SMART TD petition FRA for speed signs

SMART TD and the Brotherhood of Locomotive Engineers & Trainmen (BLET) have submitted a petition to the Federal Railroad Administration (FRA) for rulemaking that mandates uniform warning speed signs in advance of a permanent speed restriction.

Below is the petition submitted to the FRA:

“The International Association of Sheet Metal, Air, Rail and Transportation Workers – Transportation Division and The Brotherhood of Locomotive Engineers & Trainmen hereby petition FRA for rulemaking that mandates uniform warning speed signs in advance of a permanent speed restriction.

“The signs should be standardized as to dimensions, conspicuousness, and color.

“Recently, some railroads have begun removal of these safety indicators, which creates a hazard for operating crews and the public.

“In the interest of safety it is necessary to warn road crews of an upcoming speed restriction which otherwise might not be readily apparent.

“Just as it is unreasonable for a motorist to know each speed restriction without a warning, the same is true for railroad crews.

“Unlike automobile travel, where speeds can be reduced promptly, trains are unable to comply with a speed restriction without prior knowledge.”

STB announces implementation details of Reauthorization Act

Surface Transportation Board Chairman Daniel R. Elliott III announced details of the Board's implementation of the STB Reauthorization Act of 2015.

Effective December 18, 2015, the Reauthorization Act changed the Board into a wholly independent federal agency. Prior to the Reauthorization Act, the Board was administratively aligned with the U.S. Department of Transportation, although it has been decisionally independent since it was created in 1996 by the Interstate Commerce Commission Termination Act of 1995 (Public Law 104-88, 109 Stat 803).

The Reauthorization Act also:

- Expands the Board's membership from three to five Board Members.
- Allows a majority of Board Members to meet in private to discuss agency matters, if no vote or official action is undertaken within such a meeting, and if a meeting summary is made publicly available no later than two business days after the event. If the discussion directly relates to an ongoing proceeding before the Board, the meeting summary is instead made publicly available on the date of the final Board decision. Formerly, private meetings of Board Members on agency matters were prohibited.
- Gives the Board authority to initiate investigations and requires the Board to begin a rulemaking to establish a regulation relative to such authority.
- Directs the Board to adjust its voluntary arbitration process, including increases in the maximum damage awards.
- Shortens the timelines that apply to large rate case proceedings, including limits on the time allowed for discovery and the time allowed for development of the evidentiary record.
- Directs the Comptroller General of the United States to establish a regulation relative to the remand of cases.

SMART TD holding treasurers’ workshop in March

SMART Transportation Division will be conducting a Treasurers' Workshop at Headquarters located in North Olmsted, Ohio, March 8-10, 2016.

Attendance will be limited to 35 registrants, so those interested in attending are instructed to contact Dora Wolf in the Updating Department by calling (216) 228-9400, or by email at dewolf@smart-union.org, as soon as possible to reserve a spot in the class.

While all treasurers will likely benefit from this workshop, newly elected treasurers are strongly encouraged to attend.

The three-day training session is free to attend. However, the local is responsible for all travel expenses associated with the treasurer's attendance.

Lost time or salary, travel, hotel and meal expenses connected with attendance may be reimbursed if pre-approved at a local level.

Members save life with CPR

“[The] keys to successful change are modifying attitudes, making good choices and treating others as you would be treated. When union members unite within the workplace, it generates an outcome of positive change.” - Glen E. Johnson, SMART TD Human Rights Committee director

Submit your local or legislative stories to SMART Transportation Division by email to: news_td@smart-union.org.
Local 303, Springfield, Mo.

Nichols rings the bells for charity along with his wife Christina (left) and daughter Sydney (right).

Local Legislative Representative Jeff Nichols reported that members and families rang bells for the annual Springfield Central Labor Council AFL-CIO/United Way of the Ozarks “Union Day of Bell Ringing” for the Salvation Army. Labor organizations from the Springfield area worked 13 different kettle locations. The event took place Dec. 5, 2015. The Central Labor Council raised a total of $5,081.98 on that day, with $422.04 of that was raised by Local 303’s kettle.

There were a total of 140 volunteers from organized labor for a total 200 volunteer hours. This is the local’s third year of participation in this event. Participating in the event this year were Local President Tim Latham, Local Vice President Stacy Fielder, Nichols; Local Chairpersons Scott Keryman, Jeremy Harper and Nathan Shaw; Local Trustee Wes Melvin, LCA Secretary Rodrick Incenhower, and members Petros Haldoupis and Joe Taylor. “Several family members also assisted and their involvement was greatly appreciated,” Nichols said. “Note: See more pictures from this event on page 10.

Local 492, Sacramento, Calif.

This local reported that Kenneth (Kenny) Lloyd Rogers died Dec. 21, 2015. Rogers retired with over 40 years of service to this union as a local chairperson and Union Pacific Railroad. “Kenny was a remarkable person, always the advocate for what was the right thing to do, even if it went against the grain. Whether the issue was discipline, a seniority dispute, medical insurance or on-duty injuries, to mention just a few, Kenny was there to do the research and make the arguments.

“His ability to research a given subject was remarkable in its depth, scope and meticulous nature. His love of ‘chain of custody’ arguments regarding FRA and company drug and alcohol testing became and remain the industry standard. No matter what the issue, when those in authority (whether union or company) found out Kenny was on the case, they sat up and paid attention.

“When Kenny retired he brought to the National Association of Retired and Veteran Railroad Employees (NARVRE) the same level of advocacy in fighting for RRB, medical and life insurance benefits for retired railroad workers and their spouses. There may never be another advocate of the same caliber as Kenny Rogers,” said Local 492 member Bruce Holder. A full-obituary notice is available on utu.org.

Local 807, Tucson, Ariz.

SMART TD Organizer Rich Ross reports that he and International Vice President Doyle Turner visited this local during a mini regional meeting. Alternate National Legislative Director Greg Hynes was also in attendance to explain what the union is doing legislatively for our members. “It was good for the local membership to see that the international is there for them and we are here to help,” Ross said.

Turner (left) and Ross (right) are pictured here in front of an antique steam engine located outside of the mini regional meeting in Old Tucson.

“The fact that representatives came from the international to an event here meant a lot to the guys who were there,” Local President Liz Knepp said. “At our meeting on Tuesday the guys who were there, scolded the ones who were not. We were all inspired.”

Local 1190, Ludlow, Ky.

Two-year-old Weston Mitchell, grandson of Local Chairperson Jeff Mitchell, shows off his SMART winter cap.

Local 1402, Dupo, Ill.

Now-retired Local President Eddie Brown (right) congratulates Robert Alles II (right) on his new role as legislative representative Dec. 16, 2015.

Is your local involved in a charity? Or perhaps one of your brothers or sisters is doing something unique outside of work? We'd like to hear about it!

To have your local featured on this page, submit your local stories to SMART Transportation Division by email to: news_td@smart-union.org by the 15th of each month.
As the SMART Transportation Division’s state and district legislative boards begin planning for their quadrennial reorganization meetings in 2016, members and local officers are reminded that elections for the positions of legislative representative and alternate legislative representative should now be complete.

Any local in which elections have been delayed due to run-offs or other extenuating circumstances must contact the Transportation Division’s main office in Cleveland, Ohio to advise of the cause for delay and expected date of completion.

All election results must be reported to the Transportation Division’s office as soon as they are available. Election results may be sent by email to president@smart-union.org, by fax to (216) 228-5755, or by writing to SMART Transportation Division, 24950 Country Club Blvd., Ste. 340, North Olmsted, OH 44070-5333.

Questions may also be directed to any of the above, or by calling (216) 228-9400.

Meanwhile, all SMART Transportation Division state and district legislative charpères are reminded of their responsibility to advise the TD office of the date, location and anticipated expense of their quadrennial reorganization meetings.

Visit utu.org for additional information.

A victory for public safety: longer trucks voted down

Congress put the safety of all motorists before the special interest agenda of a few select trucking and shipping companies. The proposal to force all states to allow double 33-feet trailer trucks, known as “Double 3s,” was not included in the omnibus spending bill. These monster-size trucks shouldn’t be on the road and they shouldn’t be slipped into an omnibus spending bill. Thon meetings in a big red bow and instead give constituents the gift of safer roads, sound infrastructure, and sensible legislation that families.

D-Calif.), Richard Blumenthal (D-Conn.) and many other members of Congress and their dedicated staffs for their leadership on this issue. We also applaud the budget negotiators for increasing the funding levels for the National Highway Traffic Safety Administration (NHTSA).

While SMART TD is disappointed that the appropriators did not fully fund NHTSA for the amount set in the authorizing bill, the FAST Act (Pub. L. 114-94), the increase was desperately needed in light of the continuing string of auto industry defects, recalls and cover-ups.

Unfortunately, the bill includes an extension of the “tired truckers” provision enacted in last year’s spending bill. This provision takes away truck drivers “weekends off” and pushes them to work an extra hours a week. Annually, 4,000 people are killed and another 100,000 more are injured in crashes involving a large truck, and fatigue is a major factor and well-known crash cause. Crashes such as the one which seriously injured Tracy Morgan and killed James McNair are jarring reminders of the need for driver safety. SMART TD urges Congress to stop the tradition of delivering hands wrapped in a big red bow and instead give constituents the gift of safer roads, sound infrastructure, and sensible legislation that doesn’t result in more deaths and costs to families.

Notice to furloughed members

It should be noted by all furloughed members, that it is your responsibility to keep your contact information up-to-date not only with your employer, but also with your union. This includes your phone number, mailing address and email address.

Your employer will need your correct contact information to keep you informed.

Many SMART TD legislative boards and locals are holding informational sessions for furloughed workers and need your correct contact information to keep you informed.

A common theme of organizing labor movement,” and like Debs, Chess- er has dedicated his adult life to labor. As a direct result of his leadership, the standard of living was raised for countless union brothers and sisters.

Brother Chesser became personally acquainted with several U.S. presidents. He explained, “I was a friend of Gerald Johnson, Richard M. Nixon, Gerald R. Ford and Jimmy Carter. My favorite was Johnson.”

At age 102, he works out three times a week, still drives his car and maintains a high level of independence. Chesser’s secret to longevity? “Work at it, take care of yourself, love God and love people.”

Al Chesser has accomplished many great things in his lifetime. He is proudest about his proudest achievements, he answered, “Personally, I am most proud of my family. Professionally, I was fortunate to have had many highlights in my career, but probably this one stands out the most: Gerald Ford was a friend of mine, but he was also a friend of rail- road management. We had a bill in Congress to increase railroad retirement, which was our pension. Congress passed our bill, but President Ford thought it was too much money he crossed his veto. President Ford never spoke to me again.”

Chesser’s devotion to his Brothers and Sis- ters never fades. “The welfare of our mem- bers and their families always came first in our thoughts. My record as an officer of my union speaks for itself. I love our union and was proud to serve our members.”

SMART TD wishes to extend its sincere gratitude and warmest birthday wishes to Al Chesser.

Organizing win for SMART Transportation Division

SMART Transportation Division Director of Organizing Rich Ross reports that operating and non-operating employees of Eastern Illi- nois Railroad Company (EIRC) voted for SMART representation in an election held January 12, 2016.

Of the eligible voters, a majority voted for representation by SMART Transportation Division. The National Mediation Board certi- fied the election results January 13, 2016.

“I would like to thank SMART TD Organizer Larry Grutzius for all of his hard work on this campaign,” Ross said.

The EIRC is a Class III freight railroad. The employees interchange freight with Canadian National and CSX, and also repair, upgrade and maintain the rail infrastructure, locomo- tives, signal system and railroad grade cross-ings.

The short line railroad runs from Neoga, Ill., to Metcalf, Ill., and is headquartered in Charleston, Ill. The railroad hauls grain, lumber and plas-
Dear Members,

Elections matter! As political discussion gets more and more drowned out by political shouting, let’s look at just how true that saying is. It seems like long ago, but the 2010 elections still resonate, because every tenth year is when officials re-draw their congressional districts. In 2010, with the Tea Party radicals on the rise, ultra-conservative billionaires like the Koch Brothers poured money out to elect federal and state “legislators” with a clear intent of drawing the new electoral map to favor and protect candidates who share their extreme views and anti-union agenda.

Sadly, they succeeded: Gov. Scott Walker’s open war on unions in Wisconsin; the constant stream of new right-to-work (for less) laws; and the fast-growing cuts to pay and benefits.

This is what we face in 2016, because many of us did not vote in 2010 and we can’t let that happen again!

Member survey: the big picture
In December 2015, SMART surveyed members about the 2016 elections. We focused on issues, not candidates, to ensure that our campaigns are about the 2016 elections. We focused on the的具体内容。We asked SMART members to rate their support for Hillary Clinton and Bernie Sanders on a scale of 1 to 5, with 5 being the highest level of support. The results showed that a majority of SMART members support Hillary Clinton. However, we also found that a significant number of members had not yet made up their minds about which candidate to support.

“Our results show that most SMART members are deeply invested in the election process,” said Joseph Sellers Jr., General President. “We need to make sure that our members are informed about the candidates and the issues, and that they are engaged in the voting process. We will continue to provide information and resources to help our members make educated decisions about who to vote for in the 2016 elections.”

In the meantime, SMART will continue to work to ensure that working families have a voice in the election process. This includes supporting candidates who support working families and opposing candidates who support corporate interests.

We must Work for working families

State Watch

Florida

The Florida State Legislative Board recently had its reorganization meeting Jan. 4-5, 2016, in Orlando. Pictured is the new board along with Alt. National Legislative Director Greg Hynes (far left) and Trujillo (second from right).

State Legislative Director Andres Trujillo reported that the Florida Legislature began its full session with two bills of importance to Florida TD members. The first set of bills are S.B. 1236/H.B. 1053. These bills would require Class II railroads operating in the state to develop stress plans in accordance with 49 C.F.R. part 232. This type of requirement already applies to Class I’s, commuters and Amtrak.

The Senate and House bills have been assigned to committees and are awaiting hearings.

The second bills are S.B. 224/H.B. 855. This set of bills would require railroad companies operating in the state to provide walkways adjacent to certain sections of track used for switching rail cars. Both the Senate and House bill have been assigned to House Committees and are also pending hearings.

“We ask our Florida membership to get involved and support both of these bills,” Trujillo said.

Iowa

The combined membership of the Iowa Transportation Division and Iowa Sheet Metal Local 45 united to endorse Jim Mowrer (D) for Congress, State Legislative Director Jim Garrett reports. The local also joined the board in making matching PAC donations to Mowrer’s campaign.

“During the last election cycle we were still assessing how we could combine our efforts,” said Garrett. “Last year the Great Plains District Council invited their associated TD States to join, Iowa was quick to accept the offer and the partnership provided a closer working relationship with our Sheet Metal brothers.”

The Iowa TD and Local 45 plans to work closer on their legislative agenda. With unanimous approval by Local 45’s executive board, Garrett created a client account to help at the state Capitol. While Garrett will not lobby for them in any official capacity, he will be able to ‘declare’ on legislation on their behalf, thereby creating another unified body in support or opposition to legislation.

“I have had a great relationship with the Sheet Metal locals representing the Iowa membership and I look forward to creating new alliances with each of them in the future,” Garrett.

Missouri

The Missouri state legislative board held its quadrennial reorganization meeting Jan. 5. New officers were elected at the meeting. State Legislative Director Ken Menges announced his retirement, so Jason Hayden ran for and was elected state legislative director. J. Curt Jones was elected as assistant director, Gerald Wohlgemuth was elected chairperson, E. Thad Krawczyk III was elected first vice chairperson, Delores Fortune as second vice chairperson (bus) and Delayne Wilson as elected secretary.

“With the great executive committee that was elected to assist me through the next four years, we will be able to weather any storm that approaches us,” Hayden said. “I look forward to working with them and making this board the best, most productive and respected board it can be. Many thanks to the groundwork that has been laid and the pathway left by retired Director Menges. We now have some pretty big shoes to fill.”

A retirement party was held in Menges’ honor Jan. 12. “It has been a privilege and honor to have served as a union officer and especially the past eight years as state director,” Menges said. “While we had many great moments, the defeat of right-to-work last year was one of the best—it was not a pretty fight but we won because we worked together.”

In his retirement, Menges plans to travel with his wife Carol. Menges did not stay inactive (if at all) for long; Missouri AFL-CIO President Mike Louis asked Menges to help with the labor lobby team and he has accepted and has already begun working with them.

Contact us: news_td@smart-union.org

Phone (216) 228-9400;
Fax (216) 228-5755

Joseph Previsich,
SMART Transportation Division President
president_td@smart-union.org

John Risch,
SMART Transportation Division National Legislative Director
jrisch@smart-union.org

The legislative board attended a Russ Feingold event in Milwaukee, Dec. 4. Pictured from left: Local Chairperson Bob Alba (322), Wis. Democratic U.S. Senate candidate Russ Feingold, Wis. State Legislative Director Craig Peachey, Local Representative Chris Taibbi (381) and retired General Chairperson Jim Nelson. Feingold is optimistic the 2016 elections will be a turning point for the state.

We must Work for working families
Rising in strength, solidarity and action

Dear Members,

Our strength has been, and always will be, our solidarity. As part of the SMART membership, we stand united against the constant wave of corporate tyranny in its endless quest for profit, leaving destruction, job loss and oppression in its wake.

In recent months, members of SMART TD stood in solidarity against Canadian Pacific’s (CP) hostile attempt to takeover Norfolk Southern (NS).

“Our strength has been, and always will be, our solidarity. We stand united against corporate tyranny in its endless quest for profit.”

In representing our collective voice—125,000 of SMART TD active and retired members, I recently wrote a letter to the members of the United States Surface Transportation Board (STB) to convey our collective outrage and strong opposition of CP’s proposed takeover. CP’s proposal has the potential for a far-reaching, detrimental impact on America’s rail network, including lost jobs, and an equal negative impact on those who ship by rail.

Also in the letter, we shed light on, and strongly oppose CP’s scheme to circumvent the regulatory requirements through the establishment of a voting trust to assume control in advance of regulatory approval. CP’s relentless pursuit of short-term profit with little regard to the impact on the greater good—workers, communities and our nation’s rail shippers, is well known. E. Hunter Harrison, CEO of CP has already boasted that he will be able to sell off what he says are “excess” rail yards for real estate development.

He has also stated that NS has a “gold plated” infrastructure that is overly maintained and he could greatly reduce capital investment.

Such a disinvestment in the nation’s rail network could only occur in a merged environment with diminished competition among carriers. The end result is higher costs and reduced service for the nation’s shippers.

“We call on our Brothers and Sisters to fight the good fight—to be diligent and informed, to support candidates who champion the rights of workers, to organize in our neighborhoods, at our locals, halls and voting centers.”

In addition, Harrison recently announced that he will reduce capital spending on CP in 2016 by $400 million and extend his moratorium on purchasing new locomotives until 2018 or longer.

His strategy is clear: use up the current railroad infrastructure and wear out the locomotives, leaving a railroad that will need dramatic investment once he leaves.

For American workers, this will cause a domino effect of lost jobs, diminished rail service and higher shipping costs. For a handful of railroad officers, investment bankers, consultants, and stockholders it will be a windfall of tens of millions, one that mirrors recent corporate corruption schemes and inevitable collapses; all of this at the great expense of our workers and the future health of our nation’s rail service.

With the same sense of urgency, we call on our Brothers and Sisters to fight the good fight—to be diligent, to become informed, to support candidates who champion the rights of workers, to organize in our neighborhoods, at our locals, halls and voting centers.

From the spirit of our brothers and sisters who paved the road before us, our solidarity remains our power, and together we are powerful enough to change the tide.

“Ten thousand times has the labor movement stumbled and bruised itself. We have been enjoined by the courts, assaulted by thugs, charged by the militia, traduced by the press, frowned upon in public opinion and deceived by politicians. But notwithstanding all this and all these, labor is today the most vital and potential power this planet has ever known, and its historic mission is as certain as ultimate realization as is the setting of the sun.”

— Eugene V Debs

In solidarity,

John Previsich, President
SMART Transportation Division

**To view the letter sent to the STB, go here:**
www.utu.org/worksite/PDFs/Previsich_Letter_to_STB_regarding_CP_merge.pdf

**Please note: At the time that this article went to print, CP had suspended its pursuit for takeover of NS.**
The 2016 SMART Transportation Division regional meetings are scheduled for July 4-6 in San Francisco and July 25-27 in Chicago. Attendees will be provided with valuable training at the meetings.

As in the past, each regional meeting will run for 2.5 days, ending early on the afternoon of the third day. The evening of the first day has been left unscheduled so you, your family and friends will be free to explore and enjoy the many offerings of the regional meeting cities.

Regional meeting registration and hotel information, as well as web links to make hotel reservations online, can be accessed by visiting www.utu.org and clicking on the “Meetings” box on the bottom of the homepage. All those attending the regional meetings must be registered in order to attend any planned social functions. Children ages 11 and under who are pre-registered are complimentary. The registration form is print ed on the right.

A completed registration form listing each attendee, regardless of age, and complete payment in U.S. funds must be received at the SMART Transportation Division, 26850 Country Club Blvd., Suite 340, North Olmsted, OH 44070-1030, by July 10 for the San Francisco meeting or by July 3 for the Chicago meeting, or the pre-registration fee will be charged an on-site registration fee of $200.

The pre-registration fee for the 2016 regional meetings is $150 per member, spouse or child over age 11, the same fee charged last eight years. Additional fees apply for the golf outings and tours. You must make your own room reservations, and certain deadlines apply. The $150 registration fee covers all workshop materials, a welcoming reception the night before the meetings; three lunches and one evening meal. Those wishing to attend only the workshops do not need to pay the registration fee. No one-day registrations are offered.

You may cancel your meeting registration 10 days prior to the first day of the meetings or golf outings without penalty.

Call the Transportation Division at (216) 228-9400 or email ghenges@smart-union.org immediately regarding changes or cancellations.

Look stylish in SMART TD gear from American Products!

Attend the 2016 regional meetings looking stylish in your new SMART Transportation Division gear!

Visit utu.org today and click on “Gear” in the grey navigation bar to get started. All products are union made and/or American made.

Look for American Products’ booth at both regional meetings to see all the gear they have to offer.

Two tours booked in San Francisco, Chicago

The Transportation Division is arranging two different tours of local attractions at both the San Francisco and Chicago regional meetings. They will take place the day preceding the regional meeting, as well as the first day of both regional meetings.

Tour fees are $35 per tour for each registered guest, or $75 per tour for each unregistered guest.

Details of the two tours in San Francisco and Chicago will be announced in the next issue of the SMART TD News and will appear on the “Meetings” page of utu.org. Select the “Meetings” link at the bottom of the homepage.

Avis Rent-A-Car offering discounts at airports

The Transportation Division has arranged with Avis Rent-a-Car to offer discounted rates to members attending the 2016 regional meetings.

To reserve a car, contact Avis at (800) 331-1600 and use SMART Avis Worldwide Discount (AWD) number D150699.

For the San Francisco and Chicago regional meetings, members and guests can reserve a car online. Visit the Transportation Division website at www.utu.org, select the “Meetings” link at the bottom of the homepage, then select the appropriate regional meeting city.

Discounts at each city are good for seven days before and seven days after the meetings.

When renting a car online, be sure to use the same Avis Worldwide Discount (AWD) number as listed above: D150699.
Marilyn Spangler, Director of Updating/Auditing, retires with 39 years of service

To the occasional passerby, Marilyn Spangler’s office may have appeared disheveled, but to those of us who know her, the minor untidiness meant dedication to her job and charitable efforts. On any given day, there may have been piles of “coats for kids” in one corner, and bins overflowing with donated non-perishable food items in another. As Spangler routinely organized charity drives to clothe local children in need, or to fill the local hunger center with canned food.

Missed by colleagues already, Spangler retired Dec. 31, 2015, after 39 years of service as the SMART Transportation Division director of updating/auditing.

After high school, Spangler spent several months temping at the UTU and then left in pursuit of a full-time career in the airline industry, graduating from Weaver Airline Reservation School. Following a brief career in the industry, her vocation turned in a different direction as she accepted a position with the F.B.I. as an I.D. security clerk. She kept in contact with her UTU friends, and it was her friend Pete Spalding, director of billing/auditing, who helped bring Spangler back to the UTU.

“It was Pete who let me know that there was a full-time job opening in his department at the UTU. I was working for the F.B.I. at the time but, believe it or not, the job offer at the UTU was much more generous in every way, so I accepted it. Thanks Pete!” Spangler said.

She returned to the UTU in 1976 as an updating clerk. Over the years, Spangler worked her way up the ladder, culminating in her appointment as the director of updating/auditing in October 2003. Although a multitude of organizational changes have occurred after that appointment, Spangler held fast to her role and led her department on a platform of achievement and efficiency.

In addition to her loyal service to the membership, Spangler has been a staunch leader in the support of numerous fraternal causes. Through her volunteer efforts and leadership, countless funds have been raised and donated to various charitable organizations on behalf of SMART Transportation Division, UTUIA and the UTU. Spangler is serving her second term as president of UTUIA Unit #1.

In 2005, Spangler was honored as the UTUIA Volunteer of the Year. At the SMART TD Transportation Division, R.I., regional meeting she was awarded a golden lantern by SMART TD President John Previsich, in honor and recognition of her outstanding service to the membership and for her charitable efforts.

Upon reflecting on her career, Spangler said, “I was so blessed to have been a part of SMART TD. I left the UTU in 1962 before I married a railroad man, so I accepted it. Thanks Pete!” Spangler said. She returned to the UTU in 1976 as an updating clerk. Over the years, Spangler worked her way up the ladder, culminating in her appointment as the director of updating/auditing in October 2003. Although a multitude of organizational changes have occurred after that appointment, Spangler held fast to her role and led her department on a platform of achievement and efficiency.

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The incident under investigation by the FRA was ordered a train crew to work outside its assigned territory while being piloted by a manager who was not qualified on the physical characteristics of the territory.

FRA Region IV Administrator Steve Illich informed SMART TD Illinois State Legislative Director Robert W. Guy of the agency’s action in a letter dated October 27. The incident under investigation by the FRA was reported to the Illinois Legislative Board by a member of the crew of a Bloomington-based local assigned to UP’s Springfield Subdivision.

Although the southern boundary of the territory for which the crew was qualified ends at Milepost 222, Carlinville, Ill., the May 28 job was ordered to retrieve some maintenance of-way equipment spotted at milepost 234, near Shipman, Ill., 12 miles farther south in the territory.

“Once confronted, another UP manager stated that the pilot was not qualified on that segment of track,” Guy said. “Guy also said he was “appalled” by the cavalier attitude of the manager pilot as witnessed by the crew involved in the May 28 incident. “It’s not just that this official violated Part 240.231 of Section 49 of the Code of Federal Regulations,” Guy said. “It’s that he did it in such a flagrant and dismissive manner.”

Guy said the manager’s attitude is even more inappropriate in view of the territory where his violation occurred. “The UP main line between Joliet and Alton has been one continual construction zone so it can be upgraded for 110-mph Amtrak service,” he said. “This territory is full of equipment and manpower, and the track and bridge work migrates to different locations every day.”

“Slow orders, Form Bs and other notices related to train movements can be issued and abolished quickly, which is why a crew unfamiliar with the track needs a pilot who knows not only the geography of the alignment but the way the railroad is using it from moment to moment. “If a train crew is not familiar with the pilot assigned to their job, they should always question the qualifications of that pilot to determine if in fact the person is suitable to serve in that capacity,” Guy said.

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

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**FRA cites Union Pacific for violation after SMART TD tip**

The Federal Railroad Administration told SMART Transportation Division it has filed a violation against the Union Pacific Railroad in response to a union complaint that the railroad ordered a train crew to work outside its assigned territory while being piloted by a manager who was not qualified on the physical characteristics of the territory.

FRA Region IV Administrator Steve Illich informed SMART TD Illinois State Legislative Director Robert W. Guy of the agency’s action in a letter dated October 27. The incident under investigation by the FRA was reported to the Illinois Legislative Board by a member of the crew of a Bloomington-based local assigned to UP’s Springfield Subdivision.

Although the southern boundary of the territory for which the crew was qualified ends at Milepost 222, Carlinville, Ill., the May 28 job was ordered to retrieve some maintenance-of-way equipment spotted at milepost 234 near Shipman, Ill., 12 miles farther south in territory over which none of the crew members were qualified.

“The standard procedure in such cases is to supply the crew with a pilot, normally a fellow transportation employee, who is qualified over the territory,” Guy said. “But it turned out the UP manager assigned as pilot wasn’t qualified on that territory either. In fact, he had never been over that track on a moving train, and he not only admitted his lack of qualification, but claimed it wasn’t important,” Guy said. In his report to the SMART TD Illinois State Legislative Board, the conductor said that he and the engineer, “made it very clear that we were not comfortable having a pilot that he himself [admitted] was not qualified on the territory. His reply was that ‘it was CTC, how hard could it be?’”

The conductor asked the manager whether he had a copy of the work orders for the assignment. The manager allegedly replied that all he needed to know was that the ballast undercutter, two flat cars and two hopper cars of ballast were restricted to 25 miles-per-hour.

“The only paperwork I saw was that he had a timetable,” the conductor told the legislative board. Guy said the crew handled the incident in exactly the right way. “They notified the manager pilot that they weren’t comfortable,” Guy said. “Then once their tour was over they documented the incident and forwarded the details to local SMART TD officers for handling.”

“The FRA investigator in charge even noted the accuracy of the crew members’ statements regarding the manager pilot,” Guy said. “Once confronted, another UP manager stated that the pilot was not qualified on that segment of track.”

Guy also said he was “appalled” by the cavalier attitude of the manager pilot as witnessed by the crew involved in the May 28 incident.

“It’s not just that this official violated Part 240.231 of Section 49 of the Code of Federal Regulations,” Guy said. “It’s that he did it in such a flagrant and dismissive manner.”

Guy said the manager’s attitude is even more inappropriate in view of the territory where his violation occurred.

“Slow orders, Form Bs and other notices related to train movements can be issued and abolished quickly, which is why a crew unfamiliar with the track needs a pilot who knows not only the geography of the alignment but the way the railroad is using it from moment to moment.” Guy said.

“If a train crew is not familiar with the pilot assigned to their job, they should always question the qualifications of that pilot to determine if in fact the person is suitable to serve in that capacity,” Guy said.

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**Why become an Auxiliary member?**

- United 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
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**Who can become a member?**

- Spouse, family or relatives of a SMART TD or Auxiliary member in good standing
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- 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

ONLY $5 to join. Visit www.utu.org/auxiliary for an application.
The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) announced the publication of a Final Rule to help further reduce commercial truck and bus drivers from being compelled to violate federal safety regulations. The Rule provides FMCSA with the authority to take enforcement action not only against motor carriers, but also against shippers, receivers and transportation intermediaries.

"Our nation relies on millions of commercial vehicle drivers to move people and freight, and we must do everything we can to ensure that they are able to operate safely," said U.S. Transportation Secretary Anthony Fox.

This Rule enables us to take enforcement action against an explicit threat to the transportation chain who knowingly and recklessly jeopardize the safety of the driver and of the motor vehicle public.

The Final Rule addresses three key areas concerning driver coercion: procedures for commercial truck and bus drivers to report incidents of coercion to the FMCSA, the ability of the agency to take enforcement action against shippers, receivers and transportation intermediaries concerning driver coercion; procedures for enforcement actions, that is coercion," said FMCSA Acting Administrator Scott Darling. "No commercial truck and bus driver should ever feel compelled to bypass important federal safety regulations and potentially endanger the lives of all travelers on the road."

In formulating this Rule, the agency heard from commercial drivers who reported being pressured to violate federal safety regulations to prevent fatigued driving, commercial driver's schedule be met, one that the driver says would be impossible without violating hours-of-service restrictions or other safety regulations, that is coercion," said FMCSA Acting Administrator Scott Darling. "No commercial truck and bus driver should ever feel compelled to bypass important federal safety regulations and potentially endanger the lives of all travelers on the road."

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2016 Omnibus Amtrak funding bill

Congress must do better for passenger rail and roadway safety

By John Previsich, SMART TD president

While we look favorably on efforts made by members of Congress to implement stronger and more wide-spread transportation policy upgrades – including increased funding for mass transit and highway safety programs, we are still concerned that passenger rail funding continues to fall short, and also that safety transportation mandates continue to be swept aside.

The fact that funding allocations in FY16 Omnibus Appropriations Act falls well below authorized levels for passenger rail, brings concern for the short and long-term effects on the viability, efficiency and safety of Amtrak passenger services.

Concerning roadway transit, members of Congress made the right move by excluding a federal proposal in the Omnibus Spending Bill designed to force states to allow “Double 33s” on the road. Trailer trucks, including mammo, 33-foot freight trucks, have left a trail of tragedy along many major American roadway.

Each year, more than 4,000 people are killed in trailer truck crashes, and more than 100,000 are injured.

While excluding the Double 33s proposal was an important move forward, members of congress also took a step back, as the bill includes an extension of the Collins amendment, which removes truckers “weekends off.”

This allows driving time to exceed 10 hours per week – causing major fatigue, the leading factor in truck-related crashes.

We ask members of congress to stand and deliver on the jobs they were entrusted to do – which is, to protect the public, not corporate interests – and bring all areas of transporta- tion onto a platform of safety and viability.

FRA stepped-up enforcement to collect fines

Enforcement push is part of broader effort to increase overall rail safety

WASHINGTON – The Federal Railroad Administration (FRA) announced that its stepped-up enforcement of railroad safety regulations led to the highest-ever civil penalties issued to railroads for violating federal safety regulations. The total fines increased by over 16 percent from FY2014, and the largest percentage rate collected by the agency. The total amount of civil penalties in FY2015, $15 million, increased by 12 percent compared to the previous year.

“Safety must be the number one priority for every railroad, and the Department of Transporta- tion will continue to take aggressive action against railroads who fail to follow safety rules,” said U.S. Transportation Secretary Anthony Foxx. “A strong safety enforcement program is critical to prevent accidents, save lives and move our country forward.”

FRA’s collection rate is the highest in the agency’s history and significantly higher than previous years.

Last year, more than 6,485 railroad company violations resulted in civil penalties. The largest portion of those violations, 29 percent, was for motive power and equipment violations, followed by 26 percent for track violations.

Verify your Voter Registration – it’s quick and easy!

• Go to the utu.org home page.
• Scroll down to the SMART TD Legisla- tive Action Center, located on the bottom left of the page.
• Click on the image of the Capitol build- ing.
• Find the “Elections” tab at the top of the page.
• Once in the “Elections” section, you can download a Voter Registration form, with instructions on where to send it.

Also in the “Elections” section, you can get instant access to your local, state and fed- eral legislative districts and current representa- tives, simply by providing your address.

We must seek empowerment through civic action, by studying the candidates and helping those who support and protect working families and the union mission. Cast your ballot, and let your voice be heard!

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PEB 249 report – A win for SMART and Rail Labor Coalition

After nearly five years of bargaining, Presidential Emergency Board (PEB) 249, formed to resolve the contract dispute between the Rail Labor Coalition (Coalition) and New Jersey Transit (NJT), sided with unionized workers in recommending the main points of the Coalition’s proposal, including retroactive wage payments and an 18 percent increase in pay, compounded, over a six-year period.

In addition to recommending the wage increases, the PEB soundly rejected the NJT’s proposal of a 10 percent increase in health care premiums, and recommended an increase of 2.5 percent, which is closely aligned with the Coalition’s proposed two percent premium increase.

The three-member panel was chosen by President Obama, based on their expertise and neutrality. PEB 249 is the second board to be appointed after PEB 248, which is closely aligned with the Coalition’s proposed two percent premium increase.

The Coalition is comprised of more than 15 international unions and more than 4,300 unionized transit rail members, including more than 1,200 SMART Transportation Division union members.

John Previsich, president of SMART Transportation Division, said that the report, “sends the message that our collective voice is heard.”

“The recommendation by PEB 249 is a victory for members of the Coalition, and for union members everywhere. We will continue to fight for fair wages, safe work environments and quality, affordable healthcare for all of our Brothers and Sisters.” Previsich also stated that the report follows the pattern of settlements that have occurred on similar properties and is a fair and equitable resolution of the issues.

“It’s time for New Jersey Transit to accept the recommendations of PEB 249, which are in line with every other commuter railroad settlement in the area. Members of the Rail Labor Coalition are skilled, highly trained and experienced workers. We’re hoping that NJT will do right by their workers and the community by moving beyond this lengthy dispute and accept the PEB’s report,” Previsich added.

If an agreement is not reached, any participant may invoke self-help as early as March 13, 2016, leaving 295,000 commuters without the public transportation they depend on.

Visit utu.org or smart-union.org to view PEB 249’s full report.

Inside this issue of SMART Transportation Division News:

Photo of the month

Secretary and Treasurer Marie Hoyos of Local 23 at Santa Cruz, Calif., took this picture of Highway 17 Express buses operated by Santa Cruz Metro Transit at one of their stops outside of a Greyhound station.

Former UTU President Al Chesser turns 100. See page 3.

State Watch: news from your state legislative boards. See page 4.

Register for 2016 regional meetings. See pages 6 & 7.

SMART TD Director Marilyn Spangler retires after 39 years. See page 8.

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