

SMART[®]

Transportation Division News

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

Two-person crew bill is introduced

U.S. Sen. Heidi Heitkamp (D - N.D.) announced Jan. 30 the introduction of the SMART Transportation Division-backed Safe Freight Act (S.2360) which would require two crew members — one certified locomotive engineer and one certified conductor — on our nation's freight trains.

S.2360 is a companion bill to H.R. 233, introduced in the House of Representatives by Congressman



Heitkamp

House of Representatives. For several years, SMART TD has

Don Young (R - Ala.). As of its introduction, the Safe Freight Act has five cosponsors in the Senate, while H.R. 233 has 75 bipartisan cosponsors in the

asserted that a minimum two-person train crew is a vital component of rail safety and sound public policy. In 2013, Transport Canada established a government mandate requiring two-person crews in response to the Lac-Mégantic oil train disaster when a freight train carrying 72 tank cars of crude oil derailed and exploded, killing 47 people after its single crew member left the train unattended. The United States has yet to follow

suit with a federally promulgated law, and only four states — Arizona, California, West Virginia and Wisconsin — have implemented a two-person train crew requirement.

"We are very pleased that Sen. Heitkamp has introduced this vital rail safety legislation, said SMART TD President **John Previsich**. "For the same reasons that we have a

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Three GCAs ratify Amtrak contract



Negotiators for SMART Transportation Division meet in the presidential boardroom to discuss an agreement with Amtrak covering GOs 342, 663 and 769 at the SMART TD office in North Olmsted, Ohio, in January.

Amtrak employees represented by SMART Transportation Division General Committees of Adjustment GO 769, GO 663, and GO 342 (conductors, assistant conductors, and yardmasters) voted in overwhelming favor of ratifying a tentative agreement reached last month.

The agreement, effective April 1, 2018, provides a compounded 18.83

percent pay increase over the life of the contract, which runs through 2021, plus retroactive pay.

The contract also caps monthly healthcare contributions at \$228 while adding services such as telemedicine and a fixed 24-month continuation of coverage period. It establishes AMPLAN 1A, a lower-cost healthcare plan that will be

available to all employees beginning Jan. 1, 2019, and compulsory for new hires during their first five years of service.

For members of the military who lose earnings because of their service, the agreement accounts for up to 120 hours of "make whole" pay.

SMART TD President **John**

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Member of Local 30 killed in collision

A SMART Transportation Division conductor and a former TD member were killed when Amtrak Train 91 traveling from New York to Miami collided early Feb. 4 with a stationary CSX freight

train east of Columbia, S.C.

Brother **Michael Cella**, 36, of Orange Park, Fla., was

a conductor out of Local 30 in Jacksonville, Fla. He, along with the train's engineer, Michael Kempf, of Savannah, Ga., died in the accident that injured more than 100 passengers in



Cella

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Around the SMART TD

Local 61, Philadelphia, Pa.

Local Chairperson **Bernard Norwood** reports that his SEPTA Local recently elected its first woman president. “We would like to congratulate Ms. **Samala Wysinger** on her victory,” Norwood said. “We are very happy for her and look forward to supporting her to make the transition a huge success.”

Glen Lockley served the Local as president since 2008 but opted not to run for re-election. “He [Lockley] has done a tremendous job during his tenure. We all have been fortunate to have had Mr. Lockley to serve as president of Local 61 for this length of time,” Norwood said. “We would like to thank Mr. Lockley for everything that he has done for Local 61.”



Past Local 61 President Glen Lockley passes the gavel to new President Samala Wysinger.

Local 199, Creston, Iowa

Local Chairperson **Billi Vavra** reports that member **Jim Glasgo** recently retired from train service. According to Vavra, Glasgo hired out in August 1976 in Creston as part of the maintenance of way. In August 1978, he transferred into train service and joined the UTU in June 1979.

Glasgo retires with approximately 42 years of service and 38 years of UTU/SMART TD membership.



Glasgo

Local 278, Kalamazoo, Mich.

Member **Kyle Jones** and his wife, Samantha, received devastating news Jan. 14 when their 7-year-old son, Ayden, was diagnosed with Acute Promyelocytic Leukemia (APML), a rare cancer.

Ayden was taken to Riley Children’s Hospital in Indianapolis where he was placed on Riley’s high risk treatment for APML, which will include nine to 12 months of intensive chemotherapy and bone marrow testing.

The early stages of recovery are the most dangerous for Ayden. Cancer cells in his bone marrow have stopped the production of blood clotting agents and the cancer cells in his blood are sending signals to clot throughout his body. Because of this, Ayden is at high risk for stroke and his body’s ability to stop bleeding has been impaired. Thus far, his family says Ayden has been responding well to treatment.

“As a father who has had to deal with both a serious medical issue with one of my children, and as a cancer survivor myself, I understand the mental, physical and financial battle that has been put in front of this family,” said **Jerry Gibson**, Michigan state legislative director. “I was fortunate enough to have so many friends, family and strangers step up and assist with donations and prayers. Knowing you have the support of others allows the family to focus on the important task at hand — getting their loved one healthy and home. Please consider donating to this cause so that Kyle and Samantha can get Ayden back home.”

A GoFundMe account has been set up to help the Jones family with the financial burden caused by Ayden’s illness. Please visit <https://www.gofundme.com/help-ayden-fight-leukemia> to donate.



Ayden

Local 650, Minneapolis and Local 1614, St. Paul, Minn.

Locals 650 and 1614 held their annual holiday party at the south St. Paul VFW post with special guest Minnesota Attorney General Lori Swanson. Nearly 100 members, retirees and family members attended this holiday tradition for the Locals’ railroad workers who run on Union Pacific.

“Attorney General Swanson comes from a railroad labor family and has been a champion for labor and all Minnesotans,” said State Legislative Director and Local 650 member **Phillip Qualy**. “Swanson has done phenomenal work protecting consumers, college students, medical patients, the elderly and in many other areas that keeps the North Star state great.

“We thank all of our local officers and Designated Legal Counsel who made it happen for our members. There were good times and good cheer across the tundra.”



From left are LCA 225E Local Chairperson Brad Mattison (650), SMART TD Designated Legal Counsel Ron Barczak, LCA 225A Local Chairperson Randy Raskin (650), Local 1614 S&T Jerry Falde, state Attorney General Lori Swanson, LCA 225A Local Chairperson Brad Nelsen (1614), Local 1614 President Dan Castonguay, Local 1614 Legislative Rep. Matt Brady and State Legislative Director Phillip Qualy (650).

Local 1908, Buffalo, N.Y.



New officers have taken charge at Local 1908 in Buffalo. Pictured, from left: Vice President Jonathan Errick, President James France, Treasurer Danny Tronolone and Secretary Sandra Grant. Former Local Secretary Tracey Davis congratulates the new officers and wishes them good luck.

SMART TD member breaks down barriers of gender and race



Rshida Ross is presented with a plaque commemorating her as the first woman yardmaster at SEPTA. Pictured from left: General Chairperson (GCA STA) Bernard Norwood, Assistant Director of Personal Assignment Office Donte Julia, Ross, Director of Personal Assignment Office Rob Perkins and Chief Officer Rail Transportation Mike Dobson.

SMART TD Local 61 member **Rshida Ross** is breaking down gender and racial barriers at the Southeastern Pennsylvania Transit Authority (SEPTA). Ross went from being a conductor to a yardmaster Nov. 18, 2017, making her the first woman to work as a yardmaster for SEPTA.

“It was my co-workers who really sparked it up for me. They told me I was making history and that this was something to be proud of,” Ross said. “I’m still overwhelmed. I’m shocked.”

Ross hired out with SEPTA in 2005 as an assistant conductor. She originally applied for the bus operation division, but her application somehow got moved over to the rail division.

“I figured I’d try it out and transfer over to the bus division after awhile, but once I started in rail, I didn’t want to go over to bus. I liked what I was doing,” Ross said.

Wanting to still be a part of the company’s rail division, but also wanting to mix things up, Ross decided to apply when a yardmaster position became open.

“I wanted to try something different and to advance my career. I decided to apply just to see what else I can do,” she said. “It’s exciting right now, and I’m learning so much. It’s a lot different from being a conductor. It’s very busy. I’m very excited.”

Often when a woman blazes a trail into what was previously thought of as a man’s position, she’ll face adversity. Ross says that hasn’t been the case at SEPTA.

“Honestly, I have not experienced anything negative. Everyone has been really supportive. I’m still in training, so I really don’t interact with the other engineers and conductors, and when I do, it’s just positive energy,” Ross said.

As for the future?

Ross says she just wants to keep striving and see how far she can go.

“Being a yardmaster right now is great, and I’m happy I was able to make history. I would like to keep going,” she said.

As for other women looking to break down barriers, Ross advises, “Just keep pushing. There’s no limit. There’s no one position and that’s the only position. If you want to do something, do it. Don’t let anyone stop you.”

SMART TD wishes Ross all the best and congratulates her on her historic achievement.

SEPTA was created in 1963 as a state authority charged with funding and operating public transportation in the city of Philadelphia as well as in Pennsylvania’s Bucks, Chester, Delaware and Montgomery counties. SEPTA operates buses as well as commuter rail lines.

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Around the SMART TD continued...

Local 792, Cleveland, Ohio

Former U.S. Rep. Betty Sutton, of Copley, Ohio, running mate of Democratic gubernatorial candidate Richard Cordray, and Ken Harbaugh, of Avon, Ohio, who is campaigning to unseat incumbent U.S. Rep. Bob Gibbs (R - Dist. 7), appeared Jan. 17 at Local 792's regular meeting in Brook Park, Ohio.

Sutton said a top priority for Cordray and her administration would be to establish a state department of labor and economic opportunity. Oversight of labor-related issues is divided among a number of departments in Ohio, making it difficult to give those things the attention they deserve, she said.

"Labor is not a special interest to me. Labor is the whole point of why I went into public service in the first place," Sutton said. "We need to have a cabinet-level department that will ensure that workers will be at the table."

Sutton also criticized ongoing efforts to attack the power to collectively bargain by Ohio politicians.

"No one wants a government on their back, but they do want a government on their side," Sutton said. "That's not what they've been getting, and that is what Richard Cordray and I are planning to deliver."

Harbaugh, a former U.S. Navy aviator, said his military experience flying EP-3 combat recon aircraft gave him perspective about one rail issue in particular – the necessity of two-person crews.

"I lost count of the number of times me and my co-pilot worked together to save each other from some catastrophic decision," Harbaugh said.



Ken Harbaugh, left, a candidate for U.S. representative in north-east Ohio's District 7, and Betty Sutton, a former U.S. representative and candidate for lieutenant governor, answer members' questions at Local 792's meeting Jan. 17 in Brook Park, Ohio.

Harbaugh said some politicians in Washington, however, lack that front-line experience or worse, choose to ignore constituents' needs.

"They actually know what they are foisting upon the middle class – look at the latest tax bill," he said. "And they have made a decision, in spite of that knowledge, to do what's right for their donors, to do what's right for their political supporters and not do what's right for the people who sent them to Washington."

Cordray and Sutton face four challengers in the May 8 Democratic gubernatorial primary. Harbaugh has one opponent in his primary.

Ohio State Legislative Director **Stuart Gardner** helped arrange the discussion and introduced the candidates. Members of Locals 284 and 378 in Cleveland also attended the presentations.

Two-person crew bill is introduced in U.S. Senate

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pilot and copilot on commercial jetliners, two qualified crewmembers are essential to the safe operation of trains through our nation's communities. Bottom-line economics should never be permitted to stand in the way of employee and public safety. The only safe way to operate a train is with two crewmembers on board the locomotive."

Heitkamp has long supported requiring two-person train crews and is a key advocate for rail safety. On July 15, 2016, Heitkamp testified in favor of the pending two-person crew federal rule before the Federal Railroad Administration. The derailment in 2013 of a crude oil train near Casselton, N.D., and a second derailment in 2015 in Heimdal, N.D., had led Heitkamp to launch an initiative to address emerging challenges in the wake of the state's energy boom.

"When a disaster like the Casselton derailment sends shockwaves through our communities, we must do everything we can to prevent accidents and improve our ability to respond in the future," Heitkamp said. "After the Casselton derailment, it was clear that having two crewmembers on board the train made all the difference to prevent the fire from escalating and threatening those living

nearby. My legislation is a commonsense way to make our communities strong and safe while supporting an industry that is vital to North Dakota jobs and prosperity."

Jim Chase, state legislative director in North Dakota, reinforced the union's support for the legislation in a statement released by Heitkamp's office.

"North Dakota's rail workers are at the forefront of keeping communities safe while transporting the raw materials, goods and products that keep our economy thriving. We strongly support Sen. Heitkamp's legislation to make rail transport as safe as possible for the general public as well as the men and women who go to work to keep the railroads running 24/7 each and every day."

S.2360 has been referred to the Senate Committee on Commerce, Science and Transportation for further consideration.

Joining Heitkamp as co-sponsors are U.S. Sens. Tammy Baldwin (D – Wis.), Richard Blumenthal (D – Mass.), Sherrod Brown (D – Ohio), Angus King (I – Maine), Joe Manchin (D – W.Va.), Ed Markey (D – Mass.), Jeanne Shaheen (D – N.H.), Tina Smith (D – Minn.) and Elizabeth Warren (D – Mass.).

Member of Local 30 killed in Amtrak train collision

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Cayce, S.C.

The National Transportation Safety Board (NTSB) is investigating the cause of the collision.

Amtrak Train 91 was carrying eight crewmembers and 139 passengers, Amtrak said. The CSX train was unoccupied.

David Lee, Local 30's secretary and treasurer said that Cella served the Local as a vice local chairperson (LCA 769C) and served on the Local's safety committee.

"He was a heckuva nice person," Lee said.

Brother Cella is survived by his wife, Christine; daughter, Elena; and son, Logan, in addition to his parents, stepfather and other relatives.

Kempf is survived by his wife and three children.

An online fundraiser for both families is available at: <https://www.gofundme.com/memorial-fund-for-cella-amp-kempf>.



Synopsis of ratified contract

ARTICLE I – Wages:

No lump sums, all GWI with full retroactive pay:

- 1.25 percent, effective July 1, 2015
- 1.5 percent, effective July 1, 2016
- 1.5 percent, effective July 1, 2017
- 2.75 percent, effective July 1, 2018
- 3 percent, effective July 1, 2019
- 3.75 percent, effective July 1, 2020
- 3.75 percent, effective July 1, 2021

18.83% compounded over the life of the contract.

In summary, the proposed contract provides for an immediate pay increase of 4.31 percent upon implementation, with an additional 2.75 percent on July 1, 2018, for a compounded increase in 2018 of 7.17 percent, with annual increases of 3 percent, 3.75 percent and 3.75 percent thereafter.

Retroactive:

- 1.25 percent for July 1, 2015, to June 30, 2016
- 2.77 percent for July 1, 2016, to June 30, 2017
- 4.31 percent from July 1, 2017, until implementation of the new rates prior to July 1, 2018.

Assuming an April 1, 2018, date for implementation of the new rates, an employee with an average of \$75,000 in annual income will receive approximately \$5,439.00 in retroactive pay. \$100,000 in annual income would receive approximately \$7,252.00, and income of \$125,000 would receive approximately \$9,065.00.

ARTICLE II – Healthcare:

- Monthly contribution is frozen at \$228.
- AMPLAN 1A, a lower-cost alternative for members, is established and open to current employees on a voluntary basis. Employees hired after Jan. 1, 2019, will participate in this plan for the first five years of employment.
- Telemedicine – doctors are available 24/7 with same co-pay as primary care physician.
- Aetna's High Performance Network is added.

A fixed 24-month period is established for continuation of coverage for both member and family when a member ceases to render compensated service due to illness or injury.

Other modifications to the plan design include the addition of an Opioid Control Program, changes to the administration of the prescription drug benefit and a revision of coverage for employees deemed to be "Amtrak couples."

Article III – Military Service:

Up to 120 hours of make-whole pay is provided for pay lost due to military service.

3 GCAs ratify Amtrak contract

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Previsich and Vice Presidents **John England** and **John Lesniewski** led the negotiating team and a tentative agreement was reached Jan. 11.

"Their combined efforts were instrumental in reaching our goal of gaining wage increases and certification allowances that are comparable to industry standards," General Chairperson **Dirk Sampson** (GO 769) said in a Feb. 6 letter to his membership announcing the vote results.

General Chairperson **Robert Keeley** (GO 342), in a letter to his membership, expressed gratitude to leadership and to fellow members of the negotiating committee, including Vice General Chairperson **Charlie Yura** and Secretary **Rick Pauli**.

"We walked into negotiations together and we found success together," Keeley said.

As did his fellow GCs, **Francis Ariola** of GO-663 expressed appreciation to leadership, members of the negotiating team and his colleagues in the wake of the ratification.

"I would like to thank you for this opportunity to represent our GCA and our members during this negotiation process," Ariola wrote in a Feb. 6 letter to his membership.

SMART GENERAL PRESIDENT'S COLUMN

Be part of Month of Community Action

First, I want to recognize the recent loss of our railroading brethren, each such event being one too many for an industry where safety must be the priority. When we leave our homes to provide for ourselves and our families, we expect to return home safely.

Those co-workers who have died in the line of duty deserve to be remembered and are our call to action. Their deaths represent the industry's inability to provide a safe workplace — and safety cannot be prohibitive.

As an industry, we have an obligation to eliminate known risks — immediately, with the solutions already at hand. To those in the industry's boardrooms and in the nation's Capitol, I say, SAFETY FIRST.

Good works increase visibility and strength

Increasing safety has always been part of the labor movement. Our collective struggle is well-



By Joseph Sellers Jr.

named too, because it truly is about moving — moving into the future, toward more jobs, better standards, greater safety and more respect on the job.

Achieving those goals takes member action based on strategic planning. To move ahead, we need to look ahead.

Our SMART Army is one way we are doing this. This initiative features members volunteering time and effort for good causes in our towns and communities. These projects raise our union's profile, enhance our reputation and create and strengthen relationships with groups that can boost our collective voice across our industries and in the halls of power at every

“This initiative features members volunteering time and effort for good causes in our towns and communities. These projects raise our union’s profile, enhance our reputation, and create and strengthen relationships with groups that can boost our collective voice across our industries and in the halls of power at every level.”

level.

This April, many of us will volunteer in our SMART Army's inaugural Month of Community Action, in public-spirited projects like improving parks, helping blood drives and building facilities for youth groups.

This is the hometown volunteering we already do — outside of legislative and political action. This adds the intent of being visible and raises our public image among friends, neighbors and fellow citizens.

I ask that each of us take some time out of our busy schedules to lend a hand in whatever projects your local or state SMART Army is doing.

Go to SMARTaction.org or scan this QR code and join the SMART Army.

Now is the time to join and be a part of our collective strength.

I look forward to joining you in April as we advance our cause by helping our neighbors with theirs.



Fraternally,

Joseph Sellers Jr.
General President, SMART

Aviation News

News affecting our aviation membership

New acting administrator takes charge at FAA

U.S. Secretary of Transportation Elaine L. Chao announced that Federal Aviation Administration (FAA) Deputy Administrator Daniel K. Elwell will serve as Acting FAA Administrator upon the conclusion of Administrator Michael Huerta's term. Huerta's term ended at midnight Jan. 7.

“Our nation is grateful for Administrator Huerta's service to the FAA and his commitment to aviation safety,” Chao said.

Elwell was appointed FAA deputy administrator in June 2017. Elwell took office Jan. 7 and was replaced as deputy administrator by Carl Burleson, deputy assistant administrator for policy, international and environment in an acting capacity. FAA's Deputy Assistant Administrator for Information and Technology Tina Amereihm has taken over as FAA chief of staff, replacing Chris Rocheleau.

Rocheleau was recently named executive director for international aviation.

Elwell has experience with FAA and other agencies, having held various positions such as FAA assistant administrator for policy, planning and environment from 2006 – 2008; senior vice president for safety, security and operations at Airlines for America from 2013 to 2015; and vice president of the Aerospace Industries Association from 2008 – 2013.

Elwell also served the airline industry as a commercial pilot for 16 years with American Airlines.

He is a former U.S. Air Force lieutenant colonel who saw combat during Operation Desert Storm.



Elwell

Bus Department News

A message from your Bus Department leadership



Dear SMART TD members,

As you have probably heard, DOT has finalized its rule adding four semi-synthetic opioids to its drug-testing panel (see Page 11). DOT had to make these additions to be in unison with the Health and Human Services (HHS) guidelines. So what do these changes mean for our members?

Since the beginning of this year, employees drug tested by DOT have been screened for four semi-synthetic opioids — hydrocodone, hydromorphone, oxycodone and oxycodone — which are sold under brand names such as Oxy-Contin, Percodan, Percocet, Vicodin, Lortab, Norco, Dilaudid and Exalgo.

Employees who test positive for these medications and cannot offer a legitimate explanation, such as a prescription, will be recorded as testing positive. If you have a valid prescription and test positive, then the test will be downgraded to a negative test.

Medical Review Officers (MROs) will still be able to flag safety concerns, which could result in being disqualified, if they believe the employee cannot complete his or her duties safely due to his or her legal use of opioids. However, MROs cannot deny legitimacy of a prescription for the purpose of establishing a legitimate medical explanation. So brothers and sisters, I strongly urge you to ques-



Studivant

tion your doctors when they prescribe medication to you and inform them that you are a motor coach operator and that you are subject to random drug testing.

Another topic of concern for our members is

safety, and we are continuing to pressure carriers and manufacturers about safety partitions and other measures to ensure our operators stay safe.

I would also like to inform our membership that we just added more than 300 new members to the Bus Department with a successful organizing campaign in Anaheim, Calif. (see Page 9). We welcome them to our organization, and I, along with our negotiation team, look forward to securing a new contract for them.

In closing, I just want to thank you for all the professionalism you show while facing the real challenges that the job of being a bus operator brings daily. We are a much better union because of all of you.

Continue to be safe and return home to your loved ones.

In solidarity,
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SMART TRANSPORTATION DIVISION PRESIDENT’S COLUMN

CSX: How it went from first to worst

This column was originally published by Railway Age and is reproduced by agreement.

Those who have spent many years in the rail industry know that rail workers are among the most loyal of employees, spending entire careers on the railroad and often following a parent into railroading. This loyalty is expressed in a myriad of ways, including today’s internet chat rooms devoted to railroad topics where railroaders discuss everything from operating plans to locomotive livery and share photos and recollections.

Many of these employees remember too vividly the dark days of railroading during the 1970s when rail resources were so thin that “service” and “reliability” had disappeared, standing derailments were common, employee injuries increased, and the future of the industry was in doubt.

Partial economic deregulation brought railroads roaring back, to where rail service quality became world class as carriers were earning profits to reinvest. Along with that resurgence came a heightened emphasis on safety, with operating rules modified to eliminate unsafe practices, such as implementation of the nearly universal prohibition that restricted getting on or off mov-



By John Previsich

ing equipment. Safety awareness became good business, with the accident rates on most railroads declining in parallel with the reduced operating ratios so coveted by stockholders and industry executives.

Safety awareness also became good government, with the FRA taking an active role in not only enforcement of its own regulations, but also in collaborating with industry stakeholders on improvements to establish state-of-the-art programs such as the Confidential Close Call Reporting System and the Safety Assurance and Compliance Program. In addition, the National Transportation Safety Board finally saw its long-sought Positive Train Control come into law with the Rail Safety Improvement Act of 2008.

Now, however, we see a disturbing trend. Rail labor is concerned about what is occurring on CSX in the wake of a hedge fund taking control early in 2017. We have seen 4,000 loyal workers dismissed while the company brags of diverting \$5

Month of Community Action a chance to get involved

Members of the Transportation Division and our Sheet Metal brothers and sisters are in the process of planning a Month of Community Action in April as part of the SMART Army initiative, a collective effort to make a difference in our communities and to amplify SMART’s presence as a positive force. These activities can be as simple as a park clean-up effort, volunteering at a food bank or any number of other efforts to help show the good work our union does. I encourage you to reach out to your Local’s leadership and to collaborate with our Sheet Metal brothers and sisters to organize or take part in an activity in April to show your community what it means to be a SMART member. For more details about how to take part in the SMART Army effort, contact Paul Pimentel at ppimentel@smart-union.org.

-- John Previsich

To register your Local’s information:

<https://www.actionnetwork.org/forms/community-month-of-action>

To join the SMART Army initiative digitally:

<https://www.actionnetwork.org/forms/sign-up-for-the-smart-army>

billion in profits and tax-reform savings to buybacks of stock and an increase in the dividend — all intended to bolster the stock price. And to help pay for all of this, CSX has rescinded the aforementioned restriction on getting on or off moving equipment in the name of increased productivity.

Meanwhile, service quality is diminishing according to customers and overall safety is headed in the wrong direction. Trains Magazine recently reported that CSX’s train accident rate — the lowest among the Class I railroads in 2013 — was

the highest among the big six systems through the first 11 months of 2017, according to the latest FRA data available. It now stands at about the level it was a decade ago. CSX’s train accident rate increased 73 percent from 2013 through 2017, while the employee personal injury frequency rate rose 38 percent over the same five-year period, according to a review of the safety figures the railroad reports quarterly alongside its financial results.

History records what hedge funds can do to other industries, where a

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State Watch

News from SMART TD State Legislative Boards

Colorado

SMART Transportation Division Colorado State Legislative Director **Carl Smith** reports that efforts by some state legislators to advance a Right-to-Work For Less bill were stopped in committee.

By a 6-3 vote, members of the state House’s Veterans & Military Affairs Committee voted to postpone the bill indefinitely, effectively killing it.



Smith

It was the second time in two years that politicians in Colorado tried to undermine the right to union representation in the state, Smith said.

He said that SMART members from both TD and sheet metal sides turned out Jan. 24 to have their voices heard by legislators in Denver.

The bill, this time known as H.B. 18-1030, “Prohibit Discrimination Labor Union Participation,” was primarily sponsored by state Rep. Justin Everett and state Sen. Tim Neville, both Republicans.

Ten additional representatives and two additional senators also were signed on as sponsors of H.B. 18-1030. The representatives were Perry Buck (R – Dist. 49), Stephen Humphrey (R – Dist. 48), Timothy Leonard (R – Dist. 25), Kimmi Lewis (R – Dist. 64), Patrick Neville (R – Dist. 45), Kim Ransom (R – Dist. 44), Lori Saine (R – Dist. 63), Kevin Van Winkle (R – Dist. 43), Dave Williams (R – Dist. 15) and Cole Wist (R – Dist. 37).

The senators were Chris Holbert (R – Dist. 30) and Vicki Marble (R – Dist. 23).

SMART TD members in Colorado are encouraged to vote accordingly the next time they see these politicians’ names on the ballot.

Arkansas

Gerald S. Sale III, Arkansas state legislative director, recognized parties involved in the successful passage of H.B. 2116 into Act 955, which was written to protect freight rail and public transit employees by enhancing penalties for criminal offenses.

Sale, in his first legislative session succeeding former SLD **Steve Evans**, obtained the backing of both state Rep. Mike Holcomb (R -

Dist. 10) and state Sen. Bill Sample (R - Dist. 14), chairmen of their respective transportation boards, for the bill, which was then signed into law by Republican Gov. Asa Hutchinson. Sale said that support provided by state Sen. Eddie Joe Williams (R – Dist. 29), a retired conductor and engineer, was instrumental in the bill’s passage. BLET State Legislative Director Terry Todd and his assistant Wayne Denson also worked in collaboration with SMART TD to secure the bill’s passage, Sale said.

“This bill allowed SMART TD to cultivate relationships and get in the game,” Sale said. “My goal is to build on these relationships and create more laws to protect our members and strengthen our organization.”



Pictured, standing from left, are state Sen. Eddie Joe Williams, BLET Arkansas State Legislative Director Terry Todd, BLET Assistant State Legislative Director Wayne Denson, SMART TD’s Gerald S. Sale III, and, sitting in front, Gov. Asa Hutchinson.

Georgia

Matt Campbell, Georgia state legislative director, served as moderator for the first meeting of the Georgia Economic Bill of Rights Task Force in January. Campbell was appointed to the role by state Rep. Dar’shun Kendrick (D - Dist. 93).

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Save the date for SMART TD 2018 regional meetings

The 2018 SMART TD regional meetings are scheduled for **July 2-4 in Seattle** and **August 6-8 in Hollywood, Fla.** The meetings have been designed to provide a platform for educational training, leadership growth and a sense of fraternalism and solidarity among members.

As in the past, each regional meeting will run for 2.5 days, ending early in the afternoon of the third day. The evening of the first day has been left unscheduled so you, your family and friends will be free to explore and enjoy the many offerings of the regional meeting cities.

Regional meeting registration and hotel information, as well as links to make hotel reservations online, can be accessed by visiting www.smart-union.org/td and clicking on the “Regional Meet-

ings” box on the right side of the page.

All those attending the regional meetings must be registered in order to attend any planned social functions. Children ages 11 and under who are pre-registered are complimentary. The registration form is printed on the right, and online registration will be made available in the Regional Meeting section of the SMART TD website.

A completed registration form listing each attendee, regardless of age, and complete payment in U.S. funds **must be received** at SMART Transportation Division, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333, by **Friday, June 22 for the Seattle meeting** or by **Friday, July 27 for the Hollywood, Fla. meeting**, or the registrant will be charged an

on-site registration fee of \$200.

The pre-registration fee for the 2018 regional meetings is **\$150 per member, spouse or child over age 11**. Additional fees apply for the tours. You must make your own room reservations, and certain deadlines apply.

The \$150 registration fee covers all workshop materials, a welcome reception the night before the meetings, three lunches and one evening meal.

Those wishing to attend only the workshops do not need to register. No one-day registrations are offered.

You may cancel your meeting registration 10 days prior to the first day of the meetings without penalty. Call the Transportation Division at **216-228-9400** or email apatchin@smart-union.org immediately regarding changes or cancellations.



July 2-4 at Westin Seattle, 1900 5th Ave., Seattle, WA 98101; www.westinseattle.com
Reservations: 888-627-8513
Reservation code: SMART/2018 Regional Meeting
Room rate: \$179 single/double, \$209 triple, \$239 quad, plus taxes; rates good for three days before and after meeting, depending upon availability.
Room reservation deadline: June 8, or until all rooms being held for SMART TD are reserved.
Parking: \$45 per day for self-park, \$57 per day for valet parking



Aug. 6-8 at The Hilton Diplomat Beach Resort Hollywood, 3555 South Ocean Dr., Hollywood, FL 33019; www.diplomatresort.com
Reservations: 855-689-2911, toll-free
Reservation code: GSMRTR
Room rate: \$179 single/double, \$204 triple, \$229 quad, plus taxes; rates good for three days before and after meeting, depending upon availability. There is an optional \$30 resort fee -- see the SMART TD website for details.
Room reservation deadline: July 9, or until all rooms held for SMART TD are reserved.
Parking: \$25 per day for self-park, \$39 per day for valet parking

Transportation Division Regional Meeting registration form

Registering before the regional meetings expedites sign-in procedures, helps organizers plan more accurately and saves on meeting costs. **Each person attending the regional meeting, including family members and guests, MUST be registered in order to attend any event. Please note that these meetings last 2.5 days and conclude on the afternoon of the third day.** Registration fees are \$150 per person; children 11 years of age and under are complimentary. On-site registration is \$200 per person. All fees must be paid in U.S. funds. Registration forms with payment must be received at the Transportation Division by **June 22 for the Seattle meeting** and by **July 27 for the Hollywood, Fla.,** meeting for all members, spouses and guests to be considered pre-registered.

Which regional meeting will you be attending? ☐ Seattle ☐ Hollywood, Fla.

Arrival date: _____ Departure date: _____

Transportation type: ☐ Automobile ☐ Air ☐ Other

Member registration

Name _____ Local _____ Title (if any) _____

Home address _____

City/State/ZIP _____

Phone number () _____ Email _____

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

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

Spouse registration ☐ Seattle ☐ Hollywood, Fla.

Spouse name _____ Title (if any) _____

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

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

Child registration ☐ Seattle ☐ Hollywood, Fla.

Child name _____ Age _____

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

Child name _____ Age _____

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

Child name _____ Age _____

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

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

Guest registration ☐ Seattle ☐ Hollywood, Fla.

Guest name _____ Relationship to member _____

Home address _____

City/State/ZIP _____

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

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

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

Payment options

Check/money order enclosed (U.S. funds only - NO CASH) \$ _____

Credit card ☐ VISA ☐ MasterCard

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

Signature _____

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

Avis Rent-a-Car offers discounts

The Transportation Division has arranged with Avis Rent-a-Car to offer discounted rates to members attending the 2018 regional meetings.

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

Members and guests can reserve a car online for the meetings. Visit www.smart-union.org/td and select the “Regional Meetings” link on the right side, then select the appropriate regional meeting city.

Discounts at each city are good for seven days before and after the meetings. The discount code will not be valid for the Hollywood, Fla., meeting until July 2.

United offers discounted flights

United Airlines is offering discounted flights for members attending the regional meetings.

Seattle

- Valid dates: 06/25/18 - 07/11/18
- Location: Seattle, WA (SEA)
- Offer code: ZEY2455457
- Z code: ZEYZ
- Agreement code: 455457

Hollywood, Fla.

- Valid dates: 07/30/18 - 08/15/18
- Location: Ft. Lauderdale, FL (FLL)
- Offer code: ZEY2455457
- Z code: ZEYZ
- Agreement code: 455457

Members can book their flights by calling **800-426-1122** or visit www.united.com.

Attend the meetings in style!

You can always add some new SMART Transportation Division gear to your wardrobe to show off your union pride.

Visit www.smart-union.org/td today and click on “Gear” in the navigation bar to get started. All products are union made and/or American made.



You also can look for American Products’ booth at both regional meetings to see all the gear they have to offer.

Pair of tours booked for guests

The Transportation Division is arranging two separate tours of local attractions at both regional meetings.

The first tour is scheduled on Sunday, prior to the meetings; the second tour is scheduled on Monday, the first day of the meetings.

Tour fees are \$35 per tour for each registered guest, or \$75 per tour for each unregistered guest.

Details of the two tours in Seattle and Hollywood, Fla. will be announced as they become available and will appear at www.smart-union.org/td. Select the “Regional Meetings” link on the right side of the homepage.

SMART TD Alumni

SMART TD Alumni Association

News, information for members of the SMART TD Alumni Association

A plethora of pins heads to alumni members



An important step in completing the transition from old incarnations of our alumni group to the **SMART Transportation Division Alumni Association** happened in January. More than 8,000 silver-colored pins (an example is shown below) went out to retired members who were current on their membership and had joined prior to 2017. Joining the association costs just \$9 a year and comes with a slew of valuable benefits. If you're a retiree and have questions about joining, call 216-228-9400 or visit <https://smart-union.org/td/alumni/>.



At left, **Kristen Whelan** of the SMART TD Supply Department pulls a pallet of mailings containing alumni pins out to a waiting postal truck at the TD office in North Olmsted, Ohio, on Jan. 18.

RR RETIREMENT: January brought an increase to RRB benefit payments

Most railroad retirement annuities, like Social Security benefits, were scheduled to increase in January on the basis of the rise in the Consumer Price Index (CPI) from the third quarter of 2016 to the corresponding period of 2017.

The Railroad Retirement Board (RRB) reports that Tier I benefits, like Social Security benefits, will increase by 2 percent, which is the percentage of the CPI rise. Tier II benefits will go up by 0.7 percent. Vested dual benefit payments and supplemental annuities also paid by RRB are not adjusted for the CPI change.

In January 2018, the average regular railroad retirement employee annuity increased \$42 a month to \$2,711 and the average of combined benefits for an employee and spouse increased \$60 a month to \$3,937. For those retirement-aged widow(er)s eligible for an increase, the average annuity increased \$24 a month to \$1,353. However, widow(er)s whose annuities are being paid under the Railroad Retirement and Survivors' Im-



provement Act of 2001 will not receive annual cost-of-living adjustments until their annuity amount is exceeded by the amount that would have been paid under prior law, counting all interim cost-of-living increases otherwise payable. Some 50 percent of the widow(er)s on the RRB's rolls are being paid under the 2001 law.

The cost-of-living increase is the largest since 2012, and follows a Tier I increase of 0.3 percent in January 2017.

The RRB mailed notices in December to all annuitants providing a breakdown of the annuity rates payable to them in January.

The RRB also announced that railroad retirement annuitants subject to earnings restrictions can earn more in 2018 without having their benefits reduced as a result of increases in earnings limits indexed to average national wage increases.

For those under full retirement age throughout 2018, the exempt earnings amount rises to

\$17,040 from \$16,920 in 2017. For beneficiaries attaining full retirement age in 2018, the exempt earnings amount for the months before the month full retirement age is attained increases to \$45,360 in 2018 from \$44,880 in 2017.

For those under full retirement age, the earnings deduction is \$1 in benefits for every \$2 of earnings over the exempt amount. For those attaining full retirement age in 2018, the deduction is \$1 for every \$3 of earnings over the exempt amount in the months before the month full retirement age is attained.

For employee and spouse annuitants, full retirement age ranges from age 65 for those born before 1938 to age 67 for those born in 1960 or later. For survivor annuitants, full retirement age ranges from age 65 for those born before 1940 to age 67 for those born in 1962 or later.

When applicable, earnings deductions are assessed on the Tier I and vested dual benefit portions of railroad retirement employee and spouse

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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	Schmidt, Mary R.	Cleveland, Ohio	594	Stewart, Johnny W.	Longview, Texas	1315	Moore, William S.	Covington, Ky.
60	Fuller, George H.	Port Jervis, N.Y.	622	Headley, Erskine L.	Trussville, Ala.	1376	Patrick, Bernard E.	Delaware, Ohio
171	Coyle, William D.	Lakeland, Fla.	830	Oberholzer Jr., Preston W.	Greencastle, Pa.	1383	Bishop, Gerald L.	Hobart, Ind.
195	Hennenfent, Jack L.	Cameron, Ill.	830	Zeiders Sr., Forest N.	Mifflintown, Pa.	1433	Pascual, Henry	Berwyn, Ill.
378	Huffman, Donald A.	Avon, Ohio	1053	Rushing, Wilford C.	Montgomery, Ala.	1524	Davis, Robert N.	Pasadena, Texas
439	Roberts, Paul W.	Tyler, Texas	1058	Walker, Lyle A.	Nampa, Idaho	1582	DeGraff, Gilbert B.	Amsterdam, N.Y.
493	Boston, Queston B.	Elk Run Heights, Iowa	1177	Berg, G. A.	Willmar, Minn.			
564	French, James M.	De Kalb, Texas	1299	Manestar Sr., Tony	Orland Park, Ill.			

Welcome aboard to employees of Coach USA subsidiaries

Employees of Coach USA Inc. subsidiary companies Pacific Coast Sightseeing Tours & Charters Inc., FlyAway Buses, Amtrak Connector and Mega Bus have voted for SMART TD representation.

On Jan. 2, the National Labor Relations Board (NLRB) certified SMART TD as the exclusive collective-bargaining representative of all full-time and regular part-time drivers, mechanics, maintenance support associates and contributors, and ticket clerk associates and contributors employed by Coach USA at facilities in Anaheim, Bakersfield and Van Nuys, Calif., adding hundreds of new brothers and sisters.

These employees stayed strong throughout a frustrating process that lasted more than two years due to several violations and unfair labor practices by Coach USA, said Director of Organizing **Larry Grutzius**.

The effort began when a pair of

Coach USA employees contacted SMART TD organizer **Bonnie Morr** and a meeting was set up.

“That was the beginning; more and more co-workers started to participate,” Morr said. “Soon we had a core group working together. We collected enough A cards to file for an election for the Anaheim drivers.”

But a call with the NLRB about three weeks before the election added a new challenge.

“We were informed that we were required to include employees from Van Nuys and Bakersfield,” Morr said. “We knew nothing about these other groups and had no contacts there. We visited the properties but did not have enough time to truly make good contacts.”

An election took place in February 2016, and union representation was voted down. But all was not lost, Morr said.

“We learned that the employer had been threatening employees,”

Morr said. “We saw that the facilities had been under surveillance (security cameras), we heard that the room used for the vote was not free from intimidation, it was an opportunity to keep fighting for this group — we filed an unfair labor practice charge.”

This charge and decision took about 14 months to get through the NLRB. Coach USA was found guilty, and the NLRB gave the employees the right to another vote. The company appealed the decision, resulting in additional delays. The Department of Justice ruled in SMART TD’s favor, paving the way for votes Dec. 14 and 15, 2017.

“We had about three weeks to get it all together for our second vote. During the waiting period of about 16 months we sent letters to the workers, letting them know that we are not going away,” Morr said.

Grutzius thanks Morr and Alter-nate Bus Vice President/Organizer

Alvy Hughes for their tireless effort and service to these employees.

“GO 20 Associate General Chairperson **David Liddle**; SMB General Chairperson **Javier Sanchez** of Local 1785; Local 1581 Secretary & Treasurer **Richard Haas**; Local 1564 Trustee **Javier Lopez**; Local 1564 President **Sam Creer**; GCA SMB Vice Chairperson **Eric Dixon** and Local 1785 President **Erskins Robinson** also deserve thanks for all their assistance throughout the campaign,” Grutzius said.

Grutzius also expressed thanks to Bus Department Vice President **Calvin Studivant** for his expertise.

After their long wait, Coach USA employees have a new beginning — negotiations between the union and the company are ahead.

“They resisted the false information that was put out by Coach USA and voted YES for their future and their careers,” Grutzius said.

John Previsich’s column: Taking a look at how CSX went from first to worst

Continued from Page 5

company is hollowed out to improve stock price ahead of the investors cashing out at a handsome profit and leaving the shell bound to crushing debt, thousands of families devastated by layoffs and the eventual ruination of the company. The impact in our industry is even more severe — the abandonment of a safety culture in exchange for stock buybacks and increased dividends can, and far too often does, cause death and destruction to people and property.

The latest troubling news from CSX is that it intends to sell off much of the railroad, and that means to short line railroads where employee protection and regulatory oversight is minimal. Reduced regulation of such line sales may have had a place in 1980 when the Staggers Rail Act was passed, because it was intended to save light density lines from abandonment. That is not the case today with CSX, as its management has indicated much of the railroad could be up for sale. These are not light density lines unable to earn their keep. It is a sale intended to gener-

ate even more cash that we assume will be disbursed to stockholders.


With just seven major railroads left operating in North America, seamless interconnectivity is essential to keeping the network fluid. CSX actually cut its 2018 capital expenditures by a staggering 20 percent, a decision with far-reaching consequences for the industry overall. A failure of fluidity on any of the majors quickly cascades, affecting the entire network. This adds to the urgency of regulators looking closely at the current workings of CSX.

The good news is the Surface Transportation Board still has tools to investigate intended line sales, and we hope they will use those tools to require public hearings and full disclosure of the company’s intent and allow experts to testify on the impact of such transactions to the public interest to which railroads are required by law to service. The bad news is that the Board currently has three vacancies mired in the backlog of unfilled positions in the Trump administration, with no light yet showing at the end of that tunnel.

We are heartened that the Senate on Feb. 13 confirmed Ron Batory as the new Federal Railroad Administrator. Administrator Batory himself comes from a railroad family, his father having been a rail labor officer. Ron Batory brings a solid background in rail operations and safety to the job, which is essential to the statutory mission of the agency, and we are confident he will have an open-door policy to hear safety concerns of all stakeholders.

Going forward, expect rail labor to be aligned with shippers and the public to ensure that proper congressional oversight and administrative agency regulation is in place to protect the safety and security of the employees and the public, and to promote safe and efficient rail service at a reasonable price.

Faternally,



John Previsich
President, Transportation Division

State Watch continued...

Midwest



SMART TD state legislative directors from midwestern states joined their BLET counterparts in meeting with top Federal Railway Administration Region IV officials Jan. 9 in Chicago to discuss items of importance including territorial qualification, proper air tests, the status of CSX operations, excessive train length, hazardous materials and other general safety concerns.

January brought increase to RRB benefit payments

Continued from Page 8

annuities, and the Tier I, Tier II and vested dual benefit portions of survivor benefits.

All earnings received for services rendered, plus any net earnings from self-employment, are considered when assessing deductions for earnings. Interest, dividends, certain rental income, or income from stocks, bonds or other investments are not considered earnings.

Retired employees and spouses, regardless of age, who work for their last pre-retirement non-railroad employer are also subject to an additional earnings deduction in their Tier II and supplemental benefits of \$1 for every \$2 in earnings up to a maximum reduction of 50 percent. This earnings restriction does not change from year to year and does not allow for an exempt amount.

More information about RRB benefits is available at the agency’s website at www.rrb.gov or by contacting the RRB toll free at 1-877-772-5772.

Eyes on safety

NTSB continues probe into Cascades derailment

The investigation by the National Transportation Safety Board (NTSB) into the Dec. 18 derailment of high-speed southbound Amtrak Cascades Train 501 near DuPont, Wash., during its maiden voyage is expected to last between 12 and 24 months.

In the accident, four train cars, including the lead locomotive, a power car and two passenger cars, crashed down onto Interstate 5, with one car left dangling from the overpass. Thirteen of the 14 train cars derailed, with only the rear locomotive staying on the tracks. The derailed cars struck five motor vehicles and two trucks on the highway below.

At the time of the accident, 77 passengers, five Amtrak employees and a Talgo Incorporated technician were on the train. Three passengers were killed, and 62 passengers and crewmembers were injured. Eight motorists were also injured.

Reports from NTSB said that the train was traveling at 78 mph in a 35-mph zone. The 55-



In this photo provided by the National Transportation Safety Board, NTSB engineers Ben Hsu and Sean Payne examine the recorder from lead locomotive of Amtrak 501 at the NTSB lab in Washington in December.

year-old engineer had been working for Amtrak since 2004.

A 48-year-old qualifying conductor was also

in the cab of the locomotive to be familiarized with the territory. Both suffered serious injuries as a result of the accident.

The engineer told NTSB that prior to the accident, he had completed 10 observational trips on the new route as well as three trips while operating the equipment, two northbound and one southbound run. When the derailment occurred, the train was traveling southbound, and it was only the engineer's second time operating the train in that direction, he told NTSB.

In an interview with NTSB, the engineer said that he recalled seeing mileposts 16 and 17, but did not recall seeing milepost 18 or the 30 mph advance speed sign.

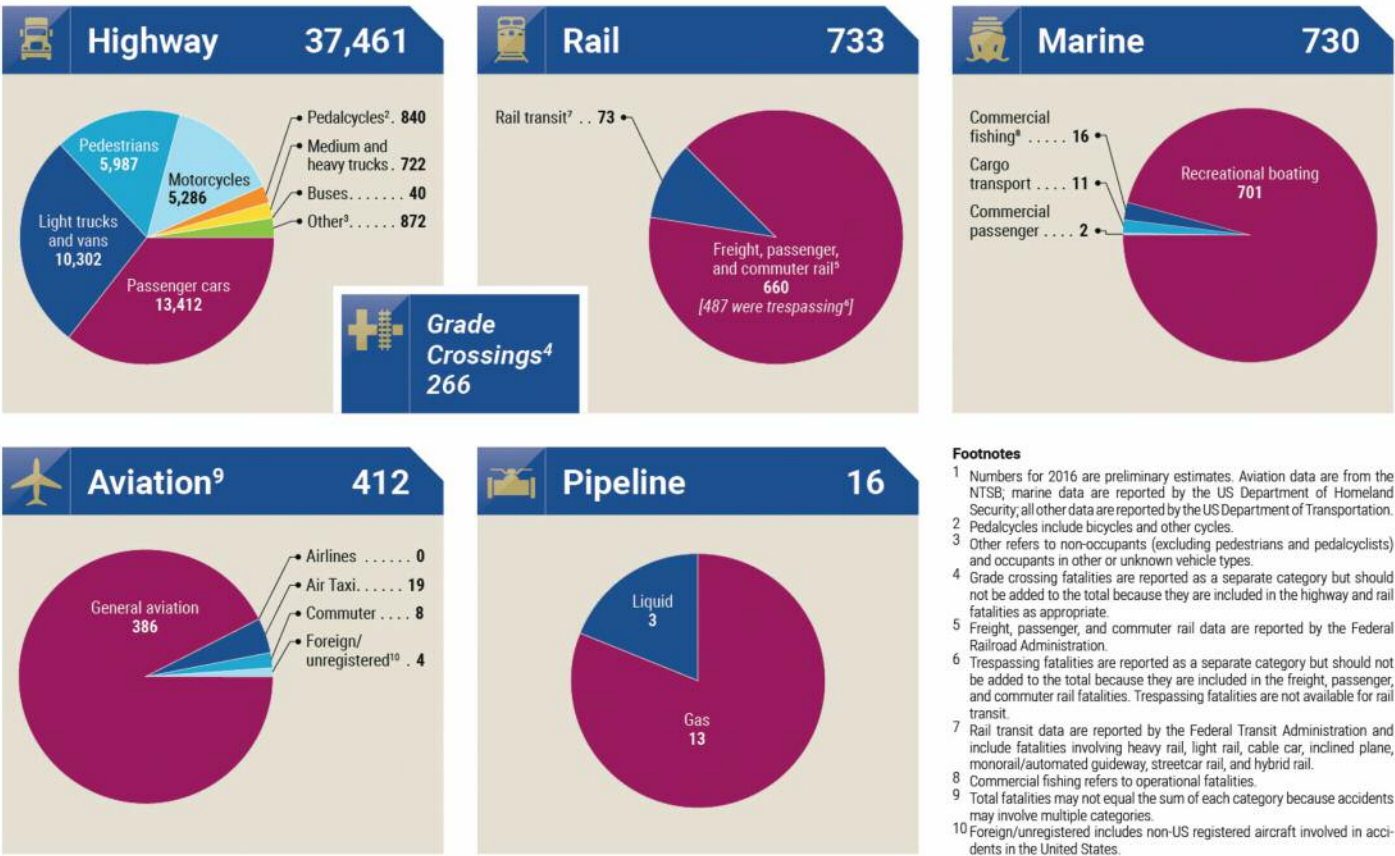
He also said that he saw the wayside signal at milepost 19.8, but mistook it for another signal, which was north of the curve. The train derailed at milepost 19.86.

Positive Train Control (PTC) was not yet operational on the route.



National Transportation Safety Board US Transportation Fatalities in 2016¹ – by Mode

Total: 39,339



Highway accidents comprised majority of 2016's transportation fatalities

The National Transportation Safety Board (NTSB) reported nearly 40,000 transportation fatalities occurred in 2016, an increase of more than 2,000 people over the number of people killed in 2015.

Of the 39,339 fatalities, 95 percent of them – 37,461 – were highway accidents, the board reported.

Rail-related fatalities had an uptick of 25 from the 2015 level, going from 708 to 733 in 2016.

Of those deaths, the board reported that 487 of the fatalities involving freight, passenger or commuter rail also involved trespassing.

A total of 266 fatalities occurred at railroad grade crossings in 2016, NTSB data showed.

"Unfortunately, we continue to see increases in transportation fatalities," NTSB Chairman Robert Sumwalt said. "We can do more, we must do more, to eliminate the completely preventable accidents

that claim so many lives each year."

One positive in the data was the number of aviation fatalities.

Aviation deaths had a slight decrease from 416 in 2015 to 412. Almost 94 percent of those deaths involved general aviation accidents. However, the board also reported that the fatal aviation accident rate had dropped to less than one fatality per 100,000 flight hours for the first time in half a century.

Briefs

Short lines achieve year without a fatality

U.S. short-line railroads reached a milestone in November 2017 by going a full year without a fatality, reported the American Short Line and Regional Railroad Association (ASLRRRA).

"Our short-line members focus every day on 'making it a safe one,'" said Linda Bauer Darr, president of ASLRRRA. "Safe operations are good for our customers, good for the public interest, good for our employees and good for business."

America's 603 short lines operate 47,500 rail miles in 49 states. According to ASLRRRA, one in five rail cars in the United States are handled by short lines that provide the first or last mile of the car's journey.

FMCSA reports use of safety belts on rise

The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) reported that safety belt usage by commercial bus and truck drivers rose to a new record level of 86 percent in 2016, compared to just 65 percent usage in 2007, according to the results of a national survey.

The 2016 survey observed nearly 40,000 commercial drivers operating medium- to heavy-duty trucks and buses at more than 1,000 roadside sites nationwide. Regionally, the survey found that commercial vehicle drivers and their occupants in the west, the midwest and the south all wore safety belts at an 87 percent rate. In the northeast region, safety-belt usage by truck and bus drivers was lower at 71 percent.

New DOT opioid testing rules are in effect

In November, the U.S. Department of Transportation (DOT) finalized a rule, which took effect Jan. 1, that added four semi-synthetic opioids – hydrocodone, hydromorphone, oxycodone and oxycodone – to its testing regimen, despite opposition from a number of unions.

Brand names of some of the opioids include OxyContin, Percodan, Percocet, Vicodin, Lortab, Norco, Dilaudid and Exalgo.

Effects of this expansion, as reported by the Transportation Trades Department (TTD) of the AFL-CIO, include:

- Employees who are tested for these drugs and cannot offer a legitimate medical explanation such as a prescription will be recorded as testing positive.
- Employees who have a valid prescription and test positive will

have their results downgraded to a negative.

- Medical review officers (MROs) cannot deny the legitimacy of a prescription for the purpose of establishing a legitimate medical explanation for the positive test. However, the MRO retains the right to flag safety concerns.
- Clarification of what a “valid prescription” is, especially regarding medication given to take “as needed” as opposed to one prescribed to be taken in a strict time frame is needed and could be affected by the discretion of the MRO.
- The rule establishes three new “fatal flaws” to a test: 1. Absence of a Chain of Custody Form (CCF); 2. A specimen is not submitted along with the CCF; and



3. Two separate collections are performed using a single CCF.

The new rule establishes a five-day-long “pause” period after a test is recorded as positive. During this period, the employee will be taken out of service but can provide proof of a valid prescription.

However, DOT states that an MRO may report a safety concern before five days if the MRO talks with the employee’s physician before five days is expired but the safety concern is not resolved, or if the employee does not let his or her physician talk to the MRO.

DOT also states that if the MRO learns of a medical condition or diagnosis during the verification interview that is likely to result in the employee’s being medically

unqualified under a DOT agency regulation, the MRO must report that information and the five-day pause provision is inapplicable.

Comments from the TTD opposed the cutoff levels established for a positive test, requested additional training for MROs, sought clearer guidelines to define what constituted a valid prescription and implementation of a process to challenge the findings of an MRO.

These suggestions were disregarded.

In addition, DOT also ended its blind specimen-testing program over the TTD’s objection.

Members should contact the **SMART Transportation Division Legal Department** (216-228-9400) if any issues or difficulties arise from this expansion in DOT’s drug-testing protocols.

Members ratify agreement with Buffalo & Pittsburgh RR

Workers represented by SMART Transportation Division who work on the Buffalo & Pittsburgh Railroad (BPRR) ratified a new agreement in mid-December.

According to now-retired General Chairperson **Steve Mavity** (CSX GO 49), the seven-year agreement delivers a 5 percent pay increase, effective Jan. 1, 2018, and a cumulative increase of 24.14 percent through the life of the deal, which is retroactive to July 1, 2015, and runs through 2021. Retroactive wage increases totaling 8 percent also were given on the contract’s effective date.

Workers will get raises of 3 percent in January 2019, 4 percent in January 2020 and another 3 percent in January 2021.

In addition to the wage increases, members received a 100 percent match on up to 4 percent of their 401(k) contributions. Prior to this new agreement, BPRR matched 50 percent of contributions.

Training pay increases from \$14.88 to \$25 and is subject to general wage increases, plus an increase of \$3 to meal allowances and a boot reimbursement allowance of \$200 were also negotiated.

Mavity was assisted in negotiations



In this photo provided by the carrier, a Buffalo & Pittsburgh Railroad locomotive pulls a mixed consist in 2003.

by then-1st Vice General Chairperson **Jamie Modesitt**, who has since succeeded Mavity as general chairperson, and Local 377 Chairperson **Jim Masker**, who both played a very important role in this round of negotiations.

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 B&O Railroad tracks.



Nicholas A. Vosejpka, 35, a switchman with Local 1614, died while in service Dec. 30 in St. Paul, Minn.

Fundraising effort started for family of late member

Brother **Nicholas A. Vosejpka** of Hampton, Minn., a switchman with SMART TD Local 1614, died while on duty Dec. 30, 2017, as he worked as a yard foreman at Union Pacific’s Hoffman Yard in St. Paul, Minn.

Vosejpka, 35, was walking in the yard performing an air-test in temperatures well below zero with gusting winds at approximately 7:30 p.m. CST, Local 1614 Chairperson **Brad Nelsen** reported. A student and new-hire switch person were with Brother Vosejpka when he collapsed, Nelsen said.

Emergency personnel responded and were unable to revive Vosejpka.

“Brother Vosejpka was a hard worker, a good man and a good rail worker,” said Nelsen.

Local 1614 President **Daniel Castonguay** said, “Nick, known by his fellow railroaders as ‘The Mad Russian,’ was the best switchman I have ever known, and was an even better friend. All that knew him could say that their lives were made brighter by him and he will be greatly missed.”

Brother Vosejpka is survived by his mother, Brenda, young children Carter and Madison and extended family. He was the seventh SMART TD member to die while on duty in 2017.

A memorial fund has been set up on GoFundMe by Castonguay to help the family with expenses. Go to <https://www.gofundme.com/nicholas-a-vosejpka-memorial-fund> to donate.

“It is with a heavy heart that I ask of his union brothers and sisters to help support Nick’s family with his final expenses. Any amount big or small will help cover the costs of laying Nick to rest. I ask that we can all come together and donate what you can in his memory,” Castonguay said.

Take a shot, get in the calendar!

We’re looking for photo submissions from SMART TD members and alumni of buses, light rail, planes or trains for the 2019 alumni calendar. Email your high-resolution horizontal photos to news_TD@smart-union.org or mail them to the TD’s office along with details about what’s going on in the photo. If your pic is picked, you get copies of the alumni calendar to share.

The deadline is Sept. 28!

When taking photos, be sure to observe all rules and regulations regarding photography on your property.

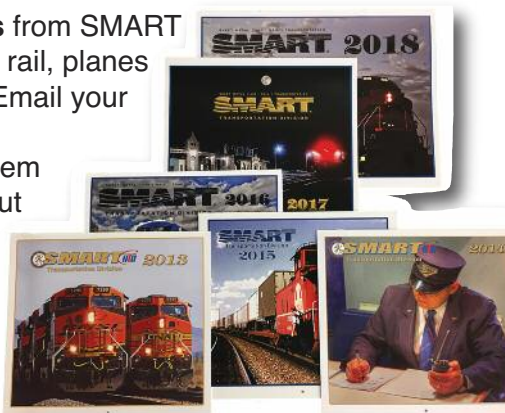


Photo of the month

SMART Transportation Division is always looking for good photos and your picture can be featured on this page as a Photo of the Month.

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 JPEG format and emailed to news_td@smart-union.org. We prefer horizontal photos.

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 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 Georgia Legislative Director **Howell Keown** was on a trip in Hobart, Tasmania, Australia, in November when he saw an unexpected reminder of home. At the TasRail terminal, he took a shot of a set of TR Class locomotives, which happened to be built in Patterson, Ga., by Progress Rail Services. “It was a pleasant surprise for us visitors from Georgia,” Keown said. Workers for TasRail are represented by the Australian Railways Union-Tasmanian Branch.

When tragedy strikes, UTUIA has got you covered

Accidental Death and Dismemberment

Accidents happen every day and unfortunately, accidental death is more common than you may think. UTUIA’s Accidental Death and Dismemberment policy provides a benefit for death caused by an accident. A dismemberment benefit for loss of hands, feet or eyesight is also provided. **Guaranteed approval for active transportation employees and their family.** The UTUIA offers three benefit levels. You choose the level of protection that’s right for you and your family.

• Accidental Death:	\$20,000	\$40,000	\$60,000
• Private Auto Death:	\$30,000	\$60,000	\$90,000
• Common Carrier Death:	\$60,000	\$120,000	\$180,000
• Double Dismemberment:	\$20,000	\$40,000	\$60,000
• Dismemberment:	\$10,000	\$20,000	\$30,000

Monthly Premium:	\$6.00	\$13.00	\$19.50
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Cancer Hospital Indemnity

Cancer. Who among us has not known someone who has been affected by this disease that manifests itself in many forms? Statistics show that through early detection and treatment, the future is bright for so many, but the costs can be staggering. That’s why so many UTUIA families own a Cancer Hospital Indemnity policy. Just look at the great benefits we have to offer:

- **\$2,000 - First Diagnosis Benefit**
- **\$300 per day - Hospital Confinement Indemnity**
- **\$600 per day - \$18,000 per month Extended Stay Benefit**
- **\$100 per day - Home Recovery and Convalescent Care Benefit**
- **\$15,000 - Bone Marrow Transplant**

Rates start as low as \$9.00 per month! No medical exam or blood test required!

I would like more information on UTUIA’s Accidental Death & Dismemberment and Cancer Hospital Indemnity policies.

Please Print



Full Name	Date of Birth	SMART TD Local
Street Address	City	State Zip code
Telephone number with area code	<input type="checkbox"/> Male	<input type="checkbox"/> Female

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

For additional information on Accidental Death and Dismemberment insurance or Cancer Hospital Indemnity Insurance:

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

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



Is your local involved in a charity? Or perhaps one of your brothers or sisters is doing something unique outside of work? 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 and photos to SMART Transportation Division by email to: news_td@smart-union.org

