

# SMART<sup>®</sup>

## Transportation Division News

Volume 48 • Number 8 • November 2016

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

### SMART TD member Richard Andrade re-elected to Ariz. House: credits Sally Andrade's activism and SMART TD

SMART TD member **Richard C. Andrade**, Local 1081, was recently re-elected to serve as Arizona State Representative, District 29. Andrade cites his service to SMART TD as local chairperson, legislative representative and local vice chairperson as the groundwork for his service as an elected official. And there's one other factor – Sally Andrade.

Richard said that his decision to seek elective office was inspired by his wife, Sally Andrade, the founder of Fabian's Law, who turned a personal tragedy into an effort of public safety and justice.

In September 2009, the Andrade family dog, Fabian, a miniature poodle, was attacked and killed by an unleashed, aggressive dog. At that time, violating the Arizona "Leash Law" was merely a slap on the wrist that carried a maximum penalty of \$250.

Sally Andrade decided to begin organizing for stricter laws to protect animals and people from attacks by aggressive dogs. She and Richard led the effort to lobby state representatives to enact stricter penalties. Their work resulted in "Fabian's Law," which passed both the Arizona House and Senate. In 2011, Fabian's Law was signed into law by then Governor, Jan Brewer.



nor, Jan Brewer.

Fabian's Law provides a clear definition of "aggressive dog" and mandates tough penalties for dog owners whose dog attacks a person or pet, causing serious injury.

#### Work at SMART TD extends to positive outcomes in community

"We turned a tragic event into a positive. Richard's work with the SMART TD taught my husband and I how to effectively lobby – we were able to bring Fabian's Law to Ari-

zona, and Richard is now an Arizona State Representative. Our story about Fabian, and the people of our community who joined our effort with phone calls, letters and emails, are tools he learned from SMART TD. Strength through education, persistence and solidarity are amazing tools, and Fabian's law is the end result," said Sally Andrade.

"Our lobbying efforts can be applied to any neighborhood or community seeking positive change. The education and training offered at SMART TD has been amazing and can be used to address other issues outside of the union," she said. Look no further than Fabian's Law for proof.

#### SMART TD prepared Rep. Andrade for public office

As the newly re-elected Arizona State Legislator representing District 29, Richard expressed his gratitude to the voters in Arizona, as well as to SMART TD, for the work and lessons he continues to learn as a member.

"The values I bring to the legislature are values I learned as a member of the SMART TD union. From the very beginning of my career, it was the union that educated and empowered me to get engaged on issues that affect working families. It was the union that encouraged me to become active and contact our state and federal legislatures on issues that affect our jobs, such as retirement, benefits, safety issues and one-person crews," he said.

Andrade added that his leadership roles at SMART TD Local 1081, prepared him for holding office as a State Representative.

"(In the state legislature) I represent SMART TD and all unions, which is why I say we are truly stronger together. I will continue to be the voice of working families and our veterans—and I will continue to fight for education funding, and better paying jobs with strong benefits such as healthcare and retirement," said Rep. Andrade.

Rep. Andrade said that his main focus this House session will be his continued commitment to support veterans who need mental health assistance, and to try to do all he can to eliminate veteran suicides and veteran homelessness.

In addition to veteran's issues, Andrade said his continued focus on the well being of working families will never fade:

"Now more than ever, we have to fight for better protections in the workplace, free from prejudice, harassment and intimidation—including representation for all employees,

### SMART TD holds first bus-specific treasurer's workshop



Pictured from left: Field Auditor Mike Araujo; Local 1908 Treasurer Janice Celeste; Field Auditor John Purcell; Local 172 Treasurer Cynthia Coppedge; Local 1596 Secretary & Treasurer Tony Sandle; Local 1715 Secretary & Treasurer Chris Johnson; Local 710 Secretary & Treasurer Vanessa Brydie; UTUIA Field Supervisor Chris Malley; Local 1594 Treasurer Cynthia Kelly and Local 759 Secretary & Treasurer Craig Harrison

By popular request, SMART Transportation Division held the first bus-specific treasurer's workshop in Atlantic City, N.J., October 28-29. The workshop was held in an effort to expand upon training opportunities available to the SMART TD bus department members.

Local 1596's Secretary & Treasurer **Anthony "Tony" Sandle** said, "This workshop was a success for a lot of reasons, but I liked it because we focused on bus issues. I'm leaving here feeling smart as a whip."

Instructed by Field Auditors **Mike Araujo** and **John Purcell**, treasurers were educated on

responsibilities and reporting duties pertaining to their office, taxes and billings. In addition, representatives from the President's Department were in attendance to assist with bylaw changes, local issues and election questions. UTUIA Field Supervisor **Chris Malley** was also in attendance to educate the treasurers on all of the UTUIA's available products.

"I learned a lot today. It [the workshop] was a huge help!" said Local 1908's Treasurer **Janice Celeste**.

*Continued on page 9*

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

### Inside this issue of SMART Transportation Division News:



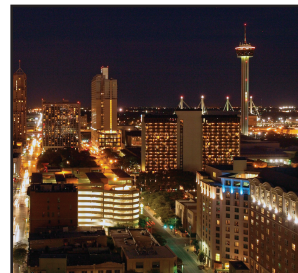
Rail labor seeks mediation to settle national contract talks. See page 2.



Labor says goodbye to UTU founding father, Al Chesser. See page 3.



Ken Menges honored by NAACP with Lifetime Achievement Award. See page 5.



SMART TD sets 2017 regional meetings. See page 9.



# Around the SMART TD

## Local 161, Seattle



Members from Local 1348, Local 161 and Washington State Legislative Director Herb Krohn (red shirt in back) join Organizer Bonnie Morr (front, far right) in helping to strengthen Local 161.

SMART TD Organizer **Bonnie Morr** rallied members from Union Pacific Local 1348 to help strengthen bus Local 161.

"A special thanks goes out to Washington State Legislative Director **Herb Krohn**, Local 1348 Secretary and Treasurer **Tom Ragghianti**, Vice Local Chairperson **Dustin Hall**, Local Vice President **Ronald Suyematsu**, Alt. Bus Vice President **Alvy Hughes**, and two organizers from Sheet Metal Local 66, Ivan Meyen and Scott Davis for their help," Morr said.

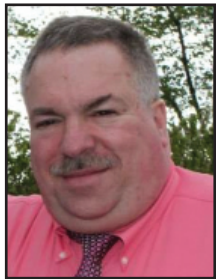
"Even though Local 1348 is a rail local, they came forward to help this bus local. The lesson that can be learned here is that the language of labor transcends job classifications," Morr added.

## Local 240, Los Angeles

Local Chairperson **Harry Garvin** reported that Conductor/Brakeman **Ricardo Salazar** retired Oct. 1 after 37 years of service with Union Pacific railroad.

"All the members and officers of Local 240 want to wish him and his family many years of fun during his retirement," Garvin said.

## Local 898, Boston



Davis

On Sept. 12, member **Donald Davis**, 57, of Local 898 passed away unexpectedly.

Davis worked as a conductor for the Massachusetts Bay Commuter Railroad since 2007. Before his career with the railroad, Davis worked as an accountant for many years.

He enjoyed movies, music, reading and watching the Buffalo Bills. He was very involved in his children's lives and helped with boy scouts and coached on his children's sports teams.

Davis leaves behind his wife Lisa and children Renee Davis and Bryan Davis. He is also survived by his mother Eleanor Davis-Lorenzo and his stepfather Arthur Lorenzo. He was preceded in death by his father, Valentine Davis.

Donations may be made in Davis' memory to Joanna's Place, c/o South Shore Savings Bank, 88 Pleasant St., Weymouth, MA 02190. Condolences may be posted at [www.ccshepherd.com](http://www.ccshepherd.com).

SMART TD extends condolences and sympathies to the Davis family, friends and Local 898.

## Local 845, Seattle, Wash.

**Charles Robert "Bob" Skelton**, 79, of Local 1570 died in January 2016. Skelton spent 39 years working for Southern Pacific Railroad before retiring in 1994.

Skelton is survived by his wife Elena; son Brian

(Julie) Skelton; grandchildren Stuart (Katie) Skelton, John (Samantha) Skelton, and Allie Skelton; and his great grandchildren, other relatives and friends.

Skelton was preceded in death by his parents, his son Stuart Skelton and his sister Charlotte Eggert.

Memorial contributions may be made in Skelton's honor to Hospice of Salmon Valley, 506 VanDreft St., Salmon, ID 83467. Condolences may be posted at [www.jonesand-caseyfh.com](http://www.jonesand-caseyfh.com). SMART TD extends condolences and sympathies to the Skelton family and friends.



Skelton

## Local 1713, Everett, Wash.



Cherberg

**Joel Cherberg**, 81, died April 2016, after a battle with cancer. Cherberg spent 43 years on the railroad, starting out with Great Northern Railway, which later became Burlington Northern and then Burlington Northern Santa Fe.

Cherberg is survived by son Joel Cherberg; daughter Stephanie Rice and five grandchildren. He was preceded in death by his parents Joseph and Norma (Sward) Cherberg.

Condolences may be posted at [www.evanschapel.com](http://www.evanschapel.com). SMART TD extends condolences and sympathies to the family and friends of Cherberg.

## Local 1908, Buffalo, N.Y.

Local 1908 First Student bus operators have been working to help out the Buffalo, N.Y. community during the school year by collecting canned goods and non-perishable items, reports Local Secretary **Tracey Davis**. The local has also held raffles to raise money. A total of 188 lbs. of food and \$427 was donated to the food bank of western New York. The local also donated \$1000 to Toys For Tots and \$580 to Friends of the Night People.

"Thanks goes out to **Joe Milton** and everyone that pitched in," Davis said. "Grievance Chairperson **Debbie Orlowski** and Local 1908 is looking forward to another great year of service to the city of Buffalo."

Friends of the Night People is a charitable organization that helps the poor, homeless and destitute in Buffalo. They also provide food, clothing, medical care and counseling free of charge. Go to [www.friendsofnightpeople.org/donate](http://www.friendsofnightpeople.org/donate) to make a donation.



Pictured from left: Jeanne Toomey; Joe Milton; GCA Vice Chairperson (and Grievance Vice Chairperson) Patrick Judd and Local Secretary Tracey Davis.

**Does your local want to be featured on this page? Email your stories and photos to:**

[news\\_td@smart-union.org](mailto:news_td@smart-union.org)

## Rail labor seeks mediation to settle national contract talks

Rail Labor's Coordinated Bargaining Group (CBG) released the following statement Dec. 5:

Despite our best efforts, collective bargaining with the major U.S. Class 1 railroads completely stalled late last week. Therefore, pursuant to the terms and conditions of the Railway Labor Act, we have today applied to the National Mediation Board (NMB) for the assignment of a federal mediator to assist in our negotiations.

This development is very disappointing, as the Unions in the Coordinated Bargaining Group have been at the negotiating table for almost two years seeking a voluntary settlement. Throughout that time, the Unions have steadfastly maintained that the Carriers' original demands were unacceptable to our bargaining team, and would be found equally unacceptable by our collective membership.

Nevertheless, the Unions went to the table last week with the intention of reaching a satisfactory voluntary settlement that would fairly address the needs of both sides, but that did not happen. Unfortunately, the railroads apparently believe that the national elections in November have tipped the labor-management balance in this country heavily in their favor, as they made clear that no reasonable and fair resolution is any longer in the offing.

Our members have earned, and rightfully expect, a fair contract settlement that recognizes the fact that the industry continues to reap many billions in net profits annually. We have maintained from the outset that there is no reason not to bring these negotiations to a timely and equitable conclusion.

Instead, the railroads continue to demand extreme concessions that would erode our members' standard of living and earned benefits. We cautiously anticipate that the involvement of the NMB will cause the industry to refocus on addressing the legitimate needs of the men and women whose labor generates their positive financial returns.

Additional information will be provided as developments warrant.

The Coordinated Bargaining Group is comprised of six unions: the American Train Dispatchers Association; the Brotherhood of Locomotive Engineers and Trainmen; the Brotherhood of Railroad Signalmen; the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers; the National Conference of Firemen and Oilers/SEIU; and the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers.

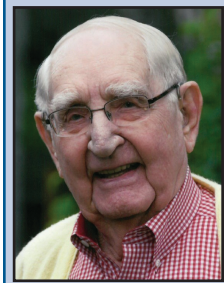
Collectively, the CBG unions represent more than 85,000 railroad workers covered by the various organizations' national agreements, and comprise over 58 percent of the workforce that will be impacted.



Local 202 member John Sherman took this photo of Dee Dee from "Dexter's Laboratory" that was painted on the wall of the Union Pacific Tennessee Pass tunnel, Leadville, Colo. The tunnel saw its last train August 23, 1997.



## Labor says goodbye to UTU founding father, Al Chesser



Chesser

Brother Alfred “Al” H. Chesser, 102, a champion of the American rail worker and first-elected president of the United Transportation Union (UTU), died Sunday, September 25, 2016.

On January 1, 1969, the UTU (now known as SMART Transportation Division) was formed, and Chesser was appointed to the role of UTU national legislative director. In 1971, at the UTU’s first convention, Chesser was elected to serve as president. He won the post again in 1975, serving until 1979.

A brakeman from Wellington, Kan., Chesser’s life was framed by his service to the men and women on America’s railroads as well as his immeasurable contributions to the advancement of labor in every area. His efforts brought concerns and issues of rail members and unions into the national spotlight and onto the law books.

His rare ability to form bonds with members

and officers in the UTU’s early days was critical to its success. A leader and mentor, Chesser created an open and positive atmosphere that not only inspired workers to join, but also inspired members to follow in his path of local and national advocacy.

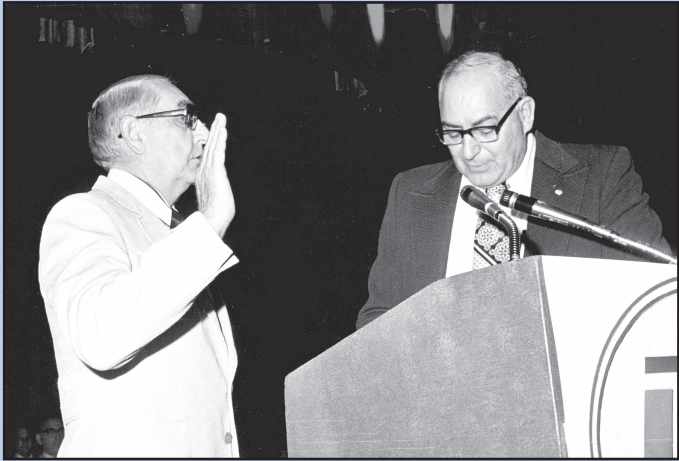
As the voice of transportation members on Capitol Hill, Chesser’s legacy reflects his effective legislative outreach that strengthened the foundation of the UTU and all transportation unions.

His work influenced key safety issues and resulted in legislation that includes The Railway Safety Act and The Hours of Service Act. He also served as a member of the Task Force on Railroad Safety, a committee that developed the most comprehensive industry safety program ever adopted.

His lifelong commitment to the UTU was paralleled by his grace and humility.

Whether speaking with a U.S. president or railroad brakeman, Chesser treated everyone with dignity, respect and kindness.

Brother Chesser’s inspiring life and legacy touched the lives of countless people, and he will never be forgotten.



President Al Chesser is sworn in as the UTU's first elected president.

Go to <https://smart-union.org/news/videos-embodiment-theme-of-strong-proud-united/> to view a video tribute to Al Chesser. *This video was created by producer/director Lisa Long of Garrison Ridge Productions Inc., for SMART Transportation Division, in celebration of Al Chesser’s 100th birthday, February 26, 2014.*

Go to the funeral home’s website at [www.horancares.com](http://www.horancares.com) to view Chesser’s official obituary and to leave condolences for the family.



## BPRR employees vote SMART TD

On August 29, 2016, Maintenance of Way (MOW) and Signalmen, employed by Buffalo & Pittsburgh Railroad (BPRR), voted for representation by SMART Transportation Division. The National Mediation Board certified the election results August 30.

The vote adds 36 MOW and 10 Signalmen to Local 377. MOW and Signalmen join engineers, conductors and brakemen employed by BPRR and represented by Local 377.

“I would like to thank SMART TD Organizer **Larry Grutzius** for all of his hard work on



B&O Railroad tracks.

Major commodities shipped by the railroad include paper, petroleum products, chemicals, coal, steel and sand.

this campaign,” said **Rich Ross**, SMART TD’s director of organizing.

BPRR is a Class II railroad operating on 411 miles of track in New York and Pennsylvania and is owned by Genesee and Wyoming. Its main line runs between Buffalo, N.Y. and Eidenau, Pa., just north of Pittsburgh. The railroad connects the Allegheny Valley Railroad and runs on the former

## NJT mandated two-person crews for Hoboken, Atlantic City hubs

In the wake of a fatal crash that occurred on New Jersey Transit (NJT) Sept. 29 at the Hoboken station, NJT has mandated that both an engineer and a conductor be present in the locomotive cab during the final phase of a commute into both the Hoboken and Atlantic City stations.

The mandate comes after a woman standing on the platform was killed and more than 100 others were injured in the Hoboken station crash.

SMART TD GO-610 General Chairperson **Stephen Burkert** told the *New York Times*, “they’re [NJT] looking to have a safer railroad, which I fully agree with.

“Safety is always first for my members and

the riding public.”

The National Transportation Safety Board (NTSB), has not yet released their official findings on the cause of the crash. There is speculation that an undiagnosed case of Sleep Apnea in the engineer may have been a factor. The NTSB is reviewing this new information as part of their investigation.

Members should visit the SMART TD Legislative Action Center (LAC) to see how you can help garner support for two-person crews and PTC mandates. The LAC can be found at:

[http://www.congressweb.com/smart\\_transportation](http://www.congressweb.com/smart_transportation)



## CATS members ratify contract



Members of SMART Transportation Division Local 1715 in Charlotte, N.C., overwhelmingly approved a new three-year contract, Friday, Sept. 9, reports Vice President **Calvin Studivant**.

“I would like to thank General Chairperson (GCA TMD) **Hasson Trent**, Vice General Chairperson **Brenda Moore**, LCA TMD Secretary **Ruby Crosby** and Local President **Bruce Wright** for the long hours and hard work that they each put in to reaching this agreement,” Studivant said.

Charlotte Area Transit System (CATS) operators will enjoy more favorable work rules, paid travel time to the Tryon and Davidson garages and lower healthcare insurance deductibles.

The contract also includes an increased pension cap and 7.5 percent in general wage increases with retroactive pay.

Managed by the Public Transit Department of the city of Charlotte, CATS is the largest transit system between Atlanta and Washington, with over 70 local, express and regional bus routes.

The company also manages a light rail system, services for the disabled and vanpools.

### Quote of the Month

“You come to Washington, there’s a rail bill, there’s a highway bill, there’s an aviation bill. But when you go home, there’s an airport, there’s a highway, there’s a rail, there’s transit. It all has to work together.”

- Anthony Foxx, DOT Secretary of Transportation



## Bus Department News

*A message from your bus department leadership*

### FAST Act addresses bus operator assaults

Brothers and Sisters,



Studivant

In my last column, I wrote to you about the Fixing America's Surface Transportation Act (FAST Act). I explained how instrumental SMART TD President John Previsich and our National Legislative Office were in working to make sure that the FAST Act addressed the issue of operator assaults.

I am happy to announce that the SMART TD was successful in making sure our voices were heard on this problematic issue.

The Federal Transit Administration (FTA) allocated funds and hired Countermeasures Assessment and Security Experts LLC (CASE LLC) to address this issue. I'm happy to inform our members that we have already put our pedal to the metal and have arranged for CASE LLC to start working with the carriers and transit agencies to protect our members.

CASE LLC has partnered with Transportation Resource Associates Inc. (TRA) to form a research team. They have conducted research to develop a practical toolbox for transit agencies to use in preventing and mitigating assaults against transit operators.

The tools are customizable templates for

assessing and reporting assaults, situational measures and technologies and executable activities or countermeasures that can be taken to address this important safety and security issue.

A risk analysis tool has been created at both the system and route levels to provide transit owners and operators with a structural risk management capability that can perform both "what if" and "trade off" decision making.

Plans are also being made for the 2017 regional meetings to have CASE LLC address our members in a one-on-one setting.

In closing, I just want to say that we are optimistic that in addressing operator assaults, we will be able to provide our members with a safer working environment and ensure a safe return home to loved ones. SMART TD will continue to monitor and lead the effort to prevent operator assaults.

To all of my union Brothers and Sisters, I wish you and your families a safe and healthy holiday season.

I remain fraternally,

Calvin Studivant  
Vice President - Bus  
cstudivant@smart-union.org  
216-630-0963



## Aviation Department News

*News affecting our aviation membership*

### Great Lakes to add more flights, larger aircraft



Effective, Dec. 17, 2017, Great Lakes Airlines (GLA) will add additional flights to and from the Prescott Municipal Airport (PRC) located in Prescott, Arizona.

The airline is adding service to the Denver International Airport (DIA) and keeping its regular service of two flights daily to the Los Angeles International Airport (LAX).

GLA will now offer two round-trip flights a week to Denver - one on Wednesday and one on Saturday. There will be a short lay-over in Farmington, N.M.

Due to the increased customer demands of flights from PRC, GLA has decided to test the market with a 30-seat air craft. Since 2013, GLA has been flying 9-seat aircrafts to and from Prescott.

The 30-seat Embraer EMB 120 Brasilia, is a twin-turboprop commuter airliner that features a flight attendant and restroom facilities.

### Flights from Pueblo to Denver added

Similar to the changes being made at PRC, GLA also increased service from Pueblo, Colo. to Denver.

An additional early-morning flight from Pueblo to Denver, as well as an evening flight from Denver to Pueblo was added in late September.

GLA also plans to implement the 30-seat Embraer EMB 20 Brasilia for the new flights. Great Lakes will continue to use smaller planes on previously existing flights.

### Flying Musicians launches internship program

The Flying Musicians Association, Inc. (FMA) has created an internship program for junior and senior college students to share their talents and skills while learning about the aviation and music industries.

The program provides students with the opportunity to earn college credit while developing skills, experience and contacts within both industries.

Interns are also given the opportunity to attend aviation and music events where FMA is participating. All interns will also be offered a free one-year membership in the FMA.

The internship program is available at Volunteer State Community College in Gallatin, Tenn. and at Middle Tennessee State University in Murfreesboro, Tenn.

The FMA was founded in 2009 and is an organization for pilots who are also musicians. The FMA was founded on the opinion that the skills required to play an instrument and fly an aircraft have marked similarities: from precision and multitasking to listening and fine motor skills. The mission of the FMA is to inspire, educate and encourage others by creating enthusiasm and promoting personal growth through aviation and music.

All proficiency levels and musical genres are welcome in the group.

For more information on this organization or on the internship program, go to their website at [www.flyingmusicians.org](http://www.flyingmusicians.org).



### VSTD benefits to increase



The Board of Trustees is pleased to announce the following changes to the Voluntary Short Term Disability (VSTD) plans for bus and rail members, **effective January 1, 2017:**

#### VSTD changes for Bus Members

For Bus Members, the maximum weekly VSTD benefit will **increase from \$210 to \$240.**

The Elimination Period for Bus Members, which is the waiting period between the first day of a disability and the date benefits actually begin, will be reduced from **30 days to 21 days** (benefits will begin on the 22nd day of disability).

#### VSTD changes for Rail Members

For Rail Members, the maximum weekly VSTD benefit will **increase from \$400 to \$450.**

The Elimination Period for Rail Members, which is the waiting period between the first day of a disability and the date benefits actually begin, will be reduced from **30 days to 21 days** (benefits will begin on the 22nd day of disability).

### GA-46000 lifetime maximum adjusted for 2017

The lifetime maximum benefit for the Railroad Employees National Early Retirement Major Medical Benefit (ERMA or GA-46000) Plan will **increase from \$151,600 to \$157,800** beginning **Jan. 1, 2017.**

At the end of 2001, Labor and Management had agreed on various procedures to administer the annual changes in the amount of the lifetime maximum benefit under the ERMA Plan.

In conjunction with the formula established in 2001, a new lifetime maximum was calculated by utilizing the October 2016 consumer price index (CPI) data for Hospital and Related Services and Physician Services. The result is a lifetime maximum for 2017 of \$157,800.

For individuals who have reached the lifetime maximum, the incremental maximum available is applied to eligible expenses submitted for dates of service on or after the effective date of the new maximum. For 2017, this amount will be \$6,200.

This change will apply to all railroads and crafts participating in ERMA.



### This Month in Railroad History

**November 18, 1883** - At exactly noon on this day, American and Canadian railroads began using four continental time zones which they named Standard Railway Time (SRT) to end the confusion of dealing with thousands of local times. However, Congress did not officially adopt the railroad time zones until 1918.

**November 7, 1885** - At Craigellachie, located in the mountains of British Columbia, the last spike was driven into Canada's first transcontinental railway, Canadian Pacific Railroad. The railway was instrumental in populating the vast western lands of Canada, providing supplies and commerce to new settlers.

**November 1971** - According to the National Model Railroad Association, the National Model Railroad month got its start in November 1971.



# SMART TD, TTD comment on FRA Notice of Proposed Rulemaking

## Proposed Rule: “Competitive Passenger Rail Service Pilot Program”

The Federal Railroad Administration (FRA) published a Notice of Proposed Rulemaking (NPRM) in the Federal Register August 22.

This proposed rulemaking from the FRA is a direct result of Section 11307 of the FAST Act which requires FRA to implement a pilot program for competitive selection of petitioners other than Amtrak to operate up to three long-distance routes currently operated by Amtrak.

The final rule will establish the procedures for interested parties to submit bids and the information that petitioners must submit to FRA. It will also establish the procedures for the Secretary to evaluate bids, and select and notify selected petitioners, should there be any.

SMART TD, TTD and all of rail labor opposed this concept and other privatization mandates as the bill was going through the legislative process and fought to remove it or include conditions that would protect workers and create a level playing field if it ever went into effect. In the end, while the pilot provision stayed in the final bill, a number of conditions were attached to it at our request and it was limited to three long-distance routes. Given the political realities we face on the Hill and the opposition to Amtrak that exists, this was not an easy task.

## TTD submits comments on proposed rule

On September 6, the Transportation Trades Department (TTD) of the AFL-CIO commented on the proposed rule published by the FRA.

## National Legislative Director John Risch on TTD’s comments:

“The comments filed by TTD urge FRA to ensure that labor, service and Buy America rules that attach to this program are fully implemented. Specifically, TTD’s comments call on FRA to ensure that so-called 4R rail employee protections cover workers impacted by this program.

“As TTD notes in their comments, we think the law requires this result, but we need to make sure the FRA implements this in the right way. I should note that Rich Edelman, on behalf of the BMW (which was not included in TTD’s comments since they are not members) also filed comments. Edelman, who has a strong background in this area of the law, goes into more detail on the legal background on the protections which should be helpful. It is important to note that both TTD and Edelman’s comments are on the same page.

“They demand 4R act protections and our comments have a whole section that talks about why they are legally needed to be applied and specifically ask that the proposed regulations be amended to require any winning bidder be responsible for those protections. We also are asking FRA to issue guidance to adopt them to this situation.

“TTD’s comments also urge FRA to adopt hiring preferences and procedures for Amtrak employees and to ensure that any new entity is covered by rail laws just like Amtrak is today.

“We all need to keep this in perspective. Amtrak receives preferential pricing from the Class I’s to operate over their track, something the Class I’s have for years decried as inadequate. A new entrant will not likely receive nearly as good an operating rate as Amtrak currently does. If there is a winning competitive bidder on any of these three routes they will only receive 90 percent of the funding that Amtrak currently receives to provide the service making the bidding process even harder.”

## SMART TD testifies before FRA



Risch testifies before FRA on behalf of SMART TD.

September 7, the FRA held a public hearing on the proposed rule. SMART Transportation Division National Legislative Director John Risch was at the hearing and testified on behalf of SMART TD.



Contact us: news\_td@smart-union.org  
Phone: (216) 228-9400  
Fax: (216) 228-5755

Joseph Sellers Jr.  
SMART  
General President  
jsellers@smart-union.org

John Previsich  
SMART Transportation Division  
President  
president\_td@smart-union.org

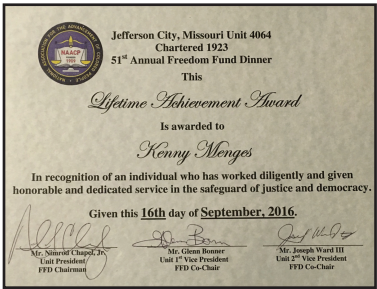
Richard L. McClees  
SMART  
General Secretary-Treasurer  
rmcclees@smart-union.org

John Risch  
SMART Transportation Division  
National Legislative Director  
jrisch@smart-union.org

# State Watch

## News from SMART TD State Legislative Boards

### Menges honored by NAACP with Lifetime Achievement Award



Missouri AFL-CIO President, Michael Louis and Missouri NAACP President Rod Chapel, presented the “Lifetime Achievement Award” to retired SMART TD Missouri State Legislative Director Ken Menges at a banquet Sept. 16, 2016, at the Capitol Plaza Hotel & Convention Center in Jefferson City, Missouri.

The NAACP recognized Menges as “An individual who has worked diligently and given honorable and dedicated service to the safeguard of justice and democracy.”

### Minnesota



While in Minneapolis for HAZMAT training, SMART TD Locals 650 and 1000 joined the picket line in support of the Minnesota Nurses Association (MNA).

This past summer and fall, the SMART TD Minnesota legislative board hosted the Department of Transportation, Railroad Workers HAZMAT Response and Training sessions in Minneapolis, Minn. Although the multi-craft educational event was open to all railroad workers, SMART TD members predominantly attended the HAZMAT classes.

While there, the attendees also stood in solidarity with the Minnesota Nurses Association

### Nebraska



The SMART TD Nebraska State Legislative Board held a series of state-wide seminars on OSHA’s Whistleblower Act, presented by Danielle Abbott, acting regional supervisory investigator for OSHA. The seminars were held last fall in Omaha, Lincoln, North Platte and Alliance.

Abbott’s presentation was well received by attendees from the following SMART TD Nebraska locals: 7, 200, 257, 305 and 934. All unions in Nebraska were invited to the seminars, and numerous tradespeople from various crafts attended, including SMART Sheet Metal, Firemen & Oilers, IBEW, Machinists, Teamsters, Ironworkers, City Workers, Firefighters, Cement Masons and Elevator workers.

(MNA) strike picket line against the Allina Abbott-Northwestern Hospital in south Minneapolis.

“We were proud to stand with striking nurses in their fight to maintain their current union-held healthcare plan, safe staffing levels, and gain security in emergency and urgent care units,” said Minnesota State Legislative Director **Phillip Qualy**.

“Their fight is our fight to maintain our union-controlled healthcare plan,” Qualy said.

On October 13, MNA members voted to ratify a two-year contract.

“We were pleased to have SMART TD DOT-NIEHS HAZMAT trainers **Yvonne Hayes**, **Charlie Jones** and locally-trained SMART TD Trainers from Locals 650 and 1000, teaching our membership in Minnesota. In addition, it was great to walk the picket line in Solidarity with our MNA Brothers and Sisters,” Qualy said.







SMART TD Alumni

SMART TD Alumni Association

News, information for members of the SMART TD Alumni Association

RRB: Medicare Part B premiums for 2017

The Centers for Medicare & Medicaid Services has announced that the standard monthly Part B premium will be \$134.00 in 2017. However, most Medicare beneficiaries will not pay this amount.

By law, Part B premiums for current enrollees cannot increase by more than the amount of the cost-of-living adjustment for social security (railroad retirement tier I) benefits.

Since that adjustment is 0.3 percent in 2017, about 70 percent of Medicare beneficiaries will see only a slight increase in their Part B premiums. The higher premium amount will apply to new enrollees in the program, and certain beneficiaries will continue to pay higher premiums based on their modified adjusted gross income.

The monthly premiums that include income-related adjustments for 2017 will be \$187.50; \$267.90; \$348.30 or \$428.60, depending on the extent to which an individual beneficiary's modified adjusted gross income



exceeds \$85,000 (or \$170,000 for a married couple). The highest rate applies to beneficiaries whose incomes exceed \$214,000 (or \$428,000 for a married couple). The Centers for Medicare & Medicaid Services estimates that less than 5 percent of Medicare beneficiaries pay the larger income-adjusted premiums.

Beneficiaries in Medicare Part D prescription drug coverage plans pay premiums that vary from plan to plan. Beginning in 2011, the Affordable Care Act required Part D beneficiaries whose modified adjusted gross income exceeds the same income thresholds that apply to Part B premiums to also pay a monthly adjustment amount. In 2017, the adjustment amount ranges from \$13.30 to \$76.20.

The Railroad Retirement Board (RRB) withholds Part B premiums from benefit payments it processes. The agency can also withhold Part C and D premiums from benefit payments if an individual submits a request to his or her Part C or D insurance plan.

The following tables show the income-related Part B premium adjustments for 2017. The Social Security Administration (SSA) is responsible for all income-related monthly adjustment amount determinations. To make the determinations, SSA uses the most recent tax return information available from the Internal Revenue Service. For 2017, that will usually be the beneficiary's 2015 tax return information. If that information is not available, SSA will use information from the 2014 tax return.

Those railroad retirement and social security Medicare beneficiaries affected by the 2017 Part B and D income-related premiums will receive a notice from SSA by December 2016. The notice will include an explanation of the circumstances where a beneficiary may request a new determination. Persons who have questions or would like to request a new determination should contact SSA after receiving their notice.

Additional information about Medicare coverage, including specific benefits and deductibles, can be found at [www.medicare.gov](http://www.medicare.gov).

Amplifon offers members hearing health care discounts

- SMART TD members are eligible for:
- Hearing aid low price guarantee - Amplifon will beat others by five percent
  - Free hearing test**
  - Risk-free 60 day trial
  - One year free follow-up care
  - Three year warranty
  - Two year supply of free batteries
  - No enrollment fees
- Visit Amplifon's website at:  
[www.amplifonusa.com/smartTD](http://www.amplifonusa.com/smartTD)  
or call 1-888-402-4716 to take advantage of these discounts!



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](http://www.YourTrackToHealth.com). There is a direct link to that web page from [www.smart-union.org/td](http://www.smart-union.org/td). 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.

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	Hamblin, Ada Mae	Sparta, Ky.	496	Covert, Donald E.	West Portsmouth, Ohio	1059	Hager, Daniel	Minot, N.D.
14	Cearley, W. D.	Piqua, Ohio	525	Dupree, Harold J.	Thief River Falls, Minn.	1075	Heaney, Kieran J.	South Lyon, Mich.
17	Toal, William M.	Las Vegas, Nev.	584	Cunningham, Winner C.	Meridian, Miss.	1081	Falling, Franklin D.	Glendale, Ariz.
60	Sjursen, Howard M.	Manchester Twp., N.J.	610	Smith, Earl G.	Berlin, Md.	1162	Casteel, James O.	Erwin, Tenn.
61	Martino, John S.	Norristown, Pa.	620	Bethel, James D.	Clarksville, Ga.	1298	Berube Sr., Raymond A.	Capreol, Ont.
171	Craddock, Dennis R.	Leland, Ill.	645	Gabrell, James R.	Milford, Pa.	1313	Chesser, Alfred H.	Denver, Colo.
196	Higgins, Lowell K.	Littleton, Ill.	645	Orlandi, Alfred A.	Myrtle Beach, S.C.	1366	Stauffer, Larry W.	Salt Lake City, Utah
221	Smith, Ronald J.	North Little Rock, Ark.	656	Reed, Boyd G.	Mountain Home, Ark.	1375	Zaika, Alexander	Bellmawr, N.J.
233	Reis, Pius P.	Aberdeen, S.D.	744	Braden, Elden L.	Frankfort, Ind.	1381	Howell, James B.	Schererville, Ind.
284	Livingston, Clyde A.	North Ridgeville, Ohio	756	Gonzalez, Filemon	Edinburg, Texas	1409	Allen Jr., Arthur R.	Lenexa, Kan.
298	Rakes, Larry E.	Monticello, Ga.	762	Bragg, Davis	Prattville, Ala.	1501	Phillips, Warren A.	New Orleans, La.
311	Seifert, Gordon R.	La Crosse, Wis.	769	Payne, William A.	Alexandria, Va.	1518	Bahler, Robert H.	Decatur, Ind.
313	McManus, Verl E.	Wyoming, Mich.	771	Rupe, James V.	Flagstaff, Ariz.	1525	Elsner, William D.	Anna, Ill.
316	Gardner, Roger J.	Fayetteville, N.C.	782	Harrison Jr., James E.	Asheville, N.C.	1548	Hatfield, Theodore S.	Greenfield, Ind.
322	Baker, Alvin L.	Spring Hill, Fla.	792	Meisler, James G.	Norwalk, Ohio	1548	Rohde, Frederick H.	Indianapolis, Ind.
322	Hiland, Donald E.	Milwaukee, Wis.	830	Able, Edward W.	Hagerstown, Md.	1570	Skelton, Charles R.	Salmon, Idaho
333	Miller, Richard L.	Scipio, Ind.	867	Stock, John B.	Troy, Kan.	1713	Cherberg, Joel T.	Anacortes, Wash.
378	Shesler, Richard R.	Strongsville, Ohio	891	Gordon, Donald H.	Kalispell, Mont.	1790	Bullington Jr., Robert M.	Fitzgerald, Ga.
432	Bose, Richard L.	Lexington, Ill.	903	Jackson, Crawford H.	Port St. Joe, Fla.	1972	Harbin, Richard P.	Mulga, Ala.
440	Fletcher, Stanley E.	Cincinnati, Ohio	903	Newsom, William S.	Jacksonville, Fla.	1975	Parr, Thomas A.	Kansas City, Mo.
440	Lambert, Charles F.	Hamersville, Ohio	915	Cremeans, Donald E.	Culloden, W.Va.			
489	Davis, Wayne J.	Schertz, Texas	1033	Harper, William T.	Canton, Ga.			



SMART leads coalition to stop CSX from removing track signals

On Friday, October 14, 2016, SMART TD united with the Brotherhood of Locomotive Engineers and Trainmen (BLET), Brotherhood of Maintenance of Way Employees Division (BMWED) and the Brotherhood of Railroad Signalmen (BRS), in a joint statement to the Federal Railroad Administration (FRA) that voiced their collective opposition to a recent CSX petition requesting permission from the FRA to remove approximately 125 signals from a stretch of track in Michigan.

Citing reasons of crew safety and public safety, SMART Transportation Division (SMART TD) President, **John Previsich** and SMART TD Michigan State Legislative Director, **Jerry Gibson**, worked with SMART and SMART TD's legislative offices and leaders from the BLET, BWED and BRS in requesting that the FRA deny CSX's request.

"Considering the number of residents, homes, schools and churches along this line, and the safety risk involved if these signals are removed, we oppose this request and ask the FRA to deny this wavier," said Previsich.

Gibson emphasized safety concerns and also connected the dots between the outcome of the presidential election and future

decisions made by the FRA and other president-appointed federal industry boards.

"The SMART TD Michigan State Legislative Board's opposition is based on the reason signal systems are put into place: employee and public safety. As a former qualified engineer and conductor on this line, the territory has a winding path with poor long distance sightlines, making the operable signal system that is currently in place critical to crew and public safety.

"While many may not see the direct correlation between this issue and voting for those candidates endorsed by the SMART TD National Legislative office and State boards, it is a great example. The President of the United States appoints the Director of the Federal Railroad Administration, Surface Transportation Board, Railroad Retirement Board, Department of Labor, and Department of Transportation, to name a few – all of which have the power to determine if these requests are approved or denied," he said.

Gibson also added: "If we cast our vote in the wrong direction, the outcome of many issues that directly affect rail labor and their families will be compromised,"

Andrade re-elected to Ariz. House

Continued from page 1

especially in Arizona, a "Right-to-Work" state, and protect workers who face retaliation and termination for wanting to work in an injury-free workplace with respect and dignity," Andrade said.

Both Sally and Richard Andrade transform words into action. Sally Andrade led the effort for Fabian's Law, and Richard Andrade sponsored two pieces of legislation which were rolled into one bill – Proposition 206: "Raising the Minimum Wage and Paid Sick Time."

The bill was voted into law in fall of 2016. He cited the nonprofit agency, LUCHA (Living United for Change) as the leader.

For more information on Fabian's law, go to:

[www.fabianslaw.org](http://www.fabianslaw.org).

For information on Representative Richard Andrade's issues and platforms in the Arizona legislature, visit:

<http://www.azleg.gov/MemberRoster/>



Sally Andrade with Fabian

Transportation Division sets 2017 Regional Meetings

The SMART Transportation Division has set the dates and locations of the union's two 2017 regional meetings.

The western regional meeting will be held **June 12-14**, at **Grand Hyatt San Antonio Hotel in San Antonio**.

The eastern regional meeting will be held **July 10-12** at **Sheraton New York Times Square Hotel in New York City**.

The cost for rooms in San Antonio is **\$185 per night** for standard single/double sleeping rooms.

The cost for rooms in New York City is **\$189 per night** for standard single/double sleeping rooms.

Reservation codes for both hotels at those rates will be available at a later date.

The Transportation Division's officers and

director of meeting management will continue to finalize details of both meetings in the coming months.

Check [www.smart-union.org/td/](http://www.smart-union.org/td/) regularly for meeting updates.



Photo credit: © visitsanantonio.com

SMART TD holds first all-bus treasurer's workshop

Continued from page 1

If your local is interested in bringing a workshop to your area, contact the SMART TD President's Department by emailing [President\\_TD@smart-union.org](mailto:President_TD@smart-union.org) or by calling **216-228-9400**. Check our website at [www.smart-union.org/td](http://www.smart-union.org/td) for future training opportunities. Regional meetings, which are scheduled for summer 2017, will also offer a wider scope of training opportunities for all officers.

TTD statement on nomination of Chao as transportation secretary

AFL-CIO's Transportation Trades Department (TTD) President Edward Wytkind issued this statement on the nomination of Elaine Chao as Secretary of Transportation by President-elect Donald Trump:

"I congratulate Elaine Chao on her nomination by President-elect Donald Trump as the next Secretary of Transportation. Secretary-designate Chao's many years of public service will serve her well in carrying out the difficult task of rebuilding our badly aging transportation system and infrastructure.

"Secretary-designate Chao has an opportunity to play a large role in living up to the commitments made by President-elect Trump that he would rebuild the middle class through job-creation policies. Advancing massive federal investment in new transportation projects is one of the best policy strategies for improving our economy, boosting American competitiveness and putting millions to work.

"Transforming the President-elect's campaign commitments on transportation and jobs into reality will require leadership and a willingness to stand up to the dangerous austerity and job-killing proposals being advanced by some in Washington. This includes opposing the agenda of special interests and their congressional allies when they push wrongheaded policies that lower wages and weaken the rights of working people – the very people that the President-elect said he would fight for in the Oval Office.

"I look forward to meeting with Secretary-designate Chao to discuss transportation labor's priorities."

Association of General Chairpersons met in New Orleans



SMART TD President John Previsich addresses general chairpersons in attendance of the District 1 meeting of the Association of General Chairpersons held in New Orleans in late October.



## Amtrak invests \$2.4 billion for high-speed rail and infrastructure upgrades



### New Trainsets to enter service in 2021 for service along the North East Corridor

Amtrak is contracting with Alstom to produce 28 next-generation high-speed trainsets that will replace the equipment used to provide Amtrak’s premium Acela Express service. The contract is part of \$2.45 billion that will be invested on the heavily traveled Northeast Corridor (NEC) as part of a multifaceted modernization program to renew and expand the Acela Express service.

“Amtrak is taking the necessary actions to keep our customers, the Northeast region and the American economy moving forward,” said Amtrak President & CEO Joe Boardman. “These trainsets and the modernization and improvement of infrastructure will provide our customers with the mobility and experience of the future.”

The new trainsets will have one-third more passenger seats, while preserving the spacious, high-end comfort of current Acela Express service. Each trainset will have modern amenities that can be upgraded as customer preferences evolve such as improved Wi-Fi access, personal outlets, USB ports and adjustable reading lights at every seat, enhanced food service and a smoother, more reliable ride.

This procurement comes as demand for Acela Express service is as popular as ever, with many trains selling out during peak travel periods. The new trainsets will allow for increased service including half-hourly Acela Express service between Washington D.C. and New York City during peak hours, and hourly service between New York City and Boston.

“As more people rely on Amtrak, we need modernized equipment and infrastructure to keep the region moving,” said Chairman of

the Amtrak Board of Directors Anthony Coscia. “These trainsets will build on the popularity and demand of the current Acela Express and move this company into the future as a leader in providing world-class transportation.”

The new trainsets will operate along the Washington – New York – Boston Northeast Corridor initially at speeds up to 160 mph and will be capable of speeds up to 186 mph and thus will be able to take advantage of future NEC infrastructure improvements.

Additionally, the trainsets use the base design of one of the safest high-speed trainsets. Concentrated power cars, located at each end of the trainset, provide an extra buffer of protection. The trainsets will also meet the latest Federal Railroad Administration (FRA) guidelines including a Crash Energy Management system.

“The next generation of Acela service will mean safer, faster and modern trains for customers throughout the Northeast,” said U.S. Senator Charles Schumer. “This investment will pay immediate dividends for businesses and travelers from Washington D.C. to Boston, and the fact that these new trains will be built in Upstate New York makes this project a win-win. These New York-made Acela trains will soon be zipping along the Northeast Corridor and – as a regular customer – I can’t wait for my first ride.”

“The Northeast Corridor is a national economic engine that carries a workforce contributing \$50 billion annually to the national GDP,” said U.S. Senator Cory Booker. “Amtrak’s continued investment in modernizing its fleet will only serve to enhance this vital rail link between Boston and Washington D.C. while allowing for safer and faster travel at a time when passenger demand is expected to rise. Strengthening our nation’s infrastructure is essential to the economic growth of our region and the nation and this investment by Amtrak will help ensure the reliable service travelers expect.”

Amtrak is funding the trainsets and infra-

structure improvements through the FRA’s Railroad Rehabilitation & Improvement Financing program that will be repaid through growth in NEC revenues.

“Amtrak is grateful for all of the support we have received from Congress, especially from Sen. Schumer and Rep. Reed who represents Hornell, New York – home of the Alstom facility,” said Boardman. “We would also like to thank Senate Commerce Committee Chairman Thune and Ranking Member Nelson and House Transportation Committee Chairman Shuster and Ranking Member DeFazio for their leadership on the FAST Act. Additionally, we appreciate the efforts of Senators Booker and Wicker for their support on the inclusion of the rail title, the first time Amtrak reauthorization has been included in surface transportation legislation.”

In addition to the trainsets, Amtrak is also investing in infrastructure needed to improve the on-board and station customer experience that will accommodate the increased high-speed rail service levels. Amtrak will invest in significant station improvements at Washington Union Station, Moynihan Station New York, as well as track capacity and ride quality improvements to the NEC that will benefit both Acela Express riders and other Amtrak and commuter passengers. Amtrak will also modify fleet maintenance facilities to accommodate the new trains.

The trainsets will be manufactured at Alstom’s Hornell and Rochester, N.Y., facilities, creating 400 local jobs. Additionally, parts for the new trainsets will come from more than 350 suppliers in more than 30 states, generating an additional 1,000 jobs across the country.

The first prototype of the new trainsets will be ready in 2019, with the first trainset entering revenue service in 2021. All of the trainsets are expected to be in service, and the current fleet retired, by the end of 2022.



Member Tina Shepherd of Local 1732 took this photo at the Niles Station where Mowry Ave. meets Mission Blvd., in Fremont, Calif. The train sculpture is half the size of a Southern Pacific Mogul-type 2-6-0 No. 1751 steam train that traveled Niles Canyon in the early 1900s. The sculpture includes an engine, tender car, two passenger cars, caboose, water tower and an end-of-the-line barrier. The sculpture was created by Mario Chiodo using foam, wood and fiberglass resin topped with bonze-colored paint.

### AUXILIARY OF THE UTU

#### 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](http://www.utu.org/auxiliary) for an application.



## Railroad Retirement Board releases 2017 tax rates

Tax Type	Employee Rate	Employer Rate	Employee Annual Taxable Maximum	Employer Annual Taxable Maximum
Tier 1 Medicare*	1.45%	1.45%	No Maximum	No Maximum
Tier 1 Railroad Retirement	6.20%	6.20%	\$127,200	\$7,886.40
Tier 2 Railroad Retirement	4.90%	13.10%	\$94,500	\$12,379.50

**\*Additional Medicare Tax:** Employees will pay an additional 0.9% Medicare Tax on earnings above \$200,000 (for those who file an individual return) or \$250,000 (for those who file a joint return). This additional Medicare tax rate **is not** reflected in the tax rates shown above.

**Note:** Tier 1 Medicare and Tier 1 Railroad Retirement tax rates are equivalent to Social Security tax rates set for 2017. Tier 2 Railroad Retirement tax rates do no apply to employees subject to Social Security.

## FMCSA establishes national drug and alcohol testing clearinghouse

The U.S. Department of Transportation’s (DOT) Federal Motor Carrier Safety Administration (FMCSA) announced a final rule, Friday, Dec. 2, that establishes a national drug and alcohol clearinghouse for commercial truck and bus drivers. The clearinghouse database will serve as a central repository containing records of violations of FMCSA’s drug and alcohol testing program by commercial driver’s license (CDL) holders.

“An overwhelming majority of the nation’s freight travels by truck, and millions of passengers reach their destinations by bus, so creating a central, comprehensive, and searchable database of commercial motor vehicle drivers who violate federal drug and alcohol testing requirements has been a departmental priority,” said U.S. Transportation Secretary Anthony Foxx. “This system will be a new technological tool that will make our roads safer.”

Once the clearinghouse is established, motor carrier employers will be required to query the system for information concerning current or prospective employees who have unresolved violations of the federal drug and alcohol testing regulations that prohibit them from operating a commercial motor vehicle (CMV). It also requires employers and medical review officers to report drug and alcohol testing program violations.

The drug and alcohol clearinghouse final rule annual net benefits are an estimated \$42 million, with crash reductions resulting from annual and pre-employment queries by FMCSA-regulated motor carriers.

“This is a major safety win for the general public and the entire commercial motor vehicle industry,” said FMCSA Administrator Scott Darling. “The clearinghouse will allow carriers across the country to identify current and prospective drivers who have tested positive for drugs or alcohol, and employ those who drive drug- and alcohol-free. Drivers who test positive for drugs or alcohol will no longer be able to conceal those test results from employers and continue to drive while posing a safety risk to the driving public.”

The final rule requires motor carriers, medical review officers, third-party administrators, and substance abuse professionals to report information about drivers who:

- Test positive for drugs or alcohol;
- Refuse drug and alcohol testing; and
- Undergo the return-to-duty drug and alcohol rehabilitation process.

Additionally, motor carriers will be required to annually search the clearinghouse for current employees, and during the pre-employment process for prospective employees, to determine whether a driver violated drug or alcohol testing requirements with a different employer that would prohibit them from operating a CMV.

Federal safety regulations require employers to conduct pre-employment drug testing and random drug and alcohol testing. Motor carriers are prohibited from allowing employees to perform safety-sensitive functions, which include operating a CMV, if the employee tests positive on a DOT drug or alcohol test.


In accordance with the Privacy Act of 1974 (5 U.S.C. § 552a), a driver must grant consent before an employer can request access to that driver’s clearinghouse record and before FMCSA can release the driver’s clearinghouse record to an employer. After registering with the clearinghouse a driver can review his or her information at no cost.

Congress directed FMCSA to establish a national drug and alcohol clearinghouse as mandated by the Moving Ahead for Progress in the 21st Century Act (MAP-21).

The national drug and alcohol clearinghouse Final Rule goes into effect in January 2020, three years after its effective date.



## Your Track to Health is gateway to rail health benefits

 **Your Track to Health** *Your Track to Health is your online gateway to information, tools and resources about your health and welfare benefits to help you:*

- Explore your benefits
- Enroll in and manage your coverage
- Improve your health
- Plan your retirement

Register at [www.yourtracktohealth.com](http://www.yourtracktohealth.com) to:

- Securely access and manage your family’s health and welfare benefits information online
- Access your Summary of Benefits and Coverage documents for your benefits
- Opt in to receive emails about important plan benefits, enrollment information and relevant health- and wellness-related information
- Access the member websites for the benefits that you’ve enrolled in right from [yourtracktohealth.com](http://yourtracktohealth.com)

This site contains information for railroad employees and/or their eligible dependents covered in the national railroad medical, prescription drug, dental, vision, behavioral health and life insurance benefit plans.

If you and/or your dependents are not covered under these plans, including Amtrak employees, you should continue to seek information about your health care benefits from your employer.

Visit [www.yourtracktohealth.com](http://www.yourtracktohealth.com) for more information.

## 2017 railroad paid holiday schedule

Rail employees working under the national agreement between SMART Transportation Division and the National Carriers’ Conference Committee will receive 12 paid holidays in 2017. They are:

- New Year’s Eve obs. Sunday, Jan. 1
- New Year’s Day obs. Monday, Jan. 2
- President’s Day, Monday, Feb. 20
- Good Friday, Friday, April 14
- Memorial Day, Monday, May 29
- Independence Day, Tuesday, July 4
- Labor Day, Monday, Sept. 4
- Thanksgiving Day, Thursday, Nov. 23
- Day after Thanksgiving, Friday, Nov. 24
- Christmas Eve, Sunday, Dec. 24
- Christmas Day, Monday, Dec. 25
- New Year’s Eve, Sunday, Dec. 31

*Happy Holidays!*

### Find us on social media!



[www.facebook.com/SMART-TransportationDivision/](http://www.facebook.com/SMART-TransportationDivision/)



[SMART Transportation Division](#)



[SmartUnionWorks](#)



[SmartUnion](#)

## Did you know... Facts about the Airline Industry

“According to one estimate, you can lose about two cups of water from your body for every hour you spend flying. While estimates of water loss during flight vary, it’s well-known that flying causes dehydration in passengers, which can lead to deep-vein thrombosis on long-haul flights. Drink water before, during and after a long flight.”

- [www.confessionsofatrolleydolly.com](http://www.confessionsofatrolleydolly.com)



# 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.



This photo of the Cotton Belt SSW#83 Caboose, was submitted by **Gail Crader** of the Scott City Historic Preservation Commission of Scott City, Mo. The 27-ton restored Cotton Belt Caboose sits in the parking lot of the Scott City Historical Museum and is open to visitors. The caboose was dedicated Nov. 19, 2016, in memory of railroaders who lost their lives while working on the railroad.

## Show your union pride with union gear

### American Products offers a line of union-made SMART TD gear, clothing

Are you proud to be a member of SMART Transportation Division? Would you like to show everyone else just how proud to be a union member you are? Just visit the SMART Transportation Division website at [www.smart-union.org/td](http://www.smart-union.org/td) and click on the "Gear" tile to order your official SMART TD memorabilia.

All of the SMART TD items featured there are sold through American Products and are union-made and/or are made in America.

American Products is offering several new items. Please be sure to check the web-site for details on all the new items.

All items carry a 100 percent quality guarantee against defects in materials and workmanship. Watches and clocks carry a two-year manufacturer's warranty against defects.

Volume discounts on customized orders are available to SMART locals.

All of the featured items can be ordered by credit card directly through the company's secure website at [www.utumerchandise.com](http://www.utumerchandise.com), or by calling the company's toll-free telephone number: (800) 272-5120.

Members may also download and print a custom order form that can be mailed to **SMART Warehouse, c/o American Products, 1600 North Clinton Avenue, Rochester, NY 14621**. Checks can be made payable to **American Products, Inc.**

Apparel prices may vary depending on size. Visit the SMART TD online store for complete details about prices and available sizes.



SMART TD Fleece Jacket



SMART TD Knit Beanie



SMART TD Metallic Blue Pen



SMART TD White Oxford Shirt



SMART 'Bad to the Bone' ts



SMART TD Honeycomb Polo



SMART TD Cooler



SMART TD Maglite Flashlight



SMART TD Ladies Long-Sleeve ts

Is your local involved in a charity? Or perhaps one of your brothers or sisters is doing something unique outside of work? SLDs, is something happening legislatively in your state? Retirees - are you doing something interesting with your retirement, or have a second career, or perhaps you've won an award? We'd like to know about it! To have your story featured, submit your stories to SMART Transportation Division by email to: [news\\_td@smart-union.org](mailto:news_td@smart-union.org)



NOVEMBER 2016

ISSN 2470-0304

Published bi-monthly (with two extra issues per year in May and July each year for a total of eight issues) by SMART TD, 24950 COUNTRY CLUB BLVD., SUITE 340, NORTH OLMSTED, OH 44070-5333 • Periodicals postage paid at Cleveland, Ohio, and additional mailing offices • John Previsich, SMART Transportation Division President • This publication available on microfilm from National Archive Publishing, P.O. Box 998, Ann Arbor, MI 48106.  
POSTMASTER: Send address changes to SMART TD News, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.

[www.smart-union.org/td](http://www.smart-union.org/td) • [www.utuia.org](http://www.utuia.org)