

SMART[®]

Transportation Division News

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

CP withdraws NS merger bid; SMART TD reacts



Previsich

In a press release dated April 11, 2016, Canadian Pacific Railway (CP) announced that it has terminated its efforts to merge with Norfolk Southern (NS).

CP has also withdrawn its resolution asking NS shareholders to vote in favor of good-faith negotiations between the two companies.

"No further financial offers or overtures to meet with the NS board of directors are planned at this time," CP said in their statement.



CP CEO E. Hunter Harrison said, "...with no clear path to a friendly merger at this time, we will turn all of our focus and energy to serving our customers and creating long term value for CP shareholders."

SMART TD President **John Previsich** came out against the merger in a letter addressed to the Surface Transportation Board (STB) in January of this year.

"We strongly opposed the merger when it became clear that CP's takeover of NS would cost U.S. jobs as well as have a negative impact on those who sought to ship by rail" said Previsich, who further commented:

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Local treasurers attend SMART TD workshop



Local Treasurers take time out for a group photo. Pictured from left: Auditor John Purcell, David Horree (679), Bryan Rae (262), Keith Laning (583), Local President Sam Butler (265), Dustin Clermont (256), Steve Wheeler (265), Dan Fredrickson (1574), Dave Urie (225), Ty J. Creech (793), Auditor Bobby Brantley, Auditor Mike Araujo, Dusty Kemp (1313), Matt Miller (212), Kevin Groll (377), Corey Dietsche (339), Kirk Perszyk (544), James Talton (756) and John McGrath (262).



SMART TD President John Previsich addresses attendees of the workshop.



Billing Audit Department Supervisor Barbara Bankston (left) helps Local 212 Treasurer Matt Miller (right) one-on-one.

Furloughed members: FAQs about medical benefits

Members who have been furloughed should be aware that their health care coverage benefits from their employer extends through the end of the fourth month after being furloughed. Below are Frequently Asked Questions that may be useful to our furloughed members.

Q: How long does my insurance coverage last if I am furloughed?

A: Employee and eligible dependent coverage extends through the end of the fourth month following the month in which you last render compensated service. For example, an employee last rendering compensated service in January, who is then furloughed in February, will have coverage extended through the end of May.

Q: Will vacation pay extend coverage beyond four months?

A: With regard to furlough – no.

Q: Will I be able to continue coverage under COBRA when coverage for me and/or my dependents end?

A: The COBRA eligibility period (18, 29 or 36

months) is measured from the date of the "qualifying event." For the health and welfare plans, the "qualifying event" is the date you last worked, NOT the date your coverage ends.

The COBRA eligibility period, therefore, runs concurrently with the extended coverage as state above so that COBRA continuation is available for the remaining months, if any, after the extended coverage ends.

For example – An employee is furloughed in January and coverage extends through May. COBRA continuation is available beginning June 1 and thereafter for an additional 13 months. In these circumstances, no more than 18 months of COBRA is available, less the five months during which the employee remained covered by the Plan after the qualifying event in January.

Q: How will I be notified that COBRA is available to me and/or my dependents?

A: When the railroad reports an employee as

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'Sullivan Spur' named after member



Sam Sullivan stood next to his Nebraska Central company pickup truck. Nebraska Central recently chose to rename a spur in Sullivan's memory.

See full story on page 2

FAA proposes rule to overhaul safety standards

Rule would streamline approval of new technologies

The U.S. Department of Transportation's Federal Aviation Administration (FAA) proposed a rule that overhauls the airworthiness standards for small general aviation airplanes. The FAA's proposal, which is based on industry recommendations, would reduce the time it takes to get safety enhancing technologies for small airplanes into the marketplace while also reducing cost.



"This proposal would improve safety, reduce costs and leverage innovation to ensure the highest level of safety is designed and built into small airplanes," said U.S. Transportation Secretary Anthony Foxx. "General aviation is vital to the U.S. economy, and this proposal would benefit manufacturers, pilots and the general aviation community as a whole."

The Notice of Proposed Rulemaking restructures the existing certification standards and replaces the current prescriptive design requirements in Part 23 with performance-based standards that maintain the same level of safety. It would add new certification standards to address general aviation loss of control accidents and in-flight icing conditions. The proposal establishes performance- and risk-based divisions for airplanes with a maximum seating capacity of 19 passengers or less and a maximum takeoff weight of 19,000 pounds or less.

"This proposal would streamline how we approve new technologies for small piston-powered airplanes all the way to complex high-performance executive jets," said FAA Administrator Michael Huerta. "The FAA's

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Submit your local or legislative stories to SMART Transportation Division by email to: news_td@smart-union.org.

Around the SMART TD

Local 199, Creston, Iowa

Three members of Local 199 retired in March, with a combined service of 120 years, reported Local Chairperson **Billi Vavra**.

Dan Steinback (Stinger) hired out with Chicago, Burlington and Quincy (CB&Q) in 1976. In November of that same year, he transferred to train service where he stayed for the duration of his career. "He was a permanent staple on the yard job as the foreman for years," Vavra said.

Dennis Heinzl hired out with CB&Q in 1976 at Burlington, Iowa in the track department. He went into train service in July 1976 where he stayed until he transferred to Creston in 1998. "I will personally miss his great attitude," Vavra said of Heinzl.

Phil Davis (PK) hired out July 27, 1976 in the track department in Creston. Davis served CB&Q as a foreman for Group 2 machines until he transferred to train service in May 1977. Davis served as local chairperson and delegate for 15 years. "His retirement brought an end of an era," Vavra said. "A member of the Davis family had worked on the railroad since 1918!"

Local 462, Pine Bluff, Ark.



Nattin

Secretary/Treasurer **Randy Singletary** reported that Vice Local Chairperson and Trustee **Craig Nattin**, 51, died Feb. 29, 2016, as a result of a car accident.

Nattin worked for Union Pacific railroad for just under 12 years as a switchman at the Pine Bluff yard. He also served for two years as a peer trainer and on the safety committee.

Nattin is survived by his son Cain Nattin, mother of his child Penny Harrington, father John Hall Nattin, brother Johnny Nattin, sister Rene Belt and many additional family members and friends.

Local 768, Decatur, Ill.



Wooten

Vice General Chairperson and Local Chairperson **Dan Calhoun** reported that this local recently suffered the loss of Norfolk Southern Conductor **Mark Wooten**, 37.

Wooten leaves behind his wife, one child and an unborn child. Wooten had just under five years of seniority at the time of his passing.

A GoFundMe account has been established to help support his family. **Members can go to <https://www.gofundme.com/n434sk> to make a donation to help support Wooten's family.**

Local 1177, Willmar, Minn.

State Legislative Director **Phil Qualy** reported that Rita Croonquist, wife of former Minn. State Legislative Director **Willis Croonquist**, died April 5 surrounded by her family. Willis Croonquist is a 50-year member of Local 1177.

"Many older and retired UTU members recall Rita as a kind matriarch to our membership, giving support and encouragement to many of our UTU families when in need," Qualy said.

"Willie and Rita's home was open to many UTU, inter-craft union and DFL functions."

'Sullivan Spur' named in memory of member Sam Sullivan



Sam Sullivan stands next to the lead locomotive of a Nebraska Central train in St. Paul, Neb.

The late SMART TD conductor and Nebraska Central Railroad employee, **Samuel D. Sullivan III** (Local 367 at Omaha, Neb.), positively touched the lives of many.

His life was cut short November 26, 2011, when his vehicle was struck by a drunk driver and he died three days later. He was 65 years old.

On February 5, 2016, the Nebraska Central Railroad honored his legacy by naming its newly built stretch of track the "Sullivan Spur." Attendees included Sullivan's widow, Joan Sullivan of Rockville, Neb., and numerous family members, friends and officials from Rio Grande Pacific Corporation, the parent company of the Nebraska Central Railroad.

"Sam was a good husband. He had many friends in town. If he encountered a stranger, within minutes they were buddies. He could talk your leg off. He was liked by everyone," Joan Sullivan said.

Similar sentiments were echoed by Sullivan's former employer. "Sam Sullivan knew everybody on that line...there were no strangers to Sam Sullivan," said Nebraska Central spokesperson Taylor Kelley, in an interview with The Grand Island Independent.

Early in his railroad career with Union Pacific, Sullivan was bumped from his job by senior employees. His entrepreneurial skills and people skills soon became evident as he quickly began earning a living through other enterprises. After being laid off, Sullivan became the owner of a gas station and, later on, owned a trucking business and a popcorn business. "He was always working at something," said Joan Sullivan.

Around 1995, Sullivan resumed his conductor career, this time with the Nebraska Central Railroad. He remained employed there until his death in 2011.

Kelley said the spur was named after Sullivan for many reasons: "The spur is the biggest and oldest subdivision where Sam ran his whole career," Kelley said.

"Also, there was a popcorn facility there. Since Sam had his own popcorn business, and since he spent his whole career on that spur, not to mention that he was such a nice guy—knowing everyone working (at Nebraska Central) and in town—we thought it would be a very appropriate honor to name it after him. Sam's passing was truly a great loss for the Nebraska Central," Kelley added.

When asked what Sullivan would have thought about having a railroad spur named in his honor, Joan Sullivan replied, "He probably wouldn't believe it possible, but he definitely would be very proud."



Local 1563, El Monte, Calif.

This local suffered the loss of former Local President **David Ojeda**, 55, Feb. 10, 2016. Ojeda served his union for 18 years as an officer. After being appointed as shop steward, Ojeda was unsure about wanting the job.



Ojeda

Local Chairperson **Robert Gonzalez** encouraged Ojeda, "I told him what a great shop steward and union officer I knew he could be."

Ojeda went on to serve the local as shop steward, delegate, secretary of the LCA and as local president for five terms.

Ojeda is remembered for his willingness and commitment to assist fellow officers and members, to help them identify, improve and advance their mutually beneficial goals for the betterment of all, which he brought to the union everyday.

Local 1582, Albany, N.Y.



Local 1582 President Wes Wohl (left) and Committee Secretary Aaron Schwartz (right) were honored by their employer, Adirondack Trailways at their national convention.

General Chairperson **Russell Gaillard** reports that Local President **Wes Wohl** and Committee Secretary **Aaron Schwartz** were recently honored by their employer, Adirondack Trailways.

Wohl was named Trailways Driver of the Year for the fixed route division. Schwartz was named Trailways Driver of the Year for Pine Hill Trailways Charter/Tour division.

Both drivers were honored at the Trailways National Convention held in Florida in February.

Local 1732, San Jose, Calif.



This picture, submitted by member Tina Shepherd, is located at the 22nd street stop for Caltrain in San Francisco. "I took the picture because it resembled a Banksy piece. He's a very famous graffiti artist," Shepherd said.

Want to be featured on this page? Email your submissions to:

news_td@smart-union.org

Submission deadline is the 15th of the month before the month of the issue.

SMART TD welcomes First Student Bus Operators to the fold

Bus drivers of First Student, a division of FirstGroup America, Inc., at Gardena, Calif., voted for SMART Transportation Division as their union representation.

The new members overwhelmingly voted yes for SMART representation, adding 311 new members to SMART TD's bus department. The vote took place March 8. A certification of representation was issued by the National Labor Relations Board (NLRB) March 16.

Director of Organizing **Rich Ross**, Transportation Representative/Organizer **Bonnie Morr**, Alternate Vice President Bus - East **Alvy Hughes**, Organizer **Larry Grutzius** and Local 1674 Chairperson **David Liddle**, led the successful campaign.

The organizers had help from Local 1564 Vice President **Sam Creer Jr.**, LCA-875

Secretary **Greg Smith** and Member **Joseph Jolly** (Local 1564 at Los Angeles).



Assistance was also provided by GCA-875 General Chairperson **Marco Gudino** and Local Chairperson **Ulysses "Butch" Johnson** (LCA-875).

"They (Gudino and Johnson) supplied the manpower necessary to pull this off. Local Chairperson David Liddle coordinated the folks on the line during heavy rain and wind," Ross said.

"Thanks to all of our members who helped on this campaign. Together we can make a difference."

The Gardena, Calif., First Student property provides school bus services to Los Angeles Unified School District, Los Angeles County of Education and Redondo Beach Unified School District.

Former UTU President Al Chesser turns 102



Former UTU President Al Chesser celebrates his 102nd birthday at a party held in his honor.

FRA cites CN after tip from SLD



The Federal Railroad Administration (FRA) recently cited Canadian National (CN) for violating two FRA regulations.

Wisconsin State Legislative Director **Craig Peachy** reported CN to the FRA, on behalf of the membership, after the railroad required members to perform service on a territory that they were not qualified for.

"Before departing the CN yard, the yardmaster asked the train crew if they were qualified on the CN territory. The crew informed him that they were not," Peachy said.

"After contacting the CN Stevens Point yard upon arrival, the CN assistant superintendent instructed the crew to take the train to Wisconsin Rapids. The train crew once again informed the CN manager that they were not qualified on the subdivision. The CN manager had the Rail Traffic Controller (RTC) issue a 10-mph restriction on their Track Authority for the subdivision, saying this would satisfy FRA 49 CFR 242.302 and 49 CFR 240.231."

Upon investigation, the FRA said that restricting one train to 10 mph does not comply with regulations. As a consequence, FRA filed two formal violations with the FRA Office of Chief Counsel.

"The crew did exactly what they were supposed to do. They reported to the railroad managers and RTC that they were not qualified on the territory. Ordering the train crew to take the train on a subdivision in which they were not qualified violated FRA regulations," Peachy said.

FTA announces final rule strengthening transit safety oversight

On March 15, 2016, the U.S. Department of Transportation's Federal Transit Administration (FTA) announced a final rule that significantly strengthens state safety oversight and enforcement authority to prevent and mitigate accidents and incidents on rail transit systems.

"With the more rigorous and effective state safety oversight required by this final rule and federal law, transit systems across the nation will receive greater safety oversight with the aim of improving safety for passengers and transit system employees," said U.S. Transportation Secretary Anthony Foxx.

"Greater investigatory and enforcement power combined with better training will give state safety oversight watchdogs sharper teeth to help rail transit agencies keep their systems safe."

The final rule, now in effect, applies to all States where a rail transit system operates and requires that a State must ensure that relevant Federal and state safety laws are enforced.

"FTA has delivered exactly what Congress authorized: a stronger, more robust state safety oversight program with increased enforcement tools," said FTA Acting Administrator Therese McMillan.

"States should act swiftly to come into compliance to provide a higher level of safety for their rail transit system riders and workers."

Within three years of the effective date of this final rule, States with an operating rail transit system must have a State Safety Oversight (SSO) program certified by FTA. FTA has already certified two of the affected 30 States as being compliant: California and Massachusetts.

If a State is non-compliant after the three-year period, FTA may withhold Federal funds until its SSO program is certified.

If a State fails to establish an SSO program, FTA is prohibited by law from obligating any Federal financial assistance to any entity in that state otherwise eligible to receive FTA program funding.

Strengthening the existing State Safety Oversight Program is one of four components of a comprehensive public transportation safety program Congress required FTA to establish in the Moving Ahead for Progress in the 21st Century (MAP-21) Act in 2012 and reauthorized in the Fixing America's Surface Transportation (FAST) Act in 2015.

FTA's interim provisions for the Public Transportation Safety Certification Training Program have been in effect since May 2015



and FTA is now reviewing comments received on the proposed rule, which would make the interim provisions permanent.

The National Public Transportation Safety Plan and the Public Transportation Agency Safety Plan were recently released.

These recent rulemaking actions will collectively establish the regulatory framework needed to implement and strengthen new

and existing FTA safety oversight and enforcement authorities.



DOT seeks input on screening & treating Sleep Apnea

The U.S. Department of Transportation's (DOT) Federal Motor Carrier Safety Administration (FMCSA) and Federal Railroad Administration (FRA) announced that the agencies are seeking public input during the next 90 days on the impacts of screening, evaluating and treating rail workers and commercial motor vehicle (CMV) drivers for obstructive sleep apnea (OSA).

The National Transportation Safety Board (NTSB) recommended that DOT take action to address OSA screening and treatment for transportation workers.

The joint Advance Notice of Proposed Rulemaking (ANPRM) is the first step as both agencies consider whether to propose requirements specifically on OSA. FRA and FMCSA will host three public listening sessions to gather input on OSA in Washington, Chicago and Los Angeles.

It is estimated that 22 million men and women could be suffering from undiagnosed OSA, a respiratory disorder characterized by a reduction or cessation of breathing during sleep.

Undiagnosed or inadequately treated moderate to severe OSA can cause unintended sleep episodes and deficits in attention, concentration, situational awareness, memory, and the capacity to safely respond to hazards when performing safety sensitive service.

The size and scope of the potential problem means that OSA presents a critical safety issue for all modes and operations in the transportation industry.

FRA is also currently working on a rule that will require certain railroads to establish fatigue management plans. The site provides educational information to railroaders and their families about sleep disorders and information to improve sleep quality.

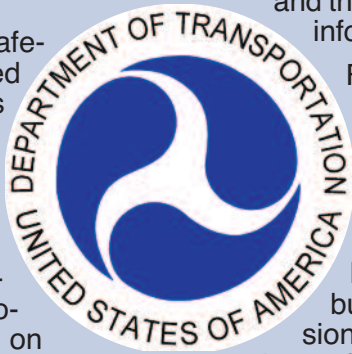
For any CMV drivers who are detected to have a respiratory dysfunction, such as OSA, FMCSA currently recommends that medical examiners refer them for further evaluation and therapy.

In January 2015, FMCSA issued a bulletin to remind healthcare professionals on the agency's National Registry of Certified Medical Examiners of the current physical qualifications standard and advisory criteria concerning the respiratory system, specifically how the requirements apply to drivers that may have obstructive sleep apnea.


To read the ANPRM and provide comments, visit: <https://www.fra.dot.gov/eLib/Details/L17364>.

See more at: <https://www.transportation.gov/briefing-room/us-dot-seeks-input-screening-and-treating-commercial-motor-vehicle-drivers-and-rail#sthash.VXrJOaUd.dpuf>

The Railroaders' Guide to Healthy Sleep website can be found here: <https://www.railroaderssleep.org/>.



Solidarity is strength in the workplace and in the election



SMART
General President's
Column
By Joseph Sellers Jr.

The history of organized labor, like grass-roots movements of all kinds, has many sayings and slogans attached to it. From “eight for eight” more than a hundred years ago, to the “yes we can” of the Farmworkers, these short, simple phrases capture the timeless struggle for respect and dignity at work.

The slogan that comes to mind most often these days is “United we bargain, divided we beg.” That sentiment is the central tenet of workers, united, side-by-side.

We work in many industries and market sectors, but our solidarity as union members is what empowers us. This year, as we look ahead to the upcoming election, that collective strength will push us across the finish line—if we put union issues first and work for those who will advance the cause of working families across the United States.

The choice in 2016 is crystal clear. No matter who the final candidates for President are, every union member and family will be deciding between two starkly different visions for America’s future.

One looks to improve our infrastructure, address income inequality, secure our workplace rights and raise the low pay and compensation that has seen America’s middle class struggle.

The other approach envisions ending unions and lowering wages as a key to “making America great”—while they bring in foreign labor to build their hotels and products, taking more jobs away from domestic, highly skilled workers.

election process--during the balloting and before.

“We must choose to stand together, in union solidarity, to vote and volunteer for the people who will advance our interests.”

Voting—in large numbers—is at the core of unions’ electoral power, but our real strength is solidarity. When a large, united force of like-minded workers offers not only their votes but also their time, candidates notice us—and respond when we need their support while at the bargaining table or in a protest for better working conditions.

As working unionists, we spend our days using particular skills on a range of jobs and assignments on the rails, yards, shops, roads and jobsites that we work at every day. Elections, too, have tasks that need doing: Turning out at phone banks, joining neighborhood walks, attending rallies that display power and influence in our local communities. These actions make a difference for candidates up and down the


ballot every election year—and are actions those winning officials remember.

This election year will determine much about the future direction of our nation. Our fight is against the relentless and always-expanding assault against workers. Today, there are more conservative employers and politicians with their anti-worker approach, that appear to be saying “begging” is a worker’s natural role in our economy, when we are their most valued resource.


As union members, we know different. We know how much workers accomplish when we work as one, in strength, to support each other. This election will give us two choices: people who listen and respond to our issues or people who openly seek to destroy our jobs, our wages and our rights.

We must choose to stand together, in union solidarity, to vote and volunteer for the people who will advance our interests.

Because united, we bargain—and together we win.

Fraternally,

Joseph Sellers Jr.
SMART General President

SHEET METAL | AIR | RAIL | TRANSPORTATION



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Great Lakes to provide flights to Salina, Kan.



The U.S. Department of Transportation has selected **Great Lakes Airlines** to provide Essential Air Service (EAS) Program flights from the Salina Regional Airport (Salina, Kan.) to the Denver International Airport.

Great Lakes will provide Salina-area residents and businesses with nonstop service in 30-seat Embraer Brasilia regional airliners.

Doug Voss, Great Lakes chairman and CEO commented that “we are looking forward to providing Salina passengers access to the Denver hub that offers nonstop, connecting flights to over 180 destinations. Our code share partnership with United Airlines will make ticketing easy and convenient.”

Improvements to the passenger screening and seating areas at the terminal are underway in order to better accommodate Denver flights. The improvements will enable Great Lakes to offer passengers easy check-in and a remodeled boarding area.

Salina Airport Authority board chairman, Mike Hoppock, said, “Denver flights will benefit area businesses and colleges who need to bring visitors and students to Salina from across the nation.

“The terminal building improvements will benefit both local residents and visitors to our community.”

The new flights that were scheduled to start April 1, 2016, were postponed due to the lack of TSA security services at Salina airport.

On April 22, TSA announced that the funds needed to secure TSA services at the airport have been secured and security screenings are slated to begin soon. Great Lakes Airlines plans to begin EAS flights to Denver sometime in June.

A SMART TD-backed federal bill that mandates the presence of TSA security services at all small, active airports, recently passed the House and is on its way to the Senate.

Bus Department News

A message from your bus department leadership

Dear Bus Members,

I would like to wish every member of SMART a bright and warm spring. Time is moving fast and before we know it, it will be time to attend the regional meetings scheduled for the weeks of July 4 and July 25.

All members are welcome to attend the regional meetings to learn about our organization and to better understand our union positions. There are many workshops designed to appeal to all levels of membership. In addition to the education you will receive, the meetings are designed to allow members to network with each other.

I am looking forward to meeting with each and every member in attendance.


The deadlines to pre-register for the meetings are June 19 for the San Francisco meeting and July 3, 2016, for Chicago. Pre-registering for the events will provide a \$50 discount per event, so be sure to sign up as soon as possible. The reservation deadline for our hotel rate of \$169 per night is June 2 for San Francisco and July 2 for Chicago.

The bus department is working hard on behalf of our membership. We are organizing more bus locals than ever before.

I would like to welcome our newest bus local, First Student school bus operators from Gardena, Calif.

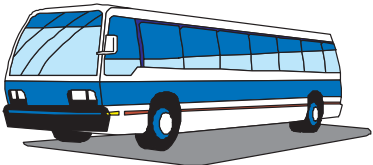
In closing, I'd like to thank SMART Transportation Division President John Previsich for his continued assistance with our department, which has made a positive impact. He has assigned several of his staff members to learn about our unique issues and assist our membership with their specific needs.

Let's all be safe and take care of each other. Until next time, “God Bless America!”



Reddy

Fraternally,
Adhi Reddy
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Rising in strength, solidarity and action

The Federal Railroad Administration (FRA) published a proposed rule that sets forth the requirements and exceptions for a minimum crew of at least two people on America’s trains.

The proposed rule is a major step forward in SMART Transportation Division’s campaign to bring about this critical rail safety reform.

Requiring a minimum of two crew members on trains not only makes it safer for those who work on the railroads, but it also helps to protect people in communities where trains travel.

SMART TD supports the core requirements and will file comments during the comment period to further improve the proposed rule.

John Previsich, SMART Transportation Division president, said: “We thank Secretary Foxx and Administrator Feinberg for tackling this difficult issue and look forward to working with them to improve the proposed rule.

“Requiring a minimum of two crewmembers on trains not only makes it safer for those who work on the railroads, but it also helps to protect people in communities where trains travel.”

“Our view is that one-person operations are unsafe under any circumstances and we believe issuing this proposed rule is a critical first step in helping to ensure that our nation’s trains are operated fully staffed with two qualified crew members.

“Airplanes are not allowed to fly with just one



SMART
Transportation Division
President’s Column

By John Previsich

pilot, and for sound safety reasons; trains, many hauling hazardous materials – should be no different.

“The check, double check and extra set of eyes and ears watching both sides of the train and the division of tasks are safety measures that cannot be replaced by rules or technology.”

“Airplanes are not allowed to fly with just one pilot, and for sound safety reasons; trains, many hauling hazardous materials - should be no different. The check, double check and extra set of eyes and ears watching both sides of the train and the division of tasks are safety measures that cannot be replaced by rules or technology.”

National polling shows that a requirement for two-person crews has overwhelming support on both sides of the political aisle, as more than 80 percent of those polled in both red and blue regions of the country are in favor of a two-person crew mandate.

John Risch, SMART Transportation Division national legislative director, also responded to the proposed rule: “FRA professionals who know and understand rail operations recognize how important it is to have a minimum of two crew members on trains for a host of safety reasons.

“DOT studies also bear this out. We will work to improve this rule by making the case for a final rule that makes it extremely rare for railroads to run single-person operations.

“While this regulatory effort is critical we also call on Congress to pass H.R. 1763, the Safe Freight Act, which would require that all freight trains are operated by a crew of at least two individuals – a certified conductor and a certified engineer.”

Faternally,

John Previsich
President, SMART Transportation Division

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Find us on LinkedIn by searching for “SMART Transportation Division”

State Watch

News from SMART TD State Legislative Boards

SMART TD News mistakenly reported General Chairperson Anthony Simon as New York state legislative director in the State Watch section of the March issue. Samuel Nasca is the state legislative director for New York.

Colorado



State Legislative Director Carl Smith reported that over 50 railroaders and supporters attended the Colorado House of Representative Transportation and Energy Committee hearing on House Bill 1136 (H.B. 1136), the state’s rail safety bill requiring two crewmembers on freight trains. The bill passed out of committee on a 7-6 vote and later passed out of the Colo. House of Representatives on a vote of 34-31.

H.B. 1136 is currently assigned to the Colo. Senate Committee of Reference on State, Veterans, and Military Affairs. Smith (front right) stands next to bill sponsor Daneya Esgar on left (D).

Georgia



Georgia State Legislative Director Matt Campbell (left), FRA Administrator Sarah Feinberg (middle) and Nevada State Legislative Director Jason Doering, taken on Railroad Day at Capitol Hill March 3.



The Georgia State Legislative Board held an event at Topgolf. Pictured from left are Georgia Representative Dewey McClain (D), Rep. Chuck Martin (R), Georgia State Legislative Director Matt Campbell, GO 851 (CSX) Vice General Chairperson Joe Bennett, Legislative Rep. Kelvin Hill (1245), Legislative Rep. Bernard Gray (1033), GO 169 (NS) General Chairperson Jimmy Stewart, Legislative Rep. Michael Branam (1790) and Legislative Rep. Chuck Ward (998).



State Legislative Director Matt Campbell reported that the legislative board held its reorganizing meeting Feb. 18 in Alpharetta, Ga.

Pictured above from left are Local President Jeff Vanlandingham (511), Legislative Chairperson Patrick Folsom (1263), Vice Local Chairperson Mike Parker (535), Legislative Rep. Kelvin Hill (1245), Legislative Rep. Bernard Gray (1033), Alt. State Legislative Director Joe Borders (1971), Legislative Rep. Steve Wiley (674), Campbell, Legislative Rep. Michael Branam (1790), Legislative Rep. Chuck Ward (998), Assistant State Legislative Director Jim Finley (1261), Legislative Vice Chairperson Jarvis Jackson (1598) and Legislative Rep. Isaac Gamble (1031).

Maryland

In a 32-14 vote, the Maryland State Senate voted to require two-person crews on freight trains in the state. The measure now heads to the Maryland House. The vote came on the same day that the FRA unveiled a proposed national rule requiring two-person crews on trains in the U.S. The Maryland measure is moving forward despite the possible FRA national law.

Illinois



U.S. Representative Rodney Davis (R) addressed the Illinois legislative board at their 12th quadrennial reorganization meeting. Pictured from left are Legislative Chairperson John O'Brien, State Legislative Director Bob Guy, Davis and Assistant State Legislative Director Joe Ciemny.

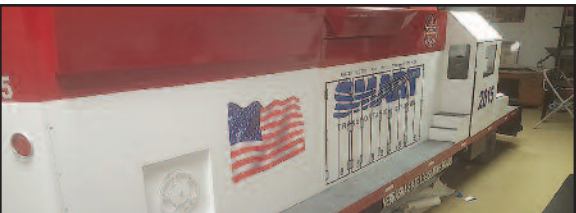
“I’d like to welcome Brothers Jeff Votteler and Dennis Nee to the Board Executive Committee. They are long-serving legislative representatives who have proven themselves over the years and deserve leadership positions on the board,” Guy said. Votteler was elected to the position of Legislative Vice Chairperson and Nee was elected Legislative Secretary.

Minnesota



The Minnesota Legislative Board presented Minn. Representative Rick Nolan (D) with a UTU brass lantern. Nolan also serves on the House Transportation and Infrastructure Committee. From left are National Legislative Director John Risch, Nolan and Minn. State Legislative Director Phil Qualy.

Nebraska



The Nebraska State Legislative Board purchased this parade “engine” last year and repainted it with the SMART logo.

2016 regional meetings facts & information

The SMART TD Regional Meetings are being held this summer in two of America’s great cultural cornerstones: San Francisco and Chicago. Most people have a solid sense of the high points and main attributes of both cities, but they may not be aware of these little-known, interesting facts:

San Francisco: The City by the Bay



The City by the Bay was originally named Yerba Buena, and on January 30, 1847, it was renamed San Francisco.

- The Chinese fortune cookie was not invented in China, nor was it invented by a person of Chinese ancestry. This psychic cookie was invented by a Japanese-American resident of San Francisco.
- The Golden Gate Bridge was originally slated to be painted black with yellow stripes. The “International Orange” color of the sealant gained such high approval, that plans changed and ‘gold’ it has remained.
- The only National Historical Monument that can move are the cities’ cable cars.
- In 1906, three quarters of San Francisco was destroyed by an earthquake and ensuing fire. The remaining quarter of the city was saved by the majestic redwood trees. Redwood has a low resin count and a porous grain that absorbs a lot of water, so when fire reached buildings made of redwood, they were slow to burn and were saved.
- Irish coffee was developed and made popular in San Francisco restaurants and cafes.
- The steepest street in San Francisco is Filbert Street, between Hyde and Leavenworth Streets—at a dizzying grade of 31.5 degrees.
- Unlike most financial institutions at the time, not one San Francisco-based bank failed during the Great Depression.
- The last full concert performed by the Beatles was in San Francisco’s Candlestick Park on August 29, 1966.

Adapted from online source: www.Mentalfloss.com, 2015.

San Francisco regional meeting pertinent information:

San Francisco, July 4-6: Fairmont San Francisco Hotel, 950 Mason St., San Francisco, CA 94108, www.fairmont.com/san-francisco

Reservations: (800) 441-1414 toll free; (415) 772-5000 direct **Reservation code:** SMART UNION GROUP **Room Rate:** \$169 single/double, plus taxes; rates good for three days before and after meeting, depending upon availability.

Room reservation deadline: June 2, or until all rooms being held for SMART are reserved. **Parking:** \$58 per day (plus tax)

Golf outing: The regional meeting golf outing will take place Sunday, July 3, at Chuck Corica Golf Complex. The cost is \$80 per golfer. Tee-off time is 8:00 a.m.

Airline discount: Visit United Airlines’ website at www.united.com for flight discounts to San Francisco. **Offer Code:** ZWHN794149

If booking through a travel professional or United Meetings at (800) 426-1122, please give the following information:

Agreement Code: 794149 **Z Code:** ZWHN

Chicago: The Windy City



The Windy City was named for all-talk, hot-air politicians, not the weather, as most people believe.

- The shortest known public debate in history was hosted in 1917 by writers Ben Hecht and Maxwell Bodenheim. The topic was titled: “Resolved: That People Who Attend Literary Debates Are Imbeciles.” The room was filled with attendees, and Hecht began the debate by stating: “The affirmative rests.” Bodenheim’s reply was: “You win,” and the debate was over.
- Wrigley Field was not always called Wrigley Field—it was originally named Weeghman Park, but not for long. It seems more like a “Wrigley” anyway.
- Chicago’s reputation for crime began before the notorious escapades of bootlegger Al Capone. In 1918, more than 100 waiters were arrested for poisoning bad tipplers.
- In the mid-nineteenth century, the entire city of Chicago was raised several feet by mammoth hydraulic lifts to fix a drainage problem.
- The Twinkie dates back to 1930, when it was invented in Chicago.
- While America’s environmental ethics have evolved, back in 1871, the solution to digging out from under the debris of the Great Chicago Fire was to dump all the ash, rubble and wreckage into Lake Michigan.
- The first Ferris Wheel debuted in 1893 at the World’s Fair in Chicago.
- At that same World Fair, Anton Feuchtwanger had slow sales of his Bavarian sausages, so he tried serving them in a bun. He sold out within hours and the hot dog was born.

Adapted from online source: www.Mentalfloss.com, 2015.

Chicago regional meeting pertinent information:

Chicago, July 25-27: Sheraton Grand Chicago, 301 East North Water St., Chicago, IL 60611, www.sheratonchicago.com

Reservations: (888) 627-7106 toll free; (312) 464-1000 direct **Reservation code:** SMART UNION GROUP

Room Rate: \$169 single/double, plus taxes; Room rates good for three days before and after meeting, depending upon availability.

Room reservation deadline: July 2, or until all rooms held for SMART TD are reserved. **Parking:** \$63.00 for valet; \$26.50 for self park (50 percent off) **Golf outing:** The regional meeting golf outing is Sunday, July 24, at St. Andrews Golf & Country Club. The cost is \$80 per golfer. Tee off at 8:00 a.m.

Airline discount: Visit United Airlines’ website at www.united.com for flight discounts to San Francisco. **Offer Code:** ZWKG262307

If booking through a travel professional or United Meetings at (800) 426-1122, please give the following information:

Agreement Code: 262307 **Z Code:** ZWHN

Two tours booked in San Francisco, Chicago

SMART Transportation Division has arranged tours of local attractions at both the San Francisco and Chicago regional meetings.

The tours are scheduled for the day preceding each regional meeting, as well as on the first day of each regional meeting.

San Francisco

San Francisco Highlights Tour - Sunday, July 3

You’ll be transported by motor coach around the city, stopping at points of interest. You’ll end up at Pier 39 on the waterfront to enjoy lunch at Swiss Louis’.

Tour Muir Woods & Sausalito - Monday July 4

This tour takes you across the Golden Gate Bridge in a deluxe mini-coach to Muir Woods National Monument where the redwoods are thousands of years old. You’ll have time to wander among these majestic trees before heading off to tour the small seaside city of Sausalito where you will enjoy a boxed lunch, shopping and sight seeing.

Chicago

City Highlights Tour - Sunday, July 24

A guide will point out points of interest in the “Windy City” on this four-hour tour. You’ll have time to yourself to explore Michigan Avenue, “The Magnificent Mile,” while enjoying lunch.

Architectural River Cruise - Monday, July 25

A river boat, complete with an expert guide, will explore sights unseen by land on this 90-minute river cruise. Enjoy a gourmet lunch box during the tour.



Tour fees are \$35 per tour for each registered attendee or guest, or \$75 per tour for each unregistered attendee or guest. Go to the meeting page on utu.org for more information.

Theme nights announced!

San Francisco

Enjoy an evening out at AT&T Ballpark as the San Francisco Giants take on the Colorado Rockies, Tuesday, July 5. Transportation, game ticket and food voucher will be provided for each registered guest.

Chicago

Pack your fedoras, pin-striped suits and Charleston-style dresses for a speakeasy-themed Tuesday-night dinner complete with a jazz band.

Avis Rent-a-Car offering discounts at airports



Discounts with Avis Rent-a-Car are available to members attending the 2016 regional meetings.

To reserve a car, contact Avis at (800) 331-1600 and use SMART’s Avis Worldwide Discount (AWD) number: **D150699**.

For the San Francisco and Chicago regional meetings, members and guests can reserve a car online. Visit the Transportation Division website at www.utu.org, select the “Meetings” link at the bottom of the homepage, then select the appropriate regional meeting city.

Discounts at each city are good for seven days before and seven days after the meetings.

When renting a car online, be sure to use the same Avis Worldwide Discount (AWD) number as listed above: **D150699**.

Transportation Division Regional Meeting Registration Form

Registering before the regional meetings expedites sign-in procedures, helps organizers plan more accurately and saves on meeting costs. **Each person attending the regional meeting, including family members and guests, MUST be registered in order to attend any event. Please note that these meetings last 2.5 days and conclude on the afternoon of the third day.** Registration fees are \$150 per person; children 11 years of age and under are complimentary. On-site registration is \$200 per person. All fees must be paid in U.S. funds. Registration forms with payment must be received at the Transportation Division by June 19 for the San Francisco meeting and by July 3 for the Chicago meeting for all members, spouses and guests to be considered pre-registered.

Which regional meeting will you be attending? ☐ San Francisco ☐ Chicago

Arrival date: _____ Departure date: _____

Transportation type: ☐ Automobile ☐ Air ☐ Other

Member Registration

Name _____ Local _____ Title (if any) _____

Home address _____

City/State/ZIP _____

Phone number () _____ Email _____

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? _____
 Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals
 Day 3 ☐ Lunch ☐ No meal

Spouse Registration ☐ San Francisco ☐ Chicago

Spouse name _____ Title (if any) _____

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? _____
 Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals
 Day 3 ☐ Lunch ☐ No meal

Spouse/guest tour: ☐ Sunday or ☐ Monday (\$35/tour per registered spouse; \$75/tour per unregistered spouse)

Child Registration ☐ San Francisco ☐ Chicago

Child name _____ Age _____

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? _____
 Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals
 Day 3 ☐ Lunch ☐ No meal

Child name _____ Age _____

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? _____
 Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals
 Day 3 ☐ Lunch ☐ No meal

Child name _____ Age _____

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? _____
 Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals
 Day 3 ☐ Lunch ☐ No meal

Child name _____ Age _____

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? _____
 Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals
 Day 3 ☐ Lunch ☐ No meal

Tour: ☐ Sunday or ☐ Monday (\$35/tour per registered child; \$75/tour per unregistered child) No. attending _____

Guest Registration ☐ San Francisco ☐ Chicago

Guest name _____ Relationship to member _____

Home address _____

City/State/ZIP _____

Meals: Day 1 ☐ Lunch ☐ No meal Any dietary restrictions? _____
 Day 2 ☐ Lunch ☐ Dinner ☐ Both ☐ No meals
 Day 3 ☐ Lunch ☐ No meal

Spouse/guest tour: ☐ Sunday or ☐ Monday (\$35/tour per registered guest; \$75/tour per unregistered guest)

Special Needs? (Circle appropriate responses): Registrant / spouse / child / guest is:
hearing impaired / visually impaired / in wheelchair / other: _____

Golf registration ☐ San Francisco ☐ Chicago

Name _____ Handicap _____ Name _____ Handicap _____

Name _____ Handicap _____ Name _____ Handicap _____

(Golf fees are \$80 per golfer; include in total payment. Please provide names of others if foursome.)

Payment options

Check/money order enclosed (U.S. funds only) \$ _____

Credit card ☐ VISA ☐ MasterCard

Card number _____ Exp. date _____ Total charged \$ _____

Signature _____

Should additional space be needed, make copies of this form and attach to the original. Make checks or money orders payable in U.S. funds to “SMART TD Regional Meeting” and mail to SMART TD Regional Meeting, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333. Persons who do not pre-register for the regional meeting but choose to register at the meeting site will be charged an additional \$50. Space on the tours is limited; reservations are accepted on a first-come, first-served basis.

UTU Alumni

UTU Alumni Association

News, information for members of the UTU Alumni Association

Palmetto GBA: Guarding your Medicare dollars against fraud and abuse

It seems like it's in the news regularly: a Medicare provider is being prosecuted for filing fraudulent claims for services never rendered or services for which they billed for a higher level of service than what was actually provided. These are a few of the many methods that are being used to bilk the Medicare Trust Fund.



PALMETTO GBA
A CELERIAN GROUP COMPANY

• Medicare Fraud Strike Force Teams — a key part of HEAT and operating in nine areas of the U.S. They use data analysis, as well as Federal, State and local law enforcement entities, to investigate and prevent health care fraud and/or abuse.
Since 2007, the Strike Force teams have:

- Initiated 1,387 criminal actions.
- Won 1,977 indictments.
- Collected \$1.8 billion.

To learn more about the activities of the Medicare Fraud Strike Force Teams, you may visit their website at <http://oig.hhs.gov/fraud/strike-force/>.

You can also visit the Health Care Fraud Prevention and Enforcement Team (HEAT) website at www.stopmedicarefraud.gov.

As always, you may call Palmetto GBA's

Beneficiary Contact Center at 800-833-4455, or for the hearing impaired, call TTY/TDD at 877-566-3572 to discuss your Medicare Part B coverage.

Customer Service Representatives are available Monday through Friday, from 8:30 a.m. until 7 p.m. ET. Visit their website at www.PalmettoGBA.com/rr/me.

Some of the common ruses are:

- 'Overlapping Services' — which means that a provider will bill as if they have given a service to a patient at one location when they have not. An example of this scheme would be billing for an ambulance service when the patient is in an inpatient hospital stay.
- 'Ping-Pong Beneficiaries' — this scheme has providers move a beneficiary from one doctor to another doctor in an effort to maximize profit without benefiting the patient.
- 'Hit-And-Run' — this is the practice of flooding the Medicare system with fraudulent claims and then moving quickly to avoid the consequences.
- 'Porpoising Providers' — this is when doctors who have lost the ability to perform services in one area of the country resurface in another area with a different identification number.
- 'Balloon Effect' — this is the practice of moving to a different pattern of billing once Medicare stops paying for a previously lucrative scheme.

Some ways that Medicare searches for, and finds those perpetrating these schemes are through:

- Medicare contractor medical review — in which the contractor (such as Railroad Medicare) reviews claims for medical necessity and correct billing.
- Railroad Medicare's Benefit Integrity program — which proactively looks for suspicious billing patterns and investigates potential fraud and abuse identified through complaints or beneficiary contacts to our Beneficiary Customer Service Center.
- Zone Program Integrity Contractors (ZPIC) or Recovery Audit Contractors (RAC) — which perform similar functions to the Railroad Medicare's Benefit Integrity unit.

Other partners in the fight against these and other Medicare fraud schemes include:

- Office of Inspector General (OIG) — the largest inspector general's office in the federal government. Its mission is to protect Department of Health & Human Services (HHS) programs, such as Medicare.
- Health Care Fraud Prevention and Enforcement Action Team (HEAT) — a joint initiative between the OIG, HHS and the Department of Justice (DOJ).

Rail members may be eligible for death, dismemberment insurance

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

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

Most employees filled out a designated beneficiary form when they began work for a participating railroad. MetLife urges employees and retirees to keep this form with your other important papers. If you need to update your beneficiary form, or if there is doubt as to whom you designated, it is recommended that you complete a new form and send it to MetLife.

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

You can also obtain information about this benefit by calling MetLife toll-free at (800) 310-7770.

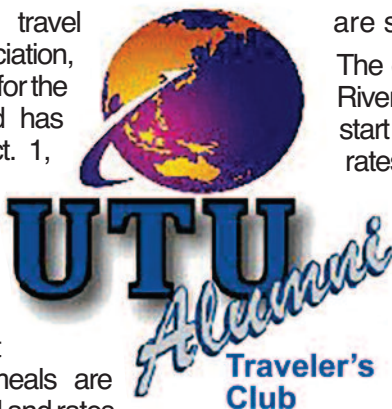
This is a very important benefit for all eligible active and retired railroad employees covered under the national health and welfare plans, although many employees, especially retired employees, may not be fully aware of it. It's recommended that all SMART TD rail locals post this notice at appropriate work locations and remind all retirees with whom you may come in contact that they should contact MetLife to inquire about their eligibility for the \$2,000 death benefit.

Landfall Travel changes dates of Switzerland trip

Landfall Travel, the official travel agency of the Alumni Association, has informed us that the dates for the train tour across Switzerland has changed from Sept. 23 - Oct. 1, 2016, to **Sept. 16 - 24, 2016**.

We apologize for any inconvenience this change may have caused.

Rates for this trip start at \$2,359 per person, most meals are included. Airfare is not included and rates



are subject to change.

The dates for the river cruise up the Mississippi River remain the same: **Oct. 2 - 10, 2016**. Rates start at \$1,874.25 plus \$149 port tax per person; rates subject to change.

Interested parties can contact Landfall Travel directly at (440) 799-8977 or toll-free at (800) 835-9233 for more information.

All members are welcome. You do not have to be a member of the Alumni Association to enjoy these travel opportunities.

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 SMART TD Headquarters. These brothers and sisters will be missed by their many friends and by fellow UTU Alumni Association members.

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
5	Wiskur, Cornelius A.	Overland Park, Kan.	565	Atkins, Thornton A.	Du Quoin, Ill.	1400	Hodgdon, Harold E.	Buxton, Maine
286	Campbell, James D.	North Platte, Neb.	662	Parker, Breavette V.	Midlothian, Va.	1532	Mason, Ronald E.	Kansas City, Kan.
320	Williams, Donald R.	Saginaw, Mich.	904	Dunkel, Peter B.	Ft. Branch, Ind.	1532	Messick, Leroy W.	Kansas City, Kan.
322	Herzog, Thomas J.	Green Bay, Wis.	937	Freeman, Donald S.	Woodway, Texas	1563	Ojeda, David	Pomona, Calif.
446	Lemp, James C.	Cheyenne, Wyo.	974	Harrison Jr., William H.	Linden, Tenn.	1608	Johnson, James	Pacoima, Calif.
483	Morgan, Edward B.	Cambridge, Ont.	1007	Carson, Ronald I.	Waterloo, N.Y.	1760	Adorjan, Mike	Lincoln Park, Mich.
490	Bienhaus, Paul W.	Evansville, Ind.	1075	Duggins, William J.	North Port, Fla.	1816	Hartwig, Julius F.	Millbury, Ohio
525	Sorum, Jerome R.	Grand Forks, N.D.	1233	Hoskins, Gary E.	Calgary, Alta.	1976	Heine, David A.	Minneapolis, Minn.
528	Hester, Thomas J.	McHenry, Ill.	1308	Collier, Grover E.	Memphis, Tenn.			

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Insurance policies available to you:

- Accident Indemnity
- Accidental Death and Dismemberment
- Disability Income Replacement
- Cancer Hospital Indemnity
- Whole Life Insurance
- Term Life Insurance
- Child Life Insurance
- Easy Issue Life Insurance

Savings policies available:

- Flexible Deferred Annuities
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- Roth IRA



I would like more information on UTUIA's available policies:

☐ Accident Indemnity
 ☐ Life Insurance

☐ Accidental Death and Dismemberment
 ☐ Annuities

☐ Cancer Hospital Indemnity
 ☐ IRAs

Please Print

Full Name

Date of Birth

SMART TD Local

Street Address

City

State

Zip code

Telephone number with area code

☐ Male

☐ Female

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

For additional information about any of these policies:

Email sales@utuia.org, call 800-558-8842, or complete the attached form and mail to the address listed at the bottom of the form.

Visit the UTUIA website at www.utuia.org for more information on this and other policies.



“There are deficient roads, and there are deficient bridges...all across the country. Our highways are clogged with traffic. Our railroads are no longer the fastest and most efficient in the world. Our air traffic congestion is the worst in the world. And we’ve got to do something about this, because our businesses and our entire economy are already paying for it.

“How do we sit back and watch China and Europe build the best bridges and high-speed railroads and gleaming new airports, and we’re doing nothing?

“We’re better than that. We are smarter than that. We’ve just got to get folks in Congress to share the same sense of national urgency that mayors and governors and the American people do all across the country.”

-- President Barack Obama

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, etc., we would like to hear about it.

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.

Information can be sent by mail to SMART Transportation Division, SMART TD News, 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333.

Op-ed: GOP candidates propose devolution of rail law



Wytkind

In a letter to the editor and published by The Hill, AFL-CIO Transportation Trades Department (TTD) President Edward Wytkind warned that GOP presidential candidates want to devolutionize laws governing freight and passenger rail in the U.S.

The candidates are in support of deregulating the current rail laws and funding and turning it over to each individual state to mete out transportation policy and funding. GOP candidates Ohio Governor John Kasich, Jeb Bush and U.S. Senator Marco Rubio (Fla.) have come out in support of devolution of transportation policy and funding. (Candidates Bush and Rubio have dropped out of the presidential race since this letter was published)

“...we must not accept candidates for president who fail to grasp the magnitude of this transportation investment crisis, and who advance policies that would make us a loser in the increasingly competitive global economy,” Wytkind said.

“We need a vast transportation system that can deliver goods and people safely and with speed and precision, not some piecemeal experiment dreamed up by anti-government crusaders who can’t seem to get out of their own way.

“Anyone who understands the intricacies of America’s integrated supply chain and vast transportation system that gets people to their destination knows that it is nonsense to think that our economy can succeed if we strip the federal government — through wrongheaded “devolution” proposals — of its role as steward of our national freight and passenger network.

“If we were to follow these reckless plans and push everything onto the states, including difficult political decisions on funding, the nation would be forced to rely on a patchwork of transportation systems conceived and funded (or, more likely, under-funded) by individual states. Translation?

“We’d be living without any guarantee that the state transportation systems would weave together to serve the entire nation.”





Why become an Auxiliary member?

- Unites families of SMART transportation division
- Eight 4-year scholarships of \$1000 awarded every year
- Stay connected on legislative issues that affect you, your family, spouse or relatives
- Access to Union Plus discounts, scholarships and other benefits

Who can become a member?

- Spouse, family or relatives of a SMART TD or Auxiliary member in good standing
- Retired SMART TD members or employees
- Employees of SMART TD at the International
- Staff of state legislative boards, general committees or the legislative office in Washington, D.C.
- Spouse, family or relatives of a deceased SMART TD member that was in good standing at time of death

ONLY \$5 to join. Visit www.utu.org/auxiliary for an application.

CP withdraws NS merger bid; SMART TD reacts

Continued from page 1

“Having long opposed the negative impact that mergers and acquisitions such as this have on our members, we are extremely pleased to hear that CP has officially terminated their quest to takeover NS.”

SMART TD first reported CP’s interest in a merger with NS in November 2015. It soon became clear that NS was not interested when the railroad rejected all three of CP’s offers for unification.

CP, however, continued to push for a takeover by trying to bypass the NS board of directors’ decision by going directly to the shareholders for a vote.

“They don’t merge these big railroads to create job opportunities,” said SMART TD National Legislative Director **John Risch**. “CP’s plans were to essentially pillage NS’s infrastructure, claiming they could save \$1.8 billion a year in costs. A CP/NS merger would not just be bad for rail workers, it would be terrible for America’s freight rail infrastructure.”

Additionally, in a letter dated March 2, CP further sought to circumvent U.S. merger regulations by seeking declaratory action from the STB that would give them the power to essentially take over NS without a review from the STB or a yes-vote to merge from NS.

This blatant scheme to evade U.S. regulatory requirements and assert control over NS before receiving regulatory approval did not sit well with SMART TD who joined with five other unions to write a response letter to the STB asking them to reject CP’s request.

“...The Board should not entertain a request from this, or any carrier, for an advisory opinion on a hypothetical transaction. CP’s Petition is both inappropriate and untimely; it should be dismissed,” said SMART’s Associate General Counsel **Erika Diehl-Gibbons** and Attorneys Michael Wolly and Carla Siegel in their letter to the STB on behalf of SMART TD, BLET, IBEW, ATDA, NCFO and TCU/IAM.

“The work and solidarity of SMART, BLET, TTD, AFL-CIO and all of our union brothers and sisters to raise this issue onto a public platform and to have our voices heard from the halls of Congress to the offices of the STB and FRA, had a direct impact on breaking CP’s attempt to continue its takeover bid, that if left to proceed, would have undoubtedly caused a major job loss, service disruption and a destructive domino effect throughout the industry. We look forward to our continued work and solidarity in supporting laws and provisions that protect our members, and all workers, from get-rich-quick schemes that are harmful to working men and women throughout our country,” said Previsich.

The U.S. Department of Justice (DOJ) also filed its own request to the STB asking that CP’s request be denied.

“Canadian Pacific’s voting trust proposal would compromise Norfolk Southern’s independence and effectively combine the two railroads prior to completion of the STB’s review,” said Assistant Attorney General Bill Baer of the Justice Department’s Antitrust Division. “That makes no sense. We urge the STB to preserve its ability to review the impact of the proposal on competition and consumers before Canadian Pacific starts scrambling the eggs.”

“A helping word to one in trouble is often like a switch on a railroad track...an inch between wreck and smooth, rolling prosperity.” - Henry Ward Beecher

Furloughed members: FAQs about medical benefits

Continued from page 1

not being eligible for benefits, a COBRA notice is automatically sent to the employee’s address of record. The form must be completed and returned to UnitedHealthcare in a timely manner in order to establish COBRA coverage.

For other benefits that furloughed members may be eligible for:

<http://utu.org/2015/07/24/furloughed-members-may-be-entitled-to-benefits/>

http://www.utu.org/worksite/newspdfs/2015/October_2015_TD_News_center_final.pdf

It should be noted by all furloughed members that it is your responsibility to keep your contact information up-to-date not only with your employer, but also with your union. This includes your phone number, mailing address and email address.

Your employer will need your correct contact information to call you back to work. Many SMART TD legislative boards and locals are holding informational sessions for furloughed workers and need your correct contact information to keep you informed.

To update your phone number or address call your local officers or call SMART TD headquarters at 216-228-9400 ext. 3908. You may update your address with the union by going to utu.org and clicking on the ‘Address Change’ button on the right side of the home page.

Amtrak’s Boardman: ‘Hudson tunnel top priority’



Subcommittee Feb. 23 about the importance of the new rail tunnels under the Hudson River.

In his testimony, Boardman said the tunnels are Amtrak’s top priority.

“Our top priority among a long list of major priorities is the Gateway Program,” Boardman said.

“The Gateway Program – which preserves and expands rail service between New York and New Jersey – took on increased urgency in 2012, when Super Storm Sandy sent salt water into the tunnels connecting to Penn Station, compromising critical electrical and signal systems and threatening the reliability of operations day-in and day-out.

“The first element of the Gateway Program is to build a new, two-track Hudson River rail tunnel that will allow Amtrak to rebuild the existing tunnel without disruption to the 450 daily NJ Transit and Amtrak trains that operate over these two tracks.

“We are committed to embracing innovation that can help drive greater value for the American public and have started considering ways to respond to both the changing markets and needs of the nation, while taking the Committee’s expectations into account. In doing so, we must make sure we don’t compromise our ability to offer service efficiently.

“During my tenure [as Amtrak president], I sought a Federal commitment for all of Amtrak’s needs.

“The FAST Act has taken the critical first step by adding Amtrak and the intercity passenger rail program to surface reauthorization. But the key will be whether appropriations levels can grow over time to meet the major capital needs we have in the Northeast Corridor and across the company.”

FAA proposes rule to overhaul safety certification standards

Continued from page 1

collaboration with industry and international partners reflects a performance-based, flexible approach which would accommodate today’s rapidly changing aviation industry and technological advances now and in the future.”

The proposal responds to the FAA Modernization and Reform Act of 2012 and the Small Airplane Revitalization Act of 2013, which directed the FAA to streamline the approval of safety advancements for small general aviation aircraft. It also addresses recommendations from the FAA’s 2013 Part 23 Reorganization Aviation Rulemaking Advisory Committee.

The FAA estimates that the overall economic impact would be cost beneficial. This proposal would affect airplane manufacturers, engine manufacturers and equipment operators.

The comment period is 60 days from publication in the Federal Register.

FRA rule gives us chance to bar most one-person crew trains

Continued from front page

train was under the control of a single crew member who failed to properly secure the train (because he lacked a co-crew member to assist and support him) ending in a fiery and deadly crash.

The industry’s assertion that mandates to implement Positive Train Control (PTC) technology in the rail industry are somehow in conflict with the FRA’s crew size rule is absurd. In case facts matter, PTC is simply one more redundant safety tool in rail operations that requires a great deal of train crew interaction in order for it to work. In fact, a fully operational PTC system puts more demands on the attention of the crew because of the distractions it causes. While advancement in transportation technology can provide essential safety support and save lives, it is not, and never will be, a replacement for highly trained, experienced and adequately staffed crews.

By the way, the public has spoken loudly on the subject. In states across America, both red and blue, an overwhelming majority of Americans strongly support a two-person train crew standard. The numbers are consistently strong cross all political and ideological lines with up to 91 percent of Democrats and 82 percent of Republicans favoring federal action to bar one-person train operations.

The safety arguments support a two-person crew standard. The public supports a two-person crew standard. Now it is time for our government to bar most one-person train operations.

SMART mobile app wins Reed Award

The SMART mobile app won the Campaigns and Elections magazine’s Reed Award on February 18 for Best Mobile App of 2015.

This is an industry award for political, non-profit and Government Affairs agencies that vendors submit on behalf of their clients.

The vendor in this case was Revolution Messaging who worked with SMART staff in designing and building the new app.

The SMART Union App is available for download through both apple and android stores.

Apple:
<https://appsto.re/us/l6tz7.i>

Android:
https://play.google.com/store/apps/details?id=org.smart_union.smart

Retirees: Do you know the benefits of being an Alumni Association member?

For just \$9 per year, you could be part of the Alumni Association! Here are the benefits of becoming a member:

The **SMART Transportation Division News**: member newspaper covering subjects of interest to active and retired individuals from the transportation industry, including developments affecting Railroad Retirement, Social Security, and other pension and disability systems.

Automatic listing in The Final Call: the compilation of recent deaths carried in the *SMART Transportation Division News*.

An annual SMART Transportation Division calendar: this is a full-size, full-color 12-month wall calendar, with spaces large enough to keep track of important dates.

A UTU Alumni baseball-style cap: monogrammed with the Alumni Association logo.

Representation in Washington and your state capitol: SMART Transportation Division officials are always keeping watch on legislation that affects SMART TD retirees, including Railroad Retirement, Social Security, Medicare and other programs of interest to senior citizens.

Discounts on car-rental rates: at National Car Rental. Call (800) CAR-RENT (800-227-7368) and refer to ID number 10008107 and contract ID number 5005467.

Discounts on cell phones and service through AT&T: at an AT&T store, show your Alumni Association ID card and refer to FAN #3508840.

Or you can sign up online at www.union-plus.org/att. Or call (800) 897-7046 and refer to the above FAN number.

Discounts at popular lodging chains: Members get from 10 percent to 20 percent

off standard room rates with advance reservations at Red Roof Inn, Motel 6, Amerihost Inn, Days Inn, Howard Johnson, Knights Inn, Ramada, Super 8 Motel, Travelodge, Wingate Inn and the Wyndham hotel and resort chain.

(For Red Roof Inn, provide ID number CP530011. For Motel 6, provide ID number CP543839. For all others, provide ID number 1000000482). See the Alumni Association page of www.utu.org for complete details.

Enrollment in the UTU Alumni Association chapter nearest your home: see www.utu.org for a list of Alumni Association chapters. Meetings are held to educate, inform and to renew your sense of fraternalism.

An important-papers portfolio: ideal for filing insurance policies, wills, stock, bond and mutual-fund certificates, marriage certifi-

cates and other important documents.

A 41-page UTU/UTUIA Assets Manager booklet: designed for recording the legal, insurance, financial and estate information you and your family need.

A 36-page UTU/UTUIA Medical Manager booklet: for recording and updating your complete medical history, special diets, and more, making communication with your doctor or other care provider more effective and accurate.

Automatic enrollment in the UTU Travelers Club: excursions geared to the interests of active and retired members alike.

Trips, announced in the *SMART Transportation Division News*, have included train tours of Mexico, Canada and Switzerland, and cruises of Hawaii, Alaska and the Caribbean.

Trips arranged by Landfall Travel. Call 800-835-9233 for more information about planned trips.

UTU Alumni Association membership application

(Please print)

Name _____ Local _____

Address _____

City _____ State or Province _____ ZIP Code _____

Phone _____ E-Mail _____

Please enclose check or money order payable to “UTU Alumni Association” in the amount of \$9.00 (U.S.) for one year’s dues. Complete and return to UTU Alumni Association, 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333.

I prefer to pay by (select one) ☐ MasterCard ☐ Visa

Name as it appears on card _____

Card number _____ Expiration date _____

Why should SMART Transportation Division be my union?

SMART Transportation Division has a history of representing workers coming under the jurisdictions of the Railway Labor Act (RLA) and the National Labor Relations Act, the Federal laws covering rail and airline workers (RLA) and bus and transit industry employees (NLRA).

Our staff of attorneys have many years of experience in working under the RLA and will be able to help your local successfully navi-

gate its provisions.

How is SMART TD organized?

SMART TD has three levels of operation. The local level deals directly with claims and grievances for violation of the collective bargaining agreement. The intermediate level, which includes the general committee of adjustment (contracts and discipline) and the state legislative board (safety and legisla-

tion). The International is the administrative level, responsible for execution of SMART TD policies and efficient operation of the union.

Does SMART TD have political influence?

There are few organizations with more political clout than SMART. One of the reasons for that is our commitment to first-hand activism. State and national decision makers know us because our officers meet them face-to-face as professionals who understand the political process. We back that up with voluntary, grassroots support through the UTU PAC fund. Their letters, phone calls and emails tell legislators that SMART is alive and well and voting for its interests. We ask those we support to do the same.

You also elect a local legislative representative for the local who handles political and safety concerns in conjunction with the state and national legislative directors.

How can I participate in the union?

Since members are the union in the workplace, you begin your participation through membership in SMART TD. Attending local meetings, voting in all elections and backing up your local representatives are just a few of the simple ways you can help.

If you have a greater interest or are dissatisfied with your elected leaders, campaign for that job in the next election. The dates of these elections are found in the back of the union Constitution you receive upon joining.

The union on your property will only be as strong as the membership supporting its efforts. Remember, when one worker is injured, all are threatened. Proper enforcement of the collective bargaining agreement ensures that everyone is treated equally under its terms and conditions.

YOUR UNION DOLLAR

The premium shown on your receipt covers the cost of your insurance coverage with UTUIA. The affordable protection offered by UTUIA is an excellent value and is geared to meet the needs of SMART TD members and their families. UTUIA is owned by SMART TD members and provides many different kinds of insurance and investment products. Take advantage of your SMART association by providing for your loved ones, and your own future.

Once the dreaded disease Tuberculosis was a serious threat to life. This fund was established years ago to provide assistance to insured members. Now, the fund is used to cover Polio and Tuberculosis for those who continue those policies. New policies are no longer issued.

The SMART Discipline Income Protection Program was created by the SMART TD and paid for by SMART TD members for their own protection in the event of discharges, suspension and certain other disciplinary actions by their employers. It is a voluntary program for SMART TD members who desire this protection. The amount of coverage can range from \$6 to \$200 per day.

This is your voluntary contribution to the UTU Political Action Committee, which helps elect our friends to the Congress and state legislatures. One-half of all contributions from your state remains in your state to be used to elect friends of the UTU. It is the most important contribution you can make, an investment in your future. It really pays to belong to UTU PAC.

The local dues are set by the members to support the activities of the local. Salaries of local officers, hall rent and supplies purchased by the local are paid from this fund.

SMART TRANSPORTATION Division				
RECEIVED FROM				
MERRITT, CLIFF				
MONTH OF	PREMIUM	T.B.	DIPP	UTU PAC
JULY 15				
LEGIS.	G.C.A.		L.C.A.	LOCAL DUES
LOCAL	INTL. DUES	TOTAL		
1776				


This amount goes to operate the state legislative board in your state. The amount is set by the local legislative representatives and disbursed by the state director. This is your legislative fund for protecting you on the state level with regard to safety, sanitation and other on-the-job problems. It also helps protect you and your family in many other ways.

International dues are the only part of your dues payment that supports the entire SMART TD organization. They fund the union's strike fund, public relations fund, convention fund, maintenance of membership fund, and other education and training programs. These dues also pay for offices in Cleveland and Washington; the services of a full-time general counsel at the SMART TD headquarters; salaries of all officers and employees, and all legal and operating expenses of SMART TD.

NOTE: This monthly assessment represents about one hour's pay for the average SMART TD member working on a Class I railroad in the United States.

This amount is established by the General Committee of Adjustment to operate the General Committee on the property. This committee protects your contract, wages, rules and working conditions. The rate is set by a vote of all local chairpersons on the property.

This amount is voted by members working under the jurisdiction of the Local Committee of Adjustment to pay the cost of representation by this committee.



SMART Transportation Division
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www.utu.org



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Please recycle

Photo of the month

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

SMART TD seeks photographs or digital images of work-related scenes, such as rail-road, 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 SMART TD, 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 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 SMART.

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



Local 1626 President **Vern Gillis** submitted this photo of the infamous "Snow Train." "Conductor **Rod Frank** and Engineer **Gerry Davis** had the opportunity to move snow from Fairbanks to Anchorage. The snow was intended to assist with the start of the 2016 Iditarod dog sled race," Gillis said. Photo taken by Frank Keller.

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

FRA rule gives us chance to bar most one-person crew trains

This opinion-editorial by SMART TD President John Previsich and AFL-CIO TTD President Edward Wytkind originally appeared on TheHill.com March 26, 2016.



Previsich

possible.

If former Senator Daniel Patrick Moynihan was alive today, he would probably tell the railroads, "you're entitled to your opinion, but not your own facts." Despite erroneous claims by the industry lobby that there is a lack of "conclusive statistical data" to support a two-person crew standard, we know from data gleaned from reports on accidents, crashes and fatalities as well as the real-life experiences of frontline employees, that the arguments in favor of a two-person crew standard are compelling.

The railroads rely on skewed statistical analysis to argue that a lack of accidents from the use of one-person crews means that this two-person train crew rule isn't needed. The reality is that almost all trains in America operate with two crew members and



Wytkind

thankfully, one-person crew operations are still the rare exception. Of course there is not a great deal of data available. More to the point, the safety statistics in today's industry are a product of the skill and professionalism of the two-person and three-person crews that operate trains across America today.

Federal regulators' own research underscores the necessity of having at a minimum a federally certified engineer and a federally certified conductor on trains. These employees support each other's decision-making process. They work together to combat fatigue, especially in the real-world of train crews defined by mandated long shifts and unpredictable work schedules. They support safe operations in the event of emergencies or if one of the crew members becomes incapacitated, a fact that is also recognized by the Federal Aviation Administration as it prohibits cockpit crews of fewer than two pilots.

Conveniently, the railroads also fail to mention what happened three years ago in the Quebec town of Lac-Mégantic. A runaway train carrying 72 cars of crude oil killed 47 people and leveled most of the town. This

Continued on page 10

Inside this issue of SMART Transportation Division News:



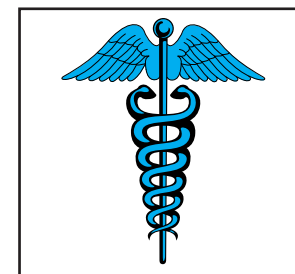
SMART TD welcomes First Student Bus Operators. See page 3.



Great Lakes to provide flights to Salina, Kan. See page 4.



Register for 2016 regional meetings. See pages 6 & 7.



Rail members may be eligible for death & dismemberment insurance. See page 8.