



JOBS FOR LIFE



AJ Nash, Local 257 (Morrill, Neb.)

Sept. 22, 2025 – SMART-TD and Union Pacific Railroad negotiated a historic agreement that ensures job security for thousands of railroad workers as Union Pacific and Norfolk Southern pursue a merger.

SMART-TD members working in train, engine and yardmaster service will have **job protection for the length of their careers** following the transaction, subject to the usual requirements for continued employment.

Union Pacific has committed in writing that these employees will be protected from any furloughs for the remainder of their career with Union Pacific and what will be the former Norfolk Southern.

With lifetime job protection, preferential hiring for affected terminal employees and a commitment to working together to implement future agreements, the guarantee grants railroaders and their families the stability

and peace of mind they deserve and secures it for years to come. With this unprecedented guarantee in hand, many of our union's objections to the merger have been addressed.

SMART-TD is now able to support Union Pacific's proposed merger with Norfolk Southern.

"This is a proud day for our members," said SMART-TD President **Jeremy Ferguson**. "We are protecting

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2-PC-BUSTER BURLISON IS AT IT AGAIN

We've got to hand it to Congressman Eric Burlison (R-Mo.): he's great at staying on brand.

After an unsuccessful attempt to codify Congress's "disapproval" of the federal two-person crew (2-PC) rule in April of 2024, he's back with a new piece of legislation, the "**Train Crew Choice Act**," which seeks to repeal the FRA's hard-won 2-PC rule.

He claims, without admitting even a hint of irony, that the bill will "stop union bosses from using Washington to get what they can't win at the bargaining table."

Congressman Burlison goes into more detail in the bill's announcement, claiming, "We should not [be] imposing unnecessary regulations that benefit special interests."

Burlison received the bulk of his campaign contributions in the last election cycle from special interest groups like the AAR (Association of American Railroads), ASLRRRA, UP, BNSF, CSX and NS, plus short-line operators Genesee & Wyoming and Herzog.

If history is any indication, Congressman Burlison's second attempt to invalidate 2-PC will hopefully fall as flat as the first one. But here's the reality: things in the political arena aren't the same as they were in 2024.

We've lost some important allies while the carriers have gained some new supporters.

We called out his anti-worker behavior when we saw it last year, and now we have to do it again: the safety of our communities and all railroaders, including SMART-TD members, is too important to do anything else.

Contact your representative to protest his bill and stay alert for any invitations to help ensure Burlison's legislation doesn't see the light of day, let alone a floor vote in either chamber.

CALIFORNIA LAW TURNS UP THE HEAT ON TRANSIT ASSAILANTS



More transit workers in California now have stronger protections, thanks to a new law that expands penalties and widens the coverage of temporary restraining orders.

The bill, AB 394, was signed into law in October.

The previous law established the penalty for assaulting a bus driver or passenger as punishable by up to one year in jail, a fine of up to \$10,000 or both. If an injury results from the incident, the punishment involves potential time in state prison.

The problem was that the list of those protected by these penalties was very narrow.

With attacks against transit workers grabbing headlines nationwide, SMART-TD's California Safety & Legislative Director **Louis Costa** knew

that more needed to be done.

"Every day, transit workers are spit at, stabbed, hit, sexually assaulted and more," explained Costa. "These incidents on public transportation systems create safety risks and disrupt operations, making it harder for both transit workers and the passengers who rely on public transit to get around."

Prior to the new law, employers or unions could only file a temporary restraining order on behalf of the employee who was harassed, attacked or threatened. No additional enforcement, such as a system-wide ban, was available.

"These incidents have had a direct impact on daily operations and as a result, many agencies throughout the state are experiencing severe operator and employee shortages," Costa continued. "This has also impacted riders' feelings of safety on public transit systems."

The new law expands protections to include any employee, public transportation provider or contractor of a public transportation provider and makes those restraining orders applicable across the entire transit system.

This means that instead of applying to a single operator, the offender would be temporarily banned from all vehicles, stations, stops and facilities operated by the transit agency.

"This bill empowers transit agencies, employee representatives, and gives courts additional tools to deter harmful behavior and enhance safety across California's public transportation systems," Costa said.

California joins the states of Maryland, Colorado and Massachusetts, where SMART-TD legislative directors are running or have passed similar legislation to better protect our nation's transit workers.

New SMART Union mobile app update available

Several important updates are now live on the SMART Union Mobile App. These include:

- Messaging: Members receive a push notification alert when a message from the SMART Union Mobile App is sent to them.
- Digital TD Membership Card (available for active members only and includes the local number, craft and carrier).
- "TD" label changes.
- DIPP now appears as Job Income Insurance (DIPP)
- VSTD/VLTD Rail now appears as Short-and Long-Term Disability (Rail). Access requires logging into the Member Portal.
- VSTD/VLTD Bus now appears as Short-Term Disability (Bus). Access requires logging into the Member Portal.

To ensure access to this new information, all union members are encouraged to update to the latest version of the app. If you are not using the current version of the app, you may need to update it manually on your device. This process is unique for every user, so please follow the steps that you would normally take to update any other app on your iPhone or Android device.

Among many updates, you can now submit a Discipline Income Protection Program (DIPP) claim right from the SMART App. Protecting yourself and your family from unfair discipline has never been easier.

Update or install it today!



GOVERNMENT AFFAIRS

The Future of rail travel in the USA: why not just buy more cars?

In June, the U.S. Senate Committee on Commerce, Science, and Transportation held a high-profile hearing titled “On the Right Track: Modernizing America’s Rail Network.” Unsurprisingly, the message from both Class I and short line freight rail interests stuck to a familiar script: “We’re vital to the economy and we’re thriving, but please stop regulating us.” The contradiction between portraying themselves as economic juggernauts and claiming to be victims of federal oversight was on full display.

But the most cringe-worthy moment came from freshman Senator Bernie Moreno (R-Ohio), who suggested the best solution to America’s mass transit issues is for every citizen to own a car instead.

He wasn’t a mayor, a state senator or even a city council member before being elected. He was a car dealer. According to OpenSecrets.org his campaign received over \$750,000 in contributions from the automotive industry.

Meanwhile, in his home state of Ohio, SMART-endorsed Republican Governor Mike DeWine is pushing for expanded passenger rail service. Plans are underway for a high-speed rail line linking Cleveland, Columbus, Dayton, and Cincinnati.

Nebraska updates rules for rail crew transportation

A loophole in a Nebraska regulation was finally closed so rail crew van drivers are held to similar standards as those required by contractors for Uber and Lyft.

The three-year effort to enact the regulatory change was led by Nebraska Safety & Legislative Director **Andy Foust** and the Nebraska State Legislative Board.

Nebraska passed legislation in 2019 that classified rail crew carriers like RailCrew Xpress (RCX), Hallcon and PTT as non-passenger commercial drivers, similar to those hauling furniture.

This classification had no disqualifying criteria, meaning a person with recent convictions for things like felony drug charges or sex offenses could legally operate a crew van.

Crew-hauling companies knew they could get away with paying low wages to drivers who were unable to secure employment anywhere else. Our safety was being traded for corporate convenience and their all-too-familiar operating ratios.

Foust and the Nebraska State Legislative Board threw the brakes on this practice.

As of June 23, 2025, drug and sexual assault convictions disqualify applicants from driving rail crews. These disqualifiers are enforced via a seven-year lookback period.

“We’re not cargo,” Foust said. “We’re people. And our safety matters.”

With the precedent set in Nebraska the legislative team is promoting similar rules across the United States.

Bill to allow cities to spend transit infrastructure grants on payroll

WASHINGTON, D.C. — Congressman Mike Lawler (R) introduced the Transit Funding Flexibility Act of 2025 on Sept. 3, 2025. The legislation, if passed, would provide a long-term solution to allocate transit funding. SMART-TD endorses this bill.

Rep. Lawler also co-sponsored the bipartisan Railroad Yardmaster Protection Act alongside Rep. Salud Carbajal (D-Calif.). We are grateful for his continued commitment to advocating for the men and women who keep America’s transportation systems moving safely and reliably.

The Transit Funding Flexibility Act allows recipients of certain grant funds to use that money for operating costs, like salaries. The funds are currently restricted to costs associated with equipment and facilities used in public transportation.

Restrictions on how transit funding can be allocated hampered the ability of local agencies to direct money where it is most urgently needed. This bill confronts this problem by giving decision-makers in cities across the country the flexibility to use their funding to preserve and improve service, sustain jobs, and strengthen public transit systems.

At a time when major transit systems are on the verge of a meltdown, this legislation will empower cities to maximize the effectiveness of their existing resources.

Bob Guy, SMART-TD’s Illinois state safety and legislative director, explains, “In this era of fiscal cliffs for public transit, this bill can help us avoid the large-scale cuts to our workforce we are looking at. Right now, our Chicago members at METRA, along with CTA and PACE, are being told to expect a 40% cut. The Transit Funding Flexibility Act gives us the ability to use the resources we have where they matter most and that is sustaining the workforce and ensuring service continues in our city.

“This isn’t just about our members. Businesses in this city depend on a reliable way to get their employees to the workplace. If routes start getting cut, our economy will suffer. This bill will help us keep our SMART-TD brothers and sisters in the business of keeping Chicago running.”

Anthony Petty, SMART-TD’s general chairperson representing SEPTA members in Philadelphia, echoed this sentiment.

“Any help works at this point. Obviously, what we need right now is more funding for public transit,” Petty said. **“Freeing up what transit agencies can do with the money they do have does help. I see this bill as a way for the federal government to get out of the way and let Scott Sower (SEPTA’s general manager) get creative and see what he can figure out. One thing we know for sure is that the current situation is not sustainable.**

“The public is understandably angry about the cuts we’ve been told are coming. It has got to the point where I’m more worried about our members’ safety than ever. These passengers are mad and feel like they are getting cheated. And those of us on the front line are the only people they see to take out their frustrations on.”

With transit systems under severe strain nationwide, SMART-TD is excited to see our legislators engaged in this fight and working to brainstorm creative, long-term solutions to the complicated issue of transit funding.

Our members and the services they provide are essential to this country, yet are too often overlooked or taken for granted. Congressman Lawler and his staff have shown a willingness to listen, act, and advocate for real solutions. SMART-TD looks forward to helping champion this bill, educating decision-makers, and fighting for a stable and reliable future for public transportation.

FRA expands bridge inspections

The U.S. Department of Transportation (DOT) and the Federal Railroad Administration (FRA), under the Trump Administration, announced a major expansion of their capacity to inspect railroad bridges across the nation.

There were only six trained bridge inspectors tasked with covering the entire United States. **The FRA is training an additional 163 federal and state track inspectors to perform railroad bridge inspections in addition to their existing duties. When complete, the number of eyes on our bridges will jump from fewer than 10 to 169 inspectors nationwide.**

The FRA finally plans to hold railroads accountable. Inspectors will be able to recommend civil penalties when defects are found and force rail carriers to bring bridges up to code—or face fines.

Acting FRA Administrator Drew Feeley explained that, “The bridge safety standards have long helped assure that railroad bridges are safe. The addition of this training for existing inspectors will give the FRA many more opportunities to confirm the structural soundness of railroad bridges.

New Jersey signs two new pro-labor laws backed by SMART-TD’s legislative team, AFL-CIO

SMART-TD, in collaboration with other labor organizations and the New Jersey AFL-CIO, helped create two new, pro-worker laws in the Garden State.

Protection Against “Captive Audience” Meetings

Sponsored by a cohort of bipartisan lawmakers, A-4429 prohibits employers from forcing employees to attend meetings concerning political or religious matters, including what’s known as “captive audience meetings.”

“By protecting workers from being forced to sit through captive audience meetings, New Jersey is defending the dignity and independence every worker deserves on the job,” explained SMART-TD’s New Jersey Safety & Legislative Director **Ron Sabol**.

These meetings are a well-known scare tactic used by some employers to discourage their employees from forming or joining a union.

The new law makes it clear that attendance at these meetings is voluntary, and employees cannot face retaliation if they decide to opt-out of the anti-union sessions previously mandated by their managers.

Employers *can* still hold voluntary meetings, share legally required information, and conduct anti-harassment and anti-discrimination training.

Workers’ rights are at the heart of the bill.

Labor History Required in New Jersey Classrooms

The second pro-labor bill signed by Governor Phil Murphy (A-1682) enshrines education about organized labor in the New Jersey Student Learning Standards for Social Studies in grades 6-12.

The law requires the state Board of Education to adopt standards about the history of labor and labor movements, and school districts are directed to provide instruction on United States and New Jersey labor history as part of their regular curriculum.

“By requiring labor history to be taught in our schools, the state ensures that the next generations understand the sacrifices and struggles that built the workplace protections we have today,” Sabol said.

“As these young people prepare to enter the workforce, they’ll have a deeper appreciation and knowledge of the benefits we enjoy that were won by unions, but often taken for granted in today’s world.”

The bill boasted 22 bipartisan co-sponsors and sets an important precedent for labor education.

New Jersey continues to be an example of what’s possible when lawmakers and labor work together to get things done. Congratulations to SLD Sabol and the New Jersey and Delaware Safety and Legislative Board for helping secure these victories!

UNION COALITION BACKS BILL THAT ADDRESSES OVERTIME OVERSIGHT

Sept. 19, 2025 — From the minute the Senate passed the One Big Beautiful Bill Act (OBBA) without including critical protections on overtime tax relief for transportation workers, SMART-TD made one thing crystal clear: We weren’t going to sit quietly and accept a raw deal for our members.

What’s the Issue?

The OBBA created a new provision in the tax code (26 USC § 225) allowing hourly workers to deduct up to \$25,000 in overtime from taxable income. But here’s the catch: It relies on a nearly 100-year-old definition of “overtime” from the Fair Labor Standards Act that excludes almost all transportation workers.

That means railroaders, airline workers, truckers, delivery drivers and others who often work brutal, long shifts are left out in the cold, both literally and figuratively. Even first responders like fire fighters and EMTs are widely excluded under the current thresholds. It’s outdated. It’s unfair. And it’s exactly why SMART-TD is fighting back.

Standing shoulder-to-shoulder as one union family

In a powerful show of unity, every major union in the transportation industry joined SMART-TD in calling on Congress to fix this mistake. From the Air Line Pilots

Association, to the Teamsters, the Seafarers International Union and the United Steelworkers, the strength and solidarity of this movement could not be ignored. Together, these unions represent over three million American workers.

We are thankful for the overwhelming support that has added volume and power to the alarm we began sounding from day one.

Jared Cassity, SMART-TD’s national safety and legislative director, explained, “We are the tip of the spear on this issue. SMART-TD spoke out first, and we’ll be the last to stop fighting until every transportation worker in this country gets the tax relief we’ve earned.”

Our message was heard on Capitol Hill.

Lawmakers introduced the No Tax on Overtime for All Workers Act, a bipartisan bill that extends the overtime tax exemption to rail workers.

If the bill passes and is signed into law, overtime worked by railroaders will qualify for the same federal tax deduction that those millions of other workers will receive starting next year.

Bipartisan, Drafted with Union Assistance

The bill is spearheaded by Rep.

Automated track inspections miss critical defects

We’re sounding the alarm before tragedy strikes: SMART-TD has called on the FRA to reject a waiver request to cut track inspectors by 75% in favor of automated solutions, which miss many common hazards.

Our lives depend on one thing above all else: safe tracks. That’s why SMART-TD is arguing against a new waiver request from the Association of American Railroads (AAR) and the Class I Railroads it represents.

The AAR wants permission from the Federal Railroad Administration (FRA) to reduce human visual track inspections by 75%, claiming it will replace the human inspectors with Automated Track Inspection (ATI) systems. But here’s the truth: ATI misses 73% of defect types that human inspectors catch.

That’s not safety, it’s a shortcut. When shortcuts fail on the railroad, people die.

We filed a full public comment with the FRA to stop this waiver. Here’s what you need to know.

The AAR Wants to Cut Inspections in Half — Then Do It Again

Current rules require that tracks get two human inspections per week.

Under the AAR’s waiver request, that would drop to two per month.

As a result, potentially broken tracks would remain in service for days on end, with nothing more than a computer readout and a 72-hour wait-and-see policy if a defect is found.

Ask yourself this: Would you want your train to be the 12th or 200th one to run over a piece of track flagged by a machine for a defect but not fixed for three days?

Technology Should Help, Not Replace, Human Judgment

SMART-TD fully supports innovations that make the railroad safer.

During a June Congressional hearing, Brotherhood of Maintenance of Way Employes (BMW) President Tony Cardwell spelled it out clearly: ATI can only identify track defects related to track geometry and misses 73% of the derailment-causing defect types that trained track inspectors regularly identify. Letting this waiver through would mean blind spots—big ones—on nearly every mile of track.

This means they can’t detect loose bolts, worn ties, damaged switches, track obstructions and more.

President Cardwell quoted Ezekiel

ARE YOU

PART OF THE PAC?

If every union member contributed \$10/month SMART-TD could out-spend any railroad PAC in the USA.

smart-union.org/get-involved/transportation-pac/

Nicole Malliotakis (R-N.Y.) and Rep. Emilia Sykes (D-Ohio), who worked closely with SMART-TD and our coalition of labor partners to champion this cause. They were joined by Reps. Nick LaLota (R-N.Y.), Steven Horsford (D-Nev.), Brian Fitzpatrick (R-Pa.) and Tom Suozzi (D-N.Y.).

Railroaders Routinely Denied Equal Treatment

Taxing our overtime at the same or higher rates than regular income has long been a sore topic. Railroaders deserve the same financial relief already granted to millions of other workers.

Railroad work doesn’t stop for weekends, holidays or family events. Our members sacrifice personal time to keep freight and passengers moving safely and efficiently across the country. The overtime we earn isn’t a bonus: It’s mandatory and it comes at the cost of long hours away from our homes and loved ones.

“This expansion is about fairness,” said Cassity. “It shows that when workers speak up together, we can move Congress. The men and women who keep America’s trains running shouldn’t be treated differently from any other worker when it comes to overtime pay.”

SMART-TD President **Jeremy Ferguson** added: “We are proud of the bipartisan leadership shown by Representatives Malliotakis and Sykes, along with their colleagues from both

parties. They listened to us, they heard our case, and they acted. Our members are the backbone of America’s supply chain and now their sacrifices are being respected in the tax code. We owe it to ourselves to keep the pedal down and make sure this gets passed in both the House and Senate and signed into law.”

United We Win

From the 4,300 members who sent messages to their Senators about the OBBA in July, to the ongoing efforts of our legislative team in Washington today, this bill is proof that collective action works.

“This isn’t over,” Cassity declared. “If the rest of the blue-collar workforce gets relief on overtime taxes, so should rail workers.”

We will stay at the front of the pack until every transportation worker, every union brother and sister, gets their fair share.

How You Can Help

The bill (H.R. 5475) is designed to move quickly, with the goal of passing before tax season.

The strategy is bipartisan and has strong support from both parties.

Please contact your Representative and ask them to co-sponsor the No Tax on Overtime for All Workers Act. The stronger the support, the faster we can secure this relief for railroad families.



The Federal Railroad Administration (FRA) has rolled out a web-based tool that makes it easy to report blocked railroad crossings and analyze the impact they have on communities.

You can help report blocked railroad crossings in your community thanks to this new reporting system.

Because there are no federal laws or regulations on the books that deal with blocked crossings, the FRA wants to learn where, when, and for how long these incidents are happening and the resulting impacts.

However, the FRA notes that there may occasionally be valid operational or safety-related reasons that a crossing is blocked by a slow or stopped train.

The goal is to share this information from the reports with relevant organizations, including railroads, state and local governments and other federal agencies.

You can learn more about the tool or report a blocked crossing by visiting the FRA website:

www.fra.dot.gov/blockedcrossings/

SMART GENERAL PRESIDENT'S COLUMN

Divide and conquer vs. union solidarity

Employers have long relied on “divide and conquer” tactics to weaken workers.

Whether it's during contract talks, organizing campaigns, or day-to-day work, they try to pit us against one another—by the job we do, past pay, or even what language we speak. The goal is simple: break our unity so they can keep more power and profits.

But when SMART members stand together, we win.

Recently, SMART-TD members currently working for Union Pacific and Norfolk Southern were able to secure lifetime job security through an agreement that secured our support for the merger of both carriers.

When faced with pressure from the hardship this merger could have possibly caused for SMART-TD rail-roaders, SMART-TD leadership, led by President **Jeremy Ferguson**, focused on securing a strong agreement that prioritizes the needs of every member effected.

That same unity has delivered real victories for all of us, from stronger contracts that support our families, to



By Michael Coleman

the FRA's two-person crew rule, to progress on safer buses and passenger trains.

Congratulations to President Ferguson and his team on this breakthrough for TD members, a clear example of how strong leadership and solidarity are combined to deliver real results.

The billionaires and corporations trying to divide us have endless resources, but they don't have what we have. Solidarity.

No matter our craft, background, or beliefs, we share more with each other than with the wealthy few who profit from our labor and the time we spend away from our families and loved ones.

With us having a seat at the table, through our strong contracts, we are able to raise our voices in support of

the very members who are the life-blood of this organization.

Our solidarity is our strength on the rails, on the road, and at the bargaining table. When we stick together, we can take on anyone and win.

In solidarity,

Michael Coleman,
SMART General President



A MESSAGE FROM BUS DEPARTMENT LEADERSHIP

We train to fight with confidence

As the National Labor Relations Board (NLRB) changes are looming, now more than ever, standing together is our greatest strength. Any changes will not only shape labor law and policy, but may also have a direct effect on how we handle our disputes, elections and hold employers accountable.

The NLRB oversees the private sector, and some public sectors mirror similar guidance. There are raising alarms with the budget cuts to the NLRB alongside office closures. It has seen a decline of one-third of its field staff over the last decade, while the number of cases has increased. We'll see how the new look of the NLRB develops as the board also looks to regain a quorum, but history has shown that when our rights are attacked, our greatest strength is unity.

However, in the midst of these changes, we have just completed our 2025 Annual Leadership Conference in New York, where our local leaders had the opportunity to acquire knowledge and refine their skills. The bus break-out introduced a new class, “Mock Grievance Hearings,” to our bus officers.

Putting committee officers in live situations to think on the fly and advocate for this membership creates confidence and knowledge. The class was a success, and we look forward to introducing it at our upcoming



By Alvy Hughes

Regional Training Seminars (RTS).

While we aim to advance our training to be more effective for our members, we must also protect ourselves through the strength of our solidarity. We are embarking on our second annual Bus and Transit Safety Day on the Hill, following the successful event last year.

Our fight is never over until we ensure that everyone is safe and secure in their daily occupation. Whether confronting changes in federal or state labor laws, shifts in policy decisions, or threats to our members' rights, we will be ready to combat them with our knowledge and voice, while standing up for our livelihoods.

In solidarity,

Alvy Hughes, Vice President
SMART-TD Bus Department

Transit funding crisis deepens

Earlier this year, SMART-TD drew attention to what was quickly becoming an alarming trend: Transit agencies across the country were making headlines for funding shortfalls and looming fiscal cliffs, leading to difficult decisions about future service and possible cuts.

Elected or transit officials are usually the ones who are the most vocal about this problem, but the impacts will be felt by the riding public and SMART-TD members.

Pennsylvania: With just days left before SEPTA in Philadelphia signaled it will be forced to cut services without a reliable funding solution, lawmakers are scrambled to pass legislation that stopped the agency's financial bleeding. The Pennsylvania Department of Transportation allowed SEPTA to dip into \$394 million in capital assistance to fund operations for two more years.

If they hadn't passed the bill, Philadelphia riders would have endured 20% service cuts, which would have climbed to 45% by the end of the year along with fare increases.

Many of our SMART-TD transit brothers and sisters work for SEPTA and will undoubtedly be affected (even if not directly) by future service cuts.

Illinois: Regional Transportation Authority officials in Chicago are still in search of a fix for its nearly \$230 million budget gap. Without intervention from state lawmakers, this is expected to balloon to \$834 million in 2027 and \$937 million in 2028.

North Carolina: Voters will decide whether to approve a sales tax referendum to fund public transit when they head to the polls in November.

Arizona: The Tucson City Council approved free bus fares while not hiding from the fact that it's still looking for viable ways to fund public transit, leading one council member to point out the rapidly approaching “fiscal cliff.”

As the problem widens it has become clear that no city is insulated.

We've said it once and we'll say it again: All Americans deserve access to reliable, fully-funded public transit.

Simply ignoring our deepening, nationwide transit funding crisis will not make it go away; lawmakers at all levels of government must step up, get creative and fully fund the transit systems that so many of us rely on every day.

Anything else is a blatant dereliction of duty and a broken promise to protect the constituents who elected them to office.

SMART-TD will continue fighting to ensure that transit systems across the country are fully-funded and our brothers' and sisters' jobs are protected.

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jobs, protecting families, and protecting the future of the U.S. supply chain. I want to thank Jim Vena, Mark George and their teams for thinking outside the box and putting their employees at ease in unprecedented times.”

Union Pacific Chief Executive Officer Jim Vena went on record saying, “I made a promise to protect the jobs of all unionized employees. Those who have a job when the merger is approved will continue to have one.

“I am confident we will unlock new sources of growth for the country and our industry, taking more trucks off taxpayer-funded highways, serving new markets, and keeping more railroad jobs in America.”

Norfolk Southern CEO Mark George added, “Today's commitment with SMART-TD takes that promise a step further and reflects our deep appreciation for and confidence in the people who keep our railroads moving every day.”

“This is more than a contract,” Ferguson added. “It's proof that when workers and management sit down in good faith, we can build an industry that serves everyone: employees, companies, and the American people who depend on the railroads every day.”

TRANSPORTATION DIVISION PRESIDENT'S COLUMN

What it means to be in SMART-TD

Brothers and Sisters,

It has been a busy and challenging end to the summer for our union and our members.

When Union Pacific and Norfolk Southern announced their intent to merge, your leadership team and I had immediate and significant concerns. We knew what such a change could mean for the men and women we represent.

The first question on every member's mind was the most important one: “Will my job survive this merger?”

We did not stay silent. We went on the offensive, making it clear to the press, to regulators and to both railroads that SMART-TD was opposed to this merger because of what it could mean for our members. Very quickly, our union became the face of the opposition.

And because of that effort, Union Pacific's CEO and management team came to us. They sat down across the table and heard our concerns directly.

Out of those hard conversations, something remarkable happened.

On September 22, we announced through a joint press release that Union Pacific signed a written agreement with SMART-TD guaranteeing that no UP or NS members represented by our union will face furlough for the entirety of their careers.

We secured a binding agreement protecting our UP and NS brothers and sisters, ultimately guaranteeing “Jobs For Life!”

This is historic. In an era when corporate profits are prioritized over working people, SMART-TD won a



By Jeremy Ferguson

binding guarantee that brings peace of mind to thousands of families. If and when this merger is approved by the Surface Transportation Board, our UP and NS members will know with certainty that their careers are built on steady ground, for as long as they choose to work.

This is what it means to be in SMART-TD. But our work doesn't end with railroads.

In recent months, our **Bus Department** has also been leading from the front. Several bus locals ratified strong agreements that not only delivered meaningful wage increases, but also secured vital protections for the future.

Thanks to the aggressive negotiating by our bus vice presidents and general chairpersons, new agreements have begun to include clauses preventing management from replacing our members with autonomous, self-driving buses.

These victories don't just raise today's paychecks. They give our brothers and sisters in public transit peace of mind knowing **their careers and talents aren't going to be sacrificed in the name of Silicon Valley “progress.”**

Our Bus and Transit Assault Prevention and Safety (BTAPS) Committee is looking to extend the bus department's momentum this fall when

SMART-TD is hosting our second annual Bus and Transit Day on the Hill in Washington, D.C.

This year, we will be trying to top the success of last year's event with meetings targeting key members of both the Senate and the House on both sides of the aisle.

I look forward to reporting back to you on the progress our BTAPS members, along with our Safety and Legislative Department, make in their second round of meetings in our nation's capital.

While we were making history at the bargaining table, we were also making our voices heard in Washington.

In July, Congress passed the One Big Beautiful Bill Act. Unfortunately, rail labor was left behind. While the bill granted a tax break on overtime pay for workers across the country, that same break did not apply to railroaders.

We worked tirelessly to amend the bill and close that gap, but the amendment never made it to the Senate floor. On the day of its passage, our National Safety and Legislative Director **Jared Cassity** vowed that “This is not over.”

He meant it. Less than 50 days later, Brother Cassity and his team delivered on that promise.

House Resolution 5475 — the No Tax on Overtime for All Workers Act — was introduced in Congress. Not only did SMART-TD succeed in getting this bill introduced, but **before it even saw its first committee hearing, it had already gained bipartisan support.** Democrats and Republicans alike are signing on as co-sponsors, and momentum is building fast.

I can't stand here today and

promise that this bill will become law. But I can promise you this: **When our members get left behind, SMART-TD does not make excuses. We work until we find solutions.**

Brothers and sisters, these are not easy times. But every day, through negotiations, legislation and leadership, our members are proving what it means to be SMART-TD.

When a fight breaks out, and you see SMART-TD running, you can bet your ass that we're chasing somebody. We aren't leaving the scene until our members come out on top.

Together, we will continue to ensure that our members have security in their careers, protections in their contracts and a voice in the decisions that shape their lives.

That's what it means to be in SMART-TD.

In solidarity,

Jeremy Ferguson, President
SMART Transportation Division

What YOUR UNION is doing for YOU

Arbitration victories as reported to SMART Transportation Division leadership

General chairpersons who wish to report a victory should contact:

Bus Department Vice President **Alvy Hughes** (ahughes@smart-union.org) • Rail Vice President **David B. Weir Jr.** (dwierjr@smart-union.org)

In Public Law Board 7937,

Award No. 47 (Areheart, 2025), the Board adjudicated a dispute regarding Norfolk Southern Railway Company's decision to terminate the employment of a conductor.

In that case, the carrier charged the claimant with allegedly endangering his safety when he purportedly failed to ensure equipment was properly secured prior to shoving cars, resulting in a raking collision and damage to equipment, improperly riding a tank car, fouling a live track while running in close proximity to his approaching train and conduct unbecoming when he allegedly failed to report the accident/incident. According to the pertinent provision of the collective bargaining agreement in effect on this property, the carrier is limited to advancing disciplinary charges against an employee to within ten (10) days or less of an event that makes the basis of the allegations. In this case, the incident that formed the basis of the charges occurred on April

25, 2024, and the carrier issued the notice of investigation charging the claimant with the alleged offense on May 16, 2024.

In an effort to dispute the organization's position that the charges advanced against the claimant were issued outside of the contractually-fixed timeframe to bring allegations against an employee for disciplinary purposes, the carrier asserted that its date of first knowledge of the incident was May 8, 2024, and that date was within ten (10) days from when the notice of investigation was issued.

Nonetheless, at the formal investigation, a carrier official testified that he learned of the incident on May 3, 2024. Based on a review of the factual record in this case, the Board concluded that the carrier's date of first knowledge of the incident that formed the basis of the charges was May 3, 2024, and for that reason, the charges the carrier brought against the claimant on May 16, 2024 were untimely because the

allegations were captioned in a notice of investigation that was issued more than ten (10) days after the carrier's date of first knowledge. Based on this procedural defect, the board ruled to reinstate the claimant to service with back pay for his lost earnings. GO-898 General Chairperson **Tommy Gholson**, GO-898 Assistant General Chairperson **Jason Roberts**, and International Vice President **David B. Wier, Jr.** handled this case before Public Law Board 7937.

In Public Law Board 2105,

Award No. 874 (Moreland, 2025), the Board adjudicated a dispute involving Union Pacific Railroad's decision to terminate the employment of a locomotive engineer over its allegation that he engaged in dishonesty when he reported how an on-duty injury occurred.

The claimant's train was involved in a collision with another railroad company's train. When the claimant reported for work on the date following

the train collision, he disclosed to the carrier that he was experiencing neck pain and requested to be evaluated by a physician. In addition to those facts, the claimant also completed the carrier's injury report paperwork.

According to the carrier, the claimant could not have suffered an injury in the train collision he was involved in, because it occurred at a very low speed and the locomotive he was operating was not involved in the impact with the other train.

After reviewing the evidentiary record of this case, the board concluded that the carrier failed to corroborate its assertion that the claimant was dishonest about how his injury occurred with substantial evidence.

Based on that finding, the Board required the carrier to reinstate the claimant to service with back pay for his lost wages. GO 927 General Chairperson **Joseph “Scott” Chelette** handled this case before Public Law Board 2105.

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2025 RAIL AGREEMENT NEGOTIATION ROUNDUP



National Agreement Ratified

OCT. 30, 2025 — SMART-TD members on Burlington Northern Santa Fe (BNSF), Norfolk Southern (NS), Canadian National (CN) and several Class II and Class III railroads ratified a new, five-year collective bargaining agreement that delivers substantial economic gains and key benefit improvements without any concessions.

“This contract represents a solid victory for our members,” said SMART-TD President **Jeremy Ferguson**. “We secured real wage growth, protected our work rules and crew consist agreements, enhanced our benefits, and achieved these gains without giving up a single concession or protection. Our members stood together and recognized the value and importance of this agreement, and it paid off.”

This round got off to a good start on the earliest schedule ever, with tentative agreements reached before the opening period required under the Railway Labor Act.

Prior to finalizing the tentative agreement, SMART-TD commissioned an independent survey of members to gauge sentiment related to the “pattern agreement,” which had already been ratified by the majority of other rail unions, and is similar in many ways to the tentative agreement our members at NS and BNSF rejected in their last round of negotiations. Only 31% opposed the framework.

The survey verified what was heard in conversations with local officers across these railroads: crews had changed their position on the pattern agreement since the last vote. The survey helped measure the extent of this change in attitude, and helped the negotiating team proceed with facts rather than hearsay or gossip.

The agreement was approved by nearly 70% of voting members, reflecting widespread support for the terms of the new contract.

What about our crew consist agreement that mandates conductors on all trains? Since there are no work rule changes in the agreement for SMART-TD members, we have a five-year period where no changes can be proposed under Section 6 of the Railway Labor Act, now that the agreement has been ratified.

The tentative agreement provides five consecutive annual general wage increases consistent with the pattern set by SMART’s sister unions:

- July 1, 2025 – 4.0%
 - July 1, 2026 – 3.75%
 - July 1, 2027 – 3.5%
 - July 1, 2028 – 3.25%
 - July 1, 2029 – 3.0%
- By placing the larger increases

earlier in the schedule, they will compound more aggressively. By July 1, 2029, the foreman rate of pay will have increased by \$61.40 per day and the conductor basic daily rate will be up \$55.28. For comparison, under the record-setting 22% of PEB 250, our foreman saw a \$63.36 per day increase and our conductors saw a \$56.53 basic day increase.

By the end of the agreement’s term, SMART-TD members will have received a compounded increase of more than 18.75%. Members will receive back pay to July 1, 2025.

The SMART-TD delegation negotiated several benefits in addition to the pattern agreement.

The agreement maintains current health and welfare coverage without increases to copays or deductibles. It also expands vision and dental benefits, doubles the monthly opt-out bonus, adds coverage for voluntary male sterilization, and provides a new lower cost HSA eligible option for employee-only coverage.

The TA preserves the current 15% cost-sharing formula for healthcare contributions, along with a freeze on the monthly contribution in effect at the end of the agreement.

The freeze will prevent carriers from imposing higher contribution rates on employees and their families beyond 2030.

Negotiators won improvements to the national vacation agreement for the first time in more than 25 years.

Vacation time now accrues for new hires, while members with two or more years of service accrue their time earlier. Some vacation may now be taken in single-day increments.

Carriers committed to local negotiations to secure paid sick leave where it is not currently provided.

In addition, Yardmasters will now enjoy the same vacation compensation rules that T&E members have had for decades.

Weekly vacation pay will be based on 1/52 of the prior year’s earnings or five (5) basic days’ pay, whichever is greater. Yardmaster vacation pay will also include their earnings from T&E shifts.

The agreement also guarantees scheduled rest days for Yardmasters on the extra-hour.

The union has never accomplished this much in its history without givebacks and without a mediator, arbitrator or Presidential Emergency Board involved in the process.

The new contract went into effect at midnight on Wednesday, October 29, 2025, when the final votes were tabulated. Its moratorium will remain in place until January 1, 2030.



Union Pacific Tentative Agreement Reached

At the time of publication, the ratification vote for the tentative agreement between SMART-TD and Union Pacific railroad was underway.

SMART-TD encouraged every Union Pacific member to read the tentative agreement carefully and make an informed decision. Ballot Point, a trusted and independent firm, is conducting the vote and mailed ballots on Friday, October 31.

The Agreement Includes:

- Medical cost reimbursement while members wait for wrongful termination appeal.
- Eliminate the outside earnings deduction on back-pay following arbitration.
- Annual wage increases compounding to 18.75% over the life of the contract.

Representing our membership at the table were International Vice Presidents **Brent Leonard** and **Gary Crest** along with General Chairpersons **Roy Davis**, **Scott Chellette**, **Todd Campbell**, **Luke Edington** and **Joey Cornelius**. They knew walking in that the General Wage Increases (GWI) would follow the “pattern” already set by sister unions across the industry, but other member-driven priorities were fair game for further negotiation.

Reimbursed Medical Costs for Wrongfully Terminated Members

If ratified, UP will reimburse all medical expenses incurred while a member was off the property awaiting arbitration. Those wrongfully held out

of service are made whole, restoring financial stability impacted by the cost of private health insurance or emergencies.

Ending “Outside Earnings Deductions”

This agreement ends Union Pacific’s practice of deducting “outside earnings” from members’ back pay awards following arbitration.

Previously, UP would look at your W-2s and pay the difference between what the arbitrator says they owe you and what you made, or UP calculated what you *could* have made working elsewhere, which they would subtract that from your award. This practice will stop immediately upon ratification.

Wage Increases

In addition to the 3% cost of living adjustment already in effect beginning Sept. 2025, the following increases are secured by the TA. They compound to 18.77% over 5 years:

- July 1, 2025 – 4.0% increase
- July 1, 2026 – 3.75% increase
- July 1, 2027 – 3.5% increase
- July 1, 2028 – 3.25% increase
- July 1, 2029 – 3.0% increase

Step Forward and Make Your Voice Heard: Discuss and Vote

Voting instructions were included in the packet from Ballot Point. Make your voice heard. This decision will help shape your working conditions and your family’s future for the next five years. Make sure you read the TA, talk it over with your peers, and vote your conscience.

SMART News Editorial: Another Perspective on the Union Pacific/Norfolk Southern Merger

As the largest rail labor organization in the United States, SMART Transportation Division remains deeply engaged in evaluating the implications of the proposed merger between the Union Pacific (UP) and Norfolk Southern (NS) railroads.

We initially approached this development with measured skepticism, rooted in the real-world impact such consolidation could have on rail worker employment, safety, service quality and the long-term health of the freight rail industry.

Under its current leadership, Union Pacific has developed a troubling safety record that, in our view, prioritizes aggressive operating ratios over worker and public safety. In stark contrast, Norfolk Southern in recent years has moved toward more progressive labor and operational policies that prioritize training and transparency and have publicly pledged not to furlough conductors or engineers during economic slowdowns. These are facts. It’s also a fact that improving safety and quality of life will remain a priority for this union regardless of carrier, or the status of the merger. When UP and NS offered to guarantee the jobs of SMART-TD’s members, we jumped on the opportunity. [See “Jobs for Life” on page 1]

If there’s one lesson we’ve learned since the 1860s, it’s that you cannot trust the railroads for a damn thing. They’ve got lawyers, lobbyists and PR firms paid to get them out of any promise they ever make.

We’re not naïve. We didn’t just crawl out of a new-hire class with our bright orange hats still on. We’ve been in the trenches too long, seen too many broken promises and buried too many of our brothers and sisters to believe the railroads would do this out of the goodness of their hearts. They need our support, because without it, getting their deal approved becomes significantly harder. They know this and so do we.

That’s why, when they offered a guarantee that no union employee would lose their job, we lawyered up. We called in the press. Most importantly, we stood together as a force of 100,000 SMART-TD brothers and sisters with one demand:



CSX Creates Complications and Delays

SMART-TD continues to face major roadblocks in reaching a 2025 on-property agreement with CSX. After the failed tentative agreement last fall covering the Northern Mid-Atlantic District (NMAD), which consists of the former B&O, B&OCT, Conrail and Pan Am territories), CSX has refused to return to the table in good faith. Instead, the carrier added more obstacles, declared impasse and filed for mediation in September.

A mediator was assigned to preside over the 2025 on-property bargaining in October, but as a result of the government shutdown, no mediation dates were set. CSX is maintaining that any new 2025 agreement reached under Section 6 of the RLA must mirror the “pattern agreements” already established in the industry and with other CSX craft unions.

The reality is, CSX has no intention of bargaining in good faith.

To make matters worse, CSX issued a **Section 4 consolidation notice under the New York Dock provisions** to merge the NMAD (North) and CSRA (South) territories. This notice arrived during mandated negotiations in the NMAD territory to complete the integration of Articles V (Work/Rest Pools), VI (Electronic Bid System), and VII (Self Supporting Pools and Extra Boards). The NMAD negotiations are imposed by the 2022 National Agreement, alongside the Section 6 notices exchanged for negotiating our 2025 on-property Agreement.

This Section 4 attempt threw the entire process into a tailspin of confusion and frustration for all SMART-TD general committees.

The carrier then tried to shift blame onto SMART-TD, claiming we caused delays, when the complications are the result of CSX serving overlapping notices, refusing to negotiate in good faith and refusing to apply the same straightforward approach already established by the pattern of on-property agreements of other crafts and regions.

These agreements CSX already incorporate Articles V, VI and VII, and the same process could have easily been applied on the NMAD portion. Instead CSX chose to reject the established framework and forced the NMAD General Committee into arbitration over the incorporation of these provisions. This created unnecessary frustration and delay.

While publicly claiming to be a “shining star” railroad employer, CSX has worked diligently to create confusion and delay as a means to avoid negotiating on our demands. As a result, the carrier’s largest group of employees, the train service employees, are still waiting for a fair 2025 agreement. Nevertheless, SMART-TD will continue fighting to protect every member’s rights, challenge CSX’s “take-it-or-leave-it” attitude and hold the carrier accountable through every available channel until a just and equitable agreement is reached.



CPKC Goes to Arbitration over Merger Terms

Despite turning into one of the most complex negotiations in SMART-TD history, the union continues to fight for the wages and work rules our members deserve.

Negotiations have been intense and of “greater complexity than any other that I’ve been involved in,” International Vice President **Brent Leonard** told SMART-TD News.

Leonard is coordinating the negotiation team and has been involved in many of SMART-TD’s high-level negotiations over the last decade.

Leonard and others on his team have met with the carrier over 50 times during the last year, sometimes with 10 or more intense engagements in a single month.

“This round has been made more complicated because the railroad has been using mechanisms under federal law—the New York Dock provisions—to strong-arm labor contract negotiations,” Leonard explained.

The New York Dock was designed to provide basic protections for employees during a merger, but it creates a wide gray area that circumvents the procedures and protections provided by the Railway Labor Act.

“The other side claims this is what is best for both the railroad and their employees, but we don’t believe the railroad has any say about what’s ‘best for the employees.’ **We are the employees, and we are fully capable of representing our own interests.** Believing otherwise puts the fox in

charge of the hen house,” Leonard explained.

As ongoing negotiations with CSX also revealed, under these provisions, a railroad can revisit any past contract or agreement within the context of a merger. They have a right to coordinate and consolidate policies, but the provisions state that they should combine the most generous terms for their employees.

There were several opportunities to settle in one way or another during negotiations, which would have provided more certainty. “But after surveying our CPKC members, then strategizing with CPKC’s local and general committee chairs, the verdict was to go all-in on our demands. So that’s what SMART-TD is going to do,” Leonard shared.

As negotiations reached a standstill, the railroad threatened arbitration. SMART-TD called their bluff in a winner-take-all endeavor.

Our negotiation and legal teams worked around the clock during the government shutdown to pick through every law and precedent to strengthen our case.

Once the arbitrator is in place, the union will only have 20 days to present an argument.

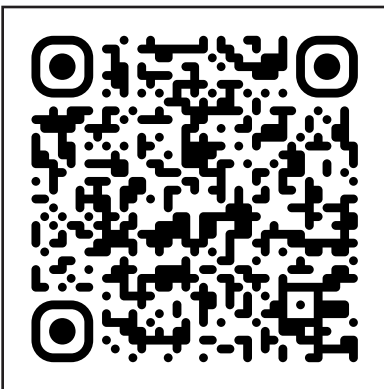
“We’re going to fight like hell to protect our current agreements, and for the best terms on collective bargaining,” Leonard said.

We could see the arbitrator’s decision within the next several weeks.

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LOCAL PRIDE T-SHIRT CONTEST

We are excited to reveal the winners of the 2025 Local Pride T-Shirt Contest! Thanks go out to all of the SMART-TD locals that submitted designs for the contest. We received nearly 40 entries that reflected the creativity and unique character of each local that participated.

Two \$1,500 People's Choice prizes were awarded by popular vote through our Facebook page, with a \$2,500 First Place prize selected by committee. Prize money was used by the winning locals to create T-shirts featuring their design.

The winners of the 2025 Local Pride T-Shirt Contest:

- People's Choice Award: Local 1162 (Erwin, Tenn.) with 177 "likes"
- People's Choice Award: Local 1816 (Toledo, Ohio) with 103 "likes"
- First Place Award: Local 1370 (New York, N.Y.)

Congratulations to the winning locals and thank you to everyone who submitted designs!



PRIDE ON DISPLAY FOR LABOR DAY 2025

Our brothers and sisters with Local 1715 (Charlotte, N.C.) participated in the city's Labor Day Parade for the first time (top). Organized by Interim General Chairperson and President **Virginia Walker** and Safety & Legislative Representative **Gia Lockhart**, the members are looking to build off the success of this year's event and grow participation even more in 2026.

Members in Local 195 (Galesburg, Ill.) turned out in full force for their community's annual Labor Day Parade, which is the longest continuously running Labor Day Parade in the United States.

On the west coast, SMART-TD had strong representation at Nevada's annual LaborFest (center). Hosted by the Northern Nevada Central Labor Council, the Nevada State AFL-CIO and other affiliated unions, the popular community event took place in Reno and doubled as a job fair for people looking to join a union.

To the north, SMART-TD took a proactive approach by distributing literature about rail safety and crossing awareness to the public at the Eastern Idaho State Fair (bottom). Staff in our union's booth helped educate visitors on the importance of unions and the benefits of belonging to SMART-TD.

While we couldn't feature every event, the entire union would like to thank our brothers and sisters who ensured that our union was well-represented at your community's Labor Day events!



GRAND OPENING IN NATICK, MASS.

Aug. 11 — SMART-TD was invited to represent our union at the reopening of the Natick Center train station. The renovation added features to better serve riders with physical disabilities, improving safety, comfort, and convenience. New England Safety and Legislative Director **Dave Stevenson** and Local 898 Local Chairperson and Assistant Chair of the BTAPS Committee **Cole Czub** are pictured at the ribbon cutting with Mass. Governor Maura Healey.



CAROLINA SOLIDARITY SHOOT

ELLERBE, N.C. — SMART Transportation Division members from North and South Carolina came together for the third annual Carolina Solidarity Shoot at DeWitt's Sporting Clays. What started as a modest gathering has grown each year, becoming a hallmark of solidarity, fellowship, and team-building for rail and bus members alike.

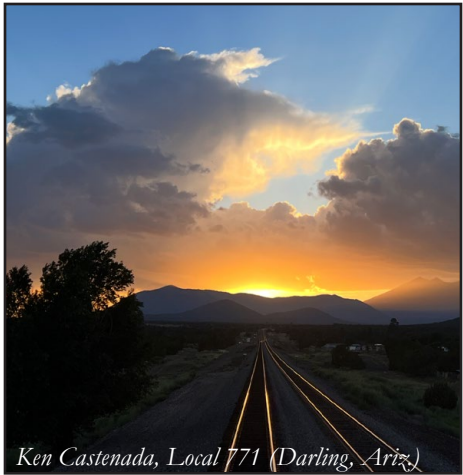
The event was spearheaded by Safety & Legislative Directors (SLDs) **Ron Ingerick** of North Carolina and **Will Ferguson** of South Carolina. Locals 1715 (Local President **Virgina Walker** pictured in red) and 1596 representing Charlotte Area Transit System (CATS) operators and mechanics, respectively, both had a strong presence at the event.

SMART-TD President **Jeremy Ferguson** (top) took part in the shoot, then had one-on-one conversations about ongoing national negotiations and what our members are looking for in the next agreement.

Brother **Matt Tolliver** (Local 1601, Appalachia, Va.) represented SMART-TD's **Discipline Income Protection Program (DIPP)** at the event by hosting a gun raffle for members (bottom). Any SMART-TD brother or sister who already held a DIPP policy or who signed up for one at the event was automatically entered to win a shotgun. **Mark Stevenson**, a conductor out of Local 782 (Asheville, N.C.) off the Norfolk Southern railroad, went home with a new Browning 28-inch, 12 gauge pump-action shotgun!

We'd also like to congratulate Brother **J.P. Hancock** out of Local 1011 (Hamlet, N.C.). Brother Hancock, who is a conductor on CSX, won the bragging rights for this year's shoot, nailing down the best score of the day. Hancock may have hit the most targets, but everyone involved walked away a winner from this year's Solidarity Shoot!

Representatives from American Journey Financial Life (formerly UTUIA), the SMART-TD Auxiliary, and the National Safety and Legislative Department, including Director **Jared Cassity** and Deputy Director **Don Roach**, were in attendance at this year's event.



YARDMASTERS REACH HISTORIC AGREEMENT

A tentative agreement (TA) has been reached for our yardmasters, made in partnership with the National Carriers' Conference Committee (NCCC). The agreement provides four consecutive annual general wage increases which, when compounded, exceed 18.75%. This strengthens their economic security and reflects the essential work performed every day in yards across the country.

The agreement also addresses long-standing quality of life concerns for yardmasters.

"Quality of life for our yardmasters was at the heart of everything we fought for in this tentative agreement," explained SMART-TD's Alternate Vice President **Chris Bartz**, who is an active yardmaster on the CPKC railroad. "Everyone in this union knows that, historically, the youngest of our craft have been on call seven days a week, with no rest days at all when assigned to the guaranteed extra board.

"This provision finally rights decades of wrongs against our Yardmasters. Our goal is to ensure Yardmasters achieve the same protections as our T&E brothers and sisters."

For the first time, Yardmasters will have guaranteed rest days on the extra board built into their schedules.

The TA also provides a path for the negotiation of paid sick days, additional vacation time, as well as accelerated accrual of vacation time for newer members.

These gains mark a significant milestone for Yardmasters.

Meaningful wage increases combined with strategic quality of life improvements show the power of collective action and the dedication of members and leadership in securing a stronger future.

CSX TRAINEE DEATH SHOWS SAFETY GAPS

The National Transportation Safety Board (NTSB) has concluded its investigation into the June 2023 death of a CSX conductor trainee in Baltimore, Md., highlighting dangerous gaps in the railroad industry's approach to safety and training. The agency's findings align closely with longstanding concerns raised by SMART-TD about the failures of Class I railroads to provide adequate and effective training for newly-hired employees.

According to the NTSB's final report, the trainee was killed after losing his footing while riding a car during a shoving movement. The unsafe riding position, lack of secure footing, and absence of proper training on intermodal railcar configurations were all cited as contributing factors. CSX had failed to adequately train or evaluate the trainee's ability to safely perform his duties.

Investigators found deficiencies in CSX's safety rules and training programs. As with other Class I railroads, peer conductors who serve as mentors or trainers are given no structured instruction on how to effectively teach, supervise, or assess new hires.

This union is accelerating steps to take matters into our own hands. Recognizing these dangerous gaps, SMART-TD has secured federal funding through the FRA's CRISI grant program to develop the kind of training programs Class I carriers have neglected to provide.

LOCAL 1707 WINS AUTOMATION PROTECTIONS

The members of SMART-TD Local 1707 (Perris, Calif.) who work for First Transit have ratified a new, four-year contract. The agreement includes:

- 30 day notice and a commitment to bargain with employees before deploying automation technologies.
- A significant, compounded pay increase over the lifetime of the contract, with retroactive pay from July 1, 2025.
- An additional paid holiday.
- Health and welfare improvements, including up to 40 hours of sick leave.
- Non-consecutive bereavement leave and additional consideration for long distance travel.
- Release time for local officers to attend training (presidents, secretaries, and treasurers).

"On this property, we don't just have drivers. We have all work classifications," explained the General Chairperson of General Committee of Adjustment (GCA) 020 **Justin Schrock**. "We have customer service representatives, and they're worried that the automation programming that they're going to start using is going to limit their job. So that was one of the main reasons we put that in there.

"If a job's affected, then you've got to bargain with us on that employee. Do we retrain them somewhere else in

another position?"

The team included GC Schrock, Bus Department Vice President **James Sandoval**, LCA 020U (First Transit) Local Chairperson **Rickey Davis** and LCA 020U (First Transit) Vice Local Chairperson and Local 1707 President **Averiel Mason**.

"We just continue to make progress on this property and bring them up to the livable standard that we all expect as professionals," Schrock said.

"We knew automation was going to be a big deal, but we listened to our members and pretty much hit on everything they wanted.

"It's easy for James and me to sit in an office and think we know what they want, but for them to actually take the time to go to meetings and talk to everybody and hit on stuff that they were concerned about was huge out of that officer team."

In particular, Schrock recognized the leadership of Davis and Mason for their extra effort in communicating with the membership.

Their ability to ensure members' needs were understood and addressed was invaluable.

Congratulations to Local 1707 for becoming one of the latest additions to SMART-TD's list of newly ratified, precedent-setting agreements!

LOCAL 1909 RATIFIES PAY INCREASES

With a message-sending 92% approval rate, the members of Local 1909 (St. Andrews, Calif.) have ratified a new three-year contract with First Student. The major wins in this agreement include:

- Significant annual raises over the lifetime of the agreement.
- 20-day limit on discipline
- Daily, rather than weekly, overtime calculations.
- 401(k) boosts: Starting with year two of the contract, the match is increased to \$350 and \$500 in year three.
- Fair Route Assignment: Unbid routes are assigned by reverse seniority instead of management choice.

Locking in higher pay, better benefits and improved working conditions wasn't easy, explains General Chairperson of GCA-FSG **Maria Morales**.

"It was a hard fight with [First Student]," she said. "We had to do this on Zoom. It was never in person." Not meeting in person was only

the first of several obstacles that GC Morales and Local 1909 Secretary and Treasurer **Tanisha Anderson** encountered during negotiations.

The other side wasn't interested in discussing raises and wages.

GC Morales has worked for First Student for over 20 years and was floored by the message this sent to their employees.

"I told them: 'We're still here for a reason. We're here, because we're loyal and you guys don't want to give us a raise,'" GC Morales explained. "You've got members that are here over 20-25 plus years and that means loyalty. That's my word: loyalty. And you don't want to give us a raise? That's the fight that I was fighting for."

GC Morales was assisted by Bus Department Vice President **James Sandoval**. As the membership celebrates this win, GC Morales isn't slowing down. Instead, she's already looking ahead to 2028 when negotiations will ramp up again. She plans to be more prepared than ever.

LOCAL 1785 SECURES COLA PAY INCREASES

By a strong majority, the members of SMART-TD Local 1785 (Santa Monica, Calif.) have ratified a new, five-year contract with Santa Monica Municipal Bus Lines. The contract includes:

- COLA wage increases.
- Sick Leave for new hires.
- Step increases instead of performance evaluations.
- A temporary step reduction in pay in lieu of a suspension for attendance violations.
- Addition of one floating holiday.

One of the most notable highlights is the significant cost-of-living adjustment (COLA) over the lifetime of the agreement, which includes a possible additional increase after January 2029.

Earning salaries that reflect their worth was top-of-mind for members and this agreement delivers on that priority.

GCA, SMB General Chairperson

Markeisha Haynes explained that this contract is only the tip of the iceberg when it comes to the enthusiasm building at Local 1785.

"We're doing great things at our property, not only contract-wise, but just overall as far as growth, as far as electing new officers," Haynes explained. "This is the first time that our local has ever had a female cabinet. More people are starting to get involved, because they're starting to see that 1785 is moving in a great direction, so as long as we keep doing what we're doing, getting the participation of membership, I'm really, really happy with where this is going."

Haynes negotiated alongside GCA-SMB Vice Chairperson **Christine Ivey** and Bus Department Vice President **James Sandoval**. Congratulations to everyone at 1785 for staying in the fight for the agreement you deserve.



John Hedgepeth of SMART-TD Local 490 is being hailed as a hero for his quick-thinking and selfless actions during a catastrophic derailment involving a Norfolk Southern train in Indiana.

Hedgepeth saved the life of his engineer by moving him clear of a locomotive ladder just seconds before molten sulfur from a derailed train engulfed their position.

He then dove from the nose of his engine to try to get himself clear from the fallout of the derailment. Though his actions undoubtedly saved his life and that of his engineer, Brother Hedgepeth was covered in molten sulfur from one of the derailed cars.

He was left with third-degree burns covering a significant portion

of his body, along with a broken rib. He likely faces a long road to recovery, requiring travel to the nearest burn treatment center, located over 150 miles away in Indianapolis. A GoFundMe campaign to assist with his recovery was fully funded within 24 hours, in no small part due to this union's solidarity and generosity.

SMART-TD is aggressively demanding the immediate repeal of Norfolk Southern's dangerous policy, Operations Division Bulletin No. 8 (ODB No. 8), which required Hedgepeth's crew to stand outside to inspect the passing train. Safety must come before everything else on the rails and we will not rest until policies which recklessly endanger our members, are abolished across the industry.

LOCAL 1741 LANDS TRIO OF NEW CONTRACTS

Our brothers and sisters at Local 1741 (San Francisco, Calif.) ratified not one, but three agreements with San Francisco School Bus Drivers-ZUM, covering operators, SMART-TD members who work in the office and yard workers.

Reflecting on the negotiations, General Chairperson of GCA-SFS **Gene Guzman** noted that even though the process was smooth, workers held their ground and fought for what they deserved. The new, six-year agreement includes:

- Significant wage increases.
- Health care improvements.
- Leave of absence protections.
- Retained 10-hour spread overtime, despite the objections of ZUM management.

SMART members who work in the office will see a significant wage increase during the first year of the contract, followed by the same percentage raises as the drivers for the remaining years.

This was GC Guzman's first negotiation for a new agreement as a general chairperson, and he said that not fully knowing what to expect in that role wasn't a bad thing.

"I wouldn't say that I had a lot of expectations coming in, so I stayed in the present and did the best I could," he said. "Having achieved the contract that [our whole negotiating team] achieved and doing as well as we did, I'm very happy about it."

In particular, GC Guzman highlighted the tireless work of the committee, including Local 1741 President **Meghann Adams** and SMART-TD Bus Department Vice President **James Sandoval**.

"It was my responsibility to be the lead negotiator as the chairperson. The best thing I ever did was turn that over to James," he said, laughing. "No matter what the circumstances, he doesn't get excited. I couldn't have more respect for anyone than I do for James."

"You wouldn't guess this was Brother Guzman's first time at the bargaining table," said VP Sandoval. "He stayed calm and collected, leaning on the strength of his team and helping everyone bring their best forward. His steady presence kept the focus on unity and making sure our members' needs were front and center. That's what leadership and solidarity look like. I'm very proud of GC Guzman, the rest of the bargaining team, and all of our Local 1741 brothers and sisters."

As GC Guzman celebrates his 74th birthday in October and starts to see retirement slowly approaching on the horizon, he hopes that this new agreement reflects how much he cares about his members and their futures.

"All three got good pay bumps. I know most people are quite happy about it. And you know, what else can you want?" GC Guzman asked.



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

LEARN ABOUT RAILROAD RETIREMENT: WHAT IS A REPRESENTATIVE RETIREMENT PAYEE?

Railroad Retirement Board (RRB) policy states that every railroad retiree has the right to manage their own benefit payments. However, when an annuitant cannot do so because of physical or mental impairment, or if the RRB determines that the annuitant's interests require it, the agency can appoint a person or an organization to receive railroad retirement benefit payments on the annuitant's behalf as a representative payee.

The following questions and answers provide information about a representative payee's responsibilities and other related topics for potential appointees.

Does the RRB have legal authority to appoint a representative payee for an annuitant?

Yes. The Railroad Retirement Act (RRA) authorizes the RRB to determine whether direct payment of benefits or payment to a representative payee will best serve an annuitant's interests. The RRB can appoint a representative payee regardless of whether there has been a legal finding of incompetence or commitment and, depending on the circumstances, the agency can select someone other than the individual's legal representative to be the representative payee.

Is acting as a representative payee the same thing as having power of attorney?

No. Power of attorney is a legal instrument by which someone grants another person the authority to act on their behalf, among other duties. Unlike selecting a representative payee, the power of attorney process usually does not involve determining an individual's capacity to manage their own financial assets or give the person selected to have power of attorney the right to manage those assets.

Does the RRB recognize power of attorney?

No. The RRB does not recognize power of attorney because the RRA gives the agency the sole authority and responsibility to determine whether appointing a representative payee is in the annuitant's best interests. The Act also authorizes the agency to select the payee.

NEW RETIREMENT OFFICE LOCATIONS

The Cincinnati, Ohio and St. Paul, Minn Railroad Retirement Board field offices have moved as of Sept. 24, 2024.

Cincinnati Field Office
John Weld Peck Federal Building
550 Main Street, Room 1-770
Cincinnati, OH 45202

St. Paul Field Office
Warren E. Burger Federal Building
316 Robert Street, Room 304
St. Paul, MN 55101

Offices are open from 9 a.m. to 3 p.m. Monday through Friday and appointments, although not required, can be made by calling 877-772-5772. To send an email, visit RRB.gov, click on "Field Office Locator," then select your local office for more details. Moving into a government-owned building is expected to save the RRB over \$1 million over a 10-year period.

clothing, medical care and miscellaneous personal needs. Beyond these needs, railroad retirement benefit payments may be used for other expenses.

A payee also is responsible for promptly reporting events to the RRB that affect the individual's eligibility for an annuity or the amount of that annuity, such as if the beneficiary marries or an application for social security benefits is filed for the beneficiary on any person's earnings record.

A payee is required to account for the funds received on behalf of the annuitant as well.

Periodically, a payee will be asked to complete a questionnaire explaining how annuity payments were used during the year – specifically, what portion of the annuity was spent to support the annuitant's needs, how much was saved, and how those savings were invested.

To complete the questionnaire correctly, a payee must keep current records of the benefit payments received and their use. The records should be retained for four years.

In addition, since railroad retirement benefits are subject to federal income tax, a payee is responsible for providing the annual benefit information statements issued by the RRB to the person handling the annuitant's tax matters.

Payments may be used to provide clothing, personal grooming supplies, transportation of relatives to visit the patient, trial visits to relatives' residences, or other places where the patient may recover, medical and dental care, reading materials and hobby supplies.

How should a representative payee handle railroad retirement benefit payments not immediately required to meet an annuitant's needs?

Benefit payments not needed in the near future must be saved or invested unless needed to support the annuitant's legally-dependent spouse or child or to pay creditors under certain circumstances.

It is recommended that conserved funds be held in interest-bearing accounts. Preferred investments are federally-insured or state-insured accounts at financial institutions and obligations of, or those backed by, the federal government, such as U.S. Savings Bonds.

Funds should not be kept at home, where they may be lost or stolen, nor can they be mingled with the representative payee's own funds or other funds.

How can a person get more information about being appointed as a representative payee or whether using railroad retirement benefit payments for a particular purpose would be proper?

What are a representative payee's primary responsibilities for an annuitant's Medicare coverage?

When an annuitant requires Medicare-covered medical services, the payee must have the annuitant's Medicare card available. The payee also must keep records of the services received and the expenses incurred or paid.

What if an annuitant is in a hospital or nursing home?

While persons seeking in-office assistance are encouraged to schedule an appointment with their local field office by calling the agency's toll-free number, those without appointments will not be refused service.

However, they may be asked to schedule an appointment for a later time if there is no immediate availability. Individuals should bring a photo ID when visiting a field office.

RRB field offices are generally open Monday through Friday from 9:00 a.m. to 3:00 p.m., except for federal holidays.

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

THE FINAL CALL

The 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
14	Stiner, John D.	Cincinnati, Ohio
202	Maxfield, Tommy W.	Denver, Colo.
240	Pefley, Vint L.	Lake Havasu City, Ariz.
426	Pallmer, Jon T.	Spokane, Wash.
446	Bochner, John J.	Cheyenne, Wyo.
477	William, Preston F.	Newton, Kan.
495	Fox, David L.	Slina, Kan.
496	Raike, Denver E.	Wheelersburg, Ohio
528	Higgins, Nancy L.	Chicago, Ill.
610	Edwards, John H. Jr.	Baltimore, Md.
623	Cyrus, Willie B.	Clinton Forge, Va.
655	Gates, Bobby G. Sr.	Lexington, Ky.
656	Lukas, William H.	North Little Rock, Ark.
783	Howerton, James W.	Danville, Va.
915	Brown, Franklin D.	Montgomery, W. Va.
1137	Meyer, James H.	Surprise, Ariz.
1183	Ross, Vernon D.	Port Huron, Mich.
1299	Wendell, Carl E.	Chicago, Ill.
1313	Tutson, Floyd J.	Rowlett, Texal
1374	Carnuche, Anthony J.	Newcastle, Pa.
1393	Smith, David W.	Tonawanda, N.Y.
1402	Vanetti, Russell L.	Salem, Ill
1405	Stinebrook, Clinton C.	Millstadt, Ill
1445	Obrien, Edward	Linden, N.J.
1545	Shepherd, Ronald L.	Deville, La.
1732	Powers, David T.	Bay City, Mich.
1886	Vance, Jess A.	Tomball, Texas
—	Jenner, Patricia J.	Lake Geneva, Wis.

Local 1258 Earns an "A+" for Backpack Drive



ELGIN, ILL.—As a new school year got underway, SMART-TD Local 1258 earned some extra credit by ensuring students in a local district were well-equipped to head back to class, thanks to its first-ever school backpack drive.

Former Local 1258 President **Brian Benes** spearheaded the drive after years of participation in Toys for Tots, a very popular charity among the members of his local.

"We like to give back, because we understand that in today's times, we are fortunate for the jobs that we have," said Brother Benes. "We run through a lot of communities that are less fortunate, and we do like to try to give back on a philanthropic level. So we wanted to do something on the opposite end of Christmas, which is perfect for a backpack drive."

For its debut drive, the local raised around \$700 to fill 24 backpacks with school supplies.

They provided four packs tailored to each grade level, from kindergarten through fifth grade, for the Hanover Park School District in Illinois.

"A lot of people will donate, but they'll donate a backpack or a box of pencils, or some note cards or some supplies," he explained. "We went to their website, and we downloaded all of the school lists."

All 24 backpacks were claimed within one day and as Brother Benes found out afterwards, that little bit of extra effort paid off.

"I explained to [the gentleman who took the backpacks from me] that we went online and [the supplies] are according to your class list that you guys printed, and he was blown away that we took the time to do that. So it made us feel really good that we did it and did it the right way."

"We literally did our homework," Brother Benes said, laughing.

Even though this was the first year for the backpack drive, Brother Benes is happy with the 24 backpacks and hopes to grow that number next year.

"I would love for our members that didn't participate this year to see [this] and say, 'Wow, I want to get in on this next year and be a part of it.'"

IN MEMORIAM



York Dudley Poole III
The First Investigator

York D. Poole, III, June 15, 1950 – Sept. 15, 2025. Pool, an investigator known to railroaders across the Eastern U.S. as simply "York," passed away peacefully on September 15, 2025, in his hometown of Portsmouth, Va., at the age of 75.

In 1975, The Moody Law Firm hired Poole as the very first investigator in any DLC firm. Before York, attorneys often relied on insurance representatives and clerical staff for background assistance, but there was no one gathering evidence directly from the yards and accident sites. Poole changed that.

He was out on the tracks, in the yards, and at the accident scenes collecting witness statements, photographing unsafe conditions, and building the evidence needed to level the playing field against powerful rail corporations.

"When I came on board, my father assigned me to work with York and learn the craft of defending railroaders. York taught me not only how to take witness statements, but also how to treat people. He was a natural," Will

Moody, head of the firm explained.

Upon Poole's retirement earlier this year, it took seven investigators to cover the territory he had once managed on his own.

"The reason York was so good at his job and so well loved was that he treated everyone as equals. He saw every railroader as worthy of his respect and wasn't intimidated by any railroad manager. He gave everyone his time and full attention," Ronnie Hobbs, SMART-TD's Virginia state safety and legislative director reflected.

From his first day in 1975 until his last day in 2025, Poole was committed to shielding workers from physical harm, unjust discipline and career-ending retaliation. His work was not just a job; it was a calling.

Poole is survived by his wife of 53 years, Susan Poole; his children Tiffany Romano (Michael Romano) and Kip Poole (Kristin Poole); his cherished grandchildren Colin, Ellie and Grace; and his sister, Sylvia Mclawhorn.

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Wisconsin SLD Makes a Dream Come True



Sometimes, SMART-TD members step back from their usual duties and take their passion for what they do into their communities.

That's exactly what Wisconsin Safety & Legislative Director **Andy Hauck** did recently for one local man.

In August, SLD Hauck received an email from the State Commissioner of Railroads about a resident in hospice at Azura Memory Care and Assisted Living in Verona, Wis., who has a longtime love for trains.

The staff wanted to throw him a train-themed party and was looking for a train conductor to attend. The commissioner's office reached out to SLD Hauck and asked if he was interested.

He didn't need any convincing and was even joined by his girlfriend who ran a steam engine at a museum before they met.

"We just went and talked railroads and told railroad stories, and they had residents there in chairs and we just sat up front by the fireplace," Hauck said. "His daughters were there, and they mentioned that they used to go on trips and watch trains."

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FEATURED PHOTO SHOWCASE



AJ NASH out of Local 257 (Morrill, Neb.) captured this 4th of July cloud formation outside Powder River Basin, Wyo. SMART-TD is always on the lookout for great photographs of work-related scenes! Share your favorite shots and your photo may be featured in the next issue of SMART Transportation News. Send high resolution originals to news_td@smart-union.org along with your name, local and what is going on in the photo. Remember to follow your employer’s policies regarding use of cameras/electronics. Terms and conditions apply, visit smart-union.org for all the details.

NEW DOCUMENTARIES SPOTLIGHT RAILROAD REALITIES



A frame from the documentary, untitled at the time of publication, produced by John Russell.



Not Enough Accountability in East Palestine

More than two years after the Norfolk Southern derailment turned the quiet town of East Palestine, Ohio, into a national symbol of railroad regulatory failure, a new short film by independent producer John Russell offers a raw, unfiltered look at the corporate choices that made this catastrophe possible.

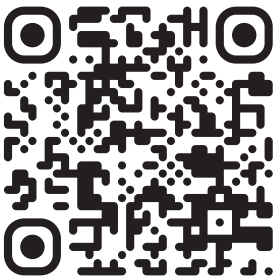
Russell’s lens reveals the experts who did their jobs, raised red flags and reported risks, and how railroad executives then made the call to detonate five tank cars of toxic vinyl chloride anyway.

The NTSB confirmed in its 2024 final report that the vent and burn was not necessary. It was a choice.

SMART-TD members are often the first to recognize mechanical problems before they escalate. But doing the right thing costs money, so year after year rail carriers push for smaller crews, longer trains and fewer

inspections, while using their financial clout to derail regulations that address their unsafe operations. Our neighbors, our kids and our communities pay the price instead.

This film offers a clear warning about what happens when those of us with real experience are pushed out of safety decisions. Our jobs are not just about moving freight, they’re about protecting the public from dangerous policies made in boardrooms instead of the real world.



<https://www.youtube.com/watch?v=fwELoxAAJWY>

Cheaper to Burn Bridges than Inspect Them

A hard-hitting documentary from the Howard Center for Investigative Journalism reveals how the railroads, lobbying through the Association of American Railroads (AAR), spend millions of dollars fighting regulations that would require them to fix or even inspect the bridges we take our trains across every day. Their “acceptable losses” mean leaks, spills and toxins for the rest of us.

Jared Cassity, head of SMART-TD’s National Safety Team, represents the voice of common sense in the video. He calls out this hypocrisy for what it is—their actions don’t square with their messaging. “Safety” is something they say to make bad press go away.

The documentary tells a truth the industry doesn’t want anyone to hear: Rail workers are the real experts, and we’re done letting the carriers play Russian roulette with our bridges, our communities and our lives.

While the FRA has taken action to train additional inspectors (see “FRA” on page 2), more needs to be done. Please watch the video, then share it with your community. We want as many people as possible to learn about our failing bridges, the bill Congress is working on to control the massive oversight, and to remind America how little the railroads care about the safety of their communities. We live it, so it’s up to us to make sure everyone else sees these dangers for what they are.



<https://www.youtube.com/watch?v=0C2hmzBTRvE>