



SMART

Transportation Division News

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International Association of Sheet Metal, Air, Rail and Transportation Workers

SMART Constitution released on union websites

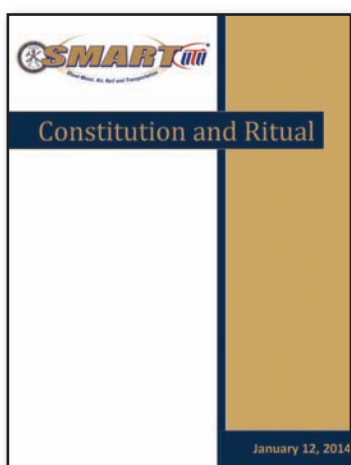
The International Association of Sheet Metal, Air, Rail and Transportation Workers has released the first SMART Constitution following the conclusion of arbitration proceedings between its Sheet Metal and Transportation Divisions.

The arbitration was conducted by Georgetown University Law Professor and Arbitrator Michael H. Gottesman and his findings were released in December.

At the conclusion of the arbitration, the parties were able to reconcile differences in the interpretation of their former individual constitutions and complete the first SMART Constitution.

Both the constitution and the arbitration results can be found on the union's websites at www.smart-union.org and www.utu.org.

In a joint message to the membership of the organization, SMART General President Joe



Nigro and SMART Transportation Division President John Previsich released the following statement:

"This is a milestone for both the former Sheet Metal Workers' International Association and the United Transportation Union, that have merged to become the International Association of Sheet Metal, Air, Rail and Transportation Workers. While our merger has been complete for some time, this document solidifies this great union and its membership under a single constitution.

"It is impossible to speak to the success in completing this constitution without acknowledging both the hard work and the frustration of those who participated in the creation of the document and the membership who have waited patiently throughout this long and difficult process.

"The path has led both of us to take positions on interpretation of our separate constitutions

and the merger agreement. In getting there, as would be expected of your leadership, we examined and debated every constitutional section thoroughly before agreement. At times, it required the help of an outside arbitrator to clarify a particular issue. While this slowed the process, it must be remembered the parties were tasked with blending 100 years of separate cultural and operational methods into a single constitution that would govern our organization.

"Throughout this process, both of us have recognized that, in the end, what matters is the importance of having a document that serves the best interests of all the membership of SMART.

"So, we are jointly resolved to move forward as an organization under one constitution and ritual, with a single focus. We, as your leadership, are dedicated to working collectively to provide a transparent and accountable organization that will strive to provide fair and reasoned representation to our membership and the efficiency of operation necessary to expand work opportunities for our members."

SMART GO 505 prepares to strike LIRR

Following the New York Metropolitan Transportation Authority's Jan. 15 announcement that it is rejecting a proposed series of wage increases for unionized employees on the Long Island Rail Road, SMART Transportation Division General Committee of Adjustment GO 505 has signaled that its members are prepared to strike as early as March 21.

The wage increases and other recommendations were the findings of Presidential Emergency Board 244, which was appointed by President Barack Obama to settle a long-running dispute between LIRR management and its unionized employees.

"With the guidance and support of our SMART International Union, along with the teamwork and solidarity of our brothers and sisters from the sheet metal side of SMART, the Transportation Communications Union and the National Conference of Firemen & Oilers, 70 percent of the represented workforce on LIRR is prepared to deliver on the actions allowable by the process of self-help, as per the Railway Labor Act," said GO 505 General Chairperson **Anthony Simon**.

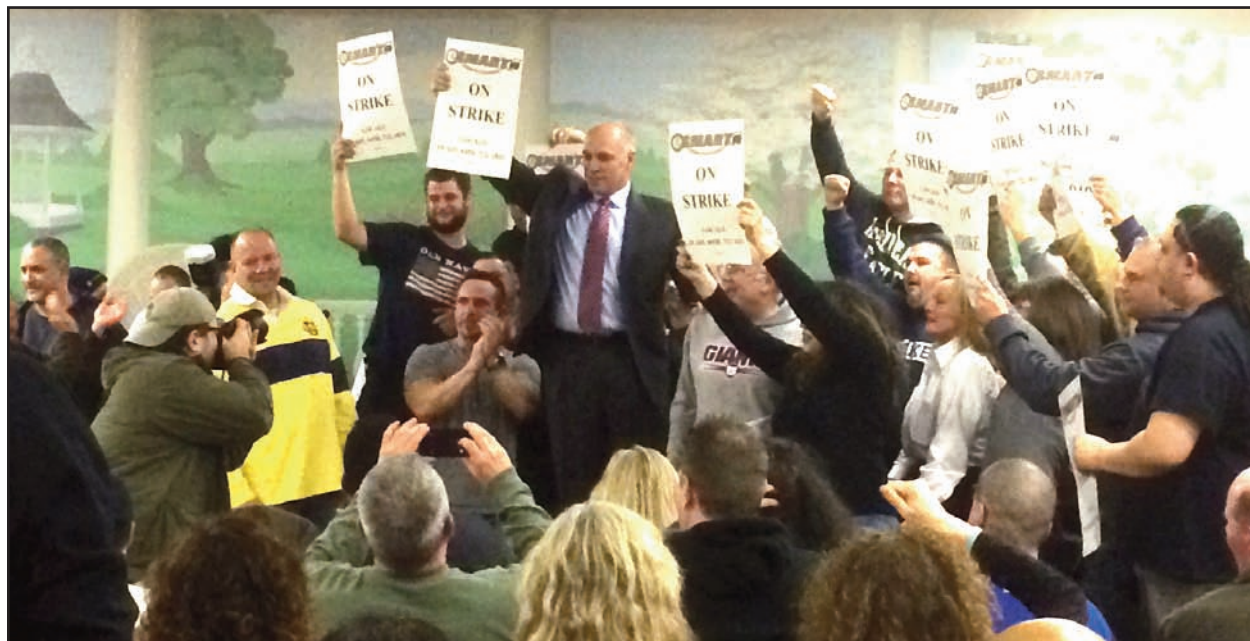
"In addition, we have the support of Transport

Workers Union Local 100, which demonstrates an overwhelming sign of solidarity from labor to MTA."

"Strong leadership requires strong action. Now is the time our SMART membership, and the membership of our supporting unions, realize that we are ready to deliver."

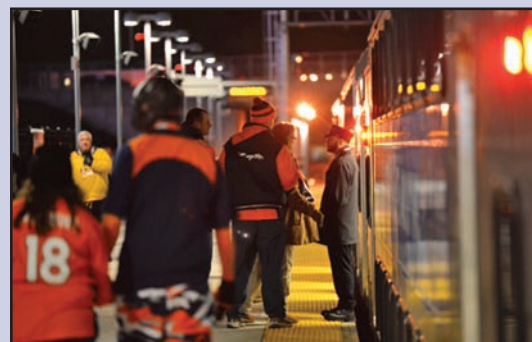
Affected SMART Transportation locals came together throughout the week of Feb. 3 to be briefed and eventually vote on strike action. Over 500 members packed the hall utilized by the various locals for monthly meetings and unanimously voted "yes" for strike action. Members that were unable to attend the meetings faxed, mailed and hand-delivered hundreds of additional signed petitions supporting a strike and thanking union leadership. To date, GO 505 has received

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Long Island Rail Road GO 505 General Chairperson Anthony Simon, center, raises an "On Strike" sign at a local union meeting. To date, Simon said the union has received 800 "yes" votes favoring a March 21 strike and zero "no" votes.

NJT general manager: 'Great job by all'



The head of New Jersey's transit agency Feb. 3 defended the response to delays for thousands of fans leaving the Super Bowl by train.

About 33,000 people took the 7-mile ride between MetLife Stadium and the Secaucus rail transfer station, more than double the highest estimates made by organizers and transportation experts before the game. The Super Bowl was held Sunday, Feb. 2, at MetLife Stadium in New Jersey.

"I received an email this morning from New Jersey Transit Vice President and General Manager Kevin O'Connor, thanking our UTU/SMART members for a job well done," said NJT General Chairperson **Michael J. Reilly**. "Our members of Local 60 in Newark, N.J., came out in force, as there were more than 70 extra assignments to be filled on both Saturday and Sunday. Not only did they come out, our crews were exceptional in their duties and professional in very demanding situations."

In a message to Reilly and Brotherhood of Locomotive Engineers and Trainmen General Chairperson Dave Decker, O'Connor wrote: "Just wanted to express my thanks to both of you, as well as to your members. We filled virtually every job on Saturday and Sunday and on Sunday carried an unprecedented 28,000 people to the Meadowlands and took out over 32,000. I spoke to many employees as I saw them on Saturday and Sunday and thanked them for their efforts, but of course that was only a fraction of the work force, so please pass this on to everyone. Great job by all and greatly appreciated. Thank you."

Around the SMART TD

Local 9, Slaton, Texas

BNSF Railway GO 20 General Chairperson **Tom Pate** reports that Local Chairperson **David Fulton** retired. "David held the chairperson position for, I believe, 24 years. I just want to wish him well in the future and thank him for the many years of service he has given to the UTU. We all know the selflessness it takes to be a local chairperson for this many years and I didn't want his involvement to go unnoticed," Pate said.

Local 265, Pocatello, Idaho

Former Idaho Assistant State Legislative Director and Local Delegate **Shane Yarger**, 56, died in his sleep on the morning of Christmas Eve. Shane was proud to support his family working as a conductor on the Union Pacific Railroad. He retired from the railroad due to disability and worked as an agent of the Crow Law firm. He is survived by his wife, Connie, daughters Cara and Lisa, son Jason, and six grandchildren.

Local 446, Cheyenne, Wyo.

Kara Clarke, daughter of member and engineer **George Clarke**, has been nominated to compete on the U19 United States girls' soccer team this summer at the 2014 United World Games in Klagenfurt, Austria. Local Chairperson **Tyler Thompson** reports. Members of the local are assisting the family in a fundraising effort to raise money for the family's travel expenses and accommodations. Enter Kara Clarke in the Search box at www.utu.org for more information.

Local 623, Clifton Forge, Va.

Local Treasurer **Lee Baumgarten** acknowledges President **Eric Stratmann**, Vice President **Dale Smith**, Secretary **Charles A. Brown**, Local Chairperson **Kimberly Wilhelm**, Alternate Legislative Rep. **David Stayton** and Trustee **Gary W. Hoke Sr.** for their outstanding efforts in supporting the local and its members. "Each of these officers has dedicated a lot of time and energy in building a local union that our membership can be proud of," Baumgarten said.

Local 898, Boston, Mass.

State Legislative Director **George Casey** reports that **Leo McDonald**, a 40-year member of this local, has retired. McDonald, who began his career on Boston & Maine Railroad and later worked for Amtrak and Massachusetts Bay Commuter Railroad, had served his local as chairperson and held various other local offices.

Local 951, Sheridan, Wyo.

Retired former Alternate to the Executive Board **Titus R. Shelby** reports that former Local Secretary & Treasurer **Glynn Coster**, 89, died Dec. 29. Shelby said Coster was a member of the U.S. Army's 10th Mountain Division, serving in Italy during World War II. The 10th Mountain Division's exploits in the Italian Alps were the subject of the 1996 film "Fire on the Mountain." Shelby also noted that Coster was an amateur photographer, using just an old box camera, and he has retained a number of Coster's early photographs. A November 1948 shot is below.



Local 1694, Barstow, Calif.

This BNSF Railway local has established a website at www.utu1694.org, webmaster and Local Delegate **Lloyd N. Parker** reports. The site provides members with contact information of their local officers and links to other important sites. Members can also sign up for an email address through the local.



SEPTA assistant conductor **James Gentile**, center, with fellow Local 61 members **Roman Darmohray**, left, and **Jason Taylor**.

Assistant conductor's favor renews writer's faith in man

The lyrics of a popular song that reached No. 1 on the U.S. Billboard chart in 1954 say "little things mean a lot." And apparently they do to former *Wall Street Journal* reporter and NewsWorks contributing writer **Richard Koenig**.

Called to New York City on business at the last moment, Koenig parked his car at the Southeastern Pennsylvania Transportation Authority's Devon Station to take a SEPTA train to his Amtrak-to-New York City connection. He deposited eight quarters in the parking lot's coin slotbox.

He went on to write in a NewsWorks column: "I really don't want to get towed. As I pay the conductor the fare, I tell him of my call to SEPTA and my doubt about whether eight quarters will do. How can I avoid a tow? He has the typical conductor's air of brisk authority, yet he gives me a sympathetic ear.

"You should be okay, if that's what they told you. I'll give you my cell phone number. Call me tomorrow if you're still concerned."

"On his next pass through the carriage, the conductor hands me a ticket stub with his number scrawled on it. I write my parking-space designation, No. 8, on my business card and give it to him.

"From New York early the next morning, I call Devon Station ... I'm assured that my car will still be in Devon when I return, albeit with a ticket on the windshield. That evening, I find my Honda CRV in parking space No. 8. It is beautiful to behold. But the parking office seems to have got one thing wrong. There's no ticket. I take my luck and go home.

"The next day, checking voicemails I've neglected, I find one from the conductor. I return the call. Don't think anything of it, the conductor says. He'd do it for anybody. We talk more, and it turns out he ... had stopped to slip two more quarters into the slot for No. 8."

That assistant conductor was **James Gentile** of SMART Transportation Division Local 61 at Philadelphia.

"I guess that's the way I was raised," Gentile said. "I was very impressed by what he wrote. There's so many people I can thank. I'm 56 and I didn't know a lot about the railroad, but I'm learning from the conductors, the engineers. I would credit everyone I work with, my fellow classmates and my instructors, my first run conductor and engineer **Geovanni Bennett** and **Ron Stanton**, **Elliot Engels**, **Andre "Doc" Holliday**, **Steve Goldwire**, **Harvey Wigfall**, **Shawn Gardner**, **Richard Brooks** and **Vincent Joyner**. I can't say enough about these guys."

"It often happens like this, doesn't it?" Koenig wrote. "Something pops out of your day-to-day to lift your regard for humankind, and you never saw it coming."

Local 1869, Williamson, W. Va.

Longtime local officer **Jimmie Browning** announced his retirement, effective Jan. 31. Browning had served as local chairperson since 1975, local secretary & treasurer since 1996, Norfolk Southern GO 680 vice general chairperson since 1999 and delegate since 1999. "It has been a long ride of 41 years and eight months. I will always be UTU to the core," he said.

Local 1402, Dupo, Ill.



Local Treasurer **Gregory T. Rolfe** sent SMART TD News this photograph of retiring Local President **Eddie L. Brown**, center, passing the gavel to former local vice president and incoming President **Stephen R. Carmickle**, left, at the local's December meeting. Joining them, at right, is former Local Treasurer **David J. Uhrhan**, who also retired.

Local 1445, Elizabeth, N.J.



This Norfolk Southern local honored its recent retirees at its Christmas Party last year. From left, Local Chairperson **Anthony Maldonado** presents brass lanterns to former Local Secretary & Treasurer and Legislative Rep. **William F. Braden** (40 years of service), former President **Ronald A. Sicinski** (45 years) and **Stanley A. Bazydlo** (50 years).

UP GO 577, Spring, Texas

Roy E. Davis and **Charles P. Piland** have been elected to the offices of general chairperson and general committee secretary following the retirement of General Chairperson **Larry R. Bumpurs**, Vice General Chairperson **Christopher "Tuffy" Goodrum** reports. Bumpurs was elected to three consecutive terms and proudly served the membership of GO 577 for 11 years. Davis hired out in June 1994 and served three terms as chairperson of Local 1524 at Houston. He was elected GO 577 general committee secretary in January 2011. Piland hired out in June 1996 and was elected as vice chairperson of Local 1205 at Kingsville, Texas, in 2007 and chairperson in 2011. He has worked as a full-time office assistant of GO 577 since January 2012. "Congratulations go out to Larry Bumpurs on his retirement and Roy and Charles on their elections," Goodrum said.

North Dakota locals holding meetings in April

North Dakota locals will hold their annual Spring Swing meetings April 23-25, State Legislative Director **James M. Chase** reports. These meetings provide an excellent opportunity to learn about your benefits as a member and to visit with SMART Transportation Division officers, general chairpersons and representatives from UTUIA, the Railroad Retirement Board, designated legal counsel and health-and-welfare benefit providers. All members and their spouses are welcome to attend any of the three meetings and lunch will be served at the conclusion of each meeting. For further information, call (701) 223-0061 or send email to utu4nd@gmail.com. The schedule is as follows:

- Wednesday, April 23, Locals 887, 980, 1137 and 1137-RRVW; 1 p.m. meeting at the Fargo Howard Johnson Inn at 301 3rd Ave. N., in Fargo; (701) 232-8850.
- Thursday, April 24, Local 525; 2 p.m. meeting at the Hilton Garden Inn, 4301 James Ray Dr., in Grand Forks; (701) 775-6000.
- Friday, April 25, Local 1059; 1 p.m. at the Vegas Motel, 2315 N. Broadway Ave. in Minot; (701) 839-3000.

Yardmasters celebrate 95 years of solidarity

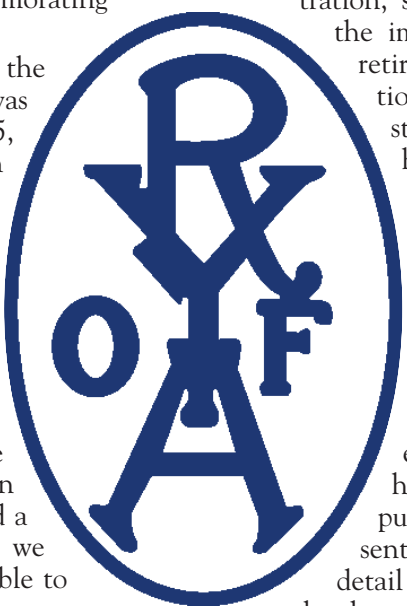
The yardmasters of the SMART Transportation Division celebrated a milestone in the history of rail labor late last year, commemorating 95 years of union membership.

The original yardmasters' union, the Railroad Yardmasters of America, was established Dec. 2, 1918. In 1985, the RYA voluntarily merged with the United Transportation Union.

"Over the past 95 years, our yardmasters have practiced and upheld the values of cooperation and teamwork that are cardinal principles of a good union," the J.D. Martin General Council of Yardmaster General Chairpersons announced. "Due to the fact that we are members of a great labor union that share a common direction and a sense of community from which we draw our strength, we have been able to set and achieve our goals."

The council meets regularly to discuss issues relevant to yardmasters today. It is named after Jerry D. Martin, who served as UTU's alternate assistant to the president – yardmasters from 1998 to 2000.

At its most recent meeting, the council dis-



cussed a variety of topics including rates of pay, medical insurance coverage, discipline and arbitration, safety, job security, consolidations, the impact of technology on the craft, retirement and various federal regulations. Committees were established to study common issues and discern how yardmaster general chairpersons could better accomplish their objectives and serve their constituents.

The council is also asking its fellow yardmasters for help. "We encourage you to get involved, ask questions and lend a helping hand to your fellow members when needed," the council said. "When you have a problem, or are aware of a dispute, please make your union representative aware of the situation. No detail is too small. We appreciate your hard work and, together, we can achieve just about anything."

To contact your general chairperson, visit www.utu.org and select "Contact UTU" from the pull-down menu under "About UTU" at the top center of the homepage. Click on rail general chairpersons for office and contact information.

RRB's Barrow announces pre-retirement seminars for rail workers, spouses

Railroad employees and their spouses closing in on retirement will be able to learn the latest benefit information and application requirements as part of a new program announced by Labor Member of the U.S. Railroad Retirement Board Walter A. Barrows.



Designed for railroad employees and spouses planning to retire within five years, the new Pre-Retirement Seminars will familiarize attendees with the retirement benefits available to them, and also guide them through the application process. Individuals who have not previously submitted documents required when filing a railroad retirement annuity application, such as proofs of age, marriage, or military service, are encouraged to bring this material to the seminar.

The program will begin this year on a pilot basis, with seminars planned for St. Louis on April 4, Omaha, Neb., on May 16, and Huntington, W.V., on June 20. Additional details regarding registration and locations will be announced soon.

RRB field personnel will lead the Pre-Retirement Seminars, which will be held from 1:30 p.m. to 3:30 p.m. On those same dates and in those same locations, Informational Conferences sponsored by the Office of the Labor Member will be conducted from 8:30 a.m. to 12:15 p.m. for invited rail labor representatives.

for their efforts throughout the campaign.

"They braved the elements and put boots to the ground to get SMART TD's message out to the drivers," Ross said.

Ross also thanked Vice President – Bus Bonnie Morr, Rockland Coaches GO RCL General Chairperson **Helaine Parsons** and New York State Legislative Director **Sam Nasca** for their assistance with the campaign.

April 11 is SMART Day at Fonner Park Track

A day at the horse races can be enjoyed by all SMART Union brothers and sisters at Fonner Park Race Track in Grand Island, Neb., Friday, April 11, at 3:00 p.m., Union Pacific GO 953 Vice General Chairperson **Rich Mohr** reports.

In attendance at this fourth annual event will be SMART General President Joseph Nigro and SMART Transportation Division President John Previsich. In past years, attendees included members from numerous locals in Kansas, Illinois, Nebraska, Colorado, Iowa and Wyoming.



Mohr

"We sponsor the feature race of the day and present a SMART horse blanket to the owner of the winning horse," Mohr said.

Weather permitting, a golf outing will also be held April 11 at 9:00 a.m. at Jack Rabbit Run Golf Course in Grand Island. The cost is \$40. There should be ample time to play 18 holes, have lunch and still arrive at the race track in time for the first race at 3:00 p.m., Mohr said. "With this year being the year of the first SMART convention, events like this are important for the unity of the entire organization."

Food and beverages will be available at the track and free clubhouse seating will be provided for those who reply in advance.

Please R.S.V.P. by contacting Local 7 Vice Chairperson **Cliff Gordon** at (308) 530-5766 or at cgordonutue@hotmail.com, or Local 286 member **Ed Mueller** at (308) 530-6711 or by email at meeko@kdsi.net. Special room rates are available at the Midtown Holiday Inn in Grand Island by calling (308) 384-1330. Mention code "UTU" or "SMART" when making a reservation.



SMART wins election by Brega bus operators

Bus operators employed by Brega Transport Corp. that provide service for Transport of Rockland in Rockland County, New York, have voted for representation by UTU/SMART Transportation Division.

Of the eligible voters who participated in the election, 46 selected SMART TD, 21 voted for no union representation and 11 for voted representation by another organization.

The vote brings 89 new members to the SMART TD's Bus Department.

SMART TD's Director of Organizing Rich Ross praised the efforts of Alternate Vice President – Bus and Organizer Calvin Studivant, along with Local 1594 officers **Waverly Harris** and **Brian Caldwell**.

FMCSA denies bus company's CDL exemption

The Federal Motor Carrier Safety Administration has denied an application by motorcoach tours company Miami Nice Tours to operate bus tours in the United States by drivers who would be exempt from the commercial driver's license (CDL) provisions of part 383 of the Federal Motor Carrier Safety Administration regulations.

The SMART Transportation Division's Legislative office in September offered written testimony to the U.S. Department of Transportation to deny Miami Nice Tours' application for the exemption.



Stem

The company sought to employ 50 European drivers to conduct approximately 87 motorcoach tours in the United States annually.

While each driver would have been licensed to operate a motorcoach in his or her European country of residence, states here do not issue CDLs to non-residents. Part 383 requires motorcoach drivers to hold a CDL issued by a U.S. state.

Miami Nice Tours stated that they believed that these drivers were likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be obtained if they held U.S. CDLs and had sought an exemption from the FMCSA rules.

"The SMART Transportation Division thanks FMCSA Administrator Anne Ferro and her staff for making the proper decision on this application," said SMART TD National Legislative Director James Stem. "The denial of the application not only adheres to our safety laws, but

respects the rights of workers in this country who only seek opportunities for gainful employment."

In testimony to the DOT, Stem said: "The SMART Transportation Division opposes Miami Nice Tours' application for exemption for several reasons. There is no way to check the claims of Miami that the drivers 'are licensed to operate motor coaches in their respective country of residence' and the status of their licenses, driving records, violations, etc. The qualifications and skills needed to hold and operate a CDL also include physical and dexterity requirements and there is no way to check that these drivers fulfill these requirements."

"There is no way to check the medical history of these drivers."

"While there is no 'Keep American Jobs' provision for the hiring of American bus drivers, there are Buy American provisions for purchasing buses. So if we are to be concerned about supporting Americans who build buses, it only makes sense that we support Americans who drive them. To allow the importation of people from other countries to perform American work is tantamount to 'exporting' these jobs."

"The immense diversity that already exists in the state of Florida makes the argument for the need to have a driver from a specific country to be without merit. If Miami needs someone who is fluent in a specific language, what they need is a tour guide accompanying the group."

"If this was an airline that transports diverse people in their planes on domestic routes, they would not be asking for a waiver to their qualifications so they could have a non-American pilot fly the plane."

SMART Constitution is complete and we are moving forward

2014 is shaping up to be a remarkable year in the history of our union. The SMART constitution is now finalized and we are moving forward with the ongoing effort to merge our two organizations into one.

For those who have not yet viewed the arbitration decision or the new SMART Constitution, they can be found on the Transportation Division's website at www.utu.org by selecting merger under the Updates tab, or on the SMART website at www.smart-union.org by using the search term "constitution."

"Delegates to the Transportation Division convention are also delegates to the SMART convention and it is important that our delegates attend both conventions to convey the wishes of their members to the governing body."

In addition to the integration, a number of other issues will demand our attention throughout the year. To begin, we will have two conventions this year – one for the SMART Transportation Division (formerly UTU) from June 30 - July 2, 2014 and another for the SMART organization from Aug. 11 - 15, 2014.

As advised in my Jan. 24 letter to all SMART TD officers, general chairpersons, state legislative boards and local unions, proposed amendments to the SMART Constitution's Article 21B may be submitted by any subordinate body of the Transportation Division no later than March 2, 2014.

Both conventions are equally important. Delegates at the Transportation Division convention



SMART Transportation Division President's Column

By John Previsich

will elect officers to serve the Division in the upcoming term starting Oct. 1, 2014. In addition, delegates will debate constitutional amendments that are submitted to the Transportation Division for consideration and will make recommendations on whether such amendments should be adopted or rejected by the delegates to the SMART convention.

Delegates to the Transportation Division convention are also delegates to the SMART convention and it is very important that our delegates attend both conventions to convey the wishes of their members to the governing body. If your local does not have a duly elected delegate and alternate delegate in place at this time, your local president or secretary should contact my office immediately at (216) 228-9400.

The Transportation Division staff stands ready to assist your local in ensuring your delegate or alternate will be seated at these conventions. In addition, Transportation Division locals may be entitled to have more than one delegate attend the SMART convention in August. Details on how to determine the number of delegates to

which your local may be entitled and procedures for electing additional delegates will be published soon.

Another item of business in the coming year is the commencement of negotiations for a national rail contract. We will soon begin the process of formulating the Section 6 notices to be served on the carriers.

The process starts with input from our members in the field on what is important for a new contract, and that input is essential to the preparation of Section 6 notices that reflect the needs and desires of our membership.

Other issues of interest are implementation of the Affordable Care Act and its impact on the many health care plans that cover our members, mid-term congressional elections, our organizing efforts that have produced great results in both our short line and bus departments and our continued legislative success in fending off attacks on Railroad Retirement and Amtrak.

Overall, we look forward to the challenges that lie ahead and to the successes that we will continue to achieve on behalf of our members.



Contact us: news_td@smart-union.org
Phone (216) 228-9400; fax (216) 228-5755

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For the latest news, visit www.utu.org; also, register on the SMART TD website to receive news alerts via email.

Let's work together to put Fast Track on the slow track

Recent news reports have been bleak when it comes to the status of working families in the United States. While much of the news focuses on unemployment, and rightly so, there's a relatively unknown, legal way that corporations are going to impact the job market and the wealth of manufacturing workers throughout the United States.

On the wealth side, the stock market has never been any higher; however, the wealth gap between the wealthiest one percent and everyone else has reached levels not seen since the 1920s and 95 percent of the new income generated in the past decade has gone to the top one percent. In fact, only 2.3 percent of the financial wealth generated by all Americans belongs to the bottom 60 percent. In addition, the median middle class income of American families has fallen by \$5,000 since 1999.

Forty years ago, President Ronald Reagan promised the nation that throwing money at the rich would result in their prosperity trickling down to the rest of us. For 40 years, Americans have waited and have only seen their fortunes slide backwards.

On top of that promise, we were told that so-called free trade agreements like NAFTA would open new markets for our products made here at home. What we got instead were more of our good-paying jobs disappearing overseas.

Unfortunately, there are politicians in Washington and CEOs on Wall Street looking to double down on these failed policies that only benefited the top one percent. Rather than fix badly constructed agreements like NAFTA, they're looking to give us a heavier dose of the same.

Fast Track authority for a new trade deal called the Trans-Pacific Partnership is their newest proposal. What Fast Track does is give the White



SMART General President's Column

By Joe Nigro

House the power to present Congress with trade agreements that lawmakers cannot amend once they are brought to a vote. For six years, this Trans-Pacific Partnership has been shrouded in secrecy and now its backers want to rush it through Congress.

"The Founding Fathers gave Congress the power over trade, but Fast Track eliminates the ability of your elected representatives in Congress to set trade policy and surrenders the sovereignty of our nation to international tribunals."

Journalists and public interest groups, along with the majority of Congress, have been denied access to the text of this agreement. At the same time, 600 corporate advisors and lobbyists – including Wall Street bankers and companies like Wal-Mart – have been given access to it and are actually allowed to be involved in negotiations. The actual text will not be released until four years after the talks have been concluded or a deal has been reached. Every step involved in the process of crafting this treaty has been hidden from the public.

Even with all the secrecy, there have been some leaks of what is inside the agreement. As many feared, the treaty has been geared towards reducing labor costs here and abroad, while undercutting workers' rights. Labor, environmental, health and banking regulations that could impact corporate profits are rendered ineffective by a process that allows foreign companies to challenge American laws that negatively impact their profits. American and Canadian courts would be superseded by international unelected tribunals when disputes arise under the treaty. The goal of this treaty is not to raise the standard of living for the citizens of its participating countries, but to instead maximize corporate profits at all costs.

This treaty directly threatens every working family in the United States and Canada, along with the other 11 nations involved in its formulation. The Founding Fathers gave Congress the power over trade, but Fast Track eliminates the ability of your elected representatives in Congress to set trade policy and surrenders the sovereignty of our nation to unelected international tribunals.

Right now, there is a broad-based coalition of groups working together to stop the Trans-Pacific Partnership treaty. Not only are union, environmental and civil rights groups involved on the left, but we are being joined by groups on the right concerned about this treaty's effect on our nation's sovereignty. Join the SMART Action Team at www.smartaction.org if you have not already and sign up for action alerts that we will be sending periodically. You can also find updates on this fight at our website at www.smart-union.org/stop-the-tpp.

This is a threat we can fight off, but only if we stand together. Do this for the good of SMART members and for the future world in which our children and grandchildren will live.

State Watch

News from UTU-SMART State Legislative Boards

Colorado

Legislative Director **Carl Smith** reports that the American Legislative Exchange Council has placed dozens of their model bills before the Colorado General Assembly that are designed to cripple public education, attack the rights of consumers, attack unions and limit access to voting.

There is currently an Internet petition circulating requesting members of the state's House of Representatives and Senate to cease support of bills produced by ALEC. The petition exposes ALEC as a "lobbying group for its corporate funders, which develops bad legislation with corporate lobbyist and right-wing extremist input..."

"Brothers and sisters, this isn't another attempt to 'cry wolf,' but the cry of the wolf, huffing and puffing to blow our houses down! As your SMART TD representative at the Colorado General Assembly, I'm here to tell you that ALEC is directly working to pass legislation which hurts us – sheet metal workers, airline workers, railroad and transportation workers, as well as other workers in Colorado," Smith said.

To view and sign the petition, go to: <http://petitions.moveon.org/sign/expose-alec-in-colorado>.

Missouri

In an effort to educate the public regarding right-to-work legislation here, Legislative Director **Ken Menges**' issue-oriented letter to the *Jefferson City News Tribune* was published Jan. 22.

Menges wrote that the right-to-work bill currently being pandered around the state is bad for everyone, especially the middle class.

"Right to work – freedom to work – right to work for less – workers' rights – fancy names that do not really reflect what they mean, but sound good to the press and on the ballot.

"Unions were born out of the disregard for workers' rights. Unions corrected the wrongs of a

greedy industrialized society. Not every business needs a union, but unions provide a great check-and-balance in our capitalist economic system..."

"Right to work is not about protecting workers' rights; it is about destroying the middle class ...

"Think about the economic impact if wages decline because of this legislation. Some CEOs may make more money, but the income of the worker will drop, and so will our tax revenues. Take a look at the economy of the states around us that have passed similar legislation – their standard of living is lower, their education rating is lower, their wage scale is lower and their workplace injury rate is higher – it is called skilled labor for a reason.

"Do we want to take a step backwards? Do we really want workers' rights, or do we want to take them away? This battle is not just about a living wage, but about protecting workers, the minimum wage and taking care of others. Is right-to-work about taking care of others here in Missouri, or about taking care of multinational corporations?"

Pennsylvania

In a letter to the U.S. Department of Transportation, Legislative Director **Paul Pokrowka** has asked the agency to reject Norfolk Southern's request to remove or modify existing wayside signal systems around the state.

Pokrowka said the reasons given by Norfolk Southern for the proposed changes are "to facilitate train moves and eliminate any potential nonconformity between the wayside signals and cab signals. Also, since Positive Train Control is installed on this line, there will not be different signal systems competing with each other."

Pokrowka said in his letter that PTC has not been installed yet or tested and that the wayside signals need to remain in operation to maintain safety.

"We are opposed to taking the signals out because it's an additional safety measure," Pokrowka said. "Why get rid of the existing sys-

tem when it's been working and will continue to work with the addition of PTC."

In other news, Pokrowka and other SMART members attended a Jan. 28 rally sponsored by the Pennsylvania AFL-CIO to denounce House bill H.B. 1507 and Senate bill S.B. 1034, legislation introduced by right-wing extremists to make Pennsylvania a right-to-work state. He said the Koch brothers behind Wisconsin's right-to-work legislation were in the state over the holidays and that Gov. Tom Corbett is in favor of the legislation.



Pictured, from left, are SMART TD Local 830 President John O. Miller Jr., Pokrowka, SMART SMD Local 19 member Tom Toth and SMART TD Local 1373 Legislative Rep. Kyle Brightbill.

Washington

SMART Transportation Division Washington State Legislative Director **Herb Krohn** reports that a two-person rail crew bill has been introduced in both houses of the state legislature. H.B. 2718, introduced in the House of Representatives by Rep. Larry Halder (R), has 26 sponsors. S.B. 6473, introduced in the Senate by Sen. Jan Angel (R), has 16 sponsors. The bills can be read at <http://www.leg.wa.gov/pages/home.aspx> by entering the bill numbers.

He said the board is also watching H.B. 1620, the Contract Crew Hauler Transport Safety Bill, and H.B. 1621, the Yardmaster Hours of Service Bill.

Bus Department

By **Bonnie Morr**, Vice President-Bus
bmorr@smart-union.org

Time to stop privatization and keep our tax dollars here

In December, I attended a school bus summit in Washington hosted by the Transportation Trades Department of the AFL-CIO. Though the topics of discussion centered around school bus issues, many were pertinent to our global bus community.



Morr

Whether we are operating a tour bus, transit bus, school bus, van or shuttle, we are dealing with the same types of management and the same problems, concerns and health issues.

The one topic that really stirs my gut has to do with the practice of privatization. Privatization involves handing over control of public functions to private companies. The government pays a contractor to provide public services. Often, the contractors are foreign entities. Our tax dollars, that are used to fund public transit – rail or bus – that fund school bus systems and special-service transportation, are now going offshore. These contractors are running operations here and are doing it for a profit. How are they making a profit? Off of the backs of labor – by cutting wages and benefits. That's how.

Our own tax dollars are being used to cheapen our labor, lowering the standard of living for our families and causing harm to our future and the futures of our sons and daughters. This is wrong – very wrong. We must have legislation that compels any company receiving one cent of public money to protect the employees and their families by providing decent wages and health benefits. And when they make a profit, so should the worker. Not one tax dollar should be used against the people that pay the taxes.

Through the American Recovery and Reinvestment Act, Congress and the Obama Administration have provided transit agencies with opportunities to replace and expand vehicle fleets, restore and modernize aging infrastructure, and engage in procurements that had been deferred or cancelled due to the current economic situation. The goal of that act was to ensure that these purchases "preserve and create jobs and promote economic recovery." Let's apply the same principle to our service jobs and keep our tax dollars from going overseas. Let's stop outsourcing our service jobs to foreign companies. It is time for our legislators to get to work on what is in the best interest of the American people.

Georgia Legislative Board



Pictured, from left, are Legislative Director Matt Campbell, Local 674 Chairperson (engineers) Steve Wiley, Chairperson (conductors) Jay Gibson, U.S. Rep. John Barrow (D-Ga.), James B. Stephens Jr. and Vice Local Chairperson James B. Stephens Sr. "We had a great breakfast in Augusta, Ga., educating Rep. Barrow on the need for passage of the two-person train crew, H.R. 3040, as well about the importance of labor unions and some site-specific rail issues in Augusta," Campbell said.

Virginia Legislative Board



Legislative Director Pat Corp, left, and Assistant Legislative Director Allan Johnson, right, meet with Virginia Attorney General Mark Herring, Gov. Terry McAuliffe and Lieutenant Gov. Ralph Northam during the Virginia AFL-CIO's legislative conference Jan. 26-28 in Richmond while lobbying on behalf of union members and rail-related issues.

Federal agencies implementing new railroad safety measures

FRA to commence rulemaking process on cameras in the cab

U.S. Sens. Charles E. Schumer and Richard Blumenthal Jan. 13 announced, after a significant joint push, the Federal Railroad Administration will begin the required rulemaking process to implement critical safety monitoring systems in trains – inward- and outward-facing cameras in all locomotives and operating cabs – which means there will likely be a rule on the cameras out for public review some time during 2014. This decision comes after Schumer and Blumenthal pushed for these cameras in the wake of the December 2013 Metro-North crash at Spuyten Duyvil in New York.



Schumer

During their joint push, Schumer and Blumenthal noted that, in the wake of a 2008 railway collision in California, the National Transportation Safety Board recommended inward-facing cameras, which would monitor train crew performance, as well as outward-facing cameras, which would be used to monitor crossing accidents and to recognize any deficiencies on the tracks. At the time, the FRA had not yet taken any regulatory action toward putting the NTSB's recommendations in place.



Blumenthal

Schumer and Blumenthal explained that the recording devices may be used as a deterrent for dangerous behavior, like falling asleep or texting, and allow rail officials to monitor and correct such behavior before a tragic accident occurs. It could also be used after a rail crash to determine the cause of the crash. Neither outward- nor inward-facing camera systems were present on the three Metro-North trains involved in accidents this year. In a letter to the lawmakers, FRA said they would begin the rulemaking process this year.

"The most important thing we can do in the wake of tragedies like the Spuyten Duyvil derail-

ment is to learn from the mistakes made and ensure that they never happen again," said Schumer. "I commend the FRA for finally heeding our call – as well as the recommendation of our country's foremost safety experts – to implement these inward- and outward-facing cameras. Rolling this program out across our entire rail network means that we will now be able to identify damaged infrastructure and dangerous behavior onboard our commuter trains before it leads to another deadly disaster."

"Installing safety cameras inside and outside railcars is a simple, straightforward safety strategy that will help prevent future derailments and collisions," said Blumenthal. "Installing these cameras will also ensure that misconduct and mistakes are recorded so those involved can be held accountable. While I'm pleased the FRA has heeded our call for safety improvements, the agency needs to move quickly to adopt them because time is of the essence."

On Dec. 1, a Metro-North train derailed near the Spuyten Duyvil station killing four passengers and injuring 67. The train was moving at 82 miles mph in a 30 mph zone. According to media reports, the train engineer admitted to "nodding off."

Similarly, in 2011, two trains collided in Red Oak, Iowa, and a NTSB report says that fatigue was the probable cause of the accident, but because there were no inward cameras, it has been hard to verify. In 2008, a train operator fell asleep and collided with another train in Newton, Massachusetts.

Following a train collision in California resulting in 25 fatalities, the NTSB issued a list of recommendations for the FRA. According to the recommendation report, the NTSB concluded that a "performance monitoring program that includes in-cab audio and video recordings would serve as a significant deterrent..." The NTSB recommended the FRA "require the installation, in all controlling locomotive cabs and cab car operating com-

partments, of crash- and fire-protected inward and outward facing audio and image recorders capable of providing recordings to verify that train crew actions are in accordance with rules and procedures that are essential to safety as well as train operating conditions."

Until now, the FRA had not moved forward with a nationwide plan of implementing the recommendations the NTSB made in wake of the 2008 crash. Currently, Amtrak locomotives have outward-facing cameras that record signals and gate crossings, as well as California's Metrolink commuter rail. New York's commuter rail lines like Metro-North and the Long Island Rail Road do not have inward or outward facing cameras.

In its most recent communication with the FRA, the NTSB stated that they were "disappointed that more than four years after the deadliest passenger train accident in decades, the FRA has not acted on two recommendations that would protect railroad employees, as well as the public. The NTSB railroad accident investigations conducted since the issuance of Safety Recommendations R-10-1 and -2 consistently indicate that in-cab audio and video recorders could provide critical information for accident investigations about crew performance and the locomotive cab environment...Therefore, the NTSB reiterates Safety Recommendations R-10-1 and -2 to the FRA."

"Since the 2008 collision, the FRA has not yet moved forward with a nationwide plan of implementing the NTSB's recommendations. This is especially troubling considering that some railroads have voluntarily moved forward with these devices without a robust federal oversight program in place. Currently, Amtrak locomotives have outward facing cameras that record signals and gate crossings and California's Metrolink commuter rail does, as well. These are positive developments, but a strong federal program that guides the reporting and usage of these devices is sorely needed," the senators wrote.

"We urge you to move forward with the NTSB's recommendations."



NTSB wants higher standards for trains hauling crude

The National Transportation Safety Board Jan. 23 issued a series of recommendations to the Department of Transportation to address the safety risk of transporting crude oil by rail. In an unprecedented move, the NTSB is issuing these recommendations in coordination with the Transportation Safety Board of Canada.

Crude oil shipments by rail have increased by over 400 percent since 2005, according to the Association of American Railroad's Annual Report of Hazardous Materials. The NTSB is concerned that major loss of life, property damage and environmental consequences could occur when large volumes of crude oil or other flammable liquids are transported on a single train involved in an accident, as seen in the Lac Megantic, Quebec, accident, as well as several accidents the NTSB has investigated in the U.S.

"The large-scale shipment of crude oil by rail simply didn't exist ten years ago, and our safety regulations need to catch up with this new reality," said NTSB Chairman Deborah A.P. Hersman. "While this energy boom is good for business, the people and the environment along rail corridors must be protected from harm."

The NTSB issued three recommendations to the Federal Railroad Administration and the Pipeline and Hazardous Materials Safety Administration. The first would require expanded hazardous materials route planning for rail-

roads to avoid populated and other sensitive areas.

The second recommendation to FRA and PHMSA is to develop an audit program to ensure rail carriers that carry petroleum products have adequate response capabilities to address worst-case discharges of the entire quantity of product carried on a train.

The third recommendation is to audit shippers and rail carriers to ensure that they are properly classifying hazardous materials in transportation and that they have adequate safety and security plans in place.

The NTSB has investigated accidents involving flammable liquids being transported in DOT-111 tank cars, including the Dec. 30, 2013,



derailment in Casselton, N.D., and the June 19, 2009, derailment in Cherry Valley, Ill. After the Cherry Valley accident, the NTSB issued several safety recommendations to PHMSA regarding the inadequate design and poor performance of the DOT-111 tank cars. The recommendations include making the tank head and shell more puncture resistant and requiring that bottom outlet valves remain closed during accidents. Although PHMSA initiated rulemaking to address the safety issue; it has not issued any new rules.

"If unit trains of flammable liquids are going to be part of our nation's energy future, we need to make sure the hazardous materials classification is accurate, the route is well planned, and the tank cars are as robust as possible," Hersman said.

The NTSB and the Transportation Safety Board of Canada issued these important safety recommendations jointly because railroad companies routinely operate crude oil unit trains in both countries and across the U.S.-Canada border.

Association of American Railroads President and CEO Edward R. Hamberger responded to the NTSB's recommendations around the safe movement of energy products by rail saying, "AAR is in full agreement with the safety boards' recommendations today."

Szabo: We're moving in right direction, thanks to SOFA

The following message was sent to the SMART Transportation Division National Legislative Office from Federal Railroad Administrator Joe Szabo.

"I wanted to share with you a rail safety achievement from 2013 that really meant a lot to me. Last year, only one railroad employee died during switching operations.

"As I wrote on the DOT blog, this is more than a statistic to me. What's more, I know that all of my FRA colleagues share my view that one worker fatality is one too many."

"But we're moving in the right direction – and that's largely thanks to the Switching Operations Fatality Analysis Group (SOFA), formed in 1998 with FRA, the Brotherhood of Locomotive Engineers & Trainmen, the United Transportation Union, the American Short Line and Regional Railroad Association, and the Association of American Railroads.

"This is real proof that safety partnerships get results, serving our core goal of ensuring continuous safety improvement. With continued cooperation among SOFA's stakeholders, I believe our ultimate goal of all rail workers returning home safely each day is now well within our reach."



Szabo

FRA announces rule on passenger railroad emergencies

The Federal Railroad Administration Nov. 29 announced a new final rule intended to further help with the evacuation of passengers and crewmembers in the event of a rail emergency.

Among the provisions, the rule requires that vestibule and interior passageway doors on passenger cars be fitted with removable panels and windows to allow passage if the doors do not open, and to provide for manual override in opening doors. It also requires floor or low-level lighting marking exit paths to assist passengers in reaching and operating emergency exits, particularly under conditions of limited visibility.

Further, the FRA is adding standards to ensure that emergency lighting systems are provided in all passenger cars, and strengthening requirements for the survivability of emergency lighting systems in new passenger cars.

To read the complete final rule, visit www.utu.org and enter "passenger rail emergencies" in the Search box near the top right corner of the homepage.



FRA issues safety advisory on train speed restrictions

WASHINGTON – The U.S. Department of Transportation's Federal Railroad Administration Dec. 11 issued an industry-wide safety advisory to help ensure railroads adhere to federal regulations regarding maximum authorized train speed limits. The advisory contains four recommendations to ensure railroads comply with speed restrictions through appropriate operating policies, procedures and effective implementation.

"Safety is our highest priority, and the Metro-North crash illustrates how important it is for railroads to follow speed limits," said U.S. Transportation Secretary Anthony Foxx. "This safety advisory, along with the other enforcement measures we've taken, will remind all employees of the need to follow speed limits and will help improve safety across all rail lines."

The safety advisory provides guidance on four recommended measures FRA expects railroads to take action on immediately. Among them are:

- Review the circumstances of the Dec. 1, 2013, Spuyten Duyvil derailment with their operating employees.
- Provide instruction to employees during training classes and safety briefings on the importance of compliance with maximum authorized train speed limits and other speed restrictions.
- Evaluate results of operational data regarding speed testing.
- Reinforce the importance of communication between train crewmembers located in the controlling locomotive, particularly during safety-critical periods when multiple tasks are occurring and during extended periods of inactivity.



FEDERAL RAILROAD ADMINISTRATION

"Although the industry's overall safety record is good, the Metro-North accident is a stark reminder of the need to remain vigilant in ensuring compliance with operational speed limits," said FRA Administrator Joseph C. Szabo. "Over the last decade, train accidents have declined by 43 percent nationally, a result of our rigorous safety regime, but we must always do better as we drive continuous safety improvement."

Last week, the FRA issued Emergency Order 29 (EO 29) to Metro-North Commuter Railroad directing it to take specific, immediate steps to ensure its train crews do not exceed speed limits. EO 29 requires Metro-North to modify its existing signal system to ensure that operators obey speed limits, and to provide two

qualified railroad employees to operate trains where major speed restrictions are in place until its signal system is modified. The FRA also issued a letter calling on Metro-North to launch a safety stand-down with all employees and to fully implement the confidential close-call reporting system, which has helped improve rail safety on other lines. Metro-North has written the FRA to outline its plans to comply with the directives, and the FRA will continue working directly with Metro-North staff as they implement the provisions.

The FRA had already increased its oversight and enforcement of Metro-North's rail lines following the May 2013 crash, including additional inspections of its lines and audits of Metro-North's operations and compliance with federal regulations. FRA is also planning to conduct an extensive investigation of the carrier's safety compliance with all regulated railroad safety disciplines.

FRA issues Final Rule to improve rail inspections

WASHINGTON – The U.S. Department of Transportation's Federal Railroad Administration Jan. 24 announced new regulations governing rail inspections that will help identify rail flaws and further eliminate the risk of derailments. The new regulations require performance based inspections, a process designed to minimize rail defects that will generally result in an increase in tests performed over a designated area of track.

"Safety is our highest priority, and this new rule will make rail transportation even safer for everything from passengers and rail employees to crude oil and other freight shipments," said Secretary Anthony Foxx.

The final rule published in the Federal Register strengthens existing Federal Track Safety Standards by:

- Requiring the use of performance-based rail inspection methods that focus on maintaining low rail failure rates per mile of track and generally results in more frequent testing;
- Providing a four-hour period to verify that certain less serious suspected defects exist in a rail section once track owners learn that the rail contains an indication of those defects;
- Requiring that rail inspectors are properly qualified to operate rail flaw detection equipment and interpret test results; and,
- Establishing an annual maximum allowable rate of rail defects and rail failures between inspections for each designated inspection segment of track.

The Federal Track Safety Standards require railroads to regularly inspect track conditions,

and to also conduct separate rail inspections with specially equipped hi-rail motor vehicles that operate over rail tracks. This equipment employs ultrasonic technology to identify internal rail defects that could potentially lead to an accident. Data is collected in real-time.

The current rail inspection standards include a maximum number of days and tonnage that can be hauled over a stretch of track between tests. The new regulations establish internal rail flaw defect standards for each railroad while the technology used will continue to drive down the number of known rail defects over time.

"Our goal is to drive continuous safety improvement and further reduce the risk of broken rails and derailments," said Federal Railroad Administrator Joseph C. Szabo. "While track-caused accidents have declined by 40 percent over the past decade, these new standards will better advance the use of technology and achieve the next generation of safety."

The final rule implements Section 403(b) of the Rail Safety Improvement Act of 2008 (RSIA). FRA has now completed 30 of the approximately 42 RSIA-mandated final rules, guidance documents, model state laws, studies, and reports. The final rule also builds upon decades of FRA-sponsored research focused on enhancing rail integrity, and addresses recommendations by both the National Transportation Safety Board and U.S. Department of Transportation's Office of Inspector General.

UTU
Alumni

UTU Alumni Association

News, information for members of the UTU Alumni Association

Oakland Old Rails Club spices things up with Christmas feast

The Oakland Old Rails Club brought 2013 to a close with its annual Christmas dinner held Dec. 10 in Oakland, Calif., that was attended by more than 35 festive club members.

Vice President **Richard Scholl** of Local 239 at Oakland said, “We gathered to share a turkey and ham dinner, complete with all the trimmings and some wonderful desserts. This event is always free to all our dues-paying members.”

“As our membership grows older, we are having fewer people at our meetings and functions. I would like to invite all the newer retirees to come join us at our monthly meetings and share with us your friendship and your stories,” Scholl said. “When railroaders get together, the tales get taller and usually a little spice is added.”

“We have four or five luncheon meetings each year, free to all of our dues-paying members, and an annual dinner in the spring.”

The club meets from 11 a.m. to 2 p.m. on the second Tuesday of each month at the Sons of Norway Center, 2258 MacArthur Blvd. in Oakland.

For more information about the Oakland Old Rails and a photo album of current and former members, visit the club’s website at oldrailsclub.com.



Members of the Oakland Old Rails Club queue up for a ham and turkey dinner with all the trimmings at their annual Christmas party.

Railroad Retiree Club of PA seeks new members

The Railroad Retiree Club of Pennsylvania is seeking some new blood and is welcoming all railroad retirees and their family members into the fold. The club meets regularly the third Wednesday of each month at 1 p.m. at the West Enola Fire Company at 118 Chester Rd. in Enola. Volunteers to serve as club officers are needed if the monthly meetings are to continue.

The group has recently taken up bowling every Thursday at 1 p.m. at the ABC East Lanes, 1001 Eisenhower Blvd. in Harrisburg. The bowlers like to spend time socializing and have lunch together once a month outside of the group’s regular meetings.

The club features monthly speakers at its meetings and bingo is played when speakers are unavailable. The group holds a 50/50 drawing at each meeting, as well as a raffle for gift certificates to Hoss’s Steak and Sea House. The club also held a Christmas party Dec. 4 at the Robert H. Hoke American Legion Post 272 in Harrisburg.

Although there will be no meeting in February, the next several meetings are scheduled for March 19, April 16, May 21 and June 18. A picnic is scheduled in lieu of the July meeting, with the date yet to be determined.

Dues for membership in the club are \$5 per year, payable to “Railroad Retiree Club of PA” and may be sent to Joe Hemmis at 12 Riverview Dr., Enola, PA 17025. Send your name, spouse’s name, address and telephone number, along with your check. For more information about the club, call vice president Donna Yanko at (717) 938-6452.

Club member Donald Rittler, 95, said the club was formed in 1978 by Ed Beaver and deceased UTU member **Charles Sludden**. “Any retired railroader could join. It was mainly men from Pennsylvania Railroad and Reading Railroad, because they were the biggest employers at that time. We used to sponsor a lot of bus trips and other get-togethers. The club was all about camaraderie and providing help for retired members and their spouses and families.”

Happy birthday, centenarians!

The Railroad Retirement Board has notified SMART that the following members have reached the 100-year milestone in 2013:

Winton P. Arnold (586), Dec. 31, 2013

Louis P. Martin (1393), Dec. 10, 2013

Former GC Lavon Nelson dies

Lewis Lavon Nelson, 74, retired general chairperson of former Union Pacific General Committee of Adjustment GO 957 (North-west District), died Jan. 10 from complications related to lung cancer. Nelson was preceded in death by his wife, Margaret, in November 2013.

A member of SMART Transportation Division Local 1574 at Portland, Ore., Nelson retired Sept. 1, 2001, following 35 years of continuous membership and railroad service. He assumed the office of general chairperson in January 1979.

A service of remembrance was held Jan. 21 at Lincoln Memorial Funeral Home in Portland, Ore.



Nelson

THE FINAL CALL

Following are the names of recently deceased members who maintained annual membership in the UTU Alumni Association, according to reports received at UTU International Headquarters. These brothers and sisters will be missed by their many friends and by fellow UTU Alumni Association members.

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
5	Branstetter, Gary L.	Seymour, Mo.	597	Marek Sr., James W.	Royse City, Texas	1188	Harlan, Bobby J.	Purcell, Okla.
5	Thompson, Vincent R.	Kansas City, Mo.	655	Houchins, James B.	Bluefield, W. Va.	1227	Dawson, Howard B.	Park City, Kan.
60	O'Rourke, James M.	Milford, Pa.	674	Pearre, Harold E.	Sardis, Ga.	1238	Harris, Wallace R.	Ridgefield, Wash.
60	Sarantopoulos, George	Tarpon Springs, Fla.	771	Clay, Bruce H.	Mohave Valley, Ariz.	1245	Merritt, Roy	Clermont, Ga.
72	Bouldin, Charles L.	Eaton Rapids, Mich.	772	Stansell Sr., Edgar M.	Henderson, Tenn.	1252	Self, Carl D.	Fresno, Calif.
202	Johnson, Daniel K.	Aurora, Colo.	783	Reigel, Gerald S.	Granite Quarry, N.C.	1291	Maze, D.C.	Mobile, Ala.
243	Lindsey III, James W.	Joshua, Texas	792	Stephens, Paul V.	Pittsburgh, Pa.	1344	Kocourek, Donald J.	Mandan, N.D.
265	Bunn, Max L.	Pocatello, Idaho	807	McConnell, John A.	Bakersfield, Calif.	1361	Every, Roy C.	Spring Hill, Fla.
265	Mathews, Gail	Las Vegas, Nev.	832	Peterson, Ellsworth O.	Minong, Wis.	1366	Palfreyman, Kent B.	Springville, Utah
265	Yarger, Shane R.	Pocatello, Idaho	866	Ross, Charles R.	Tyler, Minn.	1381	Ambrozy, Richard M.	Hammond, Ind.
305	Mohr, Eugene D.	Colorado Springs, Colo.	898	Graves Sr., Ed	Attleboro, Mass.	1390	Mallenbrei, Charles A.	Hillside, N.J.
306	Ofstedal, Kenneth G.	Albert Lea, Minn.	891	Fulkerson, James H.	Kalispell, Mont.	1402	Grissom, Elmer W.	Highland, Ill.
386	Lengle, Irvin J.	Reading, Pa.	904	Hoar, Francis E.	Newburgh, Ind.	1405	Spiker Jr., William H.	Collinsville, Ill.
412	Schnittker, William W.	Overland Park, Kan.	942	Bowers, Arthur	Florence, S.C.	1413	Pomaski, Leo H.	Purcellville, Va.
421	Burton Sr., Arnold W.	Austinburg, Ohio	951	Coster, Glynn S.	Sheridan, Wyo.	1477	Moceri, Sebastian	Shelby Twp., Mich.
440	Elliott, George J.	Edgewood, Ky.	1007	Card Jr., Hadwin A.	Canastota, N.Y.	1557	McNeil, Robert W.	Hardin, Ky.
445	Genck, John M.	Donnellson, Iowa	1007	Hermans, Charles E.	Liverpool, N.Y.	1628	Rattigan, John W.	Homestead, Pa.
445	Witte, E.J.	Chillicothe, Ill.	1088	Noblin Jr., Clarence E.	Lafayette, La.	1732	Kutz, Weldon E.	Hollister, Calif.
565	Roulanaitis Sr., John E.	West Frankfort, Ill.	1168	Fanelli, Bill	Raton, N.M.	1770	Nunn, Hubert D.	Santa Barbara, Calif.
573	Benge, Benny L.	Danville, Ky.	1172	Johnson, Bobbie	Stephenson, W. Va.	1978	Dlhosh, William J.	Ocala, Fla.

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Telephone number with area code	Sex	Male <input type="checkbox"/>	Female <input type="checkbox"/>

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Rails may be eligible for death, dismemberment insurance; family members might be due funds

Active and retired railroad employees covered under The Railroad Employees’ National Health and Welfare Plan or The NRC/UTU Health and Welfare Plan may be eligible for Life and Accidental Death and Dismemberment benefits from MetLife.

For eligible active employees, the death benefit is in most cases \$20,000, and there may be an additional AD&D benefit that could pay up to \$16,000. For eligible retired employees, the death benefit is \$2,000.

Most employees filled out a designated beneficiary form when they began work for a participating railroad and MetLife urges employees and retirees to keep this form with their other important papers.

If you need to update your beneficiary form, or if there is doubt as to whom you designated, it is recommended that you complete a new form and send it to MetLife.

A beneficiary form, as well as a copy of the full summary plan description book, can be found at www.yourtracktohealth.com. There is a direct link to that web page from www.utu.org. Hovering over the “Healthcare” tab on the SMART Transportation Division home page will provide you with a drop down menu for “Your Track to Health.”



Select “Life” in the gray box at the bottom of the page, then select “NRC/UTU Plan.” You can also obtain information about this benefit by calling MetLife toll-free at (800) 310-7770.

This is a very important benefit for all eligible active and retired railroad employees covered under the national health and welfare plans, although many employees, especially retired employees, may not be fully aware of it.

We urge you to post this notice at appropriate work locations on the property and remind all retirees with whom you may come in contact that they should contact MetLife to inquire about their eligibility for the \$2,000 death benefit.

Widowed spouses and children may also be due life insurance benefits if the deceased spouse or parent was eligible for the insurance, but the family members were unaware of the coverage.

The insurance policies were originally issued by Travelers Insurance Company, but MetLife began administering the program in 1995.

To file a claim, a potential beneficiary must be able to provide the name, birth date, Social Security number and death certificate of the worker, as well as the name of the railroad company for whom the deceased worked.

Alternate Director Risch appears on labor radio show

SMART Transportation Division’s Alternate National Legislative Director John Risch appeared on America’s Work Force daily labor radio program Dec. 23 to discuss the country’s support for Amtrak and other issues.

America’s Work Force is the only daily labor-radio program in America and has been on the air since 1993, supplying listeners with useful, relevant input into their daily lives through fact-finding features, in-depth interviews, informative news segments and practical consumer reports.

Through the support and participation of the labor community, America’s Work Force radio program features regional, national and international labor leaders and advocates, as well as politicians, civic leaders and industry professionals discussing issues important to the labor movement.

To listen to Risch’s interview, visit <http://awfradio.com/blog>. Select the Dec. 23 show from the calendar on the right-hand side of the homepage. Risch’s interview can be heard in the second half of the one-hour show.



Risch

SMART GO 505 prepares to strike LIRR

Continued from page 1

more than 800 “yes” votes and “zero” no votes. “Due to the MTA’s unwillingness to accept the recommendations of PEB 244, and without their request for a second board, our labor coalition is prepared to strike as early as March 21. While we have said time and time again that this is not what labor wants for the riders at the MTA, it will be the sole result of the MTA’s unwillingness to take the next step,” Simon said.

The three PEB board members recommended that the LIRR pay wage increases totaling 18.4 percent over six years (2.9 percent per year) and that employees begin contributing to health insurance premium costs. After factoring in the recommended employee health insurance contributions, the board’s recommendations will produce net wage increases of 2.5 percent per year.

The board’s wage recommendations are retroactive to the first year of the contract dispute, which has been ongoing for more than three years. It rejected MTA’s demand that workers accept three years of net zero wage increases, followed by two, two-percent increases over five years. It also rejected MTA’s demand for major concessions in pensions, including a permanent five-percent employee contribution.

In its recommendations issued Dec. 22, the PEB said the wage increases were comparable to recent commuter settlements in large cities like Chicago and Boston.

Simon said that since its Jan. 15 announcement, the MTA has refused to say if it would seek a second PEB and has declined to meet with him or leaders of any of the other affected unions in the bargaining group.

“Strong leadership requires strong action. Now is the time our SMART membership, and the membership of our supporting unions, realize that we are ready to deliver. Ready for March 21 ... or with MTA action, ready for the next step.”

“We need the full support of our members and their full trust in their leadership. The long standing battle cry for labor has never been more true, ‘progress through unity.’”

To view the complete PEB report, visit www.utu.org and enter “PEB 244” in the Search box.

NLRB proposes new rules to speed union vote process

In a 3-2 decision released Feb. 5, the National Labor Relations Board said it was reissuing rules to shorten the time for employee union-representation elections and requiring businesses to give union leaders lists of worker phone numbers and e-mails before a vote.

The NLRB said the proposal is aimed at modernizing the election process, increasing transparency, becoming more efficient and reducing unnecessary litigation and delay.

The rules shorten the time between when employees sign representation authorization cards indicating a desire to join a union and a board-supervised election to two or three weeks, from five weeks to more than two months.

“We applaud the National Labor Relations Board for proposing these common-sense rules to reduce delay in the NLRB election process,” AFL-CIO President Richard Trumka said. “Similar rules were adopted by the NLRB more than two years ago after an exhaustive public rulemaking process. The rules were needed then, and they are still needed now.

“When workers petition for an NLRB election, they should receive a timely opportunity to vote. But the current NLRB election process is riddled with delay and provides too many opportunities for employers to manipulate and drag out the process through costly and unnecessary litigation and deny workers a vote.

“These rules are an important step in the right direction and will help improve the election process.”

NTSB issues first report on Casselton rail accident

The National Transportation Safety Board Jan. 13 issued its preliminary report in the Dec. 30, 2013, derailment, collision, fire and explosion of a Burlington Northern Santa Fe Railway train carrying crude oil that struck a derailed BNSF train on a parallel track that was carrying grain in Casselton, N.D.

According to the report, a westbound BNSF grain train derailed 13 cars at milepost 28.5 near Casselton. The grain train consisted of two head-end locomotives, one rear distributed power locomotive and 112 cars. One of the derailed cars, the 45th car from the head end, fouled a parallel track. An eastbound BNSF petroleum crude oil unit train operating on the parallel track collided with the derailed car that was fouling main track two and derailed the head-end locomotives and the first 21 cars of the train. The petroleum crude oil unit train consisted of two head-end locomotives, one rear distributed power locomotive and 106 cars.

After the collision, the two crewmembers on board the petroleum crude oil unit train exited the lead locomotive uninjured before ruptured tank cars ignited. The crew from the grain train was not injured.

Local emergency officials coordinated a voluntary evacuation of about 1,400 people from Casselton. No injuries to the public were reported.

The accident occurred on the BNSF KO Subdivision where train movements were governed by the signal indications of a traffic control system. The maximum authorized speed for freight trains in the accident area was 60 mph. Event recorder data from the rear locomotives of both trains, as well as recorded data from the signal system, were examined to determine train speeds

and signal aspects prior to the collision. The grain train was traveling about 28 mph when it went into an emergency brake application. The petroleum crude oil unit train was traveling about 43 mph when the train crew initiated an emergency brake application. The train was traveling about 42 mph when the collision occurred.

NTSB investigators have completed the on-scene work near Casselton. The investigation is continuing at NTSB headquarters in Washington.

Preliminary results of the investigation include the following:

- Twenty-one cars from the petroleum crude oil unit train derailed along with the two lead locomotives. Twenty of the tank cars were carrying petroleum crude oil; one was a hopper car carrying sand.
- Of the 20 tank cars that derailed, 18 were breached (punctured).
- Initial estimates are that more than 400,000 gallons of crude oil was released.
- From Jan. 1-3, investigators interviewed the train crews and first responders.
- A broken axle and two wheels were shipped to the NTSB materials laboratory in Washington for further evaluation and analysis.
- Locomotive event and video recorders were also sent to the NTSB materials laboratory for further analysis.

The parties to the investigation include the Federal Railroad Administration; the Pipeline and Hazardous Materials Safety Administration; BNSF; the International Association of Sheet Metal, Air, Rail and Transportation Workers, formerly known as the United Transportation Union; the Brotherhood of Locomotive Engineers and Trainmen and Trinity Rail Car.



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Membership in Alumni Association doesn't cost, it pays

The UTU Alumni Association was created in 1976 to serve the retired members of the United Transportation Union.

The program has over the years been called both the UTU Retiree Program and the UTU for Life program. This program has no relation to lifetime UTU membership, which is awarded when a member retires in good standing.

The UTU Alumni Association is a voluntary, money-saving program for transportation retirees from all crafts. Members enjoy the many benefits shown below. It is under the direction of retired Florida State Legislative Director **Carl Cochran**, who works every day to make sure the program serves the retired members of this union.

As a retired state director, Cochran is also in touch with state and national lawmakers who hold sway over Railroad Retirement. He is an important aide to SMART's Legislative Department in protecting and improving this vital program.

Retired UTU members in the U.S. and Canada, as well as those individuals nearing retirement or interested in pension and other issues affecting transportation-labor families, are invited to participate in the UTU Alumni Association.

With annual dues set at only \$9 (U.S.) per year, membership in this fast-growing program doesn't cost – it pays!

Check out the UTU Alumni Association page on www.utu.org.

The Alumni Association offers these benefits:

- The SMART Transportation Division News, covering items of interest to retired and active members, including developments affecting Railroad Retirement pensions;
- Automatic listing in The Final Call, the notice of recent deaths carried in the SMART Transportation Division News, as shown on page 8;
- A UTU Alumni Association baseball-style cap with embroidered logo;
- An annual full-size SMART TD wall calendar, featuring beautiful transportation photos;

- Membership in the nearest Alumni Association chapter. There are 15 chapters currently holding meetings throughout the U.S. and Canada;
- Discounts on car rentals from National Car Rental in the U.S. and Canada;
- Discounts at popular lodging chains, such as Wyndham Hotels and Resorts, Days Inns, Red Roof Inns, and Super 8;
- Discounts on cellular telephones and services from AT&T;
- An important documents folder for keeping insurance policies, stock certificates;
- A 41-page UTU/UTUIA Assets Manager to keep track of financial information;
- A 36-page UTU/UTUIA Medical Manager for important medical information;
- Automatic enrollment in the UTU Travelers' Club, which sponsors world-wide excursions at affordable, group rates.

CONVENTION UPDATE

Local delegates of the SMART Transportation Division will have the opportunity to propose amendments to Article 21B of the constitution – the former United Transportation Union's Constitution – at the SMART Transportation Division's convention June 30-July 2.

In accordance with Article 21B, Section 13, at any time 120 days prior to the Transportation Division convention, proposed amendments to the SMART Constitution's Article 21B (which comprises the former UTU Constitution, as reconciled by the SMART merger agreement) may be submitted by any subordinate body of the Transportation Division or International officer listed in Article 21B, Section 2(A), of the SMART Constitution.

Proposed amendments must be submitted in writing to the SMART General Secretary-Treasurer (1750 New York Ave. NW, Ste. 600, Washington, DC 20006) and to the Transportation Division President (24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333), and will be referred to the Transportation Division Constitution Committee. Proposals must be submitted separately, typewritten, on standard paper, and be properly identified, with a clear and concise explanation given of the section of Article 21B to be amended.

The Transportation Division Constitution Committee will prepare a report including all amendments referred to it for consideration. A copy of its report will be submitted to each delegate, subordinate body, and International Officer listed in Article 21B, Section 2(A), of the SMART Constitution at least 30 days prior to the Transportation Division convention.

The Transportation Division Constitution Committee shall not be empowered to make any proposals to the Transportation Division delegates that are not presented to the Committee in accordance with the above, as detailed in Article 21B, Section 13, of the SMART Constitution.

A majority vote of the Delegates present at the Transportation Division convention shall be necessary to recommend adoption of such amendments at the subsequent SMART General Convention, which will be held August 11-15, 2014, at Caesar's Palace in Las Vegas, Nev.

Locals are also reminded **billings must be current as of April 2014 to be assured their delegate will be seated at the SMART TD convention** set for June 30 through July 2, 2014, in San Diego, Calif.

UTU Alumni Association application

(Please print)

Name _____ Local _____

Address _____

City _____ State/Province _____ ZIP _____

Phone _____ Email _____

I wish to join the *UTU Alumni Association*. Enclosed is a check or money order payable to "UTU Alumni Association" in the amount of \$9.00 (U.S.) for one year's dues.

Return with check to UTU Alumni Association, 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333

GO 505 delivers gift for autism services

Officers and members of SMART Transportation Division General Committee of Adjustment GO 505 on the Long Island Rail Road Dec. 18 delivered a \$5,000 check to support a program for autistic children in the Town of Islip, N.Y.

The donation adds to the committee's yearly commitment to autism services in the local community, which it is proud to serve with reliable and safe transportation.

As reported earlier this year, GO 505 sponsors a golf outing annually to raise funds for Autism Speaks and autism services in Long Island, N.Y. Autism Speaks is a leading autism science and advocacy organization dedicated to funding research into the causes, prevention, treatments and a cure for autism.

While supporting research to assist in the continued efforts to aid families affected by autism,

SMART leadership of the committee was determined to set additional funds aside to give to families in the local community, General Chairperson **Anthony Simon** said.

Simon, Vice General Chairperson **Vinnie Tessitore** and Local Chairperson **Michael Denn** met with Town of Islip Councilman Anthony Senft Jr. to learn about a new program in the community called Inclusive Sports and Fitness (ISF). The program, founded and managed by Alexander Lopez, utilizes mentoring and therapeutic principles inherent in sports to foster positive personal, social, and physical growth in an inclusive way for all children.

"On behalf of our railroad union members, we are pleased to assist in getting this program expanded to assist more children in our community. SMART members are proud to give back to the neighbors we serve," Simon said.



SMART Transportation Division GO 505 officers Anthony Simon, Vinnie Tessitore and Michael Denn present a check to Alexander Lopez, with the support and appreciation of Suffolk County Executive Steve Bellone and Town of Islip Councilmen Senft and Flotteron. Also pictured are Inclusive Sports and Fitness volunteers and children enrolled in the program.



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Please recycle

Photo of the month

UTU-SMART is always looking for good photos, and awards prizes to monthly photo winners.

UTU-SMART seeks photographs or digital images of work-related scenes, such as railroad, bus or mass transit operations, new equipment photos, scenic shots, activities of your local, or photos of your brothers and sisters keeping America rolling.

Printed photographs should be mailed to UTU-SMART, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.

High-resolution digital photographs should be in the JPEG format and emailed to "news_td@smart-union.org".

With each photograph, please include your name and UTU-SMART local number, the names of the persons in the photo (left to right), where the photo was taken, and all other pertinent information.

All photographs submitted become property of UTU-SMART.

Remember to review your employer's policies regarding use of cameras on the property or during work hours.



This photo was taken by Local 1594 (Upper Darby, Pa.) member and bus operator **Michael Russo**. "This is a Southeastern Pennsylvania Transportation Authority (SEPTA) bus on Route 104 in West Chester, Pa., during a layover at West Chester University," Russo said.



SMART

Transportation Division News

Volume 46 • Number 2 • February 2014 International Association of Sheet Metal, Air, Rail and Transportation Workers

Private-sector union membership grows in 2013

In 2013, the total number of workers in unions rose by 162,000 compared with 2012, led by an increase of 281,000 workers in private-sector unions. There were strong gains in construction and manufacturing, against a background of strike actions by low-wage workers in the private sector. But destructive, politically motivated layoffs of public-sector workers continued to hurt overall public-sector union membership, leaving the total percentage of the workforce that is unionized virtually unchanged.

"Wall Street's Great Recession cost millions of America's workers their jobs and pushed already depressed wages down even further. But in 2013, America's workers pushed back," AFL-CIO President Richard Trumka said of the figures released Jan. 24 by the Department of Labor. "At the same time, these numbers show that as unorganized workers have taken up the fight for their right to a voice on the job, union employers are hiring – creating good jobs our economy desperately needs."

Despite the overall gains of 2013, workers in the public sector continued to bear the brunt of the continuing economic crisis, weak labor laws and political assaults on their rights on the job. In Wisconsin, political attacks on public-sector workers' right to collectively bargain resulted in bargaining coverage falling. Broadly, federal, state and local governments continued to lay off needed public workers, leading to an overall loss of 118,000 union members.

"Make no mistake, the job of rebuilding workers' bar-

gaining power and raising wages for the 99 percent has a long way to go," said Trumka. "Collective action among working people remains the strongest, best force for economic justice in America. We're building a stronger, more innovative movement to give voice to the values that built this country. From Wal-Mart workers to fast food workers to homecare workers, the rising up of workers' voices against inequality – both inside and outside of traditional structures – is the story of 2013."

Key trends include:

- The total number of private-sector union members rose by 281,000, while the total number of public-sector union members fell by about 118,000. There are now more private-sector union members than public-sector members.
- Industries with the biggest growth include construction (up 95,000), hospitals and transportation equipment manufacturing.
- Sectors hit hardest include social assistance and administration and support services.
- Union membership rates did not change in any meaningful way by gender: 10.5 percent of women and 11.9 percent of men were in unions.
- States with the largest union membership rate growth include: Alabama (1.5 percentage points), Nebraska (1.3 points), Tennessee (1.3 points), Kentucky, (1.2 points), New York (1.2 points), Illinois (1.2 points) and Wisconsin (1.1 points).



Inside this issue of UTU-SMART News:



Assistant conductor's favor renews writer's faith in man. See page 2.



April 11 is SMART Day at Fonner Park Track. See page 3.



News from UTU-SMART State Legislative Boards. See page 5.



GO 505 delivers gift for autism services. See page 11.