# *Magazines Samples*

UNITY

April 2005

The State of Texas House of Representatives

This Certifies that the Texas Flag herewith presented to

THE TRANSPORT WORKERS UNION

LOCAL 556

By

REPRESENTATIVE RAFAEL ANCHIA

was flown at the Capitol of the Sovereign State of Texas

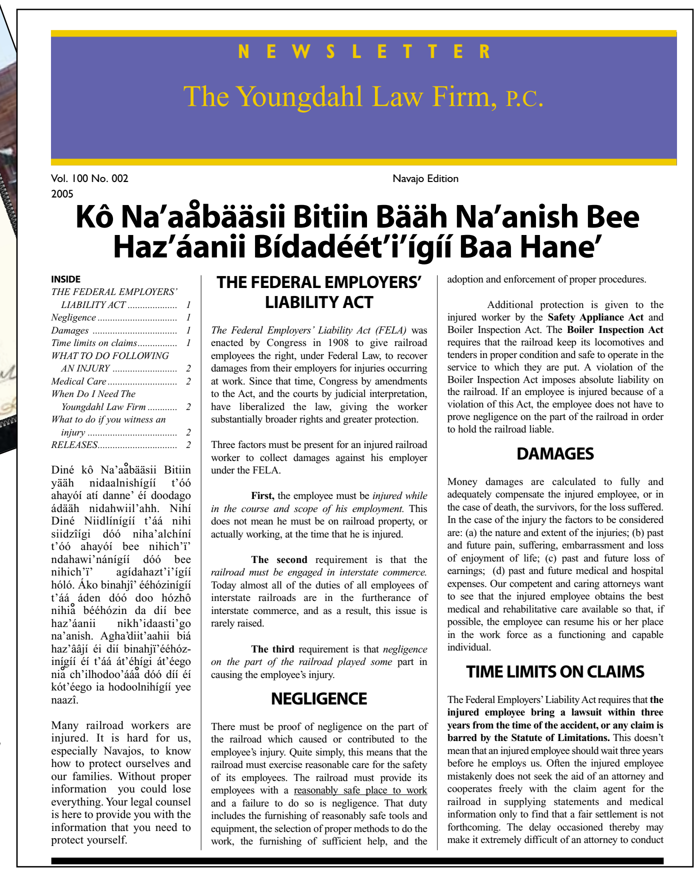
FEBRUARY 5, 2005

IN HONOR OF THEIR 30TH ANNIVERSARY

In witness thereof and pursuant to the authority vested in me, I have hereunto set my hand and seal of office at Austin, Texas,

this the 6TH day of FEBRUARY A.D., 2005.

State Representative



N E W S L E T T E R

The Youngdahl Law Firm, P.C.

Vol. 100 No. 002 Navajo Edition
2005

## Kô Na'aåbääsii Bitiin Bääh Na'anish Bee Haz'áanii Bídadéét'i'ígíí Baa Hane'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Diné kô Na'aåbääsii Bitiin yääh nidaalnishígíí t'óó ahayóí atí danne' éí doodago ádääh nidahwiil'ahh. Nihí Diné Niidlínígíí t'áá nihi siidzîígi dóó niha'alchíní t'óó ahayói bee nihich'ï' ndahawi'nánígíí dóó bee nihich'ï' agídahazt'i'ígíí hóló. Áko binahjî' ééhózinígíí t'áá áden dóó doo hózhô nihiå béého̊zin da díí bee haz'áanii nikh'idaasti'go na'anish. Agha'diit'aahii biá haz'âjí éi dií binahjï'ééhózinígíí éi t'áá át'éhígi át'éego niå ch'ilhodoo'áåa dóó dií éi kót'éego ia hodoolnihígíí yee naazî.

Many railroad workers are injured. It is hard for us, especially Navajos, to know how to protect ourselves and our families. Without proper information you could lose everything. Your legal counsel is here to provide you with the information that you need to protect yourself.

### THE FEDERAL EMPLOYERS' LIABILITY ACT

*The Federal Employers' Liability Act (FELA)* was enacted by Congress in 1908 to give railroad employees the right, under Federal Law, to recover damages from their employers for injuries occurring at work. Since that time, Congress by amendments to the Act, and the courts by judicial interpretation, have liberalized the law, giving the worker substantially broader rights and greater protection.

Three factors must be present for an injured railroad worker to collect damages against his employer under the FELA.

**First,** the employee must be *injured while in the course and scope of his employment.* This does not mean he must be on railroad property, or actually working, at the time that he is injured.

**The second** requirement is that the *railroad must be engaged in interstate commerce.* Today almost all of the duties of all employees of interstate railroads are in the furtherance of interstate commerce, and as a result, this issue is rarely raised.

**The third** requirement is that *negligence on the part of the railroad played some* part in causing the employee's injury.

### NEGLIGENCE

There must be proof of negligence on the part of the railroad which caused or contributed to the employee's injury. Quite simply, this means that the railroad must exercise reasonable care for the safety of its employees. The railroad must provide its employees with a reasonably safe place to work and a failure to do so is negligence. That duty includes the furnishing of reasonably safe tools and equipment, the selection of proper methods to do the work, the furnishing of sufficient help, and the adoption and enforcement of proper procedures.

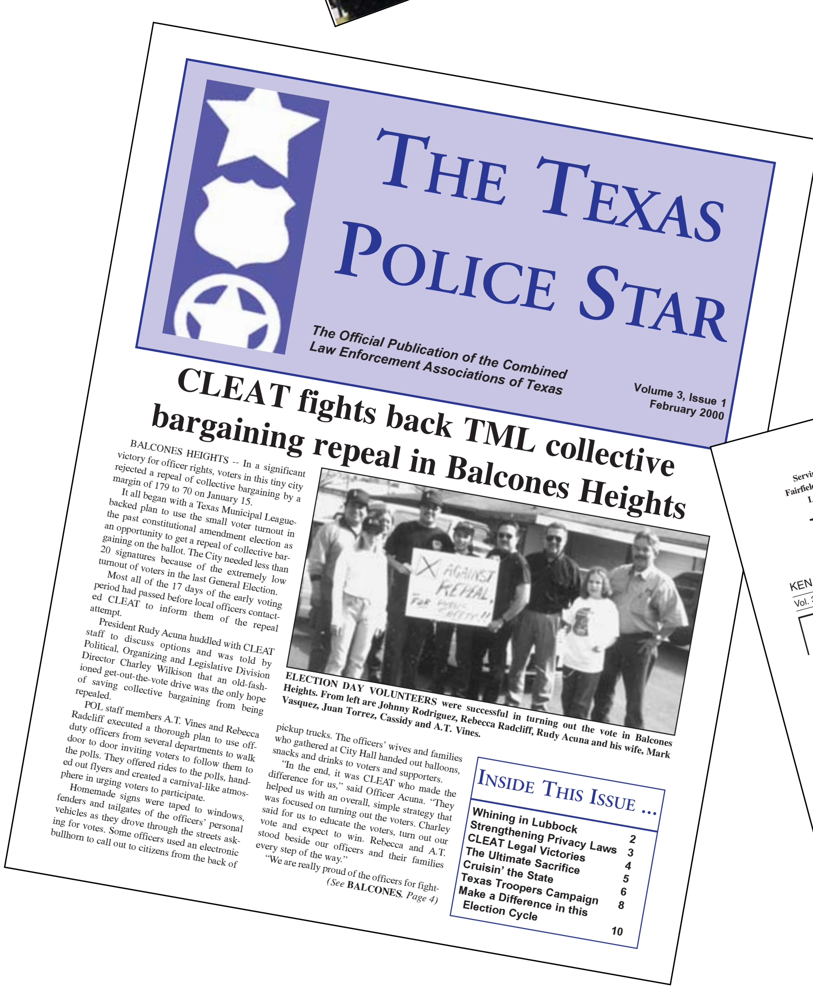
Additional protection is given to the injured worker by the **Safety Appliance Act** and Boiler Inspection Act. The **Boiler Inspection Act** requires that the railroad keep its locomotives and tenders in proper condition and safe to operate in the service to which they are put. A violation of the Boiler Inspection Act imposes absolute liability on the railroad. If an employee is injured because of a violation of this Act, the employee does not have to prove negligence on the part of the railroad in order to hold the railroad liable.

### DAMAGES

Money damages are calculated to fully and adequately compensate the injured employee, or in the case of death, the survivors, for the loss suffered. In the case of the injury the factors to be considered are: (a) the nature and extent of the injuries; (b) past and future pain, suffering, embarrassment and loss of enjoyment of life; (c) past and future loss of earnings; (d) past and future medical and hospital expenses. Our competent and caring attorneys want to see that the injured employee obtains the best medical and rehabilitative care available so that, if possible, the employee can resume his or her place in the work force as a functioning and capable individual.

### TIME LIMITS ON CLAIMS

The Federal Employers' Liability Act requires that **the injured employee bring a lawsuit within three years from the time of the accident, or any claim is barred by the Statute of Limitations.** This doesn't mean that an injured employee should wait three years before he employs us. Often the injured employee mistakenly does not seek the aid of an attorney and cooperates freely with the claim agent for the railroad in supplying statements and medical information only to find that a fair settlement is not forthcoming. The delay occasioned thereby may make it extremely difficult of an attorney to conduct



THE TEXAS POLICE STAR

*The Official Publication of the Combined Law Enforcement Associations of Texas*

Volume 3, Issue 1
February 2000

## CLEAT fights back TML collective bargaining repeal in Balcones Heights

BALCONES HEIGHTS -- In a significant victory for officer rights, voters in this tiny city rejected a repeal of collective bargaining by a margin of 179 to 70 on January 15.

It all began with a Texas Municipal League-backed plan to use the small voter turnout in the past constitutional amendment election as an opportunity to get a repeal of collective bargaining on the ballot. The City needed less than 20 signatures because of the extremely low turnout of voters in the last General Election.

Most all of the 17 days of the early voting period had passed before local officers contacted CLEAT to inform them of the repeal attempt.

President Rudy Acuna huddled with CLEAT staff to discuss options and was told by Political, Organizing and Legislative Division Director Charley Wilkison that an old-fashioned get-out-the-vote drive was the only hope of saving collective bargaining from being repealed.

POL staff members A.T. Vines and Rebecca Radcliff executed a thorough plan to use off-duty officers from several departments to walk door to door inviting voters to follow them to the polls. They offered rides to the polls, handed out flyers and created a carnival-like atmosphere in urging voters to participate.

Homemade signs were taped to windows, fenders and tailgates of the officers' personal vehicles as they drove through the streets asking for votes. Some officers used an electronic bullhorn to call out to citizens from the back of pickup trucks. The officers' wives and families who gathered at City Hall handed out balloons, snacks and drinks to voters and supporters.

"In the end, it was CLEAT who made the difference for us," said Officer Acuna. "They helped us with an overall, simple strategy that was focused on turning out the voters. Charley said for us to educate the voters, turn out our vote and expect to win. Rebecca and A.T. stood beside our officers and their families every step of the way."

"We are really proud of the officers for fight-

(*See* **BALCONES**, *Page 4*)

**ELECTION DAY VOLUNTEERS were successful in turning out the vote in Balcones Heights. From left are Johnny Rodriguez, Rebecca Radcliff, Rudy Acuna and his wife, Mark Vasquez, Juan Torrez, Cassidy and A.T. Vines.**

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*Official Publication of Lone Star Branch #132, NALC*

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METRO LETTER CARRIER

KEN WARDRUM, EDITOR • 8451 ENDICOTT • PHONE: (214) 388-4349 December 2005
Vol. 33, Number 12 Published Monthly

### PRESIDENT'S REPORT

EARL HIBBS

USPS District Manager Carl January, his staff, NALC Vice President Robert Hinson, and I will meet within the next 30 days to discuss and attempt to negotiate a joint route check agreement. We hope to provide a fair process which will benefit the USPS, the City Letter Carrier, and the customer. I wish to thank the District Manager and his staff for their time and effort in advance of our meetings.

Our Branch has had good and fair route adjustments in the past. Our joint process involved joint route checks with NALC officers or designees at each office during the count and inspection week. Routes were adjusted in accordance with "real numbers" using the M-39 Handbook, without either side taking a "position."

The results of the 2005 route adjustments in the Southwest Area of the USPS are clear. City Letter Carriers are delivering mail in the dark. Many stations must borrow PTFs and PTRs from other offices to carry the mail on routes that are clearly still out-of-adjustment. Grievances about route checks and adjustments, such as the recent case at Prestonwood Station in which City Letter Carriers were paid $900 each, are present at each office. Form 3996 and DOIS disagreements are the norm. ***I remind you that these checks and adjustments were not done jointly with the NALC or City Letter Carrier's input.***

We will discuss our route check process and training for 2006 at the December Branch Meeting on December 5, 2005. Please plan to attend.

I extend to each of you my best wishes for you and your family for a safe and happy holiday season. Remember that our goal for 2006 NALC and USPS negotiations should be Better Working Conditions.

### Highlights of the November 7, 2005 Branch Meeting

1. President Hibbs announced that stewards training for January and February will be on January 16, 2006 at the union hall. The National Business Agent will conduct a comprehensive route check school. All members are invited to attend.

2. President Hibbs advised the membership that the branch will attempt to negotiate a route check agreement prior to next year's inspections.

3. President Hibbs announced that more funds for training and education will be included in the proposed budget for 2006.

4. The membership elected 147 delegates and 35 alternates for the 2006 National Convention in Las Vegas.

5. Melanie Gardner, from Parkdale Station provided information on her Leadership Training that she recently received in Washington DC.

Respectfully submitted,
Sid Simmons,
Recording Secretary

### Financial Report
October 31, 2005

| | |
|---|---|
| General Fund | $ 5,345.00 |
| Officers/Steward Fund | 60,681.00 |
| Convention Fund | 12,582.00 |
| Legal Fund | 3,658.00 |
| MDA Fund | 231.00 |
| Building Fund | 573.00 |
| Building Fund CD | 14,688.00 |

IN MEMORIAM
Earnest J. Beckham

HAPPY HOLIDAYS
*From The Officers and Staff of Local 132*

**EATING MEETING**
**The December 5, 2005 Branch Meeting will be an eating meeting with chicken and beef fajitas, drinks, etc. Food will be served beginning at 6 P.M. Volunteers are needed to help serve food and drinks.**

**2006 BUDGET**
**The 2006 Budget for NALC Branch 132 will be discussed at the December 5, 2005 Branch Meeting. The members present will vote on and approve the budget for next year.**

### Union Office Operation
DECEMBER

| | |
|---|---|
| HINSON | 9:00 a.m. to 5:30 p.m. |
| HIBBS | 7:00 a.m. to 3:30 p.m. |
| SIMMONS (Monday and Thursday) | 7:00 a.m. to 5:30 p.m. |
| HILLIARD (Health Benefits/OWCP) (Thursday) | 7:30 a.m. to 2:30 p.m. |
| LONGVIEW OFFICE (Thursday) | 9:00 a.m. to 5:00 p.m. |

## Retiree Meeting December 15, 2005