



# Transportation Division News

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

## Emergency order request made to FRA

### Field reports indicate that faulty air brake valves prevent train emergency mode

SMART Transportation Division President **Jeremy Ferguson** has requested that the Federal Railroad Administration issue an emergency order to carriers that train car valves prone to leakage dur-

ing cold temperatures be replaced and/or repaired immediately.

"The FRA and the AAR have known about this issue for too long and have done too little to address it in a

timely fashion. The safety of the public and all railroaders should never be compromised for the sake of productivity," he said. "Our organization will not tolerate such behavior, nor will it go unchecked."

The malfunctioning main air brake control valves on cars

prevent trains from going into emergency braking mode during cold weather.

The Association of American Railroads (AAR) has been aware of cold-weather operation issues for New York Air Brake valve model DB-10 since at least October 2013. It sent out a maintenance advi-

sory to all members of an inspection and repair procedure at that time.

In a letter to FRA Administrator Ron Batory sent Dec. 20, President Ferguson expressed his strong disappointment that a known safety issue has not been

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## Schedule, team set for rail contract talks

The team negotiating the next National Rail Contract which will affect more than 40,000 SMART Transportation Division members has been finalized by the union's leadership.

The team will be led by TD President **Jeremy Ferguson** with the assistance of Vice Presidents **Brent C. Leonard**; **John J. Whitaker III**; **Chadrick J. Adams**; **Jamie C. Modest**; **Joe M. Lopez** and **David B. Wier Jr.**

Also part of the team are five General Chairpersons: **Mike LaPresta** (BNSF); **Gary Crest** (Union Pacific); **Roger Crawford** (Illinois Central); **Thomas Gholson** (Norfolk Southern) and

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## Member runs for House



Vance Snider, a member of Local 1313 in Amarillo, Texas, places a campaign sign in a yard in the 13th District of Texas. He is one of 15 candidates competing in the Republican primary.

"My hands are rough, my boots are dirty, and I'm not a career politician" is the quote that introduces Local 1313 SMART Transportation Division member **Vance Snider** on his campaign website.

He has the background to prove that — working his way up from sweeping floors in his dad's parts shop in Texas and fighting

for our country on foreign soil.

Snider, 30, is a veteran of the U.S. Army, a father of two and a BNSF conductor.

He's also running for Congress to represent Texas' 13th District, an open seat



Snider

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Seidl



McConihay

## 2 members lose lives in switching accidents

December was a deadly month with two SMART Transportation Division members losing their lives in switching accidents within the span of 11 days.

Brother **Chris Seidl** of Local 1227 (Wichita, Kan.) was struck and killed by a train car the night of Dec. 3, while performing service in a yard in north Wichita.

He was an employee of Wichita Terminal Association, which is jointly owned by BNSF and Union Pacific.

He had been a member of SMART-TD since October 2018.

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### Inside this issue of the SMART TD News

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# Around the SMART TD

## Members ratify a new contract with Louisiana and North West RR

SMART Transportation Division-represented members who work on the Louisiana and North West (LNW) Railroad recently ratified a new contract to run through 2023.

The agreement allows for a 3% raise, effective June 2019; a 3% raise in June 2020; and a 3% raise in June 2021. These will be followed by raises of 2.5% in June 2022 and 2.5% in June 2023.

Employees covered by the agreement also receive a \$300 ratification bonus and back pay that was to be paid by the end of December.

The contract protects the



status of certain employees, establishes Martin Luther King Jr.'s birthday as a paid holiday and awards an additional week of vacation to employees who have served the carrier more than 20 years.

TD Vice President **Chadrick Adams** assisted General Chairperson **Jess Kilgore** (GCA-LNW) of Local 781 (Shreveport, La.) in negotiating the successful agreement.

"This was a challenging process for our union," Adams said. "But in the end we were able to get a contract that our members found to be to their satisfaction."

A prior agreement failed in the ratification process earlier this year.

LNW, based in Homer, La., operates 62.6 miles from McNeil, Ark., to Gibsland, La., and is owned by Patriot Rail Corp.

## Local 1892, Houston, Texas



A joint effort of this local and Sheet Metal Local 54 as well as the UPVETS veterans group helped collect 885 pounds of food for the city's food bank for the holidays.

Pictured in the SMART Army effort are, from left, Eddie Gonzales and Rico Sanchez of SM 54 and Local 1892 S&T Robert Maldonado.

## Local 60, Newark, N.J.

Local President **Jerome Johnson** sadly reported the unexpected passing of **Jermaine Jenkins** Dec. 5.

Jenkins, 44, was a former local vice president and vice local chairperson and joined the union in September 1998. He worked as a conductor for New Jersey Transit.

More than 400 conductors, assistant conductors, engineers and supervisors attended Jenkins' funeral services in Trenton Dec. 12, Johnson said.

"Jermaine had a great impact on our membership," he said.

## Local 1381, Hammond, Ind.

Treasurer **Jacob Lewis** and other members of the local were deserving of some special recognition for their efforts in organizing a holiday toy drive, General Chairperson **Justin Wolters** (GO-449) said.

Wolters learned of the project by Lewis and the local while attending one of their meetings and said that he came away from the experience "inspired and humbled" by the work that was being done by TD members to collect and to distribute the toys to patients at a local children's hospital.

## Local 656, North Little Rock, Ark.

Brother **D.A. "Danny" Anderson** reports that he and other members of the Union Pacific Retired Black Net Work made a substantial donation of Bibles and memorial contributions to the Watershed in Little Rock, a nonprofit community agency that provides assistance and outreach to people in the area.

Anderson himself officially retired after 42 years of membership with the union. He hired on as a brakeman in 1977 and held seniority in Poplar Bluff, Mo. He remains active with Net Work activities and also has been involved with NARVRE.

## Local 61, Philadelphia, Pa.



From left, SEPTA General Manager Jeff Kneueppel; General Chairperson and president of Local 60 Jerome Johnson (GCA-610); Tracy Hann, president of BLET at SEPTA; SEPTA Senior Director of Rail Operations Jack Lauser and General Chairperson Bernard Norwood.

General Chairperson **Bernard Norwood** (GCA-STA) and the rest of the local celebrated the holidays (above) in December. Among the successes that were being acknowledged by the local in 2019 was a recent victory in reaching an agreement that establishes a SEPTA crewroom area in the Trenton Transportation Center after a lengthy negotiation with management.

## Local 867, Des Moines, Iowa



A SMART Army effort along with BLET members and carrier cooperation set up a gift collection effort. At the Des Moines short-line office, a tree was set up for recipients of the Angel Tree program run by the Salvation Army. The effort gathered food, clothes and gift donations in advance of the holiday season, former Iowa State Legislative Director **Jonathan Todhunter** reported.

### GET YOUR LOCAL ONLINE!

SMART's affiliation with the AFL-CIO allows TD locals to set up a free website with hosting through the AFL-CIO. The TD office gets it going and then the local trains to maintain the site. Contact Ben Nagy in the TD office at 216-228-9400 or [bnagy@smart-union.org](mailto:bnagy@smart-union.org) for details.





Texas State Legislative Director Kamron Saunders presents a SMART TD PAC check to Local 1313 member Vance Snider after the local's meeting in December with 30 members and officers in attendance from the Amarillo, Texas, local. "I am proud to say that we have a member and PAC contributor that knows and supports our issues willing to step up and run for office," Saunders said. "It is my hope that this will benefit us by 'having one of our own' in Congress, if elected, as well as show other members across the state, that this is possible."

## Vance Snider of Local 1313 makes a run for the U.S. House

Continued from Page 1

with the announced retirement of Rep. Mac Thornberry at the conclusion of the 116th Congress.

Snider served in Afghanistan after enlisting in the Army in December 2007 after his high school graduation. After completing his service, he hired on to the Texas Northwestern Railway in 2013 and later moved on to BNSF.

He's been a TD member since April 2015 and is running as a first-time candidate as a Republican to represent the 13th District, home to hundreds of SMART-TD members and retirees and their families. He will need their support to win in the crowded 15-candidate primary that takes place March 3, and plans to fight for our members and the people in the district if elected.

It's a challenge to be sure. The 13th is a vast district that has more ground to cover than 13 U.S. states and one of the most Republican. The winner of the Republican primary is practically a shoo-in to win in November and move on to D.C. — Thornberry won his last re-election bid with 81 percent of the vote.

The 2018 election and the hyperpartisanship in D.C. is what inspired him to run — he's tired of seeing people staying in Congress for decades but then ignoring important issues such as railroad safety.

"I want to go forth and create a revolution — bring regular people to the House and Senate. Get rid of the incumbents," Snider said. "It's about taking action and doing something about it."

"I got tired of the political BS going between the two parties. That's what really annoyed me."

Since officially becoming a candidate on the ballot in early October and even before then, Snider has been campaigning on his own terms. He's found that some of the 14 other

■ A more-detailed story about Brother Snider's run for Congress appears on [www.smart-union.org/td/](http://www.smart-union.org/td/)

■ To find out how you can help Snider's campaign, visit [www.vancesniderforcongress.com](http://www.vancesniderforcongress.com) search Vance Snider for U.S. Congress on Facebook or email [vancesniderforcongress@gmail.com](mailto:vancesniderforcongress@gmail.com).

■ For more information about TD PAC, email [TDPAC@smart-union.org](mailto:TDPAC@smart-union.org) or visit <https://smart-union.org/td/washington/tdpac/>

Republicans competing for the chance to appear on the November 2020 ballot have been following his lead.

"I'm actually out there hitting the pavement — I was one of the first ones to put the name on the ballot and put out yard signs," he said. "I ain't scared to get up at 6 in the morning and drive across the country, so putting a few miles on my truck doesn't bother me."

He doesn't usually put on a suit and tie on his visits — he just goes out as he normally dresses from his Texas upbringing, cowboy hat on his head, and a message that he is going to represent people from all over the huge district. It means a lot of mileage on his Ford F-250 (he estimates he's put 8,000 miles on it criss-crossing the district) and dirtier boots, but it shows his commitment, he said.

"Politicians need to start working for the people," he said.

"They need to elect a like-minded individual who thinks about the people in the district first, then the rest of the country. I want to start a revolution — show I'm a normal Joe Blow guy like you — and can get out and do something."

After Thornberry, who's held

the seat in the 13th District for 25 years, announced his retirement, Snider fully committed to the run and he's had 100% support from his wife, Christy, and family.

His platform includes a commitment to being pro-life and defending Second Amendment rights. He also counts rail safety as an issue in his campaign, which sets him apart from others in his party and has led to the backing of his campaign by SMART TD PAC and others associated with rail labor.

There are a number of ways rail workers and union members can speak up — one of them is by running for public office, as Snider is.

"It took me two weeks to get through the red tape. If I can do it, you can do it too," he said. "Once you get through the red tape, find a good campaign consultant and an election lawyer who can tell you what can and can't be done — those are the two key things. Then put your nose to the grindstone and start campaigning."

A second way that isn't as time intensive, but helps just the same is by donating to the TD PAC.

"I would encourage people to donate to PAC. You really can help by donating to the PAC fund, no matter what the level," he said. "It really helps out and allows candidates like me to go forward."

To find out how you can help our union brother in his campaign, visit [www.vancesniderforcongress.com](http://www.vancesniderforcongress.com) search Vance Snider for U.S. Congress on Facebook or email [vancesniderforcongress@gmail.com](mailto:vancesniderforcongress@gmail.com).

For more information about how to contribute to TD PAC, email [TDPAC@smart-union.org](mailto:TDPAC@smart-union.org) or visit <https://smart-union.org/td/washington/tdpac/>.

## Two members lose lives

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He is survived by his parents, Steve and Kathy, brothers Chuck, Corey and Chad. He is the father of three children: Wyatt, Adison and Brody. He was engaged to fiancée Jody Hagen.

Brother **Curtis C. "C.C." McConihay** of Local 1386 (Parkersburg, W.Va.) was killed in an accident on CSX property in Washington, W.Va., Saturday, Dec. 14, 2019.

McConihay, 32, was a U.S. Marine veteran and lived in Southside, W.Va., with his wife, Megan, and their two daughters, Madalynn and Alexis. He joined SMART-TD in May 2015 and was a conductor for CSX.

A memorial fund was set up for McConihay's two daughters at <https://www.paypal.com/paypalme2/mcconihay>.

"Please let us keep his family in our thoughts and prayers, as his family is now our family," said Local 1386 Chairperson **W.R. Parsons**. "We will keep his memory alive by remembering the good times as we are better people for knowing him. God bless his wife Megan and his precious daughters."

The Transportation Division lost three members in 2019 to accidents at work, with all three deaths occurring as a result of switching accidents. This represents a 66% increase in switching fatalities for our union in comparison with 2018.

### IN MEMORIAM



**Travis 'Bowie' Andrepont**  
Age: 39  
Local 1947  
Died Tuesday, Aug. 20 in an accident in Beaumont, Texas.

**Chris Seidl**  
Age: 48  
Local 1227  
Died Dec. 3 while working in a yard in north Wichita, Kan.



**Curtis 'C.C.' McConihay**  
Age: 32  
Local 1386  
Died Dec. 14 in an accident on CSX property in Washington, W.Va.



WE REMEMBER THOSE  
WHO LOST THEIR LIVES  
WHILE PERFORMING  
SERVICE IN 2019.



SMART GENERAL PRESIDENT'S COLUMN

# This year we must ask — are we all better off?

It was only two short years ago that American working families were told they would share in the benefits of the 2017 Tax Cuts and Jobs Act along with those at the top rungs of the American income ladder. Supporters claimed the elimination of deductions for work-related expenses and lower caps on deductions for state and local taxes would be made up for with an increase in the standard deduction and would benefit taxpayers who work every day for a living.

Last year's tax season, we saw the first test of these claims. Many SMART members, especially those who travel on a regular basis, say they saw significantly lower tax refunds, mainly due to a substantial loss of deductions in 2018, while others say they ended up owing money.

One other key change under the new tax law was the elimination of nearly all



By Joseph Sellers Jr.

formerly allowable deductions for unreimbursed employee expenses. That means, among other things, that railroad, production and transit workers could no longer itemize and deduct unreimbursed work-related expenses such as clothing required for work, hotel stays during employer-required out-of-town assignments and meals during those work-related assignments.

On top of that, the new tax laws also limited the ability to deduct state and local taxes for many Americans.

All this occurred while this same law cut the corporate tax rate from 35 percent to

21 percent.

The nation's Class I railroads, for example, reaped immediate benefits. According to earnings reports, Union Pacific (UP) received a \$5.8 billion boost in 2018 because of the cuts, CSX saved \$3.6 billion, Norfolk Southern (NS) about \$3.48 billion and Kansas City Southern (KCS) \$488 million. None of these boosts seem to have translated into worker benefits or additional jobs as furloughs have spread across the United States affecting many of our brothers and sisters, further eroding the loss of family sustaining, middle class jobs.

SMART is working to gather detailed information on how the tax changes signed into law in December 2017 have been affecting members. Many are commenting on the effect the tax laws had on them at the site located on the other end of the QR code accompanying this column.

You can also visit the site through <https://smart-union.org/news/did-you-see-a-change-in-tax-liability/> and comment.

Hitting closer to home, we have found that the National Transportation Safety Board (NTSB) has failed to respond to a series of recent accidents that have cost the lives of three of our railroad brothers. I want to make sure you know we are working hard right now to address this issue. **Brother Jeremy Ferguson** has been heavily involved in making sure our concerns are addressed. The safety and livelihood of every member and railroader must be held paramount and we are making that clear to the NTSB and current administra-

tion. This is an issue where there is no compromise. We will update you as events develop.

In the spirit of hearing the thoughts and concerns of your fellow members, we are soliciting your input and questions regarding any topic you would like to ask about. We have launched a new podcast called Talking SMART where you can ask me any question that is on your mind. You can submit your questions by calling 844-984-0947.

Remember, this is your Union, and your Union works best when your leaders hear from you. I look forward to your input and answering your questions.

Fraternally,

Joseph Sellers Jr.  
General President, SMART

ARE YOU BETTER OFF WITH CUTS?



## Bus Department News

A message from your Bus Department leadership

As we enter a new year, some of us will use this time to make changes in our lives by making resolutions. Resolution can be defined as "a firm decision to do or not do something". This is a tradition that dates back centuries. So, whether your resolution is weight loss, to stop smoking or just taking better care of the environment, the focus of making a resolution is self-improvement.

We can also set resolutions in the bus department. One of the main issues that we will be focusing on this year is the assault bill. Assaults appear to be increasing nationally and we want our operators to be safe. Please inform your state director of any assaults that occur so it can be documented. As our state and local representatives continue to get co-sponsors to support bill H.R. 1139, we still have work to do. We must change the direction of our political climate by focusing on the issues that are not



Hughes

only affecting us personally, but also affecting our jobs. This is a resolution that we can make together.

As a member, I encourage and challenge you to make individual resolutions. Whether improving workplace safety or being a better contributor to

your local union. Whatever it may be, this is an effort each and every one of us can take.

Studies have shown 80% of people abandon their New Year's resolutions by the second week of February. I urge you as brothers and sisters to defeat these odds by choosing and committing to making OUR union better and committing to these issues. As the new year brings prosperity, let's show solidarity.

Happy New Year!  
Fraternally yours,  
Alvy Hughes  
VP Bus Department — SMART TD  
ahughes@smart-union.org  
216-287-3059

## Federal agencies announce drug test rates

Federal agencies have announced their random drug testing rates for the new calendar year.

In December, the Federal Motor Carrier Safety Administration (FMCSA) announced a test rate increase from 25 percent to 50 percent of the average number of driver positions because of an increased number of positive test results in 2018.

In January, the Federal Transit Administration (FTA)

announced that the minimum random drug testing rate will remain at 50 percent.

The Federal Railroad Administration's minimum drug test rate remains at 25 percent for rail workers, excluding maintenance-of-way employees.

The random alcohol testing rate has been set for all three agencies at 10 percent.

Maintenance-of-way employees are tested at a higher rate: 50 percent for drugs and 25 percent for alcohol.

## UP says that it has implemented PTC

Class I carrier Union Pacific announced in mid-December that it has completed implementation of Positive Train Control (PTC) on all federally mandated freight and passenger routes requiring the collision avoidance technology.

The carrier still must achieve full interoperability, that is, its PTC system must be able to

successfully interact with systems used by other carriers.

Regardless of implementation status, if a member experiences an event in which PTC or other rail technology hinders the ability to perform his or her duties, he or she is encouraged to complete a **Railroad Technology Event Report** on the Transportation Division website.



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

Joseph Sellers Jr.  
SMART General President  
[jsellers@smart-union.org](mailto:jsellers@smart-union.org)

Joseph Powell  
SMART General Secretary-Treasurer  
[jpowell@smart-union.org](mailto:jpowell@smart-union.org)

Jeremy R. Ferguson  
SMART Transportation Division President  
[president\\_td@smart-union.org](mailto:president_td@smart-union.org)

Gregory K. Hynes  
SMART Transportation Division  
National Legislative Director  
[ghynes@smart-union.org](mailto:ghynes@smart-union.org)

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TRANSPORTATION DIVISION PRESIDENT’S COLUMN

Your input will help refine how we communicate

One thing that I pledged to the SMART-TD delegation in August after I was elected to be president in Las Vegas was that you would hear my voice and that I would hear yours.

This year, our union collectively — both Sheet Metal and Transportation Division — is continuing to embark on an ambitious strategic plan to reshape and adapt SMART so that it is poised to meet challenges, immediate and future, that come up. At the center of that plan, probably the most key component of it, is communication. It’s a plan that is going to need input from locals and their officers, general chairpersons and state legislative boards as it moves ahead.

I know that SMART-TD is not made up of quiet people. It is not made up of people who want to sit back and let things happen to them and to be taken advantage of by



By Jeremy Ferguson

carriers. It’s not made up of brothers and sisters who don’t have something to say. The evidence for that is that leadership and staff hear from you on a daily basis about things going on, both good and bad.

**We’re going to need your participation moving ahead.**

We’re looking at reshaping a number of things as a union — how communications are delivered, for one. It’s quicker and less expensive for us to put a message out electronically than to produce a newspaper, and we’re looking to switch to an opt-in publication model for the print edition. Retirees pay for a printed paper

through the Alumni Association, so they’ll still get it, but we don’t know whether the current and newer generations of TD members want a paper or want information delivered another way. If you tell us you still want the printed edition, you’ll get it. If you want to go to the website and get TD news electronically, we can do that.

Surveys that are being done as part of the strategic planning process will help us narrow things down, but we still need of all the input we can get. This union is not a top-down endeavor. I do not call the shots. You do as the dues-paying member. We need activism and we need you to talk to us, and we need all members — young and old, rail and bus — to get fired up for the work ahead this year.

These days, we have carriers becoming more accident prone and leaving thousands of cars in service

with air brake components that they aren’t fixing, potentially leading to emergency brake failures. We’re being loud about that and have already put the Federal Railroad Administration on notice that we are not going to let unsafe conditions like that, which the carriers knew about for years, slide.

Union Pacific made more job cuts in the Kansas City area and Kansas State Legislative Director **Ty Dragoo** called them out yet again for getting billions in tax breaks, but then cutting people’s jobs and putting their economic livelihoods at risk. Carriers got billions in corporate tax cuts as a result of the 2017 reform championed by President Trump while the Form 2106 deductions for our over-the-road workers went out the window.


I’m doing my part by talking to media outlets like The Washington Post and The

Associated Press letting them know what kind of scourge Precision Scheduled Railroading is and how the carriers’ current course on one-man crews is unsafe. This is something I refuse to be silent about, and there are going to be more messages on our website from leadership about safety, calls to action and events organized through the SMART Army.

I said it in my last column, and I will say it again: We need to be loud in 2020, and we will get the word out through every way that we have at our disposal.

I’m going to be out there — will you?

In solidarity,



President,  
Transportation Division

State Watch

News from SMART TD State Legislative Boards

**Help 2PC efforts**

- **Florida:** Legislation is in the works.
- **Missouri** (H.B. 2229): Let Speaker Elijah Haahr know the bill needs to be assigned to a House committee.
- **New York** (S. 7151): Contact your state senators.
- **Ohio** (H.B. 186): Tell state reps that two on the crew means safer operations.
- **Virginia** (H.B. 440): Tell state senators that two on the crew is safer.
- **Wyoming** (H.B. 79): Tell your state reps that two-person crew legislation makes for safer rail operations.

N.J. law holds carriers accountable to keep crossings clear

New Jersey Gov. Phil Murphy signed S. 3425 into law Jan. 9, a bill requiring rail carriers to maintain vegetation near and around crossings in the state.

The bill passed through the New Jersey Senate last May by a unanimous 35-0 vote and later in December was approved unanimously by the state’s Assembly.

It requires vegetation to be cleared by at least 300 feet from crossings by rail carriers. If the carriers do not comply within 15 days of receiving written notice that a crossing must be cleared, then the state Department of Transportation

will clear the vegetation and charge the carriers for the cost of doing so.

“Excessive vegetation has the potential to cause harm to commuters, railroad workers, and many others,” said SMART-TD New Jersey State Legislative Director **Ronald Sabol**. “Thank you to the governor for signing this important legislation that will improve safety across our statewide rail system.”

Sen. Patrick J. Diegnan, Jr. of New Jersey’s 18th District was the bill’s primary sponsor.



A rail-crossing vegetation maintenance bill S. 3425 was signed Jan. 9 by New Jersey Gov. Phil Murphy. Attendees at the signing included, from left, Sheny Mendez, SMART-TD Local 759 legislative representative; Victor Amo-Krah, SMART-TD Local 1413 legislative representative; 26th District Assemblywoman BettyLou DeCroke; 19th District Assemblywoman Yvonne Lopez; in the far back is 14th District Assemblyman Dan Benson, the Assembly Transportation chairman; immediately behind Lopez is bill primary sponsor Sen. Pat Diegnan, the Senate Transportation Chairman; Gov. Murphy; N.J. DOT Commissioner Diane Gutierrez-Scaccetti; SMART-TD General Chairperson Jerome Johnson (GCA-610); SMART-TD New Jersey State Legislative Director Ron Sabol; Dave Rasmussen, SMART-TD Local 60 legislative representative; and SMART-TD General Chairperson Gordon Harris (GCA-877).

Georgia

SMART Transportation Division was well-represented at a meeting of the Georgia Senate Democratic Caucus. From left are Georgia State Legislative Director Matt Campbell; Ga. Senate Minority Leader Steve Henson; General Chairperson Joe Bennett (GO-851); Sen. Elena Parent; General Chairperson Billy Moye (GCA SLC); and Sen. Ed Harbison.



Utah

Salt Lake County Council passed a resolution in support of H.R. 1748 in December.

“In Utah we have a growing grassroots movement for two-person crews,” said State Legislative Director **Jay Seegmiller**.



From left: Wade Wilde (LC 238); Scott Weeks (BLET Legislative Director); Ryan Cornia (LC 1554); Brandon Rodabough (LR 1366); Asst. SLD Danny Brewer; SLC Councilwoman Shireen Ghorbani, Utah AFL-CIO President Jeff Worthington; SLD Jay Seegmiller; and firefighter Tony Allred.





The photo above, courtesy of the NTSB Flickr account, shows the investigation of a grade-crossing accident in California.

The SMART Transportation Division National Safety Team (NST) is made up of 20 members of the SMART-TD who are spread out geographically and are called upon to assist in determining the facts in rail accidents and fatalities. Each member is picked with the approval of the TD president based upon their knowledge and experience as well as geographical location.

National Safety Team members are assigned to each rail incident by the co-directors (**Willie Bates** and **Jerry Gibson**) and assist the National Transportation Safety Board (NTSB) in determining the actual facts involved in any given incident. They are to dig deeper into and beyond the normal firsthand reporting to find all the facts and every conceivable contributing factor of an accident, all while not speculating.

The NTSB is a congressionally created fact-finding body, with overall oversight in all transportation accident investigations. They exhaust every possible piece of evidence and interview all eyewitnesses before determining a cause. At the conclusion of an investigation, board members then make recommendations on how to prevent another such accident.

More than 85 percent of all NTSB recommendations result in some kind of new federal guidelines, regulations and law.

So how can you help?

Simply put, never assume someone else has already reported the accident!

Nothing happens without you — the member or local officer — notifying a member of your TD NST, your state director or your general chairperson! We cannot do our job without you pushing the information upwards, as the carriers often wait hours before reporting these accidents. We cannot stress enough how important it is for notification to occur as soon as humanly possible and with as many details as possible: train symbols, crew members involved, location of the incident and the extent of known injuries or fatalities.

Don't worry if you don't know all of the details, just report upwards within our organization so others may dive in to ascertain any and all information they can. The old adage applies: who, what, when, where, why and how are the basics of reporting any incident.

We are able to notify the NTSB and begin our process of getting someone en route the sooner we

know what has occurred.

We are your team, sent out to find the actual facts and not just the one you are used to with a blame-the-worker first mentality.

Make no bones about it, we are there to discover all the facts and with your help we can become a better asset to this organization and its membership.

As a member involved in an accident you can request that a National Safety Team member or union officer is always present when questioned to serve as a witness to what is said.

If you ever have a question feel free to reach out to a member of your National Safety Team — we work for you.

**TD President Ferguson** has made safety the highest priority of this organization: You can count on a NST member writing an accident investigative report on every incident and not just the ones the NTSB decides to investigate. This is something we are very grateful for.

— **Dan Bonawitz Jr.,**  
National Safety Team,  
Assistant Coordinator, East  
913-424-9152

## National Safety Team members



**Willie Bates,**  
Co-Director  
1307 Brookland Pkwy.  
Richmond, VA 23227  
Email: williebates10@verizon.net  
Phone: 804-920-0691



**Jerry L. Gibson,**  
Co-Director  
3950 Canyon Creek Dr. SW  
Grand Rapids, MI 49534  
Email: jgibson@smart-union.org  
Phone: 616-308-6381



**Dan Bonawitz Jr.,**  
Asst. Coordinator - East  
306 S. Kenwood Ln.  
Olathe, KS 66062  
Email: danbonawitz@yahoo.com  
Phone: 913-424-9152



**Louis Costa,**  
Asst. Coordinator - West  
9233 Twin Brooks Ln.  
Stockton, CA 95219  
Email: louiecosta@sbcglobal.net  
Phone: 209-601-2929



**Matt Campbell**  
1175 Canton St.,  
Roswell, GA 30075  
Email: smarttransportationga@gmail.com  
Phone: 678-526-3543



**Jim Chase**  
1910 N. 11th St., Suite 17  
Bismarck, ND 58501  
Email: utu4nd@gmail.com  
Phone: 701-471-2125



**Chris Christianson**  
429 Government St.  
Baton Rouge, LA 70802  
Email: Christianson1545@hotmail.com  
Phone: 318-235-7232



**Joe Ciemny**  
14811 S. Kenneth Ave.  
Midlothian, IL 60445  
Email: jpciemny@sbcglobal.net  
Phone: 708-218-2270



**John Dunn**  
203 S. Rolling View Dr.  
San Antonio, TX 78253  
Email: jadunn77@gmail.com  
Phone: 210-413-3379



**Stephen Hamer**  
5 Fox Chase Rd.  
Oak Ridge, NJ 07438  
Email: stephen\_hamer@live.com  
Phone: 973-479-4637



**James P. Herndon**  
260 Regency Ctr.  
Collinsville, IL 62234  
Email: utu\_go436@earthlink.net  
Phone: 618-407-0577



**Scott Jones**  
2742 N. 136th Dr.  
Goodyear, AZ 85395  
Email: scott2.jones@cox.net  
Phone: 623-261-2952



**Korey M. McDaniel**  
14451 129th Place NE  
Kirkland, WA 98034  
Email: GN324LC@gmail.com  
Phone: 425-985-5947



**Jeffrey K. Mitchell**  
2258 Bluegrama Dr.  
Burlington, KY 41005  
Email: JKMUTU1190@hotmail.com  
Phone: 859-653-8613



**Bill Neary**  
27 Windy Hill Rd.  
Glens Falls, NY 12801  
Email: NearyBilly@yahoo.com  
Phone: 518-415-0144



**John O'Brien**  
1429 Marigold Ln.  
Minooka, IL 60447  
Email: ob1290@sbcglobal.net  
Phone: 331-999-2144



**Kamron Saunders**  
512 E. 11th St., Suite 200  
Austin, TX 78701  
Email: sld@ututx.org  
Phone: 512-304-5875



**Jay Seegmiller**  
825 N. 300 W., Ste C145  
Salt Lake City, UT 84103  
Email: smart.sld.ut@gmail.com  
Phone: 801-209-9558



**Carl Smith**  
1515 W. 47th Ave.  
Denver, CO 80211  
Email: ColoSMARTUnion@gmail.com  
Phone: 303-868-5895



**Kevin Smith**  
1885 Laurelhurst Ln.  
Lincoln, CA 95648  
Email: kevinsmith@utugc887.com  
Phone: 909-532-2385

## Training available for bus members

Brothers and Sisters,

I have long held the belief that training is key to being able to do our jobs effectively as officers in this organization. If we don't have the training to properly represent our members, then we are failing them.

As an organization if we aren't providing our officers information on training they could be receiving, then we are failing to give our officers an opportunity to succeed.

One of the things that boggled my mind when I was first elevated to our **National Safety Team** (NST) was why we didn't have Bus Department members on our team. When I realized this wasn't going to change until a change in leadership, then I decided to do what I could to bridge this gap. I did this by researching what training was available and then getting myself enrolled in this training.

Last year, I was fortunately able to attend and

**To find the schedule of DOT courses, visit [www.transit.dot.gov](http://www.transit.dot.gov) and click on "Transit Safety & Oversight," then "Safety Training" on the left, then follow the "Safety Training Courses" link for a 2020 schedule.**

complete the following courses offered by the Federal Transit Administration (FTA): Fundamentals of Bus Collision Investigation and Advanced Problems in Bus Collision Investigation.

These courses gave me new insights to what our Bus Department members go through and the challenges their officers must face when dealing with the enormous variety of incidents the membership faces on a regular basis.

Now with a sense of inclusion and a renewed push in safety, it's time to ensure that the officers and members of the Bus Department have opportunities to get training and be represented by members of the department on the NST.

There are a multitude of training classes available, including some for the FTA's new initiative "Public Transportation Agency Safety Plan" (PTASP).

For anyone interested in these trainings, visit [www.transit.dot.gov](http://www.transit.dot.gov) and click on "Transit Safety & Oversight," then "Safety Training" on the left. When it opens, click on "Safety Training Courses." You should then see near the top of the page "FY-20 Transit Training Schedule," click on it and the training schedule for 2020 will open.

If anyone has questions for me on my experience going through the courses mentioned above, please don't hesitate to contact me directly.

— **Dan Bonawitz Jr.,**  
National Safety Team,  
Assistant Coordinator, East  
913-424-9152



## GUEST COLUMN

## Legislative representatives begin terms of service

Beginning January 1st, 2020, more than 500 duly elected Legislative Representatives (LRs) took their oath of office to serve our great organization. They have chosen



Kenny Edwards

to faithfully serve their membership as SMART-TD officers in the areas of workplace safety, legislation, public representation and retirement issues.

Many will be first-time LRs with little or no knowledge of what the position entails. That's perfectly OK. Every experienced and effective LR began with little or no idea as to how he or she should execute the duties of the job.

Know this: The LR is a very important position. All

active and retired members depend upon his/her LR to serve them

Nearly every issue an LR discovers or engages has its origins at the local level. As an LR identi-

fies and progresses through finding remedies to local problems, they will find that these issues are not exclusive to just one location. Most issues that an LR must tackle exist across our industry and nationwide. This is why working as a team and becoming a teammate locally and within the SMART-TD hierarchy is vital as we render service to the membership.

How does an LR begin performing the job?

First and foremost: Have a

positive mindset. Do not be scared or intimidated. I promise: **YOU GOT THIS.** There are many successful styles and approaches. Find one that fits you and your skill set. Identify your strengths and weaknesses and make it a point to improve upon both.

It is imperative that an LR contact his or her state legislative director (SLD) as soon as possible after taking office. It is the LR's responsibility to have a functioning relationship with the SLD. Conversely, it is the responsibility of every SLD to have a functioning relationship with every LR in their state. If an LR fails to establish a working relationship with their SLD, there are two persons at fault.

Newly elected LRs are

encouraged to be proactive and find a mentor to help. Experienced LRs coming back to serve another term absolutely need to become a mentor and make it a point to help others. Learning is a two-way street that educates both the student and the teacher.

Patience is a vital part of the job. Learning the basics of the role will not come overnight. It's no different than learning how to safely and effectively perform our duties out on our work properties — we can't possibly acquire everything we are going to need to know all at once. It takes time to perfect the basics and build our skill sets out from there. Practice doesn't make perfect — practice makes permanent. This is why it is so important

to learn how to perform the job of LR the right way from the beginning.

Local officers are the backbone of this organization. There is an expectation for LRs to take their oath, take it with pride and take the responsibilities that come with the position seriously.

Every word is the foundation of the position. Never forget that the LR is an integral part of the SMART-TD. We are our brother's and sister's keeper, and I speak for every SMART-TD officer at every level when I say we want every LR to grow and succeed.

Please enjoy every minute of service the next four years!

*Edwards is chairperson of the Association of State Legislative Directors and the SMART-TD Indiana State Legislative Director.*

## State Watch continued...

Presidential candidate U.S. Sen. Bernie Sanders receives applause from SMART-TD representatives, including National Legislative Director Greg Hynes, at a labor rally in Keokuk, Iowa, in December.



## Members gather in Iowa in support of 2PC

National Legislative Director **Gregory Hynes** addressed a rally Dec. 15 in Keokuk, Iowa, to draw attention to the necessity of having two people in the cab of freight trains and the Safe Freight Act, national legislation in both chambers of Congress to ensure that a certified engineer and certified conductor remain where they belong.

Hynes opened by giving special recognition to a cross-union Facebook group "Fight for Two Person Crews" that has emerged organically to advocate for the national 2PC legislation and to increase public understanding of the issue.

"We need more of that across the country," Hynes said. "[The general public] have no idea now how many people run trains to begin with. They think there's more than two. Our polling has found that most people think there's three, four or more on these monster trains that they see going through their neighborhoods."

When people find out that trains usually have two people on the crew and that carriers want to go down to one, they become concerned and outraged the same way they would be if airlines decided they wanted to only put a single pilot on airliners, he said.

"It's that concern and outrage that is going



TD officers and members from Iowa, Illinois and elsewhere gathered in Keokuk, Iowa, for a two-person crew rally.

to take us across the finish line," Hynes said. "If we have the general public behind us, we will win."

Carriers also have, through their lobbying efforts, been making the outrageous claim that working on the railroad is safer than working in a grocery store and planting the seeds through an ad campaign that technology, such as Positive Train Control, is a safe alternative to having a live person in the cab who can serve as a first responder to provide assistance in the event of an accident.

"We have to combat that, and we can do that," Hynes said to the audience consisting of

*Continued on Page 12*

## Southeastern states



A number of leaders from the Transportation Division were in attendance in Atlanta in early December at a meeting of the Federal Railroad Administration's Region 3. From left are General Chairperson Billy Moye (GCA SCL); South Carolina Assistant State Legislative Director Will Ferguson; Georgia State Legislative Director Matt Campbell; General Chairperson Joe Bennett (GCA 851); South Carolina State Legislative Director Stephen Cox; General Chairperson Brian Killough (GCA 513); Mississippi State Legislative Director T. Wayne Carpenter; and Tennessee State Legislative Director Adren Crawford.

## Minnesota



From left: Brent Krist, Local 1000 legislative representative; State Legislative Director Phillip Qualy; Sam Bearson, Local 1177 alternate legislative representative; State Legislative Board Secretary Brian Hunstad of Local 1177; Nick Suter, Local 1292 legislative representative; Doug McClellan, Local 1976 legislative representative; Brandon Jenny, Local 1175 local chairperson; Sen. Dibble; Assistant State Legislative Director Nick Katich of Local 1067; Rep. Hornstein; Kurt Olson, Local 650 legislative representative; Robert Dickerson, Local 64 legislative representative; Lucas Baughman, Local 911 local chairperson; and Kurt Davies, Local 1000 alternate legislative representative. Board members not pictured are Matt Krass, Local 1000 legislative representative and Dan Castonguay, Local 1614 president.

At year's end, the State Legislative Board reviewed its accomplishments and presented state Sen. Scott Dibble and Rep. Frank Hornstein brass lantern awards for their service as chairs of their respective transportation committees, reports State Legislative Director **Phillip Qualy**.



GUEST COLUMN

Daughter of retired member on why unions matter

By Adrienne McCauley

“My daughter and her friend work for Grub Hub and live off tips,” said Donna, “and they live with me because there is no way that they can afford to live on their own.”

Donna’s story hit me hard and here is why.

My dad made a choice at 18 that if he was going to make a decent living, he could never do so off our family’s struggling cattle ranch in Arizona. So he hired out on the railroad, and with that he joined a union.

The first 15 years of Dad’s career were rocky. He was often laid off, sometimes for six months at a time (priority in scheduling went to railroaders with more seniority). Then Mom would get a job, Dad would create a side hustle — working for his father’s plumbing business, hauling freight in a semi-truck, working the family ranch, selling pipe for corals as I remember — and my parents would nervously piece together their \$250 weekly meager income to cover their bills for a family of five.

As the years went on, Dad rose in the ranks. With more seniority, he gained more “trips,” and in time our family financial picture changed enough for us to gain our place in the middle class. Just this year, Dad retired with a generous employee-sponsored pension and a halfway-decent 401(k).

Life would not have even existed for me if it were not for my father belonging to a union that was powerful enough to fight for our family. Union benefits that insured a hospital stay and a respirator for a month while my premature-baby lungs developed both saved my life and did not bankrupt us.

Even as my extended family was counting down the months leading up to my father’s retirement, the picture for most American workers became much bleaker. The bubble of

decent union jobs in my railroad hometown are now an anomaly. Just 10% of American salaried and hourly workers are in a union today and even they are under attack from everyone from the White House to the state houses to the Supreme Court.

When I was a freshman in high school, a family driving in a Ford Fiesta on a rural road crossed the railroad tracks just a couple miles in front of the train my dad was operating. The mile-long train was going 70 mph, and while he pulled the brakes, there was no way to stop the 4,000 tons of cargo from sliding across the rails. The tiny car was stuck. As the train brakes shrieked, Dad wailed. He saw the fate of the trapped family in clear view. After impact and as the train slowed down, Dad jumped out of the cab. The three adults in the car were dead, but from behind the smashed passenger seat he heard a little voice crying, “Help me!” He delicately pulled the child from the car and held him until help arrived. Dad came home that night a different person. About a week later, the little boy died in the ICU. My father was never really the same after that, nor am I as I retell his story.

Soon after the tragedy, the railroad began an investigation. There was a sense of unease in our house. We knew that the train wreck was an accident, but what if Dad lost his job? With representation by the United Transportation Union (now SMART Transportation Division), he attended numerous hearings to testify in his case. He also attended counseling for PTSD. Over the course of several weeks, my father, **Kelley McCauley**, was cleared of any wrongdoing and returned to work without being penalized.

But this kind of employee protection in the USA is dying. We are now tied with Malaysia in being the easiest places in the world to terminate employees. Furthermore, we are pushing out stable jobs with the



Adrienne McCauley poses with her father, Kelley, a retired member of SMART-TD Local 113 (Winslow, Ariz.). Kelley McCauley, an engineer, started as a UTU member in July 1978 and served as the local’s delegate.

expansion of “alternative work arrangements,” like that of Donna’s daughter and her friend. According to federal employment numbers, the U.S. economy grew 94 percent from 2005-2015 — not in union jobs but in freelance and subcontractor jobs, with temp agencies, and in what is hilariously yet tragically called “the gig economy.” There is a straight line from the decline of unions to the rise in crappy jobs. Union members do not have “gig” jobs.

Back in October, I traveled home for Dad’s retirement party in Arizona. As we gathered in the American Legion Hall, half of those in attendance had been, like my dad, newly minted into the challenging club simply called “retirees.” And while my father and his colleagues have the protection of their union in retirement, the employees that follow them may not.

In January 2019, The New Republic magazine reported that Elwood, Ill., (population 2,000) near where I live and work as a community organizer with an affiliate of the Metro Industrial Areas Foundation, had been completely taken over by entrepreneurs whose “business plan” was to staff warehouses surrounding Warren Buffett’s Center Point Intermodal Freight Terminal for retailers such as Wal-Mart, Ikea, Home Depot and Amazon. Elwood was promised a bill of goods: Good jobs being the main one. Instead, the temp agencies have consistently hired people (in situations similar to Donna’s daughter and her friend) on 90-day trials, most of which never lead to full-time employment. These non-unionized workers are often “let go” and then hired for another 90 days by one of the temp agencies in Will County (which are sometimes owned by the same

According to federal employment numbers, the U.S. economy grew 94 percent from 2005-2015 — not in union jobs but in freelance and subcontractor jobs, with temp agencies, and in what is hilariously yet tragically called “the gig economy.” There is a straight line from the decline of unions to the rise in crappy jobs. Union members do not have “gig” jobs.

“entrepreneurs”). They never land that full-time job with benefits they need and crave that part of the American dream that my parents achieved.

Here is what makes me so angry: The same railroad that my father just retired from is the same railroad that stops at Warren Buffett’s Intermodal Freight Terminal in Elwood, loading and unloading large heavy freight cars, running back and forth across warehouses the size of five football fields, and then driving it to our house — in two days or less — for our personal convenience. And many of us think that is great! It’s not great. It is wrong. Period.

Marilyn Robinson in her book, “The Death of Adam,” writes that worker protections, the two-day weekend and the living wage with benefits were “largely willed and reformed into existence” following the carnage of slavery and the Industrial Revolution. Is another revolution needed to help us see that our instant consumer gratification has a human cost? Is another revolution needed to stir the imagination of American workers to see the inherent value of organizing and collective bargaining?

I personally believe so. I think you do too. Let’s do something about it.

Adrienne A. McCauley is lead organizer for DuPage United and the Fox River Valley Initiative in the Chicago suburbs and exurbs of Illinois which are fiercely non-partisan, institutionally based, relational-power affiliates of the Metro Industrial Areas Foundation (IAF). Her father, Kelley McCauley, is a retired member of SMART-TD Local 113 in Winslow, Ariz.



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](mailto:kcashin@smart-union.org) or visit [www.smart-union.org/td/alumni](http://www.smart-union.org/td/alumni)

# Medicare number required for filing medical claims


Whether you're new to Railroad Medicare or starting a new year with Railroad Medicare, it's important to know about the change to how Medicare identifies you.

In 2020, Medicare providers must use your new Medicare number. The old Social Security-based number can no longer be used for claims filing, no matter what date your provider furnished a service to you. This means if you had a doctor's visit Jan. 15, 2019, the provider must file the claim before Jan. 15, 2020 and use your new Medicare number. If your provider does not have your new number, you need to give that to them. Claims filed without the new number will be rejected by Medicare and cannot be processed for any payment.

If the provider is not able to get with you to get your new number, they can Palmetto's Medicare number lookup tool on [www.palmettogba.com](http://www.palmettogba.com). We would hope this would be the exception, not the norm. In order to use the Medicare lookup tool, the provider must have your Social Security number (SSN). If you do not want to give your SSN to a provider, make sure to show them your Medicare card with your new Medicare number.

Additionally, you will also need to use your new Medicare number if you call customer service at Railroad Medicare or 1-800-MEDICARE. Medicare contractors cannot accept any other form of identification over the telephone or in writing.

Here are the details about the new Medicare number:



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

Providers can't always tell the difference between a Social Security Medicare patient and an RRB patient. They may submit your claims to regular Medicare instead of Railroad Medicare. To help providers know what patient they have, the new cards will have the RRB logo on them when applicable, so your doctor's office will know where to submit claims. Your provider can also use an online portal if they have your Medicare number but don't know if it's a Railroad Medicare number.

If you have a provider who may be confused, have them call Palmetto at 888-355-9165. Customer service representatives are available 8:30 a.m. to 4:30 p.m., Monday through Friday, in all time zones with the exception of the Pacific time zone, which receives service from 8 a.m. to 4 p.m. Pacific.

# Local 11 retiree helps to support out-of-state veterans' parade effort

Alumni Association member **Andrew Cheselka** out of Local 11 in Houston, responded to a call from the Nebraska State Legislative Board to assist in funding SMART-TD's presence at the Veterans' Day parade in Lincoln.

Even though he lives a couple of states away to the south, Cheselka (pictured at right) felt it was important enough to send a check along to contribute.

"I just like to help out when I can," he said.

In response to Brother Cheselka's generosity,



Cheselka proudly wears his SMART Army shirt, a thank-you gift for his donation.

Nebraska State Legislative Director **Bob Borgeson** sent Brother Cheselka a SMART Army T-shirt in a show of appreciation.

# ERMA maximum benefit increases

The lifetime maximum benefit for the Railroad Employees National Early Retirement Major Medical Benefit (ERMA or GA-46000) Plan increased from \$166,400 to \$171,100 beginning Jan. 1, 2020.

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

In conjunction with the formula established in 2001, a new lifetime maximum was calculated by utilizing the October 2018 consumer price index (CPI) data for Hospital and Related Services and Physician Services. The result is a lifetime maximum for 2020 of \$171,100.

For individuals who have reached the lifetime maximum, the incremental maximum available is applied to eligible expenses submitted for dates of service on or after the effective date of the new maximum. For 2020, this amount will be \$4,700.

# THE FINAL CALL

Following are the names of 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
	Luker, Lucy M.	Lytle, Texas	473	Grabeel, Scollan O.	Hermiston, Ore.	1290	Wolke, Harold L.	Manteno, Ill.
113	Breeze, Michael J.	Winslow, Ariz.	477	Calbert, Ronald E.	Newton, Kan.	1313	Willie, Charles E.	Amarillo, Texas
166	Nay, Christine V.	Midvale, Utah	498	Kalbach, Robert J.	Willow Grove, Pa.	1366	Mitchell, Thomas	Taylorsville, Utah
226	Ward, Charles M.	Kansas City, Mo.	506	Longabaugh, Keith D.	Herington, Kan.	1370	Zimnoch, Robert E.	Langhorne, Pa.
233	King, Milton G.	Huron, S.D.	544	Mooney, Eldon J.	Havre, Mont.	1373	Duncan, Earl M.	West Chester, Pa.
265	Babbitt, Floyd L.	Downey, Id.	597	Lewis Jr., Harry C.	Clinton, Iowa	1374	Walters, Paul T.	Henderson, Nev.
265	Esquibel, Emilio A.	Pocatello, Id.	610	Augustine, Gildo P.	Abingdon, Md.	1447	Foran, Larry	Sanford, N.C.
306	Williams, Virgil R.	Woodward, Iowa	650	Bauch, Paul H.	St. Paul, Minn.	1502	Lambert, Philip W.	Oxford, Fla.
322	Carey, Donald J.	Saline, Mich.	663	Adams, Robert L.	Holden, Maine	1502	Peterman, Francis C.	Deltona, Fla.
322	Wright, John S.	Mukwonago, Wis.	830	Welkie, Steve	St. Clair, Pa.	1518	Roberts, Donald W.	Centerpoint, Ind.
340	Kleinfelter, Jesse	Connellsville, Pa.	867	Westendorf, Clair E.	Des Moines, Iowa	1545	Bagwell, James	Monroe, La.
367	Revers, John J.	Omaha, Neb.	941	Detloff, Stephen K.	Dadeville, Ala.	1545	Wash, Edward L.	McGehee, Ark.
375	Stokes, William E.	Menno, S.D.	1000	Jakubic, Phillip J.	Cambridge, Minn.	1597	Bahret, William	Hebron, Ind.
378	Whitely, Joseph W.	Daytona Beach, Fla.	1006	Windell, Hugh H.	Oxford, Fla.	1601	Wolfe, Hugh	Appalachia, W.Va.
386	Winkler, Heinz	Millsboro, Del.	1059	Bovee, Charles A.	Minot, N.D.	1628	Shurgot, Walter	N. Versailles, Pa.
386	Weisser, Robert C.	Columbia, Pa.	1106	Cross, Carl W.	Tarboro, N.C.	1732	Holyoak, Melvin J.	Apache Jct., Ariz.
440	Weinel, Archie G.	Cincinnati, Ohio	1230	Back, Harry N.	Biggar, SK	1962	Rosinski, Gary V.	Onondaga, Mich.
446	Mathiesen, Ronald W.	Greenwood, Neb.	1233	Wall, David Duncan	Edmonton, AB			
469	Trione, Thomas E.	Maryville, Ill.	1261	Nealis, Darryl G.	Hampton, Ga.			



# FMCSA clearinghouse that shares test info is open for registration

As part of background requirements to change jobs, CDL holders must consent to queries

Voluntary registration with the Federal Motor Carrier Safety Administration (FMCSA) Commercial Driver's License Drug and Alcohol Clearinghouse is open and available online.

The Clearinghouse was created as part of new CDL employer background check requirements that took effect Jan. 6. The Clearinghouse is a database maintained by FMCSA that will hold real-time information about any reported violations of drug and alcohol prohibitions in 49 CFR Part 382, Subpart B, including positive drug or alcohol test results and test refusals, for prospective employers to access.

In addition to employers, consortia/third-party administrators (C/TPAs), medical review officers (MROs), substance abuse professionals (SAPs) and law-enforcement personnel all

will have access to this database containing operator data.

"Drivers are not required to register for the Clearinghouse," FMCSA said. "However, a driver will need to be registered to provide electronic consent in the Clearinghouse if a prospective or current employer needs to conduct a full query of the driver's Clearinghouse record."

After registration with the Clearinghouse, CDL holders will be able to:

- View their own driver record electronically.
- Provide electronic consent to release detailed drug and alcohol program violation information to a current or prospective employer.
- Identify a substance abuse professional (SAP) so the SAP may enter specific information regarding the driver's

return-to-duty (RTD) activities.

Even if a CDL holder has not registered for access to the Clearinghouse, the Clearinghouse still will associate any alleged drug or alcohol violation that has been reported with a CDL holder's information. Any changes to the CDL holder's record in the Clearinghouse will be relayed via the preferred method the holder indicated during registration or, if the holder is not registered to access the database, via mail to the address associated with the CDL.

FMCSA's final rule for the Clearinghouse was published Dec. 5, 2016.

FMCSA says that implementation of the Clearinghouse "will improve roadway safety by identifying commercial motor vehicle (CMV) drivers who have committed drug and alcohol violations that render them ineligible to operate a CMV."

# Bargaining team has been chosen

Continued from Page 1

Christopher Bartz (yardmasters).

"We are prepared to do whatever it takes to get the most out of this round of national contract talks," President Ferguson said. "It will be a challenging process and it could be quite contentious at times. However, we on the negotiating team are confident that as we work through the process we can achieve a positive result."

The opening meeting of negotiations is scheduled for February 26 and 27 in Washington, D.C., with talks occurring in Cleveland, Omaha, Washington, D.C. and Chicago as the year progresses.

SMART-TD is part of a Coordinated Bargaining Coalition that consists of it and nine other unions representing rail labor. Carriers BNSF, CSX, Kansas City Southern, Canadian National, Norfolk Southern, Soo Line, Union Pacific and numerous smaller railroads are represented by the National Carriers' Conference Committee (NCCC)

Negotiation updates will be posted on the TD website. Documents are available via the National Rail Contract link on the TD home page.

during negotiations. In related news, CSXT will not be part of national bargaining, except for health and welfare issues. For the wages and rules portion, SMART-TD and CSX have agreed to begin bargaining locally on behalf of trainmen starting Jan. 21, 2020.

A joint meeting for the negotiating parties regarding facilitated bargaining was scheduled in Jacksonville, Fla., Jan. 22 and 23.

Additional meeting dates for these negotiations are currently under discussion, and a tentative schedule will be set in the near future. Neither the SMART-TD nor CSX have exchanged any proposals, and an agenda for the subjects to be discussed during these contract talks, which are separate from the National Rail Contract negotiations, has yet to be finalized.

# It's time to apply for UTUIA scholarships!

UTUIA scholarships remain at \$2,000 per student per year for 2020!

50 two-year Trade School Scholarships and 50 four-year College Scholarships available for 2020!


This year, UTUIA has committed once again to supporting the children and grandchildren of our members by continuing to offer 50 four-year college scholarships and 50 two-year trade school scholarships, both at **\$2,000.00 per student, per year.**

Currently, UTUIA is paying out on almost 200 scholarships! We encourage all members of SMART TD to support these ongoing fraternal benefits by becoming a member of UTUIA through ownership in our uniquely designed insurance plans.

"For over 150 years, we have served the members of SMART-TD by providing insurance protection and fraternal benefits and we are committed to supporting our members for the next 150 years," said UTUIA President Ken Laugel.

The deadline for scholarship applications is March 31, 2020. For more information about scholarship requirements and to apply, visit [www.utuia.org/scholarships](http://www.utuia.org/scholarships).

Fraternally,

  
Ken Laugel  
President, UTUIA



Laugel



Dist.	# of Scholarships
1 Conn., Maine, Mass., N.H., N.Y., R.I., Vt.	5
2 Del., D.C., Md., N.J., Pa.	5
3 Ala., Fla., Ga., Ky., Miss., N.C., S.C., Tenn., Va., W.Va.	8
4 Ind., Mich., Ohio	4
5 Ill., Wis.	4
6 Ark., La., Okla., Texas	6
7 Iowa, Kan., Minn., Mo., Neb., N.D., S.D.	6
8 Ariz., Calif., Colo., Nev., N.M., Utah	9
9 Alaska, Idaho, Mont., Ore., Wash., Wyo.	3

## College & Trade School Scholarship Program Rules

### DISTRIBUTION

Fifty continuing \$2,000 scholarships are awarded each year upon verification of enrollment for the fall term. The scholarships are prorated according to the number of members in each of nine districts. The names of the 50 scholarship winners for the academic year 2020/2021 will be drawn at UTUIA headquarters in North Olmsted after the March 31 deadline for submission of applications.

### ELIGIBILITY

Requirements of a UTUIA scholarship applicant are that he or she be a U.S. citizen, at least a high school senior or equivalent, and age 25 or under.

**Applicants must be associated with the UTUIA by either owning a UTUIA insurance policy, or by being the child or grandchild of a current UTUIA policyholder.**

Applicants also must be accepted for admittance, or already enrolled, for at least 12 credit hours per quarter or semester at a recognized institution of higher learning (university, college or junior college, nursing or technical school offering college credit). Graduate schools are not included. Families of full-time SMART Transportation Division officers are not eligible.

Applications must be received **no later than March 31, 2020.** Please submit **only one application per student.** Incomplete or duplicate applications will not be accepted.

**The application form is only available at [www.utuia.org](http://www.utuia.org)** by clicking on 'scholarship information' and 'apply online today.'

### AWARDS

Scholarship winners are selected through a random drawing. A UTUIA scholar is expected to maintain a satisfactory academic record to keep the scholarship for the full four years.

### ADMINISTRATION

The UTUIA Scholarship Committee decides whether individual scholarships should be continued or discontinued. Each successful applicant must provide annual proof of eligibility on or before a deadline set by the scholarship committee to qualify for a continuing award. The day-to-day management of the program is handled by the office of the UTUIA secretary & treasurer.

### CONTACT

Further questions may be directed to Beth Thomas by calling **216-227-5254**, or by emailing "[ethomas@utuia.org](mailto:ethomas@utuia.org)." Visit [www.utuia.org](http://www.utuia.org) for complete rules and to apply.



## Featured photo showcase



### Have a camera? Get your photo featured on this page of the TD News — details below

SMART Transportation Division is always looking for good photos and your picture can be featured on this page.

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](mailto:news_td@smart-union.org). We prefer horizontal photos. Be sure that your camera is set to the large resolution setting when taking the photo or it might not reproduce well in print.

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 and can be used in future projects.

Remember to review your employer's policies regarding use of cameras on the property or during work hours.

**Franklyn Cooke**, a retired Los Angeles County Metro bus operator out of Local 1608 (Chatsworth, Calif.) and a member of the TD Alumni Association, took a shot of Metrolink locomotive 805 at Los Angeles Union Station on Track 12 in downtown Los Angeles.

### Iowa 2PC rally

*Continued from Page 8*

members of SMART-TD and other unions. "We have the numbers. They have 200 lobbyists, we have 100,000 members, and we vote."

Getting the word out all the time and everywhere is going to be key this year.

"We need to talk to everyone — we need to talk to our neighbors. Talk to the people at your church, the parents of the kids on your Little League teams," Hynes said. "Everywhere you go you need to talk about the outrageous things the railroads are trying to do to put your communities and their communities in danger."

The meeting at Keokuk Labor Temple was followed by a rally held by Democratic primary candidate Bernie Sanders (I-Vt.), a co-sponsor of the Senate version of the Safe Freight Act (S. 1979) who pledged support for the advancement of railroad safety.

Legislative Representative **Jordan Boone** of Local 445 (Niota, Ill.) and **Wes Ekstedt**, LCA secretary of 009b and also a Local 445 member, helped to coordinate the events.

## President Jeremy Ferguson asks FRA for emergency order on brake valve replacements

*Continued from Page 1*

addressed by the agency or the carriers for more than six years.

"It is unacceptable that the malfunctioning valves remain in service after the better part of a decade without proper oversight and enforcement," Ferguson wrote. "It is equally unacceptable that the carriers, rather than fix the problem, issue stopgap remedies to solve what we have been informed is a basic issue of preventive maintenance that costs about \$200 and as little as two hours to repair."

"It is our opinion that your agency has not done enough to ensure that the safety of rail workers and the public is protected by enforcing its own regulations."

SMART-TD informed FRA of suspected valve failures in a letter that was sent to FRA's Region 8 in February 2019 by Dakotas State Legislative Director **Jim Chase**. Former National Legislative Director **John Risch** followed up with a series of communications on the issue as well.

FRA advised SMART-TD that it is examining the issue and has made recommendations to carriers as to how to

rectify the situation.

"I'm not real satisfied with what's been done here," Chase said, saying that a pair of FRA rules appear to not have been stringently enforced for six years.

New York Airbrake valve DB-10 was initially approved for a finite useful life by FRA. At the behest of carriers, who raised concerns about the cost of replacing these valves on thousands to tens of thousands of private cars, the valve's use has been extended, with a number in service having components being used beyond their useful period.

Each affected train car has a single valve on it that consists of two chambers, one that supplies air for service brake application for the train and one that supplies air for an emergency brake application. Any failure of this valve could conceivably affect a train's stopping power while it is in motion.

"There is an expected life span on these valves which is being exceeded, and this has led to valves not going into emergency," Chase wrote in a memo to members last month, describing the

suspected source of the malfunction.

Swapping out of the valves used to be a regular occurrence, according to a representative from the SMART Mechanical Department (SMART-MD).

"They used to change these valves along with all air components every eight years," said **Larry Holbert**, a SMART-MD international representative.

Changing the service or emergency portion of the valve involves the removal of three bolts and replacing gaskets, Holbert said. But now, according to reports Holbert's been getting from the field, this maintenance is done on a catch-as-catch-can basis, rather than as a preventive measure, and a leaky valve is a tricky malfunction to track down, he said. The lubricants used for the pistons in the valves dry up over time, and the gaskets also can become brittle, leading to air escaping.

"One of the main concerns is the valve will fail in the winter months. The car will be brought into the shop and pass an air test as the O-rings and seats have warmed up," Holbert said.

SMART-TD members, who operate trains in cold-weather states, indicate that weather below 40 degrees Fahrenheit brings increased instances where these valves possibly fail. As a result, trains in an incident where cars have separated may not go into emergency. And, an emergency brake application by the crew during such an incident may fail because of insufficient air pressure.

In one instance, Chase said, a coal train broke in two near Dengate, N.D., and the detached cars rolled backward for miles because the rear of the train did not go into emergency mode. He said another incident in Hettinger, N.D., also involved a train splitting and cars rolling backward for a substantial distance after emergency mode failed.

Chase said he has experienced two occasions where emergency capability has been lost on trains he has operated.

"The public and employees have the right to be safe," Chase said. "I can think of nothing more important than having emergency capability."

A local chairperson from

the Brotherhood of Locomotive Engineers and Trainmen reported Dec. 9 that a locomotive failed to go into emergency as well.

In-cab personnel are advised:

Evidence of the symptom begins with increased brake pipe air flow from the controlling (lead) locomotive after a brake application has been initiated. Increased head-end air flow is caused by leakage from the bottom cover exhaust port of the DB-10 service portion on the brake control valve.

When the air is set during an air test, if air is heard leaking out of the bottom of the valve, it is defective. If the person at the controls of the locomotive notes excessive air flow during application of the train brake, pay particular attention to an audible blow of air coming from the vent of any DB-10 service portion that may be in the consist.

Members should reach out to their state legislative directors, local legislative representative or to the SMART-TD National Rail Safety Team to report safety concerns surrounding this issue and any others.