



Transportation Division News

Volume 51 • Number 5 • October 2019

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

SMART TD enters new chapter

Brothers and sisters, this is a new chapter in the long history of our organization.

The foundation of the SMART Transportation Division was laid just after the end of the Civil War. Through a century-plus of blood, sweat and tears, members of the BRT, ORC&B, BLF&E and SUNA, which united 50 years ago to become the UTU, fought and overcame the challenges placed before them. The efforts of all those members resulted in the benefits we share today as members of SMART TD.

There were victories. There were defeats. There was hope and despair, but throughout it all, the solidarity of membership in those predecessor unions leading to the present day has sustained us through those decades of challenges.

There are more challenges ahead. As it says on our website regarding the history of



By Jeremy Ferguson

See Pages 6 and 7 to read about and get contact information for your new union officers.

rail labor, “the issues and concerns that workers faced in the late 1800s are not that much different from those being faced today.”

In overcoming some of those challenges during this new chapter in our organization’s history — contract negotiations, safety concerns and the shortsighted assumption by some that technology will make transportation workers replaceable, to name a few — we will need your voice, and



Members of the SMART TD Board of Directors, from left, Vice President Chadrick Adams; Vice President Jamie Modesitt; Vice President John Whitaker III; National Legislative Director Gregory Hynes; President Jeremy Ferguson; Vice President Brent Leonard; Vice President - Bus Alvy Hughes; Vice President Joe Lopez; Vice President David Wier Jr.; and Vice President - Bus Calvin Studivant take the time for a photo in the presidential board room after their first day of work Oct. 1 at the union’s office in North Olmsted, Ohio.

we will need your action.

We have already heard from you and have compiled the Section 6 notices that will serve as the foundation for

negotiating a new National Rail Contract. That input will steer us in a direction where we can get the most out of our talks as we begin the

coordinated bargaining process.

We also are in the process of enacting change — our

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GCs put their solidarity on display

INDEPENDENCE, Ohio — Hours after a lawsuit by rail carriers targeting our union over crew consist was announced Oct. 3, the Association of General Chairpersons — District 1 unanimously resolved to act in solidarity.

The resolution states:



Members of the Association of General Chairpersons’ District 1 stand in unity with SMART TD national officers during their meeting Oct. 3 in Independence, Ohio.

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Inside this issue of the SMART TD News

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Around the SMART TD

When technology impedes your ability to do your job, we want to hear about it

For months now, your union has been collecting hundreds of reports from members of our and other rail unions that document instances when railroad technology doesn't work as intended.

While carriers might see technology as a stepping-stone to more money and the eventual replacement of employees with full automation, we want to collect real-world data showing that sometimes these improved technologies are more of a stumbling block when not working as intended.

Data is being collected via a form on the SMART TD website (www.smart-union.org/railroad-technology-event-report) or, while on the main page, look for the red flashing button, then follow that link to report incidences involving Positive Train Control, Trip Optimizer/LEADER, DPU (distributed power), EOT/HTD's or radio transmission failures among crewmembers when dealing with long trains.

This data helps our organization to formulate a plan to protect members and the general public and to ensure the safety of the nation's infrastructure.

This information is being sought on a voluntary basis, said Alternate National Legislative Director **Jared Cassity**, who helped to create the report form.



Cassity

"The railroads like to tout there is no data to support that two-person crews are safer than a one-person crew. The irony, however, is that the counterpoint to their argument is also true — there is no data to support that one-person crews are any safer than two-person crews either," he said. "Over the years [they] have purposefully chosen to not collect the data, despite having the ability to do so, because they know the truth will hurt their position."

The way to combat this is by gathering these reports from the people who are dealing directly with the situations created when the technology does not function as intended, Cassity said.

"By members submitting this very important information we are able to provide the one thing the railroads cannot or will not — data," Cassity said. "And that data proves these technological safety overlay systems are not capable of replacing the human element, specifically two-person crews."

Reports submitted through this form go to union safety leadership for collection. The reports are not a substitute for filling out a report to a carrier or to the Federal Railroad Administration (FRA).

"The railroads have fired the first shot in this round of the crew consist war and we need all hands on deck, everyone doing their part to complete these reports," Cassity said. "This data may very well just be what makes the difference."

Local 1033, Atlanta, Ga.

The local held a poker charity event to raise awareness and collect donations of much-needed items for its adopted charity, The Shepherd's Inn, Atlanta Mission's shelter for homeless men.

More than 50 participants in the first-time event raised enough money to purchase more than 600 items such as socks, toothpaste and toothbrushes, shaving gels, floss and many other basic items needed to prepare for job interviews.

Local Secretary & Treasurer **Bernard Gray III** said the event was inspired by a very



Atlanta's Shepherd's Inn received proceeds from a poker charity event organized by Local 1033, the first of what the local plans to be a series of initiatives to help its community.

simple concept: "Working men, wanting to provide some very basic items, that would help or assist other men with getting back into the workplace."

The event's success left the local community

wanting more such charitable efforts, Gray said.

"Our Local and its members want to give back and have a positive impact on its surrounding communities," he said. "While the

Shepherd's Inn men's homeless shelter is just the first chapter, we recognize that this is not the end, but the beginning of the journey within our local community."

Gray thanked all the event sponsors, including Aspen Dental and Hanger 92 of Douglasville Ga.; Rossman, Baumberger, Reboso, Spier law firm of Atlanta; Any Two Cards Poker League; and the friends and family who helped make the event successful.

"We look forward to partnering again with you in the near future," Gray said.

Local 898, Boston, Mass.

It was an ideal day Oct. 5 at Maplegate Country Club in Franklin, Mass., for a golf tournament in memory of member **Donald Wheaton**, the former New England alternate legislative director who passed away in January.



"Thanks to all that helped," Local 898 Treasurer **Frank Teague** said. "It was a beautiful day and a beautiful tribute to our brother Donnie."

Wheaton's passing was mourned by SMART TD and his employer, Keolis.



From left. Local Treasurer Frank Teague, BLET member Melissa Stanberry and Local Trustee Chuck Haymon have their picture taken at the first Donald Wheaton Memorial Golf Tournament.

The Massachusetts Bay Transit Authority renamed the interlocking near the home of his

beloved New England Patriots in Wheaton's honor, see inset picture.

SMART Army efforts flourish in Va.



Virginia State Legislative Director **Ronnie Hobbs** was honored for his efforts in coordinating events as part of the union's SMART Army outreach effort at the Second SMART General Convention over the summer, above. His work continued in the fall with Hobbs organizing volunteers in the union's outreach initiative who helped out at a band car wash, above right, and handed out backpacks for schoolchildren, right, at the beginning of the school year.



Around the SMART TD continued ...

Local 171, Aurora, Ill.



From left, Illinois State Legislative Director Bob Guy and Kane County Board member Matt Hanson hold Hanson's yard sign at a campaign kickoff event Sept. 17. At right is Hanson's union brother, Bobby Mitchell, Local 171 delegate and vice chairperson.

Alternate Legislative Director **Matt Hanson** began his campaign for re-election to the Kane County Board during an event last month. "Any help that can be lent is needed and immensely appreciated," said Hanson, who successfully ran in Nov. 2018 for an unexpired term and is now seeking a full term. "I am proud to tell everyone encountered on the campaign trail that I am a card-carrying union railroader that belongs to SMART TD Local 171." To contact Hanson and contribute to his campaign, email matt4kane@gmail.com or mail checks to Friends of Matt Hanson, P.O. Box 1101, Aurora, IL 60507.

Local 33, Jacksonville, Fla.



This newly established local installed its officers, who are pictured, from left: Legislative Representative Kevin Johnson; President Marcus Frazier; Alternate Delegate Barry Eames; Secretary Treasurer Noreen Patten; and Trustees Krystal Bowen and Nassar Poursakha. Not in the photo are Vice President John Britt; Trustee/Alternate Legislative Representative Kevin Jinks and Delegate Cheryl Freeny. Local 33 represents employees of HTSI TriRail.

Local 1440, Staten Island, N.Y.



On Oct. 11, Staten Island Railway workers celebrated the careers of three retirees who all had more than 30 years of service with dinner, music and a special dedication from General Chairperson **Thomas Wilson**. From left are conductor **Lori Smith**, third rail foreman **Pedro Torres** and general mechanic **Jennifer Venditti**.

Local 278, Jackson, Mich.



SMART TD Local 278 President Tom Dillon, third from left, and Local 278 conductor Michael Trondson, far right, work the morning shift line at GM Powertrain in Romulus Mich., last month in solidarity with UAW workers who were striking against GM.

Local 1241, Richmond, Calif.

The Local is saddened to announce the passing of Brother **Henry "Hank" Washington** after a battle with cancer. Hank was a first-class petty officer in the U.S. Navy from 1988 until 1996, after which he hired out with BNSF Railroad as a conductor and became a proud member of the union. He always referred to the men and women that he worked with as his brother or his sister instead of as his co-worker, which speaks greatly to the mutual respect and friendship between him and his colleagues. Hank will always be remembered as a family man who loved his job as a conductor and was a huge Dallas Cowboys fan despite living surrounded by San Francisco 49ers fans. Hank leaves behind three young children, his wife of almost 29 years, Rebecca, and countless heartbroken friends, family and union brothers and sisters. SMART Transportation Division offers its condolences to Rebecca, their children, Local 1241 and Brother Washington's other relatives and friends.



SMART TD Local 1241 Brother Henry "Hank" Washington, his wife, Rebecca, and their children are shown in this family portrait.



Locals 195, Galesburg, Ill., and 445, Niota, Ill., and SM 91, Rock Island, Ill.

Members from two TD locals and a Sheet Metal Local participated in the 127th Galesburg Labor Day parade last month. Local Chairperson **Bryan Roberts** of Local 195 in Galesburg had multiple photos sent in from the event, which is the second-longest-running Labor Day parade in the country.



SMART GENERAL PRESIDENT'S COLUMN

As FRA retreats, we must be louder about safety

I will do all I can to utilize our collective power to grow our union, to ensure we have a strong voice in our industries and to evolve and develop for SMART members and our families — to leverage and mobilize the strength of this entire union to address issues of concern to all members.

As the five years since our First SMART General Convention have shown, we are truly stronger together. Whether it is sheet metal members contacting legislators in support of two-person crew legislation, TD members helping to fend off attacks on apprenticeship programs, or members showing support and solidarity with striking Ontario members, we are one union. We are more than 200,000 strong, moving forward together. And we have each other's backs.



By Joseph Sellers Jr.

Our unity was evident recently. SMART Sheet Metal Local 2 members opened their union hall and co-hosted a town hall meeting with TD Local 1409. The room overflowed with standing-room-only attendance. President Transportation Division **Jeremy Ferguson** and I responded to questions for more than two hours, then early the next morning we took our union to the street to protest the closing of the nearby Union Pacific Neff Yard. At last count we had 177 SMART union activists shoulder to shoulder, with the "harm to one, is harm to all" attitude.

A key challenge facing members is the ongoing effort by certain special interests to undermine rail safety by attacking two-person crew regulations. The safety of every member and the communities we live in and travel through are a key focus across SMART, and nowhere is this more important than on our nation's rail lines.

The FRA is **preempting and nullifying** two-person crew laws that have been passed in seven states. This violates a professed dedication to state's rights as well as a commitment to working Americans like you who all should expect to return home each work day safe and secure.

As unionized rail workers, we are the strongest collective voice in the country in support of strong rail safety regulations. While rail carriers and the FRA seek to weaken

rail safety at the federal level, we are building momentum and success at the state level. Illinois Gov. J.B. Pritzker signed a two-person crew bill into law in August in defiance of the administration's heavy-handed tactics. We will continue to work with our allies and state elected officials to build on these wins as we simultaneously work to protect them in the courts.

We also plan to work with the FRA, showing the agency and the Trump administration the hard facts behind rail safety in the United States as we continue to insert our voice. This includes educating industry regulators on the day-to-day reality members face. We will back that up with real-life experiences, facts and statistics in support of rail safety.

The strongest voices on rail safety are the voices of those who do the work, day in and

day out. Your experience is powerful — and can have a real impact on how legislators vote in the future.

Together, we can amplify our voices and build a safer future for all SMART members. Add your voice by texting the word SAFETY to 21333 or the word SAFE BUS to 21333 for our bus operators and transit brothers and sisters. (Message and data rates may apply).

WE KNOW an even more direct way of getting our message across, and that is at the ballot box. Remember who stands with you, your family and your union values to work free from dangerous conditions. BE SAFE!

Fraternally,

Joseph Sellers Jr.
General President, SMART

Bus Department News

A message from your Bus Department leadership

With the conclusion of the Second SMART Transportation Division Convention and the installation of new officers, we have our District 3 meeting on the horizon.

On Tuesday, Nov. 12, the Association of General Chairpersons District 3 will hold its reorganizing meeting at the Transportation Division headquarters in North Olmsted. This is required by our SMART Constitution Article 21B, Section 91.

The association will meet to elect officers consisting of a chairperson, vice chairperson and secretary by secret ballot. Once the new officers are in place, they will adopt bylaws for its special government consistent with the provisions of the constitution.

Also, this meeting is where the direction of the Bus Department will be discussed. The association will closely examine the report and recommendations made by the Transit/Bus Committee at the SMART General Convention in Las Vegas.

The committee recommended that the general chairpersons should look into creating a Bus Department director in the Cleveland office. The director's responsibilities will be to



Hughes

handle the day-to-day issues that may arise in the department.

A Bus Safety Task Force (BSTF) was also recommended. The recommendation would possibly involve a three-person committee with two alternates: one from the western territory, and another from the eastern territory. The BSTF's focus would be primarily

investigating major incidents/accidents and safety issues.

Organizing for the Bus Department also was a topic in the report, and a plan will be discussed to establish territories for organizers to build the department and assist the international Organizing Department in campaigns and training.

A final topic involved researching a medical insurance plan that would be offered to all bus locals and creating a legislative program.

At the conclusion of this meeting, the general chairpersons will adopt a resolution for the path of the department moving forward.

Fraternally yours,

Alvy Hughes

VP Bus Department — SMART TD
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FMCSA renews charter of safety group

The Federal Motor Carrier Safety Administration (FMCSA) announced in a notice published in the Federal Register on Oct. 2 that it was renewing the charter of its Motor Carrier Safety Advisory Committee (MCSAC) for two years, effective Sept. 27.

The MCSAC was established to provide FMCSA with advice and recommendations on motor carrier safety programs and motor carrier safety regulations. Membership is composed of up to 25 experts from the motor carrier safe-

ty advocacy, safety enforcement, industry and labor sectors. They are appointed by the FMCSA administrator for two-year terms.

Current labor representatives on the committee are LaMont Byrd, a vice chairman for the International Brotherhood of Teamsters; Bruce Hamilton, a vice president for the Amalgamated Transit Union; and Christopher Trembl, director of construction training for the International Union of Operating Engineers.

NTSB issues 3 safety recommendations

As the National Transportation Safety Board continues to investigate an accident in Wyoming last year that killed two SMART TD members out of Local 446, it issued a pair of safety recommendations to Class I railroads and a recommen-

dation to the American Short Line and Regional Railroad Association regarding train emergency brake communication.

Benjamin George "Benji" Brozovich, 39, and **Jason V. Martinez**, 40, both

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President Ferguson's column: Welcome to a new chapter in the history of the Transportation Division

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general chairpersons' District 1 and District 3 meetings will result in improvements in how our services are delivered and a renewed dedication to addressing your concerns.

For District 1, we've established a mentorship program where vice presidents have been assigned to specific rail General Committees to provide assistance and guidance when needed, and more changes will be made on the bus side in the wake of next month's District 3 meeting.

Member safety is our prime concern. Our members who operate buses and passenger trains must be shielded from violence so that they may get home safely. Transit agencies that our brothers and sisters work for must not set operators up for failure and need to provide up-to-date, well-maintained vehicles with features that help to prevent accidents.

On the rail side, members out on the road know that the transition to Positive Train Control has been neither seamless nor without incident. We are collecting data of such instances when the technology doesn't work — see the link on the TD website — you can't miss it.

Outside of the railroad industry, some people are starting to recognize so-called Precision Scheduled Railroading for the short-sighted shareholder-driven gimmick that it is and the risk that it

poses to the long-term success of rail carriers.

The fight in the courts over two-person crews and crew consist has also just begun, and this will take time. We are confident that safety will speak louder than the carriers' pocketbooks when all is said and done, and it is in no way melodramatic to explain to all who will listen — public, politician and media, alike — that our communities, our lives and our jobs depend on our ability to get our message across. The carriers earlier this month filed suit in court to attack our collective bargaining power — it is an attack they've tried before, and one that will be beaten back in the court and through the solidarity in which all members of the Association of General Chairpersons' District 1 resolved to act.

In the political world, it is expected that those officials who have been voted into positions of power attend to the needs of the people — all people. It's the reason they're called public servants. Your union officers are no different.

We exist to serve you and to protect you. It's why you pay dues. If you are a local member and have issues, contractual or safety, use your voice to reach out to your local leadership, your general chairpersons and your state legislative directors and become an active participant in your union. If you are an

active participant, your efforts are appreciated as you help to lead by example and to keep us strong.

We need your activism — NOW. We need you to educate politicians who represent your state about the risks that carriers are taking in their quest for profits. Let them know that corporate mismanagement is putting the middle class and the communities they have been elected to represent at risk, both physically and economically. Inform those politicians about the legislation that they have the power to pass — the Safe Freight Act (H.R. 1748 and S. 1979), the Transit Worker and Pedestrian Protection Act (H.R. 1139 and S. 436) and the Yardmaster Protection Act (H.R. 2449) that will protect our membership. Please do not hesitate to act accordingly when elections roll around if you feel our message is being pushed aside.

We need your activism locally to spell out how our lives and the lives of others are being adversely affected by the PSR scheme. Members of our and other unions are being furloughed, inspections and maintenance are being deferred, crossings are being blocked by long trains that cannot be managed by available trackage. This results in snarled traffic, potential delays in emergency response and adds risk and difficulty to our already chal-

lenging workloads. Shippers, angry at the delays and inefficiencies created by the carriers' cut-past-the-bone attitude to maximize shareholder return, are then tempted to look to the roadways rather than the rails, and neither labor nor the carriers will benefit from the results of this PSR mismanagement.

Moving forward, I urge you to use your voices. Your SMART TD officers — our contact information is published in this newspaper — and your organization are here to serve, protect and defend our membership. We are here for you when you reach out. It's what we have pledged to you that we will do as the new officers of your union.

We have tools available for you to express your voices — the Legislative Action Center on our website will direct you toward your elected officials. If we get a federal two-person crew law passed and signed, the carriers' attack on crew consist will not matter, but we need members to contact their senators and representatives.

National Legislative Director **Gregory Hynes** and the Washington, D.C., office is working hard and needs our support. To help them get the resources we need, a TD PAC Challenge is going to be initiated with details to be announced. Believe it or not, if all our members rose up and

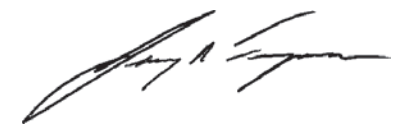
joined at the PAC Dollar-a-Day level (\$365 per year), we would have more funds available than the carrier lobbying groups and it would be impossible to ignore our clout.

Speaking of collective clout — let's not forget that there are other associated groups here to help you: The TD Auxiliary membership can help to reach out to elected officials as well since we know that a railroader's schedule makes planning near impossible. The SMART Army effort and our Sheet Metal brothers and sisters are going to be ready to step in and engage. We have our Alumni Association — a group of our retirees who are ready to share their experience and can tell it like it is while preserving their (and eventually your) Railroad Retirement. UTUIA and the Designated Legal Counsel provide services that help to protect you and your family if the unthinkable happens.

At all levels, from myself, the board of directors and the general chairpersons and from the TD office to the local hall, we are here, together, working for a common cause — you.

And we're just getting started.

In solidarity,



President,
Transportation Division

State Watch

News from SMART TD State Legislative Boards

Kansas legislative director explains PSR to the public

Union Pacific's version of Precision Scheduled Railroading (PSR) claimed more victims this month.

UP confirmed Oct. 14 that it was doing away with its Neff Yard in Kansas City, Mo., and with it 200 well-paying rail jobs evaporated.

The short-term benefits of these and other workforce reductions by carriers in the name of PSR result in a few more bucks for Wall Street shareholders — the end result of PSR for all to see.

Ignored is the long-term damage done to customer service as the carrier tries to adapt to the change it has made to operations, to equipment because of

deferred maintenance, to the lives of employees — both those who are left jobless and those who have to work even harder to pick up the slack — and to the economies of communities in which those good-paying rail jobs have vanished.

UP's not alone. Right around Labor Day at two locations in Pennsylvania and one in Virginia, Norfolk Southern cut nearly 300 jobs total.

What do the two carriers have in common? They're both knee-deep in PSR.

SMART TD leadership



Dragoo

backs Kansas State Legislative Director **Ty Dragoo**, who wrote a letter to explain to members of the general public about what the carriers are really doing.

We support the Kansas State Legislative Board's efforts to preserve jobs in the face of carrier cuts and hope that other members of rail labor follow his lead to explain the scheme that is PSR.

SLD Dragoo's letter is reproduced below.

Dear Editor,
America's railroads are

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3 legislative boards have new leadership

State legislative boards for New England, Iowa and Kentucky have new leaders.

In New England, longtime Legislative Director **George Casey** retired and is succeeded by

Chris Weldon, who knows that Casey's institutional knowledge will be hard to replace.

But the priorities are going to remain the same for Weldon and the New England board — gathering support for the national two-person crew legislation, meeting

with politicians to get them to understand the concerns of transportation workers; lobbying for increased Amtrak funding; and trying to enhance the support for the Transportation Division PAC.

It also is reassuring to know that Casey's still accessible, even in retirement after his more than five decades of service, and that's something that is truly appreciated and beneficial going forward, Weldon said.

"(George) has forgotten more than I know," he said. "I will continue to lean on him and am just going to follow his lead."

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Your new SMART Transportation Division leadership

Jeremy R. Ferguson (Local 313) President, Transportation Division

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President **Jeremy Ferguson**, a member of Local 313 in Grand Rapids, Mich., was born in 1970. After serving in the U.S. Army and attending college, he started railroading in 1994 as a conductor on CSX at Grand Rapids, Mich. He was promoted to engineer in 1995. Ferguson was elected local legislative representative in 1995, local chairperson in 1996 and secretary of the CSX/B&O General Committee, GO-49 in Jacksonville, Fla., in 2007. He was elected second vice general chairperson in 2008 and first vice general chairperson in 2011. At the first SMART Transportation Division convention in 2014, Ferguson was elected to the position of vice president. At the Second SMART TD Convention on August 11, 2019, he defeated two other candidates and was elected president, Transportation Division. Ferguson also served as special representative and organizer for the United Transportation Union starting in 1997. He is the father of two children and resides in Sparta, Mich.

Gregory K. Hynes (Local 1081) National Legislative Director

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Greg Hynes is a fifth-generation railroader born in Winslow, Ariz., hiring out with Atchison, Topeka & Santa Fe Railway in Los Angeles, Calif., in 1995. He transferred to Phoenix, Ariz., in 1997. Hynes was elected local legislative representative of Local 1081 at Glendale, Ariz., in 2003. He was elected Arizona assistant state legislative director in 2004, was elevated to Arizona state legislative director in 2009 and was re-elected to that office in 2011. Hynes was appointed the first chairperson of the UTU Rail Safety Task Force in 2009 and served in that capacity until being elected SMART Transportation Division alternate national legislative director at the Transportation Division's 2014 convention. He was elected national legislative director at the Second SMART TD Convention on August 11, 2019, in Las Vegas. He has had the honor of serving on the SMART Transportation Division National Safety Team, the Federal Railroad Administration's Railroad Safety Advisory Committee (RSAC) and represents SMART TD on the Switching Operations Fatalities Analysis (SOFA) working group.

Jared Cassity (Local 1377) Alternate National Legislative Director

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Jared Cassity was born in 1978 and is a member of Local 1377 (Russell, Ky.). He started his railroad career with CSX in September 2005 and was promoted to engineer in 2008. He has served as a vice local chairperson, secretary and treasurer, legislative representative, local chairperson, assistant general chairperson, and Kentucky state legislative director. In addition to his elected roles, he has been a member of the National Safety Team since 2014, where he was subsequently selected to the position of Alternate Director (East) for the NST in 2016. Likewise, he was elected by his fellow peers of state directors (having CSX jurisdiction) to serve as the directors' representative on the CSX Safety Model Executive Board in 2013. Cassity was elected to the office of alternate national legislative director at the Second SMART Transportation Division Convention in August 2019. Jared and his wife, Mikki, have two daughters, Mykayla and Mykenna.

Calvin K. Studivant (Local 759) Vice President – Bus

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Calvin Studivant is a member of Local 759, Newark, N.J. Born June 18, 1960, in Richmond, Va., he served in the U.S. Army for four years, from 1982 to 1986. After the service he moved to Clifton, N.J. He has been employed at Community Coach since June 1993. Studivant serves his union as general chairperson, a position he has held since 2001, and delegate. He also serves as chairperson of the District 3 general chairpersons' committee. He was named alternate vice president — bus — East by the UTU Board of Directors in August 2009 and re-elected to that office in 2011. He was elevated to the position vice president — bus by the Transportation Division Board of Directors Oct. 1, 2014. At the Second SMART TD Convention on August 11, 2019, he was elected vice president — bus by acclamation. Studivant is married to Michelle, and the couple have three children and two grandchildren.

Brent C. Leonard (Local 202) Vice President

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Vice President **Brent Leonard** was born in 1973. After attending college he started railroading in 1997 on Union Pacific as a conductor/switchman. He was promoted to engineer in 1998. A member of Local 202 in Denver, Leonard was elected local chairperson in 2001; vice general chairperson of his general committee, GO-953, in 2003; senior vice general chairperson in 2007 and general chairperson in 2011. Leonard has filled past roles of chairman of the Union Pacific Railroad Employee Health Systems (UPREHS), chairperson of the District 1 General Chairpersons' Association and various leadership positions for the Union Pacific General Chairpersons' Association. As vice president and general chairperson, Leonard has been assigned to the Federal Rail Safety Advisory Committee (RSAC) and the 2017 National Wage & Rules Coordinated Bargaining Team. He was elevated from alternate vice president to the position of vice president in July 2018 and elected vice president and successor to the TD president at the Second Transportation Division Convention on August 11, 2019. Leonard and his wife live in Topeka, Kan., and have two daughters.

John D. Whitaker III (Local 1106) Vice President

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John D. Whitaker III was born Nov. 16, 1972, and began his railroad career in 1997 with CSX Transportation as a conductor. He was promoted to engineer in 2002. A member of SMART Transportation Division Local 1106 in Rocky Mount, N.C., he was elected to the position of local chairperson for engineers in 2002. After gaining four years of experience as local chairperson, he ran for the office of vice general chairperson for GO-851 and was elected effective January 2006. Whitaker maintained that position through March 2011, at which time he was elected general chairperson for GO-851, which represents approximately 2,000 members on multiple railroads covering six states. In October 2013, Whitaker was appointed alternate to the executive board and was elected by Transportation Division delegates for another term in 2014. In December 2014, he was elevated to the position of Transportation Division alternate vice president. Whitaker was elected to the board of the SMART TD Association of General Chairpersons (District 1) in 2016. He was then elevated to the position of vice president in April 2019, upon the retirement of **Dave Wier** and was elected to that position at the Second Transportation Division Convention in August 2019. Whitaker and his wife, Melissa, reside in Jacksonville, Fla., with their three sons, Chase, Russell and Nicholas.

Chadrick J. Adams (Local 331) Vice President

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Chadrick J. Adams, born September 30, 1971, began his railroad career in 1997 on the BNSF railroad. He was promoted to engineer in 2002. A member of Local 331 in Temple, Texas, Adams became interested in becoming a union officer early in his career. He has served as a vice president in his local as well as local chairperson, delegate and secretary & treasurer. Adams was elected as general chairperson of General Committee GO-393 in 2011. In 2013 he became alternate to the executive board, and was further elevated to alternate vice president. In 2014, Adams was elected by delegates to the position of alternate vice president and elected vice president by acclamation at the Second SMART TD Convention in August 2019. Adams and his wife, Tonja, reside in Belton, Texas.

Jamie C. Modesitt (Local 298) Vice President

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Jamie C. Modesitt, a member of Local 298 at Garrett, Indiana, was born July 1, 1974. He attended Ball State University in Muncie, Indiana, before beginning his railroad career with CSX Transportation on June 12, 2000. He holds the crafts of conductor and engineer. Modesitt was elected local chairperson of Local 298 in 2006 and was re-elected by acclamation to that position in 2011. That same year, Modesitt was elected secretary of CSXT/B&O General Committee GO-049 and was later elected by acclamation to a full-time position as 2nd Vice General Chairperson in 2012. He was later elected by acclamation to 1st vice general chairperson in 2014. Modesitt was elected general chairperson by acclamation in January 2018 and in January 2019 during the GO-049 Reconvening Meeting. Modesitt was selected by the Board of Directors to serve as the chairperson of the 2014 SMART TD Constitution Committee. In addition, Modesitt was appointed an alternate member to the TD Executive Board by the Board of Directors on April 4, 2017, and was elevated to the Executive Board in January 2018. Modesitt was elected to the position of vice president by acclamation at the Second SMART Transportation Division Convention, Aug. 11, 2019. He and his wife of 22 years, Janelle, reside in Jacksonville, Florida.

Joe M. Lopez (Local 1532) Vice President

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Joe M. Lopez, a member of SMART TD Local 1532 in Kansas City, Kansas, began his railroading career with the Atchison, Topeka & Santa Fe Railway in July 1993 as a switchman and then was promoted to engineer in 1994. His involvement as a union officer began in the mid-1990s as 1532's vice local chairperson. He became local chairperson in November 2002 and served as the local's vice president from 2008 to December 2011. Lopez was elected president of the local and served from January 2012 to February 2014. In February 2011, he was elected secretary for GCA 009, a position he filled until he was elected general chairperson by acclamation in February 2015. Lopez was re-elected for a second term by acclamation in March 2019. He also served as Local 1532's delegate at the 2011, 2014 and 2019 conventions. Lopez has served as vice chairperson for the Association of General Chairpersons' District 1, is a certified remote control operator and has served as a new hire training coordinator. His home base is Argentine Yard in Kansas City. He married his wife, Anne, two months after starting on the Santa Fe railroad. They have four children — Ethan, Allison, Josh and Emily.

David B. Wier Jr. (Local 469) Vice President

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David B. Wier, Jr., was born March 5, 1982. A member of Local 469 in Madison, Ill., Wier began his railroad career on Sept. 22, 2000, with Terminal Railroad Association of St. Louis (TRRA) as a trainman. He was promoted to locomotive engineer in 2006. Wier began his career as a union officer in 2002 when he was elected vice local chairperson of Local 469. He was elected local chairperson in 2004, and in 2005 he was elected vice general chairperson of GO-919, representing both trainmen and locomotive engineers on TRRA and the former Manufacturers Railway Company. Wier was elected to the office of general chairperson of GO-919 in 2008. Thereafter, Wier was re-elected as general chairperson by acclamation in 2010, 2014 and 2018. At the Second SMART Transportation Division Convention on Aug. 11, 2019, Wier was elected to the position of vice president. He has served as Local 469's delegate at the 2007, 2011, 2014, and 2019 UTU/TD conventions. In addition, Wier served as chairperson of the Short Line/Terminal Railroad Caucus at the 2011 and 2014 conventions and has served as treasurer of the District 1 General Chairpersons' Association. Wier studied political science at Southwestern Illinois College. He and his wife, Rose, reside in Smithton, Illinois, with their three sons, Zach, David and Drew.

Alvy Hughes (Local 1596) Vice President – Bus

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Alvy Hughes, vice president — bus, was born in 1972. Hughes attended Chowan College and served in the Army National Guard from 1990 to 1998. He began his transportation career with Charlotte Area Transit Systems (CATS) in 1995. As a member of Local 1596 at Charlotte, N.C., Hughes has served as local vice president, secretary of GO TMM and general chairperson of General Committee of Adjustment GO TMM. He has also served as vice chairperson of the Association of General Chairpersons — District 3. He was elevated to the Board of Appeals in 2009. On Oct. 1, 2014, he was elevated to the office of Transportation Division alternate vice president — bus — East by the Transportation Division Board of Directors. He was elected to the office of vice president — bus at the Second SMART Transportation Division Convention in Las Vegas on August 11, 2019. Hughes and his wife, Lisa, reside in Charlotte, N.C., with their three children and one grandchild.

SMART TD leadership continued...

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(Local 1976)

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(Local 1813)

Board of Appeals Member



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New leadership elected for associations of general chairpersons

New officers were chosen to lead the Association of General Chairpersons — District 1, at the meeting held in Independence, Ohio, on Oct. 3.

SMART TD Alternate Vice President **Gary Crest**, general chairperson of SMART TD GO-887 (UPRR Western Lines), was elected chairperson of the association. Elected vice chairperson was TD Alternate Vice President **Thomas Gholson**, the general chairperson of GCA 898 (Norfolk Southern lines). **Rick Robinette**, general chairperson of GCA PTH (Port Terminal Railroad Association), was elected secretary and treasurer.

On a related note, the

Western General Chairpersons' Committee also elected new officers.

SMART TD Alternate Vice President **Joseph S. Chelette**, general chairperson of SMART Transportation Division GO-927 (former T&P property) was elected chairperson, **William Todd Campbell** of GO-887 (Union Pacific) was elected vice chairperson and **Chris Boudoin**, acting general chairperson of GCA TCT (Texas City Terminal railyard), was elected secretary & treasurer of the association.



Robinette

Three state legislative boards have new directors leading

Continued from Page 5

In Iowa, **Jonathan Todhunter** is taking over with the retirement of **Jim Garrett** and also said he is going to have priorities similar to his predecessor.

"Jim, through his ability to partner with our Sheet Metal brothers and sisters as well as the other trades here in Des Moines, made this board stronger and far more effective than it was in the past," Todhunter said. "I would hate to imagine how the railroad would have run roughshod over our members if it weren't for his hard work."

"His true love and passion for the work needed to protect the interest of the members is at the very least inspiring. We'll keep building upon what Jim has done with his partnerships with other trades.

The Iowa SLB also will focus on some yearly training for local legislative representatives to improve their skills in providing representation, Todhunter said.

"I plan to do this by taking advantage of the training programs that SMART already has in place."

A final main goal will be to encourage and secure contributions to TD PAC.

"For me, PAC, in this PSR environment, is



Now-retired Iowa State Legislative Director Jim Garrett, left, and his successor as SLD, Jonathan Todhunter, take a photo together. Iowa is one of three state legislative boards with new leadership this month.

career insurance," Todhunter said.

With **Jared Cassity's** election to alternate national legislative director, Kentucky is the third state with a change atop its state legislative board. **Jeff Mitchell** of Local 1190 (Ludlow, Ky.) will now lead legislative efforts in the state.

One other state legislative board change also occurred recently — North and South Dakota are now served by a single Dakotas Legislative Board, whose legislative director is **James Chase** of Local 1344 (Mandan, N.D.)



The new leaders of the Western General Chairpersons' Committee are, from left, S&T Chris Boudoin; Chairperson Joseph S. Chelette and Vice Chairperson William Todd Campbell.

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 1409 keeps retirees connected after they pull the pin

Local 1409 in Kansas City, Kan., has done its part to help its retirees and retired members' spouses keep a strong connection with SMART TD, even after their working days are through.

The local recently passed a motion that pays the first year of membership fees for its retirees and spouses of retirees to join the SMART TD Alumni Association and the SMART TD Auxiliary, respectively.

Local Legislative Representative **Dan Bonawitz, Jr.**, who is also the local's delegate, said the ground-work for the benefit was



Bonawitz

laid in 2007.

"Brother **Kenny Menges** began to push me into running for Legislative Representative and to further my involvement in the Rail Workers Hazardous Materials Training Program," Bonawitz said. "The relationship was built and he became one of my mentors."



Even though retirees can "pull the pin" on their transportation career, there's an opportunity for them to maintain a connection and their union solidarity with their union through the SMART TD Alumni Association. For \$9 a year, Alumni Association members can continue to receive the TD News and get other perks as well.

Menges, a former Missouri state legislative director, helps run the Alumni Association with **Carl Cochran** and is a familiar face who works the Association's booth at TD regional meetings. Menges' wife, Carol, is a former Auxiliary president and Bonawitz established a rapport with them over the years.

"We knew we needed to do more to further the caus-

es of these great organizations," Bonawitz said. "This would be our way of dragging the 'old Local 1409 Warhorses' back into the fight."

Last fall, Local 1409 hosted SMART TD Director of Organizing **Larry Grutzius** in Kansas City and he brought up both organizations as a way to internally organize.

"We knew we had to

branch that fight out to include our retirees and their families, many of which had played a part in mentoring several of the current officers in Kansas City," Bonawitz said.

A detailed discussion with Local Chairperson **Nick Pfeifer** led to the decision to present a motion to the members as part of a complete organizing plan of both retirees and our new mem-

bers whom struggle with being furloughed.

The successful passage means Local 1409 members who have retired over the last five years and their spouses are eligible for the free year of membership, and this benefit will be offered to all Local 1409 retirees going forward, Bonawitz said.

"We hope this helps keep our retirees and their families invested in our great union," he said. "This is also a way of saying thank you to those former senior members whom guided us young guns as we stepped into our positions and began the good fight against UPRR."

Organizing and engaging the lowest seniority members remains a challenge, Bonawitz said.

"We need ideas on how to concentrate our efforts to assist them going forward as they and their families struggle with this b---s--- called PSR — aka Wall Street greed," Bonawitz said.

He said he's open to suggestions and ideas or strate-

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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
R	Becker, Donald L.	Toledo, Ohio	504	Pertlaga, Duke	Stewartsville, Ohio	1344	Wanner, Acqualinus	Dickinson, N.D.
20	Taylor, Calvin H.	Beaumont, Texas	610	Street, Carroll E.	Catonsville, Md.	1358	Sumila, Leonard J.	Danville, Ill.
60	Watkins, Robert J.	Mine Hill, N.J.	631	Howell, Joseph R.	Boonsboro, Md.	1381	Geib, Donald G.	Calumet City, Ill.
61	Strohm, George J.	Island Heights, N.J.	792	Srpan, James L.	Eastlake, Ohio	1386	Stanley, Robert E.	Parkersburg, W.Va.
145	Walsh, Francis E.	Grove City, Ohio	794	Givens, Michael N.	Wellington, Kan.	1390	Kober, Lester	Phillipsburg, N.J.
281	Doyle, Michael R.	Milwaukee, Wis.	830	Peleschak, Alex	Frackville, Pa.	1393	Martinez, Lawrence	Buffalo, N.Y.
284	McCann, Don R.	Litchfield, Ohio	830	Timko, Russell T.	Lady Lake, Fla.	1447	Catania, Anthony J.	Brick, N.J.
298	Stoops, Harold W.	Ft. Wayne, Ind.	830	Wagner, George B.	Palmyra, Pa.	1505	Walters, Edward E.	Spokane, Wash.
298	Walker, Robert L.	Columbia City, Ind.	911	Stansbury, George C.	Eagle Grove, Iowa	1518	Vlahos, Ronald M.	Indianapolis, Ind.
316	Thornes, Mac D.	Marshalltown, Iowa	924	Collier, Vernon L.	Toano, Va.	1529	Vance, James H.	Baldwin, Mich.
322	Strass, Edward F.	Oconto, Wis.	945	Bunting, Lee E.	Fountain, Colo.	1574	Starr, George W.	Portland, Ore.
367	Jackson, Robert J.	Omaha, Neb.	1074	Dyer Jr., Charles T.	Pittsburgh, Pa.	1709	Nickels, Stanley R.	Owosso, Mich.
367	Strom, Sverre C.	Norfolk, Neb.	1074	Strong, Bruce C.	New Kensington, Pa.	1760	Stone, Willis H.	Allen Park, Mich.
375	Sogn, Douglas E.	Rapid City, S.D.	1081	Duran Jr., Thomas R.	Winslow, Ariz.	1831	Finn, Gerard F.	West Islip, N.Y.
386	Suglia, Clarence	Reading, Pa.	1081	Graff, Larry D.	Buckeye, Ariz.	1928	Webster, Calvin E.	Toledo, Ohio
386	Tallent, Aloysius P.	Lafayette Hill, Pa.	1110	Tady, John W.	N. Battleford, Sask.	1948	Tribett, George M.	McMechen, W.Va.
462	Wilson, Joe L.	Sheridan, Ark.	1137	Stelck, Lionel L.	Motley, Minn.	1962	Hinds, Leslie R.	Rochester Hills, Mich.
469	Suchman, Robert F.	Belleville, Ill.	1313	Chelf, Charles R.	Amarillo, Texas	1977	Byrd, Ronald L.	East Wenatchee, Wash.
498	Frack Jr., Edgar I.	Allentown, Pa.	1328	Snyder, Robert E.	Charlestown, Ind.			

The September 2019 issue of the SMART Transportation Division News incorrectly listed Alumni Association member Donald W. Fanning of Bloomington, Minn. (Local 911) as deceased. Brother Fanning advises friends that he is alive and well. SMART Transportation Division News regrets this error and apologizes to Fanning and his family.

GUEST COLUMN

Local 376 conductor strives to educate people online on 2PC

If you visit a major news source and see an article on two-person crews, it's likely that **Philip Stevenson** has commented on it.

A conductor out of Local 376 (Louisville, Ky.), Stevenson frequently takes the opportunity to educate people on the importance of having two people in the cab whenever a media organization such as The Associated Press covers this major issue in the rail industry, with the latest being the crew-consist lawsuit carriers have filed against our union.

"I don't think people understand what we really do out here," he said.

Stevenson provides a well-thought-out reply to those people who might say that having two people on a train doesn't matter and that it should be an easy thing for carriers to automate away American railroad jobs with software and other technological advances.

"I have noticed we have had a lot of head-on collisions and trains rear-ending other trains," Stevenson said. "Positive Train Control (PTC) is a wonderful TOOL, but that's all it is."

Stevenson gave permission for us to publish one of his responses.

You have all got this wrong when it come to two-man crew versus one-man crew. The airlines have had autopilot for years but still have two and three people in the cock-



Conductor Phillip Stevenson makes it a point to educate others about two-person crews.

pit. If Boeing has taught us anything, technology fails. It's common sense: Thousands of railroad workers will lose their jobs if all the railroads are allowed to go to one-man crews. That's an issue you need to take up with TRUMP! He claims he is creating jobs, then let him do something about people keeping the ones they have!

This is about safety. This is about saving lives. Not just crew lives, but the American people as well.

Railroads preach safety every day. It's in their rule books and in their advertising. It's 24 hours a day: Safety ... safety ... safety. Well, let them put their money where their mouths are. Pay for safety. Keep two in the cab.

The public has no idea what we deal with. Tell your neighbors about how many cars we hit and people are killed every year when they are hit by trains.

Explain to them how the engineer is in the cab calling the dispatcher and getting 911 called and is taking care of anything that may be wrong with the locomotive. He stays with the train.

Tell them how the conductor gets down and rushes to the vehicle to see if he can possi-

bly save a life. Maybe a baby is in the car and needs to be helped or maybe the parents can be removed and need CPR. Maybe the conductor can comfort someone who is dying or in shock or screaming because they are severely injured.

Tell them about how we hit livestock and large deer. Tell them how people love to put junk on the tracks. Shopping carts, bicycles, steel wheelbarrows, wheelchairs and even abandoned cars. Tell them about how many trees we hit a year and do extensive damage to the locomotive.

The engineer stays with the locomotives and assesses the damage and does what is necessary to radio dispatchers for help while the conductors get down and remove debris and check the rest of the train for any damage or signs of derailment.

Tell them about the territory that is in the middle of nowhere! The places where no one can get to you fast unless you have a helicopter.

How will the engineer stop to go to the bathroom or take lunch without two people to keep the train going down the tracks while not blocking crossings?

Tell them how radios don't always work in remote locations. Telemetry drops out and communication is lost. How many times does a conductor have to go back and troubleshoot another unit after alarms are going off?

The engineer keeps the train rolling the best he can while the conductor checks the computers and checks to see if it is loading.

Tell them about the blind curves that only one crew member can see around when you're approaching public crossings or trees that block signals until you get the train right on top of them.

Tell them about washouts from floods, and heat-warped rail and fog so thick you can't see a foot in front of you.

SO WHAT IF YOU HAVE PTC!! PTC does not tell you if a car is stopped on the tracks or a tree is across them or a person is walking in the tracks or there are five inches of water over the rail!

Tell them how crew members have been attacked and some have even been killed by gang thugs and trespassers.

A single crewmember has no chance in hell in these situations. It is better to have someone else with you to keep watch when working in bad areas.

The list goes on and on. Tell them how the company took away the right of the crewmembers to take a power nap.

One crewmember is supposed to call stopped every 15 minutes while they are waiting on line of road.

As long as someone is awake and doing this and paying attention, there is no reason on God's green earth why a tired crew member

can't take a 20-minute power nap. Tell them how crews are run into the ground and some are called out every 10 hours around the clock. They work all hours of the day and night and most have no weekends off. The company won't even let them have a power nap. What is going to happen when there is only one person on the train who is plain worn out or sick and afraid to take a day off because of the company's new attendance policy, which is just absolutely insane?

People come to work sick all the time — vomiting, diarrhea, fevers and the flu doesn't stop them because they fear losing their jobs. How is a sick person going to be able to make a full run by his or herself safely and without risking his or her life or the public without another crewmember to help keep him alert?

There are so many things that go into railroading and running trains that the public doesn't know a thing about.

THIS ONE-MAN CREW IDEA IS THE MOST UNSAFE AND IRRESPONSIBLE IDEA that has ever been brought forward in the history of the railroad industry.

And for what? To save a damn dollar. To line someone's pockets. To make someone rich. Who cares who gets killed. Who cares about the destruction? I don't know about you, but I sure the hell do and so should everyone in America!

General chairpersons show their solidarity in wake of carriers' lawsuit over crew consist

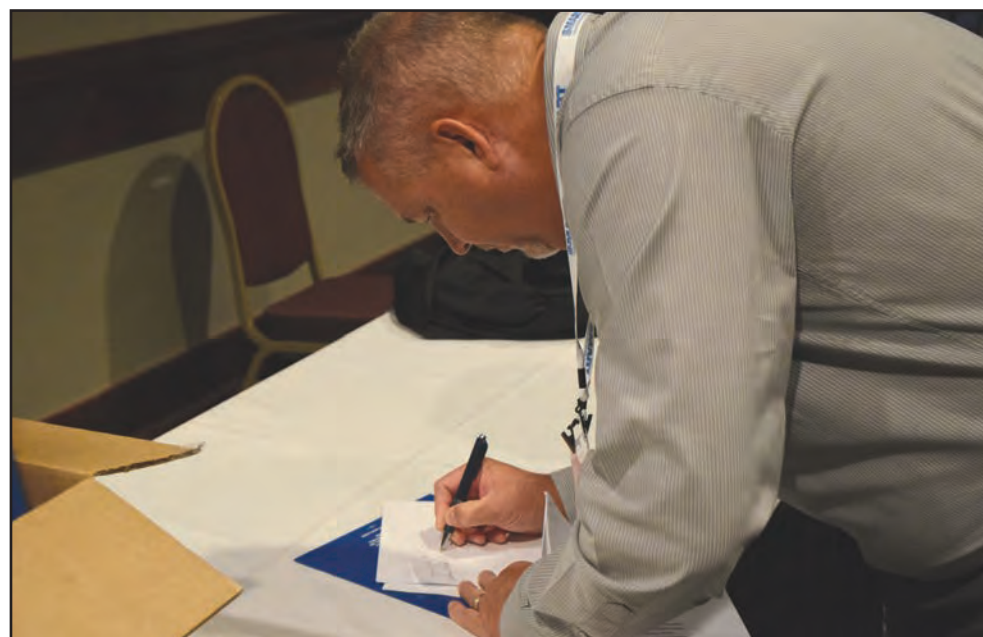
Continued from Page 1

"In response to the Carriers' attempts to undermine bargaining and divide us, we, the members of District 1, resolve to act in solidarity in every effort to protect our members and our rights under the Railway Labor Act."

Every general chairperson in attendance signed the resolution as the meeting concluded.

Transportation Division President **Jeremy Ferguson** praised the leadership of the General Committees for a quick and unified response at the conclusion of the District 1 conference in the Cleveland area that also finalized the Section 6 notices that will trigger the beginning of the next round of National Rail Contract negotiations.

"As we progress forward into this negotiating period and beyond, solidarity among our membership at all levels everywhere will drive us as we overcome the challenges



Tom Pate, general chairperson of GCA-020 (BNSF Railway) signs the resolution pledging solidarity during the upcoming round of national negotiations on Oct. 3.

ahead," Ferguson said. "This unanimous resolution shows at the outset that we stand together and will speak with one loud, clear voice."

On Oct. 3, the National Railway Labor Conference (NRLC) filed a

lawsuit on behalf of carriers in federal district court in the Northern District of Texas attempting to challenge moratoriums on various local crew-consist agreements.

Ferguson, in a message to mem-

bership, identified the lawsuit as an attempt by BNSF, CSX, Kansas City Southern, Grand Trunk Western, Norfolk Southern, Illinois Central, Union Pacific, and the Belt Railway Company of Chicago to force SMART TD to bargain over crew consist on a national level in the upcoming round of national negotiations.

"This is not the first time that the carriers have attempted to challenge the crew consist agreements they have entered into over the years," Ferguson said. "It seems that in each round of bargaining they raise this issue anew. And in each round, they have lost the argument."

"We are ready to defend our agreements."

A PDF of the lawsuit and President Ferguson's message to membership about the crew-consist lawsuit all are available on the TD website (www.smart-union.org/td).

DAY OF SOLIDARITY IN HOUSTON



ABOVE: SMART Transportation Division President-elect Jeremy Ferguson, standing at left, addresses attendees at the Houston Solidarity Rally on Sept. 24. BELOW: Attendees of the rally enjoy food and beverages.



Local 1892 hosted an estimated 300 people from multiple unions during the fourth annual Houston Solidarity Rally on Sept. 24, Secretary and Treasurer **Robert Maldonado** said. “We had a good turn out,” he said. “Lots of information as well. Good ol’ Texas BBQ brisket, ribs, sausage and all the fixings were served to everyone’s delight.”

Carriers try to derail Illinois 2PC law

The short line Indiana Rail Road Co., with the backing of the two major U.S. rail carrier organizations, has filed suit challenging a law requiring two people on freight crews in Illinois, the Courthouse News Service reported.

“The recent history of railroads confirms the wisdom of FRA’s expert determination that minimum-crew-size laws are neither necessary nor appropriate,” the carriers said in their filing. “In recent decades, technological breakthroughs have allowed railroads to gradually decrease average crew sizes—from about five in the 1960s to just two today—while compiling an ever-improving record of safety. Now, the nation’s railroads are poised to deliver even safer and more efficient service.”

The filing repeatedly referenced the Federal Railroad Administration’s withdrawal of its Notice of Proposed Rulemaking (NPRM) that occurred in late

May. In the NPRM, FRA Administrator Ron Batory announced that his agency was acting with the intention to pre-empt any state laws regarding rail crew size. Indiana Rail Road, a regional railroad that operates over 250 miles of track in Illinois and Indiana, began using one-person crews in 1997.

The FRA’s NPRM withdrawal is being challenged in the Ninth Circuit Court of Appeals in Nevada by SMART TD, Illinois and a number of other states. Illinois, on Aug. 9, became the seventh state overall and third this year to enact two-person crew legislation. The Illinois law is scheduled to take effect Jan. 1, 2020.

The lawsuit, which also lists the Association of American Railroads and American Short Line and Regional Railroad Association as plaintiffs, was filed Sept. 30 in the U.S. District Court for the Northern District of Illinois Eastern Division.

A letter to the TD News editor from an NS worker

“Norfolk Southern has moved to the Precision Railroading ‘fad.’ We as employees have been instructed to take shortcuts, disregard safety and ignore FRA regulations in order to move trains. Total disregard for personal and public safety in order for NS to make money. NS has cut and cut and cut employees and jobs to reach a non-sustainable end ... This type of irresponsible business practices has ruined lives, families and towns. I write this letter in fear of my job because we have been warned not to speak out ... Please help us with our story.”

Kansas State Legislative Director Ty Dragoo spells out the PSR scheme for the public to see

Continued from Page 5

going through a round of job cuts. But at what cost? We, the public, are paying for significant Wall Street gains while selling out our communities.

Union Pacific has announced the closure of Neff Yard in Kansas City. Now you get to hold the bag as UP takes the money to the bank.

Union Pacific Railroad’s decision this week to abolish 200 positions at Neff Yard follows similar force reductions by the other major freight rail systems across the country.

The cuts aren’t coming because the company is losing money: Union Pacific in July 2019 reported 2019 second-quarter net income of \$1.6 billion, or \$2.22 per diluted share. This compares to \$1.5 billion, or \$1.98 per diluted share, in the second quarter of 2018.

“We delivered record sec-

ond-quarter financial results driven by exceptional operating performance, including an all-time best quarterly operating ratio of 59.6 percent,” said Lance Fritz, Union Pacific chairman.

The cuts aren’t due to burdensome corporate taxes. Union Pacific disclosed in 2017 the estimated impact from the Tax Cuts and Jobs Act in a filing with the Securities and Exchange Commission. That disclosure saw some shocking amounts of money to the tune of \$6 billion.

The \$5.8 billion benefit comes primarily from the revaluation of UP’s deferred tax liabilities to reflect the new federal corporate tax rate of 21 percent.

Also, UP stated the tax break law would result in a \$200 million non-cash reduction to its operating expenses. It is also of note that many states and local communities have subsidized Union Pacific with tax

money. The most-significant financial boost was Union Pacific’s much-lower tax bill for the reporting quarters. Operating income may have increased, which is impressive knowing that workers are responsible for that, but the company’s tax bill since passage has been substantially lower, which has led to a massive increase in net income for the quarters.

Despite taxpayer dollars and tax cuts helping Union Pacific gain more per-share for Wall Street, their way to say “thanks” seems to be, pack up and go. This is leaving behind an economic catastrophe for impacted communities to clean up for themselves. To add insult to injury, the company didn’t even have the decency to warn employees until a few days out.

The cuts are due to insatiable corporate greed. Union Pacific is one of the largest U.S. freight rail oper-

ators with annual revenues of more than \$20 billion.

While communities struggle with basic needs, education, public utilities, streets, emergency services, food tax rates, sales tax, etc. all at the table for increase when UP wants its cut. You have been paying more while they cut and run. This is a double slap to the face; one we must be vocal about.

These job losses will ripple through the heart of the local economy. Without income and security, workers and families won’t be able to spend on clothes, restaurants, recreation, and much more. Union Pacific isn’t only undermining workers and families, but entire regional economies.

As we stand in solidarity with the Union Pacific workers who are about to lose their livelihoods, we can’t forget that corporate decisions in faraway places leave deep scars in unsus-

pecting communities. Not only do workers in these communities deserve gratitude, but we must also hold companies who take them for granted accountable. When communities invest in companies, we are investing in jobs.

We kept our promise. Will Union Pacific and other railroads continue to break theirs?

Sincerely,
Ty Dragoo
Kansas State Legislative Director — SMART TD

All members are encouraged to please take a few moments of time to tell your elected officials about what you think about the carrier cash grab that is PSR.

Carriers make billions, while communities are left with blocked crossings due to longer trains and fewer well-paying jobs.

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.

Adrian Reyes, chairperson of LCA-577B (Brownsville & Rio Grande) and a member of Local 1205 in Kingsville, Texas, sent in this photo that was taken during sunrise at the Port of Brownsville.

Local 1409 keeps retirees, spouses connected

Continued from Page 9

gies to take care of and organize newer members who are subject to furloughs and would like those to be emailed to him directly at danbonawitz@yahoo.com.

“We must prepare to fight on every possible front as the assault on labor and working families intensifies.”

NTSB issues recommendations

Continued from Page 4

members of the Cheyenne, Wyo., local, died in the Oct. 4, 2018, accident.

Class Is and ASLRRA members were advised to review and issue guidance regarding inspection of end-of-railcar air hose configurations and to review and revise air brake and train handling instructions for grade operations.

NTSB is looking at brake failure as a possible cause of the fatal accident.



What if?...

What if you could find an insurance company that:

- Pays the membership back rather than paying stockholders and greedy CEOs
- Provided over 200 college scholarships yearly to the children and grandchildren of members
- Provided up to 100 Trade School scholarships to help build America’s skilled labor force
- Provided Memorial Scholarships to the children of its members who were killed while performing the duties of their trade
- Had benefits designed to meet the unique needs of Union Trade Workers and their families
- Had highly affordable plans and flexible payment options
- Gave thousands of hours of volunteer work and matched member donations for charities in the communities they serve
- Financially Supported Disaster relief to assist Union members and their families in dire times of need
- Paid claims in days, not months
- Was established over 150 years ago by Trade workers like yourself

What if I told you that **UTUIA** is that insurance company and as a Union member, you had access to some of the best benefits available today? To find out more information as to how we can help you protect your family and yourself, simply go to www.UTUIA.org/information, fill out the form and submit or contact a **Field Supervisor Direct**. You can find your **Field Supervisor** at www.utuia.org/map



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