

# American Federation of Labor and Congress of Industrial Organizations



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July 1, 1999

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**TO: ALL PRESIDENTS OF NATIONAL AND INTERNATIONAL UNIONS  
ALL PRESIDENTS OF TRADE AND INDUSTRIAL DEPARTMENTS  
ALL AFL-CIO REGIONAL DIRECTORS**

Dear Trade Unionist:

In accordance with Section 14 of Article XX of the AFL-CIO Constitution, the subcommittee of the AFL-CIO Executive Council, consisting of Secretary-Treasurer Trumka and Vice Presidents Sacco and West, has found the United Transportation Union to be in non-compliance with the determination of the Impartial Umpire in Article XX Case No. 98-006 (Union Pacific Railroad).

This finding of the subcommittee follows from the decision of the Executive Council appeals subcommittee denying the United Transportation Union's appeal of the determination of the Impartial Umpire that UTU's application to the National Mediation Board seeking a determination that trainmen, conductors and engineers comprise a single craft or class at Union Pacific Railroad, and seeking a representation election in that unit, is a violation of Article XX, Section 2.

Effective this date, the United Transportation Union will be subject to the following provisions of Section 15 of Article XX:

- "(1) The non-complying affiliate shall not be entitled to file any complaint or appear in a complaining capacity in any proceeding under this Article until such non-compliance is remedied or excused as provided in Section 16;
- "(2) The Federation shall, upon request, supply every appropriate assistance and aid to any organization resisting the action determined to be in violation of the Article;
- "(3) The Federation shall appropriately publicize the fact that the affiliate is not in compliance with the Constitution;
- "(4) No affiliate shall support or render assistance to the action determined to be in violation of this Article."

Sincerely,

John J. Sweeney  
President

cc: Richard Trumka, Secretary-Treasurer  
Linda Chavez-Thompson, Executive Vice President