National negotiations update: Unions say contract negotiations take a step backward

As part of our ongoing effort to conclude national contract negotiations, the Coordinat-ed Bargaining Group (CBG) met with the nation’s freight rail Carriers (NCCC) for three days during the week of June 26. These efforts were part of our ongoing mediation process, mandated by the Railway Labor Act when the parties have been unable to reach a voluntary agreement, and managed by the National Mediation Board.

Despite the CBG’s best efforts to reach a fair agreement with the NCCC, the mediation process took a step backward Thursday, June 29, when the Carriers presented new, onerous bargaining positions. Their new contract demands would have the employees not only paying more per month towards their monthly insurance premiums, but would also make drastic changes in the amount the average employee pays when medical services are needed. Combined with the Carriers’ outlandish demand for less pay in many circumstances.

NCCC, the mediation process, mandated by the Railway Labor Act makes it the duty of both labor and management “to exert every reasonable effort to make agreements.” We take that obligation seriously. Be assured that we have been working very hard on your behalf and we will continue to pursue every available avenue to achieve a fair contract settlement worthy of your consideration.

The Carriers’ latest offer is neither a fair settlement, nor a settlement that we expect our members would ratify. So that you all are fully aware of what has been proposed, and in an effort to bring all affected members up to speed, the Carrier’s latest proposal, with a brief synopsis, can be found at https://static.smart-union.org/worksite/Contract-Neg/NCCC_2017-06-29_Synopsis_and_Proposal.pdf or by visiting www.smart-union.org/td.

More information will be forthcoming after the next mediation sessions in July and August. We appreciate your continuing support.

FEMA appoints SMART TD’s Hayes as rail labor rep.

GCA 851 Assistant General Chairperson Yvonne Hayes has been appointed as the rail labor representative for FEMA.

Read more on page 2.

Contact your legislators via the LAC

Take a minute to contact your state and congressional representatives through the SMART TD Legislative Action Center (LAC) to tell them to vote:

NO to Right-to-Work and YES to H.R. 233 - Two-Person Crews!

Using the LAC online is quick and easy: Just visit the SMART TD website at www.smart-union.org/td and click on the Legislative Action Center (LAC) button located at the bottom right of the page.

At the LAC, you can also learn about issues, see the voting record of your representatives and send emails directly to your reps.

Your voice matters, and our collective voices are stronger than any corporate agenda. We must work to protect our union and safeguard labor rights for SMART TD and all workers.

Submit your photos for 2018 Alumni calendar

SMART Transportation Division is seeking quality railroad, bus and airline photos, taken by members, for placement in the annual SMART TD Alumni Association calendar and for other uses.

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 340, North Olmsted, OH 44070. To be considered in the 2018 calendar, photos must be received by Oct. 8.

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 never take photos while on duty and to only take photos from a clear point of safety and in compliance with all applicable company rules.

All photographs submitted become property of SMART Transportation Division.
FEMA appoints SMART TD’s Hayes as rail labor rep.

Yvonne Hayes, chairperson of Local 1138 in Miami, Fla., and assistant general chairperson (GO-851), was selected to serve as a member of the FEMA National Advisory Council (NAC) Railroad Emergency Services Preparedness, Operational Needs and Safety Evaluation (RESPONSE) subcommittee. She is the sole commit- tee member representing rail labor.

Hayes brings nearly 40 years of experience in the labor movement and 25 years in freight rail to her new role. Her career in transportation and focus on safety was ingrained at a young age, as Hayes’ father was an airline pilot who also served as the safety chairperson for his union. She grew up listening to real-life accident scenarios in the transportation industry—and her father’s focus on safety and “doing the job right” above all else, has stayed with her throughout her career.

In 2008, she earned a Bachelor’s degree in Labor Studies and Occupational Safety & Health from the National Labor College, and later taught indus- trial safety and instructional systems design courses at the college. Hayes is an authorized OSHA trainer for 10- and 30-hour courses on industry safety standards.

She also serves as a staff peer trainer for the Rail Workers’ Hazmat Training Program (RWHMTP). The RWHMTP, a consortium of nine rail unions, is designed to educate rail workers beyond the gen- eral safety training provided by carriers, and empowers rail workers with increased knowledge on the risks associated with rail transportation of hazardous materials.

Hayes has worked with fellow RWHMTP trainers in developing innovative curricula that arms rail- roaders with the confidence they need to master safety rules and regulations and to understand the science behind them. Her “Railworkers HazMat Toolbox,” developed under a Hazardous Materials Instructor Training (HMIT) grant by the Depart- ment of Transportation (DOT), was designed to provide hazmat awareness-level training in short sessions, specifically tailored to the daily safety briefings on the railroad. Additionally, Hayes collaborates frequently with members of SMART TD to ensure the curriculum at locals, workshops and regional meetings, conducting Labor, Safety & Health seminars and hazmat courses.

Hayes has been a mentor to new hire conductors at her terminal and has been one of the labor mem- bers of CSX’s Labor-Management Rule Simplifica- tion Team, whose mission was to rewrite the CSX operating rules manual with the end goal of eliminating “gray areas” that allowed CSX managers to interpret rules differently from one day to the next. In 2014, Hayes was selected as one of two labor members to represent this team at the Railroad Safety Leadership Forum of the Ameri- can Association of Railroads.

In addition to her recent appointment to the FEMA RESPONSE subcommittee, Hayes continues to serve as one of the SMART TD representatives on the Hazardous Materials Working Group of the FRA’s Rail Safety Advisory Committee. Hayes’ recent appointment will bring railroad safety issues from a labor perspective to the national forefront, and will allow Hayes to apply her freight rail safety experience and expertise to affect positive change and make the railroad safer for every- one.

“The most important thing is that this is an opportu- nity for rail labor to assist our brothers and sisters in the field of emergency services to stay safe when they respond to a derailment or other rail- road emergency. I am honored to represent SMART Transportation Division and all rail labor in this new role,” Hayes said.

Local 64, Waskea, Minn.

Local 64 Secretary & Treasurer Michael Taylor reported that after two years of contin- ued requests for better lighting at the Canadian Pacific (CP) yard in Waskea, Minn., CP has finally started to upgrade the lighting. So far the railroad has replaced 24 of the lights in the yard with new LED lights. Some lights were also changed to a double lighting sys- tem instead of one light.

“This will make it safer for employees and train crews who work in the yard,” Taylor said. “They are allegedly going to revamp the lighting in the entire yard.”

Local 298, Garrett, Ind. & Local 1202, Ft. Wayne, Ind.

Pictured from left: Robert Holbrook, Kelly DeCoursey, Local 298 Chairperson Kevin DeCoursey, Local 1202 Legislative Vice Chairperson Andy McKeeman, State Legislative Director Ken Edwards, Michelle Hendrickson, Local 298 Leg- islative Representative Lucas Hendrickson, Molly McCaig and Vice Local 1202 Chairperson Kim McCaig.

Members of Locals 298 and 1202 attended the 31st Annual Third District Dinner held April 22. The event was hosted by Indiana’s third congressional district democratic committee. Indiana State Legislative Director Ken Edwards was one of three key note speakers along with former Lt. Gov. candidate Christina Hale and House Minority Leader Rep. Scott Pelath.

Local 1473, Boston

Local 1473 in Boston, recently finished the restoration of this caboose.

Local 1892, Houston

Local Chairperson Daniel Holak reported that Local 1892 is preparing to host the Annual 2017 Houston Union Rally. Last year was the first year the event was held and included SMART TD members, trainmen and engineers. This year the local has decided to expand the event to include members from the BLET and their leadership.

“We feel there is a need for the unions to unite as a whole as we see the carriers continu- ingly trying to get a stronghold on us and our jobs,” Holak said. “We had a great turnout of members from Local 298 & 1202 (Local 1473 in Boston),” Holak added. “Let’s keep going.”

GO 577 General Chairperson Roy Davis will be the master of ceremonies again this year. SMART TD Vice President Jeremy Ferguson will also be on hand. Representatives from the Design- ated Legal Counsel, Railroad Retirement Board, United Healthcare and others will be on-hand to answer members’ questions.

The event will be held Monday, Sept. 25, from noon to 8 p.m. at the SPJST Lodge 88, 1435 Beall St., Houston, TX 77008. Members and spouses are invited, as well as retirees. Door prizes will be given throughout the day. Members who are planning to attend are encour- aged to RSVP, but it is not mandatory. Those wishing to RSVP should contact LCA Secre- tary Bsutky Boggess at 713-503-8560 or by email at isa1892secretary@gmail.com.

“We will have great food, great fellowship and a great time! This is an all-day event that will be fun, informative and motivational,” Holak said.

Local 1910, Macon, Ga.

Pictured from left are Jose Cosby, GO 169 Vice Chairperson Dan Doster, UTUIA Field Supervisor Steve White, Vice Local Chairperson Willie White, Charles Hudson II, Vice Local Chairperson Timothy Patrick, Secretary & Treasurer Tony Roland, Christopher Watkins, Richard Roberts, Milton Chatman, GO 169 Secretary Thomas Williamson Jr., Carl Watkins, Tommy Williamson, Grant Moore, GO 169 General Chairperson James Stewart Jr., Local Chairperson Charles Elvington, Reginald Browner, Harrison Millines Jr., Vice Local Chairperson Eric Robinson, Terry Hamilton, Local Vice President Louis Exum, Trent Shupling, Local President John Pitts and Wade Hall.
After four-plus years of arduous contract negotiations and mediation, SMART TD train and engine service members operating at Birmingham Terminal Railway recently ratified their first generation collective bargaining agreement that governs wages and working conditions on that property through calendar year 2019. 96 percent of the voting membership was in favor of the agreement.

SMART TD Vice President John E. Lesniewski, who assisted with negotiations, commended General Chairperson Mark Cook and his negotiating team (consisting of Assistant Chairperson Thomas Gholson, William “Eddie” Carroll, Derek Brown and Bobby McDaid) for their “persistent and systematic attentiveness to the needs of our membership.”

Cook expressed his gratitude to Lesniewski for “bringing a wealth of experience and an enduring commitment to the bargaining table.” Lesniewski, Cook and the entire negotiating team praised the members of Local 1897 for their patience and loyalty throughout the extensive negotiating process.

Birmingham Terminal Railway is a subsidiary of Watco Companies, an operator of several short-line railroads in the United States. The BTRR operates 75.9 miles (122.1 km) of track providing switching services in the Birmingham, Alabama area. In April, BTRR has ratified in 2012 after acquiring the assets of the Birmingham Southern Railroad.

Local 198 benefits from new CBA

Tazewell and Peoria (TZPR) Local 198 (Peoria, Ill.) members unanimously ratified a new five-year agreement June 2, 2017.

The new agreement duration is retroactive to November 1, 2014, and goes through October 31, 2019, and provides five general wage increases totaling 14 percent with full back pay. An hourly increase of 15 percent will also be provided with the contract. Members will enjoy increased paid vacation time and five to eight paid flex days per year. The agreement also provides for an increase in 401k employer contribution match from 3 to 4 percent. Members will also be enrolled in the Genesee and Wyoming Midwest Region short-term disability program.

“For former General Chairperson Brandt Bechtold, General Chairperson Chad Rossman and Local 198 Secretary-Treasurer Al Kollar, did an excellent job of bringing members’ concerns to the table,” said SMART TD Vice President Dave Wier.

Part of Genesee & Wyoming Inc., TZPR operates 24 track miles and interchanges with BNSF, Canadian National, Norfolk Southern, Union Pacific, KCS Eagles, and short line railroads at Creve Coeur, Ill. Commodities shipped by the railroad include chemicals, coal, construction materials, food and feed products, forest products, and scrap.

“Thank you from the bottom of our hearts for their tireless effort in seeing this to frution,” Studinant said.

“There was a lot of pushback from the carrier, but SMART TD stayed on message and that effort reflected in the voting. We are looking forward to securing for our new bus members a fair and equitable collective bargaining agreement,” Studinant added.

Brega Transit’s Yellow Bus division provides professional school bus service throughout Rockland County, N.Y.

Local 854 rallies to raise awareness of possible 2018 budget cuts to Amtrak funding

Recently, employees of the Golden Isles Terminal Railway, Savannah Port Terminal Railroad, Brownsville & Rio Grande International Railway, LLC and Brega Transportation all voted for SMART TD representation.

Golden Isles Terminal Railroad

Train and engine service employees as well as yardmaster employees of Golden Isles Terminal Railroad recently voted yes to SMART TD representation. On May 12, the National Mediation Board (NMB) certified that SMART TD has been duly designated and authorized to represent train and engine service as well as yardmaster employees of the railroad.

“These employees recognize what the strength and power that being part of the nation’s largest rail labor organization can do for them,” said SMART TD Director of Organizing Rich Ross.

“We would like to thank all those involved with the successful campaign on Golden Isles Terminal Railroad, specifically Vice President Jeremy Ferguson, GCA 851 Vice Chairperson Joe Bennett and local officials of Local 1031, Local President James Robertrtoy, Local Legislative Rep. Isaac Gamble, Local Chairperson Darrin Brown and Local Chairperson Jeremy Sessions,” said Ross and Transportation Division Organizer Larry Grutzius.

Golden Isles Terminal Railroad operates 33 miles of track in and around the port at Brunswick, Ga. The railroad has interchanges with both CSX and Norfolk Southern.

Commodities carried by the short line are chemicals, coal, food and feed products, machinery, and pulp and paper. The Golden Isles Terminal Railroad was founded in 1998 by Genesee & Wyoming, Inc.

Savannah Port Terminal Railroad

The operating employees of Savannah Port Terminal Railroad (SAPT) of Garden City, Ga., voted for SMART TD representation May 16. On May 17, 2017, the NMB certified that SMART has been duly designated and authorized to represent the operating employees of SAPT.

“These employees recognize what the strength and power that being part of the nation’s largest rail labor organization can do for them,” said Ross.

“We would like to thank all those involved with the successful campaign on Savannah Port Terminal Railroad, specifically Vice President Jeremy Ferguson, GCA 851 General Chairperson Joe Whitaker, Vice General Chairperson Joe Bennett, and local officials of Local 1031, President James Robertrtoy, Local Legislative Representative Isaac Gamble, Local Chairperson Darrin Brown and Local Chairperson Jeremy Sessions,” said Ross and Grutzius.

SAPT operates 18 miles of track and interchanges with CSX and Norfolk Southern in Garden City, Ga. The railroad’s commodities include chemicals, food products, intermodal containers and pulp and paper. SAPT was founded in 1998 by Genesee & Wyoming.

Brownsville & Rio Grande International Railway, LLC

Carmen, train and engine service, locomotive mechanics and maintenance of way personnel of the Brownsville & Rio Grande International Railway (BRC) all voted for SMART TD representation June 13, 2017. On June 14, the NMB certified that SMART has been duly designated and authorized to represent the Carmen, train and engine service, locomotive mechanics and maintenance of way employees.

“The employees are a tight knit group that deserves the benefits that union membership can bring them,” Ross said.

BRG operates 45 miles of line at the Port of Brownsville, Texas, and interchanges with Union Pacific and KCSM. BRG traffic includes steel, agricultural products, food products and general commodities.

The BRG commenced operations in 1984 when the Brownsville Navigation District (BND) reclaimed Port railroad operations from the Missouri Pacific Railroad. The BND, which manages the Port of Brownsville, entered into a 30-year agreement with Omni TRAX to operate and expand the business development capabilities of the Port of Brownsville & Rio Grande International Railroad on its behalf in June of 2014.

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

Brega Transportation

Bus Vice President Calvin Studinant reported that 120 bus operators and bus aides employed by Brega Transportation voted for SMART TD representation for the Port of Brownsville.

“I would like to thank SMART TD Director of Organizing Rich Ross for providing the necessary resources to make this a successful campaign. I would also like to thank New York State Legislative Director Sam Nasca and Local 1705 General Chairperson Thomas Bruce for their tireless effort in seeing this to fruition,” Studinant said.

“Members of Local 854 picketed at the Norfolk, Va., Amtrak station July 1 to raise awareness about the possible $4.5 billion budget cuts to Amtrak service,” said Ross.

Members of Local 854 picketed at the Norfolk, Va., Amtrak station July 1 to raise awareness about the possible $4.5 billion federal transportation cuts to Amtrak service. Pictured here (left to right) are Local Chairperson Ronnie Hobbs Jr., William Whiteley, Vice Local Chairperson Luke Vivies, Jeff Foster, Local President Michael Pintozzer, Ray Myers, Local Trustee DeShawn Dwight, LCA Secretary Anthony Hall, Local Trustee Jake Foster, Local Alternate Legislative Representative Sean McDaniel and Virginia State Legislative Director Ronnie Hobbs Jr.
Tragically, we continue to suffer the dangers of railroad work

We lost three more Brothers in June. Conductor Jerry Lafave, Conductor trainee Stephen Deahl from SMART TD Local 600 in Cumber- land, Md., left June 27 for work and never returned. On June 10, we also lost Michael Olek of SMART TD Local 29 in Long Island, N.Y.

My thoughts and prayers remain with those we have lost, their families and their union Brothers and Sisters as well.

The loss of Brothers Lafave, Deahl and Olek is yet another wakeup call that we must heighten our efforts to make America’s freight and passenger rail systems as safe as possible for railroad employees and communities alike.

“Mandating two-person crews is just one step toward better safety. We also need to battle harder for stronger fatigue rules and hours-of-service requirements. The fatigue rules in our industry should not be dictated by business efficiencies, but instead by sound science that always makes the safety and security of motorists, passengers and communities paramount.”

That means taking fatigue seriously and understanding that the unpredictable nature of assignments in the rail industry will put members of this and other unions in situations where there is no adequate rest—due to no fault of their own.

Along with safety measures like crew size, there is yet another battle underway. At meetings I attended recently, I have heard again from members and SMART TD leaders about the fight to fund the National Mediation Board (NMB).

Our first priority is a safe workplace for every SMART member, which includes our mission to mandate two-person crews on rail lines from coast-to-coast. SMART President John Previsich puts it well when he reminds everyone that it would be unthinkable for a pilot: “Even though a plane can fly itself, freight trains, which cannot, should be treated the same.”

SMART General President’s Column

By Joseph Sellers Jr.

Airlines seek to cut pilot in-flight training hours

Regional airlines are working to reduce pilot in-flight training hours from the 1,500-hour requirement, through a provision that could be adopted at the upcoming Federal Aviation Administration (FAA) Reauthorization Bill.

On June 29, a senate committee panel advanced the measure along with several other reforms that would provide adequate funding for aviation safety. A sponsor of the legislation, Senator Kay Hagan of North Carolina, stated, “There is a reason pilots often say FAA regulations are written in blood - if a pilot isn’t fully prepared to handle any unexpected weather or flying condition, human lives may be in jeopardy. I won’t stop fighting to protect the lives of everyone on board an aircraft until we have rules in place to ensure airline pilots get the training they need to be the more effective leader for his or her membership.”

Captain Chesley “Sully” Sullenberger, the US Airways pilot who heroically landed his aircraft in the Hudson River in 2009, is also adamantly opposed to the measure and voiced his opposition at the same hearing.

“It’s not just a matter of training hours - it’s a matter of life and death for every single pilot and airline passenger. Flying has always been a passion of mine and I know firsthand how risky it can be to fly without the necessary training and experience,” Duckworth told the Senate Commerce, Science and Transportation Committee at a hearing on the bill.

“As there is a reason pilots often say FAA regulations are written in blood - if a pilot isn’t fully prepared to handle any unexpected weather or flying condition, human lives may be in jeopardy. I won’t stop fighting to protect the lives of everyone on board an aircraft until we have rules in place to ensure airline pilots get the training they need to be the more effective leader for his or her membership.”

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“We can’t control harsh weather patterns, but we can control how prepared a pilot is to handle unexpected situations in flight - and trust me, there is no training substitute for actual flying time and real-world experience,” Sullenberger said. “Efforts to reduce flying hours fly in the face of evidence and logic, and put millions of lives at risk if pilots should be doing everything we can to improve - not reduce - the safety of pilots and passengers.

U.S. Senator John Thune, R – S.D., introduced the provision.

It is unacceptable that cases are being delayed for what now can be up to two years. The old truth remains sadly relevant: “Justice Delayed is Justice Denied” for members waiting to have their cases heard.

In the end, these issues are all related. Whether on workplace safety or workers’ rights, the promises and policies that sound so good in the media and on the campaign trail mean nothing when political powers deny concrete action and adequate funding for rules and programs that make so much common sense.

Unfortunately, what is far too common are the senseless and unending deaths, injuries and workplace injustices that these profit-first, anti-worker positions continue to foster. We must, and we will, continue to press ahead to win the safe, fair treatment that our members, our communities and our nation all deserve.

Fraternally,

Joseph Sellers Jr.
General President, SMART
In these turbulent times, when our union and others are working to obtain agreements favorable to our members in rail, bus and transit operations, it is helpful to remember the hard-fought battles taken up by our union brothers and sisters who came before us—many of whom paid the ultimate price in fighting for worker’s rights, human rights and social justice.

“The striking railroad workers sent a strong, loud message to business owners, lawmakers and the public: unity is a powerful catalyst for change, and workers do not have to accept the status quo.”

This summer marks the 140th anniversary of the first national labor strike in America’s history: The Great Railroad Strike of 1877. More than 100,000 railroad workers from across the country actively participated in the strike. The violent clashes resulted in more than 100 deaths and tens of thousands of injuries. By mid-August, federal troops were called in and on the 45th day, the strike was over. Although the striking railroad workers were forced to disband, their battle was not in vain, as the strike sparked a surge in the American labor movement. The striking railroad workers sent a strong, loud message to business owners, lawmakers and the public: unity is a powerful catalyst for change, and workers do not have to accept the status quo.

Following the 1877 strike, unions formed across many industries, workers organized and memberships began to grow. Thousands of strikes have occurred since then, and in the past century and a half, the labor movement has seen setbacks and major strides forward.

“It may become necessary for us to rise in solidarity to achieve the fair and equitable contract that our members deserve. We must remain vigilant, involved and be ready to act. We must know our history and never forget the sacrifices of our union brothers and sisters who came before us.”

Since 1877, society has changed in a myriad of ways, but two elements remain the same: First: Big business, in collusion with anti-union lawmakers, seeks to destroy collective bargaining and crush solidarity. Corporate agendas, then and now, are not labor-friendly and never will be.

Second: Solidarity remains a powerful catalyst for change.

Both of the above factors are currently relevant. Although we continue to believe that a voluntary national rail agreement is in the best interests of our members, the carriers with whom we are negotiating have, to date, refused to back away from their unreasonable demands. Our efforts are continuing, but at some point, it may become necessary for us to rise in solidarity to achieve the fair and equitable contract that our members deserve.

We must remain vigilant, involved and be ready to act. We must know our history and never forget the sacrifices of our union brothers and sisters who came before us—and we must be inspired by those who fought and died defending worker’s rights.

Fraternally,

John Previsich
President, Transportation Division

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State Watch

News from SMART TD State Legislative Boards

Illinois

State Legislative Director Bob Guy reported that Illinois SMART TD members were proud to participate in the 10th annual Illinois AFL-CIO Committee on Political Education (COPE) golf outing held in Springfield, Ill., June 5. The sell-out event was attended by more than 100 union members and brings in legislators from all parts of Illinois.

Kansas

Kansas State Legislative Director Ty Dragoon reported that with much public support, Amtrak is considering restoring passenger service between Ft. Worth, Texas, and Kansas City, Kansas, as well as adding a connection with Amtrak’s Heartland Flyer and Southwest Chief trains. On June 9, Amtrak operated a special inspection train that departed Oklahoma City and traveled north over the route, stopping at potential stations, and arriving at Kansas City Union Station.

“I was honored to be invited on the inspection train. It shows that SMART TD Kansas Legislative Board (KSLB) has, and will continue to be at the table,” Dragoon said. “The KSLB will continue to advance efforts at the Kansas Statehouse to establish a full-service route from Ft. Worth to Kansas City.”

Nevada

S.B. 427, Nevada’s two-person crew bill, passed in the state senate June 3, with 27 yeas, 11 nays and four excused. The bill was then sent to Nevada Governor Brian Sandoval (R) to be signed into law. In a loss for safety, Sandoval vetoed the bill, which cannot be reintroduced until the 2019 session.

Texas

SMART TD General Chairperson (GO 927) Stephen Simpson (right) met with U.S. Representative Louie Gohmert (R - Texas; left) in an effort to garner his support on the two-person crew bill, H.R. 233. Simpson also talked with the congressmen about the backlog of cases awaiting arbitration by the NMB and discussed the need for funding for Amtrak.

“I had a very productive meeting and encourage other general chairpersons and state legislative directors to meet with their members of congress to help our national legislative director and his staff,” Simpson said.

Submit your legislative stories and photos to SMART Transportation Division by emailing: news_td@smart-union.org
SMART TD: Educate → Organize → Mobilize!
A recap in photos of the 2017 San Antonio & New York City Regional Meetings

San Antonio

Designated Legal Counsel Coordinator Anthony Ratno gives a presentation to a packed classroom during the Labor and Safety workshop held Monday afternoon at the San Antonio Regional Meeting.

SMART TD presented Texas State Sen. José Menéndez (C) with a brass lantern. Pictured from left: Texas State Legislative Director Karonn Sandeen, Menéndez, Vice President John Lesniewski and TD President John Previsich.

Members pack the house of one of the many workshops offered at the San Antonio Regional Meeting.

Local 240 S&T Dale Biggs (left) and Local 240 Trustee Glen Holmes (right) arrive at their next workshop together.

SMART TD Accounting Supervisor Myles O’Rielly (left) scans members’ badges as they leave a workshop, giving them credit for their attendance.

SMART TD President John Previsich presented a certificate of appreciation to retired Missouri State Legislative Director Ken Mangus for his work on improving the SMART TD Alumni Association.

New York

Transportation Division President John Previsich presents a commemorative brass lantern to U.S. Rep. Peter King (R) in appreciation of his advocacy on behalf of SMART TD members.

General Secretary Treasurer Rich McClair, Vice President John Lesniewski, General President Joe Sellers, Transportation Division President John Previsich, U.S. Rep. Thomas Suozzi (D), General Chairperson Anthony Simon, National Legislative Director John Reisch and New York State Legislative Director San-Raas give a thumbs up after Suozzi’s Monday speech.

Railroad Retirement Board Representative Mark Thompson answers retirement questions posed by New England States’ State Legislative Director George Casey.

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SM ART TD Network Administrator Cary Nitschke scans in the name badge of Local 1263 Chairperson Richard Keen, giving him credit for attending a workshop.

SMART TD Vice President Calvin Studnick (standing) explains how to handle operator assaults during a round-table discussion at the Bus Operator Assault Workshop, one of the bus workshops offered at this year’s eastern regional meeting held at the Sheraton New York Times Square Hotel in New York City.

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Medicare to issue new cards in 2018 to protect identities of retirees

Whether a person is receiving Medicare through Social Security or through the Railroad Retirement Board (RRB), the patient may be vulnerable to identity theft due to the SSN/RRB Claim number being present on their Medicare card.

Soon, you won’t need to worry about someone obtaining your personal information from your Medicare card. Starting in April 2018, the Centers for Medicare & Medicaid Services (CMS), in conjunction with the RRB, will begin issuing new cards with a ‘Medicare Beneficiary Identifier’ or MBI. These cards will be sent in phases to existing Medicare beneficiaries, and by April 2019, all Medicare/Railroad Medicare cards will be free of personally identifiable information. This includes the removal of the gender and signature line.

Here is what a MBI will look like:

- It will have 11 characters
- The numbers will be generated randomly. Medicare considers them ‘non-intelligent’ numbers that don’t have any hidden or special meaning.
- It will be unique to each patient
- It will contain capital letters (all letters or a number)
- The 2nd, 5th, 8th and 9th characters will be a letter or a number
- Characters 1, 4, 7, 10 and 11 will always be a number, and
- The 3rd and 6th characters will be a letter or a number

If you have a question about a claim, you may call Palmetto GBA’s Beneficiary Contact Center at 800-833-4455, or for the hearing-impaired, call TTY/TDD at 877-566-3572. Customer Service Representatives are available Monday through Friday, from 8:30 a.m. until 7 p.m. ET. Retirees are also encouraged to visit Palmetto’s website at www.PalmettoGBA.com/RR/Me.

To learn more about the layout of a MBI, please visit this CMS webpage: https://www.cms.gov/Medicare/New-Medicare-Card-Understanding-the-MBI-with-Format.pdf.

Whether a person is receiving Medicare through Social Security or through the Railroad Retirement Board (RRB), the patient may be vulnerable to identity theft due to the SSN/RRB Claim number being present on their Medicare card. Starting in April 2018, the Centers for Medicare & Medicaid Services (CMS), in conjunction with the RRB, will begin issuing new cards with a ‘Medicare Beneficiary Identifier’ or MBI. These cards will be sent in phases to existing Medicare beneficiaries, and by April 2019, all Medicare/Railroad Medicare cards will be free of personally identifiable information. This includes the removal of the gender and signature line.

Here is what a MBI will look like:

- It will have 11 characters
- The numbers will be generated randomly. Medicare considers them ‘non-intelligent’ numbers that don’t have any hidden or special meaning.
- It will be unique to each patient
- It will contain capital letters (all letters or a number)
- The 2nd, 5th, 8th and 9th characters will be a letter or a number
- Characters 1, 4, 7, 10 and 11 will always be a number, and
- The 3rd and 6th characters will be a letter or a number

To learn more about the layout of a MBI, please visit this CMS webpage: https://www.cms.gov/Medicare/New-Medicare-Card-Understanding-the-MBI-with-Format.pdf.

Retirees!
Is your local chapter having an event? Are you doing something interesting with your retirement? Or maybe you’ve won an award? SMART TD News would like to know about it!

Email your stories to: news_td@smart-union.org or call 216-226-9400.
Local officer nominations set for October 2017

SMART Transportation Division members are reminded that elections are scheduled to be held this autumn to fill the three-year local officer positions described in the SMART Constitution’s Article 21B, Section 56.

Positions include president, vice president, secretary, treasurer, (where applicable) and one or more board of trustees. In addition, any existing vacancies (except for those in the positions of delegate or alternate delegate) should be addressed during these elections.

As per the constitution’s Article 21B, Section 57, nomination meetings are held in October, with election day set in November by the local secretary. Winning candidates assume their offices January 1, 2018. If they are filling a vacancy, however, they take office immediately.

Candidates must garner a simple majority of valid votes cast to win election to any elective Transportation Division office. (A simple majority can be thought of as 50 percent of votes, plus at least one more vote.)

The process begins

For the local’s secretary or secretary-treasurer, the election process begins with an effort to update the membership roster, ensuring accurate addresses are on file for each member. Our constitution’s Article 21B, Section 49 requires each member to keep the local secretary and treasurer advised of their current home address. Hence, the same as the U.S. Department of Labor regulations and the Labor-Management Reporting and Disclosure Act (LMRDA) requires, the local secretary must post notices to update addresses in advance of an election.

Members can update their address by contacting their local secretary, or can do so themselves through a tab on the homepage of the Transportation Division’s website at www.smart-union.org/td.

Even if your local conducts a floor election, where voting takes place at a physical location, updating members is an important address up to date. Your local secretary (or secretary-treasurer, as the case may be) needs to mail a notice to all active members of the local to advise them, at least 15 days in advance of tabulation, that an election is to take place. The notice will indicate when and where voting will take place. (Postcards for this purpose are available for purchase from the Transportation Division’s Supply Department.)

If the local is conducting its election by mail, the ballot itself must be mailed out at least 15 days in advance of the date of tabulation, as that is the local election process is addressed directly in the SMART Constitution’s Article 21B, Section 49. The notice will indicate when and where voting will take place. (Postcards for this purpose are available for purchase from the Transportation Division’s Supply Department.)

Nominations

The secretary must post a notice at least 10 days in advance of the October nomination meeting indicating when and where nominations for affected positions will take place. They need not mail this notice directly to members. Nominations may be made by any member in good standing from the floor at the nomination meeting. Nominations do not require being elected to the post they are nominating for. If a member wishes to self-nominate or nominate someone else, but cannot attend the meeting, nominations may be submitted through a petition. A nomination petition must state the name of the nominee, the position for which he or she is being nominated, and must carry at least five signatures of members in good standing. No nominations can be accepted following the close of the nomination meeting.

If only one member is nominated for a position, that member can be declared elected by acclamation. The scheduled elections held this autumn offer an opportunity to fill other vacancies which may exist. If the vacant position is a Local Committee of Adjustment (LCA) position, only members of that LCA are eligible to make nominations for the post to vote in that election. In locals having more than one LCA for different crafts, the secretary will provide a separate nomination petition for each craft working under the jurisdiction of the committee involved. Any member in good standing with seniority in any of the crafts represented by the LCA can run for an office in that LCA.

Eligibility

To be eligible to vote, all dues and assessments must be paid within the time frame specified by the constitution, Article 21B. Section 49, indicates dues are to be paid in advance, before the first day of the month in which they are due. Eligibility to make nominations or to be nominated is similar. This means, for example, if the nomination meeting is in October, the nominator and the nominee must have paid all dues obligations prior to October 1. To vote in November, the voter must have paid all dues obligations prior to November 1. Those in so-called E-49 status are eligible to run for office, but they cannot make nominations or and they cannot vote. If elected, acceptance of pay from the company or the union creates a dues obligation.

Elections

As previously noted, candidates must garner a simple majority of valid votes cast to win election.

When it comes to handling elections for the Board of Trustees, instructions on the ballot shall include above the candidates’ names telling the voter: “Vote for three candidates.” Each member of the three-member Board of Trustees must be elected by a majority of votes cast, a requirement which frequently results in the need for runoff elections. The rule of thumb in such runoffs is that for each open position, two candidates must be elected, two candidates will compete.

For example, if nine candidates run for a position on the Board of Trustees, and 200 valid ballots are cast, the number of candidates for the first round of the election, each successful candidate must receive at least 101 votes. If no candidate receives at least 101 votes, a runoff must be held.

The runoff would include two candidates for each open position. In the above example, this means that the three candidates with the lowest vote total would be dropped from the ballot, and the names of six candidates appear on the runoff ballot. In the runoff, if only one candidate attains a majority of votes that means one of the three positions was filled, and there remains two Trustee positions to fill, five remaining candidates. Of those five remaining candidates, the candidate with the lowest vote total would be dropped from the ballot, and another election must be held for four candidate’s names (because there are two positions to be filled)."

More information

Members are encouraged to consult Article 21B of the SMART Constitution for information regarding nominations. Unless an item within Article 21B directs you to a further stipulation outside of Article 21B, only the provisions found within the article applies to Transportation Division elections. The local election process is addressed directly by Article 21B, Section 49.

Election information and guidelines have been distributed to all Transportation Division local presidents and local secretaries, as well as to general chairpersons, state legislative directors and Transportation Division international officers.

Members can consult their local officers to examine this information, or they can visit the Transportation Division’s website at www.smart-union.org, click on “S&T Tools,” and on the resulting page, click on “More forms...” at the bottom of the column marked “Forms and Documents.”

Special Circular No. 32 describes the constitutional provisions involved in the local election this autumn, and the pamphlet entitled “How to Hold Elections for Local Officers” gives practical, hands-on guidance and includes samples of nomination and election notices that can be posted.

Questions?

There are many provisions not covered by this article, including those that address candidate rights and responsibilities; posting of notices, and the like. Those with election questions are urged to call the Transportation Division office at 216-226-9400.
Transportation Division policy concerning fees objectors

1. Any person covered by a UTU, now SMART, union shop or agency-shop agreement in the United States who objects to the reduced fees determined by an independent audit of the records of the Transportation Division may file a notice of objection with the President of the Transportation Division. The objection must be received in the Transportation Division office within thirty (30) days after he/she first begins paying fees, and must be addressed to the President of the Transportation Division at the address of the local union whose records are under review. The objection shall contain the name, address, and local number of the union whose records are under review, as well as a statement of the amount of the objection. The objection shall state the basis for calculating the reduced fees that must be paid by the objector. The President of the Transportation Division shall have control over all procedural matters affecting the arbitration. The arbitrator shall have discretion to hear evidence not introduced at the hearing and to make findings on any matter not specifically addressed in the arbitrator's report. The arbitrator's report shall be final and binding on the objector and saddle the objector with the amount of the reduced fees determined by the arbitrator.

2. The objecting non-members shall provide notice of objection to the President of the Transportation Division, and shall provide a copy of the notice of objection to the objector, as well as to the objector's attorney, if any. The President of the Transportation Division shall notify the objector and the objector's attorney, if any, of the provisions of this policy and of the right to have a transcript of the hearing.

3. All fees expenses for the education and training of officers of the local union are chargeable. All expenses for the education and training of officers of the local union are chargeable.

4. Convention activities expenses shall be chargeable. All expenses incurred in connection with the negotiation of agreements, practices and working conditions, including grievance issues, shall be chargeable.

5. Any person covered by a UTU, now SMART, union shop or agency-shop agreement in the United States who objects to the reduced fees determined by an independent audit of the records of the Transportation Division may file a notice of objection with the President of the Transportation Division. The objection must be received in the Transportation Division office within thirty (30) days after he/she first begins paying fees, and must be addressed to the President of the Transportation Division at the address of the local union whose records are under review. The objection shall contain the name, address, and local number of the union whose records are under review, as well as a statement of the amount of the objection. The objection shall state the basis for calculating the reduced fees that must be paid by the objector. The President of the Transportation Division shall have control over all procedural matters affecting the arbitration. The arbitrator shall have discretion to hear evidence not introduced at the hearing and to make findings on any matter not specifically addressed in the arbitrator's report. The arbitrator's report shall be final and binding on the objector and saddle the objector with the amount of the reduced fees determined by the arbitrator.

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Building America’s railroads: The next 100 years (continued from last issue)

1901: Union Pacific (UP) assumed control of Southern Pacific (SP).

1912: UP and SP are forced to separate by the Supreme Court.

1924: The Atlantic Coast Line and Louisville & Nashville Railroad (L&N) agreed to terms on a 99-year lease with the Carolina, Clinchfield & Ohio Railroad (CC&O).

1929: Santa Fe sold its interest in Northwestern Pacific (NWP) to Southern Pacific. NWP becomes a wholly owned subsidiary of SP.

1932: SP gained 87 percent control of the Cotton Belt Railroad.

1939: Kansas City Southern Railway (KCSR) acquired the Louisiana and Arkansas Railway (L&A).

1940-1969: KCSR offered luxury passenger service between Kansas City and New Orleans on the Southern Belle.

1947: The Pere Marquette Railway merged into the Chesapeake & Ohio Railway (C&O).

1951: Southern Pacific subsidiary Southern Pacific of Mexico was sold to the Mexican government.

1957: The L&N moved to more diesel engines and retired its last steam locomotive. • The Nashville, Chattanooga & St. Louis Railroad merged into the L&N and became the NC&StL. NC&StL was 1,200 miles long and connected Memphis, Nashville, Chattanooga and Atlanta.

1959: Central Pacific (CP) formally merged into the Southern Pacific.

1960: The Atlantic Coast Line (ACL) moved from Wilmington, N.C., to Jacksonville, Fla.

1961: The Texas and New Orleans Railroad merged with Southern Pacific.

1962: The Southern Pacific Terminal Company merged with SP.

1963: CSX acquired stock control of B&O.

1964: C&O/B&O filed with the Interstate Commerce Commission (ICC) for permission to acquire control of the Western Maryland Railroad.

1965: C&O filed with the ICC to acquire control of the Chicago South Shore and South Bend Railroad (CSS&SB) and announced plans to merge with Norfolk & Western. The ICC approved the CSS&SB bid in 1966.

1966: The Atlantic Coast Line and Seaboard Air Line Railroad merged to form the Seaboard Coast Line on July 1.

1969: UP formed the Union Pacific Corporation.

1970: President Nixon signed the Passenger Rail Act of 1970. This legislation established the National Railroad Passenger Corporation to assume operation of intercity passenger rail service. • Burlington Northern Railroad (BN) was created through the merger of the Chicago, Burlington & Quincy; the Great Northern; the Northern Pacific; the Spokane, Portland and Seattle; and the Pacific Coast Railroads.

1971: The Railroad Passenger Service Act was signed by President Nixon, creating Amtrak. • On May 1, the National Railroad Passenger Corporation began operating under the name Amtrak when Clocker No. 235 left New York’s Penn Station en route to Philadelphia.

1972: Seaboard Coast Line, the L&N, C&O, Georgia Railroad and the West Point Route became known collectively as The Family Lines.

1973: Chessie System was incorporated Feb. 26, and became the parent company of the B&O, C&O and Western Maryland Railroads on June 15.

1976: The Consolidated Rail Corporation (Conrail) was formed on April 1. Conrail’s network reached into Pa., N.Y., N.J., Del., Conn., W.Va., Md., Ind., Ohio and Ill.

1980: The Chessie System and Seaboard Coast Line Industries merged to form CSX Corporation on Nov. 1. The C stands for Chessie, the S for Seaboard and the X for the multiplication effect, recognizing two companies coming together. • The Frisco was added to the BN. • Southern Pacific extended the Cotton Belt Railway from St. Louis, Mo., to Santa Rosa, N.M. through acquisition of the former Rock Island Railroad.

1982: On Dec. 29, the Seaboard Coast Line and Louisville & Nashville (under the Family Lines entity) were merged to form the Seaboard System Railroad, Inc. This was the first step under the CSX Corporation holding company to combine all railroads into one. • Missouri Pacific and Western Pacific merged with UP, making UP the third-largest rail system in the nation.


1984: Southern Pacific sold the northern portion of Northwestern Pacific to Eureka Southern Railroad, an independent shortline. • The Southern Pacific Company merged into Santa Fe Industries, parent company of the Atchison, Topeka and Santa Fe Railroad. The Santa Fe Southern Pacific Corporation was formed. When the Interstate Commerce Commission refused permission for the planned merger of the railroad subsidiaries as the Southern Pacific Santa Fe Railroad, the railroad shortened its name to Santa Fe Corporation and put the SP railroad up for sale while retaining the non-rail assets of the Southern Pacific Company. • CSX became a multimodal company when it acquired control of American Commercial Lines Inc., a barge unit.


1987: B&O merged completely with the C&O, and the C&O officially adopted the CSX Transportation name.


1992: Northwestern Pacific was merged into Southern Pacific, ending NWP’s existence as a corporate subsidiary of SP and leaving the Cotton Belt as SP’s only remaining major railroad subsidiary.

1994: KCSR acquired the MidSouth Rail Corporation, which allowed them to interchange with Norfolk Southern and CSX.

1995: UP acquired the Chicago & North Western (C&NW) railroad. • BN & Santa Fe Railroads merged to create Burlington Northern and Santa Fe Railway, the largest rail network in North America at the time.

1996: Southern Pacific merged with UP, making UP the largest railroad in the U.S.

1997-1999: CSX and Norfolk Southern (NS) set their sights on acquiring Conrail, which operated in the Northeast and Midwest. Ultimately, CSX and NS agreed to partner on the acquisition, splitting Conrail’s operations and resources. CSX bought 42 percent of the company and gained 3,200 miles of track.

2005: The Burlington Northern and Santa Fe Railway changed its name to BNSF Railway.

2010: BNSF joined Berkshire Hathaway.

SMART TD members attend S&T workshop at TD Ohio headquarters in April

Pictured from left Amy Espinoza (23), Local 781 S&T Anthony Starks, Local 23 S&T Marie Hoyes, Local 1629 S&T Douglas Smith, Local 1674 S&T Lee Skelings, Local 498 S&T Racco DGhio, Local 1971 S&T Justin Pougerousse, SMART TD Auditor Mike Arajo, SMART TD Auditor John Purcell, Local 1137 Treasurer Pete Nowicki, Local 1388 S&T John Mitchell, Local 1075 James Gray, Local 620 Treasurer Susan Zimmern, Local 324 Treasurer Kerry Naaf, Local 1473 S&T Bill Connell, Local 610 S&T Darwin Fletcher and Local 1202 S&T Kent Stuckey.

www.smart-union.org/td • www.utuia.org
Retired local chairperson and vice general chairperson of Local 1400, Jim Allen, took this photo of a CSX train at the Fredericksburg, Va., station. Allen is a member of the SMART TD Alumni Association.

Photo of the month...

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

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

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

High-resolution digital photographs should be in the JPEG format and emailed to “news_td@smart-union.org.”

With each photograph, please include your name and SMART local number, the names of the persons in the photo (left to right), where the photo was taken, 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.

Visit the SMART website at www.smart-union.org for more information on these and other policies.

For more information about any of these policies, call 800-558-8842, or complete the attached form and mail to the address listed at the bottom of the form.