At the conclusion of the SMART Transportation Division’s Boston regional meeting July 3, Transportation Division President Mike Futhey announced he will step down from office, pending resolution of arbitration proceedings regarding the union’s constitution.

In October 2011, Georgetown University law professor Michael H. Gottemann ruled the agreement to create the International Association of Sheet Metal, Air, Rail and Transportation (SMART) Workers by a merger of the United Transportation Union and the Sheet Metal Workers International Association was an enforceable agreement and the two unions have been working to complete the merger since that time.

The arbitration proceedings center around interpretations of various articles of the UTU’s Constitution as it is inserted into the SMWIA’s bylaws to complete a final SMART Constitution.

Gottemann is again serving as the arbitrator in the current proceedings.

During a town hall forum at the Boston regional meetings opening ceremonies July 1, Futhey said agreement had been reached with most of the SMART constitution articles, but that several disputes remain. He indicated he would remain in office through the arbitration process, developing the constitution language for the transportation division.

He said the union does not want to release portions of the constitution that have been agreed upon until a final document has been decided upon.

“The final document is not a final document until that arbitration decision is made,” Futhey said.

Under the articles of the current UTU Constitution, Assistant President and General Secretary & Treasurer John Previsich would be elevated to fill Futhey’s unexpired term as president of the SMART Transportation Division. Futhey is the eighth president of the UTU, currently known as the SMART Transportation Division. He was elected president in August 2007 and assumed office Jan. 1, 2008. He was re-elected president in August 2011.

**Rep. Lynch, Boardman visit Boston meeting, following SMART officers’ town hall forum**

The SMART Transportation Division opened its Boston regional meeting July 1 with a town hall forum at which SMART members were able to pose questions directly to the union’s leadership.

More than 800 members, guests and presenters are attended the regional meeting.

After opening ceremonies and remarks from General President Joe Nigro and Transportation Division President Mike Futhey, the presidents were joined by SMART General Secretary-Treasurer Joe Sellers and Transportation Division Assistant President and General Secretary & Treasurer John Previsich to respond to questions concerning the merger of the United Transportation Union and the Sheet Metal Workers International Association and other issues.

The session was moderated by Transportation Division International Vice President John Losiewicz.

On Tuesday, July 2, U.S. Rep. Stephen Lynch (D-Mass.) and Amtrak President and CEO Joseph Boardman addressed meeting attendees during lunch, stressing the nation’s need to fund public transportation, address rail security needs and tend to its transportation infrastructure.

“We have a (competitive) edge in this country because of a great transportation industry,” said Lynch. “There is an ongoing need to focus on that competitive advantage so we don’t lose it.”

Lynch said he recently sponsored a rail summit and traveled to Mumbai to study the weaknesses in their rail security system following terrorist attacks there. He also discussed rail security issues

**Los Angeles Metro bus operator killed in crash**

The accident happened at S. Broadway and 5th St. at approximately 5:15 a.m., the Los Angeles Fire Department said.

The tow truck was headed southbound on Broadway when its driver ran a red light and collided with the bus, witnesses told police officers.

“A citizen estimated the tow truck was driving about 65 miles per hour,” Los Angeles Police Department Sgt. Steve Dalley said. “The speed limit for here is about 35 miles per hour.”

The bus was in the intersection when it was hit and knocked down a fire hydrant, sending water high up into the air. The tow truck plowed into a nearby 7-Eleven store.

The driver of the tow truck, 43-year-old Yousif Adhami, remains hospitalized. He has had multiple suspensions and had surrendered his license
Around the SMART

**Locals 7, 200, North Platte, Neb.**

Former Vice Local Chairperson Scott Dalin, left, is presented with a UTU PAC contribution check by Local 200 Chairperson and Legislative Rep. Sonny Huban, far right, and Local 7 Chairperson and Legislative Rep. Ben Bailey, second from right, to support his bid for a seat in the Nebraska Legislature representing the 42nd District. They are joined by former Local 2 Secretary & Treasurer Bob Sparks. Dalin is currently employed as an investigator for the firm of Designated Legal Counsel Cornely S. LeNeoue.

**Local 113, Winslow, Ariz.**

Former Atchison, Topoka & Santa Fe COO 017 Chairperson Al Delveya died June 13 at his home in Eau Claire, Wis., with his family at his side. Delveya hired out at AT&SF in 1939 and retired in 1993 after 34 years of service. He held a variety of local union offices during his career and remained a member of the board of trustees of the Santa Fe Employees Hospital Association until the time of his death. Delveya is survived by his wife, Betty, children Wayne, Gordon, Carolyn and Debra, and 12 grandchildren.

**Local 243, Fort Worth, Texas**

SMART Transportation Division Local 243 at Fort Worth, Texas, sponsored a hazardous materials training and awareness program for transportation workers from all crafts on July 31 and August 1, meeting at the online training line. The eight-hour course was conducted at the Independent Order of Odd Fellows Hall at 1501 Hemphill St. in Fort Worth under the direction of the National Labor College’s Rail Workers Hazmat Training Program. This course was designed for rail workers who may witness or discover a hazardous materials release and who may be responsible for initiating the emergency response process. It was developed to provide rail workers with an understanding of the roles, rights and responsibilities of those working with hazardous materials.

**Local 432, Champaign-Urbana, Ill.**

The monthly meeting location for this CN/IC local has changed, according to Local Legislative Rep. Grady Crippen. Meetings will now be held the second Thursday of every month at Eastland Suites, 1907 N. Cunningham Ave. in Urbana, Ill., at 6 p.m.

**Local 577, Northlake, Ill.**

Metra/Union Pacific conductor Gordon Bowe was the subject a feature story in the June edition of the Kane County Chronicle, a newspaper published in St. Charles, Ill. In the article, Bowe recounts his first three decades as a freight and passenger conductor and his interactions with daily commuters. “I really enjoy people, and I try to have a good time with them, always,” Bowe told the newspaper. “I try to make every day a good day on the train.” The story is archived on the paper’s website at www.kccchronicle.com.

Click “Print this story” at the bottom of the page.

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**Local 581, Green Bay, Wis.**

Rented conductor Mike Fumikowski, left, is congratulated April 23 on his last day of work at Canadian National’s Green Bay Terminal by CN COO 987 General Chairperson Kenneth Flashberger, in this photograph submitted by Local Secretary & Treasurer Anthony Macario. They were joined by numerous fellow employees to celebrate Fumikowski’s last day.

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**Local 1400, S. Portland, Maine**

At their monthly local meeting June 2, the members of this local (pictured above) approved a $250 contribution to the Tornado Relief Fund established by Local 1188 of Oklahoma City, Okla., to assist members there devastated by spring tornadoes. The picture was submitted by Local Chairperson Don DiMaro.

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**Local 1780, Kansas City, Mo.**

State Legislative Director Ken Menges reports that Legislative Rep. Dan Coleman has submitted the following “union pride” message for the SMART Union Pride contest: “Why am I proud to be a union member? The answer is simple: I am a student of history, and I also consider myself an aware person. The history of unionism is stained like blood. Blood spilled by regular hardworking Americans who had the audacity to be treated like human beings. Unions bargained for the living wages and the standard workweek that all labor enjoys today. Early unionists received no praise, but instead they got a night in jail and a club over their head. This for exercising their constitutional rights. They were called ‘reds’ and ‘commies’ when they should have been called ‘heroes.’ Labor unions have matured and unions still lead the way toward better pay, health care benefits, safe work place conditions and retirement benefits. I am a railroader and I cannot even imagine how deplorable my job would be without union representation. We Labor union members should thank God that we live in a country like the United States.”

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**Tornado Relief Fund**

A typographical error in the last issue of the SMART TD News caused a portion of the address for the Tornado Relief Fund established by Local 1188 at Oklahoma City, Okla., to be incorrect. The donations should be made to “UTU Local 1188 Tornado Relief” at Arvest Bank or sent to Arvest Bank, 9350 S. Western Ave., Oklahoma City, OK 73139. The staff of the SMART Transportation Division News regrets the error.

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**The staff of the SMART**
WASHINGTON – The reduced level of federal investment in Northeast Corridor (NEC) infrastructure has resulted in a cumulative degradation of its components, nearing the loss of asset functionality and decreased reliability of the system that threatens the successful continuity of passenger rail operations, Amtrak President and CEO Joe Boardman told a Congressional committee June 7.

“There is insufficient NEC infrastructure investment to meet both the ongoing normalized replacement and the backlog capital requirements. And that means we are eating our assets alive,” he explained.

Boardman said this de-capitalization of NEC assets leads to rapidly increasing degradation of ride quality, reliability and the ability to support major improvement projects.

He urged the federal government to act now and use the opportunity ofrail reauthorization legislation to take the lead in funding a major program to build out the NEC infrastructure needed for the coming century. Amtrak shares the NEC with eight commuter railroads and its infrastructure supports the movement of 260 million intercity and local rail passengers each year, several of the most important segments, such as the New York tunnels, are at capacity with ridership demand at record levels and growing.

Boardman noted Amtrak needs $782 million every year for the next 15 years just for the costs of NEC normalized replacement ($386 million) and the backlog of infrastructure work ($396 million). That level of funding will allow Amtrak to run a safe railroad at maximum-allowed track speed, maintain an excellent on-time performance and meet the basic needs of those who want to develop real estate along the NEC and fill their development with the people who expect to come to train. However, it will not address necessary improvements, trip-time reductions or other new initiatives.

He reminded committee members that after Amtrak was given control of the NEC in 1976 during the Conrail process, it was followed by several significant, federally-funded repair and improvement projects.

DeQueen & Eastern workers return home to SMART TD

Train and engine workers employed by DeQueen & Eastern Railroad voted June 20 to elect SMART to represent them.

The employees were formerly represented by the UTU, but their collective bargaining agreement was terminated in 2010 when the railroad’s former owner, Weyerhaeuser, sold the company.

At that time, according to news reports, all but one Amtrak employee working VRE trains chose to remain with Amtrak, forcing Keolis to hire and train new conductors. Keolis is the operating entity for the VRE operation. Keolis said then that the new conductors were veterans of freight and other rail passenger operations in the U.S.

VRE members agree to three-year deal with Keolis

Members of the SMART Transportation Division employed by Keolis Rail Services ratified a new three-year agreement June 7 to continue service on the Virginia Railway Express trains operating between Northern Virginia and Washington, D.C.

Of the ballots returned, 78 percent were in favor of the new pact.

On VRE, the SMART TD represents conductors, assistant conductors and a new class of employees termed VRE-EC, which is a designation applied to conductors or assistant conductors who volunteer to be trained and qualified as locomotive engineers.

The new agreement calls for annual pay increases of 2.5 percent, with the first wage increase to be applied July 1, 2013. It also pays per-trip compensation to qualified locomotive engineers.

The pay increase will apply to all certified conductors driving freight trains and was guiding one of his trains when, underwritten by several corrective procedures in the years leading up to the crash and even complained that he couldn’t distinguish the red and the blue plates, a doctor told him that the engineer’s poor eyesight was the probable cause of the collision.

Despite his failing vision, the engineer continued driving freight trains and was guiding one of the ones that collided June 24, 2012, near the town of Goodwell, killing him and another railroad worker and causing about $15 million in damage.

He repeatedly complained that his vision fluctuated and was described as OK one day, not OK the next,” Dr. Mary Pat McKay told the National Transportation Safety Board during a hearing in Washington that determined the engineer’s poor eyesight was the probable cause of the collision.

The railroad tested the eastbound engineer vision in 2010, medical records demonstrate that he would have failed … any of the standard color vision tests,” she said.

The panel voted 5-0 that the failing eyesight of the train operator, whose name was withheld, was the probable cause of the June 24 collision.

According to McKay, the engineer suffered from glaucoma and cataracts for much of his life.

NATIONAL RAIL AGREEMENT PROVIDES WAGE INCREASE

Railroad members covered under the provisions of the Sept. 16, 2011, national railroad agreement received a three percent general wage increase, effective July 1, 2013.

The national agreement pay rates for all classes of service and overtime tables for yard service employees can be found at www.utu.org by selecting “Documents” on the homepage, then clicking “Rates of Pay.”

These rate tables do not reflect adjustments to rates of pay applicable to individual assignments as a result of on-property agreements.

July/August 2013 UTU-SMART News

Amtrak’s Boardman: We are eating our assets alive

National rail agreement provides wage increase

NTSB: Eye problems likely cause of 2012 train crash

TULSA, Okla. – An engineer killed in a fiery train collision in the Oklahoma Panhandle last year suffered from serious visual problems for much of his life, underwent several corrective procedures in the years leading up to the crash and even complained that he couldn’t distinguish the red and the blue plates, a doctor told him that the engineer’s poor eyesight was the probable cause of the collision.

The railroad tested the eastbound engineer vision in 2010, medical records demonstrate that he would have failed … any of the standard color vision tests,” she said.

The panel voted 5-0 that the failing eyesight of the train operator, whose name was withheld, was the probable cause of the June 24 collision.

According to McKay, the engineer suffered from glaucoma and cataracts for much of his life.
Would be remiss if I did not raise, again, the danger of the single operating crew member. However, I one’s feet; not at the feet of the management of the

Single-person train crew operations must be stopped

The events that unfolded July 6 in the Canadian province of Quebec, where a runaway train exploded and killed 47 people in the city of Lac-Megantic, weigh on the minds of an assortment of people whose lives were touched, directly or indirectly.

On that grisly evening, a dark stretch of tankers jettisoned through the center of that small community, exploding in the night and leaving an indelible mark for decades to come.

We have been diligent in our endeavors to stop this untenable act by submitting petitions to governmental agencies and talking to the carriers that exercise the ‘right’ to single-person operations.

We will now deal with the inextricable knowledge that a single-person train operation contributed to the destruction of life.
State Watch
News from UTU-SMART State Legislative Boards

Illinois
State Legislative Director Bob Guy testified before the U.S. House Subcommittee on Railroads, Pipelines and Hazardous Materials June 10. Guy spoke about the importance of the Chicago Region Environmental and Transportation Efficiency Program, a public-private sector partnership between federal, state and local governments and Metra, Amtrak and the nation’s freight railroads that seeks to improve the flow of rail transportation in and around the Chicago area.

The purpose of Guy’s testimony was to get the subcommittee to consider putting the CREATE program on the U.S. DOT’s budget.

“This project is about providing mobility for the people of this region, generating new economic opportunities and providing American businesses with the infrastructure they need to distribute their products to the rest of the world. CREATE needs to happen if we hope to ensure the U.S. standing as a dominant force in the global marketplace.”

“For years, any railroad meeting in Chicago included the topic of how can we get CREATE completed and the answer always seemed to be ‘We must get this project into the U.S. DOT Budget.’ There has been progress, and we now have this project included in the FRA budget. But it is essential for our national economy and will help create an essential transportation service that links more communities across the country and will help put Americans back to work.”

Ohio
State Legislative Director Stuart Gardner has been trying to remain vigilant with the right-to-work legislation currently being discussed.

According to Gardner, the Ohio Democratic Party currently fears that Republican lawmakers and members of the Tea Party will try to pass the right-to-work legislation through during a lame duck session.

“Obvious made it clear that any right-to-work legislation was unwelcome when they overwhelmingly voted down Senate Bill 5 when it appeared on the November 2011 ballot.

Gardner also tries to keep tabs on what Tea Party supporter and Republican Ohio Sen. Robert Portman is doing.

Thank you fellow bus operators and President Futhey

Thank you fellow bus operators and President Futhey

Bus Department
By Calvin Studvant, Alternate Vice President-Bus

Thank you fellow bus operators and President Futhey

Bus companies are comprised of many departments and each department relies on one another in order to be a successful operation. But rarely do the bus operators get the credit they deserve. The daily elements that they face would make a lot of people second-guess their career choice.

The SMART Transportation Division bus operators are by far some of the most well-trained and highly motivated drivers in the industry. Each day, we go to work because we know the passengers that we carry depend on our services to get them to their places of employment, doctor appointments, school, supermarkets or anywhere else they choose to go.

We are in an industry that operates 365 days a year and in a lot of cities, 24 hours a day. And because of this, we miss out on spending holidays with family and friends, because every day is a work day.

We must keep a smile on our face when we deal with unruly passengers, because they refuse to accept that all things are not perfect, and sometimes the schedule can’t be kept.

Our members have to deal with the germs from the cold and flu seasons that the passengers spread when entering and exiting the bus.

We have to deal with the traffic and weather conditions on a daily basis.

After all the things we deal with on the streets, we then return to bus depots, where overzealous supervisors attempt to disrespect us in some way.

So, to all SMART TD bus operators, I want to say thank you for a job very well done.

Another person I would like to thank is SMART TD President Mike Futhey. I’m sure you are aware by now that President Futhey has stated he will be stepping down. President Futhey made sure that I, along with Bus Vice President Bob Call and Alternate Bus Vice President – West Brian Donald, had the necessary resources to better serve our bus dept members.

On behalf of the Bus Department and our bus operators, I would just like to say thank you, and that we wish you the best in all of your future endeavors.

Bus operations fired for Facebook post

A school bus driver for Haralson County Schools in Alabama was terminated after he posted a comment on Facebook about a student not receiving a free lunch.

The case serves as the latest example of the confusing and risky nature of social media posts by school employees and calls to light the importance of school district policy.

The student, whose name he did not post on Facebook, told him he was turned away in the cafeteria line because he had insufficient funds in his account. After deliberating on how to respond, Cook logged on to Facebook and posted about the incident. He was later fired.

SMART bus operators reject Teamsters’ useless advances

CHARLOTTE, N.C. – SMART Transportation Division organizers, representatives and members of Local 1715 at Charlotte, N.C., have turned back the International Brotherhood of Teamsters in an attempted raid of SMART membership.

Local 1715 represents bus operators employed by the Charlotte Area Transit System (CATS).

On May 31, the National Labor Relations Board released the official tally of the representation vote held earlier that day in which SMART was chosen by nearly a 3-1 margin. SMART TD Director of Organizing Rich Ross gave the official vote count as 267-97 in favor of SMART. There are approximately 600 drivers employed in the system.

The SMART TD is the collective bargaining agent for both CATS’ bus operators and bus mechanics (Local 1396), but the mechanics were not targeted during the raid.

Ross said rallying the SMART membership here was truly a team effort and he thanked International Organizers Mike Lewis and Calvin Studvant and General Chairperson Alyv Hughes for their outstanding effort. He also acknowledged the efforts of North Carolina State Legislative Director Ron Ingerick, Vice General Chairpersons Hasson Trent and Cheryl Brown, General Committee Secretary Bill Brown and local officers Bruce Wright, Kevin Moss, Brenda Moore, Debra Franklin and Donell Taylor.

“I believe it is now our responsibility to show the people that voted against UTU-SMART why they should have voted for us,” Ross said.

In a statement released by the AFL-CIO’s Transportation Trades Department, President Edward Weytkind said “As many of you are aware, the International Brotherhood of Teamsters (IBT) has increased raiding activities directed at TTD affiliates. At a time when the labor movement — and more importantly, its membership — is under constant attack in Washington, at the state and local government levels, and on the job, these raids are weakening our movement and should not be tolerated.

“Recently, the IBT attempted to raid SMART TD bus drivers in Charlotte, N.C. Fortunately, this raid was defeated. Similarly, in 2012, IBT failed in its bid to raid SMART-represented bus drivers in Pennsylvania. We would appreciate receiving any information regarding other IBT raids against your union.”

The transit system’s website says that CATS is the largest transit system between Atlanta, Ga., and Washington, D.C., with more than 70 local, express and regional bus routes, a light rail line and services for the disabled.
Boston Smart TD/UTUIA 2013 Regional Meeting

Human Rights Committee

Boston Local Committee

Union Plus

UTUIA

Bus Workshops
Retiree Terry Sigler was awarded the “Bob Kerrey 3rd District Volunteer Award” at the Morrison-Exson Dinner in LaVista, Neb., June 29. A retired member of Local 286 at North Platte, Neb., and former legislative representative, Sigler was presented this award for his “outstanding and tireless support for the Nebraska Democratic Party’s activities and campaigns,” as well as for his promoting a positive image of the party and its candidates within the 3rd District.

According to State Legislative Director Bob Borgeson, “Brother Sigler is a longtime volunteer for UTU-endorsed candidates. Currently, in addition to being the chairman of the Lincoln County Democrats, Terry is actively involved in the campaign of another UTU retiree, Scott Dulin, in his quest for a seat in the Nebraska Legislature.”

According to Borgeson, Sigler has been a volunteer for political campaigns in Lincoln County for 31 years. The first campaign that he worked on was to get Nebraska State Sen. Jim Pappas elected. He has also helped with the campaigns of Helen Boosalis, Sen. J. James Exon, former Sen. Bob Kerrey and former Gov. and Sen. Ben Nelson and many others.

Railroad Medicare explains new summary notice

Over the last few months, many Medicare patients began receiving the new Medicare Summary Notice (MSN), which outlines services your doctors or suppliers billed to Medicare and how Medicare processed those claims. Notice any changes! The new MSN is easier to read, with language that is easier to understand. It gives you the information you need in a more efficient way.

Here’s an explanation of the form:

Section 1 is the summary, which shows your deductible status at the time the MSN was generated. It lists the total number of claims processed for the period, the total amount denied and the total amount you may be billed.

Section 2 is called “Making the Most of Your Medicare,” and it offers tips on how to use the new MSN. It has important information about potential fraud and how to report it promptly. It also tells you how to contact Railroad Medicare with questions and highlights preventive services.

Section 3 contains a listing of the services processed during the period covered by the MSN. You will see if each claim was approved, the amount the provider charged, the Medicare-allowed amount, and the maximum amount you may be billed for each service.

Section 4 explains the options you have if any of your claims are denied. It also includes a handy form you can complete and send to Railroad Medicare for an appeal, if necessary.

If you have questions about the new MSN or about your Railroad Medicare benefits, please call Palmetto GBA’s Beneficiary Contact Center at (800) 833-4455, Monday through Friday, from 8 a.m. to 7 p.m. Visit their website at www.PalmettoGBA.com/RR.
The SMART Transportation Division has renewed its contract, effective July 1, 2013, with Anthem Life Insurance Co. to provide a group voluntary short-term disability plan for all rail and bus members. Coverage will continue to be automatic unless members choose to waive coverage or “opt-out.”

The Anthem rail disability insurance plan provides a basic “safety net” of coverage for SMART TD members and was designed to work in combination with Railroad Retirement sickness benefits.

The Anthem rail plan pays up to $346 per week for up to 34 weeks a year, and provides 24-hour coverage, seven days a week, for accidents and sickness. The 24/7 coverage means on- and off-duty coverage for accidents and sickness. The cost is $34.50 per month and is collected through payroll deduction.

The Anthem bus disability plan provides a basic “safety net” of coverage for SMART TD bus members and is designed to work in combination with state-mandated disability programs.

The Anthem bus plan pays up to $210 per week for up to 52 weeks a year. Coverage is for off-duty accidents and illness. The cost is $26 per month and is collected through payroll deduction.

New SMART TD members will be enrolled automatically unless they choose to opt-out of the plan by submitting a waiver form to the SMART TD International.

A disability-plan information kit will be mailed to all new members and will include a plan overview, as well as instructions for waiving coverage (opting-out of the plan) if they so choose.

Any member waiving coverage who desires to obtain coverage under the plan in the future must make application to Anthem at that later date. There will be no guarantee of acceptance and any costs incurred for underwriting will be paid for by the member.

Once enrolled, all rail members are subject to a so-called 12/12 pre-existing condition provision. This provision excludes, for the first 12 months of coverage, any disability claims relating to treatment, diagnosis or conditions that existed in the 12 months just prior to their enrollment date. After the first 12 months of coverage, the pre-existing condition limitation expires.

All bus members are subject to a so-called 3/6 pre-existing condition provision. This provision excludes, for the first six months that a member is covered, any disability claims relating to treatment or diagnosis of a condition that existed in the three months just prior to the enrollment date.

After the first six months that an enrollee is covered, the pre-existing condition limitation for bus members expires.

The member information kit describes the plan in greater detail and also provides answers to frequently asked questions. Members are not required to complete any paperwork to enroll in the plan, but must complete a waiver form if they choose not to participate.

Members desiring additional disability insurance coverage may purchase an individual policy through the UTU Insurance Association. This individual coverage would pay in addition to the Anthem plan without any offset or reduction in benefits from either plan. Contact your UTUIA field supervisor or call the UTUIA Sales Department at (216) 228-9400 for more information.

UTUIA Field Supervisor David Landstrom snapped this photo of Alumni Association member Matt Kronberger (Local 525), right, and his wife, Loraine, signing forms for a UTUIA annuity at their home in Bismarck, N.D. Kronberger is holding his 60-year membership pin.

www.utu.org / www.utuia.org
Rep. Lynch, Boardman visit Boston

Continued from page 1

with representatives from the United Kingdom and Russia. "The next threat, I think, will be to our local rail systems and infrastructure," he said. "There is a growing sense of awareness that this is an area both Democrats and Republicans can agree on."

"Our railroads are re-investing more than $20 billion annually in infrastructure, but not on safety."

• Notifying employees before going off-duty what time they will be required to return to work for the next tour of duty. This option actually improves the availability of the employee by allowing the employee to return to service after only 10 hours off duty.

• Replacing the required 10 hours of undisturbed rest immediately following service that is not required with 10 hours of undisturbed rest immediately preceding service. This will give the employee at least 10 hours of notification prior to reporting for service.

"The high levels of professionalism and dedication of the operating crews running our railroads today are the only reasons that accidents are not more frequent," Stem said. On positive train control, Stem testified that there are segments of the railroad industry that are hoping Congress will grant a blanket extension of three to five years for PTC implementation. The current required date for implementation is more than 30 months away on Dec. 31, 2015.

"If Congress chooses to grant a blanket extension for PTC, the railroads that are behind on their implementation schedule today will further slow their progress, or just stop the process until that new extension expires," he said.

"Any extension for PTC implementation should be on an individual basis, short in duration, six to 12 months, and only after identifying the reasons that the current implementation date is not obtainable." The PTC systems that are being implemented today contain all the information on the display screen that is necessary to operate a train safely. That will be the first time that the operating crews on the locomotive will have all that information contained in one place and displayed in real time.

Some railroads, including Amtrak, BNSF and Metrolink in California, have announced that they will be able to meet the statutory deadline and are continuing the implementation and testing of PTC components.

On Amtrak, Stem testified about the need for continued funding of the passenger rail carrier. "Since its inception, Amtrak has done a remarkable job with often inadequate resources. While setting ridership records in recent years, their safety record remains solid. Amtrak’s growing passenger volumes have made them far more self-sufficient than in the past, recovering 79 percent of their operating costs from ticket revenue. The high price of fuel, growing highway and airport congestion, and the significant increase in the number of passenger rail options, all contribute to the constant increases in ridership on Amtrak."

We have grown complacent when it comes to our rail security," Boardman also addressed Amtrak’s rail security issues, noting that Amtrak has 500 police officers, 50 bomb-sniffing dogs and is a leader in explosive-detection technology.

He told the transportation employees and guests that the railroad of the future is coming, but that additional resources are needed. He said that long-distance trains do not make money and have never made money, but that they provide a means of travel for many individuals who do not have access to other modes of transportation.

Referring to government funding of Amtrak, Boardman stressed that “it is not a subsidy, it is a cost for providing mobility. We are destroying long-distance trains by re-capitalizing them. We need to change that.”

Member killed in crash

Continued from page 1

after his last infraction, KTLA reported. Gamboa is the first SMART TD member killed while on duty in 2013.

She was killed June 29 at Rose Hills Memorial Park following funeral services at St. Benedict Catholic Church in Montebello, Calif. Her tragic death is not the first to be mourned by her fellow members. On May 20 last year, Los Angeles Metro bus operator Alan Thomas was murdered aboard his bus in West Hollywood, Calif., by a lone gunman. Thomas was also a member of Local 1563.

U.S. Rep. Stephen Lynch of Massachusetts receives a UTU clock from SMART Transportation Division President Mike Fathey following an address to regional meeting attendees and guests.

Minnesota State Legislative Director Phillip Qualy speaks with Amtrak President and CEO Joseph Boardman following lunch at the SMART Transportation Division’s Boston regional meeting.

NMB director of mediation and ADR to retire

The National Mediation Board (NMB) announced June 25 that Larry Gibbons, director of NMB mediation and Alternative Dispute Resolution services, will retire in September.

Gibbons has overall responsibility for managing the agency’s mediation program. He is credited for improving staff training and development and the effectiveness of the NMB mediation and ADR programs.

The NMB reports that during Gibbons’ 16 years, the mediation department has guided parties to resolution of their collective-bargaining disputes in more than 99 percent of the hundreds of cases that have come before the board, including cases on all the major U.S. airlines and national handling of Class I railroads. During his watch, there have been only two work stoppages among the major airlines and none in the railroad industry.

“Two years ago, I think, was when it was made in haste,” Gibbons said. “After working full-time for the past 45 years, the last 16 at the NMB, it is time to slow down a bit and enjoy life, while I’m still healthy and able to do so.”

The National Mediation Board is an independent federal agency established by the Railway Labor Act, which governs labor-management relations within two key transportation sectors of the United States and U.S. territories: the railroads and airlines.

Stem testifies on safety before Senate Commerce, Science and Transportation Committee

Continued from page 1

sponsored by the Federal Railroad Administration for improving work schedules and employee notiﬁcation. We have urged all the Class I railroads to participate in a pilot project, but not a single railroad would agree to a pilot.”

Stem offered the following suggestions to address some of the safety issues:

• Providing employees a regular start time so they know days in advance when they must come to work. A large majority of our members have a regular start time and do not consider fatigue to be a safety issue. Employees with regular start times are not the employees who are dying in fatigue-related collisions.

Says the future railroad of America is 30 years away from being able to meet the statutory deadline for PTC implementation because the private sector will not spend the billions of dollars required. He also says that in order to meet the statutory deadline, the railroad industry will need a “blowout of resources.”

"Even with their remarkable progress, Amtrak has had no shortage of congressional critics who expect Amtrak to be the world’s only profitable passenger railroad. We ask that this committee take a fresh look at this American institution and work with the leaders of Amtrak and others to help America’s Railroad build on its 40 plus years of success."

Addressing worker training, Stem said that thousands of new employees will be coming into the freight and passenger rail industries in the near future and that adequate and appropriate training is a major safety concern.

"Our experience is that the training of our members varies widely from railroad to railroad. Some of the larger railroads are reported to have excellent initial training programs for conductors and engineers. However, they rely almost exclusively on computer-based training if follow-up training or what I call ‘training on your own.’ They no longer use the traditional model of mentoring or apprenticeship. However, we believe that there is an advantage of working with more mature employees with experience, skills and good technique."

"Fifty years ago, there were five members of a train crew and they spent years working as brakesmen before becoming conductors, and likewise, years as a fireman before becoming an engineer. Today, the standard crew size is two. Now railroads hire people off the street and train them to be conductors in several short months."

"It’s expensive to train new people, so like some American companies, railroads, when left to their own desires, will reduce training costs as much as possible for the short term gains involved."
Senate confirms Perez as Secretary of Labor

By a 54-46 vote, the Senate July 18 confirmed Tom Perez as the new labor secretary. Six Republicans and two Independents joined 52 Democrats in gaining the majority vote for Perez. Only 51 votes were needed for a majority.

President Barack Obama released the following statement:

“I welcome today’s confirmation of Tom Perez to serve as secretary of labor. Tom has lived the American dream himself, and has dedicated his career to keeping it within reach for hardworking families across the country. At the Department of Labor, Tom will help us continue to grow our economy, help businesses create jobs, make sure workers have the skills those jobs require, and ensure safe workplaces and economic opportunity for all.

170 furloughed NS workers called back to work

ROANOKE, Va. – According to Robin Chapman, a spokesperson for Norfolk Southern (NS), 170 furloughed NS employees are headed back to work. Of those rehired, 60 were hired back permanently to train service and 70 were transferred to temporary positions that are guaranteed until December 2013. Of the 170 originally laid off, 42 are heading back to work permanently at their original place of work at the Roanoke locomotive facility. Thirty who were employed within the mechanical department were hired back as communication and signal workers. The other 12 positions hired back at the facility were newly created, says Chapman. Chapman credited the hire-backs to a surge in business and high traffic.

In February, NS ceased regional railcar classification operations at its Roanoke Terminal hump yard affecting about 140 positions.

“I want to thank the Senate once again for agreeing to move forward on Tom and the other nominees who have waited far too long for the yes-or-no votes they deserve.”

Perez, 51, is a Buffalo, N.Y. native who earned a Harvard University law degree. His career thus far includes periods as a Justice Department civil rights prosecutor and an aide to former Sen. Edward Kennedy of Massachusetts. Before his nomination as Secretary of Labor, Perez was an assistant attorney general for the Justice Department’s Civil Rights Division.

The labor secretary is the head of the U.S. Department of Labor, which oversees issues pertaining to labor and employment in the U.S. and administers and enforces close to 200 federal laws that mandate and regulate the workplace. SMART is governed by the Labor-Management Reporting and Disclosure Act (LMRDA) and, as such, must report its financials to the Department of Labor each March.

TSA drops its effort to allow small knives on planes

Facing strong opposition from flight attendants and lawmakers, the Transportation Security Administration on June 5 that it was abandoning a plan to allow passengers to carry small knives on board. As soon as it was proposed, the plan stirred an outcry among flight attendants, who saw it as a danger to crew and passengers. Since the terror attacks more than a decade ago, airplane cockpits have been reinforced and remain locked during flight.

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Inside this issue of UTU-SMART News:

- UTU Retiree presented with volunteer award. See page 8.
- Conductor’s decisive action earns chief’s commendation. See page 2.
- Futhey to step down following arbitration. See page 1.

The National Association of Railroad Passengers announced that it will fight implementation of the House Appropriation Committee’s Fiscal Year 2014 transportation funding levels.

The draft bill slashes Amtrak’s budget by a third, threatening Amtrak’s very existence. The bill also fails to include funding for the High Speed and Intercity Passenger Rail Program. Not only does the bill include no new funding for the highly over-subscribed TIGER grants — a competitive, multi-modal program it recasts $237 million in previously appropriated FY 2013 TIGER funding that is not yet obligated.

The House proposal denies state and local leaders the resources they need to develop the modern transportation network necessary for mobility and economic growth. It comes as economic experts criticize the U.S. for placing ahead with austerity even as low interest rates make borrowing for projects unusually affordable, America’s unemploy rate remains unacceptably high and the need for transportation infrastructure investment is widely acknowledged.

The House committee’s bill has just $950 million for Amtrak, a 29 percent cut from the final 2013 number ($1.344 billion). This includes a $350 million operating grant (21 percent below the FY 2013 level), and $600 million in capital (33.5 percent below FY 2013).

These numbers are even more disappointing when compared to President Obama’s FY 2014 request of $6.7 billion for passenger rail. That request targeted $2.7 billion for current rail service, including $675 million for the Northeast Corridor, $300 million for state corridors and $800 million for Amtrak’s long-distance routes. The president had proposed moving Amtrak from the discretionary funding pot and reclassifying it as mandatory spending.

“The proposed House budget is extremely disappointing in its unwillingness to tackle America’s growing infrastructure crisis,” said NARP President Ross Capon. “Millions of Americans depend on the U.S. rail network to commute to work everyday, and, for millions more, Amtrak is a vital intercity connection, allowing them to travel for work and for family. Curtailing service at a time of growing demand makes no sense.”

“Elected officials at the local level depend on Congress to aid them in maintaining and developing the transportation network that is foundational to our community, our economy and our way of life,” said Capon. “That infrastructure is crumbling, and we are living off the investments made by previous generations. If enacted, it will be a disaster for future generations of passengers.”

This photo was taken by Local 64 (Fargo, N.D.) UTU Alumni Association member Peter L. Card Jr. “My two sons and I were traveling to Glacier National Park to go hiking. We stopped at this roadside rest area just east of Forsyth, Mont., and spotted these Burlington Northern Santa Fe engines snaking along the Yellowstone River,” Card said.

Photo of the month

UTU-SMART is always looking for good photos, and awards prizes to monthly photo winners.

UTU-SMART seeks photographs or digital images of work-related scenes, such as railroad, bus or mass transit operations, new equipment photos, scenic shots, activities of your local, or photos of your brothers and sisters keeping America rolling.

Printed photographs should be mailed to UTU-SMART, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.

High-resolution digital photographs should be in the JPEG format and emailed to news@utu-smart-union.org.

With each photograph, please include your name and UTU-SMART local number, the names of the people in the photo (left to right), where the photo was taken, and all other pertinent information.

All photographs submitted become property of UTU-SMART.

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

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