



## Contract imposed on TD and three other unions

On Dec. 2, President Joe Biden signed into law a bill that imposed the tentative agreement that had been rejected by more than half of the unionized rail workers in the country, including members of the SMART Trans-

portation Division.

Along with SMART-TD, members of the Brotherhood of Maintenance of Way Employees Division, Brotherhood of Railroad Signalmen and International Brotherhood of Boilermakers had

rejected the agreement and were prevented from striking.

In the days prior to the bill signing, both the U.S. House and Senate passed bills with the intention of imposing the agreement as an act of Congress. An additional bill grant-

ing seven days of paid sick leave was passed by representatives in the U.S. House, but it did not receive sufficient support in the Senate to overcome a filibuster by Republican opponents.

"It is extremely disappoint-

ing that 43 Senators voted to prioritize the corporate greed of rail carriers and CEOs over the needs and quality-of-life improvements that our members so desperately deserve. Because of Preci-

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## Union makes statements in D.C.



ABOVE: U.S. Sen. Bernie Sanders (I-Vt.) addresses protesters gathered outside the U.S. Capitol on December 13 in Washington, D.C. Sanders was among more than a dozen members of Congress who addressed the group of rail workers from multiple unions. RIGHT: Members of the protest march during the event.



### Ferguson, four others testify before FRA on crew size

The Federal Railroad Administration (FRA) held its much-anticipated hearing Dec. 14 to receive public testimony on its Notice of

Proposed Rule Making (NPRM) regarding a minimum train crew size.

As it was set up, representatives from just two Class I carriers — Union Pacific and Norfolk Southern — the Association of American Railroads (AAR) and representatives of the American Short Line and Regional Railroad Association (ASLR-

RA) spoke first, followed by labor representatives.

On its face, this setup seemed to work to the benefit of the testimony of labor — the SMART Transportation Division (SMART-TD), Brotherhood of Locomotive Engineers and Trainmen (BLET) and the Transportation Trades Department of

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### Testimony given before STB on UP's operational failures

On December 13 and 14, the Surface Transportation Board (STB) held hearings to address Union Pacific's (UP) excessive use of embargoes on customers as a method of reducing rail traffic congestion. According

to the STB, UP has increased embargoes from a total of 27 in 2017 to more than 1,100 in 2022.

After the board received numerous complaints from shippers saying that the

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## SMART-TD testifies before FRA at hearing: Reduction of crew in cab a dire threat to safe rail operations

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the AFL-CIO (TTD).

With the viability of the conductor profession on the line before regulators — a job that the carriers continually attempted to stress in testimony that from their perspective was “outmoded” or “obsolete,” carriers put forth their argument that moving to a model of lone operators and nomadic “expeditors” would in no way worsen the already frail condition of the freight rail industry.

The Precision Scheduled Railroading playbook would call the conductor position “the largest impediment to reduced operating ratios on the line” and that the stakes were too high not to anticipate political theater.

To that end, economists and second-tier carrier executives alike offered flimsy, speculative and hard-to-follow arguments that were highlighted by the premise that UP and NS want to take conductors off trains in order to improve the quality of life for their conductors. They peppered in the fact that short-line operators are going to have difficulty petitioning FRA for variance on these rules based on “nominal” details such as the percentage of their trackage that is on grades, the tonnage of hazardous materials they haul and the fact that their engines aren’t equipped with alerters.

Other arguments made by carriers were that:

- A roving conductor dispatched in a truck from the crew room can get to and change a knuckle in two-thirds the time a conductor on the train could.
- Company-provided cell phones would be used to fill the safety gap created by removing the conductor. (A major shift from them being the biggest safety concern for operating crew distraction for the last decade and ignoring the fact that FRA regulations state cell phones are to be off and stored out of reach.)
- Having a single employee is simpler, and simpler is safer.
- A second employee creates a distraction for the engineer.



From left, SMART Transportation Division General Counsel Kevin Brodar, President Jeremy Ferguson and Alt. National Legislative Director Jared Cassity appear Dec. 14 before the Federal Railroad Administration during a public hearing regarding a Notice of Proposed Rulemaking regarding minimum train crew size.

(The negative effects of cognitive demand placed on engineers by rail technology is speculative in nature.)

- And of course, Positive Train Control is the answer to all things conducting.

All of the carrier presentations neglected that FRA’s chief duty is to apply regulations when necessary in matters of safe and efficient transport of goods and passengers across the United States. Nowhere does it say that the FRA’s job is to align itself so that carriers have the easiest course to make money.

Following lunch, FRA’s board received a steady diet of facts upon hearing labor’s side of the argument. Simple to follow, devoid of the pretzel logic used by the carriers and buoyed by the reality of working on the railroad in the 21st century, labor’s perspective was delivered by BLET Vice President Vincent Verna, AFL-CIO Transportation Trades Department President Greg Regan and SMART TD’s own President **Jeremy Ferguson**.

“There is no greater risk to the safety of railroad workers and the communities they serve than the consideration of a reduction in crew size in the cab of a locomotive,” Ferguson testified. “Having conductors on trains saves lives and prevents disasters in ways technology cannot. Artificial intelligence absolutely

has a role to play, but it cannot replace authentic human intelligence in railroading.”

Everyone who has worked on a railroad has had a close call, one of the reasons why the bigger carriers don’t want to participate in the voluntary C<sup>3</sup>RS system. The likely outcome being that a huge flood of data would come in showing just how important the conductor is to avoiding accidents, like an engineer’s story President Ferguson told in which a conductor got a three-year-old boy off the tracks before he was struck by the locomotive.

Labor also discussed:

- How “Menu Diving” in display screens keeps an engineer’s eyes off the rails.
- How PTC is a safety overlay not intended to be a replacement of manpower and is inoperable at yard speeds.
- How artificial intelligence is not a substitute for authentic human intelligence when something goes wrong.
- How the railroad technology graveyard is full of gizmos that were supposed to be “the answer.”
- How removing the conductor from the cab will increase blocked crossings — “the public’s No. 1 complaint.”
- How removing the conductor from the cab eliminates all ability of a train crew to fulfill its role as first responders in emergencies.
- How advocating for conductors to remain on locomotives

is advocating for avoiding unnecessary safety risks.

Single-person operations and the nomadic “expeditor” model carriers are looking to pilot already have flaws that make the concept impractical on its face, Ferguson also said.

“God forbid an equipment failure occurs on the line of road without a conductor readily available to act in a moment’s notice, but especially if the train has an entire community blocked off. There is little a lone engineer can do in that situation,” Ferguson said. “I want to be realistic here. The only way that we can assure the safest course is protected during train operations is by maintaining two crewmembers in the cab of the locomotive.”

Counter to the double-talk carriers make about safety being their top priority, their business practices, ruthless cuts and a continued deterioration of service, as well as an express desire of wanting to cut even more employees, shows that the fight over crew size isn’t about better service or running a safer, more efficient railroad — it’s about the bottom line.

“The railroads have proven their willingness to make decisions that are not in the interests of safety, but rather are in the interests of profit and shareholder wealth,” Ferguson said. “Railroad safety isn’t just for the men and

women working on the rails. It’s for everyday citizens that take for granted that the railroad is safe. Without a doubt, I can attest that the removal of the conductor, should it be permitted, from the cab of the locomotive will not just be catastrophic to all rail workers, it will be inimical to the American public.”

Following Verna, Ferguson and Regan, three conductors, a BLET Auxiliary member, the spouse of an engineer and a state legislative director, did an excellent job reinforcing the vital role conductors play in our nation’s safety and commercial viability.

The battle for two-person crews capped an important week for rail labor. Labor rallies occurred Dec. 13 in 11 locations around the country, including Capitol Hill, in conjunction with the STB hearing regarding UP embargoes and the FRA hearing to bring attention to the negative effects PSR has had on the rail labor workforce and the dangerous territory carriers have pushed the industry into.

National outlets, including CNN, covered the fight to keep two on a crew, as part of our efforts.

There should be a word of caution attached to this positive attention. First, we are dealing with the federal government and railroad corporations, so we should absolutely be aware that just because logic is on our side, that absolutely does not ensure that we will win the day.

The SMART Transportation Division would like to thank **Johnny Walker**, (Local 610, Baltimore, Md.), **Nick Jochim**, (Local 904, Evansville, Ind.), **Jessica Martin** (Local 594, Mineola, Texas), Natalie Miller of BLET Auxiliary’s Nebraska chapter, and SMART-TD Utah State Legislative Director **Dan Brewer** (Local 1554, Ogden, Utah) for providing additional testimony reinforcing why two should stay on the crew.

## A major effort: More than 13,000 comments were received by FRA on Rule of Two

The SMART Transportation Division would like to thank all of you for your historic response to the FRA’s Notice of Public Rulemaking (NPRM) on Freight Train Crew Size. In the moment when our livelihood and the safety of all involved was on the line, SMART members, along with their friends and families, answered the bell in a

profound way.

For months, we have been requesting help in submitting comments to the FRA and in a record-setting demonstration of concern and support, you came through with flying colors. The FRA reports Dec. 22 that 13,090 submissions were received in their request for public comments that closed Dec.

21. This outpouring for wanting a minimum crew size of two will play a large role in the FRA’s process of determining their final ruling. A prior NPRM received about 1,600 comments.

The next step in this process is for FRA to announce its determinations. We at SMART-TD will be sure to keep you all informed as to

how that process plays out. We appreciate your partnership with us in this project, and we look forward to continuing the fight as long as needed to keep our members safe and employed.

Once again, your activism and support are vastly appreciated. We thank you profoundly.

## Biden, Congress impose rail contract on SMART-TD, three other unions

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sion Scheduled Railroading, our members are forced to work more hours, have less stability, suffer more stress and receive less rest,” President **Jeremy R. Ferguson** said after the vote. “The ask for sick leave was not out of preference, but rather out of necessity. No American worker should ever have to face the decision of going to work sick, fatigued or mentally unwell versus getting disciplined or being fired by their employer, yet that is exactly what is happening every single day on this nation’s largest freight railroads.”

At the signing of the bill imposing the contract, President Biden indicated that the issue of providing essential workers time off is not a dead issue and could be resolved through alternate means.

“I know this bill doesn’t have paid sick leave that these rail workers and, frankly, every worker in America deserves, but that fight isn’t over. I didn’t commit we were going to stop just because of — we couldn’t get it in this bill, that we were going to stop fighting for it. I’ve supported paid sick leave for a long time, and I’m going to continue that fight until we succeed,” he said. “It’s a really good bill lacking only one thing, and we’re going to get that one thing done before it’s all over.”

Disappointed, our union banded with other unions and organized rallies on Capitol Hill and elsewhere a little more than a week after the bill

Craft	In Favor	Opposed	Result
Conductor	50.8%	49.2%	Pass
Engine Service	50%	50%	Tie
Brakemen	50.2%	49.8%	Pass
Yardmen	39.8%	60.2%	Fail
Yardmaster	62.5%	37.5%	Pass

signing.

In addition, more than five dozen Democratic members of the U.S. Senate and the House sent a letter to President Joe Biden advocating that the government give guaranteed paid sick leave to freight rail workers.

“It is literally beyond belief that rail workers are not guaranteed this basic and fundamental human right. Therefore, we urge you and your administration to do everything within your authority to guarantee rail workers the seven paid sick days that they desperately need through executive action,” the letter stated.

“Through Executive Order, agency rulemaking, and any other applicable authority, we ask that you take quick and decisive action to guarantee these workers paid sick leave.”

“Our efforts to improve the lives of our membership will continue during future negotiations, as well as in the regulatory and legislative process. The American rail worker has spoken, as have the American rail shippers. The national freight

rail network is broken, and the need for long-term rail reform is clear,” Ferguson said. “Labor and shippers are united on this front. More must be done to reverse the harmful effects of Precision Scheduled Railroading and to right the ship for this nation’s economy and the hard-working members of SMART-TD.”

### Deal implementation

Members of the TD who work in the yardmaster craft voted to ratify the agreement — known as “Document B” in the document — by a 62.5 percent to 37.5 percent margin. Because of craft autonomy, “Document A” was rejected as all applicable crafts did not vote for ratifications.

The retroactive pay and service bonuses provided by the agreement were to be paid within 60 days of the effective date of the agreement. For yardmasters, this makes the deadline to receive their retroactive pay by Jan. 20, 2023, and the deadline is Jan. 31 for all other crafts based on when Biden signed the bill imposing the contract into law.

## Alterations to SMART VSTD plan take place in January

Several changes regarding the SMART Voluntary Short-Term Disability (VSTD) plan for bus and rail members took effect Jan. 1, 2023.

The temporary reduction of premiums for plan participants announced Oct. 21, 2020, expired Dec. 31, 2022. VSTD premiums have been reset to the standard rates of bus members paying \$26.00 and rail members paying \$34.50.

The maximum weekly benefit available to bus members participating in the plan has been reduced from \$240 to \$210. For rail members, the maximum weekly benefit has been reduced from \$450 to \$402.

Additional details, including notifications from the VSTD Board of Trustees and the full Summary of Material Modifications (SMM), are available in the respective pages in the SMART Member Portal:

Plan participants with questions or who need more information should contact VSTD plan administrator Southern Benefit Administrators directly at (844) 880-1071 or visit the plan website by using the QR code.



## Union representatives discuss Union Pacific’s PSR failures in hearing before STB regarding embargoes

Continued from Page 1

embargoes are hampering their operations, the board determined that a hearing was necessary.

Before the hearing even began, UP set a tone of contempt and disrespect toward STB by refusing to submit requested information and documents in support of their planned testimony by Dec. 6. UP instead submitted a PowerPoint presentation that consisted of only seven slides. The submitted PowerPoint addressed some of the requested eight topics, but failed to provide detail and fell well short of STB’s expectations. The STB said in a letter to UP that they were disappointed in UP’s submission and the lack of substance had hampered the STB’s investigation.

At the hearing, STB heard testimony from representatives of shippers, labor and UP. Representing SMART-TD was BNSF General Chairperson (GO 341) and yardmaster **Matt Burkhart**, and Local 1975 Secretary & Treasurer and yardmaster **Stephen Whitney**. Attorney Richard Edelman was also

there representing numerous labor organizations, including SMART Mechanical Division.

At the outset, STB said that two of UP’s largest customers were not testifying on the grounds of fear of retaliation from UP. One shipper refused to testify outright, while one backed out days before the hearing, citing UP retaliation as the reason. Similarly, SMART-TD’s testimony included the common theme of fear of retaliation from UP.

“I’d like to address one thing that Mr. Primus asked yesterday — ‘What does the Union Pacific look like in a post-PEB world as the rank and file?’ I pondered that for a while and the one word I heard over and over again was ‘fear’. ... My counterpart did not want to come here. He said, ‘I don’t want to lose my job.’” Burkhart said. “Every person I talked to said, ‘Can this come back and hurt me?’”

Brother Burkhart used his testimony to tell personal accounts he received from UP yardmasters starting in Chicago and heading west.

The theme he heard over and over was of congestion and inefficiency as a result of embargoed cars. Embargoed cars are in the way in yards and are moved to wherever there’s space to store them.

In listening to the testimony of both men, it can be inferred that all of the embargoes are actually the cause of the congestion that UP is purportedly trying to alleviate. Ironically enough, this is all done in an effort to garner lower operating ratios, which is the measure of efficiency of a railroad. UP’s practice of embargoing cars is anything but efficient, nor is it safe.

“Yesterday I heard over and over 130 cars were going to make the difference from embargoing a customer, but yet here we’re running 50 cars of hazmat into a high-threat urban area, 170 miles that they didn’t need to be rolling down the track,” Burkhart testified.

Similarly, Brother Whitney testified to the inefficiency of UP in his own yards in Kansas City.

“Recently, we are not running well. The yard I current-

ly work in runs very efficiently when we have 850 to 950 cars in it. We are currently seeing consistently around 1,100 to 1,400 cars in it. This delays the ability to yard our trains along with yarding interchange trains from other railroads,” Whitney said. “Kansas City is a major point of interchange to other railroads. So we have to stage or hold trains until we have space to yard them. This can be just a few hours or up to as long as a day, which in turn causes congestion on the main line and in other yards in the Kansas City area. The cars that used to go to other yards are now coming to mine, causing us to run over capacity, kinda like rush hour on the interstate: lots of cars slow things down.”

By the end of the two-day hearing, the members of the STB had heard numerous accounts from shippers and labor attesting to the inefficiencies at UP caused in part by the embargoes. The



question of the legality of UP’s use of embargoes was pondered throughout. Past precedent has been that embargoes were to only be used in the state of emergency such as an “act of

God” (i.e., hurricane, bridge collapse, severe weather, etc.). When asked by the STB if the carriers were meeting their common-carrier obligations as defined in 49 U.S.C. 11101 (a), most, if not all shippers at the hearing, said they thought that UP was violating the code.

At the end of the hearing, STB chairman Marty Oberman stated that the hearings were in recess, but that by no means concluded the board’s investigation in UP’s use of embargoes. Since the hearing, UP has issued embargoes in areas as a response to what the carrier has described as “severe winter weather,” but other Class I railroads have not done so in the same areas.

The recorded hearings can be watched by visiting the QR code above.

SMART GENERAL PRESIDENT'S COLUMN

# Battle against PSR is far from its conclusion

Brothers and sisters,

After extremely prolonged negotiations, frenzied media and social network headlines, I don't need to tell you that our rail membership is suffering from the consequences of corporate greed and Precision Scheduled Railroading (PSR).

PSR is Wall Street's latest scheme to maximize profit at the expense of safety, workers, the supply chain and communities across this country.

Due to PSR, the railroad workforce has been gutted, and trains now run through our cities and towns at exorbitant lengths – increasing the likelihood of accidents and risking public and worker health and well-being. Railroaders' jobs are more demanding than ever, and supply-chain disruptions are far more likely to occur than in recent years, leading to rising costs which hurt our communities.

Year after year, railroad profit margins have soared off the backs of hardworking SMART-TD members – the



By Joseph Sellers Jr.

very same members that the railroads said publicly are "non-contributors" to their profits. That's outrageous. And after labelling railroaders "essential" during the pandemic, the carriers have turned around and forced draconian attendance policies onto workers.

Through this, our brothers and sisters worked tirelessly on obtaining better pay and working conditions. Your work and effort brought the attendance policy to a national discussion, and we will continue to pressure the rail carriers through all avenues and respect the work we do to keep America moving.

We must continue to stand together in this fight.

During National Rail Contract negotiations, railroads



Members from Sheet Metal and the Transportation Division, as well as other members of unionized labor and public stakeholders, gathered on Dec. 13 in support of railroad workers on Capitol Hill.

used fearmongering over the possibility of a rail shutdown and its potential economic impact, instead of investing in the future. It's true: A rail shutdown would create a huge shock across North America. That's because railroad workers are essential and the foundation of our economy. Together we will continue to lift our collective voice for our members and all workers.

Workers deserve respect and dignity. Our members keep our country moving and the nation's supply chain working. We want paid sick leave, safety on the job, a fair work-life balance and the ability to take care of ourselves and our families. We have built the support of working men and women across the labor movement who have heard your call and now have your back.

We will continue this fight together and keep our union – our nation – moving forward.

Thank you for all that you do: on the job – at the union hall – and in your communities. Stay safe!

In solidarity,

Joseph Sellers Jr.  
General President, SMART

## Bus Department News

A message from your Bus Department leadership

Dear Members,

I want to start by saying congratulations to all the officers who have been elected to serve. Whether you are an incumbent officer of the local who achieved re-election or a first-time local officer who has made the commitment to serve your brothers and sisters, you all have my sincere thoughts as you embark on this journey, and the assurance that the Bus Department stands ready to assist you along the way with whatever is needed.

I also want to shout out the membership of Local 1785 who operate the Big Blue Bus in Santa Monica Calif. They have elected the first all-women's committee in the history of our representation at this location.



By Calvin Studivant

So kudos to the membership and the sisters who have been chosen to lead.

I would also like to say that I hope everyone had a very good holiday season and were able to enjoy the fruits of your labor.

On the business side of the Bus Department, Vice President **Alvy Hughes** and I have been having Zoom meetings with the Federal

Transit Administration (FTA) on making sure that money being received by carriers are used to address some of the operators' concerns.

Some of the issues include making sure that buses are equipped with safety shields and other means to ensure operator safety.

While de-escalation can result in some good outcomes, we must be vigilant to the fact that it is a tool we are asked to use to simply kowtow to someone who has exhibited threatening behavior to our members. This is not enough when it comes to protecting our members from potential violence.

Carriers must not spare any cost to make sure their employees and

our members are protected. If the Congress can override the will of our brothers and sisters on the rail side and impose an agreement that they didn't ratify, then surely this same body can make carriers accountable to ensure the safety of their employees.

VP Hughes and I will continue to hammer on this concern.

In closing, I ask that you continue to be safe and know that the Bus Department along with the entire group of SMART-TD officers stand ready to assist you any way that we can.

In solidarity,  
**Calvin Studivant**

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TRANSPORTATION DIVISION PRESIDENT'S COLUMN

With our message out, let's keep momentum

Brothers and sisters,

2022 was a historic year for our movement. Our resolve was tested, and we proved stronger than anyone outside of this organization expected. As you can see by this latest edition of the SMART Transportation Division News, our collective efforts have served to put the world on notice.

Many events have defined this past year. The imposition of a national rail contract by Congress, a win in Los Angeles for the contract of one of our largest bus properties, a nationwide effort to rally for two-person crews through a record-setting number of comments to the FRA and through the coordination of nationwide informational rallies to raise awareness about crew size and the need for the dignity of sick leave — these have all put SMART-TD in the spotlight of our country's news cycles.

These issues have resulted in an unprecedented amount of media attention from outlets all over the nation and the world. I made appearances on a number of cable networks, and it's not an exaggeration when I say that



By Jeremy Ferguson

thousands of news articles put our union and our efforts in the public eye.

This past year, our union took many steps and built necessary momentum to lead the way down a strong path in 2023, and I thank all of you for your support and continued engagement. Many of you took the risk of speaking out against the powerful. It's going to be crucial to regroup and consider the next steps our opposition will take.

One tactic the rail carriers have already engaged in is that they are packaging new cost-cutting proposals to the rail industry and labeling these ideas as "safety" and "quality-of-life improvements" for our men and women on the front lines. I say proposals because they are simply that. As most of you all know, a number of general committees are in mediation over crew-consist agreement

issues as a result of the court battles that began in 2019. More specifically, Union Pacific rolled out a video at December's FRA public hearing on the proposed two-person crew regulation highlighting what they referred to as an "expeditor position," claiming they had an agreement with "labor" to do so. This position may have been proposed and discussed in mediation, however, to this date there is no such agreement and was merely another attempt to mislead the FRA.

Regarding bus negotiations, we stand in concert with our brothers and sisters who work on the Charlotte Area Transit System (CATS). It is important to continue to support them as they fight for a fair, equitable contract as we did with our members in Los Angeles on the LACMTA.

For rail workers, we will continue to focus our efforts on the quality-of-life improvements you have so clearly earned. These will be delivered through the negotiation of on-property agreements that our highly experienced general chairpersons will be leading the way on. We will

strive to ensure that the hard-fought victories won by exhausting the Railway Labor Act in the national negotiations translate to real and tangible changes in your work schedules while not compromising your pay and healthcare expenses.

We will continue to protect the physical well-being of our commuter and passenger rail members by working with our State Legislative Directors (SLDs) to enact and enforce state laws banning riders who perpetrate violence against our members. It is crucial that we work together in order to make the workplace a safe, secure environment for these trainmen. Our SLDs and general chairpersons will follow the lead of those in New York and New Jersey to recreate the progress made this year in their precedent-setting ban of a rider from the Long Island Railroad (LIRR) system. The epidemic of disrespect and violence toward our transit and bus members needs to end.

In 2023, let us remain strong and united for the greater good. Together we all can work toward justice in the

workplace and get what is deserved, even in the face of corporate greed. Our work and success in 2022, has taught us two things for certain. They will bend, and **WE WILL NOT BREAK.**

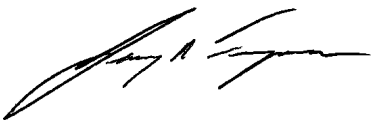
This year, let us stand united and learn from the battles we fought and what was accomplished in 2022. We must renew our commitment to staying in the fight and advancing our movement with resilience and solidarity.

Brothers and sisters, I say this to tell you that our work is not done — it never is — and we will continue forward with our progress in 2023.

Thank you for all that you do in your workplace, in your local union, and in your community.

God bless you and your families in 2023, and please stay safe and look out for one another!

Faternally,



Jeremy R. Ferguson  
President,  
Transportation Division

What YOUR UNION is doing for YOU

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 on from the First Division, the cases referenced below are of significant interest:

■ **In NRAB First Division Award No. 31087** (Deinhardt, 2022), BNSF terminated the employment of a conductor due to him allegedly engaging in carelessness and negligence when he purportedly failed to switch safely and efficiently, resulting in a derailment. In this case, the Claimant's crew coupled onto a cut of cars, and after completing the coupling, it was discovered that the right wheels of the rear car derailed. Based on the evidentiary record of this case, the Claimant's crew coupled onto the other cut of cars at a speed of one (1) mile per hour. Per BNSF's operating

rules, crews are permitted to couple onto cars at four (4) miles per hour. In examining the record of the instant case, the Board concluded that the Carrier failed to prove that the Claimant's actions were the root cause of the derailment. Having reached that conclusion, the Board reinstated the Claimant to service and ordered the Carrier to provide him with back pay for his lost earnings. GO 001 General Chairperson **Mike LaPresta** and GO 001 Associate General Chairperson **Jeremy Brown** progressed this case to the NRAB First Division.

■ **In NRAB First Division Award No. 31098** (Deinhardt, 2022), BNSF dismissed a conductor for allegedly violating the carrier's attendance policy. Specifically, the carrier alleged that the claimant exceeded his allowable weekend day layoffs by 1.5 weekend days. Critically, however, during the review period in question, the claimant applied for FMLA leave, but for reasons unex-

plained, the carrier did not approve the claimant's application for FMLA leave for over a month. Had the claimant's application for FMLA leave been approved when he originally applied for same, this would have excused several of his layoffs during the review period, resulting in him being in compliance with the carrier's attendance policy. Based on that reason, the board reinstated the claimant to service and directed the carrier to provide him with back pay for his lost earnings. GO 001 General Chairperson **Mike LaPresta** and GO 001 Associate General Chairperson **Jeremy Brown** progressed this case to the NRAB First Division.

**Public Law Board**

■ **In Public Law Board 6374, Award No. 181** (Radek, 2022), the Northeast Illinois Regional Commuter Railroad Corporation (Metra) terminated a conductor's employment for alleged negligence, mishandling and improper reporting and remit-

ting of company funds and associated tickets, and withholding and rolling of Metra revenue associated with weekend and special events tickets. In adjudging this case, the board noted that the instant case represented the claimant's first brush with being charged with failing to properly remit ticket fares to the carrier. Moreover, the board heeded the fact that other employees were administered suspensions of ten (10) days for offenses of a similar nature. Based on the totality of these reasons, the board exercised its discretion to reduce the claimant's termination to a suspension of ten (10) days. Because the board converted the claimant's termination to a suspension of ten (10) days, he was reinstated to service and paid for his lost earnings, minus ten (10) days. GO 721 General Chairperson **Edward "Chip" Waugh** handled this case before Public Law Board 6374.

...

■ **In Public Law Board 7949, Award No. 117** (More-

land, 2022), CSX terminated the employment of a switchman due to his crew passing a red signal, running through a misaligned switch and derailling. According to the record evidence in this case, the claimant was working as a switchman on a remote control locomotive job, he was located approximately thirty (30) car lengths away from the location where the incident in question occurred, and the claimant's foreman — not the claimant — operated the RCL equipment when the train passed the stop signal and traversed through the misaligned switch. For these reasons, the board discerned that the claimant bore no culpability in the instant matter. Accordingly, the board directed the carrier to reinstate the claimant to service and compensate him for his lost earnings. GO 49 General Chairperson **Rick Lee**, GO 49 Vice General Chairperson **Kevin Serres**, and International Vice President **Jamie C. Modesitt** handled this case before Public Law Board 7949.

# PAC contributions for 2021

## Average monthly PAC contribution per local member

Local	Location	Amount
Alabama		
0598	Mobile	\$0.30
0622	Birmingham	\$1.67
0762	Montgomery	\$0.94
0772	Sheffield	\$0.48
0847	Birmingham	\$0.72
1053	Selma	\$0.14
1887	Fairfield	\$0.00
1972	Birmingham	\$0.47
State Average		\$0.59
Alaska		
1626	Anchorage	\$0.90
State Average		\$0.90
Arizona		
0113	Winslow	\$6.96
0807	Tucson	\$6.64
1081	Glendale	\$16.81
1629	Phoenix	\$2.34
1800	Tucson	\$3.68
State Average		\$7.29
Arkansas		
0221	North Little Rock	\$1.08
0462	Pine Bluff	\$1.68
0507	Van Buren	\$8.20
0656	North Little Rock	\$1.12
0733	De Queen	\$1.22
0950	West Memphis	\$3.58
State Average		\$2.81
California		
0023	Santa Cruz	\$1.46
0031	San Jose	\$1.52
0084	Los Angeles	\$1.58
0100	Oakland	\$0.67
0239	Oakland	\$1.47
0240	Los Angeles	\$0.76
0492	Sacramento	\$0.29
0694	Dunsmuir	\$1.07
0771	Needles	\$2.86
0811	San Bernardino	\$2.86
0835	Bakersfield	\$1.07
1201	Stockton	\$0.95
1241	Richmond	\$2.52
1252	Fresno	\$0.46
1422	Los Angeles	\$0.97
1544	Maywood	\$2.89
1563	El Monte	\$1.02
1564	Los Angeles	\$1.15
1565	West Hollywood	\$1.16
1570	Roseville	\$0.90
1581	Bakersfield	\$2.85
1590	Anaheim	\$0.00
1607	Los Angeles	\$0.96
1608	Chatsworth	\$1.44
1674	Los Angeles	\$1.54
1694	Barstow	\$0.89
1701	Montebello	\$0.51
1730	Richmond	\$0.33
1732	San Jose	\$0.84
1741	San Francisco	\$0.00
1770	Los Angeles	\$0.84
1785	Santa Monica	\$0.20
1801	Martinez	\$1.98
1813	West Colton	\$2.29
1846	West Colton	\$0.42
1909	Gardena	\$0.00
State Average		\$1.19
Colorado		
0201	Trinidad	\$2.07
0202	Denver	\$5.16
0204	Pueblo	\$2.77
0500	Grand Junction	\$2.26
0945	La Junta	\$3.34
1136	Sterling	\$2.02
State Average		\$2.94
Connecticut		
0277	Hartford	\$1.20
0328	New Haven	\$1.25
1361	New Haven	\$1.91
1672	New London	\$2.14
State Average		\$1.63
Dakotas		
0013	Huron	\$0.11
0233	Aberdeen	\$0.04
0375	Edgemont	\$0.37
0525	Grand Forks	\$0.48
0887	Harvey	\$0.61
0980	Enderlin	\$3.61
1059	Minot	\$2.50
1137	Fargo	\$2.05
1344	Mandan	\$3.43
State Average		\$1.47
Delaware		
1378	Wilmington	\$2.60
State Average		\$2.60
District of Columbia		
1522	Washington	\$0.13
1933	Washington	\$2.51
Average		\$1.32

Local	Location	Amount
Florida		
0030	Jacksonville	\$1.51
0033	Ft. Lauderdale	\$2.50
0903	Jacksonville	\$0.58
1138	Miami	\$4.13
1221	Tampa	\$0.61
1312	Pensacola	\$0.00
1502	Wildwood	\$1.41
1504	Sanford	\$0.90
State Average		\$1.29
Georgia		
0535	Macon	\$0.23
0674	Augusta	\$1.21
0941	Columbus	\$1.64
0998	Waycross	\$2.08
1031	Savannah	\$2.08
1033	Atlanta	\$0.82
1245	Atlanta	\$0.92
1261	Atlanta	\$1.06
1263	Valdosta	\$1.72
1598	Manchester	\$0.36
1790	Fitzgerald	\$0.59
1910	Macon	\$2.38
1971	Atlanta	\$0.55
State Average		\$1.20
Idaho		
0265	Pocatello	\$2.90
1058	Nampa	\$0.00
State Average		\$1.45
Illinois		
0168	Chicago	\$3.27
0171	Aurora	\$2.73
0195	Galesburg	\$3.84
0196	Beardstown	\$4.05
0198	Peoria	\$0.00
0234	Bloomington	\$28.16
0258	Rock Island	\$1.29
0432	Champaign-Urb.	\$0.98
0445	Niota	\$3.84
0453	Clinton	\$5.88
0469	Madison	\$3.57
0528	Chicago	\$1.67
0577	Northlake	\$1.72
0597	Des Plaines	\$6.12
0620	Chicago	\$3.56
0653	Blue Island	\$2.62
0740	Joliet	\$1.55
0768	Decatur	\$1.59
0979	Salem	\$1.22
1003	Kankakee	\$0.01
1083	Villa Grove	\$0.78
1258	Elgin	\$7.52
1290	Chicago	\$2.23
1299	Chicago	\$1.74
1358	Danville	\$2.39
1402	Dupo	\$0.86
1421	Franklin Park	\$1.29
1423	Galesburg	\$0.86
1433	Elmwood Park	\$0.80
1494	Chicago	\$3.71
1525	Carbondale	\$3.02
1534	Chicago	\$1.30
1597	Chicago	\$2.06
1883	Riverdale	\$3.04
1895	Chicago	\$2.56
1929	East St. Louis	\$1.01
1973	Chicago	\$1.44
State Average		\$3.09
Indiana		
0006	Indianapolis	\$7.87
0194	Elkhart	\$1.65
0206	Peru	\$0.81
0298	Garrett	\$5.14
0333	North Vernon	\$2.12
0490	Princeton	\$6.89
0744	Frankfort	\$6.23
0904	Evansville	\$1.30
1202	Ft. Wayne	\$2.10
1381	Hammond	\$1.55
1383	Gary	\$1.32
1518	Indianapolis	\$4.31
1526	Michigan City	\$2.05
1548	Indianapolis	\$1.23
State Average		\$3.19
Iowa		
0017	Marshalltown	\$3.26
0199	Creston	\$1.51
0228	Cedar Rapids	\$1.16
0306	Eagle Grove	\$2.02
0316	Clinton	\$3.03
0329	Boone	\$2.57
0418	Sioux City	\$1.07
0493	Waterloo	\$4.65
0646	Council Bluffs	\$1.48
0867	Des Moines	\$8.48
State Average		\$2.92
Kansas		
0044	Phillipsburg	\$1.05
0094	Kansas City	\$4.28
0464	Arkansas City	\$0.78
0477	Newton	\$2.84

Local	Location	Amount
0495	Salina	\$4.23
0506	Herington	\$1.31
0527	Coffeyville	\$4.37
0533	Osawatomie	\$1.12
0707	Marysville	\$4.27
0763	Pittsburg	\$1.39
0774	Atchison	\$0.75
0794	Wellington	\$4.54
1227	Wichita	\$1.65
1409	Kansas City	\$6.52
1503	Marysville	\$9.10
1532	Kansas City	\$10.05
State Average		\$3.64
Kentucky		
0376	Louisville	\$0.08
0573	Danville	\$1.79
0630	Ashland	\$0.47
0785	Paducah	\$0.38
1190	Ludlow	\$0.40
1315	Covington	\$2.21
1316	Ravenna	\$1.54
1328	Louisville	\$0.47
1377	Russell	\$11.13
1963	Louisville	\$0.87
State Average		\$1.93
Louisiana		
0659	Leesville	\$0.28
0781	Shreveport	\$0.95
0976	Shreveport	\$1.32
1066	New Orleans	\$0.51
1337	New Orleans	\$2.75
1458	DeQuincy	\$1.04
1501	Baton Rouge	\$1.74
1545	Monroe	\$1.89
1678	Minden	\$0.20
1836	New Orleans	\$0.62
1947	Lake Charles	\$2.98
State Average		\$1.30
Maryland		
0600	Cumberland	\$0.18
0610	Baltimore	\$0.95
0631	Brunswick	\$0.50
1470	Edmonston	\$6.80
1949	Baltimore	\$0.34
State Average		\$1.46
Michigan		
0072	Battle Creek	\$2.36
0278	Jackson	\$2.35
0313	Grand Rapids	\$6.46
0886	Marquette	\$4.96
1075	Trenton	\$7.62
1183	Port Huron	\$3.78
1438	Lincoln Park	\$1.85
1477	Dearborn	\$1.10
1709	Pontiac	\$14.11
1760	Detroit	\$5.78
State Average		\$4.58
Minnesota		
0064	Waseca	\$2.54
0650	Minneapolis	\$2.90
0911	Minneapolis	\$1.67
1000	Minneapolis	\$2.50
1067	Virginia	\$8.64
1175	Duluth	\$2.83
1177	Willmar	\$2.20
1292	Proctor	\$5.95
1614	St. Paul	\$1.94
1976	St. Paul	\$1.17
State Average		\$3.23
Mississippi		
0427	McComb	\$0.43
0584	Meridian	\$0.37
0853	Amory	\$0.61
1088	Jackson	\$0.29
State Average		\$0.43
Missouri		
0005	Kansas City	\$3.87
0185	Brookfield	\$3.11
0219	Hannibal	\$3.66
0226	Moberly	\$0.93
0303	Springfield	\$2.26
0330	Poplar Bluff	\$1.61
0607	Thayer	\$1.56
0643	Kahoka	\$3.24
0933	Jefferson City	\$2.43
0947	Chaffee	\$3.29
1216	Kansas City	\$2.28
1388	St. Louis	\$2.76
1403	Kansas City	\$2.87
1405	St. Louis	\$7.50
1704	Kansas City	\$0.00
1780	Kansas City	\$4.09
1823	St. Louis	\$2.59
1975	Kansas City	\$1.88
State Average		\$2.50
Montana		
0003	Laurel	\$1.83
0486	Glendive	\$1.42
0544	Havre	\$3.05

Local	Location	Amount
0730	Great Falls	\$2.37
0891	Whitefish	\$3.63
1840	Glasgow	\$4.27
State Average		\$2.76
Nebraska		
0007	North Platte	\$2.29
0200	North Platte	\$2.77
0257	Morrill	\$1.29
0286	North Platte	\$4.28
0305	Lincoln	\$4.83
0367	Omaha	\$3.96
0626	McCook	\$2.46
0872	Omaha	\$9.83
0934	Alliance	\$2.81
State Average		\$3.84
Nevada		
1043	Sparks	\$4.17
1117	Las Vegas	\$7.04
State Average		\$3.74
New England states		
0254	Fitchburg	\$2.73
0262	Boston	\$2.94
0352	West Springfield	\$1.50
0587	Greenfield	\$0.44
0663	Bangor	\$0.21
0679	Attleboro	\$0.00
0898	Boston	\$1.06
1400	South Portland	\$0.21
1462	Boston	\$2.92
1473	Boston	\$1.03
Average		\$1.30
New Jersey		
0060	Newark	\$1.64
0710	Newark	\$0.51
0759	Newark	\$2.70
0800	Jersey City	\$2.94
1390	Trenton	\$1.48
1413	Jersey City	\$2.62
1445	Elizabeth	\$1.96
1447	Newark	\$6.80
1558	Bergenfield	\$1.82
1589	New Brunswick	\$0.30
State Average		\$2.28
New Mexico		
1168	Clovis	\$2.30
1687	Belen	\$2.49
State Average		\$2.40
New York		
0001	Buffalo	\$0.12
0029	Babylon	\$1.73
0095	Rensselaer	\$0.40
0153	Spring Valley	\$0.00
0167	Albany	\$0.21
0212	Albany	\$0.04
0256	Watervliet	\$0.19
0292	East Syracuse	\$0.00
0318	Hornell	\$0.40
0377	Salamanca	\$0.03
0394	Albany	\$0.66
0645	Babylon	\$2.86
0722	Babylon	\$2.26
1007	Syracuse	\$0.00
1370	New York	\$1.08
1393	Buffalo	\$0.03
1440	Staten Island	\$0.72
1566	Buffalo	\$0.29
1582	Albany	\$0.10
1705	Valley City	\$0.00
1831	Babylon	\$3.40
1908	Buffalo	\$0.01
1951	Albany	\$0.01
1978	New York	\$0.76
State Average		\$0.64
North Carolina		
0782	Asheville	\$4.07
0783	Spencer	\$0.94
1011	Hamlet	\$0.25
1105	Wilmington	\$0.92
1106	Rocky Mount	\$2.89
1129	Raleigh	\$1.86
1166	Charlotte	\$0.09
1596	Charlotte	\$1.97
1715	Charlotte	\$0.19
State Average		\$1.46
Ohio		
0002	Toledo	\$1.37
0014	Cincinnati	\$0.39
0138	Lima	\$1.14
0145	Columbus	\$7.70
0225	Bellevue	\$0.97
0284	Cleveland	\$13.62
0378	Cleveland	\$2.94
0421	Conneaut	\$1.87
0440	Sharonville	\$5.23
0496	Portsmouth	\$0.38
0586	Willard	\$1.29
0601	Crestline	\$0.00

State Watch

News from SMART-TD State Legislative Boards

# D.C. Legislative Dept. receives recognition for lobbying efforts

The SMART Transportation Division's National Legislative Office received recognition in December from publication *The Hill* as being part of a group of key grassroots lobbyists shaping policy in the nation's capital.

National Legislative Director **Gregory Hynes** and Alt. National Legislative Director **Jared Cassity** were listed along with representatives from 11 other labor-oriented groups such as AFL-CIO, UAW and USW for their ability to get the word out about legislation serving the interests of their respective memberships.

"We appreciate the recognition for our work," Hynes said. "It's important that our organization continues to build on the reputation we've been establishing as leaders in the labor industry who are speaking out to protect and help working people. It takes a great deal of time to grow relationships on Capitol Hill, but we are earning people's respect and getting things done."

The efforts by the office, which includes Chief of Staff **Jenny Miller**, Representative **Daniel Banks** and consultant Dean Mitchell, have brought the attention of national media and politicians on the conditions bus operators and rail-



SMART Transportation Division National Legislative Director Gregory Hynes, left, and Alt. National Legislative Director Jared Cassity along with Chief of Staff Jenny Miller, Representative Daniel Banks and consultant Dean Mitchell were named in a list of key grassroots lobbyists by publication *The Hill*.

road workers must work under, the fight for two-person crews and infrastructure to name a few.

"But we have to keep in mind that the foundation of all these efforts is thanks to the members' contributions to TD PAC," Cassity said. "We are not able to get the audience with the people in power. We're not able to raise awareness without member support."

It's a well-repeated truth that if every TD member gave a dollar a day to the SMART TD PAC that the union would have more to work with than the typical

carrier lobbyist.

"Voluntarily donating to TD PAC makes it all possible from out here in D.C. with the White House and Congress down to the state level with our legislative boards to get our work done," Hynes said. "It's what makes those political victories we've achieved — protecting workers, state 2PC efforts, securing Amtrak funding and others — all possible."

Members can log in to the Member Portal of the SMART-TD website or contact their local S&T to begin to donate to PAC.

## PLANNING FOR PASSENGER SERVICE



Attending the Midwest Interstate Passenger Rail Commission meeting in Indianapolis on November 17, are, from left, State Legislative Directors K.O. Edwards (Indiana), Clyde Whitaker (Ohio), Donald Roach (Michigan), Nick Katich (Minn.) and Bob Guy (Illinois), who is also chairman of the group.

### New Jersey

Thanks to efforts of the SLB, New Jersey Gov. Phil Murphy (D) has named Oct. 15 as an annual "Railroad Workers Day".

"We honor the contributions of our workers not just as employees, but as New Jerseyans committed to promoting safety, efficiency, and economic activity in our local communities," he said.

### Pennsylvania

State Legislative Director **Paul Pokrowka** announced in early December that the mailing address of the state's legislative board has changed and is now:

717 Market St.,  
Ste. 111 #430  
Lemoyne, PA 17043

## DEC. 13 RALLY PHOTOS



Denver, Colo.



Galesburg, Ill.



Royal Oak, Mich.



Duluth, Minn.



Sparks, Nev.

DEC. 13 RALLY PHOTOS



Santa Fe, N.M.



Columbus, Ohio



Cheyenne, Wyo.

Report brings attention to bonuses doled out to Amtrak executives

The New York Post reported that Amtrak paid out over \$2.3 million in annual bonuses to 10 executives in 2021, despite the carrier seeing its lowest revenues in a decade.

In the article published by the Post, the bonuses were reported by Amtrak to be “earned incentives,” but it’s hard to understand the structure of an incentive program that paid an average 58.12% bonus to 10 executives in a year when the company was hemorrhaging money post-pandemic.

It’s also unclear what criteria these bonuses were based upon; the Post referenced a Freedom of Information Act request as the source of the salary data.

In regard to this report, SMART Transportation Division President **Jeremy Ferguson** commented: “Amtrak has received an influx of COVID-19-related government funds the past two years, and this is how they chose to use our tax dollars. Meanwhile, our members were the ones moving trains and the nation’s passengers daily in the face of a deadly pandemic. We will remember the value Amtrak puts on such

‘earned incentives’ when we negotiate the next contract for our Amtrak conductors and other members who worked on the front lines.”

According to the N.Y. Post report, Amtrak Deputy General Counsel William Herrmann’s base salary of \$352,898 was compounded by an astonishing bonus of 85.29% for a total of \$653,879. This bonus of over \$300,000 was only enough to rank Mr. Herrmann fourth in overall compensation at Amtrak, but he did net the highest percentage of his salary in the bonuses, the Post reported.

In the same year these executives were apparently crushing their performance metrics to earn these bonuses, while in all probability working from isolation, the popular employment website Indeed.com put the average salary of an Amtrak conductor at \$71,916 over

the past 36 months.

Had the average conductor received the same 58.12% bonus these executives made on average, they would have received \$41,797. At least one Amtrak general chairperson who was contacted and other Amtrak employees reported 0% in bonuses were received. In addition to not receiving bonuses, the Amtrak rank and file had a much different 2021 than their bosses. These men and women faced large-scale furloughs, and those who stayed working often were forced to chase work to terminals hours away from their homes.

To put a bow on it, when asked about bonuses for conductors in 2021, one manager told his crews that, “Our bonus to you is that you kept your job.” It’s hard to encapsulate Amtrak’s view any better than that.

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, 2021, to December 31, 2021. 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 \$13,978,261 as of December 31, 2021, compared to \$9,762,634 as of January 1, 2021. During the plan year, the plan experienced an increase in its net assets of \$4,215,627. 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 \$10,340,099, including participant contributions of \$9,520,148 and gains on investments of \$819,951. Plan expenses were \$6,124,472. These expenses included \$351,048 in administrative expenses and \$5,773,424 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, 6060 Rockside Woods Blvd. N., Suite 325, Independence, OH 44131; 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, 6060 Rockside Woods Blvd. N., Suite 325, Independence, OH 44131, 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.

FRA issues 2 alerts

The Federal Railroad Administration’s Office of Railroad Safety issued a pair of safety bulletins to close the year.

The most-recent alert was issued Dec. 29 and warned of a situation where there was an unintended release of a train’s air brakes in June 2022 while the train was stopped at a signal.

FRA issued four recommendations to train crews and carriers regarding the implementation of air brakes and related procedures in the event the brakes would fail.

The QR code above links to the full text of the Dec. 29 safety alert.

The alert on air brakes was the second released by FRA. On Dec. 21, the agency released a bulletin regarding the inspection of cars after a conductor trainee was killed on the job in mid December in Bessemer, Ala., when a piece of angle iron protruding into the foul of the adjacent track pierced a locomotive cab window.

To read the entire Dec. 21 safety alert and FRA recommendations, please follow the QR code at right.



2023 railroad paid holiday schedule

Rail employees working under the national agreement will receive 11 paid holidays in 2023:

- **New Year’s Day (ob.)**, Monday, Jan. 2
- **Presidents Day**, Monday, Feb. 20
- **Good Friday**, Friday, April 7
- **Memorial Day**, Monday, May 29
- **Independence Day**, Tuesday, July 4
- **Labor Day**, Monday, Sept. 4
- **Thanksgiving Day**, Thursday, Nov. 23
- **Day after Thanksgiving**, Friday, Nov. 24
- **Christmas Eve**, Sunday, Dec. 24
- **Christmas Day**, Monday, Dec. 25
- **New Year’s Eve**, Sunday, Dec. 31, 2023

Happy Holidays!

SMART  
TD

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

Alumni

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

# RRB reports tax and Medicare rates for 2023 earnings

The amounts of compensation subject to Railroad Retirement Tier I and Tier II payroll taxes will go up in 2023, while the tax rates on employers and employees will stay the same. In addition, unemployment insurance contribution rates paid by railroad employers will include a surcharge of 1.5%, down from 3.5% in 2022, due to an improved employment outlook since the beginning of the pandemic.

**Tier I and Medicare Tax:** The Railroad Retirement Tier I payroll tax rate on covered rail employers and employees for 2023 remains at 7.65%. The Railroad Retirement Tier I tax rate is the same as the Social Security tax and for withholding and reporting purposes is divided into 6.20% for retirement and 1.45% for Medicare hospital insurance. The maximum amount of an employee's earnings subject to the 6.20% rate increases from \$147,000 to \$160,200 in 2023, with no maximum on earnings subject to the 1.45% Medicare rate.

An additional Medicare payroll tax of 0.9% applies to an individual's income

exceeding \$200,000, or \$250,000 for a married couple filing a joint tax return. While employers will begin withholding the additional Medicare tax as soon as an individual's wages exceed the \$200,000 threshold, the final amount owed or refunded will be calculated as part of the individual's federal income tax return.

**Tier II Tax:** The Railroad Retirement Tier II tax rates in 2023 will remain at 4.9% for employees and 13.1% for employers. The maximum amount of earnings subject to Railroad Retirement Tier II taxes in 2023 will increase from \$109,200 to \$118,800. Tier II tax rates are based on an average account benefits ratio reflecting Railroad Retirement fund levels. Depending on this ratio, the Tier II tax rate for employees can be between 0% and 4.9%, while the Tier II rate for employers can range between 8.2% and 22.1%.

**Unemployment Insurance Contributions:** Employers, but not employees, pay railroad unemployment insurance contributions. The Railroad Unemployment Insurance Act also

provides for a surcharge in the event the Railroad Unemployment Insurance Account balance falls below an indexed threshold amount. The accrual balance of the Railroad Unemployment Insurance Account was \$112.7 million on June 30, 2022. Since the balance was below the indexed \$100 million threshold (currently \$137.9 million), but above the \$50 million indexed threshold (currently \$67.0 million), this results in a 1.5% surcharge in 2023.

As a result, the unemployment insurance contribution rates on railroad employers in 2023 will range from the minimum rate of 2.15% to the maximum of 12% on monthly compensation up to \$1,895, an increase from \$1,755 in 2022.

In 2023, the minimum rate of 2.15% will apply to 80% of covered employers, with 6% paying the maximum rate of 12%. New employers will pay an unemployment insurance contribution rate of 2.82%, which represents the average rate paid by all employers in the period 2019-2021.

**ERMA benefit increases**

The lifetime maximum benefit for the Railroad Employees National Early Retirement Major Medical Benefit (ERMA or GA-46000) Plan will increase from \$182,700 to \$188,000 beginning Jan. 1, 2023.

In conjunction with a formula established in 2001, a new lifetime maximum was calculated by utilizing the October 2022 consumer price index (CPI) data for Hospital and Related Services and Physician Services. The result is a lifetime maximum for 2023 of \$188,000.

For individuals who have reached the lifetime maximum, the incremental maximum available is applied to eligible expenses submitted for dates of service on or after the effective date of the new maximum. For 2023, this amount will be \$5,300.

## 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
2	Crawford, Richard E.	Toledo, Ohio	524	Herbrough, William L.	Montalba, Texas	980	Swenson, Jimmie G.	Andover, Minn.
2	Murtaugh, John T.	Grafton, Ohio	527	Harper, Mark A.	Parsons, Kan.	1007	Murphy, David M.	Pompano Beach, Fla.
17	McNary, David H.	Marshalltown, Iowa	584	Moore, Robert L.	Columbus, Miss.	1031	Hendley, James E.	Richmond Hill, Ga.
30	Jones Jr., Richard A.	Jacksonville, Fla.	607	Gates, John E.	Thayer, Mo.	1031	Tuten, Bobby R.	Richmond Hill, Ga.
60	Phalon, Michael S.	W. Milford, N.J.	607	Woodside, James D.	Cherokee Village, Ark.	1053	Haskell, John T.	Marion Jct., Ala.
61	Ruley, Daniel M.	Philadelphia, Pa.	645	Kalinowski, Justin P.	Bay Shore, N.Y.	1053	Stone, Roger A.	Valley Grande, Ala.
94	Vogele, Charlie D.	Lathrop, Mo.	645	Zucaro, Frank	Massapequa, N.Y.	1216	McGee, Orval D.	Council Bluffs, Iowa
113	Frey, Karl T.	Cornville, Ariz.	679	Willett, Richard N.	Oregon, Ohio	1261	Pitts, Watson L.	Mt. Airy, Ga.
113	Mason, Terry G.	Show Low, Ariz.	722	Dean, Brian J.	Middle Island, N.Y.	1263	Keen Jr., Richard G.	Valdosta, Ga.
113	Shimek, Robert W.	Heber, Ariz.	740	Cannon, Gregory L.	Gary, Ind.	1313	Craig, John F.	Amarillo, Texas
113	Woodward, Jay B.	Phoenix, Ariz.	744	Smith, Brandon C.	Frankfort, Ind.	1315	Sears, Jennings A.	Lawrenceville, Ga.
194	Kreider, Randall E.	Elkhart, Ind.	744	Sutton, Weldon D.	Kokomo, Ind.	1374	Thompson, Larry W.	New Castle, Pa.
195	Pherigio, Crystal E.	Galesburg, Ill.	744	Wright, Michael Ray	Denver, Ind.	1378	Deery, Philip E.	Wilmington, Del.
200	Beckmann, Dan J.	North Platte, Neb.	762	Rutland, Casey Lee	Wetumpka, Ala.	1381	Labonte, John M.	Portage, Ind.
200	Rosencutter, Clarence E.	North Platte, Neb.	771	Potts, Katelin	Mohave Valley, Ariz.	1390	Rawls Jr., Joseph	Hillside, N.J.
206	Wall, Thomas A.	Indianapolis, Ind.	771	Uhl, Robert C.	Bullhead City, Ariz.	1422	Brown, Steven G.	Riverside, Calif.
281	Mahoney, Terrance A.	Ft. Atkinson, Wis.	774	Tisdell, Terry L.	Falls City, Neb.	1445	Quarterman III, James A.	Orange, N.J.
305	Wright, Bruce A.	Lincoln, Neb.	811	Roak, Johnny M.	Snowflake, Ariz.	1458	Blair Jr., Charles M.	Vidor, Texas
313	Landoll, Ronald L.	Verona, Mo.	847	Perry, Jarvis J.	Helena, Ala.	1544	Smith, Jarrett W.	Loma Linda, Calif.
329	Price, Dennis L.	Altoona, Iowa	886	McCullough Sr., Robert J.	Ishpeming, Mich.	1563	Williams, Fredrick	Rialto, Calif.
338	Keith, Timothy L.	Hixson, Tenn.	898	Walsh, Jennifer	Lynn, Mass.	1589	Healy, Thomas	Somerset, N.J.
338	Matney, James D.	Ooltewah, Tenn.	903	Collins, Willie L.	Jacksonville, Fla.	1594	Carrie, Jean W.	Upper Darby, Pa.
352	Parks, Kevin Lee	Farmington, Conn.	903	Dews, Hunter R.	Jacksonville, Fla.	1715	Wright, Maggie T.	Charlotte, N.C.
363	Eagon, James D.	Cuyahoga Falls, Ohio	911	Schmidt, Larry C.	Minneapolis, Minn.	1732	Haskin, Richard D.	Suisun City, Calif.
386	Deemer Jr., Leon	Elverson, Pa.	933	Gerling, Russell	Sedalia, Mo.	1790	Rycroft, John E.	Fitzgerald, Ga.
407	Brown, Kendoni Jamol	Ladson, S.C.	940	Banks, Shaylar G.	Iowa Park, Texas	1790	Vaughn Jr., Troy M.	Fitzgerald, Ga.
427	Miller Jr., James O.	Terry, Miss.	947	Smith, Michael Brandon	Nixa, Mo.	1840	Cote, G. D.	Rosemount, Minn.
462	Owen, Marshall C.	Pine Bluff, Ark.	971	Burcham, Earl K.	Crewe, Va.	1895	Neely, Clarence M.	Chicago, Ill.
495	Schmidt, Steven G.	Salina, Kan.	977	Faith, Jeremiah P.	Richland, Wash.	1962	Cooper, Robert J.	Perrysburg, Ohio

IN MEMORIAM

Local Chairperson Jose ‘Joey’ Garcia of Local 168

**Jose F. “Joey” Garcia**, local chairperson of Local 168 (Chicago, Ill.), passed away suddenly Dec. 7, at home in Chicago. Brother Garcia, 46, actively participated in our union since his rail-



Garcia

road career began in 2005. An Amtrak conductor, Brother Garcia served as a legislative representative, trustee, vice local chairperson and finally as local chairperson. Along with representing

his fellow union members, he was a loving father of two beautiful children he adored. Brother Garcia is survived by his children, father, three siblings and several family and friends who will miss him dearly. Please keep his family in your thoughts and prayers.

Vice Local Chairperson David A. Jones of Local 1951

Brother **David A. Jones**, 50, a longtime member and officer of Local 1951 (Albany, N.Y.), passed away on Dec. 11. Brother Jones had been an active member of our union since May 1999 and a dedicated officer, holding the positions of trustee, local president, delegate and local chairperson through his long career. Because of personal health problems, Brother

Jones, a yardmaster on the Delaware & Hudson Railroad working out of Saratoga, N.Y., stepped aside at the current election, but agreed to take the position of vice local chairperson to assist the incoming chairperson, said General Chairperson **Clyde E. Smith** of GO 342. One of Jones’ biggest thrills was portraying Santa Claus on the Canadian Pacific Christmas train.

Along with being a strong active union member, Brother Jones was also active in his community, volunteering in the Latham Fire Department, holding many positions in that department. “Brother Jones will be remembered for his selfless dedication to his union members as well as his love of giving to those around him,” GC Smith said.

Thomas A. Wall of Local 206

Switchman **Thomas A. Wall**, 22, of Local 206 (Peru, Ind.) died suddenly on Oct. 19 after experiencing a flare-up of an autoimmune liver disease while at work. His family said that he was responding well to treatment and was looking forward to returning to work after undergoing a few more procedures. A 2018 graduate of Speedway High School, Brother Wall enjoyed computer gaming and model railroading. After high school, he attended Michigan Tech University where he was a member of the Railroad Engineering & Activities Club. His dream job was to work for the rail-



Wall

road, a dream which came true when he hired on with Norfolk Southern earlier this year. Brother Wall is survived by his parents Dennis (a retired rail-roader) and Crystal Wall; sister, Melanie Wall; grandparents, Russell and Janet Beery; many aunts, uncles, cousins and his newly-adopted cat, Nubbs. He was preceded in death by his mother, Terri L. (Glidewell) Wall; grandparents Carl and Jeanne Wall, Hubert Jr. and Gloria Ann Glidewell; as well as an uncle, Edward G. Wall. SMART-TD offers our heartfelt condolences to the Wall family, Local 206 and to all who knew and worked with Brother Wall.

TD offices relocate



In a move projected to save union members some \$3 million over the life of its new lease, the SMART Transportation Division offices relocated from North Olmsted to Independence, Ohio, on Nov. 1. The move reduces the office’s footprint by 17,000 square feet, saving approximately \$20,500 per month in rent for the next six years and \$25,500 thereafter. Your union’s new mailing address is:

**SMART Transportation Division**  
6060 Rockside Woods Blvd. N., Ste. 325  
Independence, OH 44131-2378

STAY CONNECTED WITH YOUR UNION

In order to keep members updated with the latest information SMART-TD asks members to either log in to the Member Portal on the SMART website or to download and install the SMART app. By doing so, members can share their military service information, change their address if they’ve moved or add an emergency contact so that members’ families can be informed of an on-the-job emergency. Please follow the QR code at right to download the SMART app to your smart device.



Scan me

SUMMARY ANNUAL REPORT  
OF THE SMART-TD STAFF RETIREE HEALTH FUND

This is a summary of the annual report for the SMART-TD STAFF RETIREE HEALTH FUND, EIN: 34-1031303, for the period January 1, 2021, to December 31, 2021. 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 \$4,296,949 as of December 31, 2021, compared to \$3,599,972 as of January 1, 2021. During the plan year, the plan experienced an increase in its net assets of \$696,977. 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 a total income of \$2,381,391 including contributions of \$2,217,232 and gains on investments of \$164,159. Plan expenses were \$1,684,414. These expenses included \$33,524 in administrative expenses and \$1,650,890 in benefits paid.

**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. Governing documents including insurance contracts and collective bargaining agreements
2. Annual report and Financials
3. Summary Plan Description

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

The fund office may make a reasonable charge for copies of the annual report.

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.

# Around the SMART-TD

## L-171, AURORA, ILL.

Vice President **Matt Hanson**, who's also a vice local chairperson and vice local legislative representative, challenged an incumbent Illinois representative and came out the victor Nov. 8. As a result, he's headed to Springfield, Ill., in January as the new representative for the state's 83rd District. Hanson defeated Republican Keith Wheeler, who had served since 2015 and had a strict anti-labor record. "We took out a giant," said Hanson. "We beat him in his

own backyard. None of this could have happened without labor. "Everything he did over the last eight years was anti-union." A former county official, Hanson's efforts were bolstered by great mobilization from unionized supporters, including organized door-knocking campaigns. A major labor-sponsored constitutional amendment stopping right-to-work-for-



Hanson

less efforts in the state also turned out to be successful in drawing labor-oriented voters. Hanson's prior experience in other election campaigns paid dividends as well and, as Illinois State Legislative Director **Bob Guy** summarized, Brother Hanson spent the month prior to the election "working his ass off." Congratulations to Brother Hanson for his successful campaign!

## L-653, CHICAGO, ILL.

Legislative Representative **Orlando Rojas** received the Charlie Hayes Award from Chicago Jobs With Justice (JWJ) for his work with the city's labor community. "I'm very happy for him and his family for the recognition," said SMART-TD Illinois State Legislative Director **Bob Guy**, who was responsible for Rojas's successful nomination. "Orlando epitomizes the essential work our commuter members performed during the pandemic and was gracious when accepting the award, in recognizing his fellow

members in both passenger and freight service for the dedicated work they do during these still-challenging times." Brother Rojas is a conductor in passenger service for Metra, which provides commuter rail services in Chicago and the surrounding area. A member of SMART-TD for over 18 years, he has served in leadership roles in Local 653 for 15 of them. "I want to use this moment to recognize the accomplishments and work of all the unsung heroes in labor today," he said. "There are

so many men and women in our community carrying the torch of past leaders like Charlie Hayes. This community is standing on the shoulders of a wonderful history of the labor movement, and I want to acknowledge and thank everyone involved in building on their accomplishments." Rojas also mentioned that he intended to nominate SLD Guy for the award when he found out that Guy had already nominated him for the award named after the former labor leader and congressman.



**HOUSTON RALLY**  
Hundreds of workers from SMART-TD and other unions joined Oct. 18 at the 2022 Houston Solidarity Rally.

## L-168, CHICAGO, ILL.

The heroics of Amtrak crew members saved two lives just outside of Ann Arbor, Mich. In June, Amtrak conductor **Devourie Nesby**, and his assistant conductor **Desiray Campbell**, both of Local 168, were west-bound to Chicago from Pontiac, Mich., aboard Amtrak 355 with 225 passengers. On a bridge over the Huron River going 55 mph, the train encountered two pedestrians on the tracks. When the train came to a stop, Brother Nesby, a former U.S. air marshal, jumped into action. He said that the train stopped roughly a mile after the impact. When he got back to the scene, the first thing he saw was the young lady lying face down on the embankment of the river and believed that it was a fatality. As he approached, he realized she was alive. Conductor Nesby comforted the young lady, who was in shock, and assured that EMS were en route. When the young lady had calmed, Nesby asked if she knew the whereabouts of the young man she was with. She pointed to the river. "When I saw him floating face down in the river, I jumped in and pulled him to the shore without even thinking about what I was doing," Nesby said. The young man was severely injured, with a compound

arm fracture and was fading out of consciousness. Nesby worked to keep the man from slipping away and control his breathing. When EMS arrived, they took control of the scene. Two lives were saved, but Nesby was quick to give credit to Campbell. "I could not have had a better AC that day. Desiray took control of the situation and kept the 225 passengers calm and informed through the entire situation." He commended her poise in an emergency and said it was especially impressive to him because she was a very new employee. Sister Campbell had hired out in May and the incident occurred less than a month later on the evening of June 5. Brother Nesby wanted it noted that on some tours of duty, he doesn't have an assistant conductor due to manpower shortages. He wanted it to be known that if he was responsible for attending to the passengers, the radio communications, and attending to the people who were hit, that there would have been a much worse outcome that day. SMART-TD wants to thank Brother Nesby and Sister Campbell for their actions that day and for being wonderful representatives of our membership in a moment of crisis.

## YARDMASTERS IN TACOMA



A group of yardmasters meet with TD President Jeremy Ferguson during the Regional Training Seminar that took place Oct. 24 to 27 at the Murano Hotel in Tacoma, Wash. Keep an eye on the union website for updates on training opportunities near your location in 2023!

## L-200, NORTH PLATTE, NEB.

Local Legislative Representative and Chairperson **Amanda Snide** (LCA-953A) was honored for her work for members and received the inaugural "Solidarity Star" award from the Midwest Nebraska Central Labor Council.

Sister Snide has been her local's legislative representative since December 2020 and became chairperson in February 2022. Congratulations to Sister Snide on this award and thank you for all that you do!



Snide

## L-1741, SAN FRANCISCO, CALIF.



The local had a party to thank retirees Frank Lemon, pictured left with President Meghann Adams, Barbara Donovan, above, and a founder of the local, Paul Stein, for their years of service.



Local 23 (Santa Cruz, Calif.) President **Ignacio Mata** took this shot of a Santa Cruz Metro bus in nearby Capitola, Calif., with a holiday message.

**Featured  
photo  
showcase**

SMART-TD seeks images of work-related scenes, such as railroad, bus or mass transit operations, 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, 6060 Rockside Woods Blvd., N., Suite 325, Independence, OH 44131-2378. High-resolution digital photographs should be in JPEG format and emailed to [news\\_td@smart-union.org](mailto:news_td@smart-union.org). We prefer horizontal photos. Be sure that

your camera is set to the large resolution setting when taking the photo or it might not reproduce well in print. With each photograph, please include your name, SMART local number, the names of the persons in the photo (left to right), where the photo

was taken and other pertinent info. All photographs submitted become property of SMART and can be used in future projects. Remember to review your employer's policies regarding use of cameras on the property or during work hours.

# It's time to apply for UTUIA scholarships!

**UTUIA scholarships remain at \$2,000 per student per year for 2023!**

50 two-year Trade School Scholarships and 50 four-year College Scholarships available for 2023!

This year, UTUIA has committed once again to supporting the children and grandchildren of our members by continuing to offer 50 four-year college scholarships and 50 two-year trade school scholarships, both at **\$2,000.00 per student, per year**. Currently, UTUIA is paying out on almost 200 scholarships! We encourage all members of SMART-TD to support these ongoing fraternal benefits by becoming a member of UTUIA through ownership in our uniquely designed insurance plans.



Laugel

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

The deadline for scholarship applications is March 31, 2023. For more information about scholarship requirements and to apply, visit [www.utuia.org/scholarships](http://www.utuia.org/scholarships).

Fraternally,

Ken Laugel  
President, UTUIA



Region	# of Scholarships
1 Great Lakes: Minn., Iowa, Ill., Wis., Ind., Mich., Ohio	13
2 Great Plains: Mont., Wyo., N.D., S.D., Neb.	3
3 Mid-Atlantic: Mo., Tenn., Ky., W.Va., Va., N.C., Del., D.C., Md.	8
4 Northeast: Pa., Conn., Maine, Mass., N.H., N.J., N.Y., R.I., Vt.	5
5 Southeast: Ala., Ga., Fla., S.C.	4
6 Southwest: Colo., N.M., Kan., Ark., La., Okla., Texas, Miss.	9
7 Western: Wash., Ore., Idaho, Nev., Calif., Utah, Ariz., Alaska	8

## College & Trade School Scholarship Program Rules

### DISTRIBUTION

Fifty \$2,000 scholarships, renewable for up to four years, are awarded each year upon verification of enrollment for the fall term. The scholarships are prorated according to the number of UTUIA members in each of the seven regions. The names of the 50 scholarship winners for the academic year 2023/2024 will be drawn at UTUIA headquarters in Independence, Ohio, after the March 31 deadline for submission of applications. **The scholarship period opened Jan. 16, 2023, and closes March 31, 2023.**

### ELIGIBILITY

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

**Applicants must be associated with the UTUIA by either owning a UTUIA insurance policy or by being the child or grandchild of a current UTUIA policyholder. To be eligible for a scholarship, you must have an issued UTUIA policy in the UTUIA system by 12/31/2022.**

Applicants also must be accepted for admittance, or already enrolled, for at least 12 credit hours per semester at a recognized institution of higher learning (university, college or junior college, nursing or technical school offering college credit). Graduate schools are not included.

**Applications must be received no later than March 31, 2023.** Please submit only one application per student. Incomplete or duplicate applications will not be accepted.

### AWARDS

Scholarships are awarded on the basis of chance, not grades. However, the student is expected to maintain a minimum 2.5 GPA to keep the scholarship for the full four years.

### ADMINISTRATION

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

### CONTACT

Further questions about the scholarship program may be directed to Elizabeth Thomas by calling **216-227-5254**, or by emailing [ethomas@utuia.org](mailto:ethomas@utuia.org).

Visit [www.utuia.org/college-scholarships/](http://www.utuia.org/college-scholarships/) for complete rules and to apply.