year on this date as a way to not just remember and honor those killed on the job, but to take action in support of better safety measures to prevent such tragedies.

Each year we have tended to focus on a specific incident, issue, or rail property. At the RWU Convention in Chicago, those present tentatively agreed to focus on Metro North, the New York based commuter railroad with a horrendous safety record. In the last twelve months Metro North has suffered a series of train wrecks and track worker fatalities. In the wake of a wreck that killed four passengers and injured dozens more, the FRA has cited the railroad as having a "deficient safety culture". Federal inspectors found more than 7,000 defects and deficiencies within the Metro North Railroad system over ten years. Among the problems revealed in the report were track inspections that found broken or cracked joint bars, loose rail braces and missing bolts. FRA inspections found five times as many issues per 100 miles of track as similar inspections on other commuter railroads!

For a railroad long considered the "gold standard" for the region's commuter systems, the recent debacle on MN has now revealed that the railroad in fact has lacked safety features that had been in place on some other railroads for decades. Apparently, glaring safety issues had gone unnoticed and unreported for years, a powder keg waiting to explode, as it did in 2014. Without a safety program designed to recognize and eliminate hazards, rather than simply focus on worker behavior, any railroad is a disaster waiting to happen.

To assist with Railroad Workers Memorial Day actions, please contact RWU at info@railroadworkersunited.org or call 206-984-3051. We have posters and stickers, and can provide you with a union-made-in-the-USA black RWU T-shirt to wear on Fathers Day Friday.

**RAILROAD WORKERS
MEMORIAL DAY**

"Black Shirt Friday"



- Fathers Day Weekend -

**A time for all railroad workers
to mourn for the dead
and fight like hell for the living.**

Railroad Workers United 4th Biennial Convention Highlights

Before presenting the highlights of the RWU 4th biennial Convention, held in Chicago, Illinois April 3rd & 4th, it is worth mentioning what did *NOT* happen at this Convention.

- There were no golf tournaments.
- No presentations by government bureaucrats.
- There were no speeches by politicians.
- Self-congratulatory idolatry was absent from the floor.
- There was no schmoozing, no perks, no privileges (except one: the right to fully participate in the organization).

Very little time was devoted to bylaws amendments or procedural questions. That stuff is not what will rebuild rail labor power and win better contracts, etc.

But a lot of time was spent on discussions. Topics included:

- 1 -- Building solidarity between the railroad workers of Canada, the U.S. and Mexico;
- 2 -- Involving more members of the non-operating crafts in the work of RWU;
- 3 -- The "global supply chain" and how rail workers are a vital link in the distribution of goods across the continent.



Roger Zaczyk, former President of UE Local #506 at the GE plant in Erie, PA and a Solidarity Member of RWU, spoke about the efforts of locomotive builders in North America to break the union by spinning off and contracting out work. Now on staff with UE, Roger is working to thwart the efforts of outfits like General Electric to make locomotive building a low paid non-union job.

- 4 -- Why union railroad workers must work to organize the contract sector;
- 5 -- The scourge of "behavior based safety" programs and what RWU is doing to eliminate them from the rail industry;
- 6 -- The OSHA whistleblower law and what RWU can do to put some teeth into the fight for whistleblower protection;
- 7 -- The struggle of Renzenberger crew van drivers and others to organize into the union and how rails can assist in

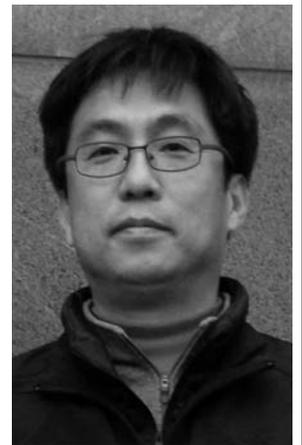


Nancy Lessin - who has given presentations at both UTU and BLET regional gatherings - was welcomed back once again for the RWU 2014 Convention. Her work on behavior based safety and the need to replace it with "union based safety" -- has been an inspiration for RWU. As a member of OSHA's "whistleblower advisory committee", she feels the rail industry is probably the worst offender for violating injured workers' rights.

this vital effort;

- 8 -- How international railroad workers solidarity works, and how the group *Rails without Borders* is making this happen;
- 9 -- The French union SUD Rail organizes all railroad workers into a single organization. They have a similar perspective and strategy to RWU;
- 10 -- The need to build local Chapters of RWU and how we must go about the business of doing this;
- 11 -- Discrimination and harassment has no place on the railroad and must be confronted in order to build solidarity
- 12 -- How to build RWU campaigns -- against single

Ho-joon Song, locomotive engineer and Director of International Affairs for the Korean Railway Workers' Union (KRWU) in South Korea, spoke about the situation in his country. Brother Song was fired in 1994 for union activity and struggled for 10 years to get his job back. In December, the KRWU went on strike for 19 days to protest what the union sees as an attempt by the government and Korean Railways to sell off the industry to private interests and break the union.

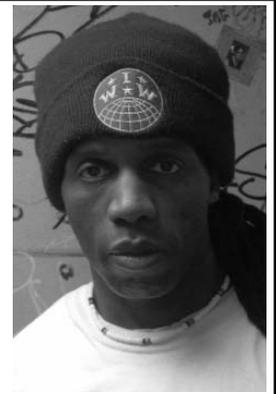


employee crews; in opposition to behavior based safety; in support of coordinated bargaining, and against long and heavy trains and more.

Upon adjournment, RWU hosted a well attended reception, where we heard music from our own J.P. Wright. Through merchandise sales and a raffle of donated railroad items, we were able to raise money to assist in paying for the cost of the Convention.

The entire Convention was videotaped. RWU is producing a 15-minute summary edition, together with footage of various workshops and presentations, to be released in May so that all members and supporters can benefit from the proceedings. Hope to see you at the 5th Convention in 2016!

Dreadsen Owen -- a locomotive service worker who was instrumental in organizing a new union at contractor Mobile Rail Solutions (MRS) - talked about the growing railroad contract sector and the need to organize these workers into the union. Dreadsen recently joined RWU and is one of the new members of the Steering Committee. RWU has amended our bylaws to allow for full membership for all railroad contract workers.

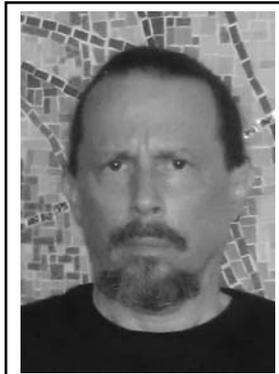


New RWU Steering Committee Elected

Railroad Workers United has a new Steering Committee to serve the organization until Spring of 2016. As the older Steering Committee members retire, they are being replaced by a new generation of activists. Three of the 11 Steering Committee members are in their 50's, while the

remainder are in their 20's, 30's and 40's. And while the majority of the Steering Committee remains conductors and engineers (BLET and UTU), we now have four members of the non-operating crafts (car inspector, electrician, laborer and locomotive maintenance) holding positions.

RWU Steering Committee (As of April 4th, 2014)



Mark Burrows - Organizer
 UTU #1433 CP
 Chicago, IL



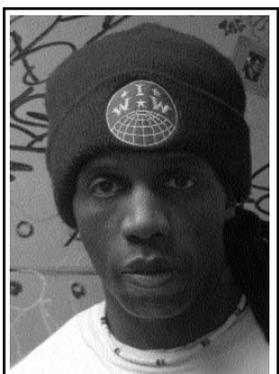
Paul Jenvey - Co-Chair
 IBEW #889 UP
 San Luis Obispo, CA



Ron Kaminkow - Gen-Sec
 BLET #51 AMTK
 Reno, NV



Paul Matchett - Trustee
 WSOR
 Janesville, WI



Dreadsen Owen - Trustee
 IWW #520 MRS
 Chicago, IL



Hugh Sawyer - Treasurer
 BLET #316 NS
 Atlanta, GA



Daniel Scudder
 TCU/BRC #6354 NS
 Atlanta, GA



John Vitaska - Trustee
 NCFO #395 CP
 Chicago, IL



James Wallace - Co-Chair
 UTU #305 BNSF
 Lincoln, NE



Andrew Weir
 TCRC - CTY #240 CN
 Sarnia, ON

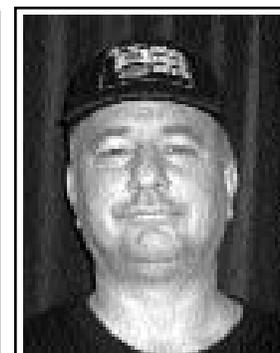


John Wright - Co-Chair
 BLET #78 CSX
 Louisville, KY

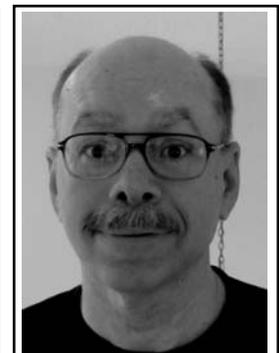
In addition to our 11 Steering Committee members, we have 3 Alternates to the ISC, In the event that one of the Steering Committee members is unable to serve, s/he is replaced by an alternate. Alternates (to the right) have full voting power at all Steering Committee meetings when there are not 11 present.



Jen Wallis- Alternate
 BLET #238 BNSF
 Seattle, WA



Robert Hill - ALternate
 BLET #104 BNSF
 Hauser, ID



Mike Matson - Alternate
 UTU #911 CP
 Winona, MN

Opinion & Commentary

The Rail Carriers' Attacks; the Unions' Response; and RWU

Coming out of RWU's 4th Biennial Convention (see article, page 4), those of us who attended left the Chicago event: both inspired by the fragmented but significant pockets of resistance in the labor movement, in this country as well as internationally; as well as challenged by our struggles as rail workers in North America.

In the context of the attacks on our safety, dignity, quality of life on and off the job that we *already* face, as well as the future attacks we know are being prepared, several questions are posed for us as an organization of rank-and-file rail workers who refuse to just roll over and accept these attacks without a fight.

What are RWU's short term objectives? Long term objectives? What role can we, do we see ourselves playing within our present union structures? What kind of tactics and/or strategies can we attempt to advance our objectives?

A common discussion that gets posed by coworkers who like what we are saying and doing, goes something like, "I like your newsletter, your articles are informative *but what can we do now?*" Good question. I will attempt to address these questions, as well as common criticisms of RWU in this and future articles and commentaries, as my contribution to this necessary ongoing discussion.

What kind of relations with our existing unions and their respective leaderships does RWU aspire to? Recently, a member of RWU's Steering Committee had a discussion with a high ranking BLE-T officer. When asked his opinion of RWU, his response was that we focused too much on negativity and that the way to make our unions stronger is to work "within the system".

Though RWU has major disagreements with the leadership of our unions over fundamental questions of perspectives, strategies and tactics, we have no interest in public confrontations with them. We strive to keep our focus on the rail carriers and the government, while being brutally honest about the role of our unions. As rail workers who bear the brunt of the carriers' attacks on us, in real time, in the real world, we have a right, obligation and responsibility to advance the discussion on 1) What's wrong with this picture? and 2) What needs to happen in order to more effectively defend ourselves? In the course of this discussion, RWU does not apologize for being respectfully, constructively critical of the response by our unions to 1) the carriers' attacks on us, the workers and 2) the hazards and dangers posed to surrounding communities by the carriers' unsafe operating practices. If fundamental differences did not exist, there would be no need for us to invest our time, energy and money into RWU, much less for RWU to even exist.

I'm going to reference an article from the UTU website, posted June 21, 2013, "Stem Testifies on Safety Before Senate Committee". On June 19, 2013, UTU National Legislative Director James Stem appeared before the US Senate Committee on Commerce, Science and Transportation. Among several issues raised, Stem advocated for "... improving work schedules and employee notification." This is in reference to the "extra board" where we are subject to 24-hour on-call status, mandated to report for work on two hours notice. Stem offered the following suggestions to address this issue: "Providing employees a regular start time so they know days in advance when they must come to work ... Employees with regular start times are not the employees who are dying in fatigue-related collisions."

It is not my intent to take issue with Brother Stem. I applaud him for pointing out that this barbaric work schedule, which in my opinion should never have been allowed to be implemented, is responsible for fatigue-related collisions that kill and maim us. He is doing the best he can in the existing framework.

It is RWU's contention that this entire framework is structured to aid the carriers and reduce us to begging for whatever relief we can attain. RWU does not accept even *one worker* being sacrificed at the altar of the carriers' greed and profit margin. We do not accept being reduced to begging the "master" to please stop "whipping" us so hard, only to be told that the "beatings" will continue until morale improves. If the carriers insist on remaining intransigent when it comes to our safety, our very lives as workers as well as those in surrounding communities, because they can, then have we not earned the moral and ethical right to organize ourselves to take the "whip" out of their hands?

Do we settle for what the carriers are willing to give us, when it comes to safety, dignity and quality of life, or do we organize ourselves, to empower ourselves to *demand* that which we as workers and human beings are entitled to? RWU votes for the latter scenario.

In one sentence, this is what we are advocating for and why we exist.

To be continued....

Mark Burrows currently serves as the Organizer for Railroad Workers United. He is a member of UTU Local #1433 and works as an engineer for CP Rail in Chicago, IL. This is the seventh installment in this series.



Opinion & Commentary

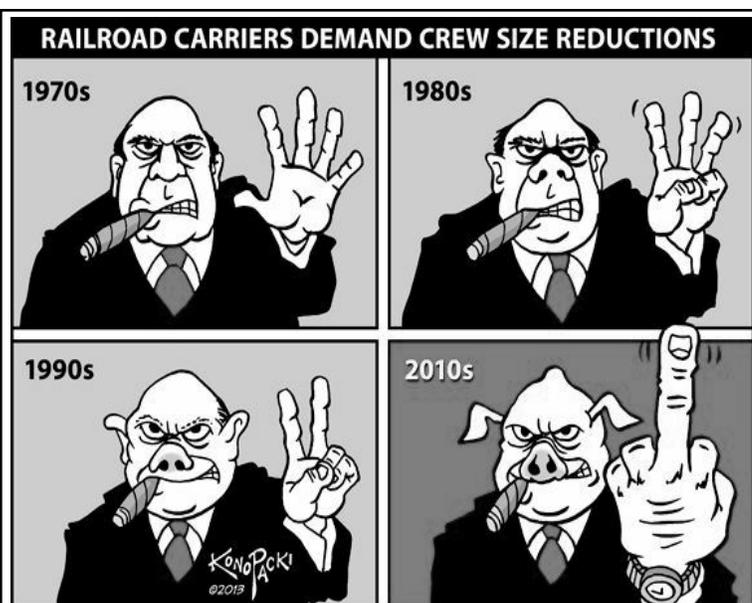
Legislation, Regulation, and the Fight Against Single Crews

Railroad Workers United is encouraged by recent movement on the single employee train crew issue. After campaigning vigorously for nearly a decade now, RWU and its predecessor group Railroad Operating Crafts United (ROCU) have something to show for our efforts.

On April 9th, the Federal Railroad Administration (FRA) announced that it would accept public comment this summer for a new rule to mandate a minimum of two employees on many if not most trains. And last summer, The Safe Freight Act (HR 3141) -- which would mandate at least two employees on trains -- was introduced into Congress.

While the actual wording of the FRA regulations (and what exceptions are bound to be included) is a long way from being finalized, and while HR 3141 is far from becoming law, both of these efforts -- one on the regulatory front and the other on the legislative front -- represent a victory for railroad workers in North America.

While we support a strong regulation from the FRA with few if any exceptions, and while we have been supporting the passage of HR 3141, we must never be lulled into the belief that our future can be trusted to government regulators or politicians. By the time the rule is finalized, and by the time HR 3141 becomes law (if in fact it does), both could be unrecognizable from their original form once the rail industry and the pro-business politicians get through with them. But even if they survive dismemberment and disfigurement and do in fact become the law, we simply cannot trust regulations or legislation to defend and protect us.



While the rail carriers remain tight lipped about it, since 2004 they have been pushing to run trains with a single crew member. If we intend to stop them, we must remain forever vigilant.

Railroad workers have seen rules come and go, legislation be passed and then repealed. Take the "third pin" law in Indiana. Once a train exceeded a certain length, trains in Indiana at one point in time had to include a third brakeman. Where is that law now? Gone. Take the caboose law. A number of states had laws mandating a caboose on every train. Where are those laws now? Gone. The point here is that despite FRA regulation and despite various legislation, the single crew issue is bound to rear its ugly head in the future. And railroad workers must be ready.

Now is the time to mobilize. We have the carriers on the ropes. Recent train wrecks (Lac-Megantic and Spuyten Duyvil) and union struggles (W&LE engineers and trainmen) have shined the spotlight on single employee crew operations. With legislation and regulations pending, we call on railroad workers and their unions to mobilize around this issue. Let's have a rally at FRA headquarters. Let's have a huge informational picket at the W&LE offices. Let's organize an outpouring of rank and file testimony at the FRA hearings this summer. It's time for the working railroaders to speak to the American people about this issue and win them to our side. Community organizations, environmental groups and others are ready, willing and poised to assist us in this (and other) fights. But we need to reach out and make those connections, build those alliances, and stop cozying up to the carriers.

The fight against single employee train crews can be won. The sheer fact that the U.S. Congress is considering legislation and that the FRA is promulgating rules to outlaw the practice gives us huge credibility with the public and our potential allies in the community. It's unfortunate that it took the horrific tragedy in Lac-Megantic, Quebec to put this issue in the public spotlight. But the best way to honor the 47 victims is to fight like hell to ensure something like this *never* happens again.

We call on the rail unions to mobilize their membership like never before. We need to let our voices be heard. The FRA will be conducting hearings throughout the summer on this issue before promulgating their final rule on the question. Each hearing should be packed with rank & file engineers and conductors who can provide first hand testimony and give concrete real life examples where a single employee crew would have been a disaster, and where a multiple member crew was absolutely essential. Our voices and our actions - those of the train crews that know what a fiasco single employee train crews would surely be -- are the voices that can build the support necessary to ensure that single employee train crews are never implemented on trains in North America. Let's not let this moment slip away. It's time to act!



Railroad Workers United

Membership Application

Railroad Workers United needs you! If you believe that our unions should fight the carriers and not each other, then RWU is for you. If you believe that the carriers' "Behavior Based Safety" Programs do more harm to us than good, and If you want real union-based safety committees built upon cross-craft solidarity and rank-and-file control, then RWU is for you. If you want to help reform Railroad Retirement; if you wish to see an active, informed and mobilized union membership -- of all rail labor -- then RWU is for you!

Name _____ Date _____

Address _____

City _____ State _____ Zip _____

Phone _____ Cell Phone _____

Email Address _____ Union Position (if any) _____

Union _____ Local # _____ Employer _____

Terminal _____ Craft _____ Years of Service _____

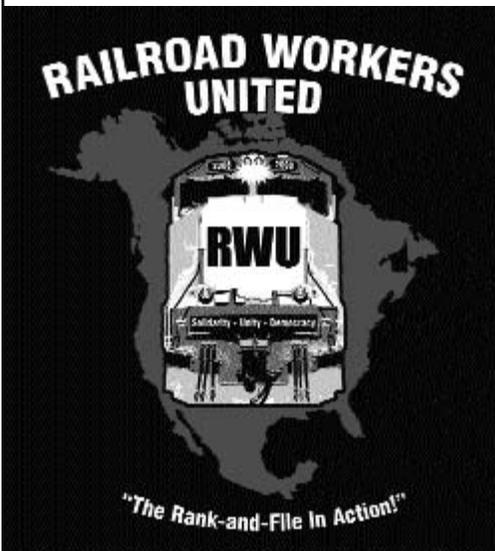
I am a (check one): Railroad Employee Railroad Retiree Railroad Family Member

Please check to affirm this statement: --- I am not a manager or officer of a rail company.

I'd like to join for (check one): 1 year \$50.00 2 Years \$90.00 3 Years \$120.00

Clip and mail together with your dues to:
Ron Kaminkow, RWU Secretary P.O. Box 2131 Reno, NV. 89505
 OR join on-line at www.railroadworkersunited.org

Get Your RWU Union-Made-in-the-USA T-shirts and Hats



T-shirts available in Black in S, M, L, XL, 2XL, 3XL, or 4XL. The RWU logo at left is on the back (or front) of the shirt.

Hats are available in Black, Gray or Red, one-size fits all. RWU Logo on the front is stitched embroidery.

Both T-shirts and hats are union made in the USA, 100% cotton and include the RWU 4-color logo.

T-shirts and hats cost \$20.00 each (15.00 for RWU members)

Postage Paid By RWU if mailed to addresses in the U.S.

Make your check to RWU and mail with your order to:

Ron Kaminkow, RWU Secretary P.O. Box 2131 Reno, NV. 89505

OR

Order and pay with your paypal or credit card via our website at www.railroadworkersunited.org