John Previsich has been elevated to the position of president of the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers following the retirement of Mike Futhey.

Previsich becomes the second president of the SMART Transportation Division and the eighth leader of what was formerly the United Transportation Union. He is a member of Transportation Division Local 31 in San Jose, Calif.

According to the current UTU Constitution, Article 2 states that “Vacancies occurring in positions not subject to attrition shall be filled as follows: President—By the Assistant President.”

“It is with immeasurable pride and humility that I accept elevation to the position of president of the SMART Transportation Division. This is an honor that I do not take lightly,” Previsich said.

“I recognize the immense responsibility that comes with this office and I pledge to all of our members that I will continue, as I have always done, to serve in a transparent and effective manner, with the strong leadership that is essential to secure and protect the interests of our membership.”

Previsich began his railroad career with Southern Pacific Transportation Company, where he commenced work as a train service operations employee in San Francisco, Calif. He later transferred to engine service and achieved certification as both a railroad conductor and locomotive engineer.

Previsich started doing work as a local union officer in the 1980s. Thereafter, he moved into a system-wide position as a general chairperson in the early 1990s, followed by his election to International vice president in 2007. He was re-elected in 2011, elevated to the position of assistant president in 2012 and assumed the responsibilities of the general secretary and treasurer position Jan. 1, 2013.

During the course of his career, Previsich has advocated on behalf of his members in mergers and consolidations in the rail and airline industries, 13(c) transactions, divestitures, national and local contract negotiations and countless arbitrations and mediations, securing and defending collective bargaining agreements on properties large and small.

Having a special interest in transportation-industry safety issues, Previsich is the SMART Transportation Division representative on the Federal Railroad Administration’s Rail Safety Advisory Committee and has served on numerous subcommittees associated with RSAC.

In addition, he was appointed by the secretary of the Department of Transportation to the National Freight Advisory Committee, a cabinet-level group that reports directly to the secretary on MAP-21, a program charged with developing the development of administration policy on a national freight plan for the 21st century.

At the conclusion of the SMART Transportation Division’s Boston regional meeting July 3, Futhey announced he would step down from office, pending resolution of arbitration proceedings regarding the union’s constitution. His retirement was effective Sept. 30.

Members of the SMART Transportation Division and all of rail labor have the opportunity to promote this legislation as a conductor pursuant to section 20163.”

“I understand that this legislation is not only about the safety of the American public and the safety of railroading operating crews, it is an opportunity to prevent what in my opinion is an unsafe operating practice—having only one crew member aboard a train,” said SMART TD President John Previsich. “This measure will not only protect our communities, it will protect our jobs.”

The legislation reflects heightened concerns over crew size arising from the tragic July 6 derailment of a Montreal, Maine & Atlantic train in Lac Mégantic, Quebec, which killed 47 and destroyed the center of the town. The MM&A train was crewed by a single person.

Continued on page 10
Local 240, Los Angeles, Calif.

Local Chairperson Harry J. Garvin Jr. announced the retirement of brakeman and conductor James W. Gilliam, effective Oct. 7, after 41 years of service. Gilliam hired out June 24, 1972, with the Southern Pacific Transportation Co. Prior to joining Local 240, he had served as local secretary & treasurer of former Local 1336 at Santa Fe Springs, Calif. “All the current and past union officers with James and his family the very best,” said Garvin.

Local 313, Grand Rapids, Mich.

Local 313 Chairperson Justin Van Houdt, 34, died unexpectedly Oct. 21 at his home in Richmond, Mich., State Legislative Director Jerry Gibson reports, Van Houdt, a CSX conductor, entered railroad service in 2000. He was elected local chairperson in 2010. He is survived by his wife, Alaina, and three small children, the youngest of which was born this year. Friends have established a fund at Fifth Third Bank in Grandville, Mich., to assist the Van Houdt family. Contributions may be made at any Fifth Third Bank by making checks payable to “FBO Justin Van Houdt” and including account number 7168329345 on the memo line. Gibson said he had just spent time with Van Houdt the day before his death confirming his complete shock. “I ask for our brothers’ and sisters’ thoughts and prayers at this time for Justin and his family,” Gibson said.

Local 662, Richmond, Va.

Due to retirements and resignations, Local Secretary Jamie Rainier reports that the following members have been elected to local office, by acclamation, at the local meeting Oct. 2. Anthony “Bruce” Allison is the interim local chairperson for the 201-LC committee of adjustment; Andrew Olsson is the interim vice local chairperson for 201-C LCA, and Ronald Hylton Jr. is interim vice local chairperson for 201-B LCA. Also, James W. Schumaker, Richard J. Craver, Luke M. Lenix and Hylton have been re-elected to serve on the CSX District 6 Safety Committee.

Local 771, Needles, Calif.

A retirement party in conjunction with BLET Lodge 383 was held Oct. 9 at the Elks Lodge in Needles to honor 12 members from both organizations that have retired in the past year, Secretary & Treasurer Mike Mathews reports. Attendance at the party exceeded 100, including active and retired members and their spouses. Chicken and steak were served at the event, with Charles Anderson serving as the master of ceremonies. The photo below was submitted by Robert Yee.

Local 1381, Hammond, Ind.

The members of this Indiana Harbor Belt Railroad local are seeking financial assistance for member Cory Henneman and his family. He lost his right leg below the knee in an Oct. 1 switching accident, Local Chairperson David Perez Jr. reports. Henneman, 35, with 29 months of service as a brakeman and young daughter, Checks payable to Cory Henneman may be sent to the Cory Henneman Assistance Fund, F.O. Box 704, Griffith IN 46341. “I would like to recognize the efforts of conductor Brother Matthew King for his quick action in assisting Cory,” Perez said. “We all believe here on the property that he saved Brother Corry’s life. He used his belt as a tourniquet to slow the bleeding until emergency medical help arrived. The accident was in the middle of the yard and emergency crews had a difficult time getting to them.”

Local 1715, Charlotte, N.C.

Local 1715 and Transit Management of Charlotte, Inc., agreed to a contract extension Oct. 14 that will expire Nov. 11, 2013, at midnight, according to Local Chairperson Kevin Moss. Local 1715 represents the Entire Charlotte Area Transit System. A previous contract extension was set to expire at midnight Oct. 15, the same day the union and CATS management had scheduled a contract negotiating meeting. However, that meeting was canceled because a federal mediator who was scheduled to participate in the meeting was unable to attend due to the federal government shutdown. The company and the union agreed to have the mediator present at the meeting as this round of negotiations had reached an impasse, Moss said. “We thank all of the members of Local 1715 for their patience,” Moss said.

GO 393, BNSF Railway

SMART, Oct. 21, rejected a proposal of arbitration from the National Mediation Board for The Transportation Division’s General Council of Adjustment GO 505, which represents a variety of crafts on the Long Island Rail Road in New York. “After three years of difficult negotiations, the two sides are far apart on the major issues of wages, health and welfare and pension contributions,” said GO 505 General Chairperson Anthony Simon. “This release is a major step in getting us on the right path to obtaining a fair deal. Our organization has been working closely with SMART Sheet Metal Division General Chairperson John McCloskey and the leadership of the Transportation Communications Union and the National Conference of Firemen & Clerks in obtaining a positive outcome for LIRR workers,” Simon said. “Together in solidarity, our organization will continue to work at obtaining a fair contract for our members. I ask for the continued support of our membership as we go through these very challenging times.”

GO 851, CSX

General Council of Adjustment GO 851 General Chairperson John D. Whitaker III reports that Assistant General Chairperson Ben Davis has resigned his position. While he remains an active CSX employee, Davis will continue to serve the general committee and his local training and mentoring new Assistant General Chairperson Ray Hudnall of Local 903 at Jacksonville, Fla., and new Local 1221 Chairperson Chris Whidden, Davis, chairperson for Local 1221 at Tampa, Fla., served as local secretary and treasurer of his local for 10 years, chairperson for 27 years and assistant general chairperson for 14 years. “Brother Davis has been an anchor in this organization for many years and Brothers Hudnall and Whidden both feel extremely fortunate to be able to rely on Ben for counsel and advice,” Whitaker said. “This type of unselsh act personifies Brother Davis’ character, always placing the organization ahead of himself. He is one of the hardest working individuals in this union due to his love and belief in the SMART Transportation Division and its membership. His knowledge in so many areas will be sorely missed.”

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Around the SMART TD

Conductor Max Chabot is recognized by Tacoma Rail after he pulled an inebriated man from the tracks in front of his moving train.

Conductor has ‘tunnel vision,’ saves life of man on tracks

Tacoma Rail conductor Max Chabot was honored Sept. 26 for dragging a man off of railroad tracks in front of his moving train in July 2012. Apparently, it helped to have “tunnel vision” that day.

“We were entering Olympia and we have to go through a tunnel that is about 1,000 feet long. We started in and I saw something in my periphery that looked like a complete shock. “I ask for our brothers’ and sisters’ thoughts and prayers at this time for Justin and his family,” Gibson said.

“Tunnel vision” helped conductor

“Tunnel vision” helped conductor Max Chabot save a man on tracks.

Pictured, from left, are GO 393 General Chairperson Chad Adams, GO 927 General Chairperson Steve Simpson, Transportation Division President Tom Johnson, former Transportation Division President Mike Pathy and retired former Vice President Paul Tihany at a dinner in Fort Worth celebrating Pathy’s retirement Sept. 25. The group presented Pathy with an award for his 50 years of service to the organization.

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Four elevated to Transportation Division office

Following the retirement of former SMART Transportation Division President Mike Futhey and former Transportation Division Board of Appeals member Don Seyer, four members have been elevated to new International office positions.

Four meetings of the Transportation Division Board of Directors at this month, Alternate Transportation Division President Turner has been elevated to the office of vice president; Alternate to the Executive Board Chad Adams has been elevated to the office of alternate vice president; CSX GO 851 General Chairperson John D. Whitaker III has been elevated to the office of alternate to the executive board, and North Dakota State Legislative Board Secretary Tessa Burkle has been elevated to the board of appeals.

While serving as Transportation Division assistant president, John Previsich also held one of the vice president positions of the Transportation Division. When he was elevated to Transportation Division president, Futhey’s retirement, the vacancy in that vice president position was filled by Turner.

A member of Local 1962 in Toledo, Ohio, Turner became interested in union affairs and was elected local chairperson in 1992. He was elected local delegate to the UTU International convention held in 2003. He was elected general chairperson of CSXT Railway General Committee GO 547 in 1996 and continues to serve in that position. He also served as alternate vice president from 2003 to 2007.

Turner was elevated to the position of second alternate vice president – East, in October 2009 and elected to the position of vice president in 2011. As a Transportation Division vice president, Turner also was appointed to the Transportation Division Board of Directors.

Now appointed alternate to the executive board by the board of directors in 2012. A member of Local 331 at Temple, Texas, he also serves as BNSF GO 393 general chairperson and local delegate.

A member of Local 1106 at Rocky Mount, N.C., Whitaker has served as general chairperson of GO 851 since Jan. 1, 2011. Burkle is a member of Local 1137 at Fargo, N.D. She had previously served as North Dakota state legislative director and local chairperson and remains Local 1137’s legislative representative and delegate.

“I look forward to working with each of our new officers and thank them for their commitment to serving their fellow brothers and sisters of SMART. I am sure they will be assets to this administration,” Previsich said.

Morr is first female to sit on SMART GEC

Donnie Morr, vice president for bus operations, SMART Transportation Division, has been appointed to the General Executive Council of SMART to fill the vacancy created by the retirement of Mike Futhey. She has the distinction of being the first woman to serve on the council. SMART General President Joe Nigro said, “This appointment brings a needed voice to our deliberations in a platform for attracting more women to this union in all of our operations.”

Morr was born in the Bronx, N.Y., of immigrant parents. Morr comes from a family of union workers. “My father was a union painter and my mother and brother also worked in streetcar gangs as young children from 5 a.m. until 7 p.m. every day. My mother and my aunts helped start the International Ladies’ Garment Workers’ Union. In the 20s and 30s, unions were different and people had to lay their lives on the line just to get a basic worker right, like being able to use a restroom,” Morr said.

Morr completed three years at Hunter College, with a major in sociology. After leaving school, she began working for Air Canada Airlines in ticketing and ground support. After settling in Santa Cruz, Calif., she returned to school at the University of California, Santa Cruz.

She started driving buses in 1982 for the Pajaro Valley Unified School District. In 1989, she moved to the Santa Cruz Metropolitan Transit District. In 1990, she and 60 other operators were furloughed due to the economic downturn. Having the longest seniority, she returned to work 10 months later. It took four years to get the others back to work and it was this instance that began her interest in unions and how they worked.

“After that one would be treated the way I and my co-workers were being treated during that furlough time,” she said.

Morr was elected legislative representative of Local 611 at the Smart Union convention in 2000. She was elected alternate vice president-bus by delegates at the UTU convention in 2007 and elected vice president by delegates at the UTU convention in 2011.

Lauby named to FRA post, Anthony tagged for RBB

Robert C. Lauby has been selected as associate administrator for railroad safety/safety chief officer for the Federal Railroad Administration and Steven Anthony has been nominated as management member of the U.S. Railroad Retirement Board.

Lauby will provide regulatory oversight for rail safety in the United States and oversees the development and enforcement of safety regulations and programs related to the rail industry.

He has 35 years of railroad and rail transit experience. He joined the FRA in August 2009 and has been a member of the senior executive service since March 2010.

As the deputy associate administrator for regulatory and legislative operations, he was responsible for safety rule making activities and has served as chairperson of the Railroad Safety Advisory Committee (RSAC).

“Bob Lauby was formerly in charge of rail accident investigations at the National Transportation Safety Board and we very supportive of UTU’s efforts at the NTSB with our Transportation Safety Team. He was very helpful at our Boston regional meeting this year,” SMART TD National Legislative Director James Stem said.

The FRA also announced that Les Fiorenzo, regional administrator for Region 1, will serve as acting deputy associate administrator for safety compliance and program implementation. In this role, Fiorenzo will be directly responsible for the enforcement of the Federal Railroad Administration’s Rail Safety Program.

Lauby returned to school at the University of California, Santa Cruz.

The RBB is an independent agency in the executive branch of the federal government that administers comprehensive retirement-survivor and unemployment-sickness benefit programs for the nation’s railroad workers and their families.

As part of the retirement program, the RBB also has administrative responsibilities under the Social Security Act for certain benefit payments and railroad workers’ Medicare coverage.
In this communication, my first to you as president of this great organization, I will begin by saying that I am honored by the opportunity to serve in this capacity. One of my goals for this administration is to be transparent in every way, allowing you, the membership, to be aware and informed of the issues that affect you and your union.

Accordingly, I want to update you on a number of initiatives that are currently in progress at our offices in Cleveland and Washington. To begin, I will address the merger between Sheet Metal Workers’ International Association and United Transportation Union, an issue first and foremost in the minds of members at every meeting that I have had the opportunity to attend.

My goal for this administration is to be transparent in every way, allowing you, the membership, to be aware and informed.

The merger agreement provided that the constitutions of the UTU and the SMWIA were to be combined into a single constitution for the newly formed SMART Transportation Division (SMART). Both the merger agreement and the subsequent arbitration award pertaining to implementation directed the parties to meet and resolve conflicts between the constitutions of the two organizations.

Accordingly, the parties met for extended periods on numerous occasions throughout 2012 and 2013 and have made excellent progress in reconciling conflicts between our respective constitutions. Nonetheless, in mid-2013, it became apparent to all involved that although we had accomplished much of the necessary work, additional direction from the arbitrator was needed in order to finalize the remaining issues. The parties submitted their respective views on the items still unresolved to the arbitrator and, at the time of this writing, are still awaiting an award that will offer guidance to move us to conclusion.

In order to meet all of the constitutional and regulatory requirements that apply to the two organizations, the UTU – now SMART Transportation Division – convention originally scheduled for 2015 will be held June 30 - July 2, 2014, in San Diego, Calif. This will be followed by the first SMART convention to be held Aug. 11-15, 2014, in Las Vegas. Details regarding the two conventions are still being finalized and additional information will be distributed as soon as it becomes available.

Of course, the day-to-day business of representing our members continues without interruption. Among countless other initiatives, we are working hard in Washington to advance H.R. 3045, legislation that is intended to require two-person crews on trains. The Affordable Care Act and the recent Supreme Court decisions on same-sex spousal benefits require careful handling to ensure compliance, without negatively impacting the benefits enjoyed by our members who are currently a part of the National Health and Welfare Plan. And, our Organizing Department is continuing to lead all others in successfully organizing properties where the employees have sought union representation.

In matters of negotiations, we are assisting general chairpersons in contract negotiations with numerous bus companies and passenger and short line railroads around the country. In addition, we have recently requested provokers of arbitration from the National Mediation Board on two properties, one rail and one air. We have received and rejected the provoker on the rail property and are hopeful that the provoker requested on behalf of our brothers and sisters on the airline property will soon be granted by the NMB. Once received, a provoker may then be rejected and the parties advance to the next level in the process of getting to self-help.

The foregoing is a brief update on just some of the many efforts underway to improve the working conditions of our members. In future articles, I will expand on each of these items and also discuss what’s ahead in 2014.

My goal is to keep the membership aware and informed.
Taking care of ourselves and protecting our jobs

Any bus or transit driver/operator that works for an employer that receives federal funding should be aware of the 13(c) provisions. These 13(c) protections were fought for and established to help us preserve our rights to negotiate all of our working conditions, including wages, health, and welfare, and protection. So, what is Section 13(c)?

Section 13(c) is included in the Federal Transit Law and is located at Section 5333(b) of Title 49 of the U.S. Code (49 U.S.C. § 5333(b)). This federal statute requires that employer protections, commonly referred to as “protective arrangements” or “Section 13(c) arrangements,” must be certified by the Department of Labor and in place before any federal transit funds can be released to a mass transit provider.

The SMART Transportation Division Office sends out every local that is impacted by federal transportation funding information on those grants. All local officers need to take the time and read the information being supplied to them. If legislation is proposed in your area that impacts your working conditions, or violates your rights to negotiate certain areas of your collective bargaining agreement, you may have the right to protest federal money being provided as a grant to your employer. We all need to stick together to support and protect our rights to negotiate. If you think this is happening in your area, do your research and then contact the International.

I am pleased to announce that the AFL-CIO’s Transportation Trades Department will host its second School Bus Summit on Monday, Dec. 2, 2013, at 9 a.m. at the AFL-CIO headquarters. I would like to formally invite unions that represent school bus drivers, and others interested in this topic, to attend this discussion. If you have concerns that you would like to see addressed, please email me at bmmorr@smart-union.org.

As you may already know, President John Previsich has supported the removal of an exemption that has been blocking our over-the-road operations from federal funding. President Previsich, I am also pleased to announce that I have been appointed to the SMART General Executive Council and will do my very best to represent this organization. Stay in touch, and let us work together to keep labor strong.

SMART, TTD endorse mandates for two-person crews, bus ops

The SMART Transportation Division and the Transportation Trades Department of the AFL-CIO Oct. 29 endorsed potential federal mandates to require at least two crew members on all U.S. freight trains, protect bus drivers from physical assaults and make sure they are paid overtime when they work more than 40 hours a week.

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The measures will make trains and buses safer for workers and the general public alike, the organization of 32 unions said.

Both Transportation Division President John Previsich and TTD President Edward Wytkind attended the Oct. 29 meeting at the AFL-CIO headquarters in Washington. Transportation Secretary Anthony Foxx, House Transportation & Infrastructure ranking member Nick Rahall (D-W.Va.) and T&T Aviation Chair Frank LoBiondo (R-N.J.) were at the meeting.

The call for stronger rules for train crews comes three months after a train manned by one worker derailed in a Canadian border town, killing 47 people.

“It is imperative that a second crew member be on hand, not only in cases of emergency, but also because long shifts and unpredictable work schedules out of the hands of rail employees can lead to incidents caused by fatigue,” Wytkind said in a statement.

The group wants members of Congress to support a legislative effort from Rep. Michael Michaud (D-Maine), called the Safe Freight Act (H.R. 3040), which would go beyond steps that the Federal Railroad Administration (FRA) took to strengthen safety regulations in the wake of the crash.

Wytkind said that the unions have “serious concerns” about the ability of the FRA’s review process to bring about strong new rules on its own.

Additionally, the labor group wants lawmakers to get behind Sen. Chuck Schumer’s (D-N.Y.) Driver Fatigue Prevention Act, that would require that interstate bus drivers get paid overtime when they work more than 40 hours a week.

Buses are currently run like “sweatshops on wheels,” Wytkind said, with drivers working long hours for low pay.

“Making sure drivers are paid overtime would reduce how long they have to work to make ends meet, which could lead to fewer crashes, the unions said.

Another way to safeguard drivers would be stronger protections to make sure they are not assaulted or abused on the job, and that they have clean bathrooms to use.

“It is time for labor and management, together with the federal government, to sit at the table and come up with solutions to protect workers and the traveling public,” Wytkind said.

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UTU PAC contributions for 2012

How does your state stack up?
(Average UTU PAC contribution per member in dollars)

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Signature: Kamron Saunders
Effective date: UTU PA C reports are filed with the Federal Election Commission, 999 E St. N.W., Washington, D.C. 20463, and are available for inspection from that agency and appropriate state agencies.

Contributions to political action committees (PACs) are not deductible as charitable contributions for Federal income tax purposes.

If You Want a Say... Give a Dollar a Day

You need lawmakers who understand your needs. You deserve a say in writing laws and regulations. Let your voice be heard. Let your demands be known. Complete the pledge form below and mail it today.

UTU PAC Form

[Signature]

UTU Political Action Committee Donation Form
24950 Country Club Blvd., Suite 345, North Olmsted, OH 44070-5133

1. (please print)
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3. (please print)
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Top Ten UTU PAC Locals
(Average UTU PAC contributions per member in dollars)

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<td>1.23</td>
</tr>
<tr>
<td>Missouri</td>
<td>1.21</td>
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If you want a say... give a dollar a day.
Retirees spread warmth, provide warmth to Coats for Kids, Salvation Army

Retirees got together Oct. 23 for a good cause. Joining in with Cleveland’s local Salvation Army, Jerry Lambert and 46 other local retirees and their spouses assembled to hand out coats with the Coats for Kids organization in conjunction with the Salvation Army in their annual Christmas Assistance Program. The event lasted for three days at four Salvation Army locations in the Cleveland area.

Earlier in October, the group met to unload and sort two semitrailer loads of coats to be distributed and came back on Oct. 23 to distribute the coats they had sorted.

This is Lambert’s sixth year of working with Coats for Kids.

“What actually got me started was when my boss at CSX, Terry Turner – who was really big into charity work – asked me to find something we could do together, and Coats for Kids was one of the organizations that I reached out to,” Lambert said.

“It’s so rewarding when you see the people that humble themselves,” Lambert said. “They’re all new coats and every family gets eight coats. If they need more for more people in their family, they can get gently used coats that have been dry cleaned as well.”

The Salvation Army also provides toys, if they can get them, for the children from wish lists that have been submitted. Qualifying families also get a $25 gift certificate to Dave’s Super Market to be used for Christmas dinner. The group also collected $1,200 for the organization.

“It went very well. This year, we gave out 10,000 coats,” Lambert said.

“Oh, I love the kids,” said Cheryl Lambert, Lambert’s wife, “I always ask them what color they would like. Some of them are anxious to talk to you and pick one out, others are shy. If there wasn’t a need, we wouldn’t be here. So, if we all help each other, what a better world this would be.”

Interested volunteers should visit the website www.salvationarmymysa.org for more information.

Flu season is here, shots covered by Medicare

It’s that time again. Flu season is upon us and the flu shot is available to be taken now. There are between 139 and 139 million vaccinations available this year. Medicare Part B (including Railroad Medicare) normally pays for one flu shot per season.

There are two ways to take the vaccine – by injection or nasally – and there are different types of vaccine options. The vaccine traditionally protects against three or four different kinds of flu viruses: two that are influenza A and one or two that are influenza B.

Several of the vaccines are egg-based which means they’re manufactured in eggs or with egg protein. Those who are sensitive to eggs should discuss with their doctor which type of flu shot they should get. If you are in one of the following categories, you should get a flu shot:

• You are age 50 years or older;
• At high risk of developing complications from the flu, such as pneumonia;
• Have asthma, diabetes or chronic lung disease or other conditions, or,
• Are a resident of a nursing home.

You can receive your vaccination at clinics, pharmacies, health departments or your doctor’s office. If your provider accepts Medicare, then Railroad Medicare should also be accepted. If they have any questions, they can call the Provider Contact at (888) 355-9165 from 8:30 a.m. to 4:30 p.m.

If you have questions about your coverage call the Railroad Medicare Beneficiary Contact Center at (800) 833-4455 between 8:30 a.m. and 7 p.m. EST, Monday through Friday or visit www.PalmettoGBA.com and click on “Railroad Beneficiaries” along the left side.

The Final Call

Following are the names of recently deceased members who maintained annual membership in the UTU Alumni Association, according to reports received at UTU International Headquarters. These brothers and sisters will be missed by their many friends and fellow UTU Alumni Association members.

<table>
<thead>
<tr>
<th>Local</th>
<th>Name</th>
<th>City/State</th>
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<tbody>
<tr>
<td>1</td>
<td>Powell, William A.</td>
<td>Lancaster, N.Y.</td>
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<tr>
<td>113</td>
<td>Harms, Raymond L.</td>
<td>Winlock, Ariz.</td>
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<tr>
<td>117</td>
<td>O’Connell, Thomas L.</td>
<td>Aurora, Ill.</td>
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<tr>
<td>195</td>
<td>Gillett, Larry D.</td>
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<tr>
<td>202</td>
<td>Boal, Robert</td>
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<td>204</td>
<td>Spross, Allen R.</td>
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<td>Smith, Roy M.</td>
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<td>Gascoigne, Jerry L.</td>
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<td>Goodrich, Bobby H.</td>
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<td>Honey, W.</td>
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<td>Hulst, W. W.</td>
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<td>Ross, Charles R.</td>
<td>Tyler, Minn.</td>
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<td>Long, Roy S.</td>
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<td>King, Lester Dwayne</td>
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<td>Forbes, Robert L.</td>
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<td>Gillespie, Vernon</td>
<td>Saint Clair, Ark.</td>
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<td>Collyer, Ronald P.</td>
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<td>Berry, Roy G.</td>
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<tr>
<td>1765</td>
<td>Kitman, Henry A.</td>
<td>Dousman, Wis.</td>
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The October 2013 issue of the SMART Transportation Division News incorrectly listed Alumni Association member Stephen B. Jones of Pana, Ill. (Local 768) as deceased. Brother Jones advises friends that he is alive and well. SMART Transportation Division News regrets this error and apologizes to Jones and his family.
Courage driving force behind conductor’s cancer walk

The ability to confront difficulty and uncertainty without being overcome by fear or being obstructed from a chosen course of action is the definition of courage, according to the dictionary. After the uncertainties former Union Pacific employee Matthew Helmke recently faced, he can only be described as courageous.

This past September, Helmke went for a little walk – across the state of Nevada – to prove a point. He wants his conductor job back. Apparently, UP needs some convincing.

The former vice president of Local 1775 at Elko, Nev., Helmke was diagnosed with brain cancer on Sept. 12, 2012. A Persian Gulf War vet who served two tours of duty as a Navy captain launching fighter planes from aircraft carriers, he was facing a new and unknown challenge.

Almost immediately, he underwent surgery and grueling chemotherapy treatments that lasted several months. “I wasn’t sure if I would make it through this,” he said. But, with great courage, and with support from his family and friends, he confronted the pain and difficulties of his treatment until his cancer went into remission.

With small steps, he began a routine of physical conditioning by walking. In time, he got his legs back and was able to walk greater distances. He eventually began participating in local charity walking events and his mother lovingly joked that maybe he was ready to walk across the great state of Nevada. That idea turned into reality.

Walking 450 miles through desert terrain is enough to exhaust any person, but doing so exactly one year after being diagnosed with brain cancer shows unbridled grit.

On Sept. 12, 2013, which marked the one-year anniversary of the day he received his original diagnosis, he began a 450-mile hike across Nevada in Lake Tahoe. Twenty-three days later, he reached West Wendover.

“I just put one foot in front of the other and stayed hydrated,” Helmke said. “I wanted to help others with cancer know that there is hope and that they really can make it through their ordeals.”

Helmke comes from a family with a Navy heritage. “The Navy is in my blood. Both my father and grandfather served in the Navy. It’s what we do,” he said.

But Helmke’s battles are not over. As a consequence of his illness and the resulting inability to conduct trains while sick, he lost his conductor position with his employer and is battling to regain it. Helmke said his doctors have given him a clean bill of health. And coming from a man who is a war veteran, who has beaten cancer and then walked across a desert as an afterthought, who could argue otherwise?

Helmke’s message of courage and hope was extremely helpful to one of his supporters, whom he met on the first day of his journey. She approached him and told him that her husband had recently been diagnosed with cancer and that Helmke’s walk provided her and her husband with hope. She thanked him for his example.

Besides regaining his job, Helmke said raising awareness about cancer is another of his goals. He has been able to raise money for various charitable organizations including, the American Cancer Society (www.cancer.org), Live Rude Girls (www.facebook.com/liverudegirls) and the Fisher House Foundation (www.fisherhouse.org). In fact, the Live Rude Girls were instrumental in his trek by donating money and the necessary supplies for his walk.

He also noted that the Fisher House Foundation provides a network of comfort homes to family members of U.S. military veterans at which they can stay at no cost while a loved one is receiving medical treatment. Helmke’s family members were able to stay at one while he underwent treatment.

Donations can be made on Helmke’s behalf by contacting any of these organizations.
Arthur Miller's works: a selection of sites

Ask lawmakers' support for two-person rail crews

Continued from page 1

The Association of American Railroads (AAR) and the American Short Line and Regional Railroad Association (ASLRRA) recently sent memos to Capitol Hill opposing this important piece of legislation, stating in part: “H.R. 3040 mandates freight trains operate with a certified locomotive engineer and a certified conductor without taking into consideration the realities of current industry practices and the overall rail safety record in the United States.”

In a recent letter to all members of Congress, the SMART TD’s Legislative Office wrote: “The reality is that 99+ percent of America’s trains already operate with a two-person crew members. It was the recent July 6, 2013, accident at Lac-Mégantic, Quebec, where 47 people lost their lives and a town was destroyed, that gave rise to this legislation.

“That accident happened because a crew member, working alone, had his train roll away causing horrific death and devastation. Waiting for two tasks that can be performed by the crew of a freight train that one person cannot accomplish alone.

“Under current Federal Railroad Administration regulations and railroad operating rules: a single person crew cannot make a Class I air brake test; one person cannot act as a first responder when an accident occurs; one person cannot inspect or her train when it breaks in two or delays, including when there is the possible release of hazardous materials; and one person cannot inspect or her train when cars in that train become defective.

“Another reality is that freight train crews work long hours, day and night, with few set shifts, and are on call 24/7. With as little as 1 hour and 15 minutes’ notice, we are required to report to work for a 12-hour shift, often operating trains laden with hazardous materials. Fatigue in the freight railroad industry is our number one safety problem, and having two crew members is the only way that we help mitigate fatigue. Having two crew members is also the best way to assure compliance with our complex operating rules. Rules such as properly securing your train so it doesn’t roll away and destroy a town.

“H.R. 3040 – the Safe Freight Act – is a bipartisan bill that will ensure that trains are operated safely everywhere in America. We respectfully ask that you support this important bill and consider becoming a co-sponsor.”

To send a message to your House and Senate representatives to co-sponsor and support this legislation, visit www.utu.org and select the “H.R. 3040 Two-person Crew Bill” tile at the bottom right corner of the homepage.

By entering your ZIP code and street address, a message prepared by the South Central Federation of Labor (of Wisconsin) will identify your representatives in both the House and Senate. After entering your email address, the website will send a prepared message to your legislators that reads, in part: “I am writing to you today to ask you to support H.R. 3040, the Safe Freight Act, which will improve railway safety by eliminating the risky practice of single-person train crews. It would ensure each train is operated by a crew of at least two people, including a certified engineer and a certified conductor.”

The SCFL webpage link was established by SMART TD Wisconsin State Legislative Director Craig Peasly.

Contact your legislators today.

Arbitration successful in regaining ‘past practice’ pay

Following a change in “past practice” operating procedures that resulted in changes to trip payment rates and seniority rights on assignments for bus operators, SMART Transportation Division’s General Committee of Adjustment GO DEL was successful in an arbitration pursuit against First Student Bus Co.

General Chairperson Theresa Costantini and Local 172 at Darby, PA, with the assistance of SMART TD Alternate Bus Vice President Calvin Studviant, went to arbitration after the company changed guaranteed trip payment rates, resulting in changes to the seniority bidding process. The bus operators provide service for the William Penn School District.

Until 2012, members were always paid by the estimated time listed for a trip, plus any extra time it took to complete the route. The company began paying them for the actual time it took to do the job, rather than the estimated time. According to the new policy, the member was paid for only two hours, instead of the two hours and 20 minutes.

Because seniority provisions allow members to choose their runs based on trip rates and travel time, Local 172 members felt the change violated their contract.

When first Student changed the process by which drivers were paid, it negatively impacted the seniority system and made the seniority issue null, because drivers no longer had a guarantee of how much money they should be paid per run.

Prior to the arbitration, Costantini pursued mediation and the mediator had informed the company that they were wrong, but since mediation was not binding, the case was pursued through arbitration.

Arthuritarian Thomas G. McConnell Jr.’s ruling found the company in violation of the collective bargaining agreement and ordered the company to pay its employees back-pay.

“I am ecstatic that they prevailed, because it represents a substantial amount of money in back wages and wage going forward,” Studviant said. “First Student delayed us as long as they could, but we refused to be deterred. It took a year to hear the case and get an award, but the victory was worth the wait.”

First Student management admits that no dry runs are ever done to determine estimated trip times and that the company relies on VeriTrans software to estimate the times for them.

Although the contract states that hours stated for a job are estimates and not exact times and that hours are not guaranteed, the contract does not state that actual times instead of the estimates, which are used for payroll purposes.

McConnell ruled that since the company had followed the practice of paying the drivers by estimated times through February 2011, the company would need to negotiate a contract change in the 2011-2014 contract, as precedence had already been set.

He ruled the company violated the collective bargaining agreement and directed it to return to their prior practice of paying by times estimated and not by actual time.

“I applaud General Chairperson Costantini, General Committee Secretary Kathy Sitongia and Vice President Calvin Studviant for their diligent work in this effort. They kept meticulous records,” Studviant said. “They were witnesses that together hold over 70 years of experience. I was very confident in the case that we presented.”

Visit www.utu.org and enter “Local 172 arbitration” in the Search box at the top right-hand corner to view the complete arbitration award.

www.utu.org / www.utuia.org

November 2013 UTU-SMART News

Report labels aside, Americans want to ride Amtrak

WASHINGTON – New polling date shows that Americans across the ideological spectrum support more public funding of Amtrak passenger rail service.

“We polled people who mostly do not live in large passenger rail regions and yet they overwhelmingly said they want the same level of or more federal funding for Amtrak,” said John Previsich, president of the SMART Transportation Division.

“What is interesting about this poll is that a majority of Democrats, Independents and Republicans alike all want to maintain or expand Amtrak Service. It is now time for Congress to listen.”

In a poll conducted by DFM Research of St. Paul, Minn., from February to September 2013, eight districts in Colorado, Illinois, Indiana, Iowa, Kansas and Missouri were polled and 70 percent of respondents said they support a robust federal government role in funding Amtrak. In Illinois’ 3rd District, which includes the Chicago Amtrak hub, the percentage jumped to 80 percent.

“This new polling confirms what we have always known: Americans want more, not fewer, transportation choices,” said Edward Wytkind, president and Transportation Trades Department (TTD) of the AFL-CIO.

“And while too many politicians in Washington are saber rattling about government spending and their impact on the nation, from conservatives to liberals, believe the federal government has a responsibility to play a role in providing and funding Amtrak passenger rail service.”

Previsich added that in the weeks ahead, SMART Transportation Division activists will be working with TTD and other rail unions to make the case for stronger federal support for Amtrak as lawmakers prepare to rewrite federal passenger rail law (known as PRIIA).

“H.R. 3040 – the Safe Freight Act – is a bipartisan bill that will ensure that trains are operated safely everywhere in America. We respectfully ask that you support this important bill and consider becoming a co-sponsor.”

Follow the full survey results can be found on the SMART Transportation Division website at www.utu.org. Enter the terms “Amtrak report 5” in the Search box near the top right-hand corner of the homepage.

The Transportation Trades Department, AFL-CIO, represents 32 member unions in the aviation, rail, transit, motor carrier, highway, longshore, maritime and related industries. For more information, go to www.ttd.org or find TTD on Facebook or Twitter.

This polling will boost our effort to advocate for common sense passenger rail legisla- tion that gives Amtrak and its partners the resources they need to deliver first-class passenger rail service that Americans are clearly telling us they want.”

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**Great Lakes Airlines pilots seek your support**

You may have read the Aug. 15 article entitled “Great Lakes faces shortage of pilots,” that was written by James Chilton and published in the Wyoming Tribune Eagle.

In that article, a Great Lakes Airlines’ spokesperson said the airline Safety and Federal Aviation Administration Extension Act of 2010, that went into effect Aug. 1, has made it harder for Great Lakes and other regional airlines to hire and retain pilots.

But members of SMART Transportation Division Local 40, which represents pilots and flight attendants employed by Great Lakes, say the article didn’t tell the full story.

While it is true that the FAA’s recently published final rule increased the qualification requirements for first officers from 250 to 1,520 flight hours (among other things), it was hardly the unexpected. The Act was created in 2010.

The regulations were quickly imposed following complaints from the air service tax dollars Great Lakes receives continue to flow into the airline’s pocket.

Prior to Aug. 1, 2013, the SMART Transportation Division had been researching possible solutions to the quickly approaching deadline in an effort to save the jobs of approximately 40 pilots – a full 15 percent of Local 40’s membership. For months, SMART had encouraged the company to explicitly make the contractual scheduling rules more flexible to allow the lower-time pilots to optimize their opportunity for flight hours. Local 40 members say the company hindered those efforts. Individual pilots networked with ATP Flight Schools, who went back over contracts to offer the airlines reasonable deals that would have saved the company time and money.

The SMART Transportation Division approached Congress and the FAA to request a short-extension “grandfather clause” to allow the affected pilots the ability to continue flying under the old regulations in order to achieve the required hours. Congress indicated they would agree, pending a forthcoming collaborative letter from the airline. The company refused to write the letter.

Great Lakes’ pilots need your help. Contact your mayor and town council. Contact your airport manager, your congressional representative, your senator. Contact your local newspaper, your local television station, your favorite blogger. Your best friend’s cousin who knows a “guy.” Give them the link to the Airline Safety and Federal Aviation Administration Extension Act of 2010 from the SMART TD website.

Tell them that you don’t think it’s right that the pilots at Great Lakes Airlines are working for less than minimum wage. Tell them that the pilots at Great Lakes Airlines substitutes the Part 121 service that they agreed to provide to your EAS community with a Part 135 service because you, the flying public, will have fewer seats available, a less-experienced flight crew, and less frequent service while the airline will continue to receive EAS taxpayer funding.

Tell them that you don’t think it’s right that the pilots at Great Lakes Airlines are required to work more grinding schedules, under more difficult conditions, with less sophisticated equipment, into more challenging environments, while working for lower wages and under rest rules that provide for less sleep than other pilots.

Tell them that you don’t think it’s right that Great Lakes Airlines profits off the backs of hundreds of hardworking employees, just like you, who do the right thing and come to work every day, just to make sure that your family gets home safely.

Tell them...See these related items on utu.org: “A tired pilot is a trend vector of plane” and “Inside the secret world of tired pilots.”

**SMART TD partners with KUMC in hearing loss study**

Sixty percent of the U.S. population has hearing loss and most of those incidences are the result of noise exposure. The University of Kansas Medical Center (KUMC) and the SMART Transportation Division have launched a partnership that could benefit you if you are suffering from this disability.

The partnership between KUMC and the SMART TD provides active and retired members with:

- The most up-to-date information and research on hearing health through regular newsletter articles; and
- Access to state-of-the-art testing that can help the SMART TD members improve the hearing health of its membership.

For general questions, contact a SMART general chairperson in the Kansas City area. The SMART TD partners with KUMC in hearing loss study.
Amtrak sets ridership record for fiscal year 2013

WASHINGTON – Amtrak carried a record 31.6 million passengers in fiscal year 2013, delivering nationwide benefits, providing vital transportation services, advancing America’s economy and demonstrating the value and convenience of the national passenger rail network. It is the 10th ridership record in 11 years.

“Amtrak moves people, the economy and the nation forward everywhere the trains go,” said President and CEO Joe Boardman.

“In towns all across America, Amtrak brings economic opportunities for people, businesses and communities to grow and prosper,” stated Tony Coscia, chairman of the Amtrak board of directors.

During FY 2013, Amtrak’s state-supported corridor services grew to a new record of 15.4 million passengers. In addition, all long distance routes combined had the best ridership in 20 years with 4.9 million passengers. Ridership for all Northeast Corridor services reached 11.4 million passengers, the second-best year ever.

As evidence of a strong ridership rebound following Super Storm Sandy, the Northeast Regional service set a new record. Also, FY 2013 produced eight individual monthly ridership records, the single best month in Amtrak history and new records on 20 routes. In addition, ticket revenue increased to a record $2.1 billion.

State-supported services are vital links in the Amtrak national network. The power of increasing demand for passenger rail is recognized through state investments to improve service, speed and safety.

In addition, states and communities realize many benefits from Amtrak services. Transportation Division Executive Director David Mediate said: “This year’s record ridership was achieved station by station all across the country.”

State-supported services are vital links in the Amtrak national network. The power of increasing demand for passenger rail is recognized through state investments to improve service, speed and safety.

In addition, states and communities realize many benefits from Amtrak services. Amtrak is an economic engine that returns nearly three dollars to local communities for every one dollar of federal investment (FY 2010-FY 2012).

This support has allowed Amtrak to place more than $12.6 billion back into the economy through the purchasing of goods and services and employee salaries to maintain, operate and improve its national network.

“This year’s record ridership was achieved station by station in the more than 500 communities across America that Amtrak serves,” said Boardman.

Inside this issue of UTU-SMART News:

- Congratulations to Great Lakes Airlines pilots for seeking your support. See page 9.
- Courage driving force behind conductor’s cancer walk. See page 11.