OSHA issues final rule on retaliation, whistleblowing

WASHINGTON - The Occupational Safety and Health Administration issued a final rule establishing procedures and time frames for handling employee retaliation complaints under the National Transit Systems Security Act (NTSSA) and the Federal Railroad Safety Act (FRSA). The final rule became effective Nov. 9, 2015.

NTSSA establishes protections against retaliation for public transportation agency employees who engage in whistleblowing activities related to public transportation safety or security. FRSA provides protections against retaliation for railroad carrier employees who report a work-related injury or engage in other whistleblowing activities related to railroad safety or security. These protections extend to employees of contractors and subcontractors who do work for public transportation agencies and railroad carriers.

Both provisions were enacted by the 9/11 Commission Act of 2007. FRSA was amended in 2008 to prohibit railroad carriers from denying, delaying or interfering with employees' medical or first aid treatment. The FRSA amendments also require that injured employees be promptly treated.

“Railroad workers have the right to report injuries and to follow their doctor's treatment without fearing that they will be retaliated against,” said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. “Railroad and public transit agency workers must never be silenced by the threat of losing their job when their safety or the safety of the public is at stake.”

In 2010, OSHA published an interim final rule and requested public comments. The final rule responds to the comments, incorporates recent case law under the statutes and updates the rules to improve both employees' and employers' access to information about the case during OSHA's investigation and their ability to participate in OSHA's investigation.

OSHA's Whistleblower Protection Program for Public Transportation Agency Workers* and Whistleblower Protection for Railroad Workers* fact sheets explain who is covered under the acts, protected activity, types of retaliation and the process for filing a complaint.

The final rule stipulates and clarifies the following:

1. Prompt medical treatment violations or interference with medical treatment cases will be handled procedurally the same way as all other whistleblower cases.
2. A refusal to allow an employee to return to work, which is not based on standards recorded in the railroad's official policies, not uniformly applied or not medically reasonable, can be offered to demonstrate that the refusal is not a legitimate safety concern but rather motivated by retaliatory intent.
3. The time limit to file a whistleblower complaint is 180 days after the railroad's decision has been made and communicated to the employee. To clarify this is when the employee is aware or should be aware of the decision, not when the employee learns of the retaliatory nature of the action.
4. A contributing factor for a retaliatory action is that the adverse action must take place within a temporal time of the protected activity, or at the first opportunity available to the retaliating manager. That can be a number of years between the protected activity and the retaliatory actions in situations where the manager did not have the opportunity to retaliate until a later time.
5. Interest on awarded back pay will be computed by compounding daily IRS interest rates for the underpayment of taxes, which is currently the Federal short-term rate plus three percent.
6. Front pay is a potential remedy where reinstatement is not possible because of the unacceptable working relationship, the position has been abolished or the employee is medically unable to work because of severe depression caused by the retaliation.

OSHA has the authority to grant injunctive relief such as expunging certain personnel files, not applying a policy to an employee, posting a notice regarding a whistleblower result, training for managers, etc.

8. Hearsay evidence is admissible.
9. An employee filing a complaint in district court must file under FRSA within seven days after filing the complaint.
10. An employee may file both a whistleblower and a FELA complaint at the same time. If violations of other laws are involved, employees may also file those complaints at the same time.

OSHA enforces the whistleblower provisions of 22 statutes protecting employees who report violations of various securities, commercial motor vehicle, airline, nuclear power, pipeline, environmental, rail, maritime, health care, workplace safety and health, and consumer product safety laws and regulations. For more information, please visit www.whistleblowers.gov.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women. For more information, visit www.osha.gov.
Local 240, Los Angeles
Local Chairperson Harry J. Garvin reports that member Bruce R. Buell, 65, lost his three-year battle with cancer Wednesday, Nov. 4, 2015. He is survived by his wife of 19 years, Mary Jean Schofield; daughters Kristen, Sandy Julian, Rejeana Williams, Crystal Thacker and Merrie Schofield; daughters Kristen, Sandy Julian, Rejeana Williams, Crystal Thacker and Merrie Schofield; and 21 grandchildren and two great-grandchildren. Memorial contributions may be made to Hospice of Alamance-Caswell, 914 Kate Buell; sons Timothy and Quinn Buell; and 21 grandchildren and two great-grandchildren. Memorial contributions may be made to Hospice of Alamance-Caswell, 914 Chapel Rd., Burlington, NC 27215.

Auxiliary Lodge 711, New Castle, Pa.

Auxiliary of the UTU Shooting Stars Lodge 711 held their annual children’s Christmas party Nov. 22. The lodge held the party in support of SMART TD Local 1374 (New Castle, Pa.). About 145 members and their families attended this catered event, free of charge. All children in attendance received a gift from Santa Claus and were read to by Mrs. Claus. “We could not have held this event without the generous support of D.L.C. Matt Darby of Berman, Sabin, Gross, Feldman & Darby, and Pennsylvania State Legislative Director Paul Pokrowka.” Lodge President Anita Rayner said.

Local 425, Spokane, Wash.

This local suffered the loss of member Christopher Gross, 27. Before hiring out with BNSF, Gross served as a U.S. Marine sergeant and participated in three tours of duty, one in Iraq and two in Afghanistan, and was in MARSOC Special Operations for five years. Gross received several awards and medals for his service. After he left the military, Gross moved to Idaho and hired out as a train conductor. Gross was a member of the Gilbertsville Fire Department, FD EMS Explorers Post 44, Boy Scouts Troop 44 and the Gilbertsville Baptist Church. Gross leaves behind a wife and two daughters. A GoFundMe account has been set up for financial support of the family. Members wishing to make a donation may go to https://www.gofundme.com/sqchrisgross or send a check to Kassandra Gross, 105 Ridges End Dr., Boerne, TX 78006.

Local 627, Wymore, Neb.

This local reports that long-time Local Chairperson John Foote retired Oct. 29, 2015 with 39.5 years of service with Burlington Northern and BNSF. Foote also served his local as legislative representative for two terms prior to being elected local chairperson beginning January 2003, a position which Foote held until his retirement.

Local 1607, Los Angeles

GCA BNSF General Chairperson Tom Pate reports that several members of this local attended a campaign fundraiser in support of Councilwoman Christina Cortese of Montebello, Calif. “Councilwoman Cortese has been one of the only members of the council who has been supportive of SMART TD members’ pursuit of wage increases during negotiations. As a result, we made a co-tribution to Cortese’s campaign with our PAC funds.”

Local 1596, Charlotte, N.C.

Members of Local 1596 are pictured here during cleanup of their “adopt a city street.” From left are N.C. Legislative Board Vice Chairperson Edbow Wingo, LCA TMM (Transit Management of Charlotte); for Local 1596: Secretary Michael Jenkins with his two daughters, Local Trustee Bernard Romero, Vice Local Chairperson Gary Moore, Local President James Hinton, General Chairperson (GCA TMM) Craig Patch, Regina Grode and Weston Page.

Local Treasurers attend training workshop in Kansas City, Mo.

SMART TD conducted a two-day treasurers’ workshop in Kansas City, Mo., where 35 local treasurers gathered to learn about their responsibilities and reporting duties. The workshop was conducted by Auditors Bobby Brantley, Mike Araujo and John Purcell as well as SMART TD Director of Billing Audit/Updating Marilyn Spangler.

The workshop focused on direct receipts, WinStabs, working the billings and mandatory filings required by the IRS and U.S. Department of Labor.

“The workshop was a success with many new treasurers in attendance,” Spangler said.

Look for details about the next treasurers’ workshop coming Spring 2016. Details will be posted on www.utu.org as they become available.

Top left: Local treasurers stop for a photo during a break in between training sessions.
Top right: Auditor Bobby Brantley (right) spends some one-on-one time with a treasurer and answers questions.
Bottom: Local treasurers attentively listen at one of the training sessions offered during the workshop. 
Organizing department attends class

Members of SMART, including members from the Transportation Division, attended a week-long organizing class at Kellogg West Conference Center, Pomona, Calif. Representatives present from SMART TD were Director of Organizing Rich Ross, Organizer Bonnie More, Alt. Bus VP and Organizer Alvy Hughes and Organizer Larry Grutzius.

SMART Director of Organizing James White and SMWIA Outside Counsel Richard McCracken put on the class. The class taught attendees about the development of an overall strategic plan for their organizing departments and included creating an organizing action plan; analyzing tactics; strategies and goals; and how to build comprehensive research for campaigns and the legal considerations of various tactics.

“The class was very helpful and beneficial to both transportation and production. We are looking forward to taking another class,” Ross said. “Chris Carlsrugh, Frank Greer and Richard McCracken were excellent in their presentations.”

Central Maine & Quebec Railway votes SMART

SMART Transportation Division Director of Organizing Rich Ross reports that non-operating employees of Central Maine & Quebec Railway (CMQ) located in Hermon, Maine, have voted in overwhelming favor of representation by the SMART Transportation Division.

The National Mediation Board certified the election results October 28, 2015. “I would like to thank SMART TD Organizer Larry Grutzius (Local 1908 - Chicago) for all of his hard work in this campaign,” Ross said.

CMQ is a Class III freight railroad responsible for car repair, car storage and switching services in the states of Maine and Vermont. The non-operating employees build and repair track and track infrastructure, repair and inspect freight cars and locomotives. CMQ operates 220 miles of track in Maine and 23 miles in Vermont. The railway is owned by Railroad Acquisition Holdings, LLC.

First Student maintenance workers ratify contract

The maintenance workers of First Student Inc. of Bus Local 1908 in Rochester, N.Y. have ratified a four-year agreement.

The agreement was approved with 17 members voting for the agreement and one against.

This collective effort improved work rules, created travel time per diem for techs and increased boot and tool allowance. Additionally, a wage increase of 9.5 percent with an Automated Service Excellence (ASE) incentive program increased hourly wages up to 80 cents per hour.

ASE are certification tests (diesel engines, suspension and steering, heating and A/C, brakes, preventative maintenance, etc.) taken by mechanics. After passing, the mechanics will receive 10 cents per test for a maximum of eight tests. First Student has agreed to pay for each test and for one retest. Each certification lasts for five years before the mechanics will have to be re-certified. A mechanic can pick and choose which tests he or she would like to take and receive the incentive.

“I would like to give recognition to Local Chairperson Jonathan Connors, with the negotiating committee; Vice Local Chairperson Doug Pearce, Local Committee Secretary Todd Cleverger, Shop Steward Mark Meuse and Technicians Sean Irwin and Chris Divens. Everyone worked long evenings in the effort to bring a superior agreement to the membership in Rochester,” Alternate Vice President-Bus Alvy Hughes said.
Previsich, TTD’s Wytkind: ‘We want trains to be safer’

In addition to expanded passenger rail service, Californians also say emphatically that they favor policies making rail transportation safer.

Not unlike the views of most Americans, the idea of running 19,000-ton freight trains — many containing hazardous materials — with only one crew member doesn’t sit well with the people of the 10th Congressional District.

With up to 50 freight trains running through the region each day, a stunning 95 percent of residents support a state law requiring a minimum of two crew members on all freight trains running through California — such as the one signed into law in September by Gov. Jerry Brown.

More than 90 percent of those surveyed want national legislation mandating the same thing. This issue impacts passenger rail safety as well, because in most parts of the country Amtrak shares the tracks with freight trains.

Californians understand that having a safe, efficient rail system is crucial to economic growth.

We need actions that can bring relief to a clogged transportation system that is choking productivity, starting job creation, and helping our communities grow and to our economy. California voters couldn’t be more clear: they like passenger rail service, they want more of it and they expect their elected officials to make it as safe as possible.

State Watch

News from SMART TD State Legislative Boards

Ohio

SMART TD Ohio State Legislative Director Stu Gardner reports right-to-work (for less) legislation (H.B. 372) was introduced in the Ohio House by Rep. Tom Brinkman (R - Dist. 27) in October. Brinkman received opposition to the bill’s introduction by fellow Republicans.


In other news, a two-person crew bill (S.B. 229) was introduced in the Ohio Senate by Sen. Joe Schiavoni (D - Dist. 33) and Sen. Kenny Yودo (D - Dist. 25). The bill has bi-partisan support and calls for penalties of up to $10,000. The bill has been referred to the Public Utilities Committee.

“I am requesting that every member in Ohio contact the senators of the Public Utilities Committee and urge them to support S.B. 229,” urged Gardner. “Email and call your state senators and tell them to support S.B. 229 for the safety of our members and the general public that resides near railroad tracks.”

For more information on finding your Ohio Representatives and sample emails, go to: http://utu.org/2015/10/23/calls-ohioans-to-action-on-two-person-crew-bill/.

Pennsylvania

State Legislative Director Paul Polowska (middle left) and Alternate National Legislative Director Greg Hynes (middle right) discussed PTC, ECP brakes and inward-facing cameras with Rail Subcommittee Chairman Jeff Denham (R - Calif.) on left and Transportation & Infrastructure Chairman Bill Shuster (R - Pa.) on right.

Utah

State Legislative Director Jay Seegmiller reports that three out of the four political campaigns that the legislative board endorsed won their elections.

The board endorsed Salt Lake City Councilman Charlie Luke, Salt Lake City Mayor Jacki Biskupski, and Draper City Councilwoman Michele Weeks and SMART TD Washington State Legislative Director Herb Krohn for a seat on the Seattle Port Commission. Unfortunately, Krohn lost his election.

In other news, the board started an educational drive in October, geared toward educating the general public on the Safe Freight Act or H.R. 1763, the national two-person crew bill.

Seegmiller reports SMART TD members and officials distributed over 5,000 leaflets to citizens of Utah’s first congressional district.

Vice Local Chairperson Dan Brewer (1554), Local President Frank Buck (1554), Local Chairperson Ryan Cornia (1554), Pete Gasiunas (1554), Jeremy Hanson (2388), Christine Mellor (1366), Boyd Redington (2388), Justin Stocks (1366) and Pat Winslow (1554) were all instrumental in distributing the leaflets with Seegmiller. The leaflets directed citizens to the website www.safertrains.org to read more about the Safe Freight Act, which saw a large influx of activity after the leaflets had been distributed.

“Our recent success is attributed to member involvement, and new aggressive outside-the-box approaches,” Seegmiller said. “I want to thank our members, here in Utah, who are really stepping up to the plate contributing time and wearing out shoes dropping flyers on doorsteps.

“Additionally, last state legislative session we had SMART TD and BLET members show up at the Utah State Capitol for the debate of a crew van bill in the Utah Senate. One of the senators on the senate floor acknowledged the railroaders in the gallery. That made quite an impression.”

Submit your legislative stories by emailing news_td@smart-union.org.
Your top UTU PAC contributors

- Ronnie R. Hobbs, Local 854
- Jared M. Costello, Local 1129
- Brian J. Hagele, Local 244
- Shawn Nance, Local 902
- Joseph H. Wingerter, Local 219

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

“If you do not vote, you are not a member. If you do not contribute to the PAC, you are not a member.” — James J. Rainey, former President of the American Federation of Labor

Top Ten UTU PAC Locals

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UTU Political Action Committee Donation Form

24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333


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The SMART Transportation Division is proud to announce a hearing discount program with Amplifon Hearing Health Care. As a SMART Transportation Division member, you and your family members are eligible to receive discounts on hearing exams as well as the purchase of hearing aids. You may also have a funded benefit which will help your out-of-pocket cost be significantly less. Be sure to check your benefits and then contact Amplifon to schedule your hearing appointment to take advantage of the savings.

Did you know: Untreated hearing loss has far-reaching consequences

People say it all the time: “My hearing problem isn’t really that bad...I can get by just fine with...” There’s just one problem with this statement: it defies compelling evidence to the contrary. Left untreated, even a mild hearing loss can negatively affect key areas of your life, including:

MENTAL HEALTH

Studies have linked untreated hearing loss to irritability, negativity, anger, stress and depression. A study by the National Institute on Deafness and Other Communication Disorders found that moderate to severe depression occurred more often among people age 18 or older with a self-reported hearing loss (12 percent) versus those who had no hearing impairment (5.9 percent).

PHYSICAL HEALTH

Even a mild hearing loss makes you three times more likely to fall than someone with normal hearing, concluded a study led by Johns Hopkins University School of Medicine. Injuries from falls result in annual medical costs of $20 billion, according to government reports — truly a national healthcare crisis.

INCOME

Working individuals sacrifice job performance and income if they do not hear well. Conversely, the use of hearing aids can reduce the risk of income loss by 90 percent to 100 percent for people with milder hearing losses and by 65 percent to 70 percent for those who have moderate losses, reports the Better Hearing Institute (BHI).

Who is Amplifon Hearing Health Care?

Amplifon Hearing Health Care is one of the largest providers of hearing healthcare benefits in the United States. The Amplifon Hearing Health Care program features:

• Custom hearing solutions — finding the solution that best fits your lifestyle and your budget
• Hearing aid low-price guarantee
• A 60-day risk-free trial period
• Aftercare program — including 1-year of follow-up care, 2-years of batteries and a three-year warranty
• Easy access to your hearing health care benefit — just call 1-877-310-3057

If you suspect hearing loss, call Amplifon Hearing Health Care at 1-877-310-3057 to schedule a hearing test with a credentialed Amplifon Hearing Health Care provider. You may also visit our website at www.amplifonusa.com/smarttd to learn more.

SMART TD introduces hearing discount program from Amplifon

Alumni Association and Landfall Travel offer two tours in 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.

Take an exotic nine-day train tour across Switzerland with Cosmos Tours Sept. 23 - Oct. 1, 2016. Marvel at spectacular scenery from the first-class carriages of the Swiss train network. Your journey begins in Zurich, where you will travel to your next stop of Lucerne, where you will spend the night. Travel through breathtaking mountain pastures and quaint villages before reaching your next stop where you will spend the night at Lausanne on Lake Geneva. Next you’ll travel to Zermatt and then on to St. Moritz. Your travel ends back where you started in Zurich.

Starting price is $3295.90 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 experience 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 $562 per person to hold your place on board.

Interested parties can contact Landfall Travel directly at (440) 799-8977 or toll-free at (800) 855-9233 for more information. All members are welcome. You do not have to be a member of the UTU Alumni Association to enjoy these travel opportunities.

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 SMART TD Headquarters. These brothers and sisters will be missed by their many friends and by fellow UTU Alumni Association members.
WASHINGTON – The U.S. Department of Transportation’s Federal Transit Administration (FTA) is announcing the availability of $22.5 million through the latest round of the Low or No Emission Vehicle Deployment Program (LoNo) that will help deploy the next generation of energy-efficient vehicles nationwide. The LoNo program is intended to encourage adoption of zero-emission technologies in transit buses, such as battery, fuel cell and electric and hybrid engines.

“These grants will help ensure that the future of mass transit is cleaner, more efficient and friendly to the environment,” said U.S. Transportation Secretary Anthony Foxx. “This funding will reduce our dependence on fossil fuels and support the growing sustainable energy economy in the United States.”

The FTA’s Low or No Emission Vehicle Deployment Program was established under the Moving Ahead for Progress in the 21st Century Act (MAP-21). It focuses on commercializing the cleanest and most energy-efficient U.S.-made transit buses to help reduce emissions like carbon dioxide and carbon monoxide.

The LoNo program builds on the success of FTA’s National Fuel Cell Bus Program, which invested in the research, development and testing of alternative fuel and related equipment for the transit industry. A Notice of Funding Availability for the FTA LoNo Program can be found in the Federal Register. The previous round of LoNo funding, announced in February 2015, awarded $35 million in transit grants nationwide.

“The LoNo program has helped deploy environmentally-sound, technologically-advanced vehicles across the country, providing a better riding experience for passengers and improving public health,” said Acting FTA Administrator Therese McMillan. “By reducing fuel and maintenance costs, these modern vehicles are a great public investment – saving taxpayer money in the long run while powering innovative American enterprises.” The FTA will award the LoNo funds on a competitive basis to transit agencies and state transportation departments working either independently or jointly with bus manufacturers already making low- and zero-emission buses.

Priority will be given to proposals that, among other criteria:

- Use tested bus models with proven effectiveness, especially zero-emission models;
- Exhibit strong transit agency and community commitment, including technical and project management skills; and
- Demonstrate understanding of and accommodation for public safety.

In addition, all LoNo procurements will have to follow FTA’s Buy America regulations and undergo Bus Testing at FTA’s facility in Alhsona, P.A.

Of the $22.5 million available in LoNo grant funds, a minimum of $3 million is available to support facilities and related equipment. Transit agencies may also use a portion of their annual FTA formula funds to purchase additional vehicles.

In addition to their environmental benefits, LoNo transit buses will, in the long run, help transit agencies save money on fuel and maintenance costs, according to the Energy Laboratory, zero-emission buses can achieve up to 87 percent greater fuel economy compared to buses running on diesel and other fuels.

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WASHINGTON – The U.S. Department of Transportation’s Federal Transit Administration (FTA) Sept. 30 issued a proposed rule that would require public transportation agencies to monitor and manage their capital assets to achieve and maintain a state of good repair. Identifying and prioritizing maintenance and repair needs of transit vehicle and infrastructure could lower costs, increase reliability and performance, reduce travel delays for passengers, promote resilience and yield system safety improvements.

“Transit ridership is rising, public transportation equipment and infrastructure are aging, and there is a growing backlog of transit-related capital maintenance needs with limited funding available,” said U.S. Transportation Secretary Anthony Foxx. “Better and more efficient management of transit assets is a smart way to get the most performance from our system while ensuring we maintain the safe, reliable and accessible transit service the American public deserves.”

The proposed rule would require public transportation agencies to develop a Transit Asset Management (TAM) Plan to determine the condition of its capital assets, including the system’s equipment, rolling stock, infrastructure and facilities. To reduce the burden on small operators, the proposed rule offers a two-tiered approach for the TAM Plan requirement. Small transit providers operating 100 or fewer vehicles in revenue service and no rail fixed-guideway service and all sub-recipients under the Rural Area Formula Program would be allowed to participate in a Group TAM Plan developed by a State or other direct recipient of FTA funding.

The Moving Ahead for Progress in the 21st Century Act (MAP-21) directs FTA to create a TAM System to help transit agencies achieve a better and more informed balance between system preservation and expansion projects, with a strong focus on improving safety. The TAM System is intended to provide a comprehensive understanding of how the condition of its capital assets may impact the safety of its system.

“Strategic and targeted investments to replace and rehabilitate aging transit infrastructure are needed to maintain and expand our bus and rail systems into a state of good repair,” said FTA Acting Administrator Therese McMillan. “Given the diversity of transit systems, from complex urban networks to small operators in rural communities, the proposed rule offers a flexible approach for public transportation providers to better manage and maintain their assets.”

The proposed rule would also define the term “state of good repair,” establish state of good repair performance measures, and have transit agencies set performance targets based on their assets, which would allow them to use to prioritize limited capital investment funding. In addition, transit agencies would be required to report new information to the National Transit Database.

Insufficient funding combined with inadequate asset management practices have contributed to an estimated $86 billion transit in state of good repair backlogs nationwide that continues to grow with reduced levels of investment. To address this need, the Administration’s multi-year transportation funding bill, the GROW AMERICA Act, proposes a total of $7.6 billion in fiscal year 2016 to support FTA’s state of good repair efforts, with incremental increases in each fiscal year through the end of the Act’s authorization period.

Public comments on the proposed rule are accepted through Nov. 30, 2015.
UTU Insurance Association has BIG News!

Permanent Whole Life Insurance is now available for members over 50

You’ve worked hard to provide for your family and they count on you to make the right financial decisions.

UTUIA’s Final Expense Plan offers Permanent Whole Life Insurance for members 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

Gain peace of mind knowing that your family is secure and protected.

For additional information on our new Final Expense Plan:

Email sales@utuia.org, or complete the attached form and mail to the address listed at the bottom of the form.

The UTUIA website has been updated, take a look here: www.utuia.org

SMART Transportation Division members have another way to connect with their union: Facebook.

The SMART TD News Facebook page, which can be found by searching “SMART Transportation Division News” in Facebook’s search box or by going to https://www.facebook.com/SMARTTransportationDivision/, is updated daily by your union and features news articles as well as other posts and pictures not always found on www.utu.org.

Members can also comment on posts and connect with other members by doing so.

UTUIA Insurance Association
A FRATERNAL INSURANCE BENEFIT SOCIETY

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

Please print

Full Name

Date of Birth

SMART TD Local

Street Address

City

State

ZIP

Telephone number with area code

Email: sales@utuia.org

Complete and mail to: UTUIA Sales Dept., 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333.

WASHINGTON - The Federal Transit Administration (FTA) has recently accepted two reports from the Transit Advisory Committee for Safety (TRACS), a safety committee established by the U.S. Secretary of Transportation and compromised of transit industry stakeholders. In Establishing a Fatigue Management Program for the Bus and Rail Industry, the report identifies the major organizational and behavioral challenges that may be faced in addressing transit employee fatigue and recommends components of a successful fatigue management program.

In Preventing and Mitigating Transit Worker Assaults in the Bus and Transit Industry, the report discusses the risks and impediments to a safe workplace and recommends a process and measures to reduce the hazards that enable these assaults.

FTA will review the recommendations from both reports as it considers possible future action on these safety issues.

Learn more by visiting TRACS at http://www.fta.dot.gov/about/13099.html.

Visit us on Facebook!

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Why become an Auxiliary member?

- Unites families of SMART transportation division.
- Eight 4-year scholarships of $1000 awarded every year.
- Stay connected on legislative issues that affect your family, spouse or relatives.
- Access to Union Plus discounts, scholarships and other benefits.

Who can become a member?

- Spouse, family or relatives of a SMART TD or Auxiliary member in good standing.
- Retired SMART TD members or employees.
- Employees of SMART TD at the International.
- Staff of state legislative boards, general committees or the legislative office in Washington, D.C.
- Spouse, family or relatives of a deceased SMART TD member that was in good standing at time of death.

ONL Y $5 to join. Visit www.utu.org/auxiliary for an application.

Contact your legislators about two-person crews

It has recently been announced that an attempt may be made to attach language from H.R. 1763, the Safe Freight Act, which is the federal two-person crew bill onto H.R. 3763 (PTC deadline extension bill). It was later announced that the two-person crew bill would not be attached to H.R. 3763.

Due to the expected rules governing consideration of the legislation and agreements among the leadership of the House Transportation and Infrastructure Committee on which amendments will be allowed, there is no path for the amendment to pass or receive strong support. A significant loss on the floor would set back our efforts," Alt. National Legislative Director Greg Hynes said. "While this is not the result we hoped for, we ask that you all continue to push forward and generate support for the stand-alone, two-person crew legislation, H.R. 1763. The more cosponsors we have on H.R. 1763, the better position we will be in to pass it as a stand-alone bill or attach it to a larger bill next time the House considers rail safety legislation."

November 2015 SMART TD News

SMART Transportation Division is looking for good photos, and awards prizes to monthly photo winners.

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

Printed photographs should be mailed to SMART TD, 24950 Country Club Blvd., Suite 340, North Olmsted, OH 44070-5333. High-resolution digital photographs should be in JPEG format and emailed to “news_td@smart-union.org.” Please include your name and SMART local number, the names people in the photo (left to right), photo location and all other pertinent information.

All photographs submitted become property of SMART. Remember to review your employer’s policies regarding use of cameras on the property or during work hours.

Show your union pride with union gear

American Products offers a line of union-made SMART TD gear, clothing

It’s not too early to begin your holiday shopping and the SMART Transportation Division website is just the place to start, without ever leaving your home or going to a busy shopping mall. Just visit the SMART Transportation Division website at www.utu.org and click on the “Gear” tile.

All of the SMART items featured there are sold through American Products and are union-made and/or made in America. American Products is offering several new items this fall that were debuted at the regional meetings this summer and will feature some additional items for sale by the end of this month. Please be sure to check the website for details on all the new items.

All items carry a 100 percent quality guarantee against defects in materials and workmanship. Volume discounts on customized orders are available to SMART locals.

Watches and clocks carry a two-year manufacturer’s warranty against defects. All of the featured items can be ordered by credit card directly through the company’s secure website, or by calling the company’s toll-free telephone number: (800) 272-5120.

Members may also download and print a custom order form that can be mailed to UTU Merchandise, 1800 North Clinton Avenue, Rochester, NY 14621.

Apparel prices may vary depending on size. Visit the SMART TD online store for complete details about prices and available sizes.

2016 railroad paid holiday schedule

Rail employees working under the national agreement between SMART Transportation Division and the National Carriers’ Conference Committee will receive 11 paid holidays in 2016. They are:

• New Year’s Day, Friday, Jan. 1
• President’s Day, Monday, Feb. 15
• Good Friday, Friday, March 25
• Memorial Day, Monday, May 30
• Independence Day, Monday, July 4
• Labor Day, Monday, Sept. 5
• Thanksgiving Day, Thursday, Nov. 24
• Day after Thanksgiving, Friday, Nov. 25
• Christmas Eve, obs. Sunday, Dec. 25
• Christmas Day, obs. Monday, Dec. 26
• New Year’s Eve, obs. Sunday, Jan. 1, 2017

Happy Holidays!

Photo of the month

This photo was taken by retired Grand Trunk Western Railroad Conductor Dennis Smolinski of Local 1709 at Pontiac, Mich. “I took this picture at a photo charter on the Western Maryland Scenic Railroad in October 2013. The photo was taken at Helmstetter’s Curve. The steam engine came from the Lake Superior & Ishpeming Railroad.”