



# SMART

## Transportation Division News

Volume 46 • Number 5 • May 2014

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

## SMART, BLET to seek two-person crew laws by state

CLEVELAND – As part of an ongoing effort to secure a law mandating a minimum of two crew members in the cab of all locomotives, the Brotherhood of Locomotive Engineers and Trainmen (BLET) and the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers have provided their state legislative boards with model legislation to secure minimum crew-size laws on the state level.

The state-lobbying campaign was developed jointly by the two unions.

“Significant research and work has gone into developing language that both minimizes the potential for a federal pre-emption challenge and maximizes the likelihood that the legislation will survive any such challenge,” wrote BLET National President Dennis R. Pierce and SMART Transportation Division President John Previsich in a cover letter introducing the model legislation to BLET and SMART local officers. “Therefore, when proposing legislation on this subject, it is imperative that you do not deviate from the model.”



Among other items, the legislation stipulates that any person who willfully violates the two-person crew law would be subject to financial penalties.

Crew size has become a hot button issue following the 2013 oil train derailment and explosion in Lac-Megantic, Quebec. While an official cause has not been determined, the train in question was operated by a single employee.

“We urge BLET and SMART Transportation Division officers to work with their counterparts

in moving legislation forward on this issue of paramount importance to the members we represent,” President Pierce and President Previsich wrote.

On the national level, the Safe Freight Act (H.R. 3040) is currently making its way through the U.S. House of Representatives. Reps. Michael Michaud (D-Maine) and Chellie Pingree (D-Maine) introduced the legislation on Aug. 2, 2013, in the aftermath of the Lac-Megantic tragedy, and the bill currently has 70 co-sponsors.

H.R. 3040 would require that “no freight train or light engine used in connection with the movement of freight may be operated unless it has a crew consisting of at least 2 individuals, one of whom is certified under regulations promulgated by the Federal Railroad Administration as a locomotive engineer pursuant to section 20135, and the other of whom is certified under regulations promulgated by the Federal Railroad Administration as a conductor pursuant to section 20163.”

## DOT takes emergency action for safe crude shipments

WASHINGTON – The U.S. Department of Transportation May 7 issued an emergency order requiring all railroads operating trains containing large amounts of Bakken crude oil to notify State Emergency Response Commissions (SERCs) about the operation of these trains through their states.

Additionally, DOT’s Federal Railroad Administration and Pipeline and Hazardous Materials Safety Administration issued a safety advisory strongly urging those shipping or offering Bakken crude oil to use tank car designs with the highest level of integrity available in their fleets. In addition, PHMSA and FRA advise offerors and carriers to the extent possible to avoid the use of older legacy DOT Specification 111 or CTC 111 tank cars for the shipment of Bakken crude oil.

“The safety of our nation’s railroad system, and the people who live along rail corridors is of paramount concern,” said Transportation Secretary Anthony Foxx. “All options are on the table when it comes to improving the safe transporta-



tion of crude oil, and today’s actions, the latest in a series that make up an expansive strategy, will ensure that communities are more informed and that companies are using the strongest possible tank cars.”

Effective immediately, the emergency order (Docket Number DOT-OST-2014-0067), requires that each railroad operating trains con-

taining more than 1,000,000 gallons of Bakken crude oil, or approximately 35 tank cars, in a particular state to provide the SERC notification regarding the expected movement of such trains through the counties in that state.

The notification must include estimated volumes of Bakken crude oil being transported, fre-

*Continued on page 10*

## Obama sends transportation bill to Congress

The Obama administration April 29 sent a bill to Congress that aims to cover an expected shortage in money to spend on America’s bridges, roads and transit systems, but Republican opposition could prevent its passage.

Funding for the four-year, \$302 billion legislation would come partly from ending certain tax breaks for businesses, a provision opposed by many Republicans. Transportation Secretary Anthony Foxx said the administration would be open to other ideas to raise the money.

The Grow America Act reflects President Obama’s vision for a four-year surface transportation reauthorization bill that would create millions of jobs and lay the foundation for long-term competitiveness, rebuilding crumbling roads and bridges while providing much-needed certainty for local and state governments and addressing the country’s future needs.

“The Grow America Act will provide rail with a predictable, dedicated funding source and the tools



needed to drive the next generation of rail safety and development,” said Joseph C. Szabo, Federal Railroad Administrator. “It lays out a comprehensive strategy to eliminate risk on railroads through data-driven enforcement, proactive safety programs that identify risk in advance, and strong capital investment. The safety gains identified in the bill, coupled with new investments in a higher performance rail network will move rail into the 21st Century.”

“Commercial bus travel is increasingly popular and this legislation will build on our unprecedented efforts to make it even safer by expanding oversight to bus ticket brokers and the locations where motorcoaches can be inspected,” said Federal Motor Carrier Safety Administrator Anne S. Ferro. “In addition, it will ensure fair pay for long-distance bus and truck drivers who are often paid by the miles they travel, not their total time on-duty, and face economic pressure to jeopardize safety by driving beyond the mandatory limits.”

### SMART Convention notice to all transportation locals

International Association of Sheet Metal, Air, Rail and Transportation Workers General Secretary-Treasurer Joe Sellers Jr. has issued the following SMART General Convention notice to all local union presidents, business managers, financial secretary-treasurers and local Transportation Division secretaries:

“As you know, the SMART General Convention will be held the week of August 11, 2014. The International Constitution provides in Article Seven (7), Section 3(f), that no local union or council shall be eligible to represent or vote in the Convention unless all dues, fees and other obligations due this Association are paid in full. In order to be eligible to send delegates to the Convention, a local union’s obligations for all months through and including May 2014 must be paid in full by June 15, 2014.

“You are further advised that the number of delegates and votes to which a local union is entitled at the General Convention will be determined on the basis of each local’s administratively accredited membership as of June 1, 2014. Accordingly, it is imperative that Local Union Financial Secretary-Treasurers and Transportation Division Treasurers have their May 2014 reports and official receipts or the Transportation Division required dues confirmations filed with the General Office by June 15, 2014.”



# Around the SMART TD

## Local 240, Los Angeles, Calif.

Retired brakeman **Ken E. Gearhart**, 79, who had celebrated his birthday just four days earlier, died March 27, Local Chairperson **Harry J. Garvin Jr.** reports. He retired Dec. 15, 1997, after 42 years of service.

## Local 544, Havre, Mont.

Local Secretary & Treasurer **David H. Brewer** reports that retired member **Dwane L. Amor**, 77, died May 9. He served in the U.S. Army in Germany and Lebanon as a paratrooper. He is survived by three children and a sister.

## Local 1033, Atlanta, Georgia



UTU Alumni Association member **George Weidman III** displays a copy of the SMART Members' Journal while meeting **Michelle Nunn** on the campaign trail. Nunn, the daughter of former U.S. Sen. **Sam Nunn**, is running for the U.S. Senate in the 2014 elections. She has been CEO of the volunteer service organization **Points of Light** and had worked for **Hands On Atlanta**, **City Cares**, and **HandsOn Network**.

## Local 1137, Fargo, N.D.

North Dakota State Legislative Director **Jim Chase** presented a plaque of recognition to **Tessa Burkle**, who preceded Chase as director, during the state's Spring Swing meeting in Fargo, April 23, at the Howard Johnson Inn. The plaque honored her for her service as the union's legislative leader. Burkle remains the local's legislative representative and is also a member of the Transportation Division's Board of Appeals. The Spring Swing meeting in Fargo was for all active and retired members of Locals 887, 980 and 1137 and Chase said the meeting had a great turnout, as can be seen in the second photo below.



North Dakota State Legislative Director **Jim Chase** presents a plaque of recognition to **Tessa Burkle**, commemorating her service as the former state director.



## Local 1548, Indianapolis, Ind.

CSX conductor **Eric M. Schwartzel**, 60, died May 2, Vice General Chairperson **Eric Belew** reports. He is survived by his wife, **Helen**, and daughter, **Darlene**.



GO-TMM General Chairperson **Alvy Hughes**, left, joins Vice Local Chairperson **Billy Belcher**, Local Chairperson **Craig Patch** and member **Ben Thompson** after the team placed first in the 2014 Bus Maintenance Rodeo in Charlotte, N.C.

## Local 1596 CATS mechanics take the 'bus' by the horns

A different kind of "rodeo" was held this past April at the Charlotte Area Transit System's bus maintenance garage in Charlotte, N.C., where bucking broncos and raging bulls normally found at a typical rodeo were replaced by intentionally disabled motor coaches, GO-TMM General Chairperson **Alvy Hughes** reports.

Six teams of SMART Transportation Division Local 1596 mechanics participated in the event and Vice Chairperson **Billy Belcher**, Chairperson **Craig Patch** and member **Ben Thompson** made up the winning team.

The objective for these rugged maintenance "cowboys" was not to ride the buses into submission, but instead to trouble-shoot and repair any and all mechanical problems to get the bus running. Whichever team had its bus running first was the winner, and that's no bull.

Each team was assigned to a bus that had seven defects that needed to be repaired before the bus could start. Any of the defects, singularly or in any combination, disabled the bus.

The six categories of intentional defects pertained to brakes, engines, doors, electrical components, multiplex (modular) components and written questions requiring correct answers. Examples of the defects, to name a few, could include a missing or loose lug nut, a vapor leak caused by a partially opened door, brake drag or lit-up sensors pertaining to composite engine diagnostics.

The team of Belcher, Patch and Thompson diagnosed and corrected their disabled bus before any of the other teams and was declared champion.

In addition to the bragging rights they will have in the garage for the next year, the three each received three additional personal days, a commemorative plaque and the opportunity to compete in the 2014 National Maintenance Rodeo.

Congratulations to the winners and to all who participated. Through their meticulous and diligent attention to mechanical details, they are improving the safety of motor coaches, not only for our SMART brothers and sisters, but for everyone who rides our nation's roads and highways. Thanks to these contestants, the operators and their riders are winners as well.

## Local 1715, Charlotte, N.C.

This local representing bus operators employed by the Charlotte Area Transit System sponsored an Aflac Benefits Fair April 15-17, GO TMD General Chairperson **Kevin Moss** reports. "The Charlotte bus operators had Aflac supplemental insurance benefits a few years ago, but they were discontinued by the company's management," Moss said. At the request of the operators, who wanted the Aflac package returned during the April benefits renewal period, Moss held several

meetings with management but was told that the Aflac benefits would not be restored. Following meetings with Aflac representatives, Local President **Bruce Wright**, Vice Local Chairperson **Brenda Moore** and Moss were able to get the benefits restored. "Unlike other insurance companies brought on site by management, Aflac does not require employees to exhaust their sick days prior to receiving compensation from benefits," Moss said. He also thanked Vice Local Chairperson **Christy Kiser** and Delegate **Katie Rose** for their work in making the benefits fair a success.



Local 1715 members **Kimberly Gilliam** and **Isaac Rodriguez** show their support for the return of their Aflac supplemental insurance benefits package.

## NS GO 898, Maryville, Tenn.

This Norfolk Southern general committee of adjustment has a new website address. The site can now be found at <http://smart-union898.org>, General Chairperson **Mark Cook** reports.

## Local 84, Los Angeles, Calif.

Amtrak conductor **Carl Picanco** was the subject of a feature story in the April 28 edition of the *Arizona Republic*. The article entitled "Conductor keeps time on train, trains on time," looks at how an Amtrak conductor keeps the train moving in all the ways the engineer can't. It is part of the newspaper's Western Jobs series. To read the article online, visit [www.azcentral.com](http://www.azcentral.com) and enter Picanco in the Search box.

## Local 1700, Perris, Calif.



Local President **Gary Miller** submitted this photograph of the members of this Southland Transit bus local at their monthly meeting at Mead Valley Library May 10. From left are Treasurer **Rachel Gleason**, Vice Chairperson **Steven Hill**, Secretary **Joanne Navin**, Miller, Vice President **Arnoldo Saucedo**, Trustee **Carolyn Downey** and Legislative Rep. **Patrice Loneragan**.

## Transportation Division needs your assistance

The SMART Transportation Division News needs your input to keep this publication fresh and informative. If you have news about heroes in your local, local meetings, party or picnic information, or things of interest to your fellow members, we would like to hear about it. Just drop us a line or send us an email message, and we'll do the rest. You can reach the SMART Transportation Division Public Relations Department by telephone at (216) 228-9400 or by email at [news\\_TD@smart-union.org](mailto:news_TD@smart-union.org). Information can also be sent by mail to SMART Transportation Division, SMART TD News, 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333.



## It's simple: 'Let's be careful out there'

"Let's be careful out there" was television show *Hill Street Blues*' Sergeant Esterhaus' trademark instruction to his officers at the close of each roll call.

His meaning was obvious, but the most important thing about his statement was the timing. Right before their feet hit the pavement and they began their daily assignment, the last thing officers heard their shift supervisor say was "be careful."

When it comes to safety, what we hear and what we say isn't the important thing. We can forget the hype, forget the rhetoric. In fact, we can forget everything that we have heard about safety, because none of it matters. What does matter is what we do out there. It's what we practice; it's how we live each and every day from beginning to end, on the job, at home and every point in between.

The tools and the rules, they are there for very good reason. Use them.

There are two things that should never be said when it comes to the safety of ourselves and others, "just this once" and "I will never do that again!" There should never be a "just once" for intentionally breaking a rule. If you do it "just once," there is a good chance you will never have another opportunity to break that rule again, either due to discipline or injury.

When we say, "I will never do that again," we have usually gotten away with breaking a rule and when it has worked for us once, it is just too tempting to try to test our luck a second or third time.

As much as safety is the personal responsibility

of each and every union member, it is not the sole responsibility of the brothers and sisters who are the heart and soul of the industry.

Equal responsibility rests with the carriers, who not only help to make and enforce the rules, but who have the ways and means of making our dangerous industry a much safer one. Each and every one of us needs to take the initiative to work within the structure of checks and balances in place, but we need to take the carriers to task in the proper manner when they are the ones taking risks or using unsanctioned, unsafe protocols. After all, it is usually not their personal safety at risk, but the public's and ours.

If you don't know what the proper course of action is for reporting or challenging the carrier's improper actions, reach out to your union representatives. That is what we are here for!

Unsafe conditions on the railroad are a known fact. That's why the rules exist. We only need to apply them. This is more easily accomplished when we use our collective power to hold the carriers responsible for more than just implementing discipline when rules are allegedly violated.

The carrier's must first provide us with the tools and the training to execute our jobs safely. They must also allow us the time to perform our duties and to mentor others. Not only is there safety in numbers, there is also power.

Working safely may get old, but so do those who practice it.

*This column was prepared by the J.D. Martin Council of Yardmaster General Chairpersons.*

## Obama appoints new management member to RRB

President Obama has appointed Steven J. Anthony to be the management member of the U.S. Railroad Retirement Board. His appointment was confirmed by the Senate on April 9, and he was sworn into office on May 8. Anthony's term will expire in August 2018.

Anthony succeeds Jerome F. Kever, who had served as the management member since August 1992. Kever's tenure of more than 21 years made him the longest serving board member in the agency's history.

Anthony, 65, has more than 36 years of experience in the railroad industry. Prior to his appointment, he was the senior general counsel of the Norfolk Southern Corporation from 2007 to 2012.

Previously, he was a Washington representative for Norfolk Southern from 1997 to 2007, and also served as a general attorney at the company from 1981 until 1997.

Before joining Norfolk Southern, Anthony was the secretary and general counsel of the Illinois Terminal Railroad from 1978 to 1981, having joined the company as a general attorney in 1976.

The agency is managed by a three-member board comprised of a representative of rail labor, a representative of rail carriers, and a member representing the general public who serves as chairman. Anthony's appointment was recommended by the Association of American Railroads and the American Short Line and Regional Railroad Association.

## AAR issues safety appliance alert



The Association of American Railroads issued a safety alert for all railroads in North America after the recent discovery of a razor blade wedged into a safety appliance handhold on a covered hopper car. The condition was discovered by a shop worker from Anderson's Inc., at the car repair shop located in Bay St. Louis, Miss., April 16. A photo of the condition is above (top). A second razor blade was found on a car at a Transco Railway Products plant in Logansport, Ind. "We received a SEAL SAFE car this week and on the cable guard there were razor blades sticking upward next to the bolt that connects the guard to the door that the safety cable runs through," said Division Manager Eric Nichols. "Our employee was making sure that the door cables were operating properly when he hit one with his hand. It did not hurt him, but it could have been a real bad cut." James P. Grady, AAR assistant vice president for technical services, asks that this information be widely distributed to all coworkers, contractors, customers and all who deal with freight cars. Be on the lookout for any similar acts of vandalism.

## SMART Day at the Races was a 'Midnight Affair'



More than 100 SMART members and guests showed at the annual SMART Day at the Races at Fonner Park Race Track in Grand Island, Neb., April 11, representing 12 Transportation Division locals from Union Pacific and Burlington Northern Santa Fe Railway. Transportation Division officers John Previsich, John Lesniewski and Brent Leonard were joined by SMART General President Joe Nigro at the event, where a SMART horse blanket was presented to the owner of "Midnight Affair" after it won the SMART-sponsored race. This year's blanket was donated by Local 1503 at Marysville, Kan. Also in attendance were Nebraska State Legislative Director Bob Borgeson and officers from UP GO 953, UP Former C&NW GO 225 and BNSF Railway GO 001. Previsich thanked Local 7 Vice Chairperson Cliff Gordon and Local 286 member Ed Mueller for organizing a great event for SMART members. "Everyone had a great time and Cliff and Ed accomplished what they wanted – a relaxing day away from the workplace for their fellow members."

## New Mexico Rail Runner employees dart to SMART

Non-union employees at a commuter rail operation in the state of New Mexico expressed interest in union representation and now they have it.

Engineers, conductors and ticket agents working for New Mexico Rail Runner Express voted April 28-29 for representation by the SMART Transportation Division, Director of Organizing Rich Ross reports.

The Rail Runner Express operates over approximately 100 miles of right-of-way, serving the metropolitan areas of Albuquerque and Santa Fe.

"I extend my sincere appreciation to SMART Transportation Division's assistant state legislative director in New Mexico, Donald A. Gallegos, for his efforts. He went above and beyond the call of duty during this campaign," Ross said.

"I also thank the members of SMART Sheet Metal Division Local 49 and Business Manager Vince Alvarado for the use of their facility in Albuquerque as our base of operation.

"Hopefully, we can reach an agreement soon for our 38 new members."

The commuter rail service is administered by the New Mexico Department of Transportation over right-of-way purchased from BNSF Railway. Operation and maintenance of the line and equipment is currently under contract to Herzog Transit Services, Inc.

According to NMDOT, Rail Runner Express carried 1,219,461 passengers in fiscal year 2011.



# Organizing is good for SMART and good for America

Organizing – it is good for you, for our members, for our union and also for America.

Those of us who enjoy the benefits of working as organized labor are acutely aware of the value that our membership in the union provides for us and for our families. Good wages, excellent health care and retirement programs that are the envy of working people everywhere are goals that are strived for by every union negotiator in every contract. The success of unions in achieving these goals is beyond argument. There is no industry where workers who do not belong to a union are better off than those who have chosen to bargain collectively.

Why is organizing good for you, our members and our union? Aside from the obvious benefits of better wages and working conditions, union jobs provide better security, protection from discriminatory employment practices and the

**There is no industry where workers who do not belong to a union are better off than those who have chosen to bargain collectively. Union jobs provide better security and protection.**

opportunity to negotiate as a group for improvements to income and work rules. As successes are achieved on short lines, bus companies and airlines, our membership grows, resulting in a stronger union. But just as importantly, good contracts raise the bar industry-wide. For example, when the railroad industry first started to spin off branch lines after the Staggers Act deregulation of the 1980s, it was not unusual for “mom and pop” operators to come in and pay near minimum wage for seasoned, professional railroad workers. Now, after many years of successful organizing,



## SMART Transportation Division President's Column

By John Previsich

the short line world is much different, operated to a great extent by large companies who pay a good union wage. This has changed the financial incentives for creating short lines and as a result, the jobs of our members on the larger railroads are more secure than ever before.

Why is organizing good for America? Setting aside the occasional stumble due to recessionary cycles, business has done very well in the last half of the 20th century and the first years of the 21st century. During the industrialization era that followed World War II, American workers shared in that prosperity, creating an economic engine that was second to none. Unionized labor was widespread, workers received a fair share of the profits that they helped to create and as a result, were able to purchase a house or a new car and send their children to college to continue the upward mobility of the middle class.

And then things changed. Over the past few decades, there has been a disturbing trend in the economics of our country. Rules that support unions have been weakened and right-to-work-for-less laws have been enacted in many states. Companies have moved manufacturing offshore, taxes on the wealthy have been reduced and loopholes created that allow Warren Buffet to be taxed at a

lesser rate than his secretary. Conglomerates are permitted to park their profits outside of the country, effectively paying no tax at all while sitting on hundreds of billions of dollars that were not shared with their substandard-wage workers overseas. Income that used to be shared with the employees now either sits offshore, goes toward stock buy-backs or is used to pay senior management salaries that are thousands of times greater than that of their workers.

As more and more of the available capital is gathered up by fewer and fewer people at the top, workers are forced to compete for an ever-shrinking piece of the pie. This drives down wages, reduces spending power and contributes to the overall widening of the gap between workers and the wealthy. The current path is unsustainable and its continuance contributes to a downward spiral for our country and its workers.

The benefits of organizing new members are many. The downside of not organizing is substantial. Accordingly, the SMART Transportation Division Board of Directors and the SMART General Executive Council have approved my budget request to expand our already very effective organizing department. We are in the process of doing so and will keep you updated on the outcome of our efforts in the months ahead.



Contact us: [news\\_td@smart-union.org](mailto:news_td@smart-union.org)  
Phone (216) 228-9400; fax (216) 228-5755

**John Previsich,**  
SMART Transportation Division President  
[president\\_td@smart-union.org](mailto:president_td@smart-union.org)

**James Stem,**  
SMART Transportation Division National Legislative Director  
[jstem@smart-union.org](mailto:jstem@smart-union.org)

For the latest news, visit [www.utu.org](http://www.utu.org); also, register on the SMART TD website to receive news alerts via email.

# Unity envisioned in merger coming to fruition

Recently, SMART Sheet Metal Division Local 9 and Transportation Division Local 202 came together to honor the memory of the victims of a massacre that occurred 100 years ago.

On April 20, 1914, the Colorado National Guard joined with security guards hired by a local mining company to launch a bloody and devastating assault on 1,200 striking coal miners and their families camped at a tent city set up in Ludlow, Colo.

The event, known today as the Ludlow Massacre, saw one of the most egregious acts of violence committed by company guards and mine owners against their workers in a time when acts of violence against workers were commonplace. More than two dozen people, including 11 children and the four women shielding them from harm, were killed in the assault when a tent they were hiding in was lit on fire by company guards.

The man who led the attack on the miners, Gen. John Chase of the Colorado National Guard, had no love for the men and women who made up the labor movement, nor their families. According to historian Howard Zinn, in his book *Three Strikes*, Chase led a cavalry charge right into a group of protesting women a week earlier who had been supporting the striking miners. His troops tore banners and flags from the women's hands while slashing bystanders with their sabers. Chase later went on to call this an effective means of mob control.

This massacre was a watershed moment in American history. The outcry was so fierce and loud that workers across the country struck as a result to demand justice for the women and chil-



## SMART General President's Column

By Joe Nigro

**Our locals are standing shoulder to shoulder. This is the kind of unity and strength envisioned by our predecessors when this merger was voted on and passed seven years ago. We are now gradually starting to see the fruition of that vision.**

dren that were murdered in cold blood. A hostile Senate was forced to convene hearings looking into labor conditions and actually made incremental changes that began to form the foundation of the New Deal reforms two decades later. The incident continued to serve as a rallying cry for working families on through the following decades as the memory of those women and children was not left to die.

The Ludlow families helped bring our local unions closer together today just as they did a century ago when the labor movement demanded an end to this brutal violence in one loud voice.

This is the power of unity on display – a force for

change and for progress that is as strong today as it was strong in those dark, early days where workers lost their lives fighting to improve their working conditions.

SMART members are already taking advantage of this unity. In New Mexico, Sheet Metal Division Local 49 was involved in assisting the Transportation Division in organizing 40 new members at Herzog Transit Services – a subcontractor responsible for running New Mexico Rail Runner Express commuter rail service. In New York, Sheet Metal Division locals are standing shoulder to shoulder with their brothers and sisters on the Long Island Rail Road against a difficult management at the New York Metropolitan Transportation Authority.

This is the kind of unity and strength envisioned by our predecessors when this merger was voted on and passed seven years ago. We are now gradually starting to see the fruition of that vision.

I look forward to standing with you in securing a better future for ourselves and for our families and ask that you join us in commemorating the victims of this heinous massacre. Their memory lives on in our actions and in our work to strengthen the solidarity and bonds of the labor movement we are all a part of.

Fraternally,

*Joseph J. Nigro*

Joseph J. Nigro  
SMART General President



State Watch

News from UTU-SMART State Legislative Boards

Arizona



Local 1081 Vice Chairperson Richard Andrade has thrown his hat in the ring for the Arizona State House of Representatives' 29th District, Legislative Director Greg Hynes announced. Pictured, from left, are fellow members Randall Koonce, Travis Klinger, Israel "Lito" Avila, Josh Linzey, Hynes, David Messer, Andrade, Tom Stonestreet (1252), Brad Flanagan (1402) and Matt Lowen presenting Andrade with a PAC check. Personal contributions to Andrade's campaign can be sent to "Rich for Representative LD29," 6178 N 87th Lane, Glendale, AZ 85305, Hynes said.

Georgia



The Georgia State Legislative Board was a sponsor at the Democratic Party of Georgia's Jefferson Jackson Dinner, Legislative Director Matt Campbell reports. "This was a great event, with candidates that SMART has endorsed including gubernatorial candidate Jason Carter, U.S. Senate candidate Michelle Nunn and many more," Campbell said. Pictured, from left, are Lisa Branam, Jim Finley

(1261), U.S. Rep. John Barrow (D-Ga.), Michael Branam (1790), Campbell and Doug Dumont of Warshaw Law Group, P.C.

Illinois

State Legislative Director **Bob Guy** reports that following a SMART Transportation Division telephone campaign, Senate Joint Resolution 50 (S.J.R. 50) – the Illinois two-person train crew bill – passed both the House and Senate April 10 in a voice vote.

"I was in Springfield last week and several legislators told me they'd been getting calls about S.J.R. 50 from our members and their families," Guy said. "You could hear the respect in their voices. These legislators understand SMART TD is a 'bottoms-up' organization, in which the members take on a large measure of responsibility for getting things done."

S.J.R. 50 is non-binding, but sends a message to the state's Congressional delegation that new legislation concerning two-person train crews is wanted and needed. In a recent survey conducted by the legislative board, it was found that 83 percent of voters in the state support two-person crews on trains.

"We know that our industry is stronger and safer than ever before, and a large reason for that is the dedicated professionals who operate our trains throughout the nation, working as a multi-person team," Guy said. "Why allow a small handful of carriers to jeopardize these strides through the use of one-person crews?"

Washington

State Legislative Director **Herb Krohn** reports that Sage Midstream L.L.C. has announced plans to build a new propane and butane West Coast export terminal at the Port of Longview in Washington with state-of-the-art safety features.

Subsidiary Haven Energy is investing \$275 million to build a rail unloading facility, storage tanks and a ship loading area.

"It's a carbon-negative project that will result in removing pollution from the air equivalent to that produced by almost 193,000 cars, that is now just being 'flared' off into the atmosphere in the Bakken oil region," Krohn said. "It's a great plus for more rail jobs in Washington State."

Wisconsin

Legislative Director **Craig Peachy** recently attended the signing of A.B. 799 by Gov. Scott Walker at the governor's office. The new law clarifies that the same railroad crossing restrictions that apply to vehicles and bicycles at railroad crossings apply to pedestrians as well.

"Railroad rights-of-way are private property. To access or cross tracks at any spot other than a legal crossing is already trespassing under the law. A.B. 799 is to make clear that public safety requires any movement from one side of the tracks to the other can only safely be done by doing so at the prescribed location," Peachy said.

In other news, Peachy reports that he and other board members April 12 attended the Democratic Party of Wisconsin's Annual Founder's Day Gala at the Milwaukee Athletic Club.



Pictured, from left, are GO 261 General Chairperson Jim Nelson, Lori Peachy, Peachy, Mary Burke, Vicki Nelson, Shari Hauck and Legislative Rep. William Hauck (583). "This is such a critical period. We're only months away from defeating Republicans like Scott Walker and electing Mary Burke as the next governor."

Bus Department

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

Our conventions are the memberships' opportunity to speak

Dear Sisters and Brothers:  
I want to write to inform you about our upcoming conventions this summer.

The Transportation Division Convention takes place from June 29 through July 2, which will include travel to and from San Diego for many of you. The attendance of the delegate from each and every local is very important. This is your opportunity, and more importantly, the opportunity of the membership, to have a voice in their union, our constitution and our process, and the opportunity to vote for their SMART Transportation Division officers.

On Aug. 11, the delegates from the SMART Transportation Division and their brothers and sisters from the SMART Sheet Metal Division will commence the first SMART Convention in Las Vegas.

Depending on the number of members comprising your local, it may be eligible to send more than one delegate to the SMART Convention, or to have that delegate carry multiple votes based on membership.

However your local decides to cast its votes, it is imperative that your delegate or delegates attend this convention to fairly represent its membership. If your local will be sending more than one delegate, election for those delegates must be completed by June 15. All Transportation Division locals have received information in the mail from the president's office giving final direction on the process for selecting delegates.

Delegates to the SMART Convention will each be paid \$1,200. I have heard some members say that travel expenses and accommodations for attending the SMART Convention may prove to be too costly. Since delegates to the Transportation Division Convention will be paid in the same manner as previous conventions, your local should determine how that pay is apportioned.

This first SMART Convention will be an opportunity for all delegates to gather together and voice the membership's thoughts and beliefs about moving our new union forward. This is your opportunity to be heard, so please don't squander it.



Morr

First Transit operators at U. of Tenn., Rutgers choose SMART representation

Campus shuttle operators for the University of Tennessee's transportation service chose the SMART Transportation Division as their collective bargaining representative in a representation election April 16. Of the approximately 50 eligible voters, 26 voted for SMART, 10 voted for no union representation and 13 chose not to participate in the election.

The operators transport students, faculty and staff throughout the 550-acre campus located in Knoxville, Tenn., and will provide rides to more than 814,000 passengers per year.

SMART Transportation Division Director of Organizing **Rich Ross** and Alternate Vice President – Bus Calvin Studivant spent nine days on the campus just prior to the vote, engaging operators in discussions about their needs and answering their questions.

The operators are employed by First Transit, Inc., based in Cincinnati, Ohio.

They join the bus operators for Rutgers University's inter-campus bus and shuttle system, who overwhelmingly chose the SMART Transportation Division Dec. 9 as their collective bargaining representative.

Among 112 eligible voters, 74 of the 80 operators participating in the union election chose SMART as their representative, while six voted for no union.

Ross again lauded the efforts of Studivant at Rutgers, saying, "Calvin just did an outstanding job. When we met the operators at Rutgers late last year, approximately 90 drivers attended. Calvin was well received during the meeting and was recognized for his efforts and for his knowledge of the bus industry."

Ross also noted the efforts of Local President **Waverly Harris** and Vice Local President **Brian Caldwell** in assisting with the organizing campaign and helping drivers realize the benefits of union representation. Both are members of SMART TD Local 1594 at Upper Darby, Pa., employed by a division of South-eastern Pennsylvania Transportation Authority (SEPTA).

"The good news for this group of operators at Tennessee is that Calvin is close to finalizing an agreement for the First Transit group at Rutgers University that we organized in December and will be negotiating this contract with the same labor relations officer," Ross said. "Hopefully, due to their familiarity, they can reach a mutually acceptable agreement quickly."

The Rutgers-New Brunswick/Piscataway inter-campus bus and shuttle system provides efficient and reliable transportation service for all five campuses. It is available to all members of the university community and the public.



Ross



# FIRST TRANSPORTATION DIVISION CONVENTION

## SMART TRANSPORTATION DIVISION

### Convention Services

June 30 - July 2, 2014

San Diego, California

The First Transportation Division Convention of the International Association of Sheet Metal, Air, Rail and Transportation Workers will be held June 30 – July 2, 2014, at the Hilton San Diego Bayfront Hotel in San Diego, Calif.

In order to keep delegates, convention guests and family members informed about convention proceedings, the SMART Transportation Division has prepared this “convention services” guide for those attending.

The SMART Transportation Division staff will be ready and available to render every assistance possible to ensure that your stay in San Diego, Calif., is enjoyable.

#### SMART Transportation Division Convention Office and Delegate Pay Station

The SMART Transportation Division Convention Office will be located on the fourth level of the **Hilton San Diego Bayfront Hotel**. Opening daily at 7:00 a.m., the office will serve as headquarters and information center for all SMART Convention activities, including SMART accounting, visitor registration, lost and found, caucus room scheduling and miscellaneous services. There will also be staff on hand to answer questions concerning mileage, withholding, salaries, forms and other inquiries.

#### SMART Accounting

Delegates not electing to receive their mileage pay, one day's salary for June 29 travel, and one day's per diem, in advance, will receive it upon registration. On Wednesday, July 2, 2014, delegates will receive payment for four days salary and per diem (June 30 - July 3, 2014). These checks will be available from 7:00 a.m. to 8:45 a.m. in the SMART Convention Office on the fourth floor. For security, attendees are reminded to take advantage of the safes in the Hilton San Diego Bayfront guest rooms.

**Wells Fargo** has agreed to cash SMART checks for delegates. Wells Fargo is located at

610 First Ave., just a short walk from the Hilton. The bank's hours of operation are Monday through Friday, from 9:00 a.m. to 6:00 p.m., and Saturday from 9:00 a.m. to 4:00 p.m.

#### SMART Store

The SMART Store will be open Sunday through Wednesday, from 8:00 a.m. to 4:00 p.m. A wide variety of merchandise sporting the SMART logo is available, including shirts, jackets, pens and more. The SMART Store will be located in the foyer on the fourth floor of the Hilton San Diego Bayfront Hotel.

#### SMART Welcome Reception

Convention attendees and their families are invited to attend a welcome reception on Sunday, June 29, 2014, from 6:30 p.m. to 9:30 p.m., in the **Indigo Ballroom** located on the second floor of the Hilton San Diego Bayfront Hotel.

For admittance to the reception, you must have a delegate identification or your official SMART delegate name tag included in the information packet received at check-in with the Credentials Committee.

Name tags for family members and guests may be obtained in the SMART Registration area located on the fourth floor of the Hilton San Diego Bayfront Hotel. Resort casual attire is suggested for this event.

#### Caucus Rooms

Please note that all caucus rooms will be located on the third and fifth floors of the Hilton San Diego Bayfront Hotel. Room reservations should be arranged with SMART's meeting planner.

#### Non-Emergency Medical Needs

If you or your family are covered under the Managed Medical Care Program, arrangements have been made to waive the requirement for you to call the primary care physician in your home network to obtain a referral prior to seeking medical treatment. Members of railroad hospital associations should comply with the rules of the association to receive maximum benefits.

To purchase prescription medicines while attending the convention, CVS Store #06332 located at 645 Market St. in San Diego can be contacted Monday through Friday from 8:00 a.m. to 8:00 p.m., Saturday from 9:00 a.m. to 6:00 p.m. and Sunday from 10:00 a.m. to 4 p.m. by calling (619) 234-5952. CVS honors the prescription drug card that is part of the National Health and Welfare Plans for railroad employees.

For other non-emergency medical needs, an **Urgent Care** facility is located near the hotel. U.S. Healthworks Medical Group is located at 3930 4th Ave., Suite 200, in San Diego. The phone number is (619) 297-9610.



**Hilton San Diego Bayfront Hotel**  
1 Park Boulevard, San Diego, CA 92101

Telephone: (619) 564-3333

Website: [www.hiltonsandiegobayfront.com](http://www.hiltonsandiegobayfront.com)

Parking: \$27 per day valet; \$22 per day self park

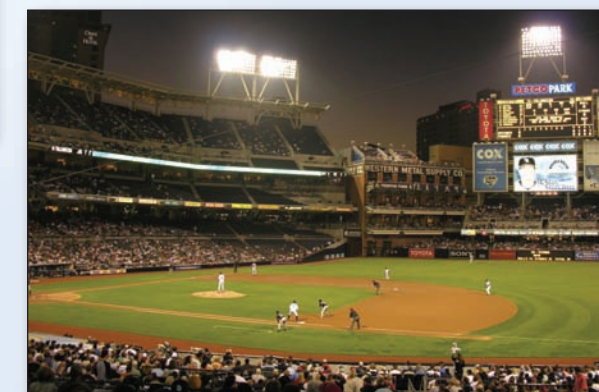
San Diego

**San Diego Tourism Authority website:**  
[www.sandiego.org](http://www.sandiego.org)

Telephone: (619) 232-3101

**San Diego Padres:** [sandiego.padres.mlb.com](http://sandiego.padres.mlb.com)

The stadium is just blocks from the hotel.



## SMART Transportation Division Constitution Committee



Proposed amendments to Article 21B (the former UTU Constitution) of the SMART Constitution may be submitted by any subordinate body or Transportation Division officer at any time prior to 120 days before the Transportation Division convention begins. All proposed amendments submitted in writing are referred to the Transportation Division Constitution Committee, which reviews all amendments referred to it for consideration. The committee then reports to the delegates all amendments, with recommendation of concurrence or non-concurrence. Members of the Transportation Division Constitution Committee met at the SMART Transportation offices in North Olmsted, Ohio, April 23 to review proposed amendments. Committee members and Transportation Division officers are, from left, James R. Shedrick Jr. (1594), David W. Otten (1962), Vice President John England, Vice President John Lesniewski, Transportation Division President John Previsich, Diane M. King (40), Joe M. Lopez (1532), Luther P. King Jr. (1172), Ty Dragoo (1503), Michael J. Denn (722), Jamie C. Modesitt (298) and Corey M. McDaniel (324).

Additionally, a Convenient Care Clinic is also located near the hotel. Minute Clinic, located at 3327 Rosecrans St. in San Diego, can be reached by calling (866) 389-2727.

#### In the Event of a Medical Emergency

In an emergency requiring immediate medical attention, dial 911. The hotel's internal emergency contact extension can be reached by dialing 9 from a guest room or house telephone. Advise them of the situation to receive medical attention as quickly as possible.

#### SMART Transportation Division Convention Banquet

Convention attendees and their families are invited to attend the SMART Transportation Division convention banquet Tuesday, July 1, 2014, in the **Indigo Ballroom**, located on the second floor of the Hilton San Diego Bayfront Hotel. The event will commence with a reception at 6:30 p.m. followed by dinner seating at 7:15 p.m. There will be no charge for this banquet, but your convention nametag will be required to attend this event. The banquet is only open to registered SMART Transportation Division attendees and their registered guests. Semi-formal attire is suggested for this event.

#### Miscellaneous Services

The SMART Transportation Division has negotiated discount beverage prices at all of the Hilton San Diego Bayfront Hotel's bars and outlets, including Vela, the Pool Club and Odysea. Domestic beers are \$6, well drinks are \$6 and house wine is \$6 per glass.

The SMART Transportation Division has also

arranged for a 20 percent discount on spa services at the Spa Aquazul in the Hilton San Diego Bayfront Hotel. There is a complimentary fitness center for all registered guests.

Should someone care to reach you while you are attending the SMART Transportation Division Convention, the hotel's phone number is (619) 564-3333.

#### SMART Transportation Division Officers Photo Session

All elected Transportation Division officers are asked to please stay in the Sapphire Ballroom (convention ballroom) at the close of convention business on Tuesday, July 1, 2014, for a formal photo session. Please dress appropriately. Gentlemen are requested to wear a coat and tie for this official portrait. A photographer will take individual portraits, as well as group photos. The session should take approximately one and a half hours.

#### Avis Car Rental Rates

The SMART Transportation Division has arranged with **Avis Rent-a-Car** to offer discounted rates to delegates and guests attending the First Transportation Division Convention.

To reserve a car, contact Avis at (800) 331-1600 and use the Transportation Division's Avis Worldwide Discount (AWD) number: D150699.

Attendees can also reserve a car



online. Visit the Transportation Division's website at [www.utu.org](http://www.utu.org), select the “2014 Conventions” link at the bottom of the homepage, then select the link for “hotel reservations and Transportation Division Convention information.” When renting a car online, be sure to use the same Avis Worldwide Discount (AWD) number as listed above: D150699.

#### Guests urged to register for SMART TD convention

Members planning to attend the 2014 SMART Transportation Division Convention, June 30-July 2, in San Diego, as a guest are asked to please complete the guest registration form found on the SMART TD website.

It is requested that all persons attending the convention as guests (non-delegates) register themselves and their family members so that convention planners have an accurate count of the number of individuals attending.

Please complete the entire form, including arrival and departure dates, and mail to:

**SMART Transportation Division**  
2014 Convention Registration  
24950 Country Club Blvd., Ste. 340  
North Olmsted, OH 44070-5333

The guest registration form can be found on the SMART TD website at [www.utu.org](http://www.utu.org) by clicking on the “2014 Conventions” tab at the bottom of the homepage, then selecting “Guest registration for the SMART TD Convention.”



UTU  
Alumni

UTU Alumni Association

News, information for members of the UTU Alumni Association

# No time for retirement while conducting city's official business

After serving two terms on the Sedalia, Mo., City Council, retired Union Pacific conductor **Stephen J. Galliher** was elected the city's mayor in April.

Galliher, 65, a member of SMART Transportation Division Local 933 at Jefferson City, Mo., was sworn into office at a city council meeting April 21.

He received 68.45 percent of the vote in the town of about 22,000 residents.

"Back before I was on council, I had a couple of buddies that kept telling me, 'you need to run, you need to run,' so to get them off my back, I said OK," Galliher said. "Once I got in (council), I really enjoyed it and I still enjoy it. That's why I decided to run for mayor. It's a part-time job, but it's been full-time for me."

Asked what has been the most rewarding aspect of his political career, Galliher directed the conversation to his constituents.

"More than any one thing, getting a phone call and being able to help one of your constituents, that gives me the most satisfaction. That's the best thing about being on council and being mayor, being able to help folks when they need it."

Galliher said he's a Democrat, but his politics run mainly down the middle of the road. "We're not too partisan here. You know, if our big government could work like some small cities, we could actually get something done. We have the best city employees and staff anywhere. They're happy, and that's why our city is growing."

During his political tenure, the city has had a \$30-million dollar sewer project, built a new fire station, purchased a new fire truck and repaired a

library that was damaged by shifting due to drought conditions. Galliher said he's proud of all of those things.

Married to his wife, Sherry, for 40 years, the couple has two children and four grandchildren. Asked what Sherry thought of his political involvement, Galliher said, "She told me, 'you do what you want to do.'"

His daughter still lives in Sedalia and her sentiments are the same. "She doesn't mind. She knows I like it, so she's behind me, too. I have a good, supportive family."

He also has the support of SMART Trans-

portation Division Missouri State Legislative Director **Ken Menges**. "Steve has worked hard to see that all city employees are paid a fair wage and has worked to protect the rights of the employees who work for the city," Menges said.

Galliher hired out with Missouri Pacific in 1971 and retired from UP Feb. 1, 2010.

He was happy to hear from the SMART Transportation Division News and looks forward to receiving a copy of the newspaper. "Once UTU, always UTU," he said.

To keep up on Galliher and Sedalia, visit the city's website at <http://ci.sedalia.mo.us>.

## RRB annuitants: Laws about working after retirement

Retirees, and those planning retirement, should be aware of the railroad retirement laws governing benefit payments to annuitants who work after retirement.

The following describes railroad retirement work restrictions and earnings limitations on post-retirement employment, and how rules can affect retirees engaging in self-employment.

To protect the integrity of its programs, the Railroad Retirement Board (RRB) participates in information exchanges with other federal agencies to identify unreported work and earnings.

It is important to note that failure to report post-retirement work and earnings may result in overpayments, fines and, in some circumstances, may be considered fraud subject to criminal and civil penalties.

A railroad retirement annuity, regular or supplemental, is not payable when work is performed for an employer that is covered under railroad retirement, regardless of the amount of salary paid. However, an annuitant may work for his or her local lodge for \$24.99 or less each month without penalty.

A spousal annuity is also not payable for any month in which the employee's annuity is not payable. The only exception to this rule is if the spouse is divorced for two or more years from the employee and is 62 or older.

Tier I benefits and vested dual benefits paid to employees, spouses or survivors are subject to deductions if an annuitant's earnings exceed \$15,480 for a fully retired employee or \$41,400 for those retiring during that calendar year from a non-railroad employer.

For those under full retirement age throughout the year, the earnings deduction is \$1 in benefits for every \$2 of earnings over the exempt amount.

For those attaining full retirement age during this year, the deduction is \$1 for every \$3 of earnings over the exempt amount.

Additional deductions are applied to the annuities of retired employees and spouses who are working for their pre-retirement non-railroad employer. Such employment will reduce Tier II benefits and supplemental annuity payments by \$1 for every \$2 earned with a maximum reduction of 50 percent. This deduction applies even if amounts earned do not exceed the Tier I limits mentioned above.

A disability annuity is not payable for any month in which the disabled employee earns more than \$840 in any employment, including self-employment, except for disability-related work expenses. If a disabled employee's earnings exceed the limit, then the annuity is not payable for the number of months derived by dividing the amount by which those earnings exceed the annual limit by the amount of the monthly limit. This rule ceases once the disabled person reaches full retirement age of 65-67. These earnings restrictions also do not apply to disabled widowers (under the age of 60) or to disabled children.

Deductions for a self-employed contractor or consultant providing services for a railroad or last pre-retirement non-railroad employer are dependent upon whether the employer views the annuitant as an employee or contractor. If the annuitant is viewed as a contractor, then the annuitant is subject to the Tier I deductions listed above. If viewed as an employee, the retirement annuity would be subject to suspension.

Claimants with questions regarding railroad retirement work restrictions and earnings limitations should contact an RRB office by calling the toll-free number of (877) 772-5772. Most RRB offices are open from 9:00 a.m. to 3:30 p.m.



Missouri State Legislative Director Ken Menges, right, meets with the new mayor of Sedalia, Mo., retired conductor Stephen J. Galliher of Local 933 at Jefferson City, Mo.

## 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             |
|-------|----------------------|--------------------|-------|------------------------|----------------------------|-------|----------------------|------------------------|
| R     | Williams, Elaine R.  | Georgetown, Ill.   | 498   | Powell, Richard H.     | Pen Argyl, Pa.             | 1202  | Metzger, Donald R.   | Hoagland, Ind.         |
| 5     | Hart, Charles M.     | Kansas City, Mo.   | 528   | Magdziarz, Benjamin B. | Downers Grove, Ill.        | 1245  | Waller, W.H.         | McDonough, Ga.         |
| 225   | Kasuga, Alex P.      | Bellevue, Ohio     | 569   | Trahan, Jimmie         | Ennis, Texas               | 1252  | Studer, John W.      | Fort Worth, Texas      |
| 238   | Goss, G. Vernon      | Ogden, Utah        | 610   | Baier II, Frederick M. | Baltimore, Md.             | 1280  | Anderson, Warren J.  | Casper, Wyo.           |
| 240   | Pivovarnik Jr., John | Mira Loma, Calif.  | 662   | Abbott, Joseph H.      | Newport News, Va.          | 1315  | Phipps, Robert L.    | Covington, Ky.         |
| 243   | O'Brien, Jerry L.    | Springtown, Texas  | 662   | Bailey, Sidney R.      | Richmond, Va.              | 1365  | Zarlingo, Donald E.  | Imperial, Pa.          |
| 256   | Anzalone, Joseph S.  | St. Cloud, Fla.    | 706   | Tappy, Roger D.        | Shenandoah, Va.            | 1374  | Riley, Marion D.     | Green Valley, Ariz.    |
| 259   | Boucher, Donald L.   | St. Joseph, Mo.    | 872   | Whitney, John J.       | Omaha, Neb.                | 1376  | Paynter, Kenneth J.  | Zanesville, Ohio       |
| 281   | Kuhn, John M.        | Oswego, Ill.       | 911   | Ford, S.W.             | Wabasha, Minn.             | 1386  | Barnes, Edward F.    | Kingston, Ohio         |
| 298   | Schumaker, Robert J. | Huntington, Ind.   | 1011  | Corbin, Stephen M.     | Cary, N.C.                 | 1402  | Castleman, Edward L. | Columbia, Ill.         |
| 328   | Tupko, Joseph A.     | Punta Gorda, Fla.  | 1011  | Hartgrove, Larry E.    | Hamlet, N.C.               | 1473  | McGuirk, E.J.        | Asheville, N.C.        |
| 363   | Layne, C.G.          | Salem, Va.         | 1031  | Linder Sr., Albert O.  | Millen, Ga.                | 1518  | Martin, Larry J.     | West Terre Haute, Ind. |
| 367   | Thompson, Thomas D.  | Omaha, Neb.        | 1043  | Simpkins, Alvin B.     | Carlin, Nev.               | 1534  | Gay, Cecil P.        | York, S.C.             |
| 376   | Scott, Donald L.     | Louisville, Ky.    | 1117  | Olson, Warren H.       | Placerville, Calif.        | 1687  | Turpen, Robert D.    | Albuquerque, N.M.      |
| 378   | Clymer, Dale L.      | Independence, Ohio | 1175  | Hendrickson, Ray C.    | International Falls, Minn. | 1892  | Wise, Jessie O.      | Houston, Texas         |
| 477   | Spencer, James L.    | Great Bend, Kan.   | 1175  | Sundstrom, Mark W.     | Duluth, Minn.              | 1910  | Massey, Charles P.   | Milledgeville, Ga.     |



# Don't let cancer treatment costs send your life's savings down the drain

## Protect your family and your savings with a UTUIA Cancer Hospital Indemnity policy

UTUIA's Cancer Hospital Indemnity policy offers peace of mind. The benefits are paid directly to the policyholder to use as he or she sees fit. Use them to meet household expenses and other continuing expenses. This policy supplements regular hospitalization insurance, thereby protecting savings. Some benefits may vary based on state of residence. With monthly premiums starting as low as **\$9 per month**, this plan fits into any budget.

### UTUIA's Cancer Hospital Indemnity policy offers:

- ✓ \$300 per day for hospital confinement
- ✓ \$600 per day in extended stay benefits
- ✓ \$100 per day for home recovery
- ✓ \$2,000 first diagnosis benefit for internal cancer
- ✓ \$15,000 bone marrow transplant benefit



**Call or email today:  
(800) 558-8842 or  
sales@utuia.org**

### Information, please

I would like more information on UTUIA's Cancer Hospital Indemnity insurance plan.

Please print



|                                 |               |                               |                                 |
|---------------------------------|---------------|-------------------------------|---------------------------------|
| Full name                       | Date of birth | UTU local number              |                                 |
| Address                         | City          | State                         | ZIP                             |
| Telephone number with area code | Sex           | Male <input type="checkbox"/> | Female <input type="checkbox"/> |

Complete and mail to: UTUIA, 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333 05/14

## Support for veterans prompts charity to name local officer to their team

Member **Carlos Wallace** is a man with many titles: Union Pacific engineer, general committee secretary (GO 927), local chairperson, delegate, philanthropist and author. He can now add another – official spokesperson of the Texas chapter of USA Cares.

The U.S. Navy veteran of Operation Desert Storm and self-described “good ole’ country boy from East Texas” is a fifth-generation railroader and a member of SMART Transportation Division Local 11 at Houston, Texas.

USA Cares and its network of partners provide financial and advocacy assistance to post 9/11 active duty U.S. military service personnel, veterans and their families. They assist all branches of service, all ranks and components and treat all with privacy and dignity in appreciation for their service and sacrifice.

USA Cares enlisted Wallace in its “Authors United for Veterans” program after discovering his book “Life is Not Complicated, You Are,” detailing his journey from Jacksonville to Houston, railroad engineer to businessman and philanthropist. He uses his unique story of triumph over tragedy to demonstrate how everyone can use his or her past to become empowered.

The “Authors United for Veterans” program is a partnership between USA Cares and leading American authors willing to promote and support national awareness of veteran issues.

“I had faith the book’s message would reach a

broad audience. But, when an organization like USA Cares takes notice and tells me my work will matter to those who have sacrificed so much for me and our country, I am humbled beyond words. Time to get to work,” Wallace said.

In his book, he addresses life’s moments of loss, setbacks and sadness and teaches how to turn these dark moments into opportunities to learn, heal and grow.

“When you reach a place where you can view setbacks as reminders to appreciate the good things in your life, you have taken the first step to owning your destiny as a happier, more joyful, and more successful person,” he said.

In a foreword to Wallace’s book, retired UTU Director of Organizing and current adjunct professor at Franklin University, **John A. Nadalin, Ph.D.**, writes: “Carlos Wallace understands that genuine reflection on our upbringing, good or bad, will allow us to make better choices in our life, or at least, to minimize the mistakes we have all made from time to time. He notes that the legacy we will leave to those who survive us is entirely within our control and that we should never waste the opportunity to ensure that this legacy is one we can be as proud of in life, as it will be in death.”

Wallace is also the president and CEO of a Houston-based philanthropic and entertainment company called Sol-Caritas which, translated from Latin, means “elite giving.” The company, while promoting entertainment venues,

assists local charities, gives back to education through scholarships provided by the Alice Wallace Foundation, and supports businesses by offering valuable sponsorship advertising. “Dedication to charity, giving back to the community and enrichment of the community guides our purpose,” Wallace says.

He said that his primary work as a USA Cares spokesman will include speaking with cadets and counseling them on maintaining financial stability as they transition from military life to civilian life.

USA Cares has already responded to over 50,000 requests for assistance with over \$11 million in indirect-support grants.

“Be a better man every day,” Wallace said. When asked how he defines “success,” he answered that a person’s success is determined after he or she has passed.

“When the void left by that person impacts those who were in his or her life in such a way that they ask, ‘How can we ever replace him?’ – this is the true sign of success.”



Wallace



## DOT takes action for safe crude shipments

Continued from page 1

quencies of anticipated train traffic and the route through which Bakken crude oil will be transported. The emergency order also requires the railroads provide contact information for at least one responsible party at the host railroads to the SERCs. The emergency order advises railroads to assist the SERCs as necessary to share the information with the appropriate emergency responders in affected communities.

FRA and PHMSA also issued a joint Safety Advisory 2014-01 to the rail industry strongly recommending the use of tank cars with the highest level of integrity in their fleet when transporting Bakken crude oil.

The Department of Transportation continues to pursue a comprehensive, all-of-the-above approach in minimizing risk and ensuring the safe transport of crude oil. FRA and PHMSA have undertaken more than a dozen actions to enhance the safe transport of crude oil over the last 10 months. This comprehensive approach includes immediate and long-term steps such as: launching “Operation Classification” in the Bakken region to verify that crude oil is being properly classified; issuing safety advisories, alerts, emergency orders and regulatory updates; conducting special inspections; moving forward with a rulemaking to enhance tank car standards; and reaching agreement with railroad companies on a series of immediate voluntary actions they can take by reducing speeds, increasing inspections, using new brake technology and investing in first responder training.

The Association of American Railroads issued the following statement in response to the emergency order: “Freight railroads have for years worked with emergency responders and personnel to educate and inform them about the hazardous materials moving through their communities. These open and transparent communications will continue as railroads do all they can to comply with the Department of Transportation’s Emergency Order.”

To view the emergency order and safety advisory, visit [www.utu.org](http://www.utu.org) and enter “Docket Number DOT-OST-2014-0067” in the Search box.

## Colo. governor signs bill to keep Amtrak service

DENVER – Gov. John Hickenlooper May 14 signed H.B. 1161 at the Pueblo Union Depot. The bill establishes a commission and fund to preserve the current Amtrak passenger train service in southern Colorado and potentially expand that service to include the city of Pueblo and a possible stop in Walsenburg.

The current Amtrak passenger service in southern Colorado is funded by the federal government under the Rail Passenger Service Act, which gives Amtrak the right to run passenger rail trains over freight routes. Due to Amtrak funding cuts by Congress, Amtrak is unable to fully pay for track maintenance on the long distance passenger routes like the Southwest Chief. Without an alternate source of funding for maintenance, this vital passenger service could be discontinued on Jan. 1, 2015.



“H.B. 1161 is not a jobs bill, but a careers bill for southern Colorado. SMART union members don’t have jobs on the railroad, they have long term careers on the railroad in rural communities of Southern Colorado,” said **Carl Smith**, SMART Transportation Division Colorado State Legislative Director. “We are very proud to have the governor on board with such an important bill.”

State Sen. Larry Crowder (R-Alamosa) and state Rep. Leroy Garcia (D-Pueblo) were prime sponsors of the bill.

The estimated cost of maintaining the line is \$200 million. There is a proposal of a possibly five-way split between the states of Colorado, Kansas, New Mexico, Amtrak and BNSF Railway to pay for the upkeep, requiring \$4 million per year for 10 years from each party. There are no state funds committed unless all the parties are on board.

## Sen. Franken visits Minnesota Legislative Board



U.S. Sen. Al Franken (D-Minn.) visited a meeting of the Minnesota State Legislative Board March 29 and expressed his appreciation for everything railroaders do to keep Minnesotans safe and the national economy moving, Legislative Director Phillip Qualy reports. “We had a positive and productive meeting. Whatever we do in the 2014 mid-term elections this fall, it is essential that railroad workers and our families get out and vote,” Qualy said. “We ask all members to invest in their own futures and join UTU PAC today.” Pictured, from left, are Legislative Rep. Wayne Newton (1000), Legislative Rep. Dan Archambeau (1292), Local Chairperson Randy Raskin (650), Legislative Rep. Robert Dickerson (64), Legislative Rep. John Wrich (911), Franken, Assistant Legislative Director Dan Paradise (1614), Legislative Rep. Geoff Bowen (1175), Legislative Rep. Brian Hunstad (1177), Legislative Rep. Tim Sparks (911), Local Trustee Mike Frederick (1614) and Qualy.

## SMART Transportation Division 2014 budget

Pursuant to Article 21B, Section 16, of the SMART Constitution, below is the 2014 budget for the SMART Transportation Division.

| International funds            | Jan. 1, 2014<br>(valued in U.S. dollars) | Receipts and<br>other additions | Disbursements and<br>other deductions | Dec. 31, 2014<br>(projected) |
|--------------------------------|--|---------------------------------|---------------------------------------|------------------------------|
| General Fund                   | \$4,775, 429                             | \$35,912,051                    | \$(36,714,680)                        | \$3,972,800                  |
| Education and Training Fund    | 1,917,687                                | 711,600                         | (180,890)                             | 2,448,397                    |
| Maintenance of Membership Fund | (330,296)                                | 711,600                         | (381,304)                             | -                            |
| Public Relations Fund          | 141,558                                  | 177,900                         | (319,458)                             | -                            |
| Strike Fund                    | 4,579,321                                | 533,700                         | -                                     | 5,113,021                    |
| Convention Fund                | 4,952,109                                | 2,134,800                       | (7,086,909)                           | -                            |
| Total International funds      | \$16,035,808                             | \$40,181,651                    | \$(44,683,241)                        | \$11,534,218                 |

## United Transportation Union Insurance Association

December 31, 2013; (Amounts as reported in annual statement filing to Ohio Department of Insurance) (unaudited)

Ohio revised code provides that, not later than the first day of June of each year, UTUIA shall either mail to each benefit member, or publish in its official publication, a synopsis of its annual statement. That information is shown below.

| Assets                          |               | Liabilities & surplus       |               | Summary of operations     |                |
|---------------------------------|---------------|-----------------------------|---------------|---------------------------|----------------|
| Cash                            | \$8,979,765   | Policy reserves             | \$177,411,633 | Income                    |                |
| Bonds                           | 181,467,133   | Other liabilities           | 12,488,497    | Premium income            | \$15,714,010   |
| Stocks                          | 26,001,821    | Total liabilities           | \$189,900,130 | Investment income & other | 9,885,103      |
| Other invested assets           | -             | Surplus                     | 37,367,562    | Total income              | \$25,599,113   |
| Real estate                     | 2,232,115     | Total liabilities & surplus | \$227,267,692 | Expenses                  |                |
| Policy loans                    | 6,369,231     |                             |               | Benefits                  | \$(15,881,922) |
| Accrued interest & other assets | 2,217,627     |                             |               | General expenses          | (7,134,799)    |
| Total assets                    | \$227,267,692 |                             |               | Total expenses            | \$(23,016,721) |
|                                 |               |                             |               | Operating gain (loss)     | \$2,582,392    |
|                                 |               |                             |               | Realized capital gain     | 2,112,019      |
|                                 |               |                             |               | Net gain (loss)           | \$4,694,411    |



## UTUIA announces 2014-2015 scholarship winners

### DISTRICT 1:

Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont

Ijadah Harris, daughter of **Crystal L. Harris** of Local 898, Boston, Mass.; Matthew S. Rohan, grandson of **Samuel J. Nasca** of Local 318, Hornell, N.Y.; Michael F. Brown, son of **Michael G. Brown** of Local 1007, Syracuse, N.Y.; Vallery E. Marx, daughter of **Jeffrey J. Marx** of Local 1393, Buffalo, N.Y.; Cecilia M. Scott, granddaughter of **Richard A. Cooney** of Local 1, Buffalo, N.Y.

### DISTRICT 2:

Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania

Cassidy J. Strickler, daughter of **David A. Strickler** of Local 1374, New Castle, Pa.; Paiton M. Kopriva, granddaughter of **Ronald D. Kopriva** of Local 1418, Conway, Pa.; Nicholas M. Fronte, grandson of **Lewis S. Long** of Local 816, Harrisburg, Pa.; Travis J. Stasa, grandson of **William R. Morgan** of Local 60, Newark, N.J.; Kaylie B. Poling, daughter of **John E. Poling** of Local 430, Newark, N.J.

### DISTRICT 3:

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia

Mary K. Mulvaney, daughter of **Stephen J. Mulvaney** of Local 924, Richmond, Va.; David M. Phillips, son of **David W. Phillips** of Local 363, Roanoke, Va.; Onyxis L. Caslin, son of **Jimmy L. Caslin** of Local 1245, Atlanta, Ga.; Mitchell C. Williams, grandson of **Milton O. Williams** of Local 1106, Rocky Mount, N.C.; Sarah C. Stephenson, granddaughter of **Delbert P. Gay** of Local 1129, Raleigh, N.C.; Bayley A. Palmer, granddaughter of **Jackie T.**

**Palmer** of Local 853, Amory, Miss.; Shakiah L. Daniely, granddaughter of **Leroy G. Daniely** of Local 1910, Macon, Ga.; Adam S. Keaton, grandson of **William A. Keaton Jr.** of Local 1377, Russell, Ky.

### DISTRICT 4:

Indiana, Michigan, Ohio

Taylor N. Certain, step-daughter of **Jacob D. Gulley** of Local 194, Elkhart, Ind.; Malachi L. Raley, grandson of **Ronald L. Raley** of Local 333, North Vernon, Ind.; Katelyn N. Freed, granddaughter of **Donald E. McCauley** of Local 194, Elkhart, Ind.; Hannah M. Fears, granddaughter of **Bobby J. Fears** of Local 490, Princeton, Ind.; Sarah M. Tomlin, granddaughter of **William A. Tomlin** of Local 14, Cincinnati, Ohio.

### DISTRICT 5:

Illinois, Wisconsin

Taylor L. Roberts, granddaughter of **Michael E. Sheridan** of Local 577, Northlake, Ill.; James C. Forsyth II, grandson of **Conrad J. Forsyth** of Local 322, Milwaukee, Wis.; Caitlin A. Shanahan, daughter of **Thomas W. Shanahan** of Local 171, Aurora, Ill.; Jenna M. Ische, granddaughter of **Albert J. Fohrman** of Local 1293, Altoona, Wis.

### DISTRICT 6:

Arkansas, Louisiana, Oklahoma, Texas

Phillip L. Brixie, son of **Molly M. Brixie** of Local 221, North Little Rock, Ark.; Tanner W. Allen, grandson of **Ralph L. Robertson** of Local 1313, Amarillo, Texas; Megan E. Gassaway, granddaughter of **Charles D. Gassaway** of Local 656, North Little Rock, Ark.; Elaine N. Smith, daughter of **Jeffrey T. Cooley** of Local 594, Mineola, Texas; Cody R. Gonzales, son of **Bert Gonzales** of Local 857, San Antonio, Texas; Bryan K. Thompson, grandson of **James E. Hardman** of Local 656, North Little Rock, Ark.

### DISTRICT 7:

Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota

Taylor J. Musgrave, granddaughter of **Dale F. Musgrave** of Local 626, McCook, Neb.; Madelyn E. Baughman, granddaughter of **Melvin C. Baughman** of Local 464, Arkansas City, Kan.; Alex M. McCandless, grandson of **James E. Sekavec** of Local 495, Salina, Kan.; Tabitha S. Keast, daughter of **Kent N. Keast** of Local 1403, Kansas City, Mo.; Ashlyn V. Corn, daughter of **Carl R. Corn** of Local 763, Pittsburg, Kan.; Jacob Krell Jr., son of **Jacob A. Krell Sr.** of Local 259, St. Joseph, Mo.

### DISTRICT 8:

Arizona, California, Colorado, Nevada, New Mexico, Utah

Rex A. Campbell, grandson of **Richard A. Brubaker** of Local 1043, Sparks, Nev.; Griffin P. Proctor, son of **Gary K. Proctor** of Local 1544, Maywood, Calif.; Benjamin B. Blue, son of **Buddy J. Blue** of Local 1168, Clovis, N.M.; Tara A. Murphy, granddaughter of **Paul W. Laffoon** of Local 1570, Roseville, Calif.; Daniel R. Sanchez, grandson of **Robert L. Sanchez** of Local 1168, Clovis, N.M.; Haley S. Harman, granddaughter of **Kenneth R. Harman** of Local 204, Pueblo, Colo.; Daniel A. Garcia, son of **Tommy W. Garcia Jr.** of Local 1846, West Colton, Calif.

### DISTRICT 9:

Alaska, Idaho, Montana, Oregon, Washington, Wyoming

Ramsey A. Drew, grandson of **William E. Drew** of Local 891, Whitefish, Mont.; Morgan A. Jappe, daughter of **Carol A. Jappe** of Local 544, Havre, Mont.; Masen M. Brown, son of **Paul R. Brown** of Local 977, Pasco, Wash.

## OSHA slams CN, UP for whistleblower violations

The U.S. Department of Labor's Occupational Safety and Health Administration has hit back harshly at two Canadian National subsidiaries and Union Pacific Railroad after it was determined the carriers violated whistleblower protection laws.

In April, OSHA ordered CN subsidiary Wisconsin Central to pay a conductor trainee \$352,082.75. Included in the amount is \$217,082.75 in back wages, applicable employment taxes, \$60,000 in compensatory damages and \$75,000 in punitive damages. The company also will be required to reinstate the worker, pay reasonable attorney's fees, remove disciplinary information from the employee's personnel record and must provide whistleblower rights information to workers.

The conductor was within his 60-day probationary period when the injury occurred. The injury was reported later that day, but not before the end of his shift. On his last day of probation, he was issued a removal-from-service letter that rejected his employment application. Later, the railroad stated that he had violated a company rule by failing to report an injury before his workday ended.

CN subsidiary Grand Trunk Western Railroad Co. was ordered in May to reinstate a conductor and pay him more than \$244,000 in back wages and damages following an investigation by OSHA.

The agency found that the company was in violation of the whistleblower provisions of the Federal Railroad Safety Act for terminating an employee in Flint, Mich., for failing to perform an inspection of a passing train under hazardous safety conditions.

OSHA's investigation upheld the employee's allegation that the railroad terminated his employment on Feb. 26, 2013, in retaliation for reporting hazardous safety conditions and refusing to complete the dangerous tasks. Operating in dark, foggy conditions during the early morning hours of Dec. 15, 2012, the conductor did not perform a required roll-by inspection of a passing train near the Flint rail yard. The train was stopped on a bridge with a

steep incline down to the river, and the conductor felt this was an unsafe location for the inspection.

Following an internal investigative hearing, the railroad removed him from service and accused him of violating the company's policy to inspect passing trains when duties and terrain permit, and subsequently terminated the employee. OSHA's investigation, however, found that the railroad terminated the employee in retaliation for having engaged in protected conduct under the FRSA. The investigation also found that crew members of the passing train were not held to the same standard to conduct a roll-by inspection.

UP has been ordered to pay \$10,000 in compensatory and \$75,000 in punitive damages, as well as reasonable attorney's fees, following the report of a workplace injury at the company's North Platte, Neb., terminal. The company must also remove disciplinary information from the employee's personnel record and provide whistleblower rights information to its employees.

OSHA's investigation upheld the employee's allegation that the railroad terminated his employment in retaliation for reporting an injury and for reporting that a company chair was allegedly defective. The employee suffered an injury to his back on Oct. 15, 2012, when the chair he was using collapsed. The employee reported his injury to his supervisor and submitted a personal injury report, noting that the condition of the chair contributed to his injuries.

After the employee report, the railroad removed him from service and accused him of violating the company's workplace violence policy and other work-related rules, and subsequently terminated the employee. OSHA's investigation, however, found that the railroad terminated the employee in retaliation for having engaged in protected conduct under the FRSA, and that the railroad had engaged in hostility toward the employee for reporting the injury.

Detailed information on employee whistleblower rights is available at [www.whistleblowers.gov](http://www.whistleblowers.gov).



## AAR: FCC policies delaying PTC

WASHINGTON – In a new report updating the industry's progress on installing positive train control, the nation's freight railroads said that a year-long moratorium on installing 20,000 communication antennas imposed by the Federal Communications Commission, followed by a lengthy federal approval process mandated by the agency, has seriously delayed the implementation of nationwide interoperable PTC. Whereas freight railroads once projected that by 2015 they would have PTC installed on 40 percent of the network mandated by FRA, they now believe thanks to the FCC issues only 20 percent of the PTC network will be up and running by the Congressionally imposed deadline.

"Everyone in the industry is greatly frustrated at the inability to move forward and do what we need to do to advance PTC installation," said Association of American Railroads President and CEO Edward R. Hamberger. "It's been two steps forward, three steps back for months and we simply don't have the certainty we need to move ahead and get PTC tested, fully functioning, certified and ready to go."

Causing the timing for installation to be delayed significantly, Hamberger said, was an FCC directive to suspend installation of approximately 20,000 communications antennas necessary to for PTC to work until the antennas are assessed through the FCC's environmental and historical evaluation process. The problem, Hamberger noted, is that how the thousands of antennas are to be reviewed has yet to be determined.

Hamberger noted that despite the challenges, railroads so far have been able to make progress in some areas of PTC implementation, including:

- Installing or partially installing PTC equipment on 50 percent of the locomotives on which it will be required;
- Deploying one third of the wayside units that will be required;
- Replacing half of the signals needed for implementation, and
- Mapping most of the track that will be equipped with PTC.





www.utu.org / www.utuia.org

MAY 2014



Periodicals Postage  
PAID at Cleveland, Ohio,  
and Additional  
Mailing Offices

ISSN 0098-5937

Published monthly (except for combined months of December/January and July/August) by UTU-SMART, 24950 COUNTRY CLUB BLVD., SUITE 340, NORTH OLMSTED, OH 44070-5333 • Periodicals postage paid at Cleveland, Ohio, and additional mailing offices • John Previsich, SMART Transportation Division President • This publication available on microfilm from National Archive Publishing, P.O. Box 998, Ann Arbor, MI 48106.

**POSTMASTER: Send address changes to UTU-SMART News, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.**



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 UTU Alumni Association member **Dennis Smolinski** of Local 1709 at Pontiac, Mich. "The photo is of the Western Maryland Scenic Railroad during a photo charter by a group of rail fans on Oct. 21, 2013. The photo was taken at Helmstetter's Curve, west of Cumberland, Md., on the former Western Maryland Railroad. The steam engine came from Lake Superior & Ishpeming Railroad.



# SMART

## Transportation Division News

Volume 46 • Number 5 • May 2014

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

## Oberstar, former chair of House T&I Committee, dies

WASHINGTON – A great friend of organized labor and a leader of transportation infrastructure reformation, former U.S. Rep. Jim Oberstar, died Saturday, May 3.

Oberstar, 79, was the former chairperson of the House of Representatives' Transportation and Infrastructure Committee and was Minnesota's longest-serving congressman.



Oberstar

He was instrumental in securing the commuter rail system in the Twin Cities and had a reputation as an expert in public works and transportation issues.

"He was the leading infrastructure expert of our time," said former Republican congressman from Minnesota, Vin Weber.

"Jim Oberstar was not only a champion of workers in his district and all over Minnesota, he was a true advocate for all transportation employees in this country and cared about their safety on the job. We lost a real giant among men," SMART Transportation Division President John Previsich said.

"His impacts are almost indescribable," said former Minnesota State House Majority Leader Tony Sertich of the Minnesota Democratic Farmer Labor Party. "You can't travel down a road, or a bridge, or an airport or a trail

in northeastern Minnesota without his fingerprint on it."

"Workers everywhere lost a true friend. Mr. Oberstar not only took the time and energy to learn about worker issues, he really cared about their health and safety. We also cannot ever forget that our Railroad Retirement Reform Act would not have become law without his strong advocacy," SMART Transportation Division National Legislative Director James Stem said.

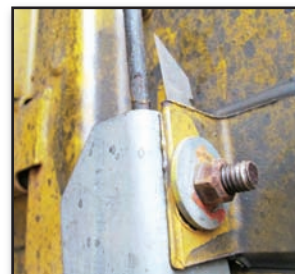
U.S. Senator Al Franken made the following statement upon learning of the death of Oberstar:

"By the time Jim rose to Chairman of the House Transportation Committee, he knew more about transportation than anyone in this country. The first time I saw Jim in action as Chairman, he was presiding over a hearing on high speed rail with witnesses from Japan and France, and several other countries, all of which – to our shame – are far ahead of us in high speed rail.

"When it came time for the Chairman to ask his questions, I learned that Jim had piloted every one of these high speed trains, and Jim questioned the French witness in his own language in startlingly fluent French. It was a tour de force. I think that's French.

"Franni and I will miss Jim. We know all of you will as well. And we all are better people for having known him. And the Eighth District is a much, much better place for his service."

## Inside this issue of *UTU-SMART News*:



AAR issues safety appliance alert. See page 3.



First Transportation Division Convention Information. See pages 6-7.



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



No time for retirement while conducting city's official business. See page 8.