

SMART[®]

Transportation Division News

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

San Francisco Regional Meeting recap in photos



Bus members take time out after one of their workshops for a group photo. See more photos like this one on pages 6 and 7.



Rockland Coaches Vice Chairperson Bithcer Prophete of Local 1558 at Bergenfield, N.J., scans in his name badge after attending the workshop, "NLRA & Our Responsibilities" Monday, July 4.

Members who attended at least five workshops and scanned in their badges at the end of eligible workshops received a certificate of achievement from SMART Transportation Division.



AFL-CIO's TTD Legislative and Regulatory Representative Andrea Wohleber takes a minute to discuss her workshop, the "Issues that Affect Today's Bus Operator" with Alternate National Legislative Director Greg Hynes.

SMART TD mobile app is for year-round use!

The SMART TD Mobile App has improved. New features have been added that make locating, scheduling and rating Regional Meeting workshops super quick and easy.

Just like last year, the SMART TD Mobile App provides detailed descriptions for workshops, instant access to officer and presenter bios and includes additional member resource content found in the menu, located at the top left of the App screen.

SMART TD Mobile has been upgraded to include features you can use year-round, including automated alerts,



SMART TD News Feed and member notifications.

Additional new features include an updated interface and custom scheduling with integration to your mobile device's calendar. Filtering tools by target audience – all designed to help you locate all the events that interest you most.

Take a minute to download version 2.5 Today!

Search for "SMART Transportation Division" in the App Store or Google Play.

315 new bus members gather for training in Gardena, Calif.



315 new bus members employed at First Student in Gardena, Calif., gathered for an all-day training session to learn about SMART Transportation Division and what it means to be a member. The training event was led by International Organizer Bonnie Morr, Alternate Vice President-Bus Alvy Hughes and part-time Auditor Neal McSorley. Vice President John England, Vice President-Bus Adhi Reddy and Assistant General Counsel Susannah Bender were on hand for the training.

SMART TD discusses declining coal industry with Clinton



Vice President Doyle Turner (left) and Kentucky State Legislative Director Jared Cassity (right) met with Presidential-hopeful Hillary Clinton (center) at a round table discussion to talk about Clinton's \$30 billion plan to revitalize the coal industry.

Members make all the difference!

By John Risch, National Legislative Director

Recently, Republican Congressman Louie Gohmert of Texas – one of the most conservative members of the U.S. House of Representatives – cosponsored our two-person crew legislation, H.R. 1763, the Safe Freight Act. This show of support follows cosponsorship from Congressman Trent Franks of Arizona, a member of the conservative House Freedom Caucus. Both are considered among the most conservative members of Congress.

Why did Rep. Gohmert sign onto the bill? The simple answer is that one of our members asked him to. General Chairperson **Steve Simpson's** office is located near Rep. Gohmert's, and Steve decided to set up a meeting to engage the Congressman on our issues, including the need for two-person crews on all trains. Steve didn't shy away because Rep. Gohmert is a conservative Republican; no, Steve's attitude was that "this is my Congressman, and I will request a meeting." They talked for more than an hour and Steve convinced this very conservative Republican that the only safe way to operate a train is with a crew of at least two people.

Arizona State Legislative Director **Scott Jones** lives in Congressman Franks' district and decided to set up a meeting with his Congressman. Scott brought along a retired engineer who attends the same church as Congressman Franks and whose children attend bible study taught by the Congressman. Hearing from a trusted friend proved extremely effective as Congressman Franks came out of the meeting understanding the importance of two-person crews and became a cosponsor of H.R. 1763.

Last year, one of our bus members, **Socorro Cisneros-Hernandez**, had an upcoming meeting with Republican Congressman Paul Cook of California and contacted our office looking for talking points on our legislative priorities. Ms. Cisneros used the information we provided and had a very productive meeting with Congressman Cook, after which he agreed to cosponsor the Safe Freight Act.

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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

Locals 78 & 265, Pocatello, Idaho



UTUIA Fraternal Operations Coordinator Marilyn Spangler stopped by a local meeting held by Locals 78 and 265, both of Pocatello, Idaho. Pictured from left: Local Secretary & Treasurer Sam Butler (265), Jerry Wooten (265), Jerry McCarthy (265), Kelly Van Orden (265), Local President Richard Dennis (265), Local Alternate Legislative Representative Steve Kirby (265), LCA 953B Secretary Chris Fletcher (265), Local Chairperson Bryce Holder (265), Nick Crowder (265), Local Trustee Deven Duffin (265), Local Trustee Zane Parris (78), Colt Grimmert (265), Vice Local Chairperson Jeff Carson (265), Local Legislative Representative Curtis Schmitz (78), Torey Danner (265), Vice Local Chairperson Ryan Rodriguez (78), Chris Spoklie (265) and Local Vice President Monte Mills (78).

Local 113, Winslow, Ariz.



UTUIA Fraternal Operations Coordinator Marilyn Spangler stopped by the monthly local meeting to discuss opening a UTUIA charitable local unit lodge. Front row seated: Legislative Vice Chairperson Ellis Laird, Local Trustee Dan Middleton, Third GCA (BNSF) Vice Chairperson Johnny Martinez, Local Chairperson Darrick Ervien, UTUIA Field Supervisor Charlie Skidmore, Spangler and K. D. Lee. Standing from left: Local Secretary David Baker, Michael Sweeter Sr., Local Vice President John Carmody Jr., Local President Steve Thomas, Vice Local Chairperson Dan Clark III, Alt. National Legislative Director Greg Hynes, Local Trustee Walter Dempsey IV, Vice Local Chairperson David "Chad" Despaigne, Paul Rada, Erik Richmond and Craig Clark.

Local 195, Galesburg, Ill.

Two members of Local 195 have recently retired, reports LCA Secretary **Tyler Lannholm**. **John "Tom" Barrett** hired out on the Burlington Northern railroad August 21, 1973, as a switchman on the former Galesburg Division in Peoria, Ill. He then transferred to become a fireman in September 1973. Barrett completed the locomotive engineer training program and took his final exam in November 1974. Barrett said he is proud to have his son, **John E. Barrett**, follow in his footsteps on the railroad. Barrett retired Sept. 2, 2015, with plans to spend more time with his wife and grandkids.

Terry Lannholm hired out with the Burlington Northern railroad April 17, 1971, as a brakeman on the former Aurora Division in Aurora, Ill., and became a conductor in August 1976 on that same division. Lannholm worked his entire career out of the Galesburg terminal with a few exceptions of being forced in the early 1980's to work out of Aurora. Lannholm's son, Tyler, also followed in his father's footsteps on the railroad. Lannholm retired March 12, 2016, just one month shy of 45 years of injury-free service.

Local 195 would also like to thank **Dan "Stinger" Steinback** (199) and **Shawn Kelly** (1872) for providing the retirement gifts.

Local 1138, Miami, Fla.

Local Chairperson **Yvonne Hayes** reports that the local had its annual picnic at Oleta State Park in Miami. The local included members from Local 1138, Tri-Rail Local 30 (Jacksonville, Fla.), BLET Division 49 and

the Brotherhood of Railway Signalmen and Maintenance of Way.

"The picnic was a great success, thanks to the sponsorship of Designated Legal Counsel Howard Spier and his law firm Rossman, Baumburger, Reboso & Spier," Hayes said. "We would also like to thank Local 1138 member **Anthony Ray** for his culinary skills. Swimming, fishing, paddle-boarding, and lots of good food helped build solidarity among the diverse workforce."



Alex "AC" Johnson and Mark Green, both of whom retired, were honored for their years of service at the picnic. Hayes noted that their retirements were momentous for the local as Johnson and Green had both been instrumental in mentoring her and dozens of others over the last several decades. Pictured left is Johnson. Pictured right is Hayes and Green.



Local 1594, Upper Darby, Pa.



Members from Local 1594 stood in support of the Verizon workers who were on strike, reported Ron Koran. "Some members of Local 1594 raised money, donated food, and decided to walk with CWA striking workers against Verizon in support of their strike and to show solidarity." Pictured in front from left: Strike Captain Kristina Kleinschmidt, Koran's fiancé Robin Martin, Koran and John Coleman. Not pictured: Dean Fear and Josh Urchick.

Local 1892, Houston, Texas



Officers of Local 1892 stand in front of their SMART van.

Local Chairperson **Daniel Holak** reports that this local is going to have their first annual SMART TD Rally September 27 from 1-9 p.m.

"Brothers and sisters, the time has come for us to unite and strengthen our union by having our first annual SMART TD rally," Holak said.

The event will open with music and will be followed by speakers and some short videos. Each local will also have time to honor this year's retirees by bringing them onstage and giving them a retirement gift. The rally will also feature door prizes, dancing and food.

The rally is open to all members, furloughed members, spouses and retirees working in and around the Houston area.

The rally is being held at SPJST Lodge 88, 1435 Beall Street, Houston, TX 77008, on Tuesday, Sept. 27 from 1-9 p.m. Dinner will be served at 4:50 p.m. If you plan on attending, please RSVP to LCA Secretary **Butch Boggess** by calling 713-503-8560 or by email at lsa1892secretary@gmail.com no later than Aug. 27. All SMART TD locals are welcome and encouraged to participate and share in the cost of the event. Locals should contact Secretary & Treasurer **Keith Green** at 832-969-2252 for details.

Union Plus awards scholarships to three children of SMART TD members



The son and daughters of three SMART TD members have been awarded scholarships from Union Plus for the 2016 school year.

Steven Bollendorf, son of **Steven Bollendorf** of Local 61 at Philadelphia, has been awarded a \$500 scholarship. He is an industrial engineering major at Penn State Abington. He intends to graduate in May 2018.

"Life is littered with uncertainties. However, unions give a sense of tranquility in times of chaos. It was through direct influence of my father's union that we were able to survive the recession with few economic repercussions," the younger Bollendorf told Union Plus.

Anika Daniels-Osaze, daughter of **Richard Daniels** of Local 645 at Babylon, N.Y., has been awarded a \$1,000 scholarship. Anika is in the higher education administration doctoral program at Northeastern University in Boston. She intends to graduate in May 2017. Anika is a member of the American Federation of Teachers Union - Local 2190.

"Unions have always played an important role in my life," Anika told Union Plus. "My family has always been a great example for me and a constant reminder of all that unions have done to make life better for all workers overall."

Grayson (Gracie) Juarez, daughter of **James Juarez** of Local 316 at Clinton, Iowa, has been awarded a \$500 scholarship. Gracie is a nursing major at Sauk Valley Community College in Dixon, Ill. She intends to graduate in May 2017. Gracie is a member of Local 1546 of the UFCW. Gracie's mother, Louise Hrubceky, is also a union member. She belongs to AFSCME Local 881.

"The union has negotiated contracts that have afforded my family the life that it has. I have seen the power of the union and labor movements. I am proud that I am not only a union member, but the daughter of a union member and steward," Gracie said.

SMART TD congratulates Steven, Anika and Gracie, and wishes them all the best.

The Union Plus Scholarship Program, now in its 25th year, awards scholarships based on outstanding academic achievement, personal character, financial need and commitment to the values of organized labor. The program is offered through the Union Plus Education Foundation.

Since starting the program in 1991, Union Plus has awarded more than \$4 million in educational funding to more than 2,700 union members, spouses and dependent children. Union Plus Scholarship awards are granted to students attending a two-year college, four-year college, graduate school or recognized technical or trade school.

This year over 5,700 applications were received from 55 unions. The application deadline is always January 31. Visit www.unionplus.org for more information.

SMART TD welcomes new members to Local 202

On April 15, employees of Denver Transit Operators (DTO) voted to join SMART TD Local 202 at Denver. This vote adds 51 engineers to the local, with growth to a possible 75.

Local 202 Secretary **Jeff Maxfield** said, “We are proud to represent the operators at DTO and look forward to signing an agreement that not only protects health and welfare, but provides job protection and livable wages.”

Maxfield said that unfair treatment and labor practices led engineers of DTO to organize. Safety concerns also led the new members to look for representation.

Currently, DTO engineers are paid roughly 50 percent of the national average, an issue that SMART TD hopes to rectify.

The addition of these members to the local is

thanks to a collaborative effort by Maxfield, Director of Organizing **Rich Ross**, Colorado State Legislative Director **Carl Smith** and SMART Sheet Metal Local 9 Organizer Tim Moran.

“This would not have been accomplished without the help of our sheet metal brother Moran,” Maxfield said. “This is a great example of every side working together in unison. This is also a great example of thinking outside the box for organizing opportunities.”

DTO is a private company with a 29-year contract to operate and maintain the new commuter rail system currently under construction in and around Denver for the Regional Transportation District (RTD).

They are part of the Eagle P3 Project, which will provide service to over 36 miles of track with electric rail cars.

FRA clarifies “Smartwatch” Rule - Fitbits restricted

FRA considers Fitbits and similar devices to be “personal electronic devices” that are subject to the restrictions in part 220. Per the definition of an “electronic device” at 49 CFR 220.5, they are an electronic device that performs functions not necessary for the health or safety of that person and entail the risk of distracting employees from safety-related tasks.

FRA understands some Fitbit devices are rather limited in their functionality. However, a number of different fitness tracking devices are available.

The Fitbit Blaze, for example, has functions that include mobile playlists, call alerts, text alerts and fitness tracking. These functions are the same type of distracting functions that have caused railroad accidents and were the impetus for the restrictions contained in part 220.

The regulation text of part 220 does not distinguish between Fitbits that have limited functionality, and those that are more akin to smartphones or smartwatches.

Unless a waiver granting an exemption for certain fitness tracking devices with limited functionality were issued by FRA in the future, the agency considers all such devices to be “personal electronic devices” that are

subject to the restrictions in part 220.

However, railroad operating employees are allowed the use of digital clocks or wristwatches whose primary function is to tell time.

Timepieces are commonly used in the railroad industry to verify the accuracy of a locomotive’s speed indicator.



This function is safety-related in that it accurately allows a train crew to comply with relevant track speed limits during the course of a train’s movement.

This exception is limited to those wristwatches that do not have functions which violate the requirements set forth under 220 subpart C. The

Primary function of fitness tracking devices is not to tell time.

As stated in Title 49 CFR 220.303, a railroad operating employee shall not use an electronic device if that use would interfere with the employee’s or another railroad operating employee’s performance of safety-related duties.

No individual in the cab of a controlling locomotive shall use an electronic device if that use would interfere with a railroad operating employee’s performance of safety-related duties.

Railroad Retirement Board issues statements of service

Each year, the U.S. Railroad Retirement Board (RRB) prepares a “Certificate of Service Months and Compensation” (Form BA-6) for every railroad employee who had creditable railroad compensation in the previous calendar year.

The RRB mailed the forms to employees during the first half of June. While



every effort has been made to maintain current addresses for all active railroad employees, anyone with compensation reported in 2015 who has not received Form BA-6 by July 1, or needs a replacement, should contact the nearest RRB field office by calling the agency’s toll-free number, 1-877-772-5772.

First Student receives ASE Blue Seal of Excellence

Ten First Student Bus locations have recently received the Blue Seal of Excellence from the National Institute for Automotive Service Excellence (ASE). Of the 10 properties that received the award, Local 1908 of Buffalo, N.Y., were one of those properties.

According to First Student, the properties that received the award demonstrated dedication to safety and a commitment to setting the highest standards.

The ASE was created in 1972 to improve the quality of vehicle repair and service by testing and certifying automotive professionals. The Blue Seal of Excellence is the highest certification level given by ASE.

SMART Transportation Division represents mechanics and bus drivers on the Buffalo property. SMART TD congratulates the mechanics on their award.

New FRA rules strengthen protections for MOW workers

Separate rules increase protections, add Maintenance of Way workers to drug and alcohol testing policy

The U.S. Department of Transportation’s (DOT) Federal Railroad Administration (FRA) has issued two final rules to better protect railroad employees working on or near railroad tracks. One rule amends the existing Roadway Worker Protection regulation. The second rule, Control of Alcohol and Drug Use, revises FRA’s existing alcohol and drug testing regulations and expands the requirements to now cover maintenance of way (MOW) employees. The second rule fulfills a requirement of the Rail Safety Improvement Act of 2008.

“Clear communication, multiple layers of safety and a rigorous alcohol and drug testing

Evansville Western engineers and trainmen approve deal

SMART TD-represented locomotive engineers and trainmen employed by Evansville Western Railway (EVWR) have ratified a new five-year agreement by an overwhelming majority.

The agreement provides for wage increases beginning January 1, 2016, and each year through 2020, for a 16.5 percent cumulative increase.

In addition to the general wage increases, the agreement provides full back-pay, an increase in certification and meal allowance payments, increases in 401K contributions and a cap on health and welfare contributions over the life of the agreement. The agreement also preserves cost of living adjustments and improves bereavement and personal leave provisions.

“General Committee of Adjustment 433 (CN Illinois Central) Vice General Chairperson **Jonathan Dooley** and I were committed to bringing the members’ concerns to the table and negotiating an agreement with improvements in wages and working conditions,” said General Chairperson **Adren Crawford**.

EVWR is a full-service railroad that operates 124.5 miles of track between Evansville, Ind., and Okawville, Ill. The railroad connects with Union Pacific and Norfolk Southern at Mt. Vernon, Ill., with BNSF at Woodlawn, Ill., and CSX at its Howell Yard in Evansville.

EVWR transports coal, grain and food products, chemicals and fertilizer, lumber and other building materials. EVWR is a subsidiary of P&L Transportation, Inc.

SMART TD, TTD, Senator testify at FRA train crew hearing

Continued from Front page

“Conductors and engineers work together to safely get trains to their destinations, and during an emergency, our teamwork is critical. As a conductor, if and when emergencies occur, it is my job to get off the train, assess the situation and address any life-threatening issues.”

“Take it from us: operating a freight train with a single crewmember is unsafe. A strong federal policy requiring a conductor and an engineer on freight trains will prevent accidents and save lives.”

Ed Wytkind, President, TTD, AFL-CIO:

“Safely operating a freight train is no easy task. It’s a complex and demanding job that requires workers to complete a variety of tasks, often simultaneously, to keep trains running safely and efficiently. In fact, operating a freight train has long been the job of a team of workers – locomotive engineers and conductors – working together to complete procedures necessary for safely moving trains.”

“This team also works together during emergencies, such as dangerous rail accidents, when timely action and quick thinking can save lives and prevent destruction.”

“We encourage the FRA to swiftly finalize a strong two-person crew standard.”

U.S. Senator Heidi Heitkamp, from a statement released after the hearings:


“With so many trains crisscrossing North Dakota carrying our commodities to market, safety must be a top priority – and we saw the benefits of a multi-person train crew during the derailment in Casselton in 2013 to help accomplish that goal. Because there were several crewmembers on board the grain train that collided with an oil train, the crew was able to work together and with local first responders to pull a total of approximately 70 cars loaded with crude oil away from the fire.”

“Rail safety has been a top priority in my ‘Strong & Safe Communities Initiative,’ and testifying at today’s hearing was a continuation of my efforts to keep rail crews and local communities safe.”

To read Senator Heitkamp’s entire statement, go to <http://www.heitkamp.senate.gov>.

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Meeting, Learning, Voting—FOR our union



SMART

General President's

Column

By Joseph Sellers Jr.

Our members' interests have been the focus of several large meetings this summer: The Transportation Division Regional Meetings, the Sheet Metal Business Agents' Conference and the political party conventions that officially nominated the candidates for President.

Our own sessions focused on helping SMART leaders better serve the membership in every way. The TD meetings' new format included a wider range of both participants and workshops offering concrete topics like a review of union officers' duties and responsibilities.

This kind of learning and idea-sharing creates a stronger union and better representation as we continue to raise the bar for our members.

In this election, one candidate stands with us, while the other leaves a trail of broken promises and a platform that ultimately divide us as Americans.

A clear choice for workers and retirees

In the next three months, we all need to vote and volunteer for the candidates we want in office, not just in the White House, but the Senate, Congress and local races as well.

Hillary Clinton has detailed plans to create union jobs, protect workplace rights, and actively build the entire economy. She supports Clean Coal Technology and has plans to improve and expand rail and transit systems while supporting two-person crews.

Most important, she actively supports unions and organized labor. Our member survey showed an overwhelming desire for a united front with the house of Labor. Hillary Clinton's jobs plan, and clear support for unions, have rightly earned her

endorsement by SMART and 34 other International Unions including the AFL-CIO and the North America Building Trades Unions (department of AFL-CIO).

Donald Trump is an ill-suited, unbalanced candidate with a campaign based on fear and smear. He is a danger not only to workers, but to our nation itself.

I was in Philadelphia in the years he opened—and closed—his Atlantic City casinos, and I know first-hand about his history of work practices and the effects on workers and unions. Whether building and running hotels, getting his brand-name products made overseas, or hiring workers for his huge Florida estate, he repeatedly chooses non-union—and often undocumented—workers. In Las Vegas, a city with a strong union presence, he continues to fight the Collective Bargaining and representation process that his workers have signed up for.

When his casinos failed, he bailed. He pulled out personal profits, declared bankruptcy (four times), and refused to pay his debts—forcing creditors into court to collect what little remains from his straw ventures.

This is how Trump does business: Since 2010, he's faced 3,500 lawsuits, including many with everyday working men and women.

Learn! Mobilize! Vote!

This election is our chance to make a difference, to elect an ally as president and regain a union-friendly Senate.

The Senate is crucial because they vote on nominations to the Supreme Court, our last line of defense against anti-union attacks. The next president


will appoint at least two Justices. Elections DO matter. And so DO the candidates. We can help the campaigns...turn out and vote for the candidate(s) with a record of support for working families. We must make the right, SMART choice.

As we get closer to the November election, remember to take the candidates at their own words and actions. Hillary Clinton, for example noted that, "If we want to get serious about raising incomes, we have to get serious about supporting union workers." Our summer meetings and political strength are all about supporting you, the members of SMART, improving a safe work environment and ensuring you are treated with dignity.

We must start now, by making sure that each of us and our families are registered to vote in this upcoming election.

Visit www.SMARTVote2016.org to check your registration status. We must all work together to build an America that works for all of us.

Fraternally,



Joseph Sellers Jr.
SMART General President

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Aviation Department News

News affecting our aviation membership

Great Lakes joins with Frontier Airlines to launch career pilot program



Frontier Airlines has entered into pilot hiring partnerships with both Cheyenne, Wyo.-based Great Lakes Airlines and Fort Lauderdale, Fla.-based Silver Airways, as part of the Frontier Career Pilot Program. This program is designed to remove many of the career uncertainties by guaranteeing pilots entering the Career Pilot Program a first officer position with Frontier upon completion of defined experience requirements.

"This program and our partnerships with these highly regarded and respected regional airlines will become an important element of Frontier's overall strategy to fulfill our pilot staffing needs in the future," said Jim Nides, Frontier's vice president-flight operations.

"Great Lakes has had a long standing relationship with Frontier as many of our former pilots are now flying there. This agreement will help solidify the pilot recruitment needs for both airlines," said Douglas Voss, CEO of Great Lakes.

Frontier will help its new partners interview and recruit new pilot candidates. Once selected, the pilot needs to remain employed by the regional airline, upgrade to captain and build at least 1,000 hours of pilot-in-command time. Once these and other conditions are met such as dependability metrics and a letter of recommendation from the partner airline, Frontier will guarantee that the pilot will transition to Frontier as a first officer.

"With forecasted retirements, it's no secret that the demand for highly qualified pilots will grow over the next several years," said JP Thibodeau, Frontier's chief pilot. "This new partnership helps address our future pilot staffing needs while providing pilots entering the workforce a certainty for their careers."

Pilots who currently fly for Great Lakes Airlines or Silver Airways also will be eligible and encouraged to participate in the Career Pilot Program.



Bus Department News

A message from your bus department leadership

Dear Sisters and Brothers of our great union,

The summer is almost over and our Regional Meetings have come and gone for 2016.

SMART TD is built on membership and the participation of its members. Members make up the local, and together, the locals make up the international.

Officer training strengthens every local. A representative from each local should attend at least one regional meeting each year. Go to your local meetings and find out if there is money set aside for the officers to attend a regional meeting. If not, then your local should vote on a special fund or account to send at least one officer.

We now offer a new **certificate program** to officers that attend the meetings. The certificate will provide proof to the local that your representatives attended the workshops.

Also, if you have a **smart phone**, there is now a **free app** that you can download and see a list of the workshops and materials that were offered at the regional meetings, as well as member news, notifications and alerts for year-round use. Search "SMART-Transportation Division" in your app store. Check the SMART TD website or the monthly newspaper for training opportunities for newly elected officers, or call 216-228-9400 to inquire about special training.

Your elected vice presidents are ready to assist your local. Have your local president or general chairperson call or email requesting our assistance.

In closing, I would like to welcome the newly organized transit members in Denver to Local 202. I am at your disposal if you need assistance.

Together, we can be a strong and educated organization. Until next time, be safe.

In Solidarity,
Adhi Reddy
Vice President - Bus
areddy@smart-union.org
661-871-3355



Reddy



Know the facts before you vote

It is said that two things to never discuss at a family gathering are religion and politics and for the most part that is very good advice. But I'm going to break that rule here—I view my brothers and sisters in the labor movement as family, but I cannot stay silent while the consequences of the upcoming national elections may have such a severe impact on the working men and women of this country.

Let's look first at our industry - those of us who work in the transportation field are very much affected by decisions made in Washington, D.C. by a number of Federal agencies. Without exception, the people who lead these agencies and have final say over such decisions are appointed by the President of the United States.

For example, the Federal Railroad Administration (FRA), the Federal Aviation Administration (FAA) and the Federal Transit Administration (FTA) are entities that have a direct impact on all of us, every day that we go to work. These agencies make the rules that govern our licenses and certifications. They enact the rules and regulations that govern our safety and well-being while working on the job.

Our members in the air and rail industry negotiate their collective bargaining agreements and enforce their contractual rights under the auspices of the National Mediation Board (NMB), while such activities for our bus members are governed by the National Labor Relations Board (NLRB).

The Surface Transportation Board (STB) has jurisdiction over rail mergers and abandonments. This is the board that decides not only when mergers can happen, but also which line consolidations and which abandonments will occur—and whether labor protection will be imposed as a requirement of the transaction.



SMART
Transportation Division
President's Column

By John Previsich

And 13c labor protective conditions are a requirement of Federal law when Federal funds are used to enhance bus or rail operations.

Retirement, occupational disability, unemployment compensation and sickness benefits for rail workers are governed by the Railroad Retirement Board (RRB). If you're a railroad worker and you get sick, you receive Railroad Retirement sickness benefits. If you get furloughed, you receive Railroad Retirement furlough benefits. When you are old enough to retire and enjoy the hard-fought and hard-earned retirement that you're due, that's through the RRB.

If you are a rail worker injured while working, the Federal Employers' Liability Act governs the recovery of lost wages and pain and suffering for you and your family.

If you are a rail worker with 20 years of service and are disabled from working in your regular occupation, the RRB will grant you an occupational disability with full retirement benefits. This occupational disability benefit is something unique to the railroad industry. It exists nowhere else and there are people in Congress today, each and every session, that try to take those benefits away from us - including the Republican candidate for Vice President, Mike Pence.

It's a fact - Mike Pence, governor of Indiana and former Congressman (R-Ind.), voted against labor's interests 95 percent of the

time while in congress. He voted in 2001 against the railroad retirement revisions that gave us full retirement at age 60 with 30 years of service. During his tenure from 2001 to 2013, there was not a single person in congress with a worse labor record than Pence. The Republican nominee for President has stated that he wants to freeze and roll back regulations, including ones that may affect our safety. Mike Pence has a well-documented history of trying to do just that.

It's a fact – The Republican nominee for President is Donald Trump, a man without any experience in elective office. Some believe that may not be a bad thing, but it forces us to look at the actual record of Trump's statements and accomplishments to ascertain his fitness for the highest office in the land.

First, let's look at Trump's position on coal, an issue that's very important to our members. Anyone who watched the Republican convention may have noticed the signs in the audience, "Trump digs coal." But a review of the facts shows that Trump has no credible plan to return the coal business to profitability, a requirement for increased production. The downturn in coal comes from a number of factors connected to global economics and cheaper alternative fuels such as natural gas. While Trump makes empty promises, Democratic Nominee Hillary Clinton is actually meeting with workers and labor leaders in the coal industry to develop strategies to support and assist the impacted workers.

It's a fact – Now, what about Mr. Trump's promise to bring manufacturing back to America? Another simple statement without any credible plan for actually accomplishing that objective, so once again we are compelled to

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State Watch

News from SMART TD State Legislative Boards

Arkansas



State Legislative Director Steve Evans retired Dec. 31, 2015, with 41 years of service. Evans was honored by Local 950 (West Memphis, Ark.) at their union meeting May 2, 2016. Pictured from left: Local Chairperson George Pettis, TD President Emeritus Mike Futhey, Local President James Dennis, Evans and current State Legislative Director Gerald Sales.

Colorado

State Legislative Director **Carl Smith** reported that Colorado Governor John Hickenlooper (D) signed into law a bill that helps towns, cities and counties across Colo., to pay for the cost of improving safety at railroad crossings in their communities. The bill provides for ongoing appropriations to the state's Highway-Rail Crossing Signalization Fund.

District of Columbia



D.C. Legislative Director Willie Bates reported that he represented SMART TD at a Jefferson-Jackson dinner June 18 in Richmond, Va. U.S. Labor Secretary Tom Perez gave the keynote speech. Pictured above from left are Virginia State Legislative Director Ronnie Hobbs, Bates, BLET D.C. Legislative Director Herb Harris and BRS National Legislative Director Leonard Parker.

Minnesota



Thirty members from locals in Minnesota attended the DOT-NIEHS Railroad Workers Hazmat Class held at the SMART TD Minnesota Legislative Board offices June 3.

Missouri

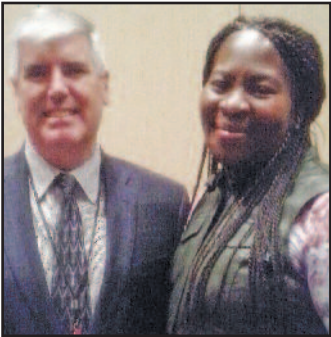
Retired State Legislative Director **Ken Menges** reported that the Missouri Paycheck Deception veto stands. Republicans failed to get enough votes to override Governor Jay Nixon's (D) veto of the measure. The attempt failed 22-10, one vote short of the 23 votes needed. If the veto had been overridden, public unions would have been required to provide written consent each year to have union dues deducted from paychecks.

Nebraska



Members of the Nebraska State Legislative Board are sworn in by Local 367 Legislative Representative Joe Buelt after winning their elections. Pictured from left: Assistant State Legislative Director Lawrence Mozena, State Legislative Director Bob Borgeson, Legislative Secretary Michelle Larsen, Alternate State Legislative Director Reuben Reisig, Alternate Assistant State Legislative Director Sunny Hothan and Buelt.

New Jersey



The New Jersey State Legislative Board held its reorganization meeting May 18-20. Bus Representative Tracy Hamilton is the first female member elected to the New Jersey State Legislative Board. Pictured here is Hamilton with General President Joseph Sellers, who addressed the board.

North Dakota

The North Dakota Legislative Board held its quadrennial reorganization meeting April 27 and 28, 2016, at the Railway Credit Union in Mandan, N.D.

During the two-day meeting, the board conducted a candidates' forum to interview candidates running for state and federal offices.



Pictured from left, front row: Assistant State Legislative Director Duane Steedsman, Joe Bachmeier (1059), Second Vice Chairperson Shawn Edwards and Local 1344 Alternate Legislative Representative Nicole Mindt. Back row: Legislative Secretary Joe Connors, State Legislative Director Jim Chase, Candidate for U.S. House Chase Iron Eyes (D), Legislative Chairperson Jarod Besserud, Alternate State Legislative Director Bryan Kocourek and First Vice Chairperson Peter Harstad.

SMART TD: Learning Today - Leading Tomorrow

A Recap in Photos of the 2016 San Francisco Regional Meeting



Matt Schumacher (367) and Eddie Gonzales (823) represent Operation Red-Block at the San Francisco regional meeting.

Solidarity Leadership Training



Human Rights Committee Coordinator Billy Moye (1971) hands out pamphlets about diversity in the workplace to interested members and their families.



Transportation Division President John Previsich presents Surface Transportation Board Chairman and former UTU employee Dan Elliot with a commemorative lantern in appreciation of his speech to the membership at lunch July 5. Pictured from left are Vice President John Lesniewski, National Legislative Director John Risch, Elliot, Previsich, SMART General President Joe Sellers and SMART General Secretary-Treasurer Rich McClees.



Above: SMART TD General Counsel Kevin Brodar makes a presentation to a packed workshop on the Railway Labor Act. Also presenting was Assistant General Counsel Susannah Bender and moderating was Vice President David Wier.



General Chairperson Richard Robinette and Vice General Chairperson Chad Sandel attend the workshops together.



Auditor Mike Araujo engages the membership at the S&T-Taxes workshop on Tuesday, July 5.



Ohio State Legislative Director Stu Gardner (left) discusses legislative issues with Wyo. State Legislative Director Stan Blake (right).



Above: Members attend one of the many workshops offered.



Above: Local 1563 Vice President Marcos Mejia-Portillo, Local 1563 member Juan Rivas and Local 1563 President Jaime Delcadiello are taking a short break before heading to the next bus workshop.



Above: Railroad Retirement Board Representative Mark Thomson mans the RRB vendor booth, in wait to answer membership questions.



Local 937 Chairperson Terry Henslee (left) and Local 489 Chairperson Joel Head Sr. (right) step outside for some fresh air during a workshop break.



Members pack the house of one of the many workshops offered at the San Francisco Regional Meeting.

SMART - TRANSPORTATION DIVISION LEADERS IN TRANSPORTATION LABOR

Below: Alternate Vice President Bus Alvy Hughes, Bus Vice President Adhi Reddy and Organizer/Local 1895 Chairperson Larry Grutzius sit together at a luncheon.



Members participating in workshops get their badges scanned by Alternate National Legislative Director Greg Hynes. Pictured below left: Port Terminal Railroad Association General Chairperson Chris Alston; Below right: Local 1886 Legislative Representative Josh Smith; Right: Pennsylvania State Legislative Director Paul Pokrowka.



Retired Local 1374 Chairperson Dave Nogacek and his wife, Diane, enjoy the Sunday night welcome reception.



Executive Board Chairperson Mike Anderson (left) and Legislative Vice Chairperson Kevin Devlin (right) head to their next workshop together.



Auditor Mike Araujo moderates at one of the S&T workshops.



Local 1785 President Erskins Robinson, stands in solidarity with Local 1785 Legislative Representative Kelester Jackson, Santa Monica Municipal Bus Lines (SMB) General Chairperson Javier Sanchez and SMB Vice Chairperson Eric Dixon.



Above: A bus workshop is packed full of members ready to learn.



Above: Rail members attend a workshop on the Railway Labor Act.

Below: DLC Coordinator Anthony Petru stands at the podium and answers member questions at the DLC Presentation.



Below: Members and officers are in attendance at one of the many workshops offered at the San Francisco regional meeting.



Above: Bus members in attendance of the "Officer Training & Grievance Handling" bus workshop participate in round-table discussions on how best to handle grievances.



Training

Fraternalism

Growth

Fraternalism

Growth

SMART TD Alumni

SMART TD Alumni Association

News, information for members of the SMART TD Alumni Association

Retired General Chairperson & Alumni Association member celebrates 90th birthday

On Saturday, May 21, retiree and Alumni Association member **John Mogan** (Local 228 at Cedar Rapids, Iowa) celebrated his 90th birthday in the company of friends, family and co-workers.

Mogan was United Transportation Union General Chairperson representing employees of the Milwaukee Road lines east, METRA (Chicago's commuter railroad) and the Escanaba and Lake Superior Railroad for 25 years.

Mogan is known



Pictured from left: General Chairperson Ken Flashberger, Engineer Tim Mogan, Retired Metra Chief Safety and Rules Officer Dennis Mogan, Retired Glenn Bay & Western Superintendent Roger Mogan, John Mogan, Retired Canadian Pacific Superintendent Robert Shive, Retired Local 911 Chairperson Ed Bicha and Retired Local 228 Chairperson Bob Mauer.

by the UTU membership as the architect of the first-in-the-industry productivity fund as a component of the crew-consist agreement negotiated on the Milwaukee Road.

He also wrote and negotiated the flow back agreement with METRA, allowing employees in train service to flow back into freight service with a Sadie Hawkin's day (the first of October) each year.

"John was a ground-breaker on many fronts

as he navigated UTU members through the Milwaukee Road bankruptcy," Dennis Mogan, brother of John, said. "His crew-consist agreement with productivity fund was the template for the industry.

"His love for the United Transportation Union and the railroad industry created a lifestyle laced with compassion, respect, and a sincere desire to make railroading a way of life," said Dennis.

Alumni Chapter 9 announces monthly meeting

Local 586 retiree **Walter Demich**, coordinator of Chapter 9 in Lorain, Ohio, has announced that the chapter meets the second Tuesday of every month.

What: Alumni Chapter 9 meeting

When: Second Tuesday of every month

Where: 4632 Telegraph Rd. (Rte. 113), South Amherst, OH

Time: 10:00 a.m.

Contact: Walter Demich at 440-233-7801

Retiree, SMART TD employee, holds party for cancer survivor



Pictured from left: Anita Rayner, Amy Rayner, Art Rayner and Andrew Rayner

SMART TD Public Relations Assistant Amy Rayner and retired UTUIA Field Supervisor and Alumni Association member **Art Rayner** (Local 1374 at New Castle, Pa.) held a surprise party for 10-year ovarian cancer survivor and Alumni Association member Anita Rayner, June 11 in New Castle.

Approximately 50 people were in attendance, including retired Local 1374 Chairperson and Alumni Association member **Sam Marino**.

Party-goers were asked to make a donation to the Ovarian Cancer Research Fund Alliance (OCRFA) in Anita's honor, which the UTUIA then matched. A total of \$1,480 was sent to OCRFA.

The Rayners would like to thank everyone who was in attendance at the party and everyone who donated. A special thanks goes out to UTUIA Unit One for arranging for the UTUIA to match the amount donated and the UTUIA for doing so.

Members wishing to donate may go to www.ocrfa.org or mail a check to Ovarian Cancer Research Fund Alliance, P.O. Box 32141, New York, NY 10087.

Landfall Travel offers two trips in 2016

www.landfalltravel.com • (800) 835-9233

Train tour across Switzerland

- Sept. 16-24, 2016
- Overnight stays in Lucerne, Lausanne, Zermatt and St. Moritz
- Rates start at \$2,359* per person
- Most meals included

American Queen steamboat cruise

- Oct. 2-10, 2016
- Cruise leaves from St. Louis and ends in Red Wing, Minn.
- Rates start at \$1,874.25* plus \$149 port tax per person

*Airfare not included, rates subject to change

THE FINAL CALL

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

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
R	Schweizer, Al	St. Paul, Minn.	469	Mosby, Ronald E.	St. Louis, Mo.	1365	Kemmerly, Earl E.	New Castle, Pa.
R	Smith, Curtis D.	Lawrenceville, Ga.	469	Mueller, Dan W.	Imperial, Mo.	1393	Colin, Robert P.	Carefree, Ariz.
1	Palmer, Frank R.	Buffalo, N.Y.	471	Allison, Paul G.	Eugene, Ore.	1393	Conlin II, Michael W.	Buffalo, N.Y.
2	Weinandy, Cyril A.	Tiffin, Ohio	524	Smith, Larry E.	Palestine, Texas	1397	Cassel, Forrest J.	Columbus, Ohio
6	Carter, Harry V.	Richmond, Ind.	528	Kovac, Paul S.	West Dundee, Ill.	1462	Guerette, Raymond A.	Fairhaven, Mass.
60	Nemeth, Robert P.	Parlin, N.J.	528	Leeman, Marvin S.	Salem, Ill.	1477	Dillon, Howard W.	Michigan Center, Mich.
60	O'Connor, Ward J.	Budd Lake, N.J.	569	Liska, Stanley A.	Richardson, Texas	1477	Mulcahy, James F.	Ft. Myers, Fla.
202	Hill, Donald W.	Denver, Colo.	645	Ricci, Joseph A.	Babylon, N.Y.	1502	Webb, Henry S.	Wildwood, Fla.
225	Wuertz Jr., Leland J.	Sandusky, Ohio	730	Nelson, Alvin L.	Livingston, Mont.	1529	Bishop, Thomas E.	Oregon, Ohio
228	Lewis, Richard L.	Ottumva, Iowa	830	Barrett, Orren S.	Selinsgrove, Pa.	1548	Sabo, Joseph	Indianapolis, Ind.
233	Norby, Carl	Mobridge, S.D.	830	Yorty, John R.	Palmyra, Pa.	1548	Self, Joseph C.	Stilesville, Ind.
239	Baker, Jimmie L.	Ferndale, Wash.	872	Curtis, James L.	Omaha, Neb.	1626	Corey, William A.	Homer, Alaska
284	McMahan, Jerrell	Loris, S.C.	898	Howe, Robert M.	Lowell, Mass.	1626	Whiteside, Richard D.	Anderson Isl., Wash.
298	Bauman, Albert C.	Ft. Wayne, Ind.	977	Patterson, John D.	Julietta, Idaho	1629	Whitney, Udell P.	Phoenix, Ariz.
298	Class, Richard G.	Huntington, Ind.	980	Wendel, Gary L.	Enderlin, N.D.	1770	Loy, Richard B.	Huntington Beach, Calif.
305	Roberts, Richard D.	Harrison, Ark.	1031	Miller, Clarence	Waycross, Ga.	1770	Roche, Louis N.	Burbank, Calif.
320	Lintz, Teddy V.	Indian River, Mich.	1031	Neidlinger, Reginald O.	Rincon, Ga.	1869	Mounts, Herbert	Williamson, W.Va.
330	Markland, Charles E.	Scott City, Mo.	1117	Oberem, Dale E.	Las Vegas, Nev.	1948	Powers, Albert V.	Irwin, Pa.
340	Urbach, Benjamin H.	Vanderbilt, Pa.	1168	Goins, Kenneth W.	Amarillo, Texas	1949	Dwyer Jr., Daniel F.	Ephrata, Pa.
376	Dunn, Norman C.	Louisville, Ky.	1168	Joiner, James H.	Clovis, N.M.	1949	Hartsook, David H.	Clifton Forge, Va.
426	Sponcler, Gene C.	Chattaroy, Wash.	1245	Howard, Gwen E.	Franklin, N.C.	1973	Pierz, Karl E.	Bixby, Okla.
426	Tabor, Herrett G.	Spokane, Wash.	1291	Miller, Walton C.	Hayden, Ala.	1978	Bauer, Roger J.	Milford, Conn.
462	Bonnette, Harold D.	Crossett, Ark.	1313	Perkins, Lyle E.	El Reno, Okla.			

UTUIA has BIG Insurance News!

Permanent Whole Life Insurance is now available for members over 50

You’ve worked hard to provide for your family and they count on you to make the right financial decisions.

UTUIA’s Easy Issue Life offers [Permanent Whole Life Insurance](#) for members over the age of 50. This affordable plan builds cash value, offers guaranteed level premiums, and your benefits never go down!

With three levels of coverage - even with pre-existing conditions - we may have a plan for you. You may still qualify, even if you've been previously denied!

Applying for coverage is quick and easy:

- Simplified underwriting
- No physical exam
- No bloodwork

Gain peace of mind knowing that your family is secure and protected. For additional information on our new **Easy Issue Life**:

Email sales@utuia.org, 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



I would like more information on UTUIA's Easy Issue Life Plan

Please print

Full Name

Date of Birth

SMART TD Local

Street Address

City

State

ZIP

Telephone number with area code

☐ Male ☐ Female

08/16

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

Member Health and Welfare contributions increase

Effective July 1, 2016, rail employees covered under The NRC/UTU Health and Welfare Plan and The Railroad Employees National Health and Welfare Plan will see their monthly Health and Welfare contribution increased from the current \$198.00 per month, to \$228.89 per month.

Why the increase?

Since July 1, 2012, and pursuant to provisions of the September 16, 2011, National Rail Agreement, the health and welfare contribution was frozen at \$198.00 per month. That agreement also contained provisions to increase the contribution amount to a maximum of \$230.00 per month, effective July 1, 2016.

A national rail agreement is currently being negotiated and the new monthly contribution amount will remain in effect until modified.

How is the increase determined?

The formula used in determining the monthly employee contribution takes into account the Carriers Monthly Payment Rate for everything other than on-duty injury health care benefits, and the payment rates for benefits under The Railroad Employees National Dental Plan and The Railroad Employees National Vision Plan. The employee contribution is 15 percent of such monthly payment rates.

SMART TD announces newly renovated hotel for visitors

SMART TD recently negotiated a great deal with Extended Stay America, located at 24851 Country Club Blvd. in North Olmsted—a short walk to SMART TD headquarters.

Their suites have been completely renovated and cost only **\$64 per night** (plus tax) for SMART union members and officers.

To reserve by phone, call **800.804.3724** and ask for the SMART Union rate. To reserve online, go to www.extendedstayamerica.com; in the reservations section, go to the “Special Rates” field, select ‘Corporate’ and enter code **EASMU**.

Long-Term Disability open enrollment begins August 1

SMART Transportation Division has partnered with MetLife to bring our Rail and Bus members the most comprehensive and cost-effective Voluntary Long-Term Disability plans.

VLTD insurance helps you protect your income if you suddenly have to stop working due to an accident or illness. VLTD helps ensure that you can continue paying your bills and provide for your family if you are unable to work due to an accident or illness.

Open enrollment for the Voluntary Long-Term Disability (VLTD) Plan will be available for active dues-paying SMART Transportation Division Rail and Bus members beginning **August 1, 2016, through October 31, 2016**, with no medical history information required.

Rail Members:

60% Option – Allows rail members to purchase coverage after a 238-day elimination period, and offers a monthly benefit of 60 percent of salary (up to a maximum benefit of \$7,000). Cost for Part “B”: \$73.88 per month.

50% Option – Allows rail members to purchase coverage after a 238-day elimination period, and offers a monthly benefit of 50 percent of salary (up to a maximum benefit of \$7,000). Cost for Part “A”: \$51.63 per month.

Bus Members:

60% Option – Allows bus members to purchase coverage after a 365-day elimination period, and offers a monthly benefit of 60 percent of salary (up to a maximum benefit of \$6,000). Cost for Part

“B”: \$47.98 per month.

50% Option – Allows bus members to purchase coverage after a 365-day elimination period, and offers a monthly benefit of 50 percent of salary (up to a maximum benefit of \$6,000). Cost for Part “A”: \$31.50 per month.

Need help deciding how much is right for you?

A good rule of thumb is to buy enough VLTD to cover your essential monthly expenses (e.g., mortgage, food, utilities and car payments). For most people, that is 60-80 percent of their income. To determine your specific needs, use the calculator tool located at www.smart-union.org/td.

Enroll Today!

In the month of July active members received an enrollment package from MetLife, containing plan FAQ’s and an enrollment form.

If for some reason you did not receive an enrollment packet in the mail, call your regional field supervisor.

It is easy to enroll! Simply complete the enrollment form, and mail it to SMART Transportation Division (VLTD), 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070.

For plan related questions or inquiries, please contact MetLife Customer Service at:

1-800-300-4296

Do not wait to enroll! Your opportunity only lasts until **October 31, 2016**.



Know the facts before you vote

Continued from page 5

look at the record. Here we find that Mr. Trump says that he will bring the jobs back but in the next breath he declared that the reason we're not competitive in the global market is because America's wages are too high. And the record also shows that every product with Trump's name on it is currently manufactured in a low wage foreign country.

It's a fact – Trump supports a national right-to-work rule. We all know what that means. Workers can freeload. They can have a union represent them, and they don't have to contribute a nickel. They don't have to support the union, they don't have to support the effort, they don't have to support the cause. They can even work against the union and their fellow workers and still get the benefit of your leadership and your activities in the day-to-day ensuring of agreement compliance and a safe workplace.

In an interview with the *Washington Examiner*, Trump said he favors states with right-to-work laws because, "it is better for the people to not have to pay union dues if they don't want to... It gives great flexibility to the companies."

It's national right-to-work for less, and nothing more than a Republican-led tactic to take away worker's rights and bust the unions, because that is exactly what will happen. Unions will weaken, and fade away—the exact intent and design behind right-to-work laws that, if implemented, will result in reduced wages for all workers.

It's a fact – Trump's companies have been investigated numerous times by the National Labor Relations Board for unfair labor practices. His companies have been sued by government agencies and his own employees after refusing to pay overtime and benefits rightfully due the employees. He has bankrupted companies to avoid paying contractors who in turn could not afford to pay their employees. He takes pride in not living up to the contracts he signs and has even suggested that is a good tactic for use when he is elected President.

It's a fact – Presidential appointments impact union workers. Earlier in this column we discussed the importance of federal agencies to workers in the transportation industry. One need only review the recent history of this labor union and Presidential Emergency Boards to see an example of how Presidential appointees directly impact our members.

On both Long Island Railroad and New Jersey Transit, management came into the most recent rounds of negotiations firm in their positions that there would be zero percent wage increase over many years while imposing draconian changes to health benefits that would force our members to pay more and receive less. Your union refused to entertain such offers and after negotiation and mediation the carriers still refused to budge from their opening positions. The National Mediation Board released the parties, and President Obama appointed a Presidential Emergency Board for each railroad. Those two Boards ruled overwhelmingly in favor of the employees. Both railroads requested a second PEB, with new members appointed by

the President. The two new Boards again ruled in favor of the employees and as a result our members are currently enjoying new contracts with industry-standard wage increases and health care benefits.

We are currently in negotiations on a national rail contract with the freight carriers and a system-wide contract with Amtrak, where the carriers have taken a similar position—insignificant wage increases coupled with draconian cuts to our health care benefits. Who would you rather see appoint the next Presidential Emergency Board to decide these contracts—a Democratic President who supports labor or a Republican President who has stated for the record that he believes American workers are overpaid, supports right to work for less and refuses to pay his own employees the compensation to which they are entitled?

This election: A critical moment in history This Presidential election is a watershed moment in the labor movement and in the history of our country. Make no mistake – the anti-labor Republican agenda is intended to reduce workers' pay and benefits while improving the "flexibility" of the companies for whom we work. The so-called "flexibility" that Trump admires is just a euphemism for the reduction if not outright elimination of worker's rights. While "Make America Great Again" means different things to different people, it is clear that Trump's version is not good for our members.

The facts matter – and we're going to do everything we can to educate our members, and we want your help. We want you to communicate these facts to your union brothers and sisters, your friends, family, neighbors and acquaintances. Let them know that this is a big deal. Let them know that Trump and Pence will work to take away from our families the hard-fought benefits, protections and securities that our predecessors worked so hard to secure.

Let's work together to protect our jobs and our families.

Members make all the difference!

Continued from page 1

Most recently, **Greg Hynes** and I met with another conservative Republican, Ryan Zinke of Montana. After a robust discussion about the two-person crew legislation, Congressman Zinke agreed to sign on as a cosponsor.

All members of Congress, regardless of party or ideology, should be viewed as a potential cosponsor of H.R. 1763. Our members can make the most effective case.

To do your part, work with your state legislative director to set up a meeting with your Representative to ask that they cosponsor H.R. 1763. We can provide you with handouts and other materials to help. Our recent comments on the FRA's crew size rule are a good source of information on this issue.

Lastly, please visit the Legislative Action Center at www.congressweb.com/smart_transportation to contact your Representative about the Safe Freight Act and ask your coworkers to do the same.

SMART TD requesting photographs for Alumni Association Calendar

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

High-resolution digital photographs should be emailed to **"news_TD@smart-union.org."**



2016 Alumni Association calendar cover

Printed photographs should be mailed to SMART TD News, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070. To be considered in the 2016 calendar, photos must be received by **Sept. 30.**

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 never take photos while on duty and to only take photos from a clear point of safety.**

All photographs submitted become property of SMART Transportation Division.

New FRA rules strengthen protections for MOW workers

Continued from page 3

policy are critical to keep workers along and near tracks—and ultimately passengers and train crews—out of harm's way," said U.S. Transportation Secretary Anthony Foxx. "These are common sense rules that will help make our railroads safer."

The Roadway Worker Protection final rule amendments will: (1) resolve different interpretations that have emerged since the rule went into effect nearly 20 years ago; (2) implement FRA's Railroad Safety Advisory Committee's (RSAC) consensus recommendations; (3) codify certain FRA Technical Bulletins; (4) codify a FAST Act mandate by adopting new requirements governing redundant signal protections; (5) address the safe movement of roadway maintenance machinery over signalized non-controlled track (not under a dispatcher's control); and (6) amend certain qualification requirements for roadway workers.

The latest amendments require that job briefings include information for roadway worker groups on the accessibility of the roadway worker in charge; set standards for how "occupancy behind" train authorities (when the authority for a work crew does not begin until the train has passed the area) can be used; and require annual training for any individual serving as a roadway worker in charge.

In addition to the existing requirement to have a primary means of protection by establishing working limits and a requirement that all affected roadway workers be notified before working limits are released, FRA's rule changes will now require another level of redundant signal protection.

"These new rules add another layer of protection for workers who work along and near railroad tracks and will help us reduce preventable worker injuries and fatalities," said FRA Administrator Sarah E. Feinberg.

In response to both a congressional mandate and a National Transportation Safety Board (NTSB) recommendation, FRA is broadening the scope of its existing drug and alcohol testing regulation to cover MOW employees. Currently, a MOW employee is only drug and alcohol tested when he or she has died as a result of an accident or incident. MOW employees will now be fully subject to FRA's drug and alcohol testing that includes random testing, post-accident testing, reasonable suspicion testing, reasonable cause testing, pre-employment testing, return-to-duty testing and follow-up testing.

"Whether you are an engineer, conductor or someone working alongside the tracks, safety requires alertness. Any reduction in awareness caused by drugs or alcohol use can often be the difference between life and death," Feinberg added.

The Control of Alcohol and Drug Use rule, which also clarifies interpretations since the testing rule went into effect in 1986, includes other substantive changes. In response to another NTSB recommendation, the rule changes will now allow drug testing of railroad and MOW employees that are believed to have caused an incident at a railroad crossing.

The final Roadway Worker Protection rule is effective April 1, 2017. The Control of Alcohol and Drug Use rule goes into effect one year after publication.

Risch, Harrison testify at FRA hearing



National Legislative Director John Risch (left) and Coach USA Local 759 Secretary & Treasurer Craig Harrison (right) testify about Obstructive Sleep Apnea at a public hearing before the FMCSA and FRA.

Transportation Division policy concerning fees objectors

1. Any person covered by a UTU, now SMART, union shop or an agency shop agreement in the United States who elects to be a non-member has the legal right to object to political and ideological expenditures not related to collective bargaining, contract administration, or other activities germane to collective bargaining. Each non-member who objects shall pay the reduced fees.

To the extent permitted by law, a non-member cannot participate in union elections as a voter or as a candidate; attend union meetings; serve as delegate to the convention, or participate in the selection of such delegates; or participate in the process by which collective bargaining agreements are ratified.

2. The objecting non-members shall provide notice of objection by notifying the President, Transportation Division of the objection by first-class mail postmarked during the month of September preceding the calendar year to which s/he objects, or within thirty (30) days after he/she first begins paying fees and receives notice of these procedures. The objection shall contain the objector's current home address. Once a non-member objects, the objection shall stand until revoked. Objections may only be made by individual employees. No petition objections will be honored.

3. The following categories of expenditures are chargeable:

- a. All expenses concerning the negotiation of agreements, practices and working conditions;
- b. All expenses concerning the administration of agreements, practices and working conditions, including grievance handling, all activities related to arbitration, and discussion with employees in the craft or class (or bargaining unit) or employer representatives regarding working conditions, benefits and contract rights;
- c. Convention expenses and other union internal governance and management expenses;
- d. Social activities and union business meeting expenses;
- e. Publication expenses to the extent coverage is related to chargeable activities;
- f. Litigation expenses related to contract administration, collective bargaining rights, and internal governance;
- g. Expenses for legislative and administrative agency activities to effectuate collective bargaining agreements;
- h. All expenses for the education and training of officers and staff intended to prepare the participants to better perform chargeable activities;
- i. All strike fund expenditures and other costs of economic action, e.g., demonstrations, general strike activity, informational picketing, etc., that benefit members of the bargaining unit or craft formerly represented by UTU, now SMART.

4. SMART shall retain a certified public accountant to perform an independent audit of the records of the Transportation Division and subordinate units maintained by the President, Transportation Division. The Transportation Division shall designate an analyst for the purpose of determining the percentage of expenditures that fall within the categories specified in Section 3. The amount of the expenditures that fall within Section 3 shall be the basis for calculating the reduced fees that must be paid by the objector. The analyst shall also give an opinion concerning the adequacy of the escrow amounts maintained pursuant to Section 17, and later will verify the existence and the amounts of money in any escrow accounts.

Percentage of chargeable fees determined by analyst for calendar year 2015	
Transportation Division*	76 percent
State Legislative Boards	
LO 005 California ¹	72.6 percent
LO 028 Missouri ²	36.5 percent
Unreviewed boards ³	0.0 percent
General Committees	
GO 001 BNSF ²	91.7 percent
GO 927 Union Pacific ²	95.1 percent
Unreviewed committees ⁴	99.6 percent
<small>* Estimate; final ratio forthcoming.</small>	
<small>¹ Calculated by applying the lowest of previous reviews of the applicable legislative board providing the board has had eight or more reviews.</small>	
<small>² Estimate based on First, Second, Third, and Fourth Quarter reports; final ratio forthcoming.</small>	
<small>³ Unreviewed state legislative boards will have a 0 percent chargeable percentage applied to new objectors.</small>	
<small>⁴ Unreviewed general committees will have the historical average of chargeable percentages of audited general committees, which is 99.6 percent, applied to any new objectors.</small>	

5. The analyst shall complete the report no later than August 31. This report shall include an analysis of the major categories of union expenses that are chargeable and non-chargeable.

6. Each person entitled to receive the analyst's report may challenge the validity of the calculations made by the analyst by filing an appeal with the President, Transportation Division. Such appeal must be made by sending a letter to the President, Transportation Division postmarked no later than thirty (30) days after issuance of the analyst's report.

7. After the close of the appeals period, the President, Transportation Division shall provide a list of appellants to the American Arbitration Association (AAA). All appeals shall be consolidated. The AAA shall appoint an arbitrator from a special panel maintained by the AAA for the purpose of these arbitrations. The AAA shall inform the President, Transportation Division and the appellant(s) of the arbitrator selected.

8. The arbitration shall commence by October 1 or as soon thereafter as the AAA can schedule the arbitration. The arbitrator shall have control over all procedural matters affecting the arbitration in order to fulfill the need for an informed and expeditious arbitration.

9. Each party to the arbitration shall bear their own costs. The appellants shall have the option of paying a pro-rata portion of the arbitrator's fees and expenses. The balance of such fees and expenses shall be paid by the Transportation Division.

10. A court reporter shall make a transcript of all proceedings before the arbitrator. This transcript shall be the official record of

the proceedings and may be purchased by the appellants. If appellants do not purchase a copy of the transcript, a copy shall be available for inspection at the Transportation Division during normal business hours.

11. Appellants may, at their expense, be represented by counsel or other representative of choice. Appellants need not appear at the hearing and shall be permitted to file written statements with the arbitrator instead of appearing. Such statement shall be filed no later than fifteen (15) days after the transcript becomes available, but in no case more than thirty (30) days after the hearing closes.

12. Fourteen (14) days prior to the start of the first hearing, appellants shall be provided with a list of all exhibits intended to be introduced at the hearing and a list of all witnesses intended to be called, except for exhibits and witnesses that may be introduced for rebuttal. On written request from an appellant, copies of exhibits (or in the case of voluminous exhibits, summaries thereof) shall be provided to them. Additionally, copies of exhibits shall be available for inspection and copying at the hearing.

13. The Transportation Division shall have the burden of establishing that the reduced fees set forth in the analyst's report are lawful.

14. If the arbitrator shall determine that more than one day of hearings is necessary, hearings shall be scheduled to continue from day to day until completed. The parties to the appeal shall have the right to file a brief within fifteen (15) days after the transcript of the hearing is available, but in no case more than thirty (30) days after the hearing closes. The arbitrator shall issue a decision within forty-five (45) days after the submission of post-hearing briefs or within such other reasonable period as is consistent with the rules established by the AAA.

15. The arbitrator shall give full consideration to the legal requirements limiting the amounts that objectors may be charged, and shall set forth in the decision the legal and arithmetic basis for such decision.

16. If an objector receiving an advance reduction wishes to continue the objection, he/she shall continue to pay the reduced fees that he/she is currently paying until the analyst issues the report. As soon as possible after the issuance of the analyst's report, he/she shall pay the amount of the reduced fees calculated by the analyst. Persons objecting for the first time shall be sent a copy of the report prepared by the analyst for the previous year and shall pay the reduced fees as soon as possible.

17. Each month thereafter for all objectors, an amount shall be put in an interest-bearing escrow account equal to 25 percent of the reduced monthly fees, or such other greater amount as the analyst may recommend. All objectors from the previous year shall be paid the amount of non-chargeable money that is in the escrow account as determined by the analyst's report as soon as practicable after its issuance. The appropriate unit of the Transportation Division shall not, however, take its portion of the monies in the escrow account until fifteen (15) days after the conclusion of the period within which an objector may appeal the report of the analyst, or upon the issuance of the decision of the arbitrator, whichever is later.

18. When the decision of the arbitrator is announced the monies remaining in the escrow account shall be distributed in accordance with the decision.

SMART reaches accord with electric bus builder

SMART has reached a neutrality agreement with BYD Coach and Bus to represent workers at the BYD facility in Lancaster, Calif. SMART Local Union 105 members at BYD Bus and Coach will join Los Angeles Mayor Eric Garcetti, BYD management and union officials to formally sign the agreement in the coming weeks.


A neutrality agreement secures the right for workers to form their own union without interference from management or union officials.

This accord was reached due to an atmosphere of mutual respect and cooperation from both labor and management. Both sides feel that it serves the best interest of the industry and its workforce to let the workers choose for themselves and not consume resources that would be better spent on securing future work opportunities and expand the company's presence in the rapidly growing electric bus market.


"SMART looks forward to its partnership with BYD, the largest electric bus manufacturer in

the world," said James White, SMART's director of organizing.

"We are also proud to be one of the first unions to reach across the Pacific to bring green jobs back to the United States." White added, "Not only was SMART one of the first unions to manufacture and install solar panels, but SMART sheet metal workers have helped companies save energy costs on their facilities through our energy commissioning programs going as far back as the 1940s."



**UNITED TRANSPORTATION UNION
INSURANCE ASSOCIATION**



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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.

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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 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 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.



UTUIA Fraternal Operations Coordinator and retired SMART TD employee **Marilyn Spangler** took this photo at the Union Pacific Pocatello, Idaho, yard while visiting Locals 78 and 265.

SMART TD, TTD, Senator testify at FRA train crew hearing

After years of advocating for a federal rule to mandate a minimum of two-person crews for freight and passenger trains, representatives from SMART Transportation Division (SMART TD) and the Transportation Trades Division (TTD) of the AFL-CIO joined a growing chorus of rule supporters, including U.S. Senator Heidi Heitkamp (D - N.D.), to testify at the Federal Railroad Administration (FRA) public hearings held July 15, 2016.

The following excerpts are part of the testimony in support of the rule. To read the testimonials in their entirety, go to www.smart-union.org.

John Risch, SMART TD National Legislative Director:

"I operated freight and passenger trains for more than 30 years and am very familiar with the issue of crew size.

"If an accident occurs at a grade crossing and the individuals in need of assistance are on the 'wrong side' of the train, you need two crewmembers to separate the train and provide access to first responders and their vehicles. The engineer operates the locomotive while the conductor simultaneously goes to the crossing to pull the pin and separate the rail cars. If a train has a single-person crew, and a crossing cannot be cut to allow emergency responders access to an accident, this shifts more of the burden or responsibility during an accident from the

railroads to local communities across the country.

"The terrible, preventable accidents on Amtrak in Philadelphia last year, Metro North the year before and the awful accident in Chatsworth, Calif. on Metrolink in 2008, would not have occurred had there been two people in the cab of those locomotives.

"I've worked 30 years as a locomotive engineer and can attest that my conductor constantly interacted with me, reminding me of slow orders, meeting points, speed restrictions and men working on the track ahead.

"Even railroad workers are human beings and are fallible. That's why there are two people in the cockpit of a plane and that is why there are two people in the cab of a locomotive."

Mike Rankin, SMART TD Local 445 Member; BNSF conductor:

"This matters because railroads want to cut costs by operating freight trains with a single crewmember. If safety is the top priority, two qualified crewmembers—a conductor and an engineer—are needed on all freight trains.

Continued on page 3



Sen. Heidi Heitkamp and John Risch greet each other at the FRA hearing on two-person crews held July 15.

The UTU website has merged with smart-union.org. All UTU forms, applications, links and news are available at: www.smart-union.org/TD.

Inside this issue of SMART Transportation Division News:



Members' children receive scholarships from Union Plus. See page 2.



Recap in photos of the 2016 San Francisco Regional Meeting. See pages 6 & 7.



Long-term disability open enrollment begins August 1. See page 9.



SMART TD accepting calendar photo submissions. See page 10.