Voluntary long-term disability enrollment for rail, bus extended

Since June 29, 2015 through September 30, 2015, an open enrollment period is available for Transportation Division members to enroll in the new Voluntary Long-Term Disability (VLTD) Plan.

Members have two options for enrollment into the VLTD plan. For Rail members, Part “A” allows the member to purchase coverage to protect their income should they become disabled after a 238-day elimination period with a monthly benefit of 50 percent of salary to a maximum benefit of $7,000. Part “B” contains the same 238-day elimination period, but offers a monthly benefit of 60 percent of salary up to a maximum benefit of $6,000.

Additionally, rail or bus members will have the option of combining one of the above options for the VLTD with the Short-Term Disability (VSTD) plan or elect the VLTD plan on its own.

It should be noted that members electing the VLTD plan only, will be required to pay premiums while on E49 status due to a disability during the 238-day (rail) or 365-day (bus) elimination period.

It is important to note that members who have previously opted out of the VSTD plan or were previously denied coverage, are now eligible to enroll with no pre-existing condition restrictions during this open enrollment period.

Rail safety alert: crew-induced emergency brake use

Are you prepared to make the decision?

1. Job briefing: crew members must notify the locomotive operator of any condition that requires the train to reduce speed or stop not more than five miles, but not less than two miles, before reaching the condition.

2. Conductors must stay focused and alert the engineer that action needs to be taken.

3. Engineers must remain vigilant and aware of every situation.

CSX operating rule: 301 – control of train speed

• 301.1: Crewmembers must notify the locomotive operator of any condition that requires the train to reduce speed or stop not more than five miles, but not less than two miles, before reaching the condition.

Sen. Bernie Sanders addresses SMART Business Agents’ Conference

“A strong middle class is synonymous with a strong trade union movement,” Vermont Sen. Bernie Sanders told attendees at the SMART Sheet Metal Business Agents’ conference in Washington, D.C.

The Democratic presidential candidate vowed a “political revolution” that says to billionaires “you can’t have it all.” He pledged to push a “major federal jobs program that puts millions of people back to work.” He’d have the government invest $1 trillion over five years to modernize the nation’s infrastructure and expand the right of workers to join and form a union in the United States.

Before Sanders spoke, Hillary Clinton, currently the lead candidate in the Democratic primary, appeared in a brief video and said she, too, was a big supporter and noted that “your success is our country’s success. We need an economy built by every American for every American. You’re doing your part.”

Clinton spoke about the value of union apprenticeships, calling SMART’s program a model for the country. Clinton said she’d back a credit to “encourage businesses to hire apprentices because when employers invest in percent of salary to a maximum benefit of $6,000. Part “B” contains the same 365-day elimination period, but offers a monthly benefit of 60 percent of salary up to a maximum benefit of $6,000.

Additionally, rail or bus members will have the option of combining one of the above options for the VLTD with the Short-Term Disability (VSTD) plan or elect the VLTD plan on its own.

It should be noted that members electing the VLTD plan only, will be required to pay premiums while on E49 status due to a disability during the 238-day (rail) or 365-day (bus) elimination period.

It is important to note that members who have previously opted out of the VSTD plan or were previously denied coverage, are now eligible to enroll with no pre-existing condition restrictions during this open enrollment period.

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No action is required at this time for members currently enrolled in the short-term disability plan (VSTD) that do not desire to enroll in the long-term disability plan (VLTD).

It is recommended that members review the detailed FAQs at utu.org to gather more information on the plan offerings and eligibility requirements. Additional questions should be directed to your regional field supervisor or to the VLTD hotline at (866) 753-3632.

See application forms on pages 6 & 7

STB Chairman Daniel Elliott sworn in for second term

Daniel R. Elliott III was sworn in June 26, 2015, as the Chairman of the Surface Transportation Board (STB), pledging to continue to promote transparency and to improve and streamline regulation of the nation’s freight railroads.

He was nominated to the STB by President Barack Obama on Jan. 13, 2015, for a four-year term expiring Dec. 31, 2018. He was confirmed by the U.S. Senate on June 22, 2015. This is Chairman Elliott’s second term on the STB. He previously served as chairman of the agency from Aug. 13, 2009, to Dec. 31, 2014.

At his confirmation hearing before the Senate Commerce, Science and Transportation Committee in May 2015, Elliott stated he would continue the reforms that he had begun during his first term to increase STB transparency and efficiency, promote a reliable rail network and bring more accessibility to the STB’s processes.

Prior to Chairman Elliott’s first term at the STB, he had served for 16 years as associate general counsel to the SMART Transportation Division’s predecessor, the United Transportation Union. Earlier in his career, he practiced at law firms in Washington, D.C., and Cleveland, Ohio. Elliott graduated from the University of Michigan with a degree in political science in 1985 and earned his law degree from The Ohio State College of Law in 1989.

STB Chairman Daniel Elliott

UTUIA announces launch of new website

UTUIA has just launched a new and improved website for its members. Designed to provide more useful information and insight into the fraternal mission of the UTUIA, the site features a new forms and resources tab, detailed scholarship information, fraternal giving/volunteering, testimonials, FAQs and a blog that keeps the membership up-to-date on the activities of the UTUIA across the country.

“One of the more useful tools we added was an unmanned funds search which, within two days of the site launch, enabled a beneficiary to claim $3,000.00 in benefits we were holding,” said Ken Laugel, executive director of the UTUIA. “We will be adding more tools and features to the site and will look for ways to improve our membership outreach,” he added.

“We are retooling for a new era of growth for the UTUIA,” Laugel said.
Local 1059, Minot, N.D.

Donald L. Allard, 55, of Minot, N.D. died Tuesday, June 9 in a Minot hospital. Allard (Local 1059 of Minot, N.D.) was a BNSF brakeman and long-time local chairperson and delegate. He also served as assistant general chairperson for BNSF GO 386 from 2003 to 2015. He originally hired out in September of 1979 as a brakeman, having 36 years of service at the time of his passing. SMART TD National Legislative Director John Bisch says, “Don was a leader in our Minot local for years as well as a long-time delegate. He was a good, good friend who died too young. We are all saddened by his passing and extend our heartfelt condolences to his wife, Mary, and to his family. He will be sorely missed.” Allard is survived by his wife of 35 years, Mary, children — Trisha (Jason) Wuori, Dale (Amanda) Allard and Donald “D.J.” Allard. He also survived by his grandchildren; parents — Allen and Linda Donald “D.J.” Allard. He’s also survived by his grandchildren; parents — Allen and Linda Allard, and two brothers — Bob and Ron (Stacey) Allard. Interment is at Rosehill Memorial Park, Minot, N.D.

Local 1177, Willmar, Minn.

Local President Jerry Minnick reports that Local Legislative Representative and Legislative Secretary Brian Hunstad and his family recently suffered the loss of a grandchild, Owen Jensen Skodje, age six months. Emergency services were called when Skodje was found to be not breathing and was being given CPR by a caregiver at daycare. CT scans showed bleeding on the brain and a lack of brain activity. Owen’s parents chose to donate their baby’s organs. Surviving family. Checks can be made out to “Hunstad Family” and mailed to: Mr. Jerry Minnick, Local President, UTU-SMART-TD Local 1177, 902 Circle Drive, Olivia, MN 56277.
Robert J. Zanath, SMART TD public relations director, passes away

Robert J. Zanath, 50, died May 28 at University Hospital in Cleveland. He was surrounded by his family at the time of his passing.

Zanath was born Sept. 10, 1964. After graduating from Padua Franciscan High School in Parma, Ohio, he attended Kent State University and then graduated from Cleveland State University with a Bachelor's degree in communications.

Following college he worked at Ponderosa restaurants until 1987 when he joined the United Transportation Union as the webpage designer for its publications, often staying late to work on and finish projects. Zanath was a laid back, level-headed supervisor with an unsurpassed knowledge of the inter-workings of the union. He will be missed by not only the PR department in which he worked, but by everyone who knew him.

Zanath was a devout Catholic who tried to never miss church, even when out-of-town at regional meetings and conventions. He was a member of St. Columbkille Church of Parma, Ohio. He enjoyed the music of Van Halen and many other rock bands. He loved the Cleveland Browns and was a huge Cleveland sports enthusiast. He enjoyed the TV show “Star Trek: The Next Generation” as well as anything pertaining to James Bond films. Although he was dedicated to his job, he was just as dedicated to leading a good moral life for himself and his family. He was a devoted father and husband.

Retired Public Relations Assistant Eric Eakin stresses the importance that Zanath placed on family. “He loved his family, he loved his parents and talked to them all the time,” Eakin said.

Surviving Zanath are his wife Lynn, their two children Holly and John, parents Jack and Carol, brother Tom and his wife Debitte, goddaughter and niece Erica, and parents-in-law Anthony and Frances Grabowski.

FRA takes action to ensure passenger train speed compliance

The Federal Railroad Administration (FRA) issued a safety advisory recommending actions to ensure passenger train speed compliance. The advisory is the latest in a series of steps FRA has taken to keep passenger railroads safe for the traveling public.

“Today the FRA is taking a smart and targeted approach to addressing a major issue involved in recent passenger rail accidents,” said U.S. Transportation Secretary Anthony Foxx. “Safety is our top priority at the department, and today’s advisory is but one step we are taking to raise the bar on safety for passenger rail.”

The FRA recommends that passenger railroads immediately take the following actions to control passenger train speeds:

- Identify locations where there is a reduction of more than 20 mph from the approach speed to a curve or bridge and the maximum authorized operating speed for passenger trains at that curve or bridge.
- Modify Automatic Train Control (ATC) systems (if in use) to ensure compliance with speed limits.

If the railroad does not use ATC, ensure that all passenger train movements through the identified locations be made with a second qualified crew member in the cab of the controlling locomotive, or with constant communication between the locomotive engineer and an additional qualified and designated crewmember in the body of the train.

Install additional wayside signage alerting engineers and conductors of the maximum authorized passenger train speed throughout the passenger railroad’s system, with particular emphasis on additional signage at the identified locations.

“The FRA fully expects passenger railroads to take immediate action and implement these recommendations,” said FRA Assistant Administrator Sarah Feinberg. “We will continue to take action in the coming weeks to prevent human error from causing accidents and to keep passengers safe on the nation’s railroads.”

Robert Zanath, SMART TD Volunteer of the Year award recipient Tom Schmitt

Thomas J. Schmitt of Local 1974 out of Fort Worth, Texas has been chosen as the 2015 UTUIA Volunteer of the Year. He was honored at this year’s regional meeting in Providence, R.I.

Schmitt started his 33-year career as a conductor (Local 1066) and now works as a yardmaster for Kansas City Southern Railway (KCS) with Local 1974.

Schmitt was selected for this award as a result of his work with Operation Lifesaver. He’s an Operation Lifesaver Authorized Volunteer who travels the country giving presentations to schools, organizations, bus drivers, truck drivers, first responders and fire fighters.

Last year, Schmitt was the top presenter on KC S as well as in the state of Louisiana. He gave 148 presentations in 2014, a personal best for Operation Lifesaver. He’s an Operation Lifesaver Authorized Volunteer who travels the country giving presentations to schools, organizations, bus drivers, truck drivers, first responders and fire fighters.

"I am proud to represent Operation Lifesaver for Operation Lifesaver, Schmitt has been chosen as the UTUIA’s Volunteer of the Year. Schmitt received a $1,000 U.S. Savings Bond and a plaque of appreciation from the UTUIA.

SMART Transportation Division and UTUIA President John Provost (left) congratulates Tom Schmitt (right) after receiving the UTUIA Volunteer of the Year Award.

Schmitt lives with his wife Lori of 19 years and two children, Matthew, 14, and Madison, 17, in New Orleans, La.

For his selfless commitment to volunteering for Operation Lifesaver, Schmitt has been chosen as the UTUIA’s Volunteer of the Year. Schmitt received a $1,000 U.S. Savings Bond and a plaque of appreciation from the UTUIA.

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To grow, let’s use our 200,000 resources

We left the conference sessions knowing that SMART is a union on the move toward a bigger and better future.

The twin conferences brought Western and Eastern officers and staff together for several days of training and educational programs. These zeroed in on traditional union-building efforts, augmenting non-traditional techniques and on forward-looking strategies for more intensity and effective representation.

Our accumulated knowledge and combined strength are tremendous tools we must put to use in everything we do to move SMART forward.

Another conference theme, “Your Union, Your Future,” emphasized the tough work ahead and the responsibility we bear — individual members and union leaders alike — to roll up our sleeves, work with union pride and solidarity, and add to our momentum.

We face anti-union adversaries who strategize every day to get better at fighting us — all of us: organized labor in general along with the many transportation unions, construction unions and railroad unions.

As we face down the challenges they present, we will face them together. We will fight them together.

Growth is the key

Given those powerful opponents, our best defense is indeed a good offense. For unions, that means recruiting, organizing, and retaining more members.

The growth opportunities will be there — as they are already presenting themselves in some places. The rail and transit industries, for example, are clearly projected to expand in the next several years.

There is a rapid boost in the production of new and retrofitting rail cars and buses. These are coming not only to replace aging fleets but also to meet expected new demand from a younger generation more inclined to use public transportation.

SMART must capture an increasing percentage of our work and workers. Growth is paramount as we build a better future for those who work in our many trades and crafts.

Learn from — and stand with — each other

In order to capture new markets and bring in new members, we need everyone — all hands on deck — to do their part in our struggle.

Our task is to create better opportunities now and for the next generation. We will only succeed by standing together. Whatever the project, whatever the challenge your local or committee is facing, never forget that someone in our union has handled a similar situation. That’s not “rail” or “sheet metal” knowledge; it’s our combined union knowledge.

It’s a depth of knowledge in organizing, grievance handling and in the knowledge that comes from traversing an ever-changing political landscape.

We have more than 200,000 sources of ideas and information, so reach out. Ask a question. Offer ideas and work together.

We must “mobilize our grass roots,” because all of us share the pride of membership, in representing our members well, of reaching out to make sure someone makes the right decision — to be a SMART member.

If we take advantage of our collective ideas, our collective knowledge, and our collective strength, each one of us can do our part in building better representation and capturing more opportunities now and in the future.

This is your union. Your future.

SMART implements new airport safety program

The FAA has made significant progress in improving runway safety at U.S. airports over the past 15 years by working with other members of the aviation community on education, training, marking and lighting, standard runway safety areas, new technology and airfield improvements.

The FAA plans to build on that success by working with airport sponsors and over the next 10-15 years to further reduce runway risks through risk-based decision-making. A new FAA national initiative known as the Runway Incursion Mitigation (RIM) program will identify airport risk factors that might contribute to a runway incursion and develop strategies to help airport sponsors mitigate those risks.

Runway incursions occur when an aircraft, vehicle, or person enters the protected area of an airport designated for aircraft landings and takeoffs. Risk factors that contribute to runway incursions may include unclear taxiway markings, airport signage, and more complex issues such as the runway or taxiway layout. Through RIM, the FAA will focus on reducing runway incursions by addressing risks at specific locations at the airport that have a history of runway incursions.

Risk-based decision-making builds on safety management principles by using a consistent approach to proactively address emerging safety risks. The FAA already has collected and reviewed data to identify specific airport areas with risk factors that could contribute to a runway incursion. The FAA has developed a preliminary inventory of airport locations where runway incursions have occurred. The FAA will work with the airport sponsors to develop strategies to mitigate runway incursions at these locations.

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Bus Department

Let’s fill the chairs at region meeting workshops

Greetings to each and every member of SMART. I’d like to start by thanking and congratulating those who attended this year’s regional meetings in Phoenix and Providence.

We worked very hard to prepare state-of-the-art educational workshops, and our attendees made it clear that it was a huge success.

Several schedule changes were made to accommodate the bus department members, and several bus-specific workshops were introduced.

Looking ahead, however, it is clear that we need to increase the presence of the SMART TD Bus Department at future meetings.

It is important for our bus members to understand the value of attending a regional meeting. This year’s theme of “Your Union — Your Future; Training the Leaders of Tomorrow” said it all.

Officers and members who attended the workshops returned home with knowledge and experience that will benefit every single member of their locals.

Educating your current and future leaders is an invaluable investment in the future of your local. With the proper budgeting and planning, it is possible for every bus local to make that investment. The time to start planning for that is now.

If you need help planning for next year, have comments about this year’s meetings, or have ideas to further improve future meetings, please contact me at areddy@smart-union.org.

You can also call or text me at (216) 287-9324. Your input is very important and I look forward to hearing from you.

In unity, there is strength; our attendance plays a very large role in that. We need to work together for the betterment of our future leadership. Let’s fill the chairs in 2016! We can do it! The time is now!
New Voluntary Long-Term Disability benefit for rail, bus members

The Trustees for the Voluntary Short-Term Disability (VSTD) plan announced a successful conclusion to their long-envisioned effort to negotiate a long-term disability program for our members.

The Voluntary Long-Term Disability (VSTD) plan, available to Transportation Division members of SMART recently announced a successful conclusion to their long-envisioned effort to negotiate a long-term disability program for our members.

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As a result of those efforts, the disability plans offer a number of options. A member may select short-term disability only, long-term only, one of two benefits for long term or any combination thereof. Members need to review all of the options to decide which combination best fits their individual personal and family needs.

It is very important to note that enrollment in the short-term plan (VSTD) is unchanged by the addition of a long-term option. VSTD will remain an opt-out program, which means that new members will continue to be automatically enrolled in the short-term plan unless they take action to opt out of coverage.

It is very important to note that enrollment in the short-term plan (VSTD) is unchanged by the addition of a long-term option.

This method has worked very well since the inception of the short-term plan to provide the best possible coverage to the vast majority of our membership. The long-term plans, however, are opt-in. This means that members who desire long-term coverage must take action to enroll in the Voluntary Long-Term Disability plan. For convenience, we have included in this newspaper a copy of the long-term enrollment applications for both our bus and rail members. (See pages 6 and 7.)

Also, it is extremely important to note that the current open enrollment period extends only to Sept. 30, 2015.

The current open enrollment period extends only to Sept. 30, 2015. During this window, members may enroll in either the short-term or long-term plans, or both, with guaranteed acceptance and no exclusion for pre-existing conditions.

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Applying for the VLTD Rail Plan is easy!

Step 1:
- Provide your information in Section I of the application. You will need the following information:
  - Name and address
  - Last four digits of your Social Security Number
  - Salary information
  - Local number
  - Date of hire
  - Number of hours worked
  - Employee ID number
  - Employer name

Step 2:
- Select ONE option from Option A through D that best fits your needs.

Step 3:
- Authorize your application by signing and dating the form. Please provide your email address for further correspondence.

Step 4:
- Mail your completed form prior to September 30, 2015 to:
  SMART
  Attn: Updating Department
  24950 Country Club Blvd., Ste. 340
  North Olmsted, OH 44070

DONE!

You will be contacted by SMART Transportation Division after we have processed your application.

For further information and to review FAQs visit www.utu.org. Contact your UTUIA field supervisor if you have further questions or call the VLTD hotline at (866) 753-3632.

Anthem Life
Voluntary long-term disability plan for Bus members

Applying for the VLTD Bus Plan is easy, too!

Step 1:
Provide your information in Section I of the application.
You will need the following information:
- Name and address,
- Last four digits of your Social Security Number,
- Salary information,
- Local number,
- Date of hire,
- Number of hours worked,
- Employee ID number, and
- Employer name

Step 2:
Select ONE option from Option A through D that best fits your needs.

Step 3:
Authorize your application by signing and dating the form. Please provide your email address for further correspondence.

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Mail your completed form prior to September 30, 2015 to:
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Attn: Updating Department
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DONE!

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For further information and to review FAQs visit www.utu.org.
Contact your UTUIA field supervisor if you have further questions or call the VLTD hotline at (866) 753-3632.

AnthemLife

*NOTE: Each of the above costs include an administrative fee paid to the SMART Group VSTD/VLTD Plan and an insurance premium paid to Anthem.

Your Union - Your Future: Training the Leaders of Tomorrow

Highlights from SMART Transportation Division 2015 Regional Meetings:

Phoenix

Attendees of one of the "State Legislative Board breakout" sessions took time out to gather for a picture with U.S. Rep. Kyrsten Sinema (D-Ariz.) and SMART Transportation Division officers and staff. Sinema (center) was a presenter in the breakout session June 30. Attendees of another "State Legislative Board breakout" session took time out to gather for a picture with U.S. Rep. Ann Kirkpatrick (D-Ariz.) and a commemorative lantern after her speech to the membership, as Alternate Vice President Danny Young stands next to it.

Providence, R.I.

Members listen attentively in the bus workshop presented (from left) by Vice President Calvin Studivant, Vice President Adhi Reddy, National Legislative Director John Previsich, General Secretary-Treasurer Rich McClees, Local 1563 President Jamie Delgadillo, General President Joe Sellers and Transportation Division President John Lesniewski.

Director of Organizing Rich Ross meets with Alabama State Legislative Director Neil Edlin and Assistant General Chairman Tommy Checton on his way to his next workshop.

State Legislative Directors Matt Campbell (left) and Andrew Trulshik (right) stop to chat with National Legislative Director John Rich (middle) at the clam-bake Tuesday evening, July 15.

A member asks a question of a presenter in one of the interactive workshops available to attendees of regional meetings.

SMART-TD News

Phoenix

Transportation Division Vice President John Lesniewski and General President Marilyn Spangler stand with Arizona State Legislative Director Carl Smith at the welcome reception June 28.

Director of Organizing Rich Ross presents a surprise leg lamp to Annette Koppert (D-Ariz.) with a commemorative lantern after her speech to the membership, as Alternate Secretary-Treasurer Greg Hynes of Rail Spur Coordinator Larry Mann.

Leaders of the organizing workshop held July 1.

Providing the hands-on service of the Phoenix Ronald McDonald House on site, the evening SMART-TD booth is staffed by BLE Teamsters.

State Legislative Directors Matt Campbell (left) and Andrew Trulshik (right) stop to chat with National Legislative Director John Rich (middle) at the clam-bake Tuesday evening, July 15.

Below: As a packed, standing-room-only ballroom, Transportation Division members attentively watch the mock arbitration proceedings as presented by Arbitrator Sheila Moncrief, Melissa Beasley (BN SF), Alternate Vice President Danny Young and Alternate Vice President Chad Adams in the Live Arbitration workshop July 14.

Director of Organizing Rich Ross visits the Transportation Division West Regional booth manned by BLE Teamsters.

Local 759 Bus Representative Kalen N. Muhammad, Local 1462 Chairperson John M. Grace, New England States State Legislative Director George T. Casey, New England States State Legislative Board Secretary Donald M. Dinamarco, Local 1473 President Christopher J. Ramos and Local 908 Legislative Representative Donald W. Wearsam Jr.

Director of Organizing Rich Ross and Alternate Legislative Director Greg Hynes and Rail Spur Coordinator Larry Mann.

Vice President Calvin Studivant; Alternate Vice President Calvyn Studivant, Socorro Cisneros (1607), Local 759 Chairperson Jason Jones welcomes Phoenix meeting attenders at the opening session, June 29.

Local 133 Treasurer Michael Bronson meets with Alternate Vice President Danny Young to discuss grievance business.


Members and SMART Transportation Division Local Officers are reminded that nominations for the positions of Legislative Representative and Alternate Legislative Representatives are being conducted as of this time by all TD Locals, with nominations to be taken at the October 2015 meetings.

Generally, those eligible for these four-year positions include local members in good standing (including those in E-49 status) who are registered voters in the state in which they reside and whose dues have been paid in a timely manner (in the month preceding the month in which they are due).

For more information, contact the Transportation Division's office in Cleveland, Ohio, by calling (216) 228-9400, by sending email to president_tdi@smart-union.org, or by writing to SMART Transportation Division, 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333.

To view valuable information on elections and nominations for the positions of Legislative Representative and Alternate Legislative Representatives, go to utu.org. For more information, contact the local's bylaws, elections can be conducted by mail or as floor elections (i.e., walk-in elections at a meeting).

Nominations may be made from the floor at the nomination meeting. Nominations do not require a second. You may self nominate. Those who cannot attend the nomination meeting can submit a nomination via petition. At least five members eligible to vote shall sign nomination petitions, which should be delivered to the local secretary prior to the nomination meeting or presented at the meeting.

Local secretaries should ensure all members know how to contact them for purposes related to these elections.

### FAQs: How to handle election runoffs and vacancies

**Q:** “We currently have more than one Vice Local Chairperson at each of the Local Committees of Adjustment (LCA).” What is the procedure for electing multiple Vice Local Chairpersons? And then, how do you determine who is First Vice Local Chairperson?

**A:**

At the proper procedure for electing multiple Vice Local Chairpersons involves approaching the ballot according to well-defined positions. In other words, the nominating process for taking First, Second, and Third Vice Chair positions has been made by the members of the Local Committee of Adjustment, satisfying the following provisions of the SMART Constitution's Article Twenty-One B (21B), Section 81, found at lines 30-31:

> “When more than one Vice Chairperson is elected to a Local Committee of Adjustment, the Local Committee shall designate the Vice Chairperson who shall act as required by this paragraph.”

### Conducting a runoff election

As in any other election, the possibility of needing a run-off remains, especially where numerous candidates are seeking a position, because the number of votes cast sometimes does not result in a majority of the votes for electing a candidate to fill a particular slot.

With this procedure, the choice of First or Second or Third Vice Chairperson has been made by the members of the Local Committee of Adjustment, satisfying the following provisions of the SMART Constitution, as follows:

> “The elective officers of a Local shall consist of a President, Vice President, Secretary and Treasurer, and a Board of Trustees consisting of three members.”

By action of a Local, the office of Secretary and Treasurer may be separated and elections held to fill each office. A Local having 50 or more members may create these offices of Collector. No member may fill more than one of these elective offices at the same time.

In addition, it has been ruled that a member may not serve on more than one Local Committee of Adjustment (LCA) under the jurisdiction of a given General Committee of Adjustment (GCA) at the same time.

During the tabulation, if a particular person running for another position is found to have won one of the slots, and the candidate accepts the win, that candidate is removed from all subsequent races in which that candidate's name appears if his election to that second position poses a conflict with Article 21B of the SMART Constitution.

For example, someone elected Local Chairperson cannot then also be elected Vice Local Chairperson. Likewise, someone elected Vice President cannot also be subsequently elected as a Trustee. However, a candidate elected Vice Local Chairperson can remain a viable candidate for the position of Local Chairperson, as there is no conflict in holding both offices.

Where a conflict might exist and a winning candidate's name is withdrawn from races to be subsequently tabulated, various effects manifest themselves:

- In a two-candidate race involving a candidate who already won a position in a previously tabulated contest (and is thus removed from a subsequent race), this can result in the remaining candidate being declared in the nomination because the opposition has been removed from the ticket,
- and in a race involving three or more candidates, where one of the candidates is removed from consideration because he/she has won a position that would conflict with a position in a race yet to be tabulated, this can mean fewer total votes will be considered in the subsequently tabulated race (i.e., votes cast for the candidate who won a conflicting position in an earlier-tabulated race are now set aside and not considered part of the total number of votes cast in a subsequent race), and the majority needed for one of the remaining candidates to win is now mathematically altered.

### Officer vacancies

It also should be noted the position of Vice Local Chairperson differs from the positions of President, Alternate Delegate or Alternate legislative Representatives in a crucial way:

When a Local President resigns, retires, dies or otherwise permanently vacates the office, the Vice President steps up to fill the office for the rest of the term, until the next scheduled election, and a vacancy is thus created in the position of Vice President, which must be filled by an election at the soonest opportunity. (In general, if the next scheduled election for the office occurs four months, a special election must be held.)

Similarly, if the Delegate resigns, the Alternate Delegate becomes the Delegate for the remainder of the term. The Local Chairperson then becomes the Alternate Delegate. Likewise, if the Legislative Representative resigns, the Alternate Legislative Representative becomes the Legislative Representative for the remainder of the term, and a vacancy exists at Alternate Delegate.

However, if a Local Chairperson's position is permanently vacated, the First Vice Local Chairperson steps into the role of Acting Local Chairperson on an interim basis not for the remainder of the term. Article 21B, Section 81, calls for an election to be held to fill the vacant Local Chairperson position.

After that special election, the Acting Local Chairperson steps back into his elected role as (First) Vice Local Chairperson. Of course, the Local Chairperson steps back into the position of (First) Vice Local Chairperson. Since these elections are not conducted for the remainder of the term, Article 21B, Section 81, calls for an election to be held to fill the vacant Local Chairperson position.

**Have questions about coming elections?** Visit utu.org for more information. Go to http://utu.org/secretary-treasurer-forms/ to view valuable information on elections such as:

- Special Circular No. 31
- How to hold elections
- Dept. of Labor guide to conducting elections
- Have further questions? Call us at (216) 228-9400 or email president_tdl@smart-union.org.
Transportation Division policy concerning fees objects

Percentage of chargeable fees determined by analyst for calendar year 2014

<table>
<thead>
<tr>
<th>Transportation Division*</th>
<th>68.2 percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Legislative Boards</td>
<td>72.4 percent</td>
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<tr>
<td>LO 075: California</td>
<td>72.4 percent</td>
</tr>
<tr>
<td>LO 035: New York</td>
<td>96.5 percent</td>
</tr>
<tr>
<td>LO 288: Missouri</td>
<td>88.3 percent</td>
</tr>
<tr>
<td>Unreviewed boards*</td>
<td>0.0 percent</td>
</tr>
</tbody>
</table>

General Committees

| GD 801 | 98.2 percent |
| GD 927: Union Pacific* | 96.5 percent |

• Estimate; final ratio forthcoming.

1. The analyst shall complete the report no later than August 31. This report shall include an analysis of the major categories of union expenses that are chargeable and non-chargeable.

6. Each person entitled to receive the analyst's report may challenge the validity of any fee or any portion thereof by appealing to the AAA. An appeal shall be filed, in writing, with the AAA at least eight hours before the meeting or, if the appeal is submitted in writing, within thirty (30) days after the date of mailing of the analyst's report. The analyst's report shall be made available at the meeting and staff intended to prepare the parties to better perform their functions.

11. Appellants may, at their expense, be represented by counsel or other representative of choice. Appellants need not appear at the hearing and shall be permitted to file written statements with the AAA, and to offer evidence at the hearing. Hearings shall be held no later than fifteen (15) days after the transcript of the hearing is available. Hearings shall be recorded on tape or by other audio means.

13. The Transportation Division shall have the burden of establishing that the record contains a copy of any agreement that was actuarially determined, or if it is no longer necessary to maintain it, a copy of the record containing such information.

14. If the arbitrator shall determine that more than one day of hearings is necessary, hearings shall be scheduled to continue to the end of the second day. The parties and/or the AAA shall have the right to appeal any decision that shall be made by the arbitrator. Persons objecting for the first time shall be sent a copy of the report prepared by the arbitrator. The report shall be prepared as soon as possible.

15. An objector for all amounts, shall be put in an interest-bearing escrow account equal to 25 percent of the amount of money which the objector may agree to object to a personal representative. The analyst may recommend. At objectors from the previous year shall be allowed an opportunity to review the escrow account as determined by the analyst's report as soon as practicable after the report is issued. If the Transportation Division shall not, however, take its portion of the escrow account until fifteen (15) days after the conclusion of the period, the objectors shall be entitled to issue a copy of the report, of the analyst, or upon the issuance of the decision of the arbitrator.

18. When the decision of the arbitrator is announced the affected objectors shall be given a count of all of proceedings before the arbitrator. This transcript shall be the official record of each of the proceedings and may be purchased by the objectors. If the arbitrator shall reduce the amount of the objectors may agree to object to a personal representative. The analyst may recommend. At objectors from the previous year shall be allowed an opportunity to review the escrow account as determined by the analyst's report as soon as practicable after the report is issued. If the Transportation Division shall not, however, take its portion of the escrow account until fifteen (15) days after the conclusion of the period, the objectors shall be entitled to issue a copy of the report, of the analyst, or upon the issuance of the decision of the arbitrator.

Senators Commerce Committee approves rail reforms

The U.S. Senate Committee on Commerce, Science, and Transportation June 25, on a vote, approved the bipartisan “Railroad Reform, Enhancement, and Efficiency Act,” sponsored by Sens. Roger Wicker (R-Miss.) and Cory Booker (D-N.J.), with seven amendments. The measure improves rail safety, reduces Amtrak’s costs and improves passenger rail service.

Commerce Committee chairman Sen. John Thune (R-S.D.) said, “First and foremost, this legislation will help protect the traveling public by helping implement Positive Train Control technology, grade-crossing improvements, by Amtrak, the bill required facing cameras to monitor crews on passenger trains and other safety measures. The committee’s vote on this proposal is another milestone in a more sustainable course by focusing resources on the most critical infrastructure improvements, streamlining business processes to accelerate project delivery and demand more accountability in Amtrak’s accounting structure and investment decisions.”

The legislation authorizes Amtrak for the next four fiscal years, funding up to $4.5 billion a year. Additionally, $570 million in grant funding is authorized each year, highlighted by a grant program that funds freight rail improvements. The legislation also authorized a streamlined, competitive process. The competitive grants would go toward programs related to capital improvements, alleviating rail congestion, improving grade-crossings, implementing Positive Train Control and infrastructure projects.

Highlights of S. 1626, as amended and approved by the committee:

Enhancing Safety

Positive Train Control – Advancement of Positive Train Control technology by authorizing grants and prioritizing loan applications, increasing the railroad infrastructure

• Inward Facing Cameras – Building on various proposals, the bill requires all passenger railroads to install inward-facing cameras to more effectively monitor train crews and to improve accident investigations.

• Grade crossings – Requires grade crossing action plans to facilitate and improve state grade crossing safety efforts through engineering, education, and enforcement.

• Speed limit enforcement – Requires speed limit action plans to require all passenger railroads to install cameras that detect speeding or, if cameras are not cost-effective, to apply the revised cap to the Amtrak accident on May 7, 2015.

A Sustainable Course for Passenger Rail

• Leverage cooperation – Requires the Department of Transportation (DOT) to solicit and facilitate match or to carry out its own rail on critical infrastructure projects.

Reliable business metrics – Requires Amtrak to report business metrics for identifying what routes and services it should continue.

• Fiscally sustainable routes – Establishes a working group for the restoration of passenger rail service east of New Orleans and creates a competitive grant program for fiscally-sustainable routes, potentially includ-
Landfall Travel offers two new tours for 2016

Landfall Travel - the official travel agency of the UTU Alumni Association - is offering two new trips for 2016: a train tour across Switzerland and a river cruise along the upper Mississippi River.


Starting price is $2359.00 per person and the rate includes most meals. Pre- and post-tour stays are optional for those interested. Airfare is not included and rates are subject to change.

For those who prefer to stay in the United States, travel with the America Queen Steamboat Company on the largest steamboat ever built, the American Queen. Your journey begins October 2, 2016 with an overnight stay in St. Louis, where you’ll awaken refreshed and ready for your October 3 - 10 cruise. You’ll sail away from Alton, Ill. (near St. Louis) and stop along the way in Mark Twain’s home town of Hannibal, Mo. Next, visit the city of Clinton, Iowa where you’ll get a chance to explore the history of this fascinating river town. Explore the many historic sites of Iowa’s oldest city of Dubuque next. A stop in La Crosse, Wis. is the final stop on your itinerary before your journey ends in Red Wing, Minn. (near St. Paul, Minn.) on day nine of your journey.

Rates start at $1874.25 plus $149 port tax per person for an inside cabin. This rate is based on double occupancy. Rates and availability are subject to change. Landfall Travel requires a deposit of $500 per person to hold your place on board.

Interested parties can contact Landfall Travel directly at (440) 799-8977 or toll-free at (800) 815-9233 for more information. All members are welcome. You do not have to be a member of the Alumni Association to enjoy these travel opportunities.

Local 1760 Member Michael Grabowski retires after 41 years of service

Grabowski, in the cab of locomotive 5264 on his last day of service at the Roundhouse (served) in Jan. 1972.

Local Chairperson Donald Roach reports that Michael Grabowski of Local 1760 (Detroit, Mich.) retired from CSX after 41 years of service, March 17, 2015. Grabowski hired out with CSX in the cab of locomotive 5264 on his last day of service at the Roundhouse (served) in Jan. 1972.

Grabowski has been an active member of the UTU and SM AR T Transportation Division since January 1, 1974. He was an active contributor to UTU PAC and tried to stay politically involved.

“[f]or the union and what our parents and grandparents fought for. I’m not sure where we would be today,” Grabowski said. “I plan to stay politically active in my retirement.”

Right: Grabowski performs a switching operation one last time. Photos courtesy of LC’s Don Roach and Ken Jones.

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

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SMART Transportation Division has a renewed focus on all of its bus locals. It is important that the bus members enjoy the full support of this entire union.

It is the intent of the SMART Transportation Division to build that support by improving relationships with the bus department and by making sure their concerns are being heard and addressed.

One such local recently underwent a transition into new leadership.

In a show of support for and recognition of Local 1785 (Santa Monica, Calif.) and its members June 2, 2015, a delegation of SMART TD officers personally attended Big Blue Bus Local 1785’s meeting in Santa Monica, Calif.

While there, officers listened to and addressed numerous issues affecting Local 1785 and made plans with the membership and its leadership for the future success of this bus local.

Included in that delegation were: SMART TD President John Previsich; TD Vice President John England; Bus Department Organizer Bonnie Morr and TD Administrative Assistant to the President Jeff Brandow.

Javier Sanchez is the new General Chairperson and Eric Dixon is the new Vice General Chairperson for GCA SMB (Santa Monica Bus Lines).

Penny Miller is the new local secretary and treasurer. Miller recently attended a Secretary and Treasurer’s Workshop held at the Cleve-

land office.

The knowledge and expertise that she gained at the workshop will help to provide the local with a strong financial future.

Sanchez, Dixon and Miller were all in attendance when Transportation Division officers and staff visited the local.

They represent part of a new leadership, with a fresh start, that will help to lead their local moving forward.

Through this visit by the delegation, and in so many other ways, it is evident that the intent of SMART TD is to build support and relationships with all of its bus locals.

President Previsich has stated his desire to visit all of the bus locals represented by SMART Transportation Division as soon as time permits. This will ensure that they remain viable and strong now and well into the future.

Local President Erskins Robinson discusses an issue with TD Administrative Assistant to the President Jeff Brandow.

Below: members attend their local meeting after a long day of work.

Left: Neeshy Springfield listens at the local meeting.

Above: Local Trustee Oscar Mayen signs-in.

Below: members listen intently to a presentation being made by SMART TD officers at their local meeting.
A new, cleverly-named attack on unions

Republicans, led by the senior member of the Senate Utah’s Orrin Hatch, announced they will make another attempt to pass the anti-union “Employee Rights Act,” which has failed in previous attempts due to Democratic control of the Senate. If passed, the bill would be the first major reform of federal labor laws in over 60 years and includes changes that would cripple unions.

The “Employee Rights Act” has 16 co-sponsors in the Senate and 31 co-sponsors in the House of Representatives, all of whom are Republicans.

The bill would force new requirements on workers seeking to organize a union, making it easier for unions and their political contributors to use, workers. Workers would have to vote to reaffirm that the union stay in place once a company’s turnover reaches 50 percent. The legislation would also require a secret ballot election before organizing and before authorizing a strike. Card check and pre-hire agreements would both be eliminated.

In addition, the bill would naturally also strike down recent contracts negotiated by the National Labor Relations Board (NLRB) which allow unions to hold elections within 11 days of initially announcing intent.

Groups helping push this badly-crafted legislation include the Koch-funded Tea Party and the Center for Responsive Politics, which has been pushing an unincited claim that seven percent of American workers have voted for a union in their workplace. This would assume that every American worker has had the chance to vote in a union election.

General Chairperson William A. Beebe passes away

Amtrak General Chairperson (GO 663) and Connecticut State Legislative Director William A. “Bill” Beebe, 86, died June 29, 2015. Beebe served more than 60 years as a union representative to the Brotherhood of Railroad Trainmen (BRT), the United Transportation Union (UTU) and the SMART Transportation Division.

In June 2014, at the first convention of the SMART Transportation Division in San Diego, SMART Transportation Division President John Previsich called attention to Beebe’s accomplishments, noting he had served as general chairperson for 38 years, attended his first convention as a delegate for the BRT in 1954 and was attending his 14th convention as a delegate. He was a delegate to every convention since the formation of the UTU.

A member of Local 1361 in New Haven, Conn., and an active participant in the unification movement that led to the establishment of the UTU, Beebe was born Jan. 15, 1929. He joined the U.S. Army in 1946, and later attended college at the University of South Florida and at Southern Connecticut State University, where he earned a bachelor’s degree and a teaching certificate.

He was an avid handball player at the New Haven YMCA, and played tennis into his seventies. He was also a minor league pitcher in the Drummond Baseball League during the early 1950s.

Beebe hired out in 1951 with the New York, New Haven and Hartford Railroad in the mail and baggage department. On May 29, 1953, he transferred into operations as a brakeman, joining BRT Lodge 937 (now SMART Transportation Division Local 1361) on Aug. 1, 1954.

Beebe first took union office Jan. 1, 1954, as local committee of adjustment secretary for BRT Lodge 937. He was elected vice local chairperson in 1957, and became local chairperson in 1962, Serving as local chairperson and Connecticut state legislative director from 1964 to 1976, he was elected general chairperson on the former New Haven and Hartford Railroad in 1976.

In 1983, Beebe led UTU-represented Metro North Railroad employees through a six-week strike that resulted in a groundbreaking agreement that became the benchmark for commuter rail contracts that SMART Transportation Division members benefit from to this day. In addition to serving as general chairperson, and Local 1361 delegate and trustee, Beebe was elected as Connecticut state legislative director in 2005, a position he held until his death.

Beebe was known to keep the most current union contract with him at all times, in the event that someone asked about contractual provisions.

Beebe’s wife, Felicia, died in 2001. He was predeceased by his brothers, Phillip, Earl and Norman; a sister, Eila Talbott; and parents Earl and Margaret (Lewis) Beebe. He’s survived by his daughter, Suzanne Griffiths; her husband Owen; two granddaughters, Celeste and Carys Griffiths and many nieces and nephews.

Memorial contributions can be made to Connecticut Food Bank, P.O. Box 8686, New Haven, CT 06531.

SMART needs your photographs for UTU Alumni Association calendar

The SMART Transportation Division is seeking quality railroad, bus and airline photos, taken by its members, for placement in its annual calendar and other uses.

The calendar is mailed annually to members of the UTU Alumni Association as one of the benefits of Alumni Association membership.

High-resolution digital photographs should be emailed to “news_TD@smart-union.org.”

Printed photographs should be mailed to SMART TD News, 24950 Country Club Blvd, Suite 140, North Olmsted, OH 44070-5333. To be considered in the 2016 calendar, photos must be received by Oct. 1.

Be sure to include the photographer’s name and local number, the name(s) of the person(s) in the photograph (left to right) and any other pertinent information, such as the date and location where the photograph was taken.

Due to federal or state regulations or company restrictions on employees’ use of personal electronic devices, including cameras, on company property or while on duty, all members are advised to always follow their employers’ guidelines on the use of such devices.

All members whose photographs are selected for use in the calendar will be named underneath the picture and will also receive copies of the calendar.

For more information about the UTU Alumni Association, visit the SMART TD homepage at www.utu.org. From the pull-down menu under “About UTU” at the top center of the homepage, select “UTU Alumni Association.”

Retired UTU members, as well as those individuals nearing retirement or interested in pension and other issues affecting transportation labor families, are invited to participate in this voluntary program.

All photographs submitted become property of SMART Transportation Division.
UNITED TRANSPORTATION UNION
INSURANCE ASSOCIATION

NOTICE OF PRIVACY POLICY

The reason we collect information about you is to better serve your needs. Having accurate information permits us to provide you with an appropriate range of insurance products.

The non-public personal information that we collect about you varies according to the products, services or benefits you request, and may include:

- Information we receive from you on applications or other forms, such as name, address, social security number, assets and income;
- Information about your transactions with us, our affiliates or others, such as name, address, social security number, policy coverage, premiums and payment history;
- Information we receive from consumer reporting agencies, such as a credit history. We may share the above non-public personal information we have about you with the SMART Transportation Division.

Sharing this information assists us in:

- Processing the payment of your insurance premiums;
- Maintaining your insurance policies in force;
- Providing you with better customer service.

We may share the above non-public personal information we have about you with persons or companies that perform services on our behalf and to other financial institutions with which we may have joint marketing agreements. We may share this non-public personal information with affiliated or non-affiliated third parties as permitted by law. We do not disclose personal medical information about you except as permitted by law or as you may authorize.

We restrict access to non-public personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic and procedural safeguards to guard your non-public personal information.

This privacy policy applies even if you no longer have any policies or a relationship with us.

SMART Members’ Journal goes digital

Earlier this year, SMART polled members on outreach today and in the future, asking what information you want and how you want to get it.

Many of us are regular users of online media and prefer keeping up-to-date via digital channels through social media, text and email rather than by postal mail or word-of-mouth.

SMART has robust websites and Facebook pages for sheet metal and transportation members alike. Especially for a union working to build strength and keep members involved and informed, digital communications provide speed to keep members informed at all times.

That’s why the General Executive Council approved the next move into our digital world: giving members the option of online-only delivery of our periodicals, starting with The Members’ Journal.

By visiting and filling out the form at www.smart-union.org/godigital: you’ll receive an email every time we post the new issue of the Journal, weeks before copies are mailed.

Sign up for your online copy of The Members’ Journal today at: www.smart-union.org/godigital.

UTU Insurance Association has BIG News!

Our NEW Final Expense Plan offers Peace of Mind to you and your family

You’ve worked hard to provide for your family and they count on you to make the right financial decisions with their best interests in mind.

UTUIA’s Final Expense Plan offers Permanent Whole Life Insurance for people over the age of 50. This affordable plan builds cash value, offers guaranteed level premiums and your benefits never go down!

With three levels of coverage, even with pre-existing conditions, we may have a plan for you.

Applying for coverage is quick and easy:

- simplified underwriting
- no physical exam
- no bloodwork

Ensure that you and your family can enjoy the peace of mind that only comes from knowing that you have done the proper planning.

To receive additional information on our new Final Expense Plan, email sales@utuia.org, visit our website at www.utuia.org or complete the attached form and send it to the address listed.

For information on other products the UTUIA has to offer, please visit our NEW and IMPROVED website at www.utuia.org.

Information, please

I would like more information on UTUIA’s Final Expense Plan.

Please print

<table>
<thead>
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<th>Full name</th>
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Sex: □ Male □ Female

Complete and mail to: UTUIA Sales Dept., 24958 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333.
President Obama announces PEB 248 in NJT dispute

President Obama signed an Executive Order July 15 creating Presidential Emergency Board 248 (PEB) to investigate and to make recommendations for settlement of the current disputes between New Jersey Transit and the New Jersey Transit Rail Labor Coalition of which SMART is a part.

According to the Board were Dr. Elizabeth C. Weinstein as Chair, Barbara Doenhoff and Ann Kenez as members. PEB 248 began July 21 and went through July 31.

SMART Transportation Division’s New Jersey Transit General Committee of Adjustment GO 610 representing conductors and trainmen; Northeast Passenger General Committee of Adjustment GO 340 representing yardmasters; and SMART Sheet Metal Mechanical and Engineering Local 396 representing mechanical workers are part of the New Jersey Transit Rail Labor Coalition. The Coalition is made up of 100 percent of the rail unions on New Jersey Transit property.

“The true symbol of unionism is when all rail labor on the New Jersey Transit stood side-by-side in PEB 248 to achieve a fair agreement,” wrote Vice President Doyle Turner.

“Our number one priority has always been to obtain a fair contract for all our members, standing shoulder-to-shoulder with our SMART TD brothers and sisters, it shall remain our goal,” stated Sheet Metal General Chairman John McCloskey.

GO 610 General Chairman Steve Burkert thanked Transportation Division President John Previtz for his continued assistance throughout the Presidential Emergency Board and SMART General President Joe Sellers for his ongoing support.

“It’s amazing to see the solidarity of all unions and crafts come together to fight for one common goal. Against adversity, standing as one, one voice, one fight, we can achieve the results to best serve our members,” wrote GO 340 General Chairman Michael Miele.

Inside this issue of SMART Transportation Division News:

- President Obama announces PEB 248 in NJT dispute
- UTUIA honors Volunteer of the Year at Providence meeting
- Picture highlights of the Phoenix and Providence regional meetings
- Long-term disability enrollment began June 29

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