



The members of the SMART Transportation Division National Safety Team pose together for a group photo at the Hilton Cleveland Downtown during the joint NST/Local treasurer workshop event on March 8.

National Safety Team meets, welcomes new members

For the first time in six years, the Transportation Division's National Safety Team (NST) met for a training workshop held March 8 at the Hilton Cleveland Downtown hotel. Comprised of 20 members – including NST Director **Jared Cassity** and two assistant directors, **Louis Costa** and **Dan Bonawitz** – the team recently added eight new team members in December, replacing those who had retired or no longer wanted to be on the team. With so many new members of the team, Cassity felt that it was time for training, not just for the new members, but as a refresher for the oldheads as well.

Cassity opened the meeting by telling the team: "All of you are here, not just on your own merits, but because someone else or many other people thought that you were deserving of this job, and I

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Attentive local officers take part in the first day of the three-day-long local treasurer workshop on March 8 at the Hilton Cleveland Downtown.

Arbiter to hear Hi-Viz case

On March 23, the SMART Transportation Division (SMART-TD) and the Brotherhood of Locomotive Engineers and Trainmen (BLET) chose to arbitrate their case against the BNSF and its "Hi-Viz" attendance policy.

The quickest and most direct way to challenge this policy is through a Public Law Board or Special Board of Adjustment, properly constituted under Section 3 of the Railway Labor Act. That board will have the authority to strike down either the entire policy or the most egregious parts of the policy much more quickly. The time frame will be months as opposed to years.

As a result, BLET and SMART-TD general chairpersons have notified BNSF of their intent to move the dispute forward pursuant to Section 3 of the Railway Labor Act.

In conjunction with the Transportation Trades Department, AFL-CIO (TTD), the unions urge all members to engage in a petition drive to bring attention to the draconian and punitive attendance policies that have forced rail workers to live in constant fatigue.

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Tell Congress: Listen to Rail Workers

They Are the Backbone of the U.S. Supply Chain

Join us in telling members of Congress they should back the people who do the work, rather than the rail industry's financial interests, who have recently implemented draconian new attendance policies.

[Send A Message To Congress Today!](#)

Latest SMART News

Stay on top of what's happening in your union

WELCOME TO OUR NEW WEBSITE:

Redesigned SMART site rolled out in late February for instructions, see **Page 7**.

Safety team, local officers convene at meeting in Cleveland

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would like to commend you for that. You all are here because you’ve made an impression on somebody else. You are good at what you do. Thank you for that and we’re going to rely on that. That expertise makes all the difference when we are at these investigations. The NTSB has its own expertise, but they rely on us from our position and our stakes in the game to help them formulate what’s going on and what safety recommendations they’re going to make. All that starts here with you guys here in this room.”

The workshop began with a presentation from the National Transportation Safety Board’s (NTSB) chief of the railroad division, David Bucher. Bucher went over with the team the procedures of how the NTSB determines whether a team will be sent to the site of an accident, as well as important rules for members to follow while investigating an accident. The No. 1 rule stressed the most by Bucher and Cassity was that members are not to discuss the case with anyone not on the investigation team and that they need to be careful as to where they discuss facts and speculations about the case because you never know who might be listening. The investigator-in-charge or IIC is the NTSB’s lead investigator at an accident and the only one authorized to speak to the press and public about what’s going on.

SMART-TD President **Jeremy Ferguson** wrapped up the meeting at the afternoon session to



Transportation Division President **Jeremy Ferguson**, right, welcomes into his office a group of local officers who were attending a treasurer’s workshop in early March in Cleveland.

encourage the team as well as to answer questions.

“This is my favorite team. Honestly, I’m a wannabe. I’ve always found accident investigations very interesting. I’ve had a passion for safety in the past and safety is still my passion and still our passion in this administration. The numbers stand at 15 that we have had killed in the line of duty since I took office in October 2019. Lots of fatalities. It’s tough. I get emotional. Every one of those lives means something to me and this union and they should never die at work for any reason. That’s why you guys are here, to make sure that we protect the next one no matter what we face. We’ve got to do our best to stay out in front of them and keep them alive,” Ferguson told the team.

To learn more about the NST, visit [https://smart-](https://smart-union.org/safety/td-national-)

safety-team.

A three-day treasurer’s workshop was also held simultaneously at the Cleveland hotel. Treasurers were coached by Local Support Representative **John Purcell** as well as SMART-TD Local Support Supervisor **Katy Andri-jowych** and members of her department, on the role of being a treasurer and all that it requires. The packed class was capped at 25 attendees. It too was visited by President Ferguson, who spoke to the treasurers and answered their questions.

“I can’t thank you guys enough for the job you do though. The thanks are not enough. The local chairman or general chairman get all the glory and the treasurers are back there making sure the bank accounts are good, the funds are there to keep everybody paid and keeping the lights on for

union meetings. We always strive to make sure that our treasurers have all of the support that we have to offer,” President Ferguson said. “As far as the union goes...how many treasurers noticed that we did not raise dues in January? We hope to do that again next year. I believe the funds and state of the union are excellent, in my opinion, right now. We have implemented a lot of cost-saving measures and will continue to do that. We are doing everything we can to cut down on spending and take good care of the members’ money. We believe in that wholeheartedly.”

Treasurers who are interested in attending the next workshop or need virtual training should log in to the Member Portal and visit the Transportation Local Toolbox at smart-union.org/resources/transportation-local-toolbox.

CBC supports request by MD, BMWED

The 11-union Coordinated Bargaining Coalition (CBC), of which SMART-TD is a member, released the following statement on Feb. 28, 2022:

By letter dated February 24, 2022, the rail bargaining coalition made up of the Brotherhood of Maintenance of Way Employees Division of the Teamsters Rail Conference and the Mechanical Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers Union petitioned the National Mediation Board (NMB) for a proffer of arbitration, requesting to be released from further mediation sessions. If granted by the NMB, the proffer of arbitration is the next step in the process towards self-help and a potential Presidential Emergency Board to settle their contract dispute with the nation’s rail carriers.

The Coordinated Bargaining Coalition unions, which are likewise in negotiations with the same rail carriers, support the BMWED/SMART Mechanical Division’s request to be released from mediation and agree that the parties are at an impasse and should be allowed to move the contract dispute to the next steps of the Railway Labor Act’s negotiation process.

Although the CBC unions are also in mediation with their next NMB-mediated bargaining session scheduled in March, the CBC made it clear to the NMB upon entering mediation that there is little, if any, hope of reaching a voluntary agreement in light of the rail carriers’ refusal to bargain in good faith with any of the rail unions. Therefore, the CBC fully expects to be making the same request for a release, and once all rail unions are released from mediation, the CBC will stand alongside the BMWED/SMART Mechanical Coalition through the final steps of the Railway Labor Act negotiation process to bring the bargaining round to a successful conclusion.

Unions take punitive ‘Hi-Viz’ policy to arbitration; petition drive is launched

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SMART-TD President **Jeremy Ferguson** and BLET President Dennis Pierce said, “We thank TTD President Greg Regan as our organizations continue to oppose draconian carrier attendance policies, such as the BNSF ‘Hi-Viz’ policy. These policies are clearly designed to further maximize carrier profits at the workers’ expense. Our unions will work jointly with TTD to raise awareness of these issues; they have gone unchallenged by our legislators and regulatory agencies for much too long.”

A case in point— according to a report in Business Insider published on March 4, five Democratic political leaders want an investigation by the Department of Labor (DOL) and the Equal Employment Opportunity Commission (EEOC) into Amazon’s atten-

dance policies, and we have one question for them:

When do railroad workers get their turn?

Warren Buffett, while not as rich as Jeff Bezos, was crowing about BNSF’s record 2021 profits. It just so happens that his railroad, which happens to be the largest in the nation, imposed the “Hi-Viz” policy that is absolutely in line with what Amazon is doing — points, permanent records and punishment for people if life gets in the way of work. Other Class I railroads have similar attendance policies. All of these need to be examined closely so that all workers receive the stable work-life balance that they DESERVE.

We’ve seen members’ posts on the internet, we have taken the calls and



we have read and responded to the emails from our memberships. This is a top priority for SMART Transportation Division and BLET leaders. We need to work together and unite for a positive change instead of directing anger and discontent inward. As we continue

to work with our elected leaders for the same help and support, it stands to reason that we will be reminding Senators Elizabeth Warren, Bernie Sanders and Richard Blumenthal as well as Representatives Alexandria Ocasio-Cortez, Cory Booker and Cori Bush that they should push for answers from BNSF and other railroads with the same energy and focus that they are placing on Amazon.

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.** (dwierjr@smart-union.org) for rail victories.

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 (NRAB).

Of the many cases that the organization received sustaining decisions on from the First Division, the cases referenced below are of significant interest:

■ **In NRAB First Division Award No. 30777** (Darby, 2021), Norfolk Southern terminated a locomotive engineer’s employment based on its allegation that the claimant engaged in conduct unbecoming an employee when he purportedly failed to disclose a previous criminal conviction on his initial employment application. Notwithstanding the carrier’s assertions in the instant case, the board observed that the organization introduced sufficient documentation into the record of the formal investigation to demonstrate that the claimant does not have a public criminal record. For that reason, the board overturned the carrier’s decision to terminate the claimant’s employment, sustaining the claim in full. GO 687 General Chairperson **James Ball**, GO 687 Assistant General Chairperson **Brian Sharkey** and GO 687 Secretary **Nicholas Greficz** progressed this case.

■ **In NRAB First Division Award No. 30782** (Espinosa, 2021), Union Pacific dismissed a locomotive engineer for allegedly exceeding the maximum authorized speed, resulting in a PTC enforcement. In upholding the charges it brought against the claimant, the carrier opined that the claimant violated, among other rules, GCOR 1.6 – Conduct. Although the board found that the record of the instant case supported the carrier’s determination to find the claimant guilty, it maintained that the record of the subject case failed to support a finding that the claimant transgressed

GCOR 1.6 – Conduct. Because the board found that the claimant did not violate GCOR 1.6 – Conduct, it reduced his termination to a MAPS Training 1. The claimant was reinstated to service and compensated for all lost earnings during the period of his discharge. 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.

■ **In NRAB First Division Case No. 30784** (Espinosa, 2021), Union Pacific terminated a trainman for allegedly delaying his job and purportedly engaging in misconduct when he tore a MAPS coaching form in half. Noting that the carrier initially intended to handle the charge it brought against the claimant related to him allegedly delaying his job as a coaching event, the board rationalized that it was palpably unreasonable for the carrier to escalate the claimant’s disciplinary assessment from a coaching event to termination due to a torn coaching form. Based on a review of the record of the instant case, the board determined that the carrier’s decision to terminate the claimant’s employment was arbitrary and harsh. For that reason, the board reduced the discipline assessed to the claimant from termination to a MAPS Training 1. Accordingly, the board reinstated the claimant to service and ordered the carrier to compensate him for his lost wages. 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.

■ **In NRAB First Division Award No. 30802** (Halter, 2021), Union Pacific terminated a trainman for allegedly failing to stop short of improperly lined switches, resulting in a derailment. After reviewing the record of the instant case, the board concluded that a procedural impropri-

ety committed by the carrier warranted voiding the carrier’s decision to terminate the claimant. In this regard, at the formal investigation, the hearing officer excluded documentary evidence that the organization and claimant sought to introduce into the record of the proceeding. In examining this issue, the board concluded that the hearing officer abused his discretion by excluding relevant evidence from being tendered into the record of the formal inquiry. Because of this procedural infirmity committed by the hearing officer, the board reinstated the claimant to service and required the carrier to make him whole for his lost earnings during his period of discharge. GO 887 General Chairperson **Gary Crest** and GO 887 Vice General Chairperson **Todd Campbell** progressed this case.

Public Law Boards

■ **In Public Law Board 7680, Award No. 161** (Deinhardt, 2021), Amtrak terminated the employment of a conductor for purportedly bringing discredit upon the carrier by allegedly entering into a physical altercation with a guest in front of other passengers and damaging Amtrak property. On the date of the alleged incident, an unruly passenger attempted to board the claimant’s train with an invalid ticket. Because the passenger did not possess a valid ticket, the claimant denied the passenger entry on the train. At this point, the passenger became disorderly, and by reason thereof, the claimant asked the passenger to step aside so he could scan the tickets of passengers waiting in line to board the train. Due to the aggressive actions of the passenger, an altercation ensued. In adjudging this case, the board determined that the claimant did not strike the unruly passenger. Based on a review of the evidentiary record of this case, the board reasoned that the carrier failed to demonstrate whether the claimant entered into a physical altercation with the customer. Based on that

conclusion, the board reinstated the claimant to service and ordered that he be compensated for all his lost wages during his period of discharge. GO 769 General Chairperson **Rick Pauli** handled this case.

■ **In Public Law Board 7680, Award No. 167** (Deinhardt, 2021), Amtrak terminated a conductor for allegedly being dishonest when filing a claim for lost wages related to an injury report. In adjudicating the instant case, the board determined that the claimant did not represent to the carrier that his injury occurred while he was on duty. Additionally, the board discerned that the claimant did not file an actual claim with the carrier for compensation benefits. Rather, as the board observed, a claim was apparently filled out for him by someone else, but the claim was neither shown to the claimant nor was it introduced into the record of his formal investigation. In light of its determination that the claimant did not intend to misstate how his injury transpired or to claim compensation for the injury, the board concluded that the carrier failed to satisfy its burden of proof. Finding that the record of the formal investigation did not support the carrier’s findings and conclusions, the board reinstated the claimant to service and awarded him compensation for his lost wages during his period of discharge. GO 769 General Chairperson **Rick Pauli** handled this case.

■ **In Public Law Board 7680, Award No. 179** (Deinhardt, 2021), Amtrak charged a conductor for allegedly failing to follow proper remittance procedures and alleged dishonesty; however, the conductor was terminated for failure to sell tickets from his ticket stock in over a year. In reviewing this case, the board determined that the claimant was terminated for an offense he was not charged with in the notice of investigation. Because the claimant was found guilty of an offense not articulated in the notice of

investigation, the board maintained that Rule 25 (d) (1) of the parties’ collective bargaining agreement was violated. Given that the carrier terminated the claimant for an offense for which he was not properly charged, the board reinstated him to service and ordered that he be compensated for all his lost wages during his period of discharge. GO 769 General Chairperson **Rick Pauli** handled this case.

Bus/transit report

SMART-TD Vice Presidents **Alvy Hughes** and **Calvin Studivant** report that the Bus Department has received several favorable arbitration and mediation awards. Here are some decisions referenced below:

■ **In Federal Mediation and Conciliation Service (FMCS) case #210528-07182** (Soll), Transit Management of Charlotte (TMOG) terminated an operator for alleged gross negligence in the operation of a revenue vehicle. TMOG offered an undisclosed settlement award before the arbitration hearing that was accepted by the grievant. General Chairperson **Joseph Paglia** (GCA-TMD) advanced this arbitration with the assistance of Vice President **Alvy Hughes**.

■ **In Federal Mediation and Conciliation Service (FMCS) case #2020-0096** (Shaller), an operator was terminated by First Student Inc., for alleged insubordination and failing to take a designated vehicle for a particular route. Because First Student Inc., failed to comply with the preconditions outlined in the collective bargaining agreement, the termination lacked just cause. An award was granted in part.

The operator was reinstated to the position held at the time of termination, with a time-served suspension. General Chairperson **Tonette Nixon-Pray** (GCA-DEL) advanced this arbitration with the assistance of Vice President **Calvin Studivant**.

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SMART GENERAL PRESIDENT’S COLUMN

We’re all together in opposing carrier’s policy

Many of you are aware of recent developments surrounding BNSF’s Hi-Viz policy. This represents an affront to the railroaders who not only kept goods and materials flowing during a critical and vulnerable time for our nation, but also helped their employer realize the greatest profits in its history.

The railroad’s underhanded legal strategy included filing a legal challenge where they knew an anti-labor, pro-management, Trump-appointed judge would hear the case and render them a favorable decision. In the end, they got what they wished for with an activist judge who went above and beyond the scope of the case and ordered, by penalty of law, that railroaders not



By Joseph Sellers Jr.

even discuss or criticize BNSF online without repercussions. This anti-democratic stance has no place in America’s legal system and is a grave miscarriage of justice.

These maneuvers will not go unchallenged. SMART sheet metal workers are standing with you to fight back against this draconian, anti-worker policy. Already, SMART and our brothers and sisters from other transportation unions are pursuing arbitration to resolve this

dispute. I urge every member across our union to contact their congressional representatives and senators by texting the words NOHiVIZ to 67336; tell Congress to get involved and take the side of our brothers and sisters working at BNSF. You will also be subscribed to our alert list to continue to receive the latest, breaking news on this issue and other issues of importance to you as a union member.

Brothers and sisters, while we may still face temporary setbacks and adversity, we have overcome much greater challenges in the past.

The entire labor movement is rallying behind us as they learn about the grave injustice being committed

Taking action

- 1. Contact your General Chairperson.
- 2. Stay connected with your union.
- 3. Follow the QR code at right to contact your member of Congress.
- 4. Sign on to the AFL-CIO’s petition: <https://act.aflcio.org/petitions/bnsf/>



through the enactment of this policy.

We have beaten this type of management behavior before, and we will do so again. The most-important thing each of us can do right now is stay united. The railroads hope and expect us to attack each other, blame the union and eventually lose hope over this situation.

This is an attempt to break our spirits. There is no time but now to rise up and overcome the challenge they

have thrown down. They have awoken a sleeping giant, and I have no doubt that, because of this, we will only grow stronger.

Remember: have your brothers’ and sisters’ backs, and we will stand together against this attack upon us all.

In solidarity,

Joseph Sellers Jr.
General President, SMART

Bus Department News

A message from your Bus Department leadership

Sisters and Brothers, Most days, you turn on the news and see stories about assaults happening on airplanes. Rarely does the news cover assaults on buses unless they are extreme. However, operator assaults are on the rise. Not only have verbal and physical assaults increased significantly, but they are becoming more intense.

Assaults are not limited to transit operators. Our charter and school bus operators are also experiencing some offenses. There may be many reasons to blame for the increase, from the pandemic to mental health issues. Whatever the reason, it’s unacceptable, and no one should have to worry about being assaulted at their job. An operator’s daily grind is to earn an honest living for themselves and their families.

Recently, this hit close to home. While in service, brother **Ethan Rivera** of Local 1715 in Charlotte lost his life while



By Alvy Hughes

transporting passengers en route. We are struggling to understand this senseless violence and disregard of life.

“Ethan was well-liked and respected, and you could not find anyone to say a negative word about him,” said General Chairperson **Joseph Paglia** (GCA-TMD).

As I mourn with my sisters and brothers of Local 1715, please keep Brother Rivera’s family in your thoughts and prayers.

While we are engaging transit agencies to increase safety measures for our members, some federal help may be on the way. As part of the Bipartisan Infrastructure Law that passed last year, a provision was introduced requiring fund-

ing for bus operator protection by U.S. Sen. Chris Van Hollen of Maryland. This bipartisan effort demands transit agencies implement risk reduction plans. These efforts include, but are not limited to, assault mitigation, infrastructure to provide barrier protection for operators and de-escalation training. Most importantly, the federal reporting and tracking of all assaults is part of the provision, regardless of the nature of the incident. Details of the implementation and the allotted funds are in the works.

As an organization, we will continue fighting for the protection and harsher assault penalties for our members. Enough is enough!

As always, stay well and be safe.

Fraternally yours,
Alvy Hughes

Vice President

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What Your Union is Doing

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■ **In California State Mediation and Conciliation Service (CSMCS) case #ARB-21-0004** (Hoffman), Santa Cruz Metropolitan Transit District (Metro) discharged an operator for alleged negligence and gross misconduct in three driving incidents within a period and failure to report. The arbitrator ruled that Metro failed to prove that the operator conducted gross misconduct and lacked just cause with clear and convincing evidence. The operator was to be made whole, including back pay and other benefits for a period from the termination date to the date of reinstatement and shall serve a 10-day suspension as part of the remedy. General Chairperson **James Sandoval** (GCA-SCM) handled this case in arbitration.

■ **In a Federal Mediation and Conciliation Service (FMCS) mediation case**, the organization said that Transit Management of Charlotte (TMO) made substantial changes to the “Letter of Understanding” regarding vacation and personal days off without prior knowledge. TMO’s position was that they reserved the right to do so due to staffing issues. The mediation was mutually settled by the parties engaging in a new memorandum without substantial changes. General Chairperson **Craig Patch** (GCA-TMM) advanced the mediation with the assistance of Vice President **Alvy Hughes**.

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TRANSPORTATION DIVISION PRESIDENT’S COLUMN

Saluting bus & transit as safety efforts advance

Dear Brothers and Sisters,
Transit Driver Appreciation Day was March 18, and I would like to extend my personal thank you to each and every member who works in this often undervalued and important industry. It is because of you, even during a pandemic, that people around the country are able to get safely from point A to B. You are true professionals and the best of the best and I greatly appreciate everything that you do.

Our Bus & Transit Department officers have been working hard and our members are seeing the fruits of their labors. Members who work for New Jersey Transit ratified a new contract Oct. 21, 2021, gaining them well-deserved raises of 12% over the course of the four-year agreement retroactive to 2020, no increases in medical benefit costs, bereavement leave for step-parents, and Juneteenth as a paid holiday. NJT retirees and spouses also benefit from this agreement as well — they will no longer be required to contribute monthly premiums for their healthcare. The retroactive raises have already been paid out, and I’m proud to say that there were no concessions to the carrier. This contract 100% benefits our NJT membership. A special thanks goes out to General Chairperson **Jerome Johnson** and his negotiating team for this excellent agreement.

Pacific Coast Sightseeing Tours & Charters Inc. — a sister company of Coach USA — operators, mechanics, ticket agents and washer/cleaners in California (Local 1590) held their very first meeting this year and we have another new bus local that just came on board in Kansas City, Mo., (Local 1706). The local consists of 200 new members who work for Student Transportation of



By **Jeremy Ferguson**

America (STA) as school bus operators, aides and monitors for the Kansas City school district. To these new members, I say welcome, and please let us know if you need anything as we are always available to assist.

Meanwhile, our National Legislative Department has been working relentlessly to get legislators to pass regulations beneficial to our members. The new Bipartisan Infrastructure Law delivers on that, providing important changes that give our bus and transit workers greater protection. As a result, bus and transit carriers, both large and small, are now required to work with labor to create Agency Safety Plans (ASP), giving us an **equal** seat at the table with management. These requirements must include a risk-reduction program to improve safety by reducing the number of accidents, injuries and assaults on transit workers. Safety teams will need to be established and recommendations made by Dec. 31. However, transit companies and municipalities are pushing back because they say it is not enough time.

I was in attendance and heard firsthand when FTA Administrator Nuria Fernandez, along with her Chief of Safety Joe Delorenzo, stated that extensions have already been made and this is a hard date. Administrator Fernandez was adamant that we have to have a “minimum level of safety as operators” and that is her top priority. Another initiative includes law enforcement interaction requirements at bus stops/stations, along the routes and on the equip-

ment itself. Administrator Fernandez stated she wants to keep the line of communication open with our organization as “too many assaults go unreported” and this needs to change.

At the state level, Bus Vice President **Calvin Studivant** and New Jersey State Legislative Director **Ron Sabol** worked with N.J. Assemblyman Daniel Benson and were victorious in getting the N.J. Legislature to pass the Motorbus and Passenger Rail Service Employee Violence Prevention Act, upgrading the penalty for operator assaults. Assemblyman Benson attended the monthly state legislative directors’ Zoom call in January and provided valuable guidance on how he was successful in getting the new law passed. With his indispensable advice, we have high hopes that this success will lead to similar and much-needed legislation in other states.

With the mention of transit and bus operator assaults, I would be remiss if I didn’t mention my sadness and heartbreak at the loss of member and Charlotte Area Transit bus operator **Ethan Rivera**, who was killed in the line of duty by a motorist filled with road rage. I am appalled and devastated as this should not have happened and likely could have been prevented with a simple bulletproof barrier and proper de-escalation training.

In February, we had a member employed by Chicago Metra attacked and robbed at gunpoint while on duty. Fortunately, that member survived his ordeal. Sadly, there are many more similar incidents that we could point to that have placed our transit brothers and sisters in harm’s way. All of which bring to light that, even though we have recently experienced some successes legislatively,

more must be done.

Due to several uncontrollable factors, transit riders have taken their frustrations out on our brother and sister operators, and assaults have been at an all-time high. This is unacceptable to me and to my administration. Until every member is safe at work, whether it be from irate passengers, switching accidents, derailments or other tragedies, our work is not done. As I told our National Safety Team at their training workshop in Cleveland on March 8, safety is my passion. I am committed to making sure that **ALL** of our members get home safely. No one should ever fear for their safety or die at work. We all deserve — and our families deserve — for us to come home safely! Anything less is simply unacceptable.

On a lighter note, SMART-TD continues to look for ways and means to improve everything we do, from our communications, new website, app and training format, and more importantly, our finances. My administration has installed and utilized many cost-saving measures and that led me to opt out of the dues increase slated for earlier this year. Thankfully, the Board of Directors agreed with my assessment and therefore approved my request to petition the GEC to support waiving the increase, as provided by the SMART Constitution.

Further, I am excited to announce that the SMART-TD headquarters will be moving from its current location this spring to Independence, Ohio. This cost-effective measure will save the union a very conservative estimation of \$2 million over 10 years. Please be patient, as this move will not come without some complexities. While a move of this magnitude is never an easy task, we feel it

is a necessary one, especially when you factor in the tremendous savings it will provide.

As stated above, in an effort to better serve our valued membership and to increase security, we have upgraded our website with new functionality under a member-only portal. This will allow information that should be for “members only” to remain private behind a login with access only given to verified members (see Page 7).

Lastly, as we continue to face adversity from the public, the carriers, the internet and from within, it is important that we remain strong and united. No matter what craft you’re in, no matter what property you’re on, we have the knowledge, the skills and the backbone to fight whatever may come our way. Everyone must remember that you never share your agenda or playbook publicly, and you must have faith that those of us leading the charge have your back. We did not get here by happenstance; we were elected because of our experience and knowledge. To place your misguided frustrations onto those who are doing all they can on your behalf is not only erroneous, but counterproductive. We haven’t backed down from anything, nor do we intend to. Let’s turn that negative energy against those that have created these issues, as united we can achieve so much more than divided. Anything less, the carriers win...and that is something I simply cannot allow to happen.

Stay safe everyone, and God bless.

Faternally,

Jeremy R. Ferguson
President,
Transportation Division

State Watch

News from SMART-TD State Legislative Boards

Kansas SLD introduces Buttigieg at infrastructure event

Kansas State Legislative Director **Ty Dragoo** (Local 1503, Marysville, Kan.) accepted an invitation from the federal Department of Transportation to introduce DOT Secretary Pete Buttigieg and U.S. Rep.

Sharice Davids at a Jan. 28 event discussing the Bipartisan Infrastructure Law in Kansas City.

“It’s no accident when federal agencies call on our state directors to be at the table when these events

happen,” said Dragoo, who has been Kansas SLD since January 2010. “Our legislative team is second to none in D.C. National Legislative Director **Greg Hynes** and Alt. National Legislative Director **Jared**

Cassity are making great connections and advancing our cause.

“It’s proof when we get these calls. SMART-TD is a key stakeholder in D.C. and throughout the country.”

Accompanied by Kansas

Assistant State Legislative Director **Chad Henton** (Local 506, Herington, Kan.) and Kansas SLB Secretary & Treasurer **Dan Bonawitz** (Local 1409, Kansas City, Kan.), Secre-

Continued on Page 6

State Watch continued...

Nebraska

State Legislative Director **Bob Borgeson** saw a need and he's doing his best to fill it.

The SLD for going on a decade and member of Local 872 (Omaha, Neb.) has thrown his hat in the ring for the May primary to represent District 12 in the State Senate.

He kicked off his campaign with a March 1 event, and will advance to the November election if he ends up being one of the top two vote-getters in the May 10 primary.

"My 42 years with Burlington taught me the value of a



Borgeson

hard day's work and the importance of making sure that working families are given the opportunity to have good paying jobs with benefits to provide for their families," he said. "As a state legislator, I will work to help provide Nebraskans with those opportunities."

District 12 represents about 40,000 people in and around Omaha.

For more information or to contribute to his campaign, visit www.bobborgeson.com. Contributions also can be sent to:

Borgeson for Legislature
12503 Anne St.
Omaha, NE 68137

New Jersey



N.J. Assemblyman Dan Benson, center, receives a proclamation from SMART-TD New Jersey State Legislative Director Ron Sabol, left, and Board Vice Chairperson Joseph Williams, right, for Benson's work on behalf of labor issues.

SMART Transportation Division New Jersey State Legislative Board Vice Chairperson **Joseph Williams** in early March presented a proclamation from SMART Transportation Division President **Jeremy R. Ferguson**, National Legislative Director **Gregory Hynes** and N.J. State Legislative Director **Ron Sabol** to Assemblyman Dan Benson, recognizing his efforts in protecting our members.

Benson serves as the chair of the state General Assembly's Transportation and Independent Authorities Committee and was instrumental in the passage and the Jan. 10 signing into law of the Motorbus and Passenger Rail Service Employee Violence Prevention Act that strengthens penalties for assaults on a motorbus or autobus operator, the operator's supervisor or passenger rail employees.

"Assemblyman Benson put in long hours when working on the Motorbus and Passenger Rail Service Employee Violence Prevention Act, turning the bill around and

building support for it in a matter of weeks," Sabol said. "All that work paid off and led to a great success. His efforts will result in a safer environment for our members, where perpetrators of violence upon transportation workers will be punished."

Sabol received an honor himself, being elected March 2 to lead the influential New Jersey Society for Environmental, Economic Development (NJ SEED) coalition.

N.J. Sen. Patrick J. Diegnan Jr., chairman of the Senate Transportation Committee who has collaborated with Sabol on many legislative initiatives, swore him in.

"Ron is the quintessence of how to get things done. It's not only about being smart, it's not only about listening to people, it's about trust," Diegnan said. "You could not have a better leader."

"You can count on me to carry the NJ SEED message, your message, in the work that I do and to the people that I meet," Sabol said. "I believe in NJ SEED and what we will all accomplish together."

Minnesota

A minimum freight crew-size bill has been introduced in the state House of Representatives.

HF 3929 was awaiting a companion bill to be introduced in the state Senate so that both chambers of the Legislature could be encouraged to pass the bill.

"It's always exciting to be a part of governance," said State Legislative Director **Nick Katich** of Local 1067 (Virginia, Minn.). "Working with lawmakers and their staff while representing the members of Minnesota is a real honor."

The bill language used was crafted and adopted by both SMART-TD and the Brotherhood of Locomotive Engineers and Trainmen (BLET) and requires two people to operate every freight train.

Minnesota legislative



Katich

directors for SMART-TD and BLET joined forces and are working together to help this bill make its way to the governor's desk.

"I'm so happy to be working in tandem with BLET SLD Joel Mueller," said Katich. "He's a hard worker and we work well together."

One of the most important components to getting a bill passed is membership participation. Members in the state should watch their inboxes and social media for hearing dates that you can show up to and participate in.

"When lawmakers see a room full of railroad workers and constituents, they take notice," Katich said.

If interested in testifying, contact Katich at 651-222-7500 or sld@smart-td-minnesota.org.

Illinois



The SMART-TD Illinois Legislative Board is proud to announce the launch of its new website at www.illini-smarttd.org. The new site follows the tradition of establishing a "one-stop shop" for accessing important information, including direct contact to legislative representatives via email, links to file safety complaints, technology event reports, blocked crossings and FRA regulation violation complaints.

The new site also highlights the history of our SMART-TD Illinois Legislative Board and the proud history of rail labor in general as well as SMART-TD Political Action Committee (PAC) "Leaders of Distinction."

Kansas state legislative director introduces Buttigieg

Continued from Page 5

tary Buttigieg, Rep. Davids and SLD Dragoo took part in a roundtable discussion at the University of Kansas Medical Center campus.

"The Bipartisan Infrastructure Law is innovative legislation that will bring thousands of jobs to the state of Kansas," Dragoo said in his introduction of DOT Secretary Buttigieg and Rep. Davids. "My organization is uniquely qualified to reap its benefits because we are the men and women that physically transport the products created by our great unions and building trades. We are moving from the Great Resignation to the Great Innovation. From SMART members building new HVAC systems for our nation's schools and hospitals, to SMART members transporting the much-needed resources to build and innovate this country. We get it done!"

Buttigieg described the funds coming to invest in the nation's infrastructure as being of historic levels and said that good-paying union jobs would be created in the state of Kansas and nationwide because of the bipartisan legislation signed into law by President Joe Biden last year.

"We are preparing to



Kansas State Legislative Director Ty Dragoo delivers his introduction of Department of Transportation Secretary Pete Buttigieg on Jan. 28 in Kansas City, Kan.

deploy historic levels of funding to help modernize transportation across the country thanks to this law," he said. "This law is going to do so much in every part of the United States, and certainly here. It's going to help us build more electric buses, to help kids get to school without being exposed to toxic fumes. It's going to help us expand public transit to make commutes faster and traffic lighter."

Dragoo's family — Jessica, Kennedy, Quinn, Savannah and Jax — also attended some of the day's activities.

Virginia appearance

The encounters with the DOT secretary were not limited to Kansas.

Buttigieg also was in Richmond, Va. in December, and met with State Legislative Director **Ronnie Hobbs** and U.S. Rep. Abigail Spanberger as they participated in a roundtable discussion of infrastructure.

"Our union has a seat at the table with this administration and with Congresswoman Spanberger," Hobbs said. "She's always listening and standing with all the hard-working men and women of the Commonwealth of Virginia."

Spanberger, who is seeking re-election in the state's 7th Congressional District, was endorsed by Hobbs in early January

Buttigieg also met New Jersey SLD **Ron Sabol** and Local 759 President **Rafael Becerra** in early March (see Page 8).

Nevada

State Legislative Director **Jason Doering** was appointed to a four-year term as a member of the Nevada State High-Speed Rail Authority by Gov. Steve Sisolak. As a member of the board, Doering will join a



Doering

chairperson and three other members to facilitate the implementation of a high-speed rail system connecting Southern California and Southern Nevada. Congratulations to SLD Doering on this new position of authority!

California



From left, Ed Farrel, BLET local chairman; Jose Covarrubias, BLET local chairman; Ryan Snow, BLET California State Legislative Board; Robbie Cunningham, BLET general chairman; Amit Bose; California State Legislative Director Louie Costa; GO 017 Secretary Rich O’Connell; and GO 887 General Chairperson Gary Crest.

Members of the State Legislative Board met with then-Deputy Administrator and now-current Administrator Amit Bose of the Federal Railroad Administration at his request Dec. 8 in Los Angeles. They discussed a labor perspective and suggestions to help with the supply-chain issues in the Southern California ports. “We were also able to discuss other issues

affecting our members and it was clear that Mr. Bose understood the concerns that we had with the previous administration,” State Legislative Director **Louis Costa** said. “It is a welcome change to have an FRA administrator open to communicating with SMART-TD members and our state and national leaders. It was clear that he valued the input from our perspective.”

Iowa

A pair of bills limiting train length have been introduced in the Iowa House and Senate and have gained some traction. House File 2339 and Senate File 2286 both contain language that would limit the length of any freight train to 8,500 feet. House File 278 (now renumbered as HF 2339) was introduced January 28, 2022, by David Maxwell (R – Dist. 76). The Senate companion bill, Senate File 2051 (now renumbered as 2286) was introduced by Sen. Jesse Green (R – Dist. 24) on January 18, 2022. SF 2051 originally had two-person crew language, but it was taken out so that the bill would match the House version of the bill. As mentioned above, the bills, if passed, would limit train length to 8,500 feet and provide for a

penalty of not less than \$500, nor more than \$5,000 per violation. Currently, both the House and the Senate versions of the bills have passed out of committee and await floor votes. “We’ve had good support at the committee level to get the bill to where it is now, but it only takes one to tank the whole thing,” Iowa State Legislative Director **Chris Smith** said. “I’m hopeful and I’m happy that we got it this far.” Smith said that he also got House File 210 introduced by Rep. Ray Sorensen (R – Dist. 20). This bill would double the fines for motorists who traverse railroad grade crossings against a gate or signal at quiet zones. Renumbered HF 2537, the bill passed the House and is under consideration by the Iowa Senate Transportation Committee.

SMART

WHO WE AREOUR PRIORITIESWHY JOIN SMARTRESOURCESHEET METAL JOB BANKNEWSGET INVOLVED

MEMBER PORTAL

Tell Congress: Listen to Rail Workers

They Are the Backbone of the U.S. Supply Chain
Join us in telling members of Congress they should back the people who do the work, rather than the rail industry's financial overlords, who have recently implemented draconian new attendance policies.

Send A Message To Congress Today!

NEW SITE ROLLS OUT

Months of preparation reached an endpoint on February 28 as SMART’s new website was launched. Gone are the plentiful blue rectangles that populated the prior site. Instead, there’s a new way to deliver vital news and information via the SMART Member Portal. See below for instructions on how to establish your account.



Scan me

- CREATING YOUR LOGIN**
- 1. Visit the Members’ Portal link at www.smart-union.org (surrounded above in yellow or follow the QR code in the next column).
 - 2. Enter your information — preferred email address, name, TD local (if the local number is below 1000, the lead zeroes are

optional) and the last four digits of your Social Security number to verify your membership. (NOTE: If your Social Security number is not on file with the union, you will not be able to log in. To get that information placed on file, contact either your local secretary or the Transportation Division office in Cleveland at 216-228-9400.)

- 3. You will then be prompted to create a personal password of at least 12 characters to log in in the future. (IMPOR-

TANT NOTE TO TD CONNECT USERS: If you find out that you cannot log in to TD Connect with a password you’ve saved on your browser after creating the portal account, you may have overwritten it. Just go through the “Forgot Password” process in TD Connect and normal access should be restored.)

- 4. Once the first three steps are complete, you will receive an email confirming your registration with a link in the body of the message. Please check your spam folder if you do not receive it — especially Gmail and Hotmail users! After visiting that link, your portal account will be activated and verified, and you will be able to explore and customize important union resources.

SITE SUPPORT EMAIL: websupport@smart-union.org

Louisiana



State Legislative Director Chris Christianson, left, met with Department of Labor Secretary Marty Walsh, center, and LCA-513A Chairperson Eric Grissom on Feb. 7 at Unite Here Local 23.

Ohio

The Ohio State Legislative Board is implementing a “Green Cross” program in March to enhance unsafe condition reporting. This program is designed to:

- Connect members with their legislative representatives.



- Provide guidance to reporting safety issues.
 - Link members with the SMART-TD Safety Condition Report.
- For more information, visit www.smartoslb.com.

Georgia

State Legislative Director **Matt Campbell** reports both the state House and Senate issued resolutions that commended railroad workers for their work through the COVID-19 pandemic. The bipartisan resolutions were part of Georgia Railroaders Day at the Capitol March 1 and read, in part: “Despite the obstacles railroad workers have faced over the past few years from operational changes and the Covid-19 pandemic, railroad workers have risen to the challenge of combined duties, fatigue issues, and staffing shortages ... the dedicated service of Georgia’s railroaders is appreciated, and these fine men and women are recognized for all they do to keep Georgia moving forward.” Campbell encouraged Georgia locals to spread the word about this show of appreciation.

Around the SMART-TD

L-1504, SANFORD, FLA.



LCA 851B (Sunrail) Local Chairperson Carlos Gerena Jr. of Local 1504 meets with Orange County (Fla.) Commissioner Mayra Uribe and current chair of MetroPlan, U.S. Rep Darren Soto of Florida's 11th District and Osceola County Commissioner Viviana Janer, the former chair of MetroPlan.

L-759, PARAMUS, N.J.

Local 759 (Paramus, N.J.) President and Legislative Representative **Rafael Becerra** met with Department of Transportation Secretary Pete Buttigieg, Sen. Tom Carper (D-Del.) and Gov. John Carney (D) on March 4, in Wilmington, Del., as part of an event promoting the Bipartisan Infrastructure Law (BIL), formerly known as the Infrastructure Investment and Jobs Act.

Brother Becerra, a long-time bus operator for Community Coach based out of New Jersey, frequently travels the main thoroughfares between the states and has been a SMART-TD member since November 1984.

"It was a great honor in meeting Transportation Secretary Buttigieg, Gov. Carney and Sen. Carper," Becerra said. "The infrastructure law will accomplish a big transformation in our nation — not just the conditions of our roads and bridges — but in how people get around via bus and transit."

Becerra has been a bus



Pictured, from left, U.S. Sen. Tom Carper, Local 759 (Paramus, N.J.) President/Legislative Representative Rafael Becerra, Department of Transportation Secretary Pete Buttigieg and Delaware Gov. John Carney pose for a photo during an event at the DART First State facility in Wilmington, Del., on Friday, March 4.

driver for nearly four decades and helped to evacuate people in conjunction with the Jan. 6, 2021, insurrection at the U.S. Capitol in Washington, D.C., and to transport soldiers to defend the area for President Biden's inauguration. His experience was chronicled in the March/April 2021 SMART-TD News.

"All of our bus members here in New Jersey and

from coast to coast take extreme pride in doing their job safely day after day," said New Jersey State Legislative Director **Ron Sabol**, who also attended the event. "For decades, President Becerra has served as a dependable bus operator, and he's helping the membership in two roles as an elected officer. I'm very proud of his work and his leadership."

GO 261 — CANADIAN PACIFIC

General Chairperson **Gerald Wallace** reports that his general committee achieved a host of favorable results on behalf of the GO 261 (Canadian Pacific — Soo Line) membership during 2021.

Wallace reports that GO 261 collected \$71,748.61 in time claims and \$227,534.08 in lost wages on disciplinary appeal cases over 2021.

"The exemplary accomplishments GO 261 achieved on behalf of the membership would not have been possible without the membership being steadfast in filing time claims and the arduous efforts of the local chairpersons in appealing the denied cases at the local level," Wallace said.

GC Wallace expressed his appreciation and gratitude to the membership

2021 results

TIME CLAIMS
Window assignment not established: \$11,310.00
Non-normal away-from-home terminal: \$4,725.79
Runarounds: \$16,580.00
RCO foreman pay (helper was required to carry the box): \$4,872.00
Detention: \$2,891.33
Run-through terminal: \$3,262.50
Guarantee extra-board pay: \$2,921.89
Miscellaneous time claim payments: \$25,185.10
Total payments: \$71,748.61

DISCIPLINE
Discipline sustained by the general chairman at the carrier level: \$34,168.23
Discipline sustained at a PLB: \$87,825.14
Back pay for a brother that had legal charges placed on him that were dropped 11 months later. The brother was unjustly withheld from service: \$105,540.71
Total payments: \$227,534.08

and local chairpersons of GO 261 for their dedicated efforts.

L-195, GALESBURG, ILL.



Local officers and members, including President Josh Ginther (third from left), Local Chairperson Jarrod Sammons (fourth from left) and Legislative Representative Jeremy Hodges (rear, in SMART Army shirt), pulled together to purchase and distribute 100 holiday meals for needy people in their community.

L-854, PORTSMOUTH, VA.



Members of the local who attended a holiday party over the winter got custom T-shirts detailing the accomplishments of the past year and enjoyed cake and camaraderie as well.

GCA-449

General Chairperson **Justin Wolters** and Vice General Chairperson **Hilary Manoski** spoke to students at Valparaiso High School about alternatives to college, the importance of being in a union and how they can empower their generation.



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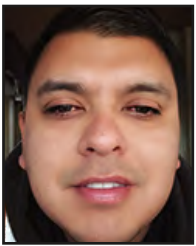
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Local 818 conductor plays role in rescue of woman

SMART-TD Local 818 (Ft. Worth, Texas) Alt. Legislative Rep. and BNSF conductor **Cristhian Sosa** was on BNSF train M-TULIRB1-02A with engineer Justin Luster heading southbound from Madill, Okla., to Irving, Texas, on Thursday, Feb. 3 when they spotted a woman near the tracks waving her arm in the air for help.

"Engineer Luster promptly and safely brought the train to a stop, while I tuned up 911 on the radio," Sosa said.



Sosa

"A dispatcher answered the tone up and I described an individual laying on the ground asking for help and that emergency services would be needed immediately as the person appeared to be hurt."

Sosa walked back 26 cars to where the woman was on the rocks by a levee and covered by an air mattress.

CBS & Fox-affiliate KXII News 12 reported that the woman, who only identified herself as "Connie," had been last seen Tuesday, Feb.

1, floating on the air mattress on Lake Texoma located in Kingston, Okla. According to reports, she and her fiancé were trying to fish belongings that had fallen out of their boat and into the water when the air mattress she was on caught a current. She floated on it for two days and temperatures had dropped from highs in the mid-50s to a high of 28 degrees the day she was found.

"She was cold from being wet, her clothes were stiff, her hands were cut up and bleeding and she was having trouble getting up to walk,"

Sosa said of the woman's condition when they found her. "She was showing symptoms of possible hypothermia, so we asked for 6.6 to back up and get her on the second motor. We helped her get up and walk slowly to climb the steps of the second unit. While sitting in a warm cab, we got her some drinking water and a dry sweater to help her with how cold she was."

The crew then proceeded to the next crossing to wait for emergency services to arrive. Sosa said that an Oklahoma state trooper told

him that Connie had been missing since the day before and had been assumed dead.

"We just did what anyone else would've done in our situation. I haven't heard how Connie is doing, but I hope she is doing much better," Sosa said.

Media reports said that the woman had experienced hypothermia but was expected to recover.

SMART-TD congratulates Sosa and Luster on their heroic efforts and commends them for their quick thinking and situational awareness.

L-898, BOSTON, MASS.



From left: Local 898 Legislative Representative Dave Stevenson; Assistant State Legislative Director Kenny Owens; Massachusetts state auditor candidate Chris Dempsey; and New England Legislative Director Chris Weldon.

Officers attended a party for Massachusetts state auditor candidate Chris Dempsey, a longtime transportation advocate who worked to stop service cuts during the pandemic.

"We look forward to having such a strong advocate for public transportation as state auditor," Local Legislative Representative **Dave Stevenson** said.

L-1596, CHARLOTTE, N.C.

Proud father and Local Chairperson **James Reid** sent in a tip about his son, Jamarius Reid, a new NASA employee who is embarking on a stellar career path (pun intended) with NASA in Houston.

Jamarius was interviewed by Fox News Channel 46 in late February and talked about his science, technology, engineering and mathematics education at Charlotte's Harding High School and how a project studying Black astronaut Ronald McNair inspired him. Jamarius is pursuing a doctoral degree at Embry-Riddle in aviation concurrently with his job as a flight controller/extravehicular activity operations specialist.

During the interview, Reid



In this family photo, Local Chairperson James Reid stands with his son, Jamarius.

emphasized that the pursuit of his goals have required great effort and tenacity.

"The road traveled is going to be hard and anything worth having doesn't come easy," Jamarius said.

L-1704, KANSAS CITY, MO.

Vice Chairperson **Debria L. Bradford** (GCA-STU), 56, a longtime officer for the local, passed away Jan. 26, 2022.



Bradford

"She served numerous positions in our local — sergeant of arms, trustee," said General Chairperson **Sharon Harris** (GCA-STU). "Debria was instrumental in helping negotiate our last contract. Our thoughts and prayers are with her family."

"Our union mourns her passing," said Bus Depart-

ment Vice President **Calvin Studivant**. "May her memory always be a blessing."

SMART Transportation Division expresses its condolences to Sister Bradford's family, friends and her brothers and sisters in Local 1704 whom she proudly served for many years.

L-1409, KANSAS CITY, KAN.

"All gave some. Some gave all."

Do these words mean something special to you? The veterans and memorial gravesites are an important part of not only our nation's history, but also our freedoms and rights as a union in this great country.

Local President **Samuel Owens** has announced a SMART Army event to commemorate our fallen soldiers and remember those who have served and given the greatest sacrifice so we

proud union members may work and live in freedom.

Members of the local invite everyone to join them as they gather at 8 a.m. local time May 28 at the Shawnee American Legion Post, 6521 Nieman Road, Shawnee, Kan. 66203, to place flags at burial sites and visit the gravesite of a fallen union brother.

President Owens; Secretary & Treasurer **Johnny Danner III**; Legislative Representative **Dan Bonawitz** and Local Chairperson

Nickolas Pfeifer also put on a traditional Kansas City barbecue dinner and hosted top union officers and other members from across the region at a town-hall event this past winter.

President **Jeremy Ferguson**, National Legislative Director **Greg Hynes** and Alt. National Legislative Director **Jared Cassity** all were present to discuss a national contract, the union's relationship with the Federal Railroad Administration and other topics.

L-1973, CHICAGO, ILL.

Richard "Ric" M. Simon, 51, of Menasha, Wis., a member of our union for 13 years, passed away unexpectedly Feb. 20.

Following high school, Ric started working for the railroads, eventually joining CN Railroad and serving as yardmaster for the Neenah Yard.

In his free time Ric loved to garden, cook and had an amazing talent in



Simon

woodworking.

"What people will miss most is his sense of humor," his obituary read. "You could often find him joking with his friends or co-workers."

Ric is survived by his mother, sister, other relatives and many close friends and co-workers.

SMART-TD offers its sincere condolence to his family, friends and Local 1973.

L-378, CLEVELAND, OH

The local commissioned retiree **Jer-ry Lambert** to create plaques to commemorate the retirement of three members from active service. Plans were afoot to honor conductor **Mike Fink**, pictured, **Frank Palivoda** and **D.K. Stoll** in March. Congratulations to all three!



Fink

SMART
TD

Useful news and information for our retirees
and members of the TD Alumni Association

Are you getting close to retirement? You can get the TD News & other benefits for \$12 a year!
Call 216-228-9400, email arayner@smart-union.org or visit www.smart-union.org

Retired local chair asks everyone to consider: How did this happen?

By Steven Kauffman
Retired local chairperson,
TD Local 313 (Grand Rapids, Mich.)

The November/December 2021 SMART-TD News headline read “Infrastructure Investment and Jobs Act (IIJA) becomes law.”

The passing and signing into law was a major victory for our union members and their families in that there will now be more Amtrak funding, more oversight, plus bus and transit protections. This law will create good-paying union jobs.

How did this happen?
What is not mentioned in the headline article is who did not vote for this bill. Unfortunately, an overwhelming majority of House Repub-

licans and Senate Republicans voted against you and your families. According to the Congressional Record, 205 House Republicans and 30 Senate Republicans voted against your best interest. In contrast, 215 House Democrats, eight Republicans, 48 Senate Democrats, 19 Republicans and two Independents voted for what is in your best interest. It is difficult to understand why this is called a Bipartisan Infrastructure Law given these lopsided voting numbers.
A summary review of the IIJA and what these Republican representatives and senators voted against: union job creation; the maintenance of railroads and public transportation systems, roads, bridges and

other projects; power grid supporting the development and adaptation of clean energy technology; safety funding for highways and pedestrians; protecting infrastructure from cyberattacks; funds to address coastal erosion; broadband in rural and low-income areas and so much more. The information is out there to see exactly what your state will be receiving through the legislation.
Midterms are not until November 2022, however, there are many initiatives that could be brought forth through the coming year that will benefit you and your families: The Build Back Better Act, the Freedom to Vote Act, John R. Lewis Act and the Climate Solutions Act, to name a few. It would behoove all our broth-

ers and sisters to remember and recall the votes cast against you and your families regarding the IIJA who is standing in the way of legislative progress. History shows us this will not be the last time Republicans will vote against your best interest. Indeed, members of the Grand Obstruction Party have voted against grants to public transit and commuter rail, child tax credit and new incentives to expand Medicare.
So how did the the IIJA happen? Our brothers and sisters elected people who have their best interest in mind. That’s how it happened!
In solidarity,
Steven Kauffman
Brother Kauffman retired a proud member of Local 313 in Grand Rapids, Mich., in 2007.

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 the TD office. These brothers and sisters will be missed by their many friends and by fellow Alumni Association members.

Local	Name	City/State	Local	Name	City/State	Local	Name	City/State
--	Ruffin, Peggy	Houston, Texas	306	Jansen, Peter A.	Sioux City, Iowa	590	Lauth, John E.	Portage, Wis.
1	Howell, Charles W.	Canton, Ohio	313	Hutchings, Bradley A.	Grand Rapids, Mich.	590	Stanley, Daniel	Portage, Wis.
2	Kusser Jr., Carl T.	Sandusky, Ohio	313	Marston, David F.	Ludington, Mich.	590	Thomson, David L.	Montello, Wis.
2	Mitchell, Carl W.	Toledo, Ohio	316	Prouty, Steven R.	Robins, Iowa	594	Caldwell, Robert D.	Hooks, Texas
6	Arnold, William G.	Mt. Healthy, Ohio	316	Straight, Donald D.	Boone, Iowa	596	Leasure, John G.	Ocala, Fla.
14	Halcomb, Darrell	Hamilton, Ohio	320	Leonard, John R.	Owosso, Mich.	598	Russell, James A.	Mobile, Ala.
14	Herbert, Vernon G.	Liberty Twp., Ohio	329	Pentico, Douglas	Boone, Iowa	645	Santiago, Vincent A.	Holbrook, N.Y.
14	Moore, John B.	W. Carrolton, Ohio	333	Seifert, Arthur L.	Grove, Okla.	645	Shiu, Anthony W.	Speonk, N.Y.
14	Schumacher, Cletus	Columbus Grove, Ohio	340	Weaver, Jeffrey M.	Ridgeley, W.Va.	650	Shriver, Thomas J.	Montgomery, Minn.
18	Cook, Joseph P.	Clint, Texas	367	Krapfl, Joseph T.	Iowa City, Iowa	656	Hawkins, J.R.	Germantown, Tenn.
29	Dionne, Geno A.	Oakdale, N.Y.	378	Hefferman, Gary R.	Sandy Lake, Pa.	656	Rudder, John R.	Warren, Ark.
30	Townsend, Odell	Jacksonville, Fla.	394	French, Kevin W.	Rensselaerville, N.Y.	753	Curlin, John E.	Southaven, Miss.
60	Dzincielewski, Stephen G.	Toms River, N.J.	418	Wiggs, Mike O.	Sioux City, Iowa	756	Bourn, David G.	New Braunfels, Texas
61	True, Paul A.	Wilmington, Del.	427	Johnson, Varosky	Canton, Miss.	782	Biddix, Albert R.	Asheville, N.C.
94	Ralls, Derek D.	Topeka, Kan.	427	Robertson, James E.	Magnolia, Miss.	783	Overman, Raymond	High Point, N.C.
113	Vasquez, George	Winslow, Ariz.	446	Coker, Wallace R.	Cheyenne, Wyo.	783	Spainhour, Kelly	Lexington, N.C.
118	Simmons, Jr., James D.	Daniels, W.Va.	453	Louden, Don-El	Cicero, Ill.	830	Baver, Brian D.	Nazareth, Pa.
145	Sebring, John L.	Columbus, Ohio	469	O’Connell, Edward W.	Glen Carbon, Ill.	830	Hostler, Harold R.	Dover, Pa.
167	Hamelin, Jeffrey	Canaan, N.Y.	469	Ramsey, Marvin E.	El Reno, Okla.	835	Meythaler, Jeffrey H.	Rosamond, Calif.
194	Shew, Robert W.	Terre Haute, Ind.	490	Stuckey, Alan H.	Princeton, Ind.	847	Navarro, David Ray	Empire, Ala.
212	Casey, Michael J.	Glenmont, N.Y.	493	Bahr, Carl R.	Cottage Grove, Minn.	854	Sykes, Howard R.	Virginia Beach, Va.
233	Weiss, Patrick J.	Aberdeen, S.D.	495	Johnson, Frederick W.	Salina, Kan.	894	Quinten Jr., Grover L.	Tulsa, Okla.
234	Fogle, Walter L.	Normal, Ill.	495	Schlesener, Douglas G.	Gypsum, Kan.	945	Armstrong, Donald G.	Clovis, N.M.
243	Harvey, David A.	Arlington, Texas	498	Slotter, Richard E.	Nazareth, Pa.	951	Nelson, Whitney J.	Sheridan, Wyo.
243	Wasser, Richard C.	Azle, Texas	504	Florence, William E.	Shadyside, Ohio	1011	Gregory, Donnie L.	Hamlet, N.C.
256	Cronauer, Glenn	Bear Creek Twp., Pa.	504	Peck, Andrew W.	Marietta, Ohio	1016	Campbell, F.W.	Enid, Okla.
258	Turkal, Joseph H.	Solon, Iowa	524	Alford, William P.	Palestine, Texas	1016	Dappen, Theodore E.	Afton, Okla.
265	Higgins, Harold	Pocatello, Idaho	528	Berry, Thomas M.	Dallas, Texas	1016	Peterman, Wayne F.	Yukon, Okla.
265	Madsen, Vance	Bloomington, Idaho	544	Malley, James M.	Columbia Falls, Mont.	1088	Gaskin, Herman M.	Forest, Miss.
277	Paliani, Enrico	Middletown, Conn.	584	Kent, Jessie G.	Collinsville, Miss.	1137	Christenson, Scott	Moorhead, Minn.
278	Williams, JeMare	Detroit, Mich.	586	Younger, Robert H.	Haines City, Fla.	1175	Parenteau, Vern J.	Bemidji, Minn.
298	Karst, Joseph P.	Huntington, Ind.	590	Lamb, Gregory F.	Portage, Wis.			

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IN MEMORIAM

Four active members lost in work accidents, shootings

SMART Transportation Division member **Jeff Jones** of Local 202 (Denver, Colo.) passed away Feb. 9, 2022, after a switching accident in Globeville rail yard in Denver.



Jones

Brother Jones, of Northglenn, Colo., was a member of our union for more than a decade, joining in August 2011, and worked as a conductor for BNSF. In addition to Local 202, he previously was a member of Locals 945 (La Junta, Colo.) and 113 (Winslow, Ariz.).

“No one said they “liked” Jeff – they said they loved him. For his kindness, his friendliness, his helpfulness, his wonderful hugs.... But that was just Jeff being Jeff,” his obituary said. “He would come to visit on his vacation and clean out your garage, hang your pictures, move your furniture ... even when you told him not to. He bought donuts every week for the railroad crew, but

always ‘blamed’ someone else. And he always knew when someone needed a hug. You could count on him to be there for the hard stuff as well as the fun stuff!”

The National Transportation Safety Board (NTSB) and SMART-TD National Safety Team both are investigating the circumstances of the accident that claimed Brother Jones’ life.

Brother Jones was the second TD rail member who has lost their life while in service this year.

On Jan. 15, **Emily Anne Herrera** (nee Purcell), 26, a Local 262 (Boston, Mass.) member and an Amtrak conductor, passed away after falling at Westerly Station in Rhode Island.



Herrera

She is survived by her husband, **Christopher**, a member of Local 1462 in Boston, who also is an Amtrak conductor; two stepsons, Chris and Noah Herrera; and two

daughters-in-law, Brenda and Arianna.

Her death also is being investigated by the NTSB and the TD NST.

Ethan Rivera, 41, a member of our union since May 2021, died Feb. 12 while being treated in a Charlotte hospital for a gunshot wound.

Rivera, a member of Local 1715 (Charlotte, N.C.), had four passengers aboard his Charlotte Area Transit System bus when shots came from an SUV, police said.



Rivera

Rivera was hit by the gunfire and taken to a hospital for treatment. No injuries to passengers were mentioned in media reports about the incident. A suspect in the shooting was arrested in early March at a gas station in Shawnee, Kan., the Charlotte Observer newspaper reported.

“Ethan was a native New Yorker who grew up in Brooklyn. When he came to work

for Charlotte Area Transit System (CATS), co-workers bonded immediately to his good spirit,” said General Chairperson **Joseph Paglia** (GCA-TMD). “Ethan was well-liked and respected and you could not find anyone to say a negative word about him.

“He was a fun-loving man who always had a smile on his face. Ethan Rivera will be sorely missed and never forgotten. Rest in peace our friend and brother.”

Paglia said that Brother Rivera is survived by two children who were his life and that he strived to be the best father he could be.

Amtrak conductor and Local 1470 (Edmonston, Md.) member **James E. Blue** III, 43, was shot multiple times Jan. 25 outside a home he was in the process of remodeling while talking on a cell phone to his son, who was away at college. Brother Blue was taken to an area hospital where he was pronounced dead shortly thereafter.

Although he is married to Baltimore City Police Lt.

Keisha Blue, the shooting is not thought to be related to his wife’s position as a police officer, Baltimore media has reported. A Baltimore television station reported Feb. 2 that a teenage suspect was taken into police custody and has been charged with first-degree murder.



Blue

A member since 2002, Blue followed in his mom’s footsteps when he became an Amtrak conductor. Now retired, **Mrs. Shelley Forbes-Eford** was also a member of Local 1470.

“With all sincerity I’m torn in my heart,” Local 1470 brother **Anthony Mobley** wrote.

Blue leaves behind his wife Keisha, three children – Jadan (23), Landan (14) and Peyton (9), and his mother.

SMART Transportation Division expresses its sincere condolences to the families, and friends of these fallen members and to the union brothers and sisters who worked alongside them.

Local 1420 retiree Roberts passes

W. Dean Roberts, 88, of Germantown, Tenn., passed away peacefully at home on Dec. 28, 2021, after a 12-year battle with prostate cancer.

He was born Dec. 1, 1933, in Blue Springs, Miss.

Dean was a retired member of Local 1420 (Memphis, Tenn.), where he worked for the BNSF railroad for 48 years. He hired out as switchman in 1956



Roberts

and later became a conductor. He held top seniority in the Memphis district when he retired in 2004.

Brother Roberts is survived by his wife of 53 years, Jean Jones Roberts, and their three children. He often spoke of how grateful he was for such a long and full life.

SMART-TD offers its condolences to his family, friends and Local 1420.

A TRIO OF EAGLES



The Parker family has three generations of Eagle Scouts to celebrate. From left, new Eagle Scout Grant; Grant’s father, Paul, and Alumni Association member **Terry Parker**, an Army veteran and retired legislative representative, local chairperson and delegate of Local 1035 (Lakeland, Fla.).

The Final Call

Continued from Page 10

- | | |
|------------------------------|-----------------------|
| 1205 Delagarza, Cesar H. | San Benito, Texas |
| 1221 Peavey, Elton E. | Tampa, Fla. |
| 1245 Goss, Stanley | Piedmont, Ala. |
| 1289 Loyd, Kalin J. | Claremore, Okla. |
| 1299 Young, Charles R. | Homewood, Ill. |
| 1313 Thomas, John J. | Des Moines, Iowa |
| 1328 Beard, Vincent E. | Jeffersonville, Ind. |
| 1337 Barrett, Francis X. | Pass Christian, Miss. |
| 1365 Carroll, R.F. | Hubbard, Ohio |
| 1365 Marchbanks, David | N. Ridgeville, Ohio |
| 1370 Schmalz, Merle C. | Piscataway, N.J. |
| 1376 Mabelitini Sr., John | Vandalia, Ohio |
| 1376 Hillard, Robert G. | London, Ohio |
| 1376 Martin, Robert N. | Whitehall, Ohio |
| 1378 Booker, Thomas W. | Seaford, Del. |
| 1402 Luter, Gerald D. | New Athens, Ill. |
| 1433 Hofmann, Randal G. | Terre Haute, Ind. |
| 1438 Cooper, Jeffery L. | Rochester, Mich. |
| 1445 Fail, Jimmy | Fords, N.J. |
| 1477 Holowecki, Michael J. | Holly, Mich. |
| 1502 Thomas, Donald J. | Wildwood, Fla. |
| 1518 Murray, Richard L. | Logansport, Ind. |
| 1518 Wells, Jackie | Plant City, Fla. |
| 1529 Schmeltz, Rae D. | Pemberville, Ohio |
| 1529 Sekela, Andrew M. | Toledo, Ohio |
| 1563 Gomez, Marco A. | Baldwin Park, Calif. |
| 1564 Travenia, Stacey | Hawthorne, Calif. |
| 1565 Lewis, Lester S. | Palmdale, Calif. |
| 1582 Pagnanella, Donna M. | Saugerties, N.Y. |
| 1594 Vandercapellen, Richard | Millsboro, Del. |
| 1614 Zurn, Arthur L. | Mason City, Iowa |
| 1709 Bunker, Leroy | Millington, Mich. |
| 1730 Reiring, Charles F. | Madera, Calif. |
| 1840 Martin, Eugene A. | Glasgow, Mont. |
| 1929 Smith, Arthur V. | Belleville, Ill. |
| 1971 Dixon Jr., James D. | Waycross, Ga. |
| 1973 Simon, Richard M. | Menasha, Wis. |
| 1978 Camp Jr., Howard L. | Cheshire, Conn. |

Retiring conductor featured in news

The News Herald newspaper out of Arlington Heights, Ill., profiled **Joseph J. “J.J.” Keigley**, a member out of Local 577 (Northlake, Ill.), who retired after 54 years of service as a Metra Union Pacific conductor.

The 73-year-old started out as a brakeman in the late 1960s, following in his father’s footsteps as a railroader. He later was a Union Pacific freight conductor before finding his niche as a passenger conductor on the Metra UP West’s early morning route.

Reporter Marni Pyke record-

ed some of the personal touches that Keigley brought to his job, from establishing rapport with regular riders, his extensive collection of ties (including 22 with a Christmas theme) and his donning of Halloween costumes to celebrate the spooky season.

Keigley, an Army veteran who served in Vietnam and lives in West Chicago, was honored with a party at Ogilvie Transportation Center in Chicago on his last day of work.

Fellow Local 577 retiree **Dean Moose** told Pyke: “He

was always in a good mood. I’m sure he has bad days, but you just don’t see them.”

“I’ve gone through three generations of passengers,” Keigley told the newspaper. “They meet on the train, then all of a sudden, they get married and have children. And their children get on the train and they grow up. Last week, I cried three times. I’m going to miss them.”

SMART-TD wishes Brother Keigley a long and happy retirement!

