



# Transportation Division News

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

## National negotiations update: Unions say contract negotiations take a step backward

As part of our ongoing effort to conclude national contract negotiations, the Coordinated Bargaining Group (CBG) met with the nation's freight rail Carriers (NCCC) for three days during the week of June 26. These efforts were part of our ongoing mediation process, mandated by the Railway Labor Act when the parties have been unable to reach a voluntary agreement, and managed by the National Mediation Board.

Despite the CBG's best efforts to reach a fair agreement with the NCCC, the mediation process took a step backward Thursday, June 29, when the Carriers presented new, onerous bargaining positions. Their new contract demands would have the employees not only paying more per month towards their monthly insurance premiums, but would also make drastic changes in the amount the average employee pays when medical services are needed. Combined with the Carriers' outlandish demands for this dramatic cost-shifting, they suggested we agree to below-standard general wage increases with no retroactivity, and, for certain crafts, harmful work rules changes that would have employees doing more work for less pay in many circumstances.

It is clear from the Carrier's latest contract demands that they are emboldened by the potential of management-friendly recommen-

dations that could come from a Presidential Emergency Board appointed by President Trump, and ultimately be imposed on the employees by a Congress that already has enacted or is pushing for changes in longstanding labor laws that protect employee rights.

We of course are frustrated by the Carriers' hard-line attitude. But we will not let this stand in our way. In spite of this latest turn of events, the CBG will not give up its efforts to

achieve a voluntary settlement that is fair and protects our members' best interests. We therefore requested and have been granted additional mediation sessions. This is not by any means the end of the road. The Railway Labor Act makes it the duty of both labor and management "to exert every reasonable

effort to make agreements." We take that obligation seriously. Be assured that we have been working very hard on your behalf and we will continue to pursue every available avenue to achieve a fair contract settlement worthy of your consideration.

The Carrier's latest offer is neither a fair settlement, nor a settlement that we expect our members would ratify. So that you all are fully aware of what has been proposed, and in an effort to bring all affected members up to speed, the Carrier's latest proposal, with a brief synopsis, can be found at

[https://static.smart-union.org/worksites/Contract-Neg/NCCC\\_2017-06-29\\_Synopsis\\_and\\_Proposal.pdf](https://static.smart-union.org/worksites/Contract-Neg/NCCC_2017-06-29_Synopsis_and_Proposal.pdf) or by visiting [www.smart-union.org/td](http://www.smart-union.org/td).

More information will be forthcoming after the next mediation sessions in July and August. We appreciate your continuing support.



## FEMA appoints SMART TD's Hayes as rail labor rep.



GCA 851 Assistant General Chairperson Yvonne Hayes has been appointed as the rail labor representative for FEMA. Read more on page 2.

## Submit your photos for 2018 Alumni calendar

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

High-resolution digital photographs should be emailed to "[news\\_TD@smart-union.org](mailto:news_TD@smart-union.org)."

Printed photographs should be mailed to SMART TD News, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070. To be considered in the 2018 calendar, photos must be received by **Oct. 8**.

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 compa-

ny 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 and in compliance with all applicable company rules.**

All photographs submitted become property of SMART Transportation Division.



Send your submissions to SMART Transportation Division by emailing:  
[news\\_td@smart-union.org](mailto:news_td@smart-union.org)

## Contact your legislators via the LAC

Take a minute to contact your state and congressional representatives through the SMART TD Legislative Action Center (LAC) to tell them to vote:

**NO to Right-to-Work and YES to H.R. 233 - Two-Person Crews!**

Using the LAC online is quick and easy: Just visit the SMART TD website at [www.smart-union.org/td](http://www.smart-union.org/td) and click on the Legislative Action Center (LAC) button located at the bottom right of the page.

Or, access the LAC directly at: [http://www.congressweb.com/smart\\_transportation](http://www.congressweb.com/smart_transportation)

At the LAC, you can also learn about issues, see the voting record of your representatives and send emails directly to your reps.

Your voice matters, and our collective voices are stronger than any corporate agenda. We must work to protect our union and safeguard labor rights for SMART TD and all workers.



## Inside this issue of SMART Transportation Division News:



SMART TD welcomes new members. See page 3.



A recap in photos from San Antonio and NYC regional meetings. See pages 6 & 7.



Local officer nominations set for October. See page 9.



UTUIA announces 2017 scholarship winners. See page 10.



# Around the SMART TD

## Local 64, Waseca, Minn.

Local 64 Secretary & Treasurer **Michael Taylor** reported that after two years of continued requests for better lighting at the Canadian Pacific (CP) yard in Waseca, Minn., CP has finally started to upgrade the lighting. So far the railroad has replaced 24 of the lights in the yard with new LED lights. Some lights were also changed to a double lighting system instead of one light.

“This will make it safer for employees and train crews who work in the yard,” Taylor said. “They are allegedly going to revamp the lighting in the entire yard.”

## Local 298, Garrett, Ind. & Local 1202, Ft. Wayne, Ind.



*Pictured from left: Robert Holbrook, Kelly DeCoursey, Local 298 Chairperson Kevin DeCoursey, Local 1202 Legislative Vice Chairperson Andy McKeeman, State Legislative Director Ken Edwards, Michelle Hendrickson, Local 298 Legislative Representative Lucas Hendrickson, Molly McCaig and Vice Local 1202 Chairperson Kim McCaig*



*While at the dinner, Local 298 Legislative Representative Lucas Hendrickson took a moment to speak with Ft. Wayne, Ind., Mayor Tom Henry about issues concerning the local.*

Members of Locals 298 and 1202 attended the 31st Annual Third District Dinner held April 22. The event was hosted by Indiana’s third congressional district democratic committee. Indiana State Legislative Director **Ken Edwards** was one of three key note speakers along with former Lt. Gov. candidate Christina Hale and House Minority Leader Rep. Scott Pelath.

## Local 1473, Boston



*Left: Employees of the Fire River Railroad and members of Local 1473 in Boston, recently finished the restoration of this caboose.*

## Local 1892, Houston

Local Chairperson **Daniel Holak** reported that Local 1892 is preparing to host the Annual 2017 Houston Union Rally. Last year was the first year the event was held and included SMART TD members, trainmen and engineers. This year the local has decided to expand the event to include members from the BLET and their leadership.

“We feel there is a need for the unions to unite as a whole as we see the carriers continually trying to get a stronghold on us and our jobs,” Holak said. “We had a great turnout last year for our first SMART TD rally and expect the rally to double this year.”

GO 577 General Chairperson **Roy Davis** will be pitmaster again this year. SMART TD Vice President **Jeremy Ferguson** will also be on hand. Representatives from the Designated Legal Counsel, Railroad Retirement Board, United Healthcare and others will be on-hand to answer members’ questions.

The event will be held Monday, Sept. 25, from noon to 8 p.m. at the SPJST Lodge 88, 1435 Beall St., Houston, TX 77008. Members and spouses are invited, as well as retirees. Door prizes will be given throughout the day. Members who are planning to attend are encouraged to RSVP, but it is not mandatory. Those wishing to RSVP should contact LCA Secretary **Butch Boggess** at 713-503-8560 or by email at lsa1892secretary@gmail.com.

“We will have great food, great fellowship and a great time! This is an all-day event that will be fun, informative and motivational,” Holak said.

## Local 1910, Macon, Ga.



*Members of Local 1910 held their Fifth Annual Information Conference and Cook-out, sponsored by Designated Legal Counsel Michael Warshauer.*

*Pictured from left are Jose Cosby, GO 169 Vice Chairperson Dan Doster, UTUIA Field Supervisor Steve White, Vice Local Chairperson Willie White, Charles Hudson II, Vice Local Chairperson Timothy Patrick, Secretary & Treasurer Tony Roland, Christopher Watkins, Richard Roberts, Milton Chatman, GO 169 Secretary Thomas Williamson Jr., Carl Watkins, Tommy Williamson, Grant Moore, GO 169 General Chairperson James Stewart Jr., Local Chairperson Charles Ellington, Reginald Browner, Harrison Millines Jr., Vice Local Chairperson Eric Robinson, Terry Hamilton, Local Vice President Lois Exum, Trent Shupling, Local President John Pitts and Wade Hall.*

## FEMA appoints SMART TD’s Hayes as rail labor rep.

**Yvonne Hayes**, chairperson of Local 1138 in Miami, Fla., and assistant general chairperson (GO-851), was selected to serve as a member of the FEMA National Advisory Council (NAC) Railroad Emergency Services Preparedness, Operational Needs and Safety Evaluation (RESPONSE) subcommittee. She is the sole committee member representing rail labor.



*Hayes*

Hayes brings nearly 40 years of experience in the labor movement and 25 years in freight rail, to her new role. Her career in transportation and focus on safety was ingrained at a young age, as Hayes’ father was an airline pilot who also served as the safety chairperson for his union. She grew up listening to real-life accident scenarios in the transportation industry—and her father’s focus on safety and “doing the job right” above all else, has stayed with her throughout her career.

In 2008, she earned a Bachelor’s degree in Labor Studies and Occupational Safety & Health from the National Labor College, and later taught industrial safety and instructional systems design courses at the college. Hayes is an authorized OSHA trainer for 10- and 30-hour courses on industry safety standards.

She also serves as a staff peer trainer for the Rail Workers’ Hazmat Training Program (RWHMTP). The RWHMTP, a consortium of nine rail unions, is designed to educate rail workers beyond the generalized safety training provided by carriers, and empowers rail workers with increased knowledge on the risks associated with rail transportation of hazardous materials.

Hayes has worked with fellow RWHMTP trainers in developing innovative curricula that arms railroaders with the confidence they need to master safety rules and regulations and to understand the science behind them. Her “Railworkers HazMat Toolbox,” developed under a Hazardous Materials Instructor Training (HMIT) grant by the Department of Transportation (DOT), was designed to provide hazmat awareness-level training in short sessions, specifically tailored to the daily safety briefing slots on the railroad. Additionally, Hayes collaborates frequently with members of SMART TD around the country—at locals, workshops and regional meetings, conducting Labor, Safety & Health seminars and hazmat courses.

Hayes has been a mentor to new hire conductors at her terminal and was also one of the labor members of CSX’s Labor-Management Rule Simplification Team, whose mission was to rewrite the CSX operating rules manual with the end goal of eliminating “gray areas” that allowed CSX managers to interpret rules differently from one day to the next. In 2014, Hayes was selected as one of two labor members to represent this team at the Railroad Safety Leadership Forum of the American Association of Railroads.

In addition to her recent appointment to the FEMA RESPONSE subcommittee, Hayes continues to serve as one of the SMART TD representatives on the Hazardous Materials Working Group of the FRA’s Rail Safety Advisory Committee.

Hayes’ recent appointment will bring railroad safety issues from a labor perspective to the national forefront, and will allow Hayes to apply her freight rail safety experience and expertise to affect positive change and make the railroad safer for everyone.

“The most important thing is that this is an opportunity for rail labor to assist our brothers and sisters in the field of emergency services to stay safe when they respond to a derailment or other railroad emergency. I am honored to represent SMART Transportation Division and all rail labor in this new role,” Hayes said.



## SMART TD members at Birmingham Terminal Railway ratify 1<sup>st</sup> CBA



After four-plus years of arduous contract negotiations and mediation, SMART TD train and engine service members operating at Birmingham Terminal Railway (BHRR) have ratified their first generation collective bargaining agreement that governs wages and working conditions on that property through calendar year 2019; 96 percent of the voting membership was in favor of the agreement.

SMART TD Vice President **John E. Lesniewski**, who assisted with negotiations, commended General Chairperson **Mark Cook** and his negotiating team (consisting of Assistant Chairperson **Thomas Gholson**, **William “Eddie” Carroll**, **Derek Brown** and **Bobby McFadden**) for their “persistent and systematic attentiveness to the needs of our membership.”

Cook expressed his gratitude to Lesniewski for “bringing a wealth of experience and an enduring commitment to the bargaining table.” Lesniewski, Cook and the entire negotiating team praised the members of Local 1887 for their patience and loyalty throughout the extensive negotiating process.

Birmingham Terminal Railway is a subsidiary of Watco Companies, an operator of several short-line railroad companies. The BHRR operates on 75.9 miles (122.1 km) of track providing switching services in the Birmingham, Alabama area. It began operating in 2012 after acquiring the assets of the Birmingham Southern Railroad.

## Local 198 benefits from new CBA



Tazewell and Peoria (TZPR) Local 198 (Peoria, Ill.) members unanimously ratified a new five-year agreement June 2, 2017.

The new agreement duration is retroactive to November 1, 2014, and goes through October 31, 2019, and provides five general wage increases totaling 14 percent with full back pay. An hourly increase of 15 percent will also be provided with the contract. Members will enjoy increased paid vacation time and five to eight paid flex days per year. The agreement also provides for an increase in 401k employer contribution match from 3 to 4 percent. Members will also be enrolled in the Genesee and Wyoming Midwest Region short-term disability program.

“Former General Chairperson **Brandt Bechtold**, General Chairperson **Chad Rossman** and Local 198 President **Joe Haney** did an excellent job of bringing members’ concerns to the table,” said SMART TD Vice President **Dave Wier**.

Part of Genesee & Wyoming Inc., TZPR operates 24 track miles and interchanges with BNSF, Canadian National, Norfolk Southern, Union Pacific, Keokuk Junction Railway, Illinois & Midland Railroad, Iowa Interstate Railway and the Toledo, Peoria & Western Railway all at Creve Coeur, Ill. Commodities shipped by the railroad include chemicals, coal, construction materials, food and feed products, forest products, steel and scrap.

## SMART TD welcomes four new properties

Recently, employees of the Golden Isles Terminal Railroad, Savannah Port Terminal Railroad, Brownsville & Rio Grande International Railway, LLC and Brega Transportation all voted for SMART TD representation.

### Golden Isles Terminal Railroad



Train and engine service employees as well as yardmaster employees of Golden Isles Terminal Railroad recently voted yes to SMART TD representation.

On May 12, the National Mediation Board (NMB) certified that SMART TD has been duly designated and authorized to represent train and engine service as well as yardmaster employees of the railroad.

“These employees recognize what the strength and power that being part of the nation’s largest rail labor organization can do for them,” said SMART TD Director of Organizing **Rich Ross**.

“We would like to thank all those involved with the successful campaign on Golden Isles Terminal Railroad, specifically Vice President **Jeremy Ferguson**, GCA 851 Vice Chairperson **Joe Bennett** and local officers of Local 1031, Local President **James Robertroy**, Local Legislative Rep. **Isaac Gamble**, Local Chairperson **Darrin Brown** and Local Chairperson **Jeremy Sessions**,” said Ross and Transportation Division Organizer **Larry Grutzius**.

Golden Isles Terminal Railroad operates 33 miles of track in and around the port at Brunswick, Ga. The railroad has interchanges with both CSX and Norfolk Southern. Commodities carried by the short line are automobiles, chemicals, food and feed products, machinery, and pulp and paper. The Golden Isles Terminal Railroad was founded in 1998 by Genesee & Wyoming, Inc.

### Savannah Port Terminal Railroad



The operating employees of Savannah Port Terminal Railroad (SAPT) of Garden City, Ga., voted for SMART TD representation May 16. On May 17, 2017, the NMB certified

that SMART has been duly designated and authorized to represent the operating employees of SAPT.

“These employees recognize what the strength and power that being part of the nation’s largest rail labor organization can do for them,” said Ross.

“We would like to thank all those involved with the successful campaign on Savannah Port Terminal Railroad, specifically Vice President **Jeremy Ferguson**, GCA 851 General Chairperson **John Whitaker**, Vice General Chairperson **Joe Bennett**, and local officers of Local 1031, President **James Robertroy**, Local Legislative Representative **Isaac Gamble**, Local Chairperson **Darrin Brown** and Local Chairperson **Jeremy Sessions**,” said Ross and Grutzius.

SAPT operates 18 miles of track and interchanges with CSX and Norfolk Southern in Garden City, Ga. The railroad’s commodities include chemicals, food products, intermodal containers and pulp and paper. SAPT was founded in 1998 by Genesee and Wyoming.

### Brownsville & Rio Grande International Railway, LLC



Carmen, train and engine service, locomotive mechanics and maintenance of way personnel of the Brownsville & Rio Grande International Railway (BRG) all voted for SMART TD representation June 13,

2017. On June 14, the NMB certified that SMART has been duly designated and authorized to represent the carmen, train and engine service, locomotive mechanics and maintenance of way employees of BRG.

“The employees are a tight knit group that deserves the benefits that union membership can bring them,” Ross said.

BRG operates 45 miles of line at the Port of Brownsville, Texas, and interchanges with Union Pacific and KCSM. BRG traffic includes steel, agricultural products, food products and general commodities.

The BRG commenced operations in 1984 when the Brownsville Navigation District (BND) reclaimed Port railroad operations from the Missouri Pacific Railroad. The BND, which manages the Port of Brownsville, entered a 30-year agreement with OmniTRAX to operate and expand the business development capabilities of the Brownsville & Rio Grande International Railway on its behalf in June of 2014.

“I would like to thank SMART TD Organizer **Larry Grutzius** for all of his hard work on this campaign,” Ross said.

### Brega Transportation



Bus Vice President **Calvin Studivant** reported that 120 bus operators and bus aides employed by Brega Transportation voted for SMART TD representation June 16.

“I would like to thank SMART TD Director of Organizing **Rich Ross** for providing the necessary resources to make this a successful campaign. I would also like to thank New York State Legislative Director **Sam Nasca** and Local 1705 General Chairperson **Thomas Bruce** for their tireless effort in seeing this to fruition,” Studivant said.

“There was a lot of pushback from the carrier, but SMART TD stayed on message and that effort reflected in the voting. We are looking forward to securing for our new bus members a far and equitable collective bargaining agreement,” Studivant added.

Brega Transport’s Yellow Bus division provides professional school bus service throughout Rockland County, N.Y.

## Local 854 rallies to raise awareness of possible 2018 budget cuts to Amtrak funding



Members of Local 854 picketed at the Norfolk, Va., Amtrak station July 1 to raise awareness about the possible 2018 Trump budget cuts to Amtrak service.

Pictured here (from left) are Local Chairperson **Ronnie Hobbs Jr.**, **William Whitley**, Vice Local Chairperson **Luke Villies**, **Jeff Foster**, Local President **Michael Poindexter**, **Ray Myers**, Local Trustee **DeShawn Dwight**, LCA Secretary **Anthony Haley**, Local Trustee **Jake Foster**, Local Alternate Legislative Representative **Sean McDaniel** and Virginia State Legislative Director **Ronnie Hobbs Sr.**



# Tragically, we continue to suffer the dangers of railroad work

We lost three more Brothers in June. Conductor **Jake Lafave** and conductor trainee **Stephen Deal** from SMART TD Local 600 in Cumberland, Md., left home June 27 for work and never returned. On June 10, we also lost **Michael Ollek** of SMART TD Local 29 in Long Island, N.Y.

My thoughts and prayers remain with those we have lost, their families and their union Brothers and Sisters as well.

The loss of Brothers Lafave, Deal and Ollek is yet another wakeup call that we must heighten our efforts to make America's freight and passenger rail systems as safe as possible for railroad employees and communities alike.

**“Mandating two-person crews is just one step toward better safety. We also need to battle harder for stronger fatigue rules and hours-of-service requirements. The fatigue rules in our industry should not be dictated by business efficiencies, but instead by sound science.”**

Our first priority is a safe workplace for every SMART member, which includes our mission to mandate two-person crews on rail lines from coast-to-coast. SMART TD President John Previsich puts it well when he reminds everyone that it would be unthinkable for a commercial airliner to be operated by one pilot: “Even though a plane can fly itself, freight trains, which cannot, should be treated no differently.”

Mandating two-person crews is just one step toward better safety, however. We also need to battle harder for stronger fatigue rules and hours-of-service requirements. The fatigue rules in our industry should not be dictated by



## SMART General President's Column

By Joseph Sellers Jr.

business efficiencies, but instead by sound science that always makes the safety and security of members, passengers and communities paramount.

**“Whether on workplace safety or workers’ rights, the promises and policies that sound so good in the media and on the campaign trail mean nothing when political powers deny concrete action and adequate funding for rules and programs that make so much common sense.”**

That means taking fatigue seriously and understanding that the unpredictable nature of assignments in the rail industry will put members of this and other unions in situations where there is no adequate rest—due to no fault of their own.

Along with safety measures like crew size, there is yet another battle underway. At meetings I attended recently, I have heard again from members and SMART TD leaders about the fight to fund the National Mediation Board (NMB).

It is unacceptable that cases are being delayed for what now can be up to two years. The old truth remains sadly relevant: “Justice Delayed is Justice Denied” for members waiting to have their cases heard.

In the end, these issues are all related. Whether on workplace safety or workers’ rights, the promises and policies that sound so good in the media and on the campaign trail mean nothing when political powers deny concrete action and adequate funding for rules and programs that make so much common sense.

Unfortunately, what is far too common are the senseless and unending deaths, injuries and workplace injustices that these profit-first, anti-worker positions continue to foster. We must, and we will, continue to press ahead to win the safe, fair treatment that our members, our communities and our nation all deserve.

Fraternally,

Joseph Sellers Jr.  
General President, SMART



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## Aviation Department News

News affecting our aviation membership

### Airlines seek to cut pilot in-flight training hours

Regional airlines are working to reduce pilot in-flight training hours from the 1,500-hour requirement, through a provision that could be attached to the upcoming Federal Aviation Administration (FAA) Reauthorization Bill.

On June 29, a senate committee panel advanced the measure along party lines with Republicans voting in favor, 14-13. U.S Senator Tammy Duckworth (D – Ill.), Iraq War Veteran, Purple Heart recipient and combat pilot for the Illinois National Guard, staunchly opposes the measure.

“This isn’t just a matter of training hours - it’s a matter of life and death for every single pilot and airline passenger. Flying has always been a passion of mine and I know firsthand how risky it can be to fly without the necessary training and experience,” Duckworth told the Senate Commerce, Science and Transportation Committee at a hearing on the bill.

“There is a reason pilots often say FAA regulations are written in blood - if a pilot isn’t fully prepared to handle any unexpected weather or flying condition, human lives may be in jeopardy. I won’t stop fighting to protect the lives of everyone on board an aircraft until we have rules in place to ensure airline pilots get the training they need to avoid needless tragedies,” she said.

Captain Chesley “Sully” Sullenberger, the US Airways pilot who heroically landed his aircraft in the Hudson River in 2009, is also adamantly opposed to the measure and voiced his opposition at the same hearing.

“We can’t control harsh weather patterns, but we can control how prepared a pilot is to handle unexpected situations in flight - and trust me, there is no training substitute for actual flying time and real-world experience,” Sullenberger said. “Efforts to reduce flying hours fly in the face of evidence and logic, and put millions of lives at risk. We should be doing everything we can to improve - not reduce - the safety of pilots and passengers.

U.S. Senator John Thune, R – S.D., introduced the provision.

## Bus Department News

A message from your bus department leadership

Dear Brothers & Sisters:

SMART TD just completed its annual regional meetings July 12. The Bus Department workshops were very energetic and educational at both the western and eastern regional meetings. All of the bus workshops at these meetings are put together so that all the bus officers who attend can gain valuable knowledge and return to his or her respective local to be a more effective leader for his or her membership.



Studivant

We had mediators to teach us the mediation and grievance process; we had training on the NLRA and our duties for proper representation of our members; and we also had a legislative workshop that was geared to the bus members.

We also had a workshop on something that plagues our members far too often and that is operator assaults. Ending assaults on our members is our top priority. I would like to say thank you to TD President John Previsich for making this issue a main concern. We will continue to fight to ensure our members have safe working conditions and that all members return to their families unharmed at the end of the day.

As all bus operators know, we have been advocating on your behalf concerning Obstructive Sleep Apnea (OSA). The U.S. Department of Transportation has opted NOT to move forward with a rule regarding OSA. The agency recently withdrew its advanced NPR (notice of proposed rule making). In March 2016, the FMCSA sought data and information concerning the prevalence of moderate to severe Sleep Apnea among individuals occupying safety sensitive positions in transportation. FMCSA has determined there is not enough information available to move forward with a rule-making action, so the NPR has been withdrawn concerning OSA.

In closing, I would like to continue to wish everyone safe travels and to thank you all for the professionalism that you display everyday.

In Solidarity,

Calvin Studivant  
SMART TD Bus Vice President  
973-800-7995  
[cstudivant@smart-union.org](mailto:cstudivant@smart-union.org)





Never forget: The Great Railroad Strike of 1877

In these turbulent times, when our union and others are working to obtain agreements favorable to our members in rail, bus and transit operations, it is helpful to remember the hard-fought battles taken up by our union brothers and sisters who came before us—many of whom paid the ultimate price in fighting for worker’s rights, human rights and social justice.

**“The striking railroad workers sent a strong, loud message to business owners, lawmakers and the public: unity is a powerful catalyst for change, and workers do not have to accept the status quo.”**

This summer marks the 140th anniversary of the first national labor strike in America’s history: The Great Railroad Strike of 1877. More than 100,000 railroad workers from across the country actively participated in the strike. The violent clashes resulted in more than 100 deaths and tens of thousands of injuries. By mid-August, federal troops were called in and on the 45th day, the strike was over.

Although the striking railroad workers were forced to disband, their battle was not in vain, as the strike sparked a surge in the American labor movement. The striking railroad workers sent a strong, loud message to business owners, lawmakers and the public: unity is a powerful catalyst for change, and workers do not have to accept the status quo.

Following the 1877 strike, unions formed across many industries, workers organized and memberships began to grow. Thou-



**SMART  
Transportation Division  
President’s Column**

*By John Previsich*

sands of strikes have occurred since then, and in the past century and a half, the labor movement has seen setbacks and major strides forward.

**“It may become necessary for us to rise in solidarity to achieve the fair and equitable contract that our members deserve. We must remain vigilant, involved and be ready to act. We must know our history and never forget the sacrifices of our union brothers and sisters who came before us.”**

Since 1877, society has changed in a myriad of ways, but two elements remain the same:

First: Big business, in collusion with anti-union lawmakers, seeks to destroy collective bargaining and crush solidarity. Corporate agendas, then and now, are not labor-friendly and never will be.

Second: Solidarity remains a powerful catalyst for change.

Both of the above factors are currently relevant. Although we continue to believe that a voluntary national rail agreement is in the

best interests of our members, the carriers with whom we are negotiating have, to date, refused to back away from their unreasonable demands. Our efforts are continuing, but at some point, it may become necessary for us to rise in solidarity to achieve the fair and equitable contract that our members deserve.

We must remain vigilant, involved and be ready to act. We must know our history and never forget the sacrifices of our union brothers and sisters who came before us—and we must be inspired by those who fought and died defending worker’s rights.

Fraternally,

John Previsich  
President, Transportation Division

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State Watch

News from SMART TD State Legislative Boards

Illinois



*Front row, pictured from left: retired Local 234 member Gary Buraski, Jim Ridge of DLC lawfirm Ridge & Downes, Local 445 member Bernie Watkins and retired Local 445 Chairperson and Alumni Association member Johnny “Mike” Edwards. Back row: Illinois AFL-CIO President Michael Carrigan, Illinois State Legislative Director Bob Guy, Local 445 Legislative Representative Jordan Boone, Illinois Assistant State Legislative Director Joe Ciemny and Illinois AFL-CIO Secretary/Treasurer Tim Drea.*

State Legislative Director **Bob Guy** reported that Illinois SMART TD members were proud to participate in the 10th annual Illinois AFL-CIO Committee on Political Education (COPE) golf outing held in Springfield, Ill., June 5. The sold-out event was attended by more than 100 union members and brings in legislators from all parts of Illinois.

Kansas



*Left: SMART TD members helped to operate the Amtrak inspection train. Pictured from left: Daniel Castaneda, BLET member Steve Dillion, Local 94 member Ben Bruce, Local 1525 member Ingrid Morales, Kansas State Legislative Director Ty Dragoo and Kansas Assistant State Legislative Director Chad Henton.*

Kansas State Legislative Director **Ty Dragoo** reported that with much public support, Amtrak is considering restoring passenger service between Ft. Worth, Texas, and Kansas City, Kansas, as well as adding a connection with Amtrak’s Heartland Flyer and Southwest Chief trains. On June 9, Amtrak operated a special inspection train that departed Oklahoma City and traveled north over the route, stopping at potential stations, and arriving at Kansas City Union Station.

“I was honored to be invited on the inspection train. It shows that SMART TD Kansas Legislative Board (KSLB) has, and will continue to be at the table,” Dragoo said. “The KSLB will continue to advance efforts at the Kansas Statehouse to establish a full-service route from Ft. Worth to Kansas City.”

Nevada

S.B. 427, Nevada’s two-person crew bill, passed in the state senate June 3, with 27 yeas, 11 nays and four excused. The bill was then sent to Nevada Governor Brian Sandoval (R) to be signed into law. In a loss for safety, Sandoval vetoed the bill, which cannot be reintroduced until the 2019 session.

Texas



SMART TD General Chairperson (GO 927) **Stephen Simpson** (right) met with U.S. Representative Louie Gohmert (R - Texas; left) in an effort to garner his support on the two-person crew bill, H.R. 233. Simpson also talked with the congressman about the backlog of cases awaiting arbitration by the NMB and discussed the need for funding for Amtrak.

“I had a very productive meeting and encourage other general chairpersons and state legislative directors to meet with their members of congress to help our national legislative director and his staff,” Simpson said.

Submit your legislative stories and photos to  
SMART Transportation Division by emailing:  
[news\\_td@smart-union.org](mailto:news_td@smart-union.org)



SMART TD: Educate → Organize → Mobilize!

A recap in photos of the 2017 San Antonio & New York City Regional Meetings

San Antonio



Designated Legal Counsel Coordinator Anthony Petru gives a presentation to a packed classroom during the Nuts and Bolts workshop held Monday afternoon at the San Antonio Regional Meeting.



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



SMART TD Accounting Supervisor Myles O'Reilly (left) scans members' badges as they leave a workshop, giving them credit for their attendance.



SMART TD Florida State Legislative Director Andres Trujillo, Texas Legislative Vice Chairperson Billy Ortagus and Nevada State Legislative Director Jason Doering sign up members for UTUPAC.



SMART TD presented Texas State Sen. José Menéndez (D) with a brass lantern. Pictured from left: Texas State Legislative Director Kamron Saunders, Menéndez, Vice President John Lesniewski and TD President John Previsich.



Local 240 S&T Dale Biggs (left) and Local 240 Trustee Glen Holmes (right) arrive at their next workshop together.



SMART TD Government Relations Specialist Erick Siahann (left) visits the Human Rights Committee table between workshops. Here, Coordinator Billy Moye (right) explains about the goals of the committee.



SMART TD President John Previsich presented a certificate of appreciation to retired Missouri State Legislative Director Ken Menges for his work on improving the SMART TD Alumni Association.

New York



General Secretary Treasurer Rich McClees, Vice President John Lesniewski, General President Joe Sellers, Transportation Division President John Previsich, U.S. Rep. Thomas Suozzi (D), General Chairperson Anthony Simon, National Legislative Director John Risch and New York State Legislative Director Sam Nasca give a thumbs up after Suozzi's Monday speech.



Georgia State Legislative Director Matt Campbell (standing) gives a presentation at the bus legislative workshop, while our legislative team looks on. Pictured from left: Political Consultant Dean Mitchell, National Legislative Director John Risch, Government Relations Specialist Eric Siahann, Alt.National Legislative Director Greg Hynes and AFL-CIO TTD Representative Jeff Pavlak.



Members pack the classroom of the Local Officer Training Workshop, intent on learning more about their roles as local officers.



SMART TD Bus Vice President Calvin Studivant (standing) explains how to handle operator assaults during a round-table discussion at the Bus Operator Assault Workshop; one of the bus workshops offered at this year's eastern regional meeting held at the Sheraton New York Times Square Hotel in New York City.



Transportation Division President John Previsich presents a commemorative brass lantern to U.S. Rep. Peter King (R) in appreciation of his advocacy on behalf of SMART TD members.



Railroad Retirement Board Representative Mark Thomson answers retirement questions posed by New England States' State Legislative Director George Casey.



Members learn the ins and outs of being a secretary & treasurer at this S&T workshop.



SMART TD Network Administrator Cary Nitschke scans in the name badge of Local 1263 Chairperson Richard Keen, giving him credit for attending a workshop.



SMART TD Alumni

SMART TD Alumni Association

News, information for members of the SMART TD Alumni Association

Medicare to issue new cards in 2018 to protect identities of retirees

Whether a person is receiving Medicare through Social Security or through the Railroad Retirement Board (RRB), the patient may be vulnerable to identity theft due to the SSN/RRB Claim number being present on their Medicare card.

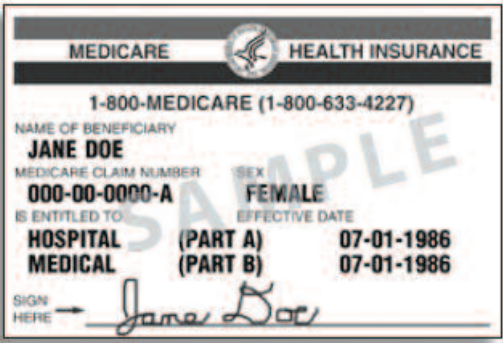
Soon, you won't need to worry about someone obtaining your personal information from your Medicare card.

Starting in April 2018, the Centers for Medicare & Medicaid Services (CMS), in conjunction with the RRB, will begin issuing new cards with a 'Medicare Beneficiary Identifier' or MBI. These cards will be sent in phases to existing Medicare beneficiaries, and by April 2019, all Medicare/Railroad Medicare cards will be free of personally identifiable information. This includes the removal of the gender and signature line.

Here is what a MBI will look like:

- It will have 11 characters
- The numbers will be generated randomly. Medicare considers them 'non-intelligent' numbers that don't have any hidden or special meaning
- It will be unique to each patient
- It will contain capital letters (all letters with the exception of S, L, O, I, B and Z) and numbers (0-9)
- The 2<sup>nd</sup>, 5<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> characters will always be a letter, while
- Characters 1, 4, 7, 10 and 11 will always be a number, and
- The 3<sup>rd</sup> and 6<sup>th</sup> characters will be a letter or a number
- There will be no dashes in the numbers on the card

To learn more about the layout of a MBI, please visit this CMS webpage:



<https://www.cms.gov/Medicare/New-Medicare-Card/Understanding-the-MBI-with-Format.pdf>.

As you may have experienced, providers can't always tell the difference between an SSN patient and a RRB patient. They may submit your claims to regular Medicare, instead of Railroad Medicare. To help providers know what patient they have, the new cards will have the RRB logo on them when applicable, so your doctor's office will know where to submit claims.

This October, you will receive your 2018 Medicare & You handbook, which will contain additional information about the MBI change.

If you have a question about a claim, you may call Palmetto GBA's Beneficiary Contact

Center at 800-833-4455, or for the hearing-impaired, call TTY/TDD at 877-566-3572. Customer Service Representatives are available Monday through Friday, from 8:30 a.m. until 7 p.m. ET.

Retirees are also encouraged to visit Palmetto's website at [www.PalmettoGBA.com/RR/Me](http://www.PalmettoGBA.com/RR/Me).

Retirees!

Is your local chapter having an event? Are you doing something interesting with your retirement? Or maybe you have a second career? Perhaps you've won an award? **SMART TD News would like to know about it!**

Email your stories to: [news\\_td@smart-union.org](mailto:news_td@smart-union.org) or call 216-228-9400.

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     | Vanburen, Martin C.    | Kalamazoo, Mich.       | 477   | Smith, Billy T.           | Newton, Kan.         | 1328  | Cooper, Dale E.     | Louisville, Ky.         |
| 2     | Gates, James E.        | Kalamazoo, Mich.       | 493   | Johnson, Richard L.       | Surprise, Ariz.      | 1344  | Iverson, Richard E. | Bismarck, N.D.          |
| 2     | Gruhler, John W.       | Holland, Ohio          | 527   | Flynn, Patrick M.         | Parsons, Kan.        | 1344  | Olheiser, Lester A. | Dickinson, N.D.         |
| 171   | Earp, Norman L.        | Sparta, Tenn.          | 535   | Thorpe Sr., Roland J.     | Macon, Ga.           | 1345  | King, Donald L.     | Benton, Tenn.           |
| 204   | Kurtz, John P.         | Denver, Colo.          | 564   | Castillo, Felix R.        | Ft. Worth, Texas     | 1365  | Globun, Peter P.    | North Lima, Ohio        |
| 240   | Olson, Milton B.       | Murrieta, Calif.       | 610   | George, Richard E.        | Forest Hill, Md.     | 1366  | Peterson, Laurin A. | Salt Lake City, Utah    |
| 258   | Mangler, Albert G.     | Sabula, Iowa           | 630   | Hamilton, Edwin L.        | Pikeville, Ky.       | 1409  | Gilchrist, James W. | Topeka, Kan.            |
| 259   | Dietderich, Chester L. | St. Joseph, Mo.        | 631   | Staubs Jr., Floyd L.      | Harpers Ferry, W.Va. | 1477  | Walsh, Edward A.    | Sterling Heights, Mich. |
| 281   | Morris Sr., Matthew C. | Cudahy, Wis.           | 632   | Thompson, Irvin G.        | Huntersville, N.C.   | 1505  | Carlson, Edward J.  | Liberty Lake, Wash.     |
| 293   | Johnson, Jack L.       | League City, Texas     | 707   | Tryon, Wayne E.           | Marysville, Kan.     | 1518  | Stark, Freland J.   | Coalmont, Ind.          |
| 298   | Clemons, Kenneth W.    | Garrett, Ind.          | 768   | Neeley, Robert L.         | St. Petersburg, Fla. | 1524  | Newsom, James A.    | Pearland, Texas         |
| 313   | Boruta II, Herman J.   | Rockford, Mich.        | 774   | Horner, Russell D.        | Troy, Kan.           | 1525  | Walker, Kenton L.   | Downs, Ill.             |
| 318   | Watkins, Tommy E.      | Blossburg, Pa.         | 830   | Gallagher III, Michael A. | Harrisburg, Pa.      | 1548  | Hockman, Monroe W.  | Nineveh, Ind.           |
| 322   | Semrow, Richard E.     | Wisconsin Rapids, Wis. | 832   | Lindquist, C. James       | Duluth, Minn.        | 1557  | Goad, Murry C.      | Samburg, Tenn.          |
| 324   | Wells, Douglas E.      | Las Vegas, Nev.        | 835   | Johnson, Robert A.        | Neck City, Mo.       | 1557  | Walker, Eddie B.    | Southaven, Miss.        |
| 328   | Naughton, James J.     | Laconia, N.H.          | 857   | Boysen, Robert            | San Marcos, Texas    | 1563  | Helquist, Jeffry R. | Burbank, Calif.         |
| 339   | Gamblin, Jones B.      | Bruceton, Tenn.        | 904   | McGlothlin, Harold L.     | Madisonville, Ky.    | 1570  | Lucas II, Norman J. | Sacramento, Calif.      |
| 339   | Jeter, Donald M.       | Jackson, Tenn.         | 1006  | Hoover, Jeffrey M.        | Pittsburgh, Pa.      | 1571  | Earl, Terry W.      | Deming, N.M.            |
| 367   | Kaufman, John E.       | Council Bluffs, Iowa   | 1074  | Fehr, Alfred D.           | Monaca, Pa.          | 1614  | Perrier, Thomas O.  | Rosemount, Minn.        |
| 377   | Knox, James D.         | Rochester Mills, Pa.   | 1117  | James, Donald L.          | Whittier, Calif.     | 1770  | Goin, Max L.        | Phoenix, Ariz.          |
| 386   | Gower, Joseph T.       | Landisville, Pa.       | 1221  | Davis, James D.           | Lutz, Fla.           | 1790  | Walker, E. J.       | Rhine, Ga.              |
| 440   | Rayburn, William R.    | Columbus, Ohio         | 1227  | Price, Gerald F.          | Herington, Kan.      | 1801  | Jackson, Raymond L. | Benicia, Calif.         |
| 440   | Reedy Sr., Lawrence J. | Marengo, Ohio          | 1245  | Quinney, Emmett           | Atlanta, Ga.         | 1929  | Simmons, Patrick W. | Bourbonnais, Ill.       |
| 464   | Elliott, John C.       | Cushing, Okla.         | 1313  | Tosh, John W.             | Amarillo, Texas      | 1948  | Tripoli Jr., Frank  | Connellsville, Pa.      |



## Local officer nominations set for October 2017

SMART Transportation Division members are reminded that elections are scheduled to be held this autumn to fill the three-year local officer positions described by the SMART Constitution's Article 21B, Section 56.

Positions include president, vice president, secretary, treasurer, collector (where applicable) and the three-member board of trustees. In addition, any existing vacancies (except for those in the positions of delegate or alternate delegate) should be addressed during these elections.

As per the constitution's Article 21B, Section 57, nomination meetings are held in October, with election tabulations conducted in November. Winning candidates assume their offices January 1, 2018. If they are filling a vacancy, however, they take office immediately.

Candidates must garner a simple majority of valid votes cast to win election to any elective Transportation Division office. (A simple majority can be thought of as 50 percent of votes, plus at least one more vote.)

### The process begins

For the local's secretary or secretary-treasurer, the election process begins with an effort to update the membership roster, ensuring accurate addresses are on file for each member. Our constitution's Article 21B, Section 49, requires each member to keep the local secretary and treasurer advised of his current home address. At the same time, U.S. Department of Labor regulations and the Labor-Management Reporting and Disclosure Act (LMR-DA) requires the local to take steps to update addresses in advance of an election.

Members can update their address by contacting their local secretary, or can do so themselves through a tab on the homepage of the Transportation Division's website at [www.smart-union.org/td](http://www.smart-union.org/td).

Even if your local conducts a floor election, where voting takes place at a physical location rather than by mail, it's important that your address is up to date. Your local secretary (or secretary-treasurer, as the case may be) needs to mail a notice to all active members of the local to advise them, at least 15 days in advance of tabulation, that an election is to take place. The notice will indicate when and where voting will take place. (Post-cards for this purpose are available for purchase from the Transportation Division's Supply Department.)

If the local is conducting its election by mail, the ballot itself must be mailed out at least 15 days in advance of the date of tabulation, as the ballot serves as the notice of the election.

### Nominations

The secretary must post a notice at least 10 days in advance of the October nomination meeting indicating when and where nominations for affected positions will take place. They need not mail this notice directly to members.

Nominations may be made by any member in good standing from the floor at the nomination meeting. Nominations do not require being seconded. Any member may self-nominate. If a member wishes to self-nominate or nominate someone else, but can't attend the meeting, nominations can be entered through a petition. A nomination petition must state the name of the nominee, the position for which the member is being nominated, and must carry at least five signatures of members in good standing. No nominations can be accepted following the close of the nomination meeting.

If only one member is nominated for a position, that member can be declared elected by acclamation.

The scheduled elections held this autumn offer an opportunity to fill other vacancies which may exist. If the vacant position is a Local Committee of Adjustment (LCA) position, only members of that LCA are eligible to make nominations for the post and to vote in

that election. In locals having more than one LCA for different crafts, the secretary will provide a separate ballot for all eligible voters of each craft working under the jurisdiction of the committee involved. Any member in good standing with seniority in one of the crafts represented by the LCA can run for an office in that LCA.

### Eligibility

To be eligible to vote, all dues and assessments must be paid within the time frame specified by the constitution. Article 21B, Section 49, indicates dues are to be paid in advance, before the first day of the month in which they are due. Eligibility to make nominations or to be nominated is similar. This means, for example, if the nomination meeting is in October, the nominator and the nominee must have paid all dues obligations prior to October 1. To vote in November, the voter must have paid all dues obligations prior to November 1.

Those in so-called E-49 status are eligible to run for office, but they cannot make nominations and they cannot vote. If elected, acceptance of pay from the company or the union creates a dues obligation.

### Elections

As previously noted, candidates must garner a simple majority of valid votes cast to win election.

When it comes to handling elections for the Board of Trustees, instructions on the ballot should be included above the candidates' names telling the voter: "Vote for three candidates." Each member of the three-member Board of Trustees must be elected by a majority of votes cast, a requirement which frequently results in the need for runoff elections. The rule of thumb in such runoffs is that for each open position, which must be filled, two candidates will compete.

For example, if nine candidates run for a position on the Board of Trustees, and 200 valid ballots have been cast and counted in the first round of the election, each successful candidate must receive at least 101 votes. If no candidate receives at least 101 votes, a runoff must be held.

The runoff would include two candidates for each open position. In the above example, this means the three candidates with the lowest vote totals are dropped from the ballot, and the names of six candidates appear on the runoff ballot. In the runoff, if only one candidate attains a majority of votes that means one of the three positions was filled, and there remains two Trustee positions to fill, with five remaining candidates. Of those five remaining candidates, the candidate with the lowest vote total would be dropped from the ballot, and another ballot would be issued with four candidate's names (because there are two positions to be filled)."

### More information

Members are encouraged to consult Article 21B of the SMART Constitution for information regarding elections. Unless an item within Article 21B directs you to a further stipulation outside of Article 21B, only the provisions found within Article 21B are applicable to Transportation Division elections. The local election process is addressed directly by Article 21B, Section 57.

Election information and guidelines have been distributed to all Transportation Division local presidents and local secretaries, as well as to general chairpersons, state legislative directors and Transportation Division international officers.

Members can consult their local officers to examine this information, or they can visit the Transportation Division's website at [www.smart-union.org/td](http://www.smart-union.org/td), click on "S&T Tools," and on the resulting page, click on "More forms..." at the bottom of the column marked "Forms and Documents."


Special Circular No. 32 describes the constitutional provisions involved in the local elec-

tions this autumn, and the pamphlet entitled "How to Hold Elections for Local Officers" gives practical, hands-on election guidance and includes samples of nomination and election notices that can be posted.

### Questions?

There are many provisions not covered by this article, including those that address candidates' rights and permitted means of campaigning. Those with election questions are urged to call the Transportation Division office at 216-228-9400.

## In Memoriam



**John W. Chadwell, 84, Local 1529**

John W. Chadwell died Jan. 4, 2017, at Ebeid Hospice of Sylvania, Ohio. Chadwell served his country in the U.S. Army from 1953 to 1955 in the Third Armored Division. Shortly thereafter he hired out with CSX where he worked for 40 years before his retirement in 1993.

Memorial contributions may be made to Ebeid Hospice, 5340 Harroun Rd., Sylvania, OH 43560; or to the Humane Society of Monroe County, 41383 Stone House Rd., Woodsfield, OH 43793. Condolences may be left at [www.ruppfuneralhomeinc.com](http://www.ruppfuneralhomeinc.com).

**David L. Fasel, 58, Local 322**

David L. Fasel died Friday, June 30 at UW Hospital after battling liver disease and following complications from a transplant surgery. Fasel was an employee of Union Pacific for 38 years.

Memorial contributions may be made to the Humane Society of Southern Wisconsin, 222 S. Arch St., Janesville, WI 53548. Condolences may be left at [www.schneiderfuneraldirectors.com](http://www.schneiderfuneraldirectors.com).

**William R. Hottel, 78, Local 265**

William (Bill) Robert Hottel, 78, died at his home in Pocatello, Idaho, Tuesday, April 18, 2017. Hottel was retired from Union Pacific where he worked as a brakeman for 35 years.

Condolences may be left at [www.colonialfuneralhome.com](http://www.colonialfuneralhome.com).

**Donald M. Jeter, 78, Local 339**

Donald M. Jeter died at his home June 1. Jeter retired from Illinois Central Railroad in 1999 after 40 years of service.

Memorial contributions may be made to the charity of the donor's choice. Condolences may be left at [www.dignitymemorial.com/george-smith-sons-funeral-home-north-highland](http://www.dignitymemorial.com/george-smith-sons-funeral-home-north-highland).

**Tim McCarthy, 86, Local 78**

Tim McCarthy died July 3 at his home in Pocatello, Idaho. He hired out with Union Pacific in September 1950 as a fireman. McCarthy enlisted in the U.S. Airforce in Dec. 1950, and served until 1954. He then resumed his career with Union Pacific where he worked for 42 years as an engineer before retiring in 1993.

Memorial contributions may be made to the Elks Rehabilitation Hospital, 410 S. Main St., Pocatello, ID 83204.

**Robert Suesse III, 49, Local 600**

Robert Edward Lee Suesse III died Saturday, June 3. He hired out with CSX as an engineer in March 2000. Suesse served Local 600 as trustee from 2006 - 2011, local legislative representative from 2009 until his death, and local secretary & treasurer from 2012 until the time of his passing. Suesse also served as legislative secretary on the SMART TD Maryland Legislative Board from 2013 until March 2016.

Online condolences may be left at [www.ScarpelliFH.com/obituary/robert-edward-lee-suesse-iii](http://www.ScarpelliFH.com/obituary/robert-edward-lee-suesse-iii).



# UTUIA announces 2017-2018 scholarship winners

### DISTRICT 1

Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont  
Erin Congdon, granddaughter of **John J. Congdon** of Local 318, Hornell, N.Y.; Mia Clark, daughter of **Brett Clark** of Local 312, Madison, Wis.; Nicholas Pomroy, grandson of **Terry L. Legere** of Local 663, Bangor, Maine; Owen Bean, grandson of **Clair A. Owens** of Local 1, Buffalo, N.Y.; Kelsey Rabideau, granddaughter of **Henry F. Helius Jr.** of Local 95; Rensselaer, N.Y.

### DISTRICT 2

Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania  
Jennifer Krakowski, daughter of **John Krakowski** of Local 1413, Jersey City, N.J.; Cassidy Bowen, granddaughter of **John Mateer** of Local 1379, Pittsburgh, Pa.; Kimberly Gong, daughter of **Fred Gong** of Local 60, Newark, N.J.; Connor Holmes, grandson of **Charles J. Cellini** of Local 60, Newark, N.J.

### DISTRICT 3

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia  
Davis J. Perrin, grandchild of **Robert M. Davis** of Local 1345, Knoxville, Tenn.; Courtney Ingerick, daughter of **Ronald E. Ingerick Jr.** of Local 782, Asheville, N.C.; Marquel Corrigan, son of **Michael W. Corrigan** of Local 407, Charleston, S.C.; Scarlett McDonald, granddaughter of **Hubert E. Connor** of Local 1814, Spartanburg, S.C.; Hannah Williams, granddaughter of **Billy E. Williams** of Local 655, Bluefield, W.Va.; Larry Strickland, grandson of **Malcomb D. Peevy** of Local 762, Montgomery, Ala.; Pamela Mulvaney, daughter of **Stephen J. Mulvaney** of Local 924, Richmond, Va.; Brianna Fly, daughter of **Christian W. Fly** of

Local 1106, Rocky Mount, N.C.

### DISTRICT 4

Indiana, Michigan, Ohio  
Melissa Cregan, granddaughter of **Raymond A. Bender** of Local 792, Cleveland, Ohio; Gideon Hoff, son of **Paul B. Hoff** of Local 378, Cleveland, Ohio; Kade Brickey, grandson of **David H. Brickey** of Local 1438, Lincoln Park, Mich.; Alayna Kiefer, daughter of **Adam L. Kiefer** of Local 298, Garrett, Ind.; Keegan Brickey, grandson of **David H. Brickey** of Local 1438, Lincoln Park, Mich.

### DISTRICT 5

Illinois, Wisconsin  
Noah Aguilera, grandson of **Dennis R. Aguilera** of Local 322, Milwaukee, Wis.; Olivia Deloney, granddaughter of **Robert G. Bollinger** of Local 469; Madison, Ill.; Nicole Hauck, daughter of **William A. Hauck** of Local 583, Fond Du Lac, Wis.; Eric Stevens, son of **David W. Stevens** of Local 1423, Galesburg, Ill.

### DISTRICT 6

Arkansas, Louisiana, Oklahoma, Texas  
Brandon Persons, son of **Curtis C. Persons** of Local 1092, Teague, Texas; Haley Sobczak, daughter of **Jeff D. Sobczak** of Local 221, North Little Rock, Ark.; Sarah Boudloche, daughter of **Clarence J. Boudloche** of Local 1066, New Orleans, La.; Alex Boudloche, son of **Clarence J. Boudloche** of Local 1066, New Orleans, La.; Brenan Marcantel, daughter of **Carban A. Marcantel** of Local 1947, Lake Charles, La.; Chandler Wilson, daughter of **Dennis W. Wilson** of Local 462, Pine Bluff, Ark.

### DISTRICT 7

Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota  
Ashley Mendell, granddaughter of **George G. Joyce Jr.** of Local 1000, Minneapolis, Minn.;

Dustin Steedsman, son of **Duane R. Steedsman** of Local 980, Enderlin, N.D.; Taylee Adams, granddaughter of **Larry E. Adams** of Local 495, Salina, Kan.; Luke Dance, son of **Bryan D. Dance** of Local 305, Lincoln, Neb.; Jacqueline Sporie, granddaughter of **Warren W. Johnson** of Local 1292, Proctor, Minn.; Tess Heyer, daughter of **Kipp D. Heyer** of Local 64, Waseca, Minn.; Logan W. Fisher, grandson of **Edgar W. Fisher** of Local 412, Kansas City, Kan.

### DISTRICT 8

Arizona, California, Colorado, Nevada, New Mexico, Utah  
Jason Rivas, son of **Gaspar A. Rivas** of Local 1785, Santa Monica, Calif.; Skylar Dover, daughter of **William H. Dover** of Local 1565, West Hollywood, Calif.; Joshua Sanchez, grandson of **Robert L. Sanchez** of Local 1168, Clovis, N.M.; Kevin Brown, son of **Darrell W. Brown** of Local 113, Winslow, Ariz.; Chad Kent, grandson of **Arthur B. Kent Sr.** of Local 500, Grand Junction, Colo.; Ariel Morrison, daughter of **Michael J. Palacios** of Local 1694, Barstow, Calif.; Peter Lara, son of **Pedro Lara** of Local 1563, El Monte, Calif.; Cameron Asplin, daughter of **Charles L. Asplin Jr.** of Local 771, Needles, Calif.

### DISTRICT 9

Alaska, Idaho, Montana, Oregon, Washington, Wyoming  
Kenda Van Horn, daughter of **Theodore W. Van Horn** of Local 78, Pocatello, Idaho; Abbigale Halvorsen, daughter of **Kelly D. Leistikow** of Local 1841, Klamath Falls, Ore.; Michael Craig, grandson of **James M. Lewis** of Local 490, Princeton, Ind.

## Trade Scholarship Winner

Kyle Bammer, grandson of **Roger L. Stegmann** of Local 1402, Dupo, Ill.

# 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 2016  |              |
|---|--------------|
| <b>Transportation Division*</b>   | 76.6 percent |
| <b>State Legislative Boards</b>   |              |
| LO 005 California <sup>1</sup>  | 72.6 percent |
| LO 028 Missouri <sup>2</sup>  | 63.4 percent |
| LO 054 Washington <sup>3</sup>  | 25.3 percent |
| Unreviewed boards <sup>4</sup>  | 0.0 percent  |
| <b>General Committees</b>   |              |
| GO 927 Union Pacific <sup>5</sup>   | 95.6 percent |
| Unreviewed committees <sup>6</sup>  | 99.6 percent |
| <small>* Estimate; final ratio forthcoming.<br/><sup>1</sup> Calculated by applying the lowest of previous reviews of the applicable legislative board providing the board has had eight or more reviews.<br/><sup>2</sup> Estimate based on Second, Third, and Fourth Quarter reports; final ratio forthcoming.<br/><sup>3</sup> Estimate based on First, Second, Third, and Fourth Quarter reports; final ratio forthcoming.<br/><sup>4</sup> Unreviewed state legislative boards will have a 0 percent chargeable percentage applied to new objectors.<br/><sup>5</sup> Estimate based on First, Third, and Fourth Quarter reports; final ratio forthcoming.<br/><sup>6</sup> 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.



Building America’s railroads: The next 100 years (continued from last issue)

**1901:** Union Pacific (UP) assumed control of Southern Pacific (SP).

**1912:** UP and SP are forced to separate by the Supreme Court.

**1924:** The Atlantic Coast Line and Louisville & Nashville Railroad (L&N) agreed to terms on a 99-year lease with the Carolina, Clinchfield & Ohio Railroad (CC&O).

**1929:** Santa Fe sold its interest in Northwestern Pacific (NWP) to Southern Pacific. NWP becomes a wholly owned subsidiary of SP.

**1932:** SP gained 87 percent control of the Cotton Belt Railroad.

**1939:** Kansas City Southern Railroad (KCSR) acquired the Louisiana and Arkansas Railway (L&A).

**1940-1969:** KCSR offered luxury passenger service between Kansas City and New Orleans on the Southern Belle.

**1947:** The Pere Marquette Railway merged into the Chesapeake & Ohio Railway (C&O).

**1951:** Southern Pacific subsidiary Southern Pacific of Mexico was sold to the Mexican government.

**1957:** The L&N moved to more diesel engines and retired its last steam locomotive. • The Nashville, Chattanooga & St. Louis Railway merged into the L&N and became the NC&StL. NC&StL was 1,200 miles long and connected Memphis, Nashville, Chattanooga and Atlanta.

**1959:** Central Pacific (CP) formally merged into the Southern Pacific.

**1960:** The Atlantic Coast Line (ACL) moved from Wilmington, N.C., to Jacksonville, Fla.

**1961:** The Texas and New Orleans Railroad merged with Southern Pacific.

**1962:** The Southern Pacific Terminal Company merged with SP.

**1963:** C&O acquired stock control of B&O.

**1964:** C&O/B&O filed with the Interstate Commerce Commission (ICC) for permission to acquire control of the Western Maryland Railway.

**1965:** C&O filed with the ICC to acquire control of the Chicago South Shore and South Bend Railroad (CSS&SB) and announced plans to merge with Norfolk & Western. The ICC approved the CSS&SB bid in 1966.

**1967:** The Atlantic Coast Line and Seaboard Air Line Railroad merged to form the Seaboard Coast Line on July 1.

**1969:** UP formed the Union Pacific Corporation.

**1970:** President Nixon signed the Passenger Rail Act of 1970. This legislation established the National Railroad Passenger Corporation to assume operation of inter-city passenger rail service. • Burlington Northern Railroad (BN) was created through the merger of the Chicago, Burlington & Quincy; the Great Northern; the Northern Pacific; the Spokane, Portland and Seattle; and the Pacific Coast Railroads.

**1971:** The Railroad Passenger Service Act was signed by President Nixon, creating Amtrak. • On May 1, the National Railroad Passenger Corporation began operating under the name Amtrak when Clocker No. 235 left New York’s Penn Station en route to Philadelphia.

**1972:** Seaboard Coast Line, the L&N, CC&O, Georgia Railroad and the West Point Route became known collectively as The Family Lines.

**1973:** Chessie System was incorporated Feb. 26, and became the parent company of the B&O, C&O and Western Maryland Railroads on June 15.

**1976:** The Consolidated Rail Corporation (Conrail) was formed on April 1. Conrail’s network reached into Pa., N.Y., N.J., Del., Conn., W.Va., Md., Ind., Ohio and Ill.

**1980:** The Chessie System and Seaboard Coast Line Industries merged to form CSX Corporation on Nov. 1. The C stands for Chessie, the S for Seaboard and the X for the multiplication effect, recognizing two companies coming together. • The Frisco was added to the BN. • Southern Pacific extended the Cotton Belt Railway from St. Louis, Mo., to Santa Rosa, N.M. through acquisition of the former Rock Island Railroad.

**1982:** On Dec. 29, the Seaboard Coast Line and Louisville & Nashville (under the Family Lines entity) were merged to form the Seaboard System Railroad, Inc. This was the first step under the CSX Corporation holding company to combine all railroads into one. • Missouri Pacific and Western Pacific merged with UP, making UP the third-largest rail system in the nation.

**1983:** The Seaboard System Railroad Inc., formed after the members of The Family Lines, SCL, L&N, CC&O and the Georgia Group (excluding the Western Railway of Alabama) formally merged Jan. 1.

**1984:** Southern Pacific sold the northern portion of Northwestern Pacific to Eureka Southern Railroad, an independent shortline. • The Southern Pacific Company merged into Santa Fe Industries, parent company of the Atchison, Topeka and Santa Fe Railway. The Santa Fe Southern Pacific Corporation was formed. When the Interstate Commerce Commission refused permission for the planned merger of the railroad subsidiaries as the Southern Pacific Santa Fe Railroad, the railroad shortened its name to Santa Fe Pacific Corporation and put the SP railroad up for sale while retaining the non-rail assets of the Southern Pacific Company. • CSX became a multimodal company when it acquired control of American Commercial Lines Inc., a barge unit.

**1986:** The ocean container shipping company, Sea-Land Service, joined CSX Corporation, and the Seaboard and Chessie Railroads became CSX Transportation.

**1987:** B&O merged completely with the C&O, and the C&O officially adopted the CSX Transportation name.

**1988:** The Interstate Commerce Commission approved the purchase of the Southern Pacific by Rio Grande Industries, parent company of the Denver and Rio Grande Western Railroad. Southern Pacific retained its name for all railroad operations. • UP acquired the Missouri-Kansas-Texas Railroad (aka “The Katy”).

**1992:** Northwestern Pacific was merged into Southern Pacific, ending NWP’s existence as a corporate subsidiary of SP and leaving the Cotton Belt as SP’s only remaining major railroad subsidiary.

**1994:** KCSR acquired the MidSouth Rail Corporation, which allowed them to interchange with Norfolk Southern and CSX.

**1995:** UP acquired the Chicago & North Western (C&NW) railroad. • BN & Santa Fe Railroads merged to create Burlington Northern and Santa Fe Railway, the largest rail network in North America at the time.

**1996:** Southern Pacific merged with UP, making UP the largest railroad in the U.S.

**1997-1999:** CSX and Norfolk Southern (NS) set their sights on acquiring Conrail, which operated in the Northeast and Midwest. Ultimately, CSX and NS agreed to partner on the acquisition, splitting Conrail’s operations and resources. CSX bought 42 percent of the company and gained 3,200 miles of track.

**2005:** The Burlington Northern and Santa Fe Railway changed its name to BNSF Railway.

**2010:** BNSF joined Berkshire Hathaway.

SMART TD members attend S&T workshop at TD Ohio headquarters in April



Pictured from left Amy Espinoza (23), Local 781 S&T Anthony Starks, Local 23 S&T Marie Hoyos, Local 1629 S&T Douglas Smith, Local 1674 S&T Lee Skillings, Local 498 S&T Rocco DiGilio, Local 1971 S&T Justin Fougousse, SMART TD Auditor Mike Araujo, SMART TD Auditor John Purcell, Local 1137 Treasurer Pete Nowicki, Local 1388 S&T John Mitchell, Local 1075 James Gray, Local 763 S&T Melvin Lane, Local 1526 S&T Aaron Galarza, Local 1421 S&T Dustin Marcukaitis, Local 340 Treasurer Joe Hinzy, Local 1386 S&T Jesse Beha, RRB Representative David Noese, Local 527 S&T Michael O’Connell, Local 204 S&T Adam Cole, RRB Chief of Compensations & Employer Services Nathaniel Coleman, Local 923 S&T Deborah McCollum, Local 1973 S&T Hilliary Floyd, RRB Representative Patrick Keenan, Local 620 Treasurer Susan Zimmermann, Local 324 Treasurer Kerry Naff, Local 1473 S&T Bill Connell, Local 610 S&T Darwin Fletcher and Local 1202 S&T Kent Stuckey.



# 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.



Retired local chairperson and vice general chairperson of Local 1400, **Jim Allen**, took this photo of a CSX train at the Fredericksburg, Va., station. Allen is a member of the SMART TD Alumni Association.

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