



Transportation Division News

Volume 51 • Number 3 • July/August 2019

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

SECOND TRANSPORTATION DIVISION CONVENTION

Delegates choose new officers



Delegates observe as the oath of office is administered to the newly elected officers of the SMART Transportation Division onstage Aug. 11 at the Second TD Convention at the Mirage Casino and Resort.

Jeremy Ferguson elected president; Hynes wins NLD vote

LAS VEGAS – SMART General Vice President and Transportation Division (TD) Vice President **Jeremy R. Ferguson** of Local 313 (Grand Rapids, Mich.) was elected President – Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers shortly after the opening of the union's Second Transportation Division Convention on Aug. 11 at the Mirage Casino and Resort in Las Vegas. Current TD President John Previsich had earlier announced his decision to retire from the position effective Oct. 1, 2019.

Ferguson was challenged for the office by fellow TD and GEC Vice President **John England**

Additional coverage from the TD and SMART convention will appear in the next issue of the Transportation Division News.

(Local 1674, Los Angeles, Calif.) and **Robert "Bob" Keeley**, former general chairperson of GCA 342 (CSX – Northern District) out of Local 1951 (Albany, N.Y.).

"Get ready to go to work ... It's going to take the upmost dedication and determination, but we will fight the injustices to the end," Ferguson said. "We will stand shoulder-to-shoulder, and I will lead from the front. Your voices will be

heard, and you will hear my voice.

Alternate National Legislative Director **Gregory Hynes** (Local 1081, Phoenix, Ariz.) was elected National Legislative Director, defeating Utah State Legislative Director **F. Jay Seegmiller** (Local 166, Salt Lake City, Utah). Hynes will succeed **John J. Risch III**, who previously announced he would not seek re-election as NLD.

Incumbent TD Vice Presidents **Brent Leonard** (Local 202, Denver, Colo.), **Calvin Studivant** (Local 759, Newark, N.J.) and **John D. Whitaker III** (Local 1106, Rocky Mount, N.C.) were

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Around the SMART TD

Local 1908, Buffalo, N.Y.



Members from Local 1908 get their picture taken by Paul Crist, business agent of SMART Sheet Metal Local 71, during their monthly meeting at SM Local 71's hall in June. The members wore their SMART Army T-shirts for the occasion, and the photo was sent in by SMART Sheet Metal Local 71 Benefits Administrator Ahren Vogl.

Local 1440, Staten Island, N.Y.

NYC Transit recognized Staten Island Railroad engineer **Alexya Infortuna** and conductor **Nicholas Sannino** for their quick action in regard to an incident that happened aboard their train on Dec. 23, 2018. Infortuna and Sannino helped to reunite an 11-year-old child who had run away and boarded their train wearing no coat or shoes.

Suspecting something was not right, Sannino alerted Infortuna, who sat with the child while the local authorities were dispatched. The child's mother was alerted, and the family was reunited.



Staten Island Railroad employees Alexya Infortuna and Nicholas Sannino of Local 1440 reunited a mother with her runaway child.

Local 898, Boston, Mass.

Local Secretary **Dave Stevenson** and BLET Legislative Director Dan Cadogan appeared before the New Hampshire State House to testify in support of Senate Bill 241, which would provide funding for an in-depth analysis of rail expansion into New Hampshire. It would study extending the MBTA/Keolis Lowell Line into Concord N.H.

A recent poll of New Hampshire residents said 75 percent support commuter rail, Stevenson said.

"Not only would this project greatly benefit N.H. commuters, it would create many SMART conductor and BLET engineer jobs," he said.

The bill passed both houses of the New Hampshire Legislature and has been enrolled.

Locals 1000 and 1614, Minneapolis and St. Paul, Minn.

Members of these locals were the subjects of a letter of recognition from Teamsters Local 120 for supporting a strike of Murphy Warehouse in May that resulted in the ratification of a new Teamsters contract at the end of May.

"The outpouring of financial donations, social media outreach, and in-person presence on the picket line was overwhelming," Tom Erickson, president of Local 120, wrote

in a letter received by the Minnesota State Legislative Board. "It exceeded anything I have seen in my 36 years as a union member. We have all heard the words, 'United we stand, Divided we beg,' but it's humbling to truly realize the power we have as a labor movement when we come together for a just cause.

"Teamsters never forget, and your support won't be forgotten by our local. You can count on

our local and our members to rally for you the way that you rallied for our Murphy Warehouse workers."

Minnesota State Legislative Director **Philip Qualy** commended the locals' leadership for their display of solidarity:

"Their appreciation to our railroad workers is clear," Qualy wrote. "We support other union labor actions in solidarity for all the right reasons."

Local 100, Oakland, Calif.

D.C. Fretty, vice local chairperson of LCA 887b and S&T of Local 100, hosted along with the local the 10th annual Bay Area Locals Joint Meeting and BBQ on June 7. Members of Locals 100, 31, 239 and 1801 attended, as did GO 887 officers, state legislative officers, and representatives from DLC, UTUIA, CPUC the FRA and NARVRE.



Board of Appeals member Barnett retires

Earlier this year, **Dale D. Barnett Jr.** announced he was retiring on disability after 23 years of service. At the time of his retirement, Barnett served the union as the secretary of the Transportation Division Board of Appeals.

Barnett hired out in June 1996 with CSX Transportation and the next year hired on the former Louisville & Nashville Railroad property in Montgomery, Ala.

In 1998, Barnett earned his first position as a union officer when elected to the position of vice president of Local 762 in Montgomery. In 1999 he took over as president of the local. In 2001, he was elected legislative representative for the local and delegate for the convention the following year. In 2003, Barnett ran for and was elected assistant state legislative director on the Alabama State Legislative Board. In 2008, he was elected assistant general chairperson of CSX GO 513 and then became general chairperson in 2014, a position he held until his retirement. At the union's 2011 and 2014 conventions, he was elected to the Board of Appeals.

Having attended the National Labor College in the late 1990s, Barnett became familiar with safety standards for railroad employees and also learned about collective bargaining. He later used this knowledge when he taught a workshop on hazardous materials safety at the 2002 UTU regional meetings. He also was a part of the union's National Safety Team, serving as a coordinator for the CSX Atlanta Division.

"I have been blessed and proud to serve with many great brothers and sisters on the Board of Appeals, to have been a delegate to three conventions, to have served at my local in several positions and to have battled for my fellow L&N, NC & St. L, and CRR members on CSX under GO 513," Barnett said. "It was also an honor to represent the international as a hazmat education presenter for many years. I have to thank all the vice presidents and fellow members that have mentored me through the years. I also have to thank my first local chairperson, Dane Urban, for teaching me how to fight for the members and preserve our agreements."

Barnett also used his ingenuity to help fellow members in the field, having a hand in developing a flashlight for remote control operators, an effort that was featured in a 2018 issue of the *TD News*.



Barnett

Continued on Page 4

Around the SMART TD continued ...

Local 1245, Atlanta, Ga.

The local hosted a large meeting in the spring. In addition to many members, General Chairperson **Tommy Gholson**, Vice General Chairperson **Jason Roberts** (GO 898) and Georgia State Legislative Director **Matt Campbell** attended.



Carter

Member **Kevin Carter** won a raffle for being a new contributor to TD PAC.



Campbell also addressed membership about his efforts in the 2019 state legislative session. As part of his presentation, he issued a call to action that members use the LAC to contact Congress about legislative priorities H.R. 1139 — a bill to protect bus operators and transit workers from assault — and H.R. 1748 and S. 1979 — national two-person freight crew legislation.

Local 1910, Macon, Ga.



The local brought together a number of entities for a large informational conference. Among those present were representatives from the Railroad Retirement Board, UTUIA and SMART TD Designated Legal Counsel **Warshauer Law Group**. General Chairperson **Jimmy Stewart** (GO 169), shown at right addressing members, and Georgia SLD **Matt Campbell** also attended.



Lane



Member **Anthony Lane** won a raffle for signing up to contribute to SMART TD PAC.

Local 1892, Houston, Texas

Officers of the local went out to provide refreshment to their fellow brothers and sisters during a “Gatorade Day” at the Union Pacific Englewood Yard.

In addition to giving out some liquid refreshment to help combat the Texas summer heat, Local S&T **Robert Maldonado** said that informative flyers concerning SMART TD PAC donations, job insurance and reminders about union meetings were distributed. Most important, Maldonado said, was the chance for the local leadership to ask members how they can better serve them.



Local 904, Evansville, Ind.



Local President and Chairperson **Jim DeArmond** took part in the “Run for the Wall” motorcycle ride to Washington D.C., as a member of Rolling Thunder, Indiana Chapter 6 in May. Brother DeArmond visited many of the sights around D.C., and while at the World War II Memorial, he had a chance to meet his U.S. representative, Larry Bucshon of Indiana’s 8th District, and discussed two-person crew legislation and the recent FRA decision.

Brother DeArmond logged more than 1,600 miles on his motorcycle over the weekend and says, “The emotions surrounding the trip were intense.”

Local 590, Portage, Wis.



Legislative Representative **Steven James** said members of the local recently participated in Wisconsin’s Adopt-A-Highway clean-up program. Involved in the program for years now, volunteers come out to clean up a two-mile stretch of highway in Wisconsin two or three times a year. The state also installs permanent signage, as shown above, on both ends of the stretch letting motorists know who is doing the cleanup.

Participants in the June effort were S&T **Adam Lutt**, **Kevin Royal**, Trustee **Eric Koehn**, Local Chairperson **Vince Ramirez**, Local Chairperson **Will Sercye**, Vice Local Chairperson **Cory Cardinal**, **James** and General Chairperson **Gerry Wallace**.

Annual solidarity rally planned for September

The fourth-annual Houston Solidarity Rally is scheduled noon to 8 p.m. Sept. 24 at the SPJST Lounge, 1435 Beall St. in Houston. The event is open to all and previously drew members from 16 locals/divisions/lodges from multiple unions around Texas and the Gulf Coast. It features BBQ, guest speakers, prize drawings, vendors and informational booths.

“Someone best described it as a ‘mini-regional’ for our area,” said Local 1892 S&T **Robert Maldonado**.



The new SMART TD Voluntary Disability Program, administered by Amalgamated Life Insurance Company, had a presence both at the July regional meeting in San Diego, Calif., and also at the Second Transportation Division Convention at the Mirage Casino & Resort in Las Vegas, above.

Enrollment deadline is November 30 for new TD Voluntary Disability Plan

Open enrollment has begun for SMART Transportation Division bus and rail members in the union's new Voluntary Disability Plan (VDP). The plan, now underwritten by Amalgamated Life Insurance Company, is available for long-term protection against a sudden loss of income due to an illness or injury. Although open enrollment will run through Nov. 30, 2019, members may sign up at any time during the enrollment period.

Coverage will commence upon successful completion of the enrollment process.

This plan has been established to provide yet another level of financial security to members in the event that a long-term recovery

from an illness or injury leaves them unable to work. Members can customize their 24-7 coverage by selecting the benefit option best suiting their individual needs and then pay for coverage through payroll deductions. VDP benefits are payable after a 180-day elimination period and are paid in addition to any other benefits such as the TD Voluntary Short-Term Disability (VSTD) plan, worker's comp, Railroad Retirement Board (RRB) sickness benefit or others.

The new VDP has two- and five-year options with monthly benefits starting at \$300 up to \$5,000 available in \$100 increments that can cover up to 60% of an enrollee's earnings. Approval of benefits from Amalgamated is subject to partici-

pation requirements and/or simplified medical underwriting.

This VDP coverage is portable for all members, and it won't be lost if an enrollee is furloughed or suspended. Benefits remain payable in addition to other disability benefits, exceed those of standard long-term disability plans and will give financial security in a time of need.

This plan is optional and voluntary. If a member does not enroll, he or she will not be covered.

Information concerning benefit options and rates for all SMART TD members is available at www.smart-vltd.com, by emailing info@smart-vltd.com or by calling the SMART TD VDP Enrollment Center at 224-770-5328.

NEWS IN BRIEF

Puchala placed atop National Mediation Board

The National Mediation Board (NMB) announced in June that Linda A. Puchala has been named chair of the board, effective July 1. Gerald Fauth III and Kyle Fortson remain as board members.



Puchala

Puchala was confirmed as an NMB member by the U.S. Senate on May 21, 2009.

She has been chair of the NMB for the following prior periods: May 2009 through June 30, 2009; July 1, 2011, through June 30, 2012; July 1, 2013, through June 30, 2014; and July 1, 2016, through June 30, 2017. Her most recent Senate confirmation came on Nov. 2, 2017.

Alexy is named FRA's chief safety officer

Since Robert "Bob" Lauby retired from the Federal Railroad Administration (FRA) in April, Karl Alexy has been acting associate administrator for the FRA's Office of Railroad Safety (RRS).



Alexy

Recently, Alexy has been named as the full-time associate administrator for railroad safety and the chief safety officer within the RRS.

Prior to his recent appointment, Alexy was the deputy associate administrator (DAA) of the RRS.

Alexy came on board the FRA in 2009 and has attended and presented at many SMART TD regional meetings.

Barnett retires

Continued from Page 2

He's ready for what lies ahead, he said.

"If health permits, I plan to continue my hobby of building tailgate benches, camping and making up lost time with family and friends. I cannot thank my wife Kim and children (Tiffany, Taylor, Tristen and Chase) enough for their sacrifice of being apart from family for so long while I served and putting up with the long hours, working weekends and being away on business."

SMART Transportation Division thanks Barnett for his years of service and wishes him many happy years in retirement.

Books on TD website spell out federal laws pertaining to bus and rail members

The safety coordinator to the SMART Transportation Division Designated Legal Counsel has updated a pair of publications that offer comprehensive surveys of federal laws that cover TD members who work in the rail industry and who work as bus operators.





"What Every Railroader Should Know About the Federal Railroad

Safety Laws and Regulations," by **Larry Mann**, has been updated with changes that have occurred since the 2014 version's release and contains detailed information about how federal railroad safety law pertains to railroad workers.

"What Every Bus Driver Should Know," also by Mann, does the same for bus members and is

essential reading for TD members concerned about how the law protects them.

Mann has given SMART Transportation Division permission to distribute both the updated rail book and the updated bus book via PDF. Visit <https://www.smart-union.org/td-publications/> to download the files.

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“Get ready to go to work ... It’s going to take the upmost dedication and determination, but we will fight the injustices to the end. We will stand shoulder-to-shoulder, and I will lead from the front.”

Transportation Division President-elect
Jeremy Ferguson



SMART Transportation Division President-elect Jeremy Ferguson, left, stands alongside retiring TD President John Previsich during the Second TD Convention on Aug. 11 at the Mirage Casino and Resort in Las Vegas.

Delegates select new TD officers at convention

Continued from Page 1

returned to office by acclamation.

Also elected TD vice president by acclamation were Alternate TD Vice President **Chadrick Adams** (Local 331, Temple, Texas), Executive Board Member and GCA 049 General Chairperson **Jamie Mod-esitt** and **Joe M. Lopez**, general chairperson of GCA 009 (BNSF).

Additionally, General Chairperson **D.B. Wier, Jr.**, (GCA 919, Terminal Railroad Association of St. Louis) of Local 469 was elected TD vice president, defeating General Chairperson **Tom Pate** (GCA 20, BNSF), president of Local 1081 in Glendale, Ariz., and General Chairperson **Billy Moye** (GCA CSX-SCL) of Local 1971 in Atlanta, Ga.

Meanwhile, Alternate Vice President Bus – East **Alvy Hughes** (Local 1596, Charlotte, N.C.) defeated **Bonnie Morr** (Local 23, Santa Cruz, Calif.) and incumbent **Adhi Reddy** (Local 1785, Santa Monica, Calif.) for TD Vice President Bus.

Article 21B, Section 35, of the SMART Constitution provides for a successor to the president of the Transportation Division in the event a vacancy occurs between

conventions. To provide for such a contingency, delegates chose TD Vice President Leonard to that position.

Kentucky State Legislative Director **Jared Cassity** was elected Alternate National Legislative Director. **Waverly Harris**, was elected to TD Alternate Vice President Bus – East by acclamation.

Alternate Vice President Bus – West **Guillermo Rosales** was returned to that office, defeating **Erskins Robinson**, general chairperson of GCA SMB, out of Local 1785.

Among five candidates for four TD alternate vice president positions, **Scott Chelette**, **Gary Crest**, **Larry Miller Jr.** and **Christopher Bartz** were elected.

SMART TD Board of Appeals members elected by acclamation are **Tim Flynn** (engine service), **Tessa Collins** (road service), **Rick Pauli** (commuter), and **Brenda Moore** (bus). Incumbent **Kevin Smith** won an election and will return as the Board of Appeals’ yard representative.

The newly elected officers assume their roles on Oct. 1, 2019.



Alternate National Legislative Director Gregory Hynes addresses delegates during the Second SMART Transportation Division Convention in Las Vegas. Hynes defeated F. Jay Seegmiller in the election for national legislative director and will succeed the retiring John Risch.

State Watch

News from SMART TD State Legislative Boards

Ohio

Ohio State Legislative Director **Stu Gardner** reports that H.B. 186 will be held over from the summer session to this fall when it will be given priority.

The comprehensive rail-safety bill addresses two-person crews, safe walkways, rail yard lighting and blocked crossings. It was introduced to the Ohio House Transportation Committee on June 18.

Although the bill is static for now, Gardner says the time is right for Ohio members to offer proponent testimony as to why they believe the bill should be approved by the committee in preparation for this fall.

“Your testimony is what is needed to convince these committee members that this bill is what we have said all along it is – a common-sense approach to railroad safety,” Gardner said in an email to Ohio members.

Gardner suggests members write up testimony on all four segments of the bill or just on a specific segment. The four segments of the bill are:



Gardner

- Two-person freight train crews;
- Common-sense safe walkways within rail yards;
- Common-sense illumination of rail yards;
- Blocked crossings that obstruct and delay emergency vehicles.

According to Gardner, members in the state can testify to the committee through either written-only testimony or by submitting electronic written testimony prior to testifying before the committee at its next hearing.

The House Transportation and Public Safety Committee is scheduled to meet Tuesday mornings at 11 a.m. in House Hearing Room 114 in the Ohio Statehouse in Columbus unless otherwise notified.

Details about the process to submit testimony are available in either this article on the SMART TD website or at the Ohio SLB’s website — <http://www.smart-oslb.com>.

Kansas

State Legislative Director **Ty Drago** reported that Gov. Laura Kelly signed Senate Bill 63 into law in June.

The law requires that a driver stop a vehicle at least 15 feet, but not more than 50 feet before crossing a railroad track under certain circumstances if other on-track equipment in addition to a railroad train is nearby.

The circumstances under which such a stop is required are the same as those for which a stop is required in the presence of a train:

“This law is vitally important to our members especially to our brothers and sisters on the KYLE RR,” Drago said. “I want to thank all the members that helped in this effort along with the legislators and governor for their commitment to worker safety.”



Dragoo

Virginia



State Legislative Director **Ronnie Hobbs** met former Secretary of State Madeleine Albright (shown above) and U.S. Rep. Abigail Spanberger in late May.

Hobbs discussed with Albright, who served as secretary during the second term of Bill Clinton’s presidency, her experience traveling by train overseas and on Amtrak.

“She spoke very highly of our Amtrak conductors,” Hobbs said.

2019 San Diego, Calif., Regional Meeting photo recap



SMART Transportation Division President John Previsich receives a hug at the conclusion of his speech in which he announced his retirement on the final day of the San Diego Regional Meeting on July 3.



Dillon Immormino, local chairperson of LCA 987B, plans his next steps after getting his badge scanned for attending the "Nuts and Bolts" workshop on July 1.



Florida Assistant State Legislative Director Benny Mauch, left, of Local 903 (Jacksonville, Fla.), shares a laugh with Rick Lima, local chairperson of LCA 851A and legislative representative of Local 1502 (Wildwood, Fla.), in between sessions at the regional meeting.

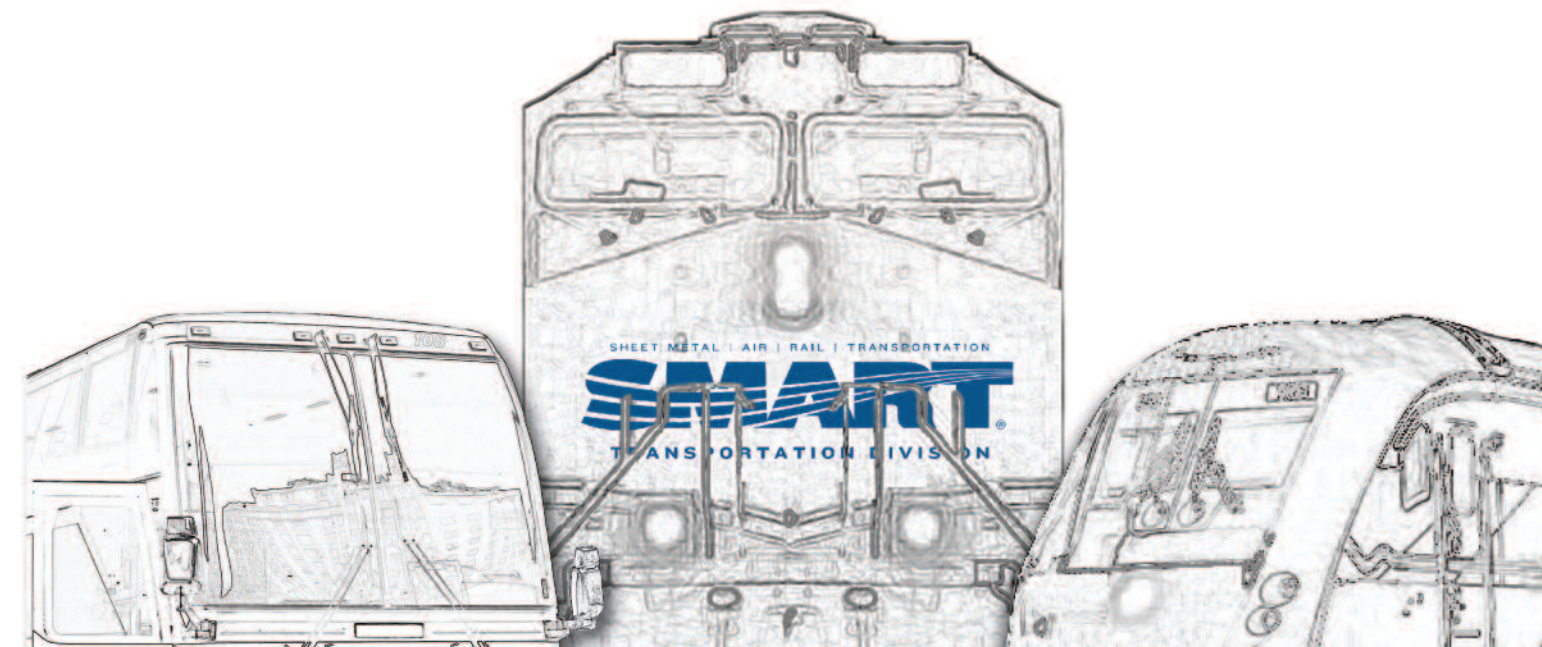


Tracey Council, legislative representative of Local 845 (Seattle, Wash.) and the vice local chairperson of LCA 001A, looks over information about the SMART TD Voluntary Disability Plan. For more information about the plan see the article on Page 4 of this issue or visit www.smart-vtd.com. The open-enrollment period for the plan ends Nov. 30.



Illinois State Legislative Director Bob Guy, left, smiles at the Monday opening session after being recognized by National Legislative Director John Risch for his efforts to get two-person crew legislation onto the desk of Gov. J.B. Pritzker this year. Behind Guy to his right is Vincent Ybarra, local chairperson of LCA 953A out of Local 1117 (Las Vegas, Nev.) and at far right is Matt Hanson, alternate legislative representative and trustee of Local 171 (Aurora, Ill.) and vice local chairperson of LCA 001c.

YOUR UNION LEADING THE WAY



Wanda Munoz, left, of Local 1564 (Los Angeles, Calif.), the secretary of LCA 875, and Monique Griffis, the local secretary of 1564, visit the Express Scripts booth during a break at the San Diego Regional Meeting on July 2 at the Hilton Bayfront Hotel.

Local 1532 wins registrations to meeting

As part of the regional meeting Certificate of Achievement program, members can attain a bronze, silver or gold level based on workshops completed. Locals whose members attain the gold level are automatically entered into a drawing to win five complimentary registration packages for the following year's regional meeting.

The name of **Brad Calovich**, of Local 1532 (Kansas City, Kan.) and vice local chairperson of LCA 009, was drawn during the closing session.



Andrew and Abbi Preston, the twin grandchildren of Carol Menges and former Missouri State Legislative Director Kenny Menges, helped out with the raffle drawings on Wednesday afternoon.



J.P. Martinez, local chairperson of LCA 17b and first vice chairperson of GCA 017, takes a moment on the balcony in between phone calls dealing with union business.



Giselle Arangio fits up her husband, Michael, who is trustee for Local 1166 (Charlotte, N.C.), with some new TD apparel at the American Products booth.

Cleveland announced as regional meeting site for 2020

At the conclusion of the San Diego Regional Meeting, SMART Transportation Division President **John Previsich** announced the location of the meeting to take place next year.

The Hilton Cleveland Downtown, in TD's home base of Northeast Ohio, will welcome SMART TD members Aug. 24 to 26, 2020.

The facility is in the heart of Cleveland and is minutes from the Rock & Roll Hall of Fame and other downtown attractions such as Progressive Field, home of the Cleveland Indians.



The Hilton Cleveland Downtown will host the 2020 TD regional meeting in late August.

San Diego photo recap continued ...



Members of the Local Committee who assisted with the regional meeting, from left, Alternate State Legislative Director Louie Costa, GCA SMB Secretary Christine Ivey and Local 1701 Secretary and Legislative Representative Don Olguin, applaud during the July 1 opening session. Assistant California State Legislative Director Mike Anderson, also a member of the committee, is not pictured.



From left, Jamie Poquette of Local 1241 (Turlock, Calif.) and vice local chairperson of LCA 020, and Andrew Andrakowicz, secretary & treasurer of Local 1241 (Valley Springs, Calif.) fill out SMART Army pledge cards during General President Joseph Sellers Jr.'s speech on Tuesday morning at the SMART TD Regional Meeting in San Diego.



Kimberly Gilliam, secretary of GCA TMD, and Christy Givens Kiser, assistant chairperson of GCA TMD, both of Local 1715 in Charlotte, N.C., take a coffee break between sessions.



Terry Hobbs, secretary of LCA 851A and secretary & treasurer of Local 1138 (Miami, Fla.) fills out a pledge form at the SMART TD PAC table on Monday.

Giant thrill for a TD spouse at Petco Park

Cayleen Weaver said her old instincts from playing softball served her well at the July 2 group event at Petco Park.

Weaver, the wife of Local 201 Secretary & Treasurer Tabor Weaver, pounced on a blast by Evan Longoria of the San Francisco Giants after it caromed off the wall of the Western Metal Supply Building in left field of Petco Park, capturing a unique souvenir from the TD Regional Meeting to take home.

Longoria's fifth-inning homer gave San Francisco a 6-1 lead, and the Giants eventually won the game, 10-4, against the host San Diego Padres.



Cayleen Weaver shows off the home run ball she snagged July 2 at her seat at Petco Park's Rail out in left field during the fifth inning of the San Francisco Giants' 10-4 win over the San Diego Padres. Bottom right in the green baseball cap is her husband Tabor, secretary & treasurer of Local 201 (Trinidad, Colo.).



SMART TD Alumni

News and information for our retirees and members of the SMART TD Alumni Association

Are you getting close to retirement? You can get the TD News & other benefits for just \$9 a year! Call 216-228-9400, email kcashin@smart-union.org or visit www.smart-union.org/td/alumni

Local 971 honors retirees at June meeting



Local 971 (Crewe, Va.) President **Michael Barton** recognizes three recently retired lifetime members at the local's monthly meeting in June. From left are Barton, **B.D. Bennett**, a retired conductor; **B.B. Hart**, a retired conductor; and **G.S. Williamson**, a retired engineer. In addition to being presented with engraved lanterns and their 30- and 40-year membership pins, a cookout was held in the retirees' honor.

Former VP Hughes passes away

Ronald G. Hughes, a retired member of Local 1529 (Walbridge, Ohio) who served a pair of terms as a United Transportation Union vice president, died July 7, 2019. He was 82.



Hughes

Hughes served as Chesapeake & Ohio-North general chairperson in the early 1980s and was elected second alternate vice president (East) at the 1983 UTU Convention. At the 1987 UTU Convention, he was elected 21st vice president and was re-elected in 1991 by acclamation.

Former Arizona0 SLD dies at 87

Elmo Gorden Smith, 87, died from complications of pulmonary hypertension in April.



Smith

A veteran of the U.S. Navy, having served during the Korean War, he began working on the railroad and served more than 20 years as the Arizona state legislative director.

"His 'Elmo-isms' will always bring a smile and he will continue to be our shining star," his family wrote in his obituary.

THE FINAL CALL

Following are the names of recently deceased members who were active TD members or 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
1	Harig, David M.	Angola, N.Y.	630	Venters Jr., Lon M.	Ashland, Ky.	1035	Murphy, Pat H.	Lakeland, Fla.
48	Reid, Fulcher W.	Chesapeake, Va.	645	Doherty, Martin J.	Middle Island, N.Y.	1074	Kowalski, John A.	New Kensington, Pa.
195	Sanderson, Robert L.	Galesburg, Ill.	650	Klouse, Ervin D.	Mason City, Iowa	1074	Rutter, George H.	Latrobe, Pa.
198	Smith, Roy K.	Washington, Ill.	655	Scruggs, John A.	South Hill, Va.	1074	Usnick, Frederick J.	Freedom, Pa.
238	Cook, Thomas	Ogden, Utah	750	Humphries, James R.	Knoxville, Tenn.	1129	Devaun Jr., Luther L.	Raleigh, N.C.
238	Santarelli, Angelo	Roy, Utah	773	Traylor, Terry A.	Missouri City, Texas	1177	Tryon, Eugene C.	Safford, Ariz.
238	Thompson, Robert B.	Clearfield, Utah	782	Gragg Jr., Wallace S.	Chapel Hill, N.C.	1293	Volkman, Alfred A.	Altoona, Wis.
256	Culliton, James F.	Watervliet, N.Y.	785	Richardson, Billy J.	Louisville, Ky.	1316	Townes, Harold	Ravenna, Ky.
298	Scully, Frank A.	Crestline, Ohio	811	Farwick, Darrell E.	San Bernardino, Calif.	1518	Smoot, Paul E.	Brownsburg, Ind.
313	Kunkel, Roger L.	Watervliet, Mich.	811	Patrick, Max E.	Rialto, Calif.	1518	Vicars, Clifton E.	Terre Haute, Ind.
318	Simons, William F.	Port Jervis, N.Y.	823	Tucker, Linus M.	Big Spring, Texas	1524	Clark, Paul E.	Madisonville, Texas
320	Cavanaugh, Terrance J.	Bay City, Mich.	830	Seilhamer, S. S.	Marysville, Pa.	1545	Somervell, Frank K.	Dermott, Ark.
322	Meihnsner, Harry F.	Manitowoc, Wis.	838	Yost, John H.	Newark, Del.	1565	Kilgore, William R.	Los Angeles, Calif.
363	Leedy, Mason G.	Moneta, Va.	857	Schimelpfening, Robert	San Antonio, Texas	1574	Richmond, Delayne	Vancouver, Wash.
363	Rush, Richard E.	Roanoke, Va.	931	Williams, Cecil L.	Greer, S.C.	1597	Ruksha, Leonard A.	Crestwood, Ill.
376	Shadoan, Charles M.	Louisville, Ky.	933	Hogan Jr., Russell D.	Republic, Mo.	1687	Jennings, Samuel D.	Albuquerque, N.M.
421	Kalil, Paul L.	North Olmsted, Ohio	945	Hinkley, Deloss C.	La Junta, Colo.	1892	Hardy, Michael W.	Spring, Texas
445	Scott, Gerald D.	Niota, Ill.	971	Tomlinson, Marvin H.	Crewe, Va.	1972	Ryan, Strothy I.	Cullman, Ala.
496	Miller, Charles J.	Lucasville, Ohio	991	Paolo, Tony P.	Weirton, W.Va.	1976	Justus, Norman R.	Menomonee Falls, Wis.
605	Trickett, Robert E.	Morgantown, W.Va.	1000	Ruhl, Franklin D.	Minneapolis, Minn.	1977	Sofie, James M.	Leavenworth, Wash.
610	Carter Sr., James N.	Gassaway, W.Va.	1031	Kinard, Earl D.	Barnwell, S.C.			

Your photograph can be in the calendar!

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

We're looking for photo submissions from SMART TD members and alumni of buses, light rail, planes or trains for the 2020 alumni calendar. Email your high-resolution horizontal photos to news_TD@smart-union.org or mail hard copies to the TD office along with details about what's going on in the photo.

If your pic is picked, you'll get copies of the alumni calendar to share. **The deadline is Sept. 20!**



MEMORIES MADE ON THE MOVE

This is the first of what we hope might become an ongoing feature in the newspaper. If you have a story about a member who has retired from SMART Transportation Division or one of its predecessor unions and would like to have his or her memories and photos featured in the SMART Transportation Division News, email news_td@smart-union.org. In order for this feature to get established, we need your submissions!



Top and above, Winton Arnold, a Brotherhood of Railroad Trainmen/United Transportation Union member on the job at the Erie Station in Marion, Ohio, and then post-retirement wearing his uniform at the same station as a Conrail train passes.

Mark Arnold of Caledonia, Ohio, sent in some photos from his family's collection of his father — the late **Winton Arnold**, a member of predecessor union the Brotherhood of Railroad Trainmen (BRT) whose rail career spanned more than 40 years — and shared a brief biography.

Winton was born December 31, 1913, in Wayne County, Ohio, and grew up around farm machinery.

He was valedictorian of his 1932 high school class, but since he was the eldest of eight children, college was not a consideration.

Winton joined the Erie Railroad as a maintenance of way worker a week after high school and worked the rails until about 1939. Several times, an Erie Railroad conductor, Charlie Sidenstricker, talked to Winton when his caboose stopped where Winton was working and urged Arnold to head to Marion, Ohio, and apply for a job as a trainman. Winton took Sidenstricker's recommendation and worked freight and passenger service until about 1943, when he transferred to management at Kent, Ohio. Several assignments as a general yardmaster in Ohio and Pennsylvania followed.

Throughout his various roles, Mark said Winton maintained his BRT membership.

"Somewhere along the line when the Railroad Retirement Act became law, he discovered that his farmhouse birth was not recorded. So he needed to have a record of birth created," Mark Arnold said.

In about 1963, Winton returned to the job he liked the best, as the conductor of a train crew.

"I don't remember when his last day on the job was," Mark said. He knows his dad was the westbound conductor on the last Erie Lackawanna passenger train in the early 1970s and retired as a Conrail worker later that decade.

Winton Arnold enjoyed many years of retirement and passed away Dec. 4, 2015, just shy of his 102nd birthday.

But his rail legacy lives on — Winton's passenger conductor uniform was donated and it remains on permanent display at the Marion Union Station Association, 532 W. Center St. in Marion, Ohio, a museum housed in a former train station where Winton often worked.



Winton and Mark Arnold, age 10, check out the Starrucca Viaduct, circa 1952.


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**We'll bring the news
 to you if you share
 your news with us!**


Get in touch with the TD Public Relations Department at news_TD@smart-union.org and let us know about anything you'd want to share in the newspaper, on the Web or on social media, and stay up to date with union happenings through the paper and through SMART TD's web and social media accounts.



Forms, links and news: www.smart-union.org/TD

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Local 1785 gets together for a big cookout



Members of Local 1785 united June 29 at Cheviot Hills Park in Century City, Calif., for the first in what local officers hope is a series of events to build togetherness and a sense of pride.



Robinson

About 150 members came to the picnic, which featured music, food and fun and will hopefully serve as a springboard for future events for the Santa Monica, Calif.-based local, General Chairperson (GCA SMB) and local President **Erskins Robinson** said.

“We’re trying to put something together to bring us closer together and to unite us,” Robinson said.

In addition to the cookout, the local gave out awards to honor college scholarship recipients and members of the maintenance and training departments. Robinson said that the local will go forward with more events with the next around Christmas.

ATTENTION LOCAL OFFICERS: ORDER DEADLINE FOR TIMEBOOKS IS SEPTEMBER 16

In order to alleviate significant expense and wasteful distribution of timebooks, all locals must complete a timebook order form and return it to the SMART TD office by Sept. 16, 2019.

It’s important that the form is completed by a local officer, even if the local does not desire to receive the books. All locals will be contacted if a form is not received to ensure accurate ordering this fall. You may return the form — available on the TD website — by any one of the methods listed below.

Fax to:
216-227-5208 – ATTN: **Dora Wolf**

Email to:
dwolf@smart-union.org

Via mail to:
SMART TD
ATTN: Dora Wolf
24950 Country Club Blvd, Ste. 340
North Olmsted, OH 44070-5333

A confirmation email will be sent to acknowledge receipt of your order — if you do not receive the email within 10 days of your order being submitted, please call 216-228-9400 and ask for Dora.

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 reduced fees. In the public sector, non-members can elect to pay their fair share of the costs of collective bargaining by paying the agency fees, or they have the right to pay no 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. Notification of objection procedures:

a. To be a non-member fee objector and pay reduced fees, 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.

b. A non-member in the public sector: To be a non-member fee objector and pay no fees, the objecting non-member shall provide notice of objection by notifying the President, Transportation Division of the objection by first-class mail during the period agreed to in his/her Authorization for Fee Deduction form, if applicable. 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. Anyone who believes they are having dues improperly deducted must notify the President Transportation Division in writing immediately.

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

Percentage of chargeable fees determined by analyst for calendar year 2018

Transportation Division	78.0 percent
State Legislative Boards	
LO 005 California ¹	72.6 percent
LO 028 Missouri ²	47.2 percent
Unreviewed boards ³	0.0 percent
General Committees of Adjustment, including locals under jurisdiction	
GO 851 CSXT ⁴	100.0 percent
GO 927 Union Pacific ⁵	94.4 percent
Unreviewed committees ⁶	99.6 percent

¹ Calculated by applying the lowest of previous reviews of the applicable legislative board providing the board has had eight or more reviews.

² Calculated based on First Quarter report.

³ Unreviewed state legislative boards will have a 0 percent chargeable percentage applied to new objectors.

⁴ Calculated based on First Quarter report.

⁵ Calculated based on First and Third Quarter reports.

⁶ 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.

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.

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.

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.



General Chairperson John Ellis (GCA 875) took this photo of a Los Angeles County Metropolitan Transportation Authority bus from the 20th floor of the LACMTA Building. It was submitted by Bus Department Vice President Adhi Reddy.

NTSB issues probable cause in crash that killed member

The National Transportation Safety Board determined July 23 that Amtrak's and CSX Transportation's failure to properly assess and mitigate the risk of conducting switching operations during a signal suspension led to the collision of an Amtrak train with

a CSX train near Cayce, S.C.

Michael Cella, 36, an Amtrak conductor out of SMART Transportation Division Local 30 (Jacksonville, Fla.), and Michael Kempf, an engineer who was a former TD member, were killed in the Feb. 4, 2018, accident.

NTSB said the accident occurred when a southbound Amtrak train diverted from the main track into a storage track and collided head-on with a stationary CSX train. At least 92 passengers and crewmembers on the Amtrak train were transported to medical facilities for treatment of injuries.

In its probable cause, NTSB stated that CSX failed to properly assess and mitigate risk, during the signal suspension, which led to the collision.

"They could have said, 'We're not going to do switching operations during signal suspension,' but they did not do that," NTSB Chairman Robert L. Sumwalt said. "So I fall back on the notion that CSX is truly the root of this problem.

"... the problem is not the individuals' performance of their duties, rather, the problem is the failure to mitigate the risk associated with the task they



Cella

are performing," Sumwalt said. "That's why the NTSB included CSX Transportation's failure in the proba-

ble cause."

The board recognized that CSX made changes in safety procedures after the accident, but investigators said any one of a number of actions by the carrier could have prevented the collision.

"CSX had many opportunities to prevent this accident," said Robert Hall, director of the NTSB's Office of Railroad, Pipeline and Hazardous Materials. "There should have been many barriers to preventing that accident causing a collision."

Gaps in training and a lack of redundancy when making sure the switch was lined properly helped cause the crash, NTSB said.

The board also found Amtrak's failed to conduct a risk assessment prior to operating during a signal suspension. Although Amtrak meets and exceeds Federal Railroad Administration (FRA) safety standards to ensure safe operations of its own railroads, NTSB said, Amtrak trains relied only on the minimum federal safety standards when operating on host railroads.

NTSB reiterated a recommendation from May stemming from the investigation of the

December 2017 DuPont, Wash., Amtrak accident, concluding that Amtrak needs to implement a Safety Management System (SMS) on all operations on its own tracks or on those of a host railroad.

NTSB also issued three new safety recommendations, two of which were to CSX. These recommendations address actions and responsibilities of the train crew in handling switches. One recommendation issued to all host railroads is to work in partnership with Amtrak to implement an SMS to assess and mitigate risks for operation on host railroads.

A contributing factor in the accident was FRA's failure to implement effective regulation to mitigate the risk of misaligned switch accidents, NTSB said.

Post Cayce, rather than follow a recommendation by NTSB that it issue an emergency order telling railroads to provide instruction during signal suspensions, FRA issued a safety advisory.

NTSB classified that response as unacceptable and said misaligned switch accidents will keep happening unless FRA implements more robust safety interventions.

The board made special note in its report that FRA has postponed a number of safety mandates for years, including Title 29, Part 270, which covers railroad safety system programs.

The complete Cayce report is available on the NTSB website.

MEMORIAL DAY REMEMBRANCE



Local 1409 (Kansas City, Kan.) Secretary & Treasurer Johnny Danner and Legislative Representative Dan K. Bonawitz Jr. in late May placed flags on the graves of veterans. Both Army veterans, they volunteered alongside other veterans from the Shawnee Kansas American Legion Post 327 and their families.

GAO recommends FRA share data on long trains

The Government Accountability Office (GAO) released a study on train makeup that came about in part because of the SMART TD National Legislative Office.

Freight train length has increased in recent years, according to all seven Class I freight railroads. Data on train lengths are not publicly available; however data provided to GAO by two Class I railroads indicated that their average train length has increased by about 25% since 2008, with average lengths of 1.2 and 1.4 miles in 2017. Officials from all seven Class I railroads told GAO they

are operating longer-than-average trains on specific routes.

National Legislative Director **John Risch** testified before the Surface Transportation Board in 2017 on the difficulties and dangers faced by members who operate these longer trains. The GAO study was initiated afterward.

GAO recommended that FRA develop and implement a strategy to share the results of its study on longer trains and work with railroads to engage state and local governments to identify and reduce impacts of longer freight trains on highway-railroad crossings.