



Transportation Division News

Volume 52 • Number 6 • October / November 2020

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

Saluting military service

By Joseph Toohey

Veterans Service Officer,
SMART-TD Local 262

There are many entities that have contributed to the building of America. Two of them are union labor and military veterans. I come from a long line, and am proud to say I hold the titles and the benefits of both.

More importantly, because of my membership in both, I know that the military veteran/union member has specific entitlements and benefits that are available to them and the dedication of unions that support their service.

It was in the spirit of this support that **John McGrath**, local chairperson of SMART-TD Local 262 in Boston, asked me to assist with veteran benefits and support in mid-2019. This request grew to the formation of a new position in the local: veteran services officer. We worked together on the occasional issue or advice somebody needed, made sure our veterans were afforded all their entitlements and maintained a library of resources, including Employer Support of the Guard and Reserve (ESGR) guidance.

However, one thing gnawed at John and I — Amtrak had a stalled GI Bill on-the-job (OTJ) training program and veterans were not getting access to their earned benefits. John reached out across Amtrak



Veterans: Please update your information online

Many of our union brothers and sisters in the SMART Transportation Division have served in the military, and some continue to bravely serve. SMART-TD is in the process of accumulating definitive records about members who have served in the military — whether they served, what branch they served in or when they served.

To accomplish this, we ask our members page to the TD website.



to update their veteran's status by using a new Member Info Update form online. Please follow the QR code accompanying this article with your smart device to do so.

Veterans who update their information will be notified of future exclusive programs and information focused on veterans. The first step was taken April 20 with the addition of a Veteran Services

and that search turned up Richard Skolnekovich, a road foreman and veteran, who was also trying to get the program back up and running. Working in unison, we were able to reopen the program despite the COVID crisis.

To explain in greater detail, when a man or woman enters the service

of this nation, if qualified, they are offered enrollment into the Montgomery GI Bill program. The intention of this program is to give them a well-deserved start in life after their service by offering a diverse package of educational benefits.

When you say "GI Bill," often you think of traditional brick-and-mortar education.

However, the program does extend to on-the-job training and apprenticeships, including on-the-job training for assistant conductors and student engineers, providing benefit support until they are fully qualified for their job.

What is down the track

Continued on Page 2

Union mourns deaths

Our union is in mourning after losing five active members over these past two months: two to work-related fatalities, two to COVID-19 and one in a traffic accident.

Brother **Paul M. Payne** of Mount Vernon, Ohio, a member of Local 1397 in Colum-

bush, and a father to five children, lost his life in an accident the morn-



Payne

ing of Nov. 22 at the CSX yard in Fostoria, Ohio.

Brother Payne, a conductor for eight years, was at work setting out a cut of cars in the yard when he was fatally injured.

His death is under investigation.

Brother Payne was also a sergeant in the Ohio Army National Guard.

"Paul was a dedicated husband, father and son that loved nothing more than spending time with his family," his family wrote in his obituary.

He is survived by his wife of 19 years, Haley (Davis) Payne; his children, Shawn, Jacob, Marcus, Lily and Sarah; his

Continued on Page 2

Inside this issue of the SMART-TD News

- **SUPPORT NEEDED:** A bill to remove RRB benefits from cuts is introduced in Senate, **Page 2.**
- **CENTERSPREAD:** Recap of 2020 TD Political Action Committee contributions, **Pages 6-7.**
- **MAJOR RALLIES:** Members gather in four metropolises to protest cuts to Amtrak, **Page 3.**
- **CASE ROUNDUP:** Arbitration wins achieved by SMART-TD for its members, **Page 8.**
- **STATE WATCH:** COVID bill in N.J. passes; Mo. SLD appointed to AFL-CIO board, **Page 4.**
- **NEW FEATURE:** Get more in the know about how your union works, **Page 8.**

Support needed for bill to eliminate sequestration cuts to RRB benefits

U.S. Senators Rob Portman (R-Ohio) and Amy Klobuchar (D-Minn.) introduced S. 4860, the Railroad Employee Equality and Fairness Act or the REEF Act, which would end the sequester on the Railroad Retirement Board's (RRB) Unemployment Insurance Account. Due to the Budget Control Act of 2011, and a subsequent sequestration order to implement mandated spending cuts, railroad unemployment benefits have been reduced by a set percentage that is subject to revision at the beginning of each fiscal year. Currently, the sequester, as it relates to the RRB, continues until fiscal year 2030. The RRB announced in September an additional sequestration benefit reduction in the amount of 5.7% for fiscal year 2021.

Since most interstate railroad workers' payroll taxes are diverted to the RRB, unemployed railroad workers are not eligible for federal



At publication, there were 9 cosponsors for S. 4860 — The REEF Act.

Contact your congressional representatives through the **SMART TD Legislative Action Center (LAC)** to tell them to **DO THEIR JOBS** and **REMOVE RRB sickness and unemployment benefits from sequestration.**

Using the LAC online is quick and easy: Just scan the QR code with your smart device or visit the SMART-TD website at www.smart-union.org/td and click on the Take Action on Capitol Hill button under "Important Links."



Scan me

unemployment insurance benefits, which was not subject to the sequester. This resulted in railroad workers taking a cut in expected benefits that the general public was not subject to. This is particularly concerning during the ongoing COVID-19 pandemic. In 2019, the RRB received 35,030 unemployment claims. As of September 2020, it has received 133,899 claims, nearly a fourfold increase.

"I'm proud to introduce this bipartisan legislation to ensure that unemployed railroad workers receive fair and equal unemployment benefits. This legislation would remove the harmful sequester that largely singled out railroad workers' unem-

ployment benefits during the ongoing COVID-19 pandemic. The COVID-19 pandemic has caused nearly five times as many Ohio railroad workers to lose their jobs through no fault of their own and I urge my colleagues to join me in ensuring they are eligible for the same full unemployment benefits as all Americans," said Portman.

"Our workers are facing enormous challenges due to the coronavirus pandemic and railroad workers have been hit particularly hard," Klobuchar said. "This legislation ensures railroad employees are eligible for the same benefits as other workers and will help them get through these trying times."

S. 4860 was read twice before the Senate Oct. 26 and referred to the Senate Budget Committee. No other actions have taken place. The bill currently has nine cosponsors, including Sens. Portman and Klobuchar.

DIPP assessments scheduled to decrease on Jan. 1

The SMART Transportation Division Discipline Income Protection Program (DIPP) is decreasing its monthly assessments from 96 cents to 81 cents per \$1 of daily benefits, effective Jan. 1, 2021.

Participants in the Plan may elect to increase their benefit level or modify their coverage at any time by submitting the appropriate form to the Transportation Division office.

This announcement is informational and no action is required on the part of plan participants at this time.

DIPP trustees are SMART General President **Joseph Sellers Jr.**, SMART General Secretary-Treasurer **Joseph Powell** and SMART-TD President **Jeremy R. Ferguson**.

Local 262 helps members by linking military veterans to the benefits that they deserve

Continued from Page 1

for us now?

Our union will be part of the future of this program. The veteran service officer seat will be maintained as a

point of contact and that person will support the GI Bill OTJ program as well as continue and strengthen the union's general support of its military veteran members, to include ESGR resources.

Using the infrastructure that already exists in the SMART-TD organization, military veterans can be kept informed and have channels

for assistance concerning issues, support and applying for their earned benefits.

We hope for its continued success and growth.

Brother Toohey is Veteran Services Officer for Local 262 in Boston, Mass., and served nearly two decades in the U.S. Marines, the U.S. Army and in the National Guard.

SMART Transportation Division mourns the loss of six active members to accidents, COVID-19

Continued from Page 1

mother; sister; and paternal grandmother.

Ryan Sandy, 37, a member of Local 662 (Richmond, Va.) and a former local chairperson of LCA-201C, was killed in an on-the-job accident Monday, Oct. 12 in the Acca Yard in Henrico County, Va.

Sandy had been a member of our union since February 2009 and was a CSX conductor.

Brother Sandy leaves behind his wife and best friend, Kate; and his children, Jayden, Shannon, Kasen, Jasper and Henry.

The National Transportation Safety Board has launched an investigation into his death, marking a change brought about by the insistence of SMART-TD



Sandy

safety leaders.

A number of worker fatalities over the past two years involving union workers went without an NTSB-led investigation, a situation that SMART-TD leadership made clear needed changed.

Jose "Joe" Alfaro, a member of SMART Transportation Division for more than 15 years, died from COVID-19 on Nov. 13. He was 58 years old.

Brother Alfaro was a member of Local 18 in El Paso, Texas, and worked as a trainman/brakeman for Union Pacific.

He leaves behind his wife of 22 years, Ruoana and four children: Avan Brian, Mia Brianna, Vanessa and Robert.

When asked to describe Joe, co-workers shared:

"Joe always would show



Alfaro

up to work with a smile and a genuine greeting, so even if you were having a bad day, he always seemed to bring out the best in you."

"He was a great switchman and better friend."

Christopher Bruce Skaggs, 49, of Mammoth Spring, Ark., died Monday, October 26, 2020, at Fulton County Hospital in Salem, Ark. Brother Skaggs was a former president of Local 607 (Thayer, Mo.) and a former legislative secretary of the Missouri State Legislative Board.

Ramon Gamez, a Local 1563 (El Monte, Calif.) member, passed away from COVID-19 on Aug. 21 at age 55. A Los Angeles County Metropolitan Transportation Authority worker, Brother Gamez worked out of Division 3202 and was



Skaggs

hired December 21, 1997.

Well-liked by his co-workers, Brother Gamez was a great family man and is survived by his wife, Sonia Gamez; daughter, Alejandra Gamez; and son **Ramon Gamez Jr.**, a TD member out of Local 1565. Brother Gamez loved to play chess, take trips to the lake, go to Las Vegas and go to the movies with his family.

"He was very friendly and outgoing and will truly be missed," General Chairperson **John Ellis** said.

Local 556 (Tacoma, Wash.) is mourning the loss of one of its officers.

Clayton Hoffman III, general chairperson



Gamez



Hoffman

of GCA-TMB (Tacoma Municipal Beltline) and local chairperson of LCA-TMB1, died in a fatal traffic accident Oct. 9. He was 43 years old.

He had been a member of the union since April 2004. He became GC on Oct. 1, 2012, and immediately set to work, said current Local 556 President **Bill Price**.

"During his time, Clayton negotiated one of the best contracts in shortline history for his members and brought those members to a livable wage," Price said.

Price said that Hoffman was a fierce representative of his fellow members.

Local 556 brother **Kody Henderson**, local chairperson of LCA-001a, had this to say about his fallen brother:

"He was union leadership powerhouse and a union leader I looked up to."

SMART-TD shares in the sorrow caused by the loss of these members. They all will be missed and not forgotten.

Members turn out to protest Amtrak cuts

In its preliminary financial report released in late November, Amtrak said that the COVID-19 pandemic has reduced ridership on the national passenger carrier by about 75% from pre-COVID levels.

While Amtrak leadership expects a slow rebound in ridership, with forecasts seeing an increase to about 40% of pre-pandemic levels by the close of the 2021 fiscal year as COVID-19 abates, the coronavirus has been a massive financial shock to the carrier.

“Our dedicated employees continue to work tirelessly through the pandemic to keep this country moving, advance critical infrastructure and update technology and services, and provide safe transportation to customers,” said Amtrak’s William Flynn. “However, without additional funding for 2021, we will be forced to further reduce service, defer critical capital projects and make more job reductions despite this important progress.”

The Republican-controlled Senate did not act on a pair of bills — the HEROES Act and the Moving Forward Act — passed by the U.S. House of Representatives that would have provided additional emergency funding for Amtrak to maintain employment and service levels as the nation continues to cope with the coronavirus. Instead, funding was maintained at 2020 levels by Congress.

In reaction to not having the nearly \$5 billion needed to maintain operations, carrier leadership reduced daily long-distance routes to three trips a week and cut about 2,000 unionized employees effective Nov. 1 over the objections of SMART-TD and other unions representing Amtrak workers.

On Sept. 30, members of SMART led the way, along



SMART General President Joseph Sellers spoke at a protest against Amtrak job cuts outside the U.S. Capitol Building in Washington, D.C. in late September, above left, and SMART-TD President Jeremy R. Ferguson joined a crowd in Chicago in two of a number of concerted demonstrations across the country.

with members of the BLET and TCU/IAM, uniting in cities across America to spread awareness about the cuts coming to Amtrak.

Rallies were scheduled by SMART-TD and other unions in four major cities: Washington, D.C., New York City, Chicago and Los Angeles.

In a show of support for Amtrak funding and in an effort to raise awareness, Wisconsin State Legislative Director **Andy Hauck** and Michigan State Legislative Director **Donald Roach**, with the help of Local 168 member **Nate Hatton** (Dearborn, Mich.), conducted pop-up rallies in Milwaukee and Dearborn, Mich., respectively.

SMART-TD President **Jeremy R. Ferguson** addressed the crowd in Chicago: “We bust our butts, day in and day out, to give our country this service, and this is what the board wants to do? Now you guys have gone one step further, you Amtrak employees. You voted to waive off your pay increase this past July. You did what was best for this country and for Amtrak, didn’t you? How did you get repaid? With the threat of furlough tomorrow, right? Two thousand people could be in the streets tomorrow!”

Ferguson also pointed out

“We bust our butts, day in and day out, to give our country this service, and this is what the board wants to do?”
— SMART-TD President
Jeremy R. Ferguson

that Amtrak management is restarting their salaries and 401(k) contributions and that Amtrak management has restructured their bonus program to better benefit themselves.

“We’re not going to take that! We’re not going to stand for that! Not when you gave up your pay raises to protect this country and this service! Unheard of! So, let’s get busy out there! Let’s get fired up!”

SMART General President **Joseph Sellers Jr.** spoke outside the U.S. Capitol in Washington, D.C.

“You are our essential workers. You are moving our essential workers. Every day, to the hospitals, to the first responders, to the police. You are moving America! We need to continue to make sure that you have the funding, to continue to make sure that you continue to move America through this pandemic! We need you! And we need Congress to make sure that they pass



Members gathered to demonstrate in four major U.S. cities: Washington, D.C., New York, Chicago and in Los Angeles, shown above, in a photo courtesy of California State Legislative Director Louis Costa. Pop-up rallies also occurred in Milwaukee and in Dearborn, Mich.

the HEROES Act.”

Sellers pointed out that the HEROES Act, or H.R. 6800, was relaunched on May 15, 2020, and has yet to be voted on by the U.S. Senate. “We need to make sure that the new relaunched HEROES Act is passed. To protect you. To protect essential workers. To protect the job that you do, day in and day out,” Sellers said.

Sellers concluded his fiery speech by thanking our essential Amtrak members, “I want to thank you for the work that you do, and Congress should be thanking you for the work that you do day in and day out! We need the Senate to make

sure that they take this seriously. The White House is dragging their feet. The Senate is dragging their feet. That is unacceptable! Thank you, brothers and sisters. We are going to make a difference and we are going to effect change.”

SMART-TD Alternate National Legislative Director **Jared Cassity** was also featured in a report that aired on Fox 5 News in D.C.

Prior to the COVID-19 pandemic, the carrier had expected to break even for the first time in its history during the 2020 fiscal year, which ran from Oct. 2019 to Sept. 2020.

SHEET METAL | AIR | RAIL | TRANSPORTATION

TRANSPORTATION DIVISION

Contact us: news_td@smart-union.org

Phone: 216-228-9400

Fax: 216-228-5755

Joseph Sellers Jr.
SMART General President
jsellers@smart-union.org

Joseph Powell
SMART General Secretary-Treasurer
jpowell@smart-union.org

Jeremy R. Ferguson
SMART Transportation Division President
president_td@smart-union.org

Gregory K. Hynes
SMART Transportation Division
National Legislative Director
ghynes@smart-union.org

OCTOBER / NOVEMBER 2020
ISSN 2470-0304

SMART Transportation Division News (ISSN 2470-0304) is published six times per year in the months of February/March, April/May, June/July, August/September, October/November and December/January by SMART Transportation Division, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333. Periodicals postage paid at Cleveland, Ohio, and additional mailing offices. POSTMASTER: Send address changes to: SMART Transportation Division News, 24950 COUNTRY CLUB BLVD., SUITE 340, NORTH OLMSTED, OH 44077-5333 • Jeremy R. Ferguson, SMART Transportation Division President.

Please recycle

www.smart-union.org/td • www.utuia.org

SMART GENERAL PRESIDENT’S COLUMN

Congress must act on bills for healing to start

Brothers and sisters,

With the 2020 presidential election finally completed, we can see that the American people have spoken loudly and clearly.

The record-breaking number of Americans who voted includes a surge of SMART members. You exercised your right to vote and to have your voice be heard.

I believe we can all agree that this election was a success, especially with the record turnout in the midst of a pandemic. We are in the most-dangerous period of the worst public health crisis experienced by our country in generations. It is long past time to lead and to focus on the safety, health and the family economics of the American people.

While SMART members can look forward to a new Biden-Harris administration that pledges to put working families first, this election was just a first step.



By Joseph Sellers Jr.

This new administration needs to focus on recovering from the brutal pandemic that continues to worsen with each passing week.

The incoming administration has pledged to do so. On top of that, it needs to focus on economic recovery after the sharp decline that occurred due to the poor U.S. response to the spreading pandemic.

This includes the passage of the HEROES Act, the Moving Forward Act and the REEF Act — now, during this current Congress — to provide relief to millions of working families who are suffering from severe unemployment, underemployment and the current economic decline.

The first two bills were already passed by the U.S. House of Representatives on May 15 and July 1, respectively, but the Republican-controlled Senate has failed to act on this legislation.

Now, our nation’s health and the economic fallout from their inaction continues to intensify and is having an adversarial effect on all working families, including SMART members.

The REEF Act, Railroad Employee Equity and Fairness Act, provides that payments made from the Railroad Unemployment Insurance Account shall not be subject to reduction with respect to unemployment compensation for qualified railroad employees, especially during the unprecedented times we face today. Railroaders and transportation workers who are essential to keeping our economy going should not be punished for the past inaction of our legislators.

According to Amtrak, the pandemic has reduced ridership on the national passenger carrier by about 75% compared with pre-COVID levels. This is causing a massive economic shock that has resulted in the furlough of 2,000 Amtrak workers. In addition to this, vital two-person crew legislation protecting members and the communities we pass through and protections for our bus and transit operators who serve on the frontlines ensuring essential workers can get to and from work are included within the Moving Forward Act. All of these measures need to be passed and not a moment too soon.

The time has come for the majority Republican Senate to listen to the voice of the American people, who voted for a return to normalcy and common-sense legislation that places workers above the interests of the well connected. It is the only way to put

our country back on track toward a stronger, healthier and more-prosperous nation that works for all Americans.

If you or your family are struggling with mental health, addiction, suicide and now the additional stress of this pandemic, please know that you are not alone. Contact our Employee Assistance Program (EAP) or Members Assistance Program (MAP). **You also can call United Behavior Health at 866-850-6212 if you or your family are experiencing overwhelming challenges.** Someone will be available to answer seven days a week, 24 hours a day.

From my family to yours, happy holidays and a joyous New Year! Please stay safe!

Faternally,

Joseph Sellers Jr.

Joseph Sellers Jr.
General President,
SMART

Bus Department News

A message from your Bus Department leadership

Brothers and sisters,

Let me start off by wishing all of you and your loved ones a healthy and happy holiday season. As we continue to navigate the troubling times that we face as a nation, it remains that the motor coach operator is at the top of the list of essential workers who have not been given the necessary support that they rightfully deserve.

Hopefully with a new president, we will be able to put partisan politics in the rearview mirror and get down to delivering the aid the bus industry so desperately needs.

Because of the pandemic, our industry has suffered the most: furloughed workers and closures by carriers have contributed to the loss of health care, the depletion of savings accounts and harm to numerous other benefits that we have worked so hard to get.

All this has occurred while members of Congress bicker over doing the



By Calvin Studivant

right thing. The Coronavirus Aid, Relief and Economic Security Act (CARES) was merely a Band-Aid on a wound that required stitches. While needed, it did not go far enough in addressing the losses faced by workers in the bus industry. Many of our brothers and sisters who work in the school bus and contracted commuter service fields have yet to get any aid.

The Coronavirus Economic Relief for Transportation Services Act (CERTS) would provide much-needed assistance in those sectors. Both Democratic and Republican lawmakers have signed off, but as of this writing they have not voted to

pass it. The bill earmarks money that would provide paychecks, allow the workforce to regain some normalcy and to allow for health care during this horrific time.

We are frontline workers who have navigated this storm from day one. We continue to provide safe rides for passengers, all the while running the risk of being infected and taking that infection home to the ones we cherish the most.

We still face assaults and overzealous transit agencies that put profit over safety and the well-being of their employees.

Many speak of holidays not being the same this year because of the pandemic and not being able to hold family gatherings for fear of COVID infections. For bus operators, that is normal when you are employed in an industry that runs 365 days a year. With the added economic hardship that our industry faces, lawmakers’

lack of support is all the more disappointing to us.

Our Legislative Department in Washington, D.C., and President **Jeremy Ferguson** have been working hard to help get this passed, and for that I’m thankful — we will continue to work tirelessly to get the resources available to our membership as quickly as we can.

We also are continuing to voice concerns to the Department of Health and Human Services that want to use hair samples as part of drug testing protocols. We oppose this and will continue to keep the membership updated as to where this will end up.

I hope you and your families will continue to remain safe and healthy as the holidays and a new year approach.

In solidarity,

Calvin Studivant
VP Bus Department, SMART-TD
216-630-0963

State Watch

News from SMART TD State Legislative Boards

New Jersey

Gov. Phil Murphy signed into law S-2380, which retroactively protects essential workers, including SMART-TD bus members, during the pandemic.

Essential employees’ workers comp claims are routinely rejected by employers

because the employees can’t prove they contracted COVID at work. This law shifts the burden of proof to the employer in state workers’ comp claims for essential workers who interact with the public and contract COVID.

“This is the strongest law in

the country for essential workers,” said New Jersey State Legislative Director **Ron Sabol**, who worked with the state AFL-CIO on the bill. “The governor and state legislators have taken strong action to protect TD members.”

Missouri

State Legislative Director **Jason Hayden** was sworn in Nov. 10 on the Missouri AFL-CIO Executive Board. He was appointed by Missouri AFL-CIO President Jacob Hummel.

Brother Hayden, of SMART-TD Local 1405 (St. Louis), was elected Missouri SLD in January 2016, and re-elected to his second term in April 2020.



Hayden

Continued on Page 11

TRANSPORTATION DIVISION PRESIDENT'S COLUMN

2020's tests are overcome as we continue ahead

Brothers and sisters,

One year ago, shortly after your new union leadership officially took office, it seemed like anything that could go wrong, did: Within the first week, the carriers filed multiple lawsuits, over crew consist and other issues, in anti-labor courts around the country. We received unfavorable rulings and had to battle against the inaction by the federal agencies tasked to oversee the transportation industry. These are just a few of the obstacles we faced.

It seemed at times as if all of us were collectively swimming upstream and the current was getting stronger and stronger, and not just against us, but against labor in general in this country.

Then the pandemic hit, and we faced COVID-19 — a threat directly imperiling the health and safety of members. As public-facing workers, our bus and transit members were confronted with the risk of infection at their jobs. Almost all transportation carriers were predictably slow in protecting the workers that management hailed as “essential” in public, and failed to supply our members with the much-needed sanitation supplies and PPE.

We fought back against that slow response by



By Jeremy Ferguson

launching a COVID-19 safety report online and formed a task force to handle the issues presented. It was an all-hands-on-deck approach with all departments and officers working diligently to hold the carriers accountable when the Centers for Disease Control and Prevention (CDC) guidelines were not being followed. (As a note, this resource remains available as the pandemic persists.) Our members also took action by providing sanitizer, cleaning products and masks to co-workers, taking the initiative to supply protection when federal and state regulators and billion-dollar corporations shamefully did not.

Sadly, our efforts weren't always enough. Some of our members and retirees succumbed to the virus. At the time of the writing of this message, we've received reports of at least 17 COVID-related deaths among TD active members and retirees. Along with their families, friends and local brothers

and sisters, our union feels the loss of these dedicated and irreplaceable members of the SMART Transportation Division. May they rest in peace.

The losses and challenges this past year have tested us—yet, in the very definition of unity, we've stuck together. I could not be prouder of our organization, as we never shied away from the fight and kept pushing forward, no matter the obstacle or task.

As essential workers, you have worked, undaunted, through the many waves of COVID, transporting the vital goods and people needed for this country to survive. You along with many other essential workers are true heroes in my eyes

Although an absolute victory over COVID might not come this year, 2020 has not been without victories for SMART-TD in court, in Congress and at the ballot box.

The attack on crew consist mentioned earlier was eventually defeated in court. A ruling on Kansas City Southern's treatment of cross-border crews also was yet another victory for labor. A national two-person crew bill passed one chamber of Congress for the first time as part of the U.S. House's Moving Forward Act after never having made it past the commit-

tee level previously. To top all of this off, earlier this month, our endorsed candidate, former Vice President Joe Biden, was elected to the office of president of the United States.


It is wishful to think that the current against us is going to get weaker in 2021 — as we still face the ongoing and contentious national freight rail contract negotiations, and the control of the U.S. Senate remains up for grabs and with it, perhaps, the fate of any bus and transit protection or national two-person-crew legislation. Yet, Biden and his incoming administration present the potential for a much-needed positive change in the landscape when it comes to labor relations in this country. He promised to remove many of the anti-labor policies that have been installed over the last four years and instead provide protections for all unionized workers. Biden has promised a large infrastructure and public transportation improvement plan that includes a “Second Great Railroad Revolution” for our country. Unlike the last four years, we will have a seat at the table, and our opinions and voices will be valued and heard. Rest assured, we will not be silent and will hold him to this promise.

It has taken our collective grit, solidarity and determination to move ahead through all the challenges of 2020. In 2021, we look to continue to build a stronger, better and more unified organization. With the support of all of you, our union will lead. We will not be intimidated. We will not turn away from the fight, and we will persevere.

Please be safe, and take all of the recommended health and safety precautions regarding COVID to heart. We have lost too many already. I would also be remiss if I did not remind everyone that, even in a non-pandemic year, historically from the week before Thanksgiving to the week after New Year's Day is the most-dangerous time of the year regarding transportation accidents, injuries and fatalities. The best gift we can give our loved ones is to return home safe, sound and healthy.

God bless all of you, and I wish you and your families the absolute best this holiday season and going into the new year.

Faternally,



President,
Transportation Division

TRANSPORTATION DIVISION NATIONAL LEGISLATIVE DIRECTOR'S COLUMN

Victory by Biden opens door for our issues to be heard in D.C.

As I wrote in the last issue of the TD News, from a legislative perspective, the election of Joe Biden in early November unlocks the door to a realm of opportunity.

But before I get into what the president-elect and his new administration could mean to us, I want to thank all of you who helped to get out the vote and ensured that a new, disciplined administration focused on the needs of all American workers would come into office. Our union pulled together and made a big difference all around the country to get our voices heard.

I will say that the work isn't quite finished, as Georgia State Legislative Director **Matt Campbell** will attest. Control of the U.S. Senate could change thanks to that state, paving the way for increased attention to bills that help workers as a whole, including our bus and rail members. We're going to put forth a big effort on both the Sheet Metal and Transportation Division sides to get the candidates most favorable to labor elected there come January.

As we head into the start of a new year and a Biden presidential adminis-



Former Vice President Joe Biden grabbed current National Legislative Director Gregory Hynes' phone and took a selfie at the Amtrak station named after Biden back in 2018.

tration, your Alternate National Legislative Director **Jared Cassity** and I are working closely with the Biden transition team. A seat at the table has been secured, thanks to all of you who worked, called, emailed and texted in support of the former vice president and now president-elect.

In our discussions with the Biden transition group, we are making real

progress in ensuring the improvement of federal oversight. Under the Trump administration's Federal Railroad Administration and Federal Transit Administration, labor saw a response that was lackadaisical on good days, absent on regular days and, let's face it, openly hostile to workers' issues on bad days. These experiences become a distant memory, and we now will have receptive people in Washington, D.C., who we believe will instead focus on worker protection rather than carriers' coffers.

Two-person crews are back on the table from both a regulatory perspective at FRA as well as from a legislative mandate from Congress. We will be pursuing both avenues simultaneously.

But step one will be getting the FTA, OSHA and FRA to enforce simple CDC safety guidelines to protect our bus and rail members from COVID-19. The statistics are worse than at the beginning of the pandemic and the risks continue to be high. Action is necessary.


Other steps will follow: Ensuring bus and transit workers are safe from

assault. Funding a recovery for Amtrak. The appointment of federal administrators who have an open ear to labor and not closed doors. Reining in Class I carriers' obsession with Precision Scheduled Railroading.

The opportunity to work with Joe Biden, who has close friendships with people who are part of this union, is one that your National Legislative Department in Washington, D.C., welcomes.

We will continue to work with whomever it takes to protect the interests and welfare of our membership, regardless of party. But as we turn the page from 2020 and move ahead into the new year, SMART-TD can know that we have some support at 1600 Pennsylvania Ave., and his name is “Amtrak Joe.”

Faternally,



Gregory Hynes
National Legislative Director,
SMART-TD



PAC contributions for 2020



Your top-performing local legislative representatives

How does your state stack up?

(Average PAC contributions per member, per month)

Nevada	9.61
Arizona	7.60
Wisconsin	5.77
Utah	5.13
Michigan	4.71
Virginia	4.26
Wyoming	3.94
Nebraska	3.77
Kansas	3.66
Indiana	3.47
Montana	3.40
Minnesota	3.35
Iowa	3.12
Illinois	3.04
Missouri	3.03
Arkansas	3.03
North Dakota	3.01
Colorado	2.97
Delaware	2.83
Texas	2.51
New Mexico	2.49
New Jersey	2.22
Oregon	2.21
Ohio	1.93
Kentucky	1.83
Maryland	1.83
Oklahoma	1.61
Connecticut	1.60
Washington	1.58
Idaho	1.57
Florida	1.48
District of Columbia	1.47
New England States	1.35
South Carolina	1.32
South Carolina	1.25
California	1.20
Georgia	1.20
Louisiana	1.09
Alaska	.99
Tennessee	.66
Pennsylvania	.65
Alabama	.64
New York	.59
Mississippi	.52
West Virginia	.37
South Dakota	.19

Romnie R. Hobbs
Local 854

Brian J. Hagele
Local 234

Kenneth L. Friend
Local 508

Richard C. Andrade
Local 1081

Eric A. Stanger
Local 1709

Jason T. Doering
Local 1117

Otis L. Aldridge
Local 1377

Keith A. Murray
Local 1405

Robert E. Morgan
Local 1775

John M. Zagurski
Local 872

To Get Your Say, Give a Dollar a Day!

"We are under the greatest attack of our careers. PAC is more important than ever. If we had every member contributing at the dollar a day level, we would have more PAC than the railroads and that would be a game changer. If not now, when?"

— National Legislative Director Greg Hynes

TD Political Action Committee Donation Form

24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333

I, (please print) _____, of SMART-TD Local _____, proudly pledge to SMART-TD PAC the monthly amount indicated below and authorize _____ to withhold this amount with my union dues.

☐ \$10/month (\$120/yr.)
Silver Club

☐ \$25/month (\$300/yr.)
Gold Club

☐ \$30.42/month (\$365/yr.)
Dollar-A-Day Club

☐ \$50/month (\$600/yr.)
Diamond Club

☐ \$100/month (\$1,200/yr.)
Platinum Club

☐ \$208.33/month (\$2,500/yr.)
President's Circle

☐ Other amount \$ _____

☐ I wish to contribute \$ _____ per month, or I would like to make a one-time contribution of \$ _____ (Please enclose a check to "SMART-TD PAC" with this form.)

☐ I am a retired member of Local _____ and I still want to help my union. I am enclosing a contribution of \$ _____ to TD PAC. (Please enclose a check to "SMART-TD PAC" with this form.)

Signature _____

Email: _____

Date _____

This authorization will remain in effect until revoked in writing. Contributions to SMART-TD PAC are used for political purposes. Amounts indicated are only suggestions; you are free to give more or less than indicated, and neither your employer nor the union will discriminate against you based on whether or not you contribute. SMART-TD PAC reports are filed with the Federal Election Commission, 999 E St. N.W., Washington, DC 20463, and are available for inspection from that agency and appropriate state agencies. Contributions or gifts to SMART-TD PAC are not deductible as charitable contributions for Federal income tax purposes.

INTERNAL USE ONLY

Member Payroll Deduction Effective Date (45 Days): _____

08/2020

Top 10 Locals		
(Average PAC contributions per local member per month)		
Local	City	Amount
0854	Portsmouth, Va.	\$27.37
	Ronnie R. Hobbs, Legislative Rep.	
0234	Bloomington, Ill.	\$24.55
	Brian J. Hagele, Legislative Rep.	
0508	Smithville, Texas	\$19.10
	Kenneth L. Friend, Legislative Rep.	
1081	Glendale, Ariz.	\$18.56
	Richard C. Andrade, Legislative Rep.	
1709	Pontiac, Mich.	\$15.52
	Eric Anderson Stanger, Legislative Rep.	
1117	Las Vegas, Nev.	\$12.85
	Jason T. Doering, Legislative Rep.	
1377	Russell, Ky.	\$10.96
	Otis L. Aldridge, Legislative Rep.	
1405	St. Louis, Mo.	\$10.78
	Keith A. Murray, Legislative Rep.	
1775	Elko, Nev.	\$10.50
	Robert E. Morgan, Legislative Rep.	
872	Omaha, Neb.	\$9.68
	John M. Zagurski, Legislative Rep.	

Average monthly PAC contribution per local member

	Local	Location	Amount	Local	Location	Amount	Local	Location	Amount	Local	Location	Amount	Local	Location	Amount
		Alabama			Georgia		1532	Kansas City	\$9.56	0257	Morrill	\$1.48	0792	Cleveland	\$1.42
0598	Mobile	\$0.20	0535	Macon	\$0.42		State Average		\$3.66	0286	North Platte	\$4.25	0991	Steubenville	\$1.32
0622	Birmingham	\$2.09	0674	Augusta	\$1.76		Kentucky			0305	Lincoln	\$4.35	1365	Youngstown	\$0.00
0762	Montgomery	\$0.92	0941	Columbus	\$0.59	0376	Louisville	\$0.08	0367	Omaha	\$4.15	1376	Columbus	\$2.52	
0772	Sheffield	\$0.54	0998	Waycross	\$2.31	0573	Danville	\$1.47	0626	McCook	\$2.29	1397	Columbus	\$4.39	
0847	Birmingham	\$0.83	1031	Savannah	\$1.47	0630	Ashland	\$0.37	0872	Omaha	\$9.68	1529	Walbridge	\$1.34	
1053	Selma	\$0.14	1033	Atlanta	\$0.44	0785	Paducah	\$0.41	0934	Alliance	\$2.77	1816	Toledo	\$1.14	
1887	Fairfield	\$0.00	1245	Atlanta	\$1.10	1190	Ludlow	\$0.43	State Average		\$3.77	1928	Toledo	\$0.29	
1972	Birmingham	\$0.40	1261	Atlanta	\$1.34	1315	Covington	\$0.71		Nevada		1948	Youngstown	\$0.81	
State Average		\$0.64	1263	Valdosta	\$1.63	1316	Ravenna	\$2.56	1043	Sparks	\$5.47	1962	Toledo	\$0.77	
		Alaska		1598	Manchester	\$0.30	1328	Louisville	\$0.49	1117	Las Vegas	\$12.85	State Average		\$1.93
1626	Anchorage	\$0.99	1790	Fitzgerald	\$0.73	1377	Russell	\$10.96	1775	Elko	\$10.50	0770	Heavener	\$0.34	
State Average		\$0.99	1910	Macon	\$1.95	1963	Louisville	\$0.85	State Average		\$9.61	0894	Tulsa	\$0.49	
		Arizona		State Average		\$1.20	Louisiana			1016	Enid	\$1.92	Oklahoma		
0113	Winslow	\$6.48	0265	Pocatello	\$3.13	0659	Leesville	\$0.16	0254	Fitchburg	\$2.84	1042	Oklahoma City	\$4.38	
0807	Tucson	\$6.23	1058	Nampa	\$0.00	0781	Shreveport	\$1.05	0262	Boston	\$2.99	1188	Oklahoma City	\$0.49	
1081	Glendale	\$18.56	State Average		\$1.57	0976	Shreveport	\$1.04	0357	West Springfield	\$1.22	1289	Tulsa	\$2.05	
1629	Phoenix	\$2.47				1066	New Orleans	\$0.31	0582	Greenfield	\$0.46	State Average		\$1.61	
1800	Tucson	\$4.28				1337	New Orleans	\$2.58	0663	Bangor	\$0.20				
State Average		\$7.60				1458	Dequincy	\$1.73	0679	Attleboro	\$0.00				
		Arkansas		0168	Chicago	\$3.14	1501	Baton Rouge	\$1.92	0898	Boston	\$1.27	0471	Eugene	\$2.90
0221	North Little Rock	\$0.88	0171	Aurora	\$2.63	1545	Monroe	\$1.85	1400	South Portland	\$0.20	0473	La Grande	\$1.22	
0462	Pine Bluff	\$2.25	0195	Galesburg	\$4.28	1678	Minden	\$0.71	1462	Boston	\$3.17	1573	Klamath Falls	\$1.05	
0507	Van Buren	\$8.33	0196	Beardstown	\$3.84	1836	New Orleans	\$0.43	1473	Boston	\$1.15	1574	Portland	\$0.71	
0656	North Little Rock	\$1.37	0198	Peoria	\$0.00	1947	Lake Charles	\$0.18	Average		\$1.35	1841	Klamath Falls	\$5.15	
0733	Dequincy	\$0.98	0234	Bloomington	\$24.55	State Average		\$1.09		New Jersey		State Average		\$2.21	
0950	West Memphis	\$4.37	0258	Rock Island	\$1.27				0060	Newark	\$1.87				
State Average		\$3.03	0432	Champaign-Urb.	\$2.64				0710	Newark	\$0.22	0061	Philadelphia	\$0.46	
		California		0453	Clinton	\$6.00			0759	Newark	\$2.31	0172	Darby	\$0.00	
0023	Santa Cruz	\$1.39	0469	Madison	\$3.76	0430	Cumberland	\$0.52	0800	Jersey City	\$3.00	0300	Philadelphia	\$0.17	
0031	San Jose	\$0.43	0528	Chicago	\$1.85	0610	Baltimore	\$1.88	1390	Trenton	\$1.38	0309	Altoona	\$0.00	
0032	Glendale	\$0.00	0577	Northlake	\$2.02	0631	Brunswick	\$0.66	1413	Jersey City	\$2.67	0340	Connellsville	\$0.32	
0084	Los Angeles	\$1.73	0597	Des Plaines	\$6.27	1470	Edmonston	\$6.28	1445	Elizabeth	\$1.90	0386	Reading	\$0.00	
0100	Oakland	\$0.74	0620	Chicago	\$3.79	1949	Baltimore	\$0.32	1447	Newark	\$5.43	0496	Allentown	\$0.15	
0239	Oakland	\$1.69	0653	Blue Island	\$2.89	State Average		\$1.83	1558	Bergenfield	\$2.95	0598	Albion	\$0.00	
0240	Los Angeles	\$0.75	0740	Joliet	\$1.43				1589	New Brunswick	\$0.43	0816	Harrisburg	\$1.81	
0492	Sacramento	\$0.27	0768	Decatur	\$1.19				State Average		\$2.22	0830	Harrisburg	\$1.83	
0694	Dunsmuir	\$1.36	0979	Salem	\$0.92	0072	Battle Creek	\$2.23				0838	Philadelphia	\$1.38	
0771	Needles	\$2.85	1003	Kankakee	\$0.06	0278	Jackson	\$2.39				1006	Brownsville	\$0.05	
0811	San Bernardino	\$2.80	1083	Villa Grove	\$1.58	0313	Grand Rapids	\$4.60	1168	Clovis	\$2.40	1373	Philadelphia	\$2.37	
0835	Bakersfield	\$1.15	1258	Elgin	\$7.81	0320	Saginaw	\$1.67	1687	Belen	\$2.58	1374	New Castle	\$0.91	
1201	Stockton	\$0.78	1290	Chicago	\$2.18	0886	Marquette	\$5.23	State Average		\$2.49	1375	Philadelphia	\$0.49	
1241	Richmond	\$2.60	1299	Chicago	\$1.68	1075	Trenton	\$8.46				1379	Pittsburgh	\$1.02	
1252	Fresno	\$0.43	1358	Danville	\$2.51	1183	Port Huron	\$2.88				1418	Conway	\$0.00	
1422	Los Angeles	\$1.06	1402	Dupo	\$0.62	1438	Lincoln Park	\$1.81	0001	Buffalo	\$0.14	1594	Upper Darby	\$0.73	
1544	Maywood	\$2.98	1421	Franklin Park	\$1.79	1477	Dearborn	\$1.06	0029	Babylon	\$1.66	1628	Pittsburgh	\$0.67	
1563	El Monte	\$1.02	1423	Galesburg	\$1.19	1709	Pontiac	\$15.52	0395	Leeselaer	\$0.33	State Average		\$0.65	
1564	Los Angeles	\$1.21	1433	Elmwood Park	\$1.50	1760	Detroit	\$5.91	0123	Spring Valley	\$0.00				
1565	West Hollywood	\$1.13	1494	Chicago	\$4.52	State Average		\$4.71	0167	Albany	\$0.43				
1570	Roseville	\$0.98	1525	Carbondale	\$2.71				0212	Albany	\$0.04	South Carolina			
1581	Bakersfield	\$2.20	1534	Chicago	\$1.48				0256	Watervliet	\$0.19	0407	Charleston	\$0.97	
1607	Los Angeles	\$0.94	1597	Chicago	\$1.81	0064	Waseca	\$2.81	0292	East Syracuse	\$0.00	0793	Columbia	\$1.76	
1608	Chatsworth	\$1.45	1883	Riverdale	\$2.63	0650	Minneapolis	\$2.99	0318	Hornell	\$0.44	0931	Greenville	\$2.85	
1674	Los Angeles	\$2.22	1895	Chicago	\$2.69	0911	Minneapolis	\$2.21	0377	Salamanca	\$0.04	0942	Florence	\$0.19	
1694	Barstow	\$1.29	1929	East St. Louis	\$0.96	1000	Minneapolis	\$2.91	0394	Albany	\$0.00	0970	Abbeville	\$0.71	
1701	Montebello	\$0.55	1973	Chicago	\$1.45	1067	Virginia	\$2.97	0645	Babylon	\$2.97	1814	Spartanburg	\$1.00	
1730	Richmond	\$0.43	State Average		\$3.12	1175	Duluth	\$2.86	0722	Babylon	\$2.18	State Average		\$1.25	
1732	San Jose	\$1.03				1177	Willmar	\$2.46	1007	Syracuse	\$0.00				
1741	San Francisco	\$0.00				1292	Proctor	\$5.29	1370	New York	\$0.89	South Dakota			
1770	Los Angeles	\$0.91				1614	St. Paul	\$2.08	1393	Buffalo	\$0.02	0013	Huron	\$0.11	
1785	Santa Monica	\$0.22				1976	St. Paul	\$0.84	1440	Staten Island	\$0.71	0233	Aberdeen	\$0.07	
1801	Martinez	\$2.03				State Average		\$3.35	1566	Buffalo	\$0.30	0375	Edgemont	\$0.40	
1813	West Colton	\$2.26							1582	Albany	\$0.00	State Average		\$0.19	
1846	West Colton	\$0.33							1705	Valley City	\$0.00				
1909	Gardena	\$0.00							1831	Baylton	\$3.09	0338	Chattanooga	\$0.64	
State Average		\$1.20				0427	McComb	\$0.59	1908	Buffalo	\$0.00	0339	Jackson	\$2.51	
		Colorado		0584	Meridian	\$0.63	0853	Amory	\$0.55	1951	Albany	\$0.00	0750	Knoxville	\$1.20
0201	Trinidad	\$2.81	1088	Jackson	\$0.29	State Average		\$0.52	1978	New York	\$0.65	0753	Memphis	\$0.00	
0202	Denver	\$4.85							State Average		\$0.59	0974	Nashville	\$0.81	
0204	Pueblo	\$2.80										1162	Erwin	\$0.65	
0500	Grand Junction	\$1.86										1301	Knoxville	\$0.24	
0945	La Junta	\$3.57										1308	Bruceton/Hollow	\$1.03	
1136	Sterling	\$1.95										1314	Etowah	\$0.00	
State Average		\$2.97										1345	Knoxville	\$0.23	
		Connecticut		0228	Moberly	\$1.05						1346	Nashville	\$0.14	
0277	Hartford	\$1.15	0303	Springfield	\$1.94	0339	Poglar Bluff	\$1.42				1420	Memphis	\$0.91	
0328	New Haven	\$1.14	0117	Marshalltown	\$2.81	0340	Kansas City	\$5.26				1557	Memphis	\$0.91	
1361	New Haven	\$1.87	0199	Creston	\$1.64	0607	Thayer	\$1.52				1703	Knoxville	\$0.00	
1672	New London	\$2.22	0238	Cedar Rapids	\$1.69	0643	Kahoka	\$3.07	1596	Charlotte	\$1.95	State Average		\$0.66	
State Average		\$1.60	0329	Boone	\$2.83	0933	Jefferson City	\$2.32	1715	Charlotte	\$0.14				
		Delaware		0947	Chaffee	\$3.38			State Average		\$1.32				
1378	Wilmington	\$2.83	0418	Sioux City	\$1.68	1218	Kansas City	\$2.24				0009	Slaton	\$3.84	
State Average		\$2.83	0493	Waterloo	\$5.09	1286	St. Louis	\$2.58	0525	Grand Forks	\$2.20	0011	Houston	\$0.51	
		District of Columbia		0646	Council Bluffs	\$1.71	1403	Kansas City	\$3.02	0887	Harvey	\$0.76	0018	El Paso	\$2.14
1522	Washington	\$0.17	0867	Des Moines	\$9.59	1405	St. Louis	\$10.78	0980	Enderlin	\$6.49	0020	Beaumont	\$1.30	
1523	Washington	\$2.76	State Average		\$3.17	1704	Kansas City	\$0.00	1059	Minot	\$2.54	0243	Flt. Worth	\$1.47	
Average		\$1.47				1780	Kansas City	\$4.85	1137	Fargo	\$2.34	0293	Houston	\$1.27	
		Florida				1823	St. Louis	\$2.98	1334	Mandan	\$3.72	0331	Temple	\$2.45	
0030	Jacksonville	\$1.38				1675	Kansas City	\$1.84	State Average		\$3.01	0439	Tyler	\$3.98	
0033	Flt. Lauderdale	\$2.79										0469	San Antonio	\$2.29	
0903	Jacksonville	\$0.45										0508	Smithville	\$19.10	
1138	Miami	\$4.24										0513	Gainesville	\$1.90	
1221	Tampa	\$0.55										0524	Palestine	\$1.89	
1312	Pensacola	\$0.00										0564	Cleburne	\$1.41	
1502	Wildwood	\$1.58										0569	Ennis	\$1.39	
1504	Sanford	\$0.84										0594	Mineloa	\$0.67	
State Average		\$1.48										0576	San Antonio	\$2.53	
		Georgia										0773	Galveston	\$2.79	
0030	Jacksonville	\$1.38										0818	Flt. Worth	\$0.51	
0033	Flt. Lauderdale	\$2.79										0821	Del Rio	\$3.17	
0903	Jacksonville	\$0.45										0823	Big Spring	\$0.67	
1138	Miami	\$4.24										0857	San Antonio	\$1.25	
1221	Tampa	\$0.55										0878	Greenville	\$2.11	
1312	Pensacola	\$0.00										0923	Dalhart	\$1.11	
1502	Wildwood	\$1.58													
1504	Sanford	\$0.84													
State Average		\$1.48													
		Idaho													
0030	Jacksonville	\$1.38													
0033	Flt. Lauderdale	\$2.79													
0903	Jacksonville	\$0.45													
1138	Miami	\$4.24													
1221	Tampa	\$0.													

What YOUR UNION is doing for YOU

Here is a list of recent arbitration victories reported to SMART Transportation Division’s leadership. General chairpersons who wish to report a recent success should email Vice President **Alvy Hughes** (ahughes@smart-union.org) for Bus Department victories and Vice President **David B. Wier Jr.** (dwier@smart-union.org) for rail victories.

NRAB, First Division

SMART-TD Vice Presidents **David B. Wier Jr.** and **Jamie C. Modesitt** report that the organization has received numerous favorable decisions from cases arbitrated at the First Division of the National Railroad Adjustment Board. Of the many cases that the organization received sustaining decisions upon from the First Division, the cases referenced below are of significant interest:

- In NRAB First Division Award No. 30320 (Deinhardt, 2020), Union Pacific terminated a trainman for allegedly possessing her cellular phone in her pocket while working. In this case, the carrier sheltered to the notion that the claimant’s conduct violated General Code of Operating Rules (GCOR) No. 2.21: Electronic Devices. Citing the literal definition of the term “stow,” the board maintained that the claimant’s belief that placing her cellular phone in her pocket was a proper method to stow her phone was not unreasonable. For that reason, the board reduced the claimant’s termination to a six (6) month suspension, with back pay for the balance of her time out of service. GO-953 General Chairperson **Luke Edington**, GO-953 Associate General Chairperson **Ian Reynolds** and GO-953 Senior Vice General Chairperson **Zach Nagy** progressed this case to the NRAB First Division. . . .

- In NRAB First Division Award No. 30322 (Deinhardt, 2020), Union Pacific terminated a trainman for allegedly using an electronic device

in an unauthorized manner. In terminating the claimant’s employment, the carrier claimed that his conduct was in violation with GCOR Nos. 1.13: Reporting and Complying with Instructions and 2.21: Electronic Devices. After reviewing the case, the board concluded that the carrier’s contention that the claimant violated GCOR 1.13 was unsupported by the record of the case. Turning to the carrier’s allegation that the claimant violated GCOR 2.21, the board found that circumstances existed to mitigate his perceived violation of that rule. Specifically, the board noted that the carrier conceded that the claimant had no duties or responsibilities while his crew remained stationary on a track for a period of approximately two (2) hours; he was not in the cab of the controlling locomotive; and, the train was not moving during the timeframe at issue. Based on the totality of these circumstances and factors, the board concluded that permanent dismissal from service was excessive. In light of that finding, the board reduced the claimant’s termination to a six (6) month suspension, with back pay for the balance of his time out of service. GO-953 General Chairperson **Luke Edington**, GO-953 Associate General Chairperson **Ian Reynolds** and GO-953 Senior Vice General Chairperson **Zach Nagy** progressed this case to the NRAB First Division.

Public Law Boards

- In Public Law Board 7488, Award No. 111 (Tener, 2020), Norfolk Southern terminated a locomotive engineer’s employment for allegedly

operating his train past a signal displaying a stop indication. After reviewing the case, the board determined that the level of discipline assessed to the claimant was unjustifiable. Considering the claimant’s length of service and his unblemished work record, the board reduced the claimant’s termination to a thirty (30) day suspension, with back pay for the balance of time he was out of service. GO-687 General Chairperson **James Ball**, GO-687 Assistant General Chairperson **Brian Sharkey**, GO-687 Secretary **Nicholas Greficz**, and International Vice President **David B. Wier Jr.** handled this case before Public Law Board 7488. . . .

- In Public Law Board 7488, Award No. 129 (Tener, 2020), Norfolk Southern terminated a conductor’s employment on account of his alleged failure to follow instructions from a carrier officer. Although the board found that the carrier presented substantial evidence to corroborate the charges, it concluded that the quantum of discipline assessed to the claimant by the carrier was not appropriate. In determining that the level of discipline assessed was not commensurate with the offense, the board reduced the claimant’s termination to a written warning, ordering that the claimant to be reinstated to his former employment position with the carrier and awarded him full back pay for all time lost. GO-687 General Chairperson **James Ball**, GO-687 Assistant General Chairperson **Brian Sharkey**, GO-687 Secretary **Nicholas Greficz**, and International Vice President **David B. Wier Jr.** handled this case

before Public Law Board 7488.

Bus arbitration report

Vice Presidents **Alvy Hughes** and **Calvin Studivant** report that the Bus Department has received a favorable arbitration award from the Federal Mediation Consolidation Services, which is referenced below:

- In Federal Mediation Consolidation Services (FMCS) case 190708-08703 (Carr) between SMART-TD Local 1908 and First Student Inc., Buffalo, N.Y., an operator was terminated for alleged dishonesty. First Student claimed the grievant did not inform them of sick leave and medical inability to drive with their parent company. The organization argued that the grievant’s medical slip explained the leave and he complied with the standard procedure of doing so with the company. The arbitrator concluded that the termination did not pass the tests of “Just Cause.” The arbitrator awarded that the grievant be returned to his pre-termination position, with retroactive compensation for his lost wages. General Chairperson **Debbie Orlowski** advanced this arbitration with the assistance of Bus Vice President **Calvin Studivant**.

*General chairpersons — report your bus victories to Bus Department Vice President **Alvy Hughes** at ahughes@smart-union.org and your rail victories to Vice President **David B. Wier Jr.** at dwier@smart-union.org. This is your chance to show members what is being done for them!*

THE INSTALLATION OF LOCAL OFFICERS

What is an installation ceremony?

Installation refers to the oath that officers take upon assuming office — it’s being sworn in.

Which officers shall be installed?

The elected Local officers which include the positions of president, vice president, secretary and treasurer, and a board of three trustees shall be installed. If any officers, such as steward, are appointed, they should be installed according to these same procedures.

When should they be installed?

According to SMART Constitution Article 21B, Section 58, these officers must present

themselves at a meeting within 60 days following their election and shall assume their duties on January 1.

What if upcoming meetings will not be possible due to pandemic-related reasons?

Local officers will assume their duties effective Jan. 1, 2021, with their installation ceremony postponed until such time as the applicable social-gathering restrictions are relaxed to permit the local to resume holding meetings. Accordingly, the 60-day clock for conducting an installation ceremony should begin on whichever date the local is permitted to hold in-person meetings.

Who performs the ceremony and what do officers pledge?



“The installation ceremony shall be performed by the ranking or the most recent past president, or if no past president is available, by a member named by the officer presiding at the meeting.” The officers to be installed will be called before the installing officer who will read the following obligation as prescribed in Article 21B, Section 58, as follows:

“Do you hereby pledge on your honor to perform the duties of your respective offices

as required by the International Association of Sheet Metal, Air, Rail and Transportation Workers’ Constitution; to bear true and faithful allegiance to the International Association of Sheet Metal, Air, Rail and Transportation Workers and with complete good faith to support, advance, and carry out all official policies of the International Association of Sheet Metal, Air, Rail and Transportation Workers; to deliver to your successor all books, papers, and other property of the International Association of Sheet Metal, Air, Rail and Transportation Workers that may be in your possession at the end of your term of office; and at all times conduct yourself as becomes a member of the International Association of Sheet Metal,

Air, Rail and Transportation Workers?”

The officers being installed shall respond: *“I do.”*

The installing officer shall then say:

“Your duties are defined in the Constitution of the International Association of Sheet Metal, Air, Rail and Transportation Workers and in the bylaws of this Local. Should an emergency arise which is not covered by these laws, you are expected to exercise good judgment and common sense in order to advance the best interest of the International Association of Sheet Metal, Air, Rail and Transportation Workers.

“You will now assume your respective stations.”

Around the SMART TD

Congratulations to our election winners!*



Richard Andrade,
Arizona
House District 29



Ben Moss,
North Carolina
House District 66



Michael Sheehy,
Ohio
House District 46

* This listing is based on reports of candidates associated with our union who were reported to SMART-TD as running for political office. If you know of an office holder who was elected or re-elected in the Nov. 3 election, please email news_TD@smart-union.org.

Local 23, Santa Cruz, Calif.



Vice Local Chairperson Joe Carranco and other members of this local helped to evacuate people from the CZU Lightning Complex fires that raged in Santa Cruz and San Mateo counties in California for 38 days and destroyed more than 86,000 acres. Photo submitted by member Alma “Rosi” Gutierrez.

Local 1597, Chicago

Bobby Hicks Jr., a second-generation railroader who served for seven years as the local’s treasurer, passed away Oct. 29 due to an aneurysm. Brother Hicks had been a member of Local 1597 since March 1, 2003.

He was 40 years old and leaves behind a wife and five children.

SMART-TD offers its sincere condolences to Brother Hicks’ family, friends and his brothers and sisters in the local.

Local 1892, Houston, Texas

Local officers and members traveled to DeQuincy, La., in September to help with hurricane relief.

“All-in-all we fed all our railroad brothers and their families, then fed the public to a total of about 240 people, and then helped out another cooking team to feed about 200 more of the general public,” said S&T **Robert Maldonado**. “As the back of our SMART Army T-shirts say: ‘Building better communities’ ... we’re trying to do our part!!!”



Volunteers from three TD locals pose after helping feed people in DeQuincy, La., in September. From left are Keith Green, Local 1892 vice local chairperson; Benny Dyer, Local 1458 local chairperson; Tony Marcantel, local chairperson for Local 1947; Jim Boehm, local chairperson of Local 1892; Jamie Hagan, vice local chairperson of Local 1458; Local 1892 Secretary & Treasurer Robert Maldonado; and Alt. Legis. Rep. Chris Russell of Local 1947.

Locals 195, 445 and 1423, Galesburg, Ill., and Niota, Ill.



Despite COVID, our members maintained a Galesburg tradition by taking two of 10 slots in the city’s 128th Labor Day parade. With New York City canceling its 2020 parade, Galesburg now has the longest-running Labor Day parade in the U.S., Local 195 Legislative Representative **Jeremy Hodges** says.

Local 1031, Savannah, Ga.

Patricia Erickson was elected by acclamation Nov. 10 to serve as local president of SMART-TD Local 1031, becoming the first woman elected to serve in that office for the local.

“She’s a great leader in our union,” said Georgia State Legislative Director **Matt Campbell**, noting that Erickson contributes a dollar a day to TD PAC.

A railroad conductor for 16 years, Erickson is a RCO (remote control) foreman at CSX’s Southover Yard in Savannah.



From left, Georgia SLD Matt Campbell, Local 1031 President Patricia Erickson, and Local Chairperson Jeff Wittig pose for a photo.

SUMMARY ANNUAL REPORT OF THE SMART DISCIPLINE INCOME PROTECTION PROGRAM

This is a summary of the annual report for the **SMART DISCIPLINE INCOME PROTECTION PROGRAM**, EIN: 34-1031303, for the period January 1, 2019, to December 31, 2019. The annual report has been filed with the Employee Benefits Security Administration, as required under the Employee Retirement Income Security Act of 1974 (ERISA).

BASIC FINANCIAL STATEMENT

The value of plan assets, after subtracting liabilities of the plan, was \$5,765,247 as of December 31, 2019, compared to \$-146,874 as of January 1, 2019. During the plan year the plan experienced an increase in its net assets of \$5,912,121. This increase includes unrealized appreciation and depreciation in the value of plan assets at the beginning of the year of the cost of assets acquired during the year. During the plan year, the plan had total income of \$15,494,587 including participant contributions of \$14,619,355 and gains on investments of \$875,232. Plan expenses were \$9,582,466. These expenses included \$694,046 in administrative expenses and \$8,888,420 in benefits paid to participants and beneficiaries.

YOUR RIGHTS TO ADDITIONAL INFORMATION

You have the right to receive a copy of the full annual report, or any part thereof, on request. The items listed below are included in that report:

- 1. An accountant’s report;
- 2. Financial information and information on payments to service providers, and
- 3. Assets held for investment

To obtain a copy of the full annual report, or any part thereof, write or call the Discipline Income Protection Program, SMART Transportation Division, 24950 Country Club Blvd, Suite 340, North Olmsted, OH 44070-5333; telephone 216-228-9400. The charge to cover copying costs will be \$13.00 for the full annual report or \$0.50 per page for any part thereof.

You also have the right to receive, on request and at no charge, a statement of the assets and liabilities of the plan and accompanying notes, or a statement of income and expenses of the plan and accompanying notes, or both. If you request a copy of the full annual report, these two statements and accompanying notes will be included as part of that report. These charges to cover the copying costs shown above does not include a charge for the copying of these portions of the report because these portions are furnished without charge.

You also have the legally protected right to examine the annual report at the main office of the plan, SMART Transportation Division, 24950 Country Club Blvd, Suite 340, North Olmsted, OH 44070-5333, and at the U.S. Department of Labor in Washington, D.C., or to obtain a copy from the U.S. Department of Labor upon payment of copying costs. Requests to the Department should be addressed to: U.S. Department of Labor, Employee Benefits Security Administration, Public Disclosure Room, 200 Constitution Avenue, NW, Suite N-1513, Washington, D.C. 20210.

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 arayner@smart-union.org or visit www.smart-union.org/td/alumni

Increases ahead for Railroad Retirement annuities

Most Railroad Retirement annuities, like Social Security benefits, will increase in January 2021 due to a rise in the Consumer Price Index (CPI) from the third quarter of 2019 to the corresponding period of the current year.

Cost-of-living increases are calculated in both the Tier I and Tier II benefits included in a Railroad Retirement annuity. Tier I benefits, like Social Security benefits, will increase by 1.3%, which is the percentage of the CPI rise. Tier II benefits will go up by 0.4%, which is 32.5% of the CPI increase. Vested dual benefit payments and supplemental annuities also paid by the Railroad Retirement Board (RRB) are not adjusted for the CPI change.

In January 2021, the average regular Railroad Retirement employee annuity will increase \$30 a month to \$2,936 and the average of combined benefits for an employee and spouse will increase \$42 a month to \$4,263. For those aged widow(er)s eligible for an increase, the average annuity will increase \$16 a month to \$1,453. However, widow(er)s whose annuities are being paid under the Railroad Retirement and Survivors' Improvement Act of 2001 will not receive annual cost-of-living adjustments until their annuity amount is exceeded by the amount that would have been paid under prior law, counting all interim cost-of-living increases otherwise payable. About 54% of the widow(er)s on the RRB's rolls are being paid under the 2001 law.

If a Railroad Retirement or survivor annuitant also receives a Social Security or other government benefit, such as a public service pension, any cost-of-living increase in that benefit will offset the increased Tier I benefit. However, Tier II cost-of-living increases are not reduced by increases in other government benefits. If a widow(er) whose annuity is being paid under the 2001 law is also entitled to an increased government benefit, her or his Railroad Retirement survivor annuity may decrease.

However, the total amount of the combined Railroad Retirement widow(er)'s annuity and other government benefits will not be less than the total payable before the cost-of-living increase and any increase in Medicare premium deductions.

The cost-of-living increase follows a Tier I increase of 1.6% in January 2020 and 2.8% in January 2019, the latter of which had been the largest in seven years.

In late December the RRB will mail notices to all annuitants providing a breakdown of the annuity rates payable to them in January 2021.

RRB moves pre-retirement seminar materials online in response to COVID-19 pandemic

The Railroad Retirement Board's Office of the Labor Member is pleased to announce that its Pre-Retirement Seminar presentation is now available to view online. The program mirrors RRB presentations featured at the SMART-TD Regional Meeting and is designed to help educate those nearing retirement age about the benefits available to them, and what they can expect during the application process.

This popular program helps promote a better understanding of the RRB's benefit programs among the railroad community, and in turn, improves the effectiveness of RRB benefit program operations.

RRB was forced to alter its typical annual schedule of several seminars across the country due to the COVID-19 outbreak.

With all in-person events canceled, RRB prioritized the creation of a web version of the seminar.

To access the video online, visit RRB.gov/PRS and click on View Pre-Retirement Seminar Presentation.

Several aspects of Railroad Retirement benefits are covered in great detail, making the entire presentation more than an hour long.

Shorter segments of the program can be viewed by selecting a seminar topic on the same web page. Available topics include: Retired Employee and Spouse Benefits, Spouse Annuities, Working After Retirement, Survivor Benefits, and Items Affecting All Retirement and Survivor Benefits.

At this time, unemployment and sickness benefits are not covered in the program because of the ongoing uncertainty of additional COVID-19 relief legislation. For the most up-to-date information on these services, visit RRB.gov/coronavirus.

Baltimore TV station features retiree and WWII veteran on news segment

Retiree Henry R. Rey of Local 1929 in Baltimore, was featured in a Veteran's Spotlight segment on a WMAR-TV 2 newscast in late September.

Brother Rey, 95, a yardmaster, retired in 1985 after working for more than 40 years on the Baltimore & Ohio Railroad.

He and his wife of 70 years raised six children.

News reporter Lauren Cook highlighted Brother Rey's career and his service in World War II fighting with the 89th Chemical Mortar Battalion.

Congratulations to Brother Rey on this honor!



Rey

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
31	Kadlubowski, Teddy J.	Arroyo Grande, Calif.	832	Radika, Steve	Hibbing, Minn.	1290	Childress, Robert E.	Grenada, Miss.
60	Hydeck, Steve C.	Tinton Falls, N.J.	867	Short, Dale O.	Decatur, Iowa	1292	Stafford, Walter A.	Duluth, Minn.
212	Telfer, John C.	Selkirk, N.Y.	872	Sandstedt, Richard L.	Omaha, Neb.	1348	Thomas, Jerry E.	Fairview, Ore.
243	Fisher, Harold D.	Denison, Texas	891	Chouinard, Rodney A.	Bozeman, Mont.	1370	Brennan, Thomas P.	North Port, Fla.
243	Thompson, Harvey D.	Denison, Texas	931	Rife, David G.	Marble, N.C.	1383	Demmond, Bruce A.	Portage, Ind.
265	Warth, Robert "Bob" L.	Pocatello, Idaho	953	Sanders, Michael E.	Antlers, Okla.	1393	Simpson, Joseph V.	North Tonawanda, N.Y.
284	Lakos, Laszlo	Cuyahoga Falls, Ohio	965	Sanger, Edwin	Dallas, Texas	1447	Davidson, Paul	Wappingers Falls, N.Y.
313	Lane, William J.	Belmont, Mich.	976	Erwin, Max G.	Shreveport, La.	1518	Vaughn, Paul A.	Danville, Ind.
318	Tross, Carl A.	Susquehanna, Pa.	1006	Kurt, Gary L.	Uniontown, Pa.	1593	Clark, Don L.	Brownwood, Texas
333	Mullen, Mark J.	Plainville, Ind.	1043	Jones, Jerry E.	Sparks, Nev.	1593	Spivey, Eddie C.	Brownwood, Texas
363	Pickerel, Daniel C.	Roanoke, Va.	1067	Rivall, Archie W.	Hibbing, Minn.	1594	Jennings, John P.	Hazleton, Pa.
367	Radden, Irvin O.	Peoria, Ariz.	1074	Ewing Sr., Alfred E.	Natrona Hts., Pa.	1614	Hooker, Paul W.	Minneapolis, Minn.
376	Gehlbach Jr., Kenneth	Corydon, Ind.	1117	Kent, James C.	Las Vegas, Nev.	1962	Rasey, Allen L.	Marion, Ohio
394	Warnefeld, George W.	Tivoli, N.Y.	1137	Thiel, Albert P.	Fergus Falls, Minn.	1971	Ford, Bobby Ray	Mt. Holly, N.C.
768	Dunn, Peter P.	Shelbyville, Ill.	1177	Waverek, A.V.	Avon, Minn.			
792	Mullins, Lee E.	Southington, Ohio	1201	Niemeyer, Kenneth E.	Stockton, Calif.			

IN MEMORIAM

Edward J. Carney, Local 1440, former emcee at meetings and BOA member

Edward J. Carney, 87, of Ft. Wadsworth, Staten Island, N.Y., died suddenly Saturday, Nov. 7. Carney began his railroading career on the Staten Island Railroad, a subsidiary of the B&O Railroad, in June 1955. Over the course of his 40 years of railroad employment, he worked as a conductor in freight, passenger, yard and road service. Brother Carney took an interest in union affairs and became the local chairperson of the Brotherhood of Railroad Trainmen Lodge 560, representing conductors and trainmen on the Staten Island Railroad, in October 1963. After numerous representation elections on the property, he eventually

came to represent conductors, trainmen, engineers, signalmen, maintenance-of-way employees, electricians, boilermakers, machinists, car inspectors and car cleaners. Brother Carney held the position of local chairperson for over 30 years, during which time he became the local chairperson of Local 1440 in Staten Island, N.Y. Carney also served as a local delegate for more than 30 years and attended seven United Transportation Union (UTU) quadrennial conventions. He also served on the UTU Board of Appeals for two terms from 1992 through 1999. Carney



Carney

was a member of the union for more than 40 years. Many will remember Brother Carney as the master of ceremonies at numerous UTU regional meetings and conventions. He always had a joke or two prepared at the events and always graced us with his voice to sing both the U.S. and Canadian national anthems. A U.S. Army veteran, Carney always paused at each event he emceed to recognize his fellow brothers and sisters in arms. He retired from his position of master of ceremonies at the close of the 2013 regional meetings in Boston and Anaheim.

David Eldon Hiatt, Local 72, retired GC of GO-377

David Eldon Hiatt, a retired general chairperson of GO-377 (Canadian National/Grand Trunk Western), passed away November 11, 2020. He was 73 years old. "I looked up to Brother Hiatt, he was what I strived to be like once I became a union officer," said current GO-377 General Chairperson **Bill Miller**. "Brother Hiatt bled union and the SMART-TD."



Hiatt

Brother Hiatt hired out on the GTW in 1969 in Battle Creek, Mich., and was a lifelong SMART-TD/UTU member. He was the local chairperson for Local 72 (Battle Creek, Mich.) for a number of years, then served as general chairperson for GO-377 from 2003 until his retirement in 2012. "One of his big accomplishments was being able to get an hourly agreement approved on the GTW, which gave a better quality of life for the conductors with scheduled off days, five-day work week and great wages," Miller said. "Brother Hiatt was a mentor to many officers on the GTW, especially me." Brother Hiatt was an Army veteran, serving in South Korea along the demilitarized zone in 1968 and '69, and was a VFW and American Legion member. He is survived by his wife, Kathryn; four children; and his brother.

Peter Patsouras, five-term VP, witness to Cuyahoga fire

Five-term UTU Vice President **Peter Patsouras** passed away Sept. 10. He was 76 years old. Joining the union in August



Patsouras

1965, he was elected in 1967 as local chairperson of Local 1825 in Cleveland, Ohio. He was elected general chairperson of Norfolk & Western's Wheeling & Lake Erie Division in 1976 and was elected alternate vice president in 1979. He was elevated

to UTU vice president upon the retirement of Vice President **Jim Burke** in June 1982 and was re-elected at the 1983, '87, '91, '95 and '99 UTU conventions, serving as a VP for more than two full decades of union history until his retirement in 2003. "Pete was a great guy," said retired SMART Transportation Division National Legislative Director **John**

Risch. "Not only was he a great union leader, he was the person who started the modern environmental movement." Patsouras was present to witness a bit of Northeast Ohio and, by extension, U.S. history on June 22, 1969. As a crewmember on the Norfolk & Western train that sparked the infamous Cuyahoga River fire in Cleveland, he saw an event that drew national attention and a bit of infamy to the city of Cleveland.

Gary F. Babiarz, retired GC

Gary F. Babiarz, a member of SMART Transportation Division for more than 45 years and retired general chairperson of GCA 449 (Indiana Harbor Belt Railroad, passed away Sept. 23, 2020, at age 66. Brother Babiarz joined the union in January 1974 and was a GC from 2015 to 2019. He is survived by his wife, Judith Kurtz.



Babiarz

James E. Redden, former SLD

James E. Redden, 90, a former Indiana state legislative director, died Nov. 9, 2020. Brother Redden served in the Korean War, as a railroad engineer for the Army. He joined Local 6 (Indianapolis, Ind.) in Aug. 1951, and worked for 38 years as a fireman then engineer, for the New York Central, Penn Central and Conrail Railroads. In 1988, he was elected SLD and served as a tireless advocate for the safety of railroaders until retirement in 1995. He was a recipient of the Sagamore of the Wabash Award given as a tribute for distinguished service to the state. He leaves behind his wife of 69 years, Ruth; three children; and seven grandchildren.

Michael E. Shelton, former president of Local 1823

Brother **Michael E. Shelton** passed away earlier this year, his Local 1823 union brother **Ray Birch** reports. A second-generation railroader, Brother Shelton served as the St. Louis local's vice president, president, assistant local chairperson,

son, and local chairperson before his retirement from the Union Pacific Railroad in 2004. He also served in the National Guard. Brother Shelton is survived by his sister, his daughter, his son, and several grandchildren.



Shelton

GOs 953 and 225 merge

A pair of TD general committees representing members who work for Union Pacific have merged, giving the opportunity for increased efficiency and better service to members. **Luke Edington**, general chairperson of GO-953, will lead the merged group. The vote was "pretty overwhelming" in favor of the merger, he said. Primary goals include clearing a time claims backlog, increased use of technology regarding claims and quicker turnaround on disciplinary matters. "We have a lot of things going forward," Edington said. "We want an office that is more efficient – better service and quicker turnaround and resolution in disputes."

State Watch continued...

Ohio



Ohio State Legislative Board First Vice Chairperson Ryan Fitzpatrick, left, and State Legislative Director Clyde Whitaker, right, visit striking teachers from the Gahanna-Jefferson school district in October.

Ohio State Legislative Director **Clyde Whitaker** and **Ryan Fitzpatrick**, OSLB first vice chairperson and Local 1397 legislative representative passed out supplies to picketing teachers of the Gahanna-Jefferson school district and talked with them about their issues and what they want from the schools. "They just want a safe environment for learning," Whitaker said. "Whether it is in the classroom, on a bus or a train, safety is paramount, and we expect that our employers provide us with what we need to work safely." "Solidarity doesn't end with just one craft," Fitzpatrick said. "We must all work together and extend our support to any union that fights for their members. These teachers are the foundation of our educational system and the mentors for the future of our country. There is absolutely nothing we should not do to help them achieve success and safety for themselves and their students." The teachers struck for four school days before reaching an agreement.

Wisconsin



Rick Hauser, legislative representative for Local 311 (La Crosse, Wis.), presents a donation from the SMART-TD PAC to incumbent Assemblywoman Jill Billings, who was seeking re-election to represent the state's 95th District in the State Assembly. Billings won another term, receiving nearly 66% of the vote in her successful campaign.

Featured photo showcase



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.

Members of GO-875 showed their support for President-elect Joe Biden's successful campaign prior to Election Day. They are, front row, from left: Rosana Santana, executive secretary; Maria Magallon, operations manager; and Iveth Lopez, administrative assistant. Back row, from left: Local 1608 Chairperson Edgar Menendez; Local 1563 Chairperson Robert Gonzalez; Local 1565 Chairperson Quintin Wormley; Local 1564 Chairperson Andy Carter; GO-875 General Chairperson John M. Ellis; Local 1563 Vice Local Chairperson Jaime Delgadillo; and Local 1564 Vice Local Chairperson Greg Smith. Photo submitted by TD GC Ellis.

FRA: PTC on 99.6% of route miles

WASHINGTON — The U.S. Department of Transportation's Federal Railroad Administration (FRA) Nov. 18 released a quarterly status update on railroads' self-reported progress, as of Sept. 30, 2020, toward fully implementing positive train control (PTC) systems by Dec. 31, 2020, as required by Congress.

All railroads subject to the statutory mandate are currently operating PTC systems in revenue service or in advanced field testing, known as revenue service demonstration (RSD).

PTC technology remains to be activated on approximately 223 required route miles, based on railroads' Third Quarter 2020 PTC Progress Reports, which were due Oct. 31.

As of Sept. 30, 2020, PTC systems were in RSD or in operation on approximately 57,314 route miles — 99.6% of the 57,537 route miles subject to the mandate.

SUMMARY ANNUAL REPORT FOR THE SMART GROUP VSTD PLAN AND TRUST

This is a summary of the annual report for the SMART GROUP VSTD PLAN AND TRUST, (Employer Identification No. 34-1031303, Plan No. 506) for the period January 1, 2019, to December 31, 2019. The annual report has been filed with the Employee Benefits Security Administration, as required under the Employee Retirement Income Security Act of 1974 (ERISA).

BASIC FINANCIAL STATEMENT

The value of plan assets, after subtracting liabilities of the plan, was \$17,619,639 as of December 31, 2019, compared to \$7,415,014 as of January 1, 2019. During the plan year the plan experienced an increase in its net assets of \$10,204,621. This increase includes unrealized appreciation or depreciation in the value of plan assets; that is, the difference between the value of the plan's assets at the end of the year and the value of the assets at the beginning of the year, or the cost of assets acquired during the year. During the plan year, the plan had total income of \$26,382,901. This income included employee contributions of \$16,584,911 and earnings from investments of \$460,064. Plan expenses were \$16,178,280. These expenses included \$2,156,012 in administrative expenses and \$14,022,268 in benefits paid to participants and beneficiaries.

YOUR RIGHTS TO ADDITIONAL INFORMATION

You have the right to receive a copy of the full annual report, or any part thereof, on request. The items listed below are included in that report:

1. An accountant's report;
2. Assets held for investment;
3. Transactions in excess of 5 percent of the plan assets; and
4. Insurance information including sales commissions paid by insurance carriers.

To obtain a copy of the full annual report, or any part thereof, write or call the office of the Plan Sponsor

SMART
Plan Sponsor
1750 New York Avenue, Suite 600
Washington, D.C. 20006
34-1031303 (Employer Identification Number) 216-228-9400

You also have the right to receive from the plan administrator, on request and at no charge, a statement of the assets and liabilities of the plan and accompanying notes, or a statement of income and expenses of the plan and accompanying notes, or both. If you request a copy of the full annual report from the plan administrator, these two statements and accompanying notes will be included as part of that report. These portions of the report are furnished without charge.

You also have the legally protected right to examine the annual report at the main office of the plan:

SMART
1750 New York Avenue, Suite 600
Washington, D.C. 20006

and at the U.S. Department of Labor in Washington, D.C., or to obtain a copy from the U.S. Department of Labor upon payment of copying costs. Requests to the Department should be addressed to: U.S. Department of Labor, Employee Benefits Security Administration, Public Disclosure Room, 200 Constitution Avenue, NW, Suite N-1513, Washington, D.C. 20210.

2021 railroad paid holiday schedule

- Rail employees working under the national agreement will receive 11 paid holidays in 2021:
- **New Year's Day,** Friday, Jan. 1
 - **Presidents Day,** Monday, Feb. 15
 - **Good Friday,** Friday, April 2
 - **Memorial Day,** Monday, May 31
 - **Independence Day,** Monday, July 5 (obs.)
 - **Labor Day,** Monday, Sept. 6
 - **Thanksgiving Day,** Thursday, Nov. 25
 - **Day after Thanksgiving,** Friday, Nov. 26
 - **Christmas Eve,** Friday, Dec. 24
 - **Christmas Day,** Saturday, Dec. 25
 - **New Year's Eve,** Friday, Dec. 31

Happy Holidays!