



# SMART

## Transportation Division News

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

## Delegates return Previsich to SMART TD presidency

SAN DIEGO, Calif. – John Previsich was elected president of the International Association of Sheet Metal, Air, Rail and Transportation Workers' Transportation Division June 30, shortly after the opening of the union's First Transportation Division Convention at the Hilton San Diego Bayfront Hotel.

Previsich, who had been elevated to the position of SMART Transportation Division President Oct. 1, 2013, was challenged for the office by members **Mark B. Burrows**, **Scott Cole** and **Gary Robison**. He received 434 votes of the 485 ballots cast.

Prior to the election, Previsich addressed the delegates about the need for an experienced hand to guide the Transportation Division as it faces a number of important issues.

"Efforts currently underway or about to begin are negotiations of our national railroad contract, the preservation of our health and welfare plans during implementation of the Affordable Care Act and defending our members from the loss of jobs due to planned cuts in coal usage," he said. "In addition, we will continue our drive to suc-



Transportation Division President John Previsich addresses delegates at the First SMART Transportation Division Convention, where he was elected by 89 percent of the ballots cast for the office.

cessfully pass a law that requires two qualified crew members on every train and we will also continue the fight to improve work-schedule predictability and fatigue management of our members in the transportation industry. These are just some of the initiatives currently underway and every day brings new challenges."

Current Alternate National Legislative Director John J. Risch III was elected the Transportation Division's National Legislative Director and will assume the office Oct. 1. National Legislative Director James A. Stem announced his intention to retire Sept. 30 and did not seek reelection. Risch was opposed by the Transportation Division's Utah State Legislative Director **F. Jay Seegmiller** of Local 166 at Salt Lake City. Risch won the election after receiving 285 votes of the 485 valid votes cast.

Incumbent Transportation Division Vice Presidents David B. Wier, John E. Lesniewski, John R. England, Doyle K. Turner and Jeremy R. Ferguson were returned to office by acclamation.

Due to the elimination of the position of SMART Transportation Division assistant president in 2013, Article 21B, Section 35, of the SMART Constitution provides for a successor to the president of the Transportation Division in the event a vacancy occurs between conventions. To provide for such a contingency, delegates elected Lesniewski to that position by acclamation.

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## Thousands turn out for Long Island Rail Road labor rally

More than 3,000 unionized Long Island Rail Road employees and their supporters rallied for a new contract Saturday, June 21, demonstrating their resolve in achieving the recommendations of Presidential Emergency Board 245.

Union officials from a variety of crafts, as well as local, state and national political figures, joined them.

SMART's coalition partners include the Transportation Communications Union, International Association of Machinists and Aerospace Workers, and the National Conference of Firemen & Oilers-Service Employees International Union. All organizations were well represented at the event.

Speakers called upon New York Gov. Andrew Cuomo to intervene in the workers' months-long dispute with the Metropolitan Transportation Authority, which oversees the LIRR. The SMART Transportation Division members and other unionized employees have been working under an open contract since June 2010. SMART members and the other unions can strike on July 19 under provisions of the Railway Labor Act, but have asked MTA to extend a 60-day cooling off period into September.

"The governor needs to step up, tell the MTA to wake up and extend this cooling off period, so we don't have a crushing blow to the economy of eastern Long Island," said SMART Transportation Division GO 505 General Chairperson **Anthony Simon**.

Organizers were expecting about 2,000 people to attend the rally, but noted that they had exhausted their supply of rally T-shirts hours before the rally began.

**"We had an awesome turnout," Simon said. "The sign-in sheet stopped at 2,300 and people just kept coming, more than 3,000."**

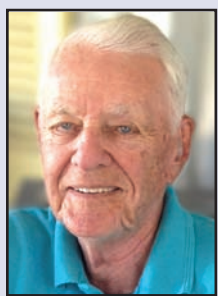
"We had an awesome turnout," Simon said. "The sign-in sheet stopped at 2,300 and people just kept coming, more than 3,000."

SMART Transportation Division President John Previsich said he was amazed by the turnout. "It was great to see so many union members and others supporting our membership on the LIRR. From the beginning of this long and arduous process, we have informed the MTA that

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### Former RYA President Otto dies

Arch "Tom" Otto, 91, former national president of the Railroad Yardmasters of America from 1971 to 1985, passed away Feb. 23, 2014.



Otto

Otto was born Aug. 24, 1922, in Wheeling, W. Va., graduated from Wheeling High School and attended Bethany College.

A member of SMART Transportation Division Local 1951 at Albany, N.Y., Otto began his 45-year railway career as a clerk, quickly advancing to yardmaster for the Pennsylvania Railroad in Weirton, W. Va. He served as a local chairperson and a general chairperson for Pennsylvania Central yardmasters before being elected national president of the Railroad Yardmasters of America in 1971. He served in that role until his retirement – and the RYA's merger with UTU – in 1985.

As national president, he negotiated 12 national agreements on behalf of RYA employees and their families, including wage increases, creation of a new dental plan and improved health benefits.

Otto is survived by his wife of 67 years, Kay, daughters Alison and Heather, son-in-law Mike Liddicoat and granddaughter, Kathleen Liddicoat. He was pre-deceased by his son, Alan Thomas ("Tim") Otto of Chicago, who was also a yardmaster.



More than 3,000 Long Island Rail Road union workers and supporters rallied outside the Massapequa Train Station Saturday, June 21, seeking to send a message to the Metropolitan Transportation Authority and New York Gov. Andrew Cuomo.

# Around the SMART TD

## Local 240, Los Angeles, Calif.

Local Chairperson Harry J. Garvin Jr. reports that retirees Mike A. Cude and Cece E. Poxon died May 25 and June 24, respectively. Cude retired from Union Pacific in 2009 after 40 years of service and Poxon retired from UP in 2005 after 28 years of service. Garvin also noted that Fred G. Comeau retired June 24 after 36 years of service, former Local Vice President Ralph Rodley Jr. retired June 12 after 40 years, and Joe M. Fischer celebrated 50 years of service in April. In other news, Garvin reports that the Annual FSC/SMART-UTU Rail Golf Classic held May 19 went off without a hitch with 60 golfers in attendance. Cude was one of the participants.

## Local 339, Jackson, Tenn.

Tennessee Gov. Bill Haslam May 20 announced the appointment of SMART Transportation Division Tennessee State Legislative Director Roger "Adren" Crawford to the Tennessee Council for Career and Technical Education. The TCCTE serves as an independent advocate for quality career and technical education programs and functions as an independent oversight body. It consists of 13 members appointed by the governor to serve in an advisory capacity to the Tennessee Board of Education, Tennessee Board of Regents, the governor and the general assembly. "I appreciate the commitment of these men and women and want to thank them for their willingness to serve the state," Tennessee Gov. Bill Haslam said. "Tennessee will be well represented on these boards and commissions." Crawford also serves as the local's chairperson, legislative representative and delegate.

## Local 662, Richmond, Va.

Local President Michael J. Downer Sr. reports that Secretary & Treasurer Ryan J. Sandy and Local Chairperson Thomas J. Arsenault each were elected by acclamation in a special interim election held in June. Sandy is replacing Alex T. Goodmundson, who transferred to another local, while Arsenault is replacing former Treasurer Cecil L. Pinner and former Secretary James M. Rainier, combining the two positions into one. Downer also noted that the positions of vice local chairperson in Local Committee of Adjustments 201A and 201C are vacant and will be filled by elections this fall.

## Local 800, Jersey City, N.J.



Pictured, from left are New Jersey Transit retirees Bill Hepper, former Local Chairperson Sid Denny, retired former Conrail General Chairperson Bob Belle, current Local Chairperson and New Jersey State Legislative Board Secretary Jim Albi and Patty Murray. The photo was taken May 29 at a retirement luncheon for Murray, who had 44 years of service with Erie Lackawanna, Conrail and NJT. He was also a member of the Brotherhood of Locomotive Fireman & Enginemen, a UTU predecessor union.

## Local 756, San Antonio, Texas

Local Committee of Adjustment 927Z of this local representing the newly organized employees of Western Railroad Company held their first meeting May 18 at Golden Corral Restaurant in New Braunfels, Texas, according to Secretary & Treasurer

## Quick-thinking conductor saves fellow member's life

Local 674 CSX conductors Richard A. Price and Quincy D. Dobbs know firsthand some of the unpredictable hazards that can visit even the most routine of job assignments. On May 28, Dobbs was critically injured in a switching accident outside the General Mills' distribution center in Social Circle, Ga., and it was all caused by a bird.



Price

Price reports that they were working a routine job. Dobbs was spotting a train as it reversed outside the property. While doing so, he unwittingly startled a nesting killdeer. This mother bird had built a nest in the ballast adjacent to the track.

Dobbs quickly discovered that killdeer are fearless defenders of the nest. Its brown speckled eggs are camouflaged against the dirt and pebbles and as the bird sits on the eggs, it also blends in with the background. Once a nesting mother killdeer feels threatened, she immediately and instinctively begins an aggressive defensive display with flailing wings, hobbling steps and an ear-piercing screech, "killdeeeeer!" They have been known to stand their ground against approaching lawn mowers and have even diverted buffalo herds on the Great Plains.

The startled Dobbs soon lost his situational awareness and fell to the ground.

"One moment I saw him, the next moment he was down and then the train hit him. Then I saw blood and shouted to the engineer to stop and call an ambulance," Price said.

Dobbs' right arm was severed and his right ankle was shattered. He was bleeding profusely and Price knew that he had to act fast to stop the blood or Dobbs would be gone. Both Price and the engineer used their CSX vests as tourniquets to stop the bleeding. Through these split-second and life-saving actions, Dobbs was stabilized until he was airlifted to the nearest hospital.

Price is no stranger to responding to serious medical emergencies. He is a trained emergency medical technician (EMT) who earned his credentials at Augusta Technical College. He has worked as an EMT for the Augusta and Richmond County Fire Departments and for Gold Cross EMS. Additionally, he spent a year in Iraq as a contract EMT/firefighter.

"It was a real learning experience and it was great to work, firsthand and up close, with the local Iraqi people," Price said.

Price reports that Dobbs survived his ordeal and is in good spirits as he continues rehabilitation. When reminded that his quick thinking and calm actions likely saved Dobbs' life, he said, "Well, I just thank God for using me as a conduit and for placing me there for Quincy at just the right place and time. It was God who saved Quincy, through me."

er Mike Araujo. Elected as the LCA's first officers were Local Chairperson Johnathon Harris, Vice Local Chairperson Bryan Lagunas and Local Committee of Adjustment Secretary Joe Perez.

## Local 1291, Birmingham, Ala.

Former UTU Designated Legal Counsel Frank O. Burge Jr., 87, passed away June 13. A native of Birmingham, Burge graduated from Ramsay High School. He earned his undergraduate and law degrees from Tulane University. After college, he served in the U.S. Marine Corps and later the reserves, attaining the rank

of colonel. Burge was a lawyer in Birmingham for more than 50 years. He loved representing people, and as an advocate, he had few peers. He was recognized as a Fellow by the Alabama Law Foundation, a designated legal counsel by the United Transportation Union and listed for years in *The Best Lawyers in America*. He is survived by his wife of 63 years, Jeannine (Kitten) Burge; children: Courtney Brown (Phil), SMART Transportation Division Designated Legal Counsel Frank Tucker Burge (Mary), Claire Morgan and Paul Allan, whom he also considered one of his children. A memorial service was held Monday, June 16, at Shades Valley Presbyterian Church in Birmingham.

## Local 1626, Anchorage, Alaska



Alaska Railroad conductor Vern Gillis presents a check in the amount of \$500 on behalf of this local to Rob Hinterleitner to assist the old mining community of Sutton with the construction of "The Alpine Playground Project," an inspirational, fun and safe space to play for the town's children. "It was a great opportunity for our local to give back to the community. The Alaska Railroad Corporation and Lynden Transport also had a role in this community project by donating the transportation of materials to Sutton," Gillis said. Learn more about the project by searching "The Alpine Playground Project" on Facebook.

## Former VP George Cahill dies



Cahill

Former UTU Vice President George J. Cahill, 85, died June 3 after a courageous battle with cancer.

A member of SMART Transportation Division Local 1978 at New York and the former Brotherhood of Railroad Trainmen Lodge 328, Cahill began his railroading career as a crew caller on New York, New Haven & Hartford Railroad in 1944 and later worked as a mailroom clerk, baggageman and brakeman. He became a passenger conductor in 1954. Before being elevated to the office of UTU International vice president, he served as a general chairperson from 1958 to 1976.

Cahill served in the U.S. Marine Corps and was an alderman from the City Point neighborhood of New Haven, Conn. He was appointed a member of the Connecticut Transportation Authority by Gov. John Dempsey and was appointed chairman of the Connecticut Public Transportation Authority by Gov. Ella Grasso. He was one of the 84 delegates of the Connecticut Constitutional Convention that revised the current Connecticut Constitution in 1965.

He is survived by his wife of 64 years, Sally, his sons, George Jr., Robert, Stephen and Michael, his daughter, Kathleen, 16 grandchildren and 12 great grandchildren.

## TD seeking rail contract proposals for Section 6 notices

The SMART Transportation Division is beginning the process of formulating Section 6 notices to be served on rail carriers negotiating under the umbrella of the National Carriers' Conference Committee (NCCC), which will include proposals to increase wages, benefits and improve working conditions.

As mandated by the Railway Labor Act and the current national agreement, these Section 6 notices will be served on most of the nation's rail carriers on or about Nov. 3, 2014, to become effective no earlier than Jan. 1, 2015.

The serving of the Section 6 notices is the first step in reaching a new national agreement with railroads represented by the NCCC.

The carriers represented by the NCCC also have been working on their own wage and rule

notices that they will serve at or about the same time the SMART TD notices are served.

All officers and members are invited to submit proposals for the Section 6 notices to the SMART TD headquarters.

The proposals submitted by members will be catalogued during the months of August and September.

A committee of general chairpersons from the Association of General Chairpersons, District No. 1, will review the proposals submitted and begin to fine-tune those suggestions into the notices to be served on the carriers.

The full Association of General Chairpersons, District No. 1, will then be convened to review and finalize the union's Section 6 notices.

Soon thereafter, the Section 6 notices will be reproduced and mailed to all U.S. general chairpersons for serving on the affected railroads on or about Nov. 3.

"All affected members will be kept informed regarding the Section 6 notices and developments in negotiations, when possible, through the SMART Transportation Division News and the SMART TD website," Transportation Division President John Previsich said.

Under the Railway Labor Act, the current national agreement between the SMART TD (UTU) and NCCC will remain in effect until a new agreement is reached.

As specified in the current national agreement, a three-percent general wage increase will be paid on Jan. 1, 2015.

## Members approve 5-year deal at Delray Connecting

SMART Transportation Division-represented trainmen and engineers employed by Delray Connecting Railroad have ratified a new five-year agreement by a unanimous vote, according to Vice President David Wier.

The agreement provides for annual wage increases, retroactive to April 1, 2013, with a back-pay lump sum; establishes \$5 certification pay for conductors and remote-control operators; improves step-rate provisions with an 80 percent entry rate and five percent increases for each qualification of conductor, RCO and engineer, allowing new employees to reach a 95-percent rate within the first year of employment; provides an established rest day for extra board employees;

increases carrier-matching contributions to 401(k) accounts to \$1,500; provides for carryover of sick days; limits employee health and welfare contributions to 12 percent of plan costs and freezes co-pays and deductibles for the life of the contract; improves working conditions and preserves guaranteed extra boards.

Wier, who assisted with the negotiations, congratulated DCCR Acting General Chairperson **Ralph "Bud" Bigelow** (Local 1438) and negotiating committee member **Rick Garcia** for the exceptional effort put forth in bringing the members' concerns to the bargaining table and negotiating an agreement with significant improvements in wages and working conditions.

## Minn. SLB announces success in legislature

SMART Transportation Division Minnesota State Legislative Director **Phillip Qualy** reports that House File 3172, the Omnibus Supplemental Appropriations Bill containing the Minnesota Railroad Yard Lighting Bill, has been passed and signed into law by Gov. Mark Dayton.

"The men and women in Minnesota and around the country that work in yard-switching operations should be able to see where they are walking. This is a great step forward and will become a model for many other states' consideration," SMART Transportation Division President John Previsich said.

Added Transportation Division National Legislative Director James Stem: "Phil Qualy and our Minnesota Legislative Board understand the needs of railroad workers. Congratulations to them."

"The legislative board would be remiss if we did not report to our membership that from the carrier's testimony before the legislature, it is difficult not to conclude that while the railroads want to talk about safety, they do not want you to have yard lighting," Qualy said.

In summary, the new law puts in place the following provisions: Sets the AREMA (American Railway Engineering Maintenance of Way Association) policy as a minimum standard and guideline for future lighting of rail yards; sets a maintenance

standard that malfunctioning lighting must be repaired according to Minnesota Electrical Code within 48 hours of first report to the carrier; and sets forth that annual reports from railroad carriers and railroad labor shall be submitted to the Minnesota Department of Transportation Freight Rail Office by Jan. 15. If there are discrepancies between the reports, MnDOT shall investigate and report the areas in question to the legislature; sets a standard for lighting review at locations where cars or locomotives are switched or inspected, or where trains are assembled or disassembled frequently; and, prescribes that at any yard where hazardous material cars are switched, inspected, picked-up or set-out frequently, or 25 hazmat tank cars are placed in trains frequently, or any yard within two miles of a major refinery where hazmat is placed in a train, the yards must be lighted to the AREMA standard by Dec. 31, 2015.

"We can work with this state law," Qualy said. "This should get our railroad yards in Minnesota lighted going forward in this decade. We deferred to the wisdom of the Minnesota Legislature and railroad labor has prevailed."

Also contained in H.F. 3172 are statutes naming rail labor as participants in hazmat planning and training, the creation of three positions for MnDOT safety inspectors, and the "Minnesota

## Bay Line Railroad workers say SMART Transportation

Employees of Bay Line Railroad based in Panama City, Fla., voted July 2 for representation by the SMART Transportation Division, Organizer **Rich Ross** reports.

Of 17 eligible voters, 10 voted for SMART while three voted for no union.

"I thank CSX and Norfolk Southern new-hire class instructor **Justin Humphries** and Local 1291 Chairperson **Jacob Lane** for all of their hard work in this campaign," Ross said. "I also want to recognize the efforts of **Cara McGinty** at the Transportation Division Headquarters in North Olmsted, Ohio. She truly put a lot of time and energy in bringing this organizing drive to a successful conclusion."

Bay Line Railroad is a 103-mile short line freight railroad that interchanges with CSX Transportation and Norfolk Southern. Commodities transported by the carrier include aggregates, brick and cement, chemicals, coal, food and feed products, forest products, metallic ores and minerals, and steel and scrap. It was acquired by Genesee & Wyoming in 2005.

Oil Spill Defense Act," that will ensure public first responders are trained and equipped with fire and disaster equipment.

Finally, H.F. 3172 appropriates transportation funding that has been traditionally spent on short-line rehabilitation projects to Class I railroad projects that will divert hazardous material away from population centers in western Minnesota.

H.F. 2881, the Railroad Crew Van provision, has also been signed into law and will strengthen our current crew-van statutes, Qualy said. "With our second Railroad Crew Van law passed in Minnesota in four years, H.F. 2881 will raise standards for driver qualifications, carrier reporting of total hours of service, vehicle equipment standards and vehicle inspection requirements."

Brotherhood of Locomotive Engineers' Minnesota Legislative Director Dave Brown had been the primary advocate for H.F. 2881 – the Crew Van law. "It was good to work with BLET Director Brown as we remained focused on passage of these laws to the final day of the 2014 session," Qualy said.

The SMART TD Minnesota Legislative Board also, on the last day of the legislative session, worked with State Rep. Jason Metsa on the introduction of House File 3394, which would increase fines on carriers that intentionally block grade crossings. Qualy said train crews have reported that CN Railway train dispatchers continue to order train crews to not cut or open grade crossings.

"The Minnesota Legislative Board extends its appreciation to all SMART-TD officers who testified before the legislature, SMART TD's Iowa and North Dakota Legislative Boards, the officers of our BNSF, CN, Canadian Pacific and Union Pacific general committees, and our political consultant Dean Mitchell of DFM Group. We are also grateful to all of our members who made telephone calls to assist in this effort."



The individuals above attended legislative hearings for, testified about, or worked in support of the passage of H.F. 3172, Minnesota State Legislative Director Phillip Qualy said. They are, from left, retired former Assistant State Legislative Director Dan Paradise (1614), Local President George Armstrong (650), Local Chairperson Randy Raskin (650), Minnesota AFL-CIO Legislative Director Jennifer Schaubach, Qualy, Local Legislative Rep. Wayne Newton (1000) and Local Legislative Rep. Matt LaBine (650). (Not pictured are member Mike Heffernan (650) and Political Consultant Dean Mitchell, DFM Research Group.)

# Our membership can stand proud, but the task is not over

Strong, Proud, United. That was the theme of our recent convention in San Diego and it was reflected in all respects by the delegates, members and officers in attendance.

The heritage and traditions of this great union were on display throughout the meeting, illustrating the connection between our rich history and our promising future. From a video tribute to **Al Chesser** – the first elected president of the United Transportation Union – to the educational seminars for new delegates, it was apparent that our union is actively preparing for the future by utilizing the strength and knowledge that comes from more than 145 years of proud history.

The convention was called to order the morning of Monday, June 30, and from that point forward the delegates actively and robustly participated in the democratic process that governs our union.

**“Our membership can stand proud knowing that they were well represented by their delegates and that our democratic process is alive and well.”**

Speaking on behalf of their local membership, the delegates elected some officers and unelected others, filled vacancies, debated recommendations for constitutional changes and reviewed resolutions submitted to the body.

When the striking gavel closed the meeting on Wednesday, July 2, the membership had spoken. A new leadership team was in place, composed primarily of incumbents who had successfully sought to return to office and also some new officers who emerged victorious from their hard-fought campaigns.

Recommendations were finalized on all resolu-



## SMART Transportation Division President's Column

By John Previsich

tions and constitutional amendments that were submitted to the body for consideration. Our membership can stand proud knowing that they were well represented by their delegates and that our democratic process is alive and well.

This year's convention cycle is not complete. The first convention of the consolidated International Association of Sheet Metal, Air, Rail and Transportation Workers is taking place in Las Vegas, Aug. 11-15. There, delegates will review and act upon not only the recommendations made by our delegates in San Diego, but also on other proposed amendments that may be presented to the body.

In addition, the delegates will elect SMART general officers and Sheet Metal Division delegates will elect the remaining 11 general vice presidents to join the six from the Transportation Division that will sit on our union's General Executive Council.

It is critically important that all delegates who are eligible to attend the convention in Las Vegas be there to ensure the voice of their membership is heard. Whether they come from Sheet Metal or Transportation Division locals, the delegates in Las Vegas will debate issues that affect our entire membership across all craft lines. All members deserve a voice in that discussion, and

that voice comes from the delegate or delegates elected by the local to serve as their spokesperson.

Strong, proud and united. As we continue to achieve the benefits of our merged organization, it is imperative that all delegates become familiar with the issues and challenges faced by every craft in our union.

Attendance at the First SMART General Convention is an opportunity to engage with our brothers and sisters to help craft a unification that will set the tone of this organization for generations to come.

**“Individual commitment to a group effort – that is what makes a team work, a company work, a society work, a civilization work.”**

Each and every delegate has a role to play in that dialogue. As legendary Green Bay Packers Coach Vince Lombardi once said, “Individual commitment to a group effort – that is what makes a team work, a company work, a society work, a civilization work.”



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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.

# With our foundation laid, let the building continue

I was honored to speak before the assembled delegates at the SMART Transportation Division's recent convention in San Diego. The level of professionalism in putting together that important event and the solidarity shown by those assembled made me proud of my association with this great, united union.

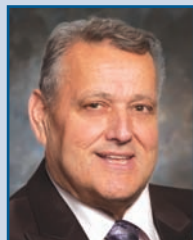
I especially appreciated the chance to meet many of you, not just in San Diego but also while traveling the country. It has been a privilege learning from many of you about the operations of the transportation industry and the unique strengths you bring to this organization.

Several years ago, I was in Wisconsin and spoke to the protestors assembled in the state's capitol rotunda that were standing up for their rights. I was just as proud to do the same when I went to Long Island to stand with the members employed there at the Long Island Rail Road, where the same energy and passion were on display.

I was never as proud to see our Sheet Metal Division brothers and sisters also there in Long Island, standing strong with the LIRR employees.

The unionized LIRR employees have worked without a raise since 1998. Two Presidential Emergency Boards have already found decisively in favor of them in their dispute with New York's Metropolitan Transportation Authority (MTA).

This International will do everything in its power to assist those members in their fight. Their battle belongs to all of us, and I encourage



## SMART General President's Column

By Joe Nigro

**“This is your union. Treat it like so. Attend your local meetings. Stand up for your fellow members both in transportation and sheet metal. Stand up for all working families through the activities of your union. This is how the labor movement was started.”**

everyone to join in and help their fellow brothers and sisters, especially if the dispute is not settled.

In August, SMART will be holding its first General Convention. This is a major milestone for our union.

For the first time, sheet metal workers, conductors, engineers, yardmasters, bus operators, aviation workers, sign workers and shipyard mechanics will be meeting to adopt a constitution that will guide our actions for the next five years.

There will be open discussion to ensure all viewpoints are considered in crafting our com-

bined future together. There are always differences in a democracy. That is what a union is all about. I'm not afraid of that. In fact, I welcome all ideas.

We have to make sure the best interests of our members are paramount in our deliberations.

All I ask from you, as a member, is one thing: get involved. This union is only as strong as its members make it.

This is your union. Treat it like so. Attend your local meetings. Stand up for your fellow members both in transportation and sheet metal. Stand up for all working families through the activities of your union. This is how the labor movement was started – by our forefathers standing up together, shoulder to shoulder.

We did that in Long Island. We will do it again elsewhere.

We've built the foundation and our important work in Las Vegas at SMART's First General Convention will show that together, we can make it even better and stronger

We all share the same cause. We all share the same great organization. We are all one union.

We are SMART!

In solidarity,

Joseph J. Nigro  
SMART General President

# State Watch

## News from UTU-SMART State Legislative Boards

### Colorado



Colorado State Legislative Director Carl Smith attended the official signing of H.B. 1161 by Gov. John Hickenlooper May 14 at the Union Depot in Pueblo, Colo. The bill allows Colorado to establish a commission and a fund to preserve, and potentially expand, Amtrak's Southwest Chief train service in the state. Also attending the ceremony were Assistant State Director Charles Skidmore, Local Vice President Jake Hamlin (204) and member Marcelino Martinez (1525).

### Missouri

State Legislative Director **Ken Menges** reports that the 2014 Missouri legislative session has come to an end. The session saw several bills that had the potential to affect both SMART Transportation Division and Sheet Metal Division members in the state, one of which was House of Representatives' Bill 1770, that would have introduced right-to-work legislation to the state. It passed in the state's House, but failed to get the required constitutional majority needed to be sent to the Senate for passage.

Similarly, H.B. 1617 – a bill introducing pay

check deception – also passed in the House, but met its demise when State Sens. Gina Walsh (D-Dist. 13) and Scott Sifton (D-Dist. 1) led a filibuster against the bill.

In expectation of the Environmental Protection Agency's new regulations on coal-fired power plants, the legislative board supported H.B. 1631, a bill introducing legislation to develop emission standards in the state through a unit-by-unit analysis of each existing affected source of carbon dioxide by the Air Conservation Commission. Dave Zimmerman – third vice president of SMART SMD and president of Local 26 – is a member of the Air Conservation Commission.

"The Missouri State Legislative Board testified at both the House and Senate hearings for this bill. It passed in the Senate with a 23-7 vote and in the House with a 129-14 vote," Menges said.

"This bill is not high on Gov. Jay Nixon's list, but with the great bipartisan support we were able to receive, the governor has told us he will take a good look at the bill."

The board also supported H.B. 1707, which specifies that crew members operating a train, including operations at railroad crossings, are not required to present or display a driver's license to any law enforcement officer in connection with train operation. It was passed on the final day of the legislative session, Menges reports, and has been sent to Gov. Nixon's desk for his signature.

### Pennsylvania

SMART Transportation Division Pennsylvania State Legislative Director **Paul Pokrowka** is asking members and their families in the state to contact their representatives in the state House of Representatives and ask for their support of House Bill 2345, introduced by State Rep. Pam Snyder (D-Dist. 50).

The Pennsylvania Greenhouse Gas Regulation Implementation Act will require the state's Depart-

ment of Environmental Protection to receive approval from the general assembly for plans to regulate carbon dioxide emissions from existing sources prior to submitting the plan to the U.S. Environmental Protection Agency for approval.

"This measure is very important to our members due to the amount of coal we haul. Forty percent of all cars hauled here are coal cars," Pokrowka said. "Twenty-five percent of railroad revenue comes from coal and 20 percent of all freight jobs involve hauling coal. We are asking that the general assembly have some input before the plan is submitted to the EPA. It will also increase electricity reliability and contain energy costs."

### Washington

SMART Transportation Division Washington State Legislative Director **Herb Krohn** appeared on the cable television station Showtime's documentary series "Years of Living Dangerously" May 12 in an episode entitled "The Governor."

According to Showtime, the documentary event series explores the human impact of climate change. In "The Governor," correspondent Olivia Munn profiles what the show bills as the nation's most climate-conscious governor, Washington Gov. Jay Inslee, and reports on what he'll do about the coal export depots in his state.

The show states as governor, Inslee is facing a well-financed campaign by the coal industry to build export depots that could ship 100 million tons of coal to Asia each year. Krohn was interviewed for his perspective in support of the export terminal issue.

"I appeared on the episode for maybe a few minutes, even though the actual filmed interview lasted almost three hours," Krohn said. "It is docu-entertainment and has a very biased perspective. You can come out and protest and you can feel like you are doing something for the world. But, you are not accomplishing anything except costing American jobs," Krohn tells viewers in the show.

## Bus Department

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

### An attack on one transit employee is an attack on all

Following an attack on a city bus operator last February in Olympia, Wash., an article on page five of the April 2014 edition of this publication from the AFL-CIO's Transportation Trades Department called for the Department of Transportation and the Federal Transit Administration to hold a summit on bus driver assaults with TTD, transit unions and public transportation leaders.



Morr

Now is the time for such a summit.

Every day, transit operators open the doors of thousands of public buses, hundreds of times per day. They welcome the public on board with a smile, a "good morning" or a "hello." Oftentimes, they receive a similar response in return. But as we all know, that is not always the case.

Bus operator assaults are on the rise, causing unacceptably high rates of injury and worker anxiety. Numerous experts say that many of these assaults could be prevented by better operator training – teaching the operator to diffuse the situation. I feel it is going to take further measures than that to ensure operator safety and the time is now.

The TTD said transit agencies must evaluate new measures and new technologies being used successfully in parts of the country and abroad to protect drivers and I agree.

I would like to see changes in the ways the transit operator is protected. I would like to see shields that protect operators from possible physical assault, stricter laws that would make operator assaults felony crimes, and an increased presence of uniformed police or security officers on public transportation that would deter these types of crimes.

I realize all of these measures would require additional funding to transit agencies that are already cash-strapped, but at what point do we draw the line on operators being physically or emotionally maimed or even killed? Is it less expensive to pay damages to the transit employee injured on the job or their loved ones than it is to prevent the crime itself? Is that the proper response?

I will continue to fight for stronger security measures for all transit operators and am asking each of you to contact your lawmakers and demand the same. Remember, we are all victims of violence each and every time a brother or sister is assaulted.

## Bus ops, rail prop vote SMART same day

In representation elections held May 15 on both bus and rail properties, the SMART Transportation Division came out on top, keeping the Organizing Department's 2014 undefeated streak alive.

Yet another division of First Student bus operators has joined the SMART fold as Kansas City, Mo., school bus drivers overwhelmingly selected SMART over both the International Brotherhood of Teamsters and the Service Employees International Union.

Of eligible voters, 107 selected SMART Transportation Division, 63 selected the Teamsters, 16 selected SEIU and just seven chose to vote for no union.



Ross

"This was a hard-fought campaign, but it was also a well-run campaign," said Transportation Division Director of Organizing **Rich Ross**.

"We won, and we won by a large majority because we spent a lot of time out there making our case. The operators wanted representation and chose the best bang for their buck.

"We were out near the property every day at 4:30 a.m. to get our message across. The Teamsters came out in force with their parade truck, trying to block us from view, but the First Student operators found us."

Ross lauded the efforts of Alternate Vice President-Bus Calvin Studivant and Southeastern Pennsylvania Transportation Authority General Chairperson **Waverly Harris** (1594) and Vice Local Chairperson **Brian Caldwell** (1594).

He also thanked CSX and Norfolk Southern new-hire class instructor **Justin Humphries** and Local 1291 Chairperson **Jacob Lane** for their dedicated service throughout the campaign and Local 759 member **Sheny M. Mendez** for acting as an interpreter for the company's Spanish-speaking employees.

In Western Michigan, the train and engine service workers employed by Marquette Rail also said "SMART" when they opted for union representation.

With the assistance of Vice President Jeremy Ferguson, Ross concluded another successful campaign in the Great Lakes State.

The Genesee & Wyoming-owned short line operates over approximately 126 miles of Michigan track, primarily on rail route extensions from CSX and Norfolk Southern near Grand Rapids northward to Ludington and Manistee.

Marquette transports chemicals, paperboard, grain, salt, petroleum products and other commodities. It also serves as a storage agent for fleet owners requiring accommodations for seasonally inactive or off-lease rolling stock. Capacity is in excess of 500 railcars.

# First SMART Transportation Division Convention



General Chairperson Tommy Pate, Local Chairperson and Delegate Glenn Bay and Arizona State Legislative Director Greg Hynes, all of Local 1081 at Glendale, Ariz., greet each other in the foyer outside the convention hall.



Transportation Division President John Previsich dances with his wife, Kathy, at the banquet held Tuesday evening, July 1, in the San Diego Bayfront Hotel's Indigo Ballroom.



Delegate and West Virginia State Legislative Director Mark Mewshaw (605), far right, attends the Sunday evening reception with his wife, Deanna, center, son and daughter-in-law Daniel and Jenny, and twin grandchildren, Peyton, right, and Nathaniel.



Delegate and Local Chairperson Raymond A. Belluomini (1732) waits at the head of the line to speak at one of the six microphones available to delegates on the convention floor.



Delegate Daniel A. Cicuto (1421) reviews proposed amendments to the SMART Constitution prior to entering the convention proceedings.



Delegates Ray Q. Miller Jr. (72), James A. Houk (706) and David W. Otten (1962) await entry to the convention hall on the first day of the SMART Transportation Division Convention.



SMART Transportation Division Human Rights Committee Coordinator Glen E. Johnson (937), center, greets Executive Board member Robert Resendez Jr. (1422) and Airline Department Delegate Diane M. King (40).



Members of the gallery view the convention proceedings from the rear of the convention hall. Only SMART Transportation Division delegates are allowed on the convention floor.



SMART General President Joseph Nigro, center, greets Delegate and General Chairperson Luther "Pate" King Jr. (1172), left, and Delegate and Local Chairperson Thomas M. Leonard (320) following the convention proceedings on the final day.



The new logo of the International Association of Sheet Metal, Air, Rail and Transportation Workers is displayed in lights on a wall of the Hilton San Diego Bayfront Hotel during the Sunday evening welcome reception. The new logo will be featured prominently on union materials in the coming months.



Delegates on the convention floor vote on a motion in the usual manner by raising their local placards as either "in favor" or "opposed." A simple majority is required to carry a motion in the executive session.



Delegates Luther "Pate" King Jr. (1172), Richard Ross (1895), Samuel J. Nasca (318) and William A. Beebe (1361) were lauded for their accomplishments by President Previsich. They had served as delegates at 11, 10, 11 and 14 conventions, respectively. (Beebe was unavailable for this photograph.)



SMART officers and staff rise for the singing of the national anthem by Ms. Jessica Lerner of San Diego.



Delegates Guillermo Rosales (1607), Reuben G. Ford (1346), Kevin Wendell Woods (924) and Adhi S. Reddy (1785) speak together following the conclusion of the convention proceedings. Rosales and Reddy were elected to alternate vice president - bus and vice president - bus positions, respectively.



SMART Transportation Division President John Previsich, right, speaks with Minnesota State Legislative Director Phillip Qualy following the close of the First SMART Transportation Division Convention in San Diego, Calif.



Convention attendees rise for the presentation of the Colors by the San Diego Harbor Police, who were accompanied by the Cameron Highlanders Pipe Band.



From left, Delegates Glen E. Dayton (239), Scott H. Brent (1201), Daniel C. Fretry (100) and David W. Patenaude (1570) join Union Pacific GO 887 General Chairperson W. Jay Smith (835) on a hotel balcony at the Sunday evening reception.



Bus Department Delegates Michael J. Byrne (1558), Paul S. Stein (1741) and Eduardo Montesino (23) attend the Sunday evening welcome reception outside the San Diego Bayfront Hotel's Indigo Ballroom.



Delegate Ed Rosa of Local 1582 at Albany, N.Y., representing employees of Adirondack Trails Lines, addresses the convention delegation while displaying his local placard.



# UTU Alumni Association

News, information for members of the UTU Alumni Association

## Retired conductor Shacklette shares rail history with students

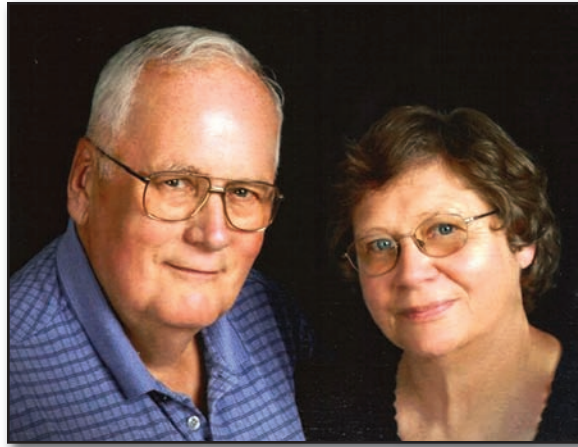
Retired member of Local 1823 **Norbert Shacklette** looks fondly back on his days on the railroad. Now, he's using the knowledge gained from 42 years on the railroad to teach fourth-grade students its history at a newly restored depot in Bismarck, Mo.

The Missouri Alliance for Historic Preservation and the Bismarck Depot Preservation sponsored May 23 the Historic Preservation and Community Art Program for the fourth-grade students of Bismarck Elementary. Shacklette, along with retired engineer Mark Saurage, shared the history of the railroad in Bismarck with the elementary school students.

"I think it was rather successful," Shacklette said of the event. "I would like to think that each one of them absorbed something from our program."

Shacklette said that he would be interested in conducting the program again, explaining that he's been interested in railroad history since grade school, when Eisenhower was President.

"When you've got a golden opportunity like that, you want to preach a little bit about Operation Lifesaver," Shacklette said. "I told them the railroad is a dangerous place and you want to



Norbert and Patricia Shacklette

make sure that they understand that the railroad is not a playground."

He proudly showed the students his old ticket punch from when he worked on Amtrak. He used it to punch pretend tickets that had been given to the children by Liz Bennett, President of the Bismarck Depot Preservation and coordinator of the event.

Shacklette also keeps himself busy these days by staying active in the State Historical Society

of Missouri and is a published author of books pertaining to the history of Missouri's railroads.

"I had this idea that I wanted to produce a DVD about the history of the Missouri Southern Railroad, so I went over to see what kind of information the historical society had. That's where I met Mr. John Bradbury, who helped me co-produce a DVD," Shacklette said.

"The railroads have a rich history in the creation of this country and are still a very vital part of the United States," Shacklette added.

Shacklette retired from the railroad in 2002 after 41 years and 10 months of service. During his tenure there, he was an active member of Local 1823 at St. Louis and held many local officer positions. He served as secretary & treasurer, alternate legislative representative, legislative representative, assistant local chairperson and legislative chairperson of the Missouri State Legislative Board from 1980-1984.

Shacklette's wife, Patricia, has also been very active in the Auxiliary of the United Transportation Union, having served on the Auxiliary Scholarship Board until 2013. She is currently the treasurer and delegate of her local lodge.

## Need a Medicare physician? Here's how to find one

If you find yourself in need of a Medicare physician and you have Internet access, you can now use the "Physician Compare" tool at [www.Medicare.gov](http://www.Medicare.gov).

"Physician Compare" is a website maintained by the Centers for Medicare and Medicaid Services and it houses a wealth of information, including physicians' names, specialties, gender, addresses and telephone numbers, hospital affiliations, Medicare assignment status and languages spoken.

If you are unsure of the kind of doctor you need, you can use an advanced search and choose the part of your body that you think needs to be examined. The search tool asks additional questions to provide you with doctors who could be a good fit for you.

The website also provides maps and driving directions. If you have a MyMedicare.gov account, you can save the search results in your "favorites" at [www.MyMedicare.gov](http://www.MyMedicare.gov).

If you are looking for a practice or group of doctors by specialty, "Physician Compare" can find those for you as well.

If you do not have access to the Internet, you can call 1-800-MEDICARE or Medicare's Beneficiary Contact Center and their customer service staff can do the search with you.

You can reach Medicare's toll-free Beneficiary Customer Service Line at (800) 833-4455, Monday through Friday, from 8:30 a.m. to 7 p.m. ET. For the hearing impaired, call TTY/TDD at (877) 566-3572. This line is for the hearing impaired with the appropriate dial-up service and is available during the same customer service hours.

Railroad Medicare encourages you to visit their Facebook page at [www.facebook.com/myrrmedicare](http://www.facebook.com/myrrmedicare). You can also stay connected by email. Select the "Email Updates" in the "Stay Connected" section on the lower left-hand side of their webpage at [www.PalmettoGBA.com/RR/Me](http://www.PalmettoGBA.com/RR/Me).



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## Social Security closes offices as baby boomers age

Even as millions of baby boomers approach retirement, the Social Security Administration has been closing dozens of field offices, forcing more and more seniors to seek help online, according to a congressional report released June 18 and reported by the Associated Press.

The agency blames budget constraints. As a result, seniors seeking information and help from the agency are facing increasingly long waits, in person and on the telephone.

The closings come as applications for retirement and disability benefits are soaring, a trend that will continue as aging baby boomers approach retirement.

The agency has been encouraging people to access services online. It has upgraded its website in recent years, including secure connections to access confidential information and apply for benefits. In 2013, nearly half of all retirement applications were filed online.

## 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	Harrell, Watis R.	Jackson, Mo.	607	Williams, Billie J.	Thayer, Mo.	1334	Trunnell, Percy	Tougaloo, Miss.
98	Totten, Clarence E.	Watsonville, Calif.	627	Smith, William A.	Lincoln, Neb.	1344	Salting, Robert E.	Jamestown, N.D.
113	Deck, E. H.	McEwen, Tenn.	632	Taylor, Richard S.	Mission Viejo, Calif.	1366	Kelleher, Robert P.	West Valley City, Utah
199	Chubick, Wilbur R.	Creston, Iowa	662	Fajna, Emil S.	Manassas, Va.	1376	Shuey, Kenneth C.	Zanesville, Ohio
212	Connors, James J.	Sarasota, Fla.	733	Lowry, Lester L.	Texarkana, Texas	1378	Rementer, Jerry L.	Seaford, Del.
234	Williams, Thomas	Chicago, Ill.	740	Adamich, Raymond J.	Joliet, Ill.	1379	Jones, Donald P.	Uniontown, Pa.
265	Johnson, Earl D.	Bern, Idaho	771	Kenner, Don B.	Bakersfield, Calif.	1390	Hauser, Ernest C.	Pennsauken, N.J.
265	Sidell, Donald B.	McCammon, Idaho	792	Krochmal, Joseph	Glendale, Ariz.	1402	Dubouchet, Jean T.	Ste. Genevieve, Mo.
283	Juedes, Allard P.	Portland, Ore.	807	Sortomme, James M.	Tucson, Ariz.	1458	Stutes, John S.	Carencro, La.
286	Beckmann, Don P.	North Platte, Neb.	830	Bohner, Alfred H.	Valley View, Pa.	1518	Dehart, Robert J.	Plainfield, Ind.
309	Leasure, Nick	Tyrone, Pa.	891	Lippy, Harry F.	Coeur d'Alene, Idaho	1534	Gay, Cecil P.	York, S.C.
322	Drath, Edwin H.	Sobieski, Wis.	894	Redford, Harold R.	Springfield, Mo.	1563	Remond, David J.	Colcord, Okla.
322	Rochon, Claude E.	Bella Vista, Ark.	903	Cox, Leslie C.	Havana, Fla.	1581	Thomas, Rex D.	Sherman, Texas
330	Tindall, Jack S.	Paragould, Ark.	931	Davis, Charles H.	Piedmont, S.C.	1594	Cheshire Jr., Albert	Philadelphia, Pa.
376	Shawler, Paul F.	Jeffersonville, Ind.	971	Hawley, Jefferies C.	Suffolk, Va.	1626	Smith, K.A.	Newman Lake, Wash.
378	Gummo, Ralph C.	Sun City, Ariz.	1043	Moore, Ben G.	Reno, Nev.	1770	Cude, Michael A.	Arcadia, Calif.
426	Lamb, Herbert T.	Spokane, Wash.	1075	Tipton, Neubert M.	Fenton, Mich.	1800	Carson, William K.	Tucson, Ariz.
587	Stagliano, Frank	Mechanicville, N.Y.	1175	Kelly, Harvey N.	Littlefork, Minn.	1846	Lewis Sr., Stanley K.	Midlothian, Va.
594	West, James D.	Mineola, Texas	1221	Bashaw, James E.	Byron, Ga.	1895	Lanning Jr., Samuel V.	Sesser, Ill.
598	Parden, Robert B.	Mobile, Ala.	1328	Mason Jr., Richard	Louisville, Ky.	1951	Troccia, Anthony P.	Elmira, N.Y.

# UNITED TRANSPORTATION UNION INSURANCE ASSOCIATION

## NOTICE OF PRIVACY POLICY

The reason we collect information about you is to better serve your needs. Having accurate information permits us to provide you with an appropriate range of insurance products.

The non-public personal information that we collect about you varies according to the products, services or benefits you request, and may include:

- Information we receive from you on applications or other forms, such as name, address, social security number, assets and income;
- Information about your transactions with us, our affiliates or others, such as name, address, social security number, policy coverage, premiums and payment history;
- Information we receive from consumer reporting agencies, such as a credit history.

We may share the above non-public personal information we have about you with the SMART Transportation Division.

Sharing this information assists us in:

- Processing the payment of your insurance premiums;

- Maintaining your insurance policies in force;
- Providing you with better customer service.

We may share the above non-public personal information we have about you with persons or companies that perform services on our behalf and to other financial institutions with which we may have joint marketing agreements.

We may share this non-public personal information with affiliated or non-affiliated third parties as permitted by law. We do not disclose personal medical information about you except as permitted by law or as you may authorize.

We restrict access to non-public personal information about you to those employees who need to know that information in order to provide products or services to you.

We maintain physical, electronic and procedural safeguards to guard your non-public personal information. This privacy policy applies even if you no longer have any policies or a relationship with us.



## Sens. Murray, Collins introduce short line safety bill

WASHINGTON – U.S. Sens. Patty Murray (D-Wash.) and Susan Collins (R-Maine), chair and ranking member of the Senate Appropriations Subcommittee for Transportation, respectively, June 17 introduced a bill that would authorize a new Short Line Rail Safety Institute to enhance the safety practices and culture of short line railroads. There are 550 short line railroad companies that operate over 50,000 miles of track, or nearly one third of the national railroad network. The tracks can be as short as two miles or up to more than 1,000 miles long.

The legislation introduced by Sens. Collins and Murray would authorize funding to support grants for research, development, evaluation and training efforts.

“Whether a train is carrying crude oil on a major rail line or on a short, local route through small towns across America, we need to make sure everyone is safe, both on the train and near the tracks,” Sen. Murray said. “We need to have the right policies in place to prevent accidents and respond to emergencies wherever they happen, and establishing a Short Line Rail Safety Institute is a strong step in the right direction.”

“The horrific derailment that occurred in Lac-Megantic, Quebec, last year – just 30 miles from the Maine border – brought to light the importance of ensuring the safe transportation of energy products,” Sen. Collins said. “We must ensure that we are taking the necessary steps to prevent another Lac-Megantic, while not over-

burdening an industry that has a proven track record of safety.”

The new Short Line Rail Safety Institute would:

- Assess the operations and safety programs of short line railroads;



Murray

- Develop best practices and work with short lines to implement these practices;

- Provide professional on-site safety training for short line employees;

- Purchase and utilize safety training assets (such as locomotive simulators);

- Assist FRA in implementing its railroad R&D and outreach programs, and tailor such programs for short line railroad operations; and

- Help improve safety culture, including a reduction in the frequency and severity of injuries and incidents, as well as improved compliance with regulatory requirements.



Collins

On May 15, the two senators sent a letter to U.S. Department of Transportation Secretary Anthony Foxx expressing support for the creation of such an institution.

“As we discussed when you testified before our Subcommittee, there is no silver bullet to improving rail safety. It is a complicated multi-faceted issue involving prevention, mitigation, and response aspects,” the senators wrote in the May 15 letter. “The proposed Short Line Railroad Safety Institute could be an important part of the larger solution and would help improve the safe transportation of crude oil and other hazardous materials.”

The bill follows an April hearing held by Murray and Collins to specifically focus on safety issues related to rail shipment of crude oil. Secretary Foxx, National Transportation Safety Board Chairman Deborah Hersman, Director of the Seattle Office of Emergency Management Barb Graff, and Rangeley, Maine, Fire Chief Tim Pelletier, who led emergency response efforts after a train carrying crude oil derailed in Lac-Megantic, Quebec, in 2013, each testified at that hearing.

## SMART needs your photographs for UTU Alumni Association calendar

The SMART Transportation Division is seeking quality railroad, bus and airline photos, taken by its members, for placement in its annual calendar and other uses.

The calendar is mailed annually to members of the UTU Alumni Association as one of the benefits of Alumni Association membership.

High-resolution digital photographs should be emailed to “news\_TD@smart-union.org.”

Printed photographs should be mailed to SMART TD News, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333. To be included in the 2014 calendar, photos must be received by Oct. 1.

Be sure to include the photographer’s name and local number, the name(s) of the person(s) in the photograph (left to right) and any other pertinent information, such as the date and location where the photograph was taken.

Due to federal or state regulations or company restrictions on employees’ use of personal electronic devices, including cameras, on company property or while on duty, all members are advised to always follow their employers’ guidelines on the use of such devices.

All members whose photographs are selected for use in the calendar will be named underneath the picture and will also receive copies of the calendar.

For more information about the UTU Alumni

Association, visit the SMART TD homepage at [www.utu.org](http://www.utu.org). From the pulldown menu under “About UTU” at the top center of the homepage, select “UTU Alumni Association.”

Retired UTU members, as well as those individuals nearing retirement or interested in pension and other issues affecting transportation-labor families, are invited to participate in this voluntary program.

All photographs submitted become property of SMART.



2014 SMART Transportation Division calendar cover



## Delegates return Previsich to SMART TD presidency

*Continued from page 1*

Election results for two additional vice president positions were as follows:

Vice President Troy L. Johnson defeated Union Pacific GO 577 General Committee of Adjustment Secretary **Charles “Buddy” Piland** of Local 1205 at Kingsville, Texas, 270-210.

Santa Monica Municipal Bus Lines GO SMB General Chairperson **Adhi S. Reddy** defeated incumbent Vice President – Bus **Bonnie Morr**, 256-228.

In the election for the office of Transportation Division Alternate National Legislative Director, Arizona State Legislative Director **Gregory K. Hynes** defeated Seegmiller, Louisiana State Legislative Director **David S. Duplechain** and Virginia State Legislative Director **Patrick A. Corp**, 274-142-47-22.

After Federal Railroad Administrator Joe Szabo addressed the delegation on the second day of the convention, the following elections were held for Transportation Division officers:

Alternate Vice President Bus – East **Calvin Studivant** was re-elected by acclamation.

**Guillermo Rosales** of Local 1607 defeated Morr, 276-210, for the position of Alternate Vice President Bus – West.

Among seven candidates for six alternate vice president positions, incumbents **R.W. “Red” Dare**, **Danny L. Young**, **Brent C. Leonard**, **Mark H. Cook**, **Chadrick J. Adams** and **Anthony**

**Simon** were returned to office. Candidate **Robert J. Keeley** received the fewest votes.

Board of Appeals members **Dale B. Barnett Jr.**, **Tessa R. Burkle**, **Dirk A. Sampson**, **Alvy Hughes** and candidate **David W. Patenaude** were elected by acclamation.

Executive Board members **Stephen T. Dawson**, **Steven C. Mavity**, **Michael N. Anderson**, **Robert Resendez Jr.** and **Phillip J. Craig** were elected by acclamation.

**John D. Whitaker III** was elected to the office of Alternate to the Executive Board by acclamation.

A member of SMART Transportation Division Local 31 at San Jose, Calif., **Previsich** began his transportation career with Southern Pacific Transportation Company, where he commenced work as a train-service operations employee in San Francisco. He later transferred to engine service and achieved certification as both a railroad conductor and locomotive engineer.

**Previsich** started doing work as a local union

officer in the mid-1980s. Thereafter, he moved into a system-wide position as a general chairperson in the early 1990s, followed by his election to UTU International vice president in 2007. He was re-elected in 2011, elevated to the position of assistant president in 2012 and assumed the responsibilities of the general secretary and treasurer position on Jan. 1, 2013.

Having a special interest in transportation-industry safety issues, **Previsich** is the SMART Transportation Division representative on the Federal Railroad Administration’s Rail Safety Advisory Committee (RSAC) and has served on numerous subcommittees associated with RSAC.

In addition, he is a cabinet-level appointee to the National Freight Advisory Committee, a group that reports directly to the secretary of transportation on MAP-21, a program charged with assisting in the development of administration policy on a national freight plan for the 21st century.

## Thousands turn out for Long Island labor rally

*Continued from page 1*

we will not settle for anything less than the fair agreement that our members deserve.

“We have made our intentions very clear – we will not agree to the substandard contract that they are trying to force on us and the members of our coalition. This show of solidarity will send a message to MTA and the governor that our members and the union coalition are standing firm in our resolve to not settle for less than the fair and respectful contract to which our members are entitled.”

Besides SMART General President **Joe Nigro** and Secretary-Treasurer **Joe Sellers**, the rally was attended by Transportation Communications Union President **Robert Scardelletti** and Brotherhood of Railroad Signalmen President **Dan Pickett**.

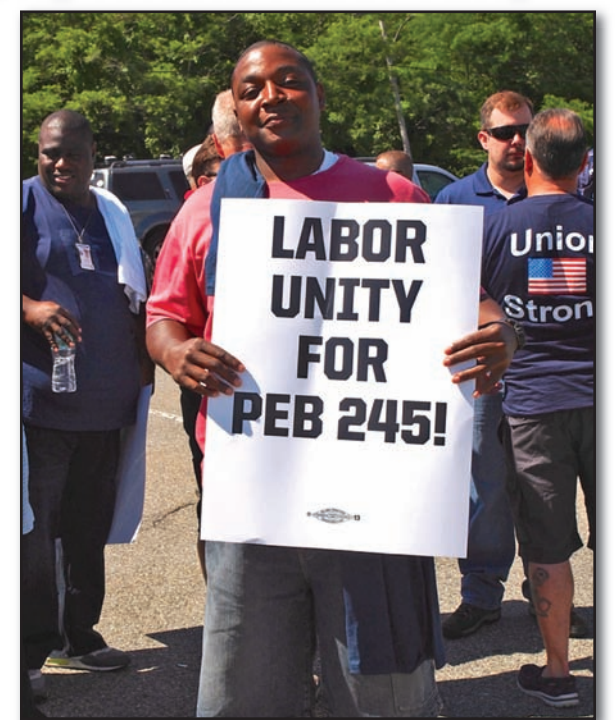
“If Gov. Cuomo doesn’t intervene, union members will be waiting for him in Iowa, New Hampshire and Nevada,” **Nigro** said. “We will only stand with politicians who stand with working families.”

Also attending and offering their support were U.S. Rep. **Tim Bishop** (D-Dist. 1), State Sens. **John J. Flanagan** (R-Dist. 2) and **Carl L. Marcellino** (R-Dist. 5), Suffolk County Executive **Steve Bellone** and Town of Babylon Supervisor **Richard Schaffer**.

Addressing the rally attendees, **Bishop** said, “They’re not looking for a giveaway, they’re not looking for a handout, they just want to let the collective bargaining process work. The unions have made it very clear that they would accept the results of (PEB 245’s) rulings. The MTA refuses to accept those. We’ve got to move forward here.”

“Suffolk County is here to stand with you,” **Bellone** said.

**Bishop** also presented a letter to MTA Chairman **Thomas F. Prendergast** from a bipartisan group of congressional representatives whose constituents



would be affected by a work stoppage. It was signed by U.S. Reps. **Peter King** (R-Dist. 2), **Steve Israel** (D-Dist. 3), **Carolyn McCarthy** (D-Dist. 4), **Gregory W. Meeks** (D-Dist. 5), **Grace Meng** (D-Dist. 6), **Hakeem Jeffries** (D-Dist. 8), **Jerrold Nadler** (D-Dist. 10), **Carolyn Maloney** (D-Dist. 12), **Joseph Crowley** (D-Dist. 14) and **Bishop**.

It read in part: “As members of Congress representing districts that would be unduly impacted by any disruption of Long Island Railroad (LIRR) service, we are writing to express our concern regarding the ongoing labor dispute between the MTA and LIRR employee labor unions. We encourage the MTA to accept a proposal from the involved employee labor unions to extend the current “cooling off” period for an additional 60 days.”

## CONVENTION UPDATE

### Delegates approve proposal to add bus vice president

Delegates attending the First SMART Transportation Division Convention in San Diego approved six proposals to amend the SMART Constitution, one of which would add a second vice president to the Transportation Division representing the Bus Department.

The proposal was submitted by Transportation Division Local 1741 at San Francisco, which represents bus operators and workers employed in the Bay-area school districts.

All proposals to amend Article Twenty-One B (21B) of the SMART Constitution will be presented to delegates at the First SMART General Convention in August for ratification.

Local 1741 Delegate **Paul Stein** noted the increase in Bus Department membership and the need for an additional representative to assist with the duties of the department and future organizing campaigns.

Other proposals to amend the Constitution included:

- A proposal to amend Section 85 would remove the difference between ratifying “system” and “local” agreements. The change would require all members affected by an agreement to be asked to ratify the change via mail referendum ballot.

- A change to Section 82 would require members of a general committee of adjustment (local chairpersons) to elect a delegate to the SMART convention.

- A change to Section 93 would allow the members of the legislative boards (legislative representatives) to elect a delegate to the SMART convention.

- A change to Section 49 would allow members in good standing who are not paying dues to vote on local matters only, if their bylaws permit.



U.S. Rep. **Tim Bishop** (D-Dist. 1), right, on stage with General Chairperson **Anthony Simon**, holds up a copy of a letter signed by 10 U.S. representatives representing districts that would be unduly impacted by any disruption of Long Island Rail Road service, asking MTA to accept a proposal from the unions to extend the current “cooling off” period for an additional 60 days.

## Interstate bus driver physicals must be done by CME

WASHINGTON – The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) is reminding interstate truck and bus drivers that beginning May 21, all new USDOT physicals must be performed by a qualified health professional listed on the National Registry of Certified Medical Examiners (NRCME).

All interstate commercial truck and bus drivers must pass a USDOT medical examination at least once every two years in order to obtain a valid medical certificate and maintain their commercial driver's license (CDL).

"Safety is our highest priority and it is vital that every commercial truck and bus driver be qualified, alert, and focused when they are behind the wheel," said Secretary Anthony Foxx. "Medical examiners equipped with a thorough understanding of DOT fitness standards will be able to ensure that commercial drivers meet the health requirements necessary to operate on our highways and roads, thereby strengthening safety for every traveler."

The new program, which was required by federal law and addresses four National Transportation Safety Board recommendations, sets baseline training and testing standards for medical professionals who perform commercial driver physicals and for tracking of driver medical certificates.

The FMCSA June 27 announced that 8,000 more health professionals have been added to the NRCME since the new system for medical examinations was launched with 22,000 providers.

Another 22,500 medical professionals have also initiated the process for gaining their certification.

"We have certified thousands of health professionals to conduct driver exams – with more being added every day," said Federal Motor Carrier Safety Administrator Anne S. Ferro. "The online database is easily searchable so drivers can schedule their medical certification exam with a qualified healthcare professional wherever they might be – coast to coast, including Hawaii and Alaska."

A USDOT medical exam looks at a range of conditions to assess a driver's ability to safely operate a commercial vehicle, including cardiovascular disease, respiratory and muscular functions, vision and hearing.

Medical examiners on the National Registry will also be required to maintain and demonstrate competence through periodic training and recertification testing and those that fail to maintain federal standards will be removed.

FMCSA developed the National Registry of Certified Medical Examiners program as part of the agency's commitment to enhancing the medical oversight of interstate drivers, and preventing commercial vehicle-related crashes, injuries, and fatalities. To learn more, visit <http://nationalregistry.fmcsa.dot.gov>.

The USDOT medical examination looks at a range of conditions to assess a driver's ability to safely operate a commercial vehicle, including cardiovascular disease, respiratory and muscular functions, vision, and hearing. To meet the needs of professional drivers throughout the country, there are certified examiners in every state, and dozens or hundreds in most cities that can be located by visiting <http://nrcme.fmcsa.dot.gov>.



## Teen boy was 'breezing' before fatal train strike

MAPLE PARK, Ill. – After viewing a video provided by Union Pacific Railroad, Maple Park Police Chief Mike Acosta said it's likely a 14-year-old boy was engaging in an activity called "breezing" when the teen was fatally struck by a train last month in Maple Park.

Parker Wolfsmith, an eighth-grader at Kaneland Harter Middle School, died May 31. He was struck at about 9:30 p.m. that night at the North Liberty Street railroad crossing in Maple Park.

Acosta said he viewed the video June 18, along with representatives from Union Pacific and the Kane County Coroner's Office. Acosta said he learned of the term breezing from the Union Pacific representative.

"Breezing is what it's called," Acosta said, adding that those who engage in the activity will "get close to the train to feel the breeze. ... It's unfortunately something that kids do."

Previously, Union Pacific spokesman Mark Davis said that trains are equipped with video cameras and that the company at times allows those conducting investigations to view such videos. Acosta said the video shows Wolfsmith approaching the train from the side yard of a house next to the railroad tracks. Acosta said Wolfsmith first is seen about 30 yards away from the train.

"He moves toward the train as it gets closer to the crossing," Acosta said. "He stops for a second and moves forward again. You do not see him get struck, but he evidently did. The camera does not show any of the other kids around the camera view, so he was by himself. He wasn't pushed, wasn't coerced."

## FRA's Szabo addresses convention attendees, touts GROW America Act

Federal Railroad Administrator Joe Szabo addressed attendees to the First SMART Transportation Division Convention July 1 in San Diego, Calif.

Citing the growing role the nation's railroads and mass transit systems will play in moving billions more tons of freight across the nation and the need to transport people in a safe, cost-effective and efficient manner, Szabo said Congress must pass the Grow America Act.

On Feb. 26, Secretary Foxx joined President Obama to announce a plan to address the nation's infrastructure deficit with a \$302 billion, four-year surface transportation reauthorization proposal. As outlined in the Fiscal Year 2015 budget, the plan will invest in our national infrastructure network, increase safety and efficiency, and provide greater access to ladders of opportunity, all without adding to the deficit, by relying on the Obama Administration's proposed pro-growth business tax reforms. That plan is the Grow America Act.

The Grow America Act will provide:

- \$199 billion to invest in our nation's highway system and road safety. The proposal will increase the amount of highway funds by an average of about 22 percent above FY 2014 enacted levels, emphasizing "fix-it-first" policies and reforms that prioritize investments for much needed repairs and improvements to the safety of our roads and transit services, with particular attention to investments in rural and tribal areas. The proposal would also provide more than \$7 billion for the National Highway Traffic Safety Administration and Federal Motor Carrier Safety Administration to improve safety for all users of our highways and roads, providing a benefit of \$21 for every Federal dollar used for infrastructure-related safety investments;

- \$72 billion to invest in transit systems and

expand transportation options. The proposal increases average transit spending by nearly 70 percent above FY 2014 enacted levels, which will enable the expansion of new projects that improve connectivity (e.g., light rail, street cars, bus rapid transit, etc.) in suburbs, fast-growing cities, small towns and rural communities, while still maintaining existing transit systems. The Grow America Act proposes a powerful, \$5.1 billion increase in investments to address public transit's maintenance backlog to reduce bus and rail system breakdowns; create more reliable service; and stop delays that make it harder for all commuters to get to work. The proposal also includes the innovative Rapid Growth Area

transportation programs – the Surface Transportation Program (STP) and the Transportation Alternatives Program (TAP) – and these MPOs will also receive funds through a set aside under the new Fixing and Accelerating Surface Transportation (FAST) program.

"As the title implies, the Grow America Act will grow federal investments in all surface transportation modes – including rail – and it will advance safety. For all of you, that means a safe workplace and job growth," Szabo said.

"For the first time ever, rail will achieve predictable, dedicated funding – like all other transportation modes – and allow it to grow as a safe, cost-effective, environmentally friendly and efficient way to move people and goods.

"Grow America will invest in both a Current Passenger Rail Service Program – meeting Amtrak's needs – and a Rail Service Improvement Program to allow the system to grow.

"The Current Passenger Rail program will fully fund Amtrak: ensuring a state of good repair system-wide, replacing obsolete equipment, and bringing stations into compliance with the Americans with Disabilities Act.

"To continue the development of a high-performing passenger rail network, the Rail Service Development Program will provide grants to build new corridors – with service levels and speeds targeted to the market – improve existing corridors, and address chokepoints that delay passenger services.

"Grow America will reduce confusion and create a safer working environment by harmonizing railroad operating rules in terminals with multiple operations.

"And – critically – it will give us authority to establish new hours-of-service regulations that are based on fatigue science."

To read the complete text of Szabo's comments, visit [www.utu.org](http://www.utu.org) and enter "Szabo" in the Search box at the top of the page.



Szabo



### The GROW AMERICA Act

Transit Program, which would provide \$2 billion over four years to fast growing communities for bus rapid transit and other multimodal solutions to get ahead of the challenges caused by rapid growth, and

- Tools and resources to encourage regional coordination and local decision-making. The proposal includes policy reforms to incentivize improved regional coordination by Metropolitan Planning Organizations (MPOs), which are local communities' main voice in transportation planning. The Grow AMERICA Act also strengthens local decision making in allocating Federal funding so that local communities can better realize their vision for improved mobility. High-performing large MPOs will be granted control of a larger portion of funds under two federal trans-



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# SMART

## Transportation Division News

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### OSHA launches campaign to prevent heat illness

It is getting hotter throughout the country. The Occupational Safety and Health Administration (OSHA) has launched a national campaign to prevent heat illness in workers. Each year, thousands of workers experience heat-related illnesses and many even die working in the heat. This is preventable. That is why OSHA needs your help in raising awareness about the issues and resources available from OSHA.

Learn more and find OSHA's educational and training resources to download free in both Spanish and English at [www.osha.gov/heat](http://www.osha.gov/heat).

OSHA's smartphone application calculates the heat index based on your current location, gets a risk level and provides recommendations to prevent heat illness. Join the 130,000 others taking steps to prevent illness and download the app today.

This year OSHA is focusing on acclimatization, the physical change that the body undergoes to build tolerance to the heat. To acclimatize, workers should get used to hot environments by gradually increasing exposure by taking frequent breaks for water and rest in the shade. During a rapid change in excessively hot weather, even experienced workers need time to acclimatize.

OSHA has found that in recent years, the lack of

acclimatization led to serious heat illness or death in 74 percent of OSHA citations. Heat illness prevention programs, which can help prevent illness and death, were absent or missing elements such as acclimatization or providing potable water. New and temporary workers are even more at risk for heat-related illnesses.

Please help spread the word however you can by tweeting or posting on Facebook using #WaterRestShade (OSHA has sample posts in its new Social Media Toolkit), or by speaking and sharing resources with your friends, family, coworkers, employees, employers and community members.

Workers have the right to a safe workplace. The OSH Act protects workers who complain to their employer, OSHA, or other government agencies about unsafe or unhealthy working conditions or environmental problems.

If a worker has been punished or discriminated against for using his or her rights, such as raising health and safety concerns including those related to excessive heat, or filing a complaint, he or she must file a complaint with OSHA within 30 days.

For other valuable worker protection information, such as workers' rights, employer responsibilities, and other services OSHA offers, visit the OSHA Workers' Page.



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 Chairperson **Andrew J. D'Egidio** of Local 30 at Miami. "This is a picture of the new Tri-Rail Brookville BL36PH. The locomotive is built by Brookville Equipment Corp. specifically for Tri-Rail in South Florida and has a 3600 horsepower prime mover and a secondary Caterpillar diesel to provide head-end power. This is the first of 12 units delivered," D'Egidio said.

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



Quick-thinking conductor saves fellow member's life. See page 2.



First SMART Transportation Division Convention photo highlights. See pages 6 and 7.



SMART needs your photographs for UTU Alumni Association calendar. See page 9.



Retired conductor Shacklette shares rail history with students. See page 8.