LAS VEGAS – SMART General Vice President and Transportation Division (TD) Vice President Jeremy R. Ferguson of Local 313 (Grand Rapids, Mich.) was elected President – Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers shortly after the opening of the union’s Second Transportation Division Convention on Aug. 11 at the Mirage Casino and Resort in Las Vegas. Current TD President John Previsich had earlier announced his decision to retire from the position effective Oct. 1, 2019.

Ferguson was challenged for the office by fellow TD and GEC Vice President John England (Local 1674, Los Angeles, Calif.) and Robert “Bob” Keeley, former general chairperson of GCA 342 (CSX – Northern District) out of Local 1951 (Albany, N.Y.).

“Get ready to go to work … It’s going to take the upmost dedication and determination, but we will fight the injustices to the end,” Ferguson said. “We will stand shoulder-to-shoulder, and I will lead from the front. Your voices will be heard, and you will hear my voice.

Alternate National Legislative Director Gregory Hynes (Local 1081, Phoenix, Ariz.) was elected National Legislative Director, defeating Utah State Legislative Director F. Jay Seegmiller (Local 166, Salt Lake City, Utah). Hynes will succeed John J. Risch III, who previously announced he would not seek re-election as NLD.

Incumbent TD Vice Presidents Brent Leonard (Local 202, Denver, Colo.), Calvin Studvant (Local 759, Newark, N.J.) and John D. Whitaker III (Local 1106, Rocky Mount, N.C.) were
Local 1440, Staten Island, N.Y.

NYC Transit recognized Staten Island Railroad engineer Alexya Infortuna and conductor Nicholas Sannino for their quick action in regard to an incident that happened aboard their train on Dec. 23, 2018. Infortuna and Sannino helped to reunite an 11-year-old child who had run away and boarded their train wearing no coat or shoes. Suspecting something was not right, Sannino alerted Infortuna, who sat with the child while the local authorities were dispatched. The child’s mother was alerted, and the family was reunited.

Local 898, Boston, Mass.

Local Secretary Dave Stevenson and BLET Legislative Director Dan Cadogan appeared before the New Hampshire State House to testify in support of Senate Bill 241, which would provide funding for an in-depth analysis of rail expansion into New Hampshire. It would study extending the MBTA/Keolis Lowell Line into Concord N.H.

A recent poll of New Hampshire residents said 75 percent support commuter rail, Stevenson said. “Not only would this project greatly benefit N.H. commuters, it would create many SMART conductor and BLET engineer jobs,” he said.

The bill passed both houses of the New Hampshire Legislature and has been enrolled.

Locals 1000 and 1614, Minneapolis and St. Paul, Minn.

Members of these locals were the subjects of a letter of recognition from Teamsters Local 120 for supporting a railroad worker. Alexya Infortuna and Nicholas Sannino of Local 1440 reunited a mother with her runaway child.

Local 100, Oakland, Calif.

D.C. Fretty, vice local chairperson of LCA 887b and S&T of Local 100, hosted along with the local the 10th annual Bay Area Locals Joint Meeting and BBQ on June 7. Members of Locals 100, 31, 239 and 1801 attended, as did GO 887 officers, state legislative officers, and representatives from DLC, UTUIA, CPUC the FRA and NARVRE.

Local 1908, Buffalo, N.Y.

SM A R T Sheet Metal Local 71 Benefits Administrator Ahren Vogl, chairperson of LCA 887b and S&T of Local 100, hosted along with the local the 10th annual Bay Area Locals Joint Meeting and BBQ on June 7. Members of Local 1908 get their picture taken by Paul Crat, business agent of SMART Sheet Metal Local 71, during their monthly meeting at SF Local 71’s hall in June. The members wore their SMART Army T-shirts for the occasion, and the photo was sent in by SMART Sheet Metal Local 71 Benefits Administrator Ahren Vogl.

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Board of Appeals member Barnett retires

Earlier this year, Dale D. Barnett Jr. announced he was retiring on disability after 23 years of service. At the time of his retirement, Barnett served the union as the secretary of the Transportation Division Board of Appeals.

Barnett hired out in June 1996 with CSX Transportation and the next year hired on the former Louisville & Nashville Railroad property in Montgomery, Ala.

In 1998, Barnett earned his first position as a union officer when elected to the position of vice president of Local 762 in Montgomery. In 1999 he took over as president of the local. In 2001, he was elected legislative representative for the local and delegate for the convention the following year. In 2003, Barnett ran for and was elected assistant state legislative director on the Alabama State Legislative Board. In 2008, he was elected assistant general chairperson of CSX GO 513 and then became general chairperson in 2014, a position he held until his retirement.

At the union’s 2011 and 2014 conventions, he was elected to the Board of Appeals.

Having attended the National Labor College in the late 1990s, Barnett became familiar with safety standards for railroad employees and also learned about collective bargaining. He later used this knowledge when he taught a workshop on hazardous materials safety at the 2002 UTU regional meetings. He also was a part of the union’s National Safety Team, serving as a coordinator for the CSX Atlanta Division.

“I have been blessed and proud to serve with many great brothers and sisters on the Board of Appeals, to have been a delegate to three conventions, to have served at my local in several positions and to have battled for my fellow L&N, NC & SL, L, and CRR members on CSX under GO 513,” Barnett said. “It was also an honor to represent the international as a hazmat education presenter for many years. I have to thank all the vice presidents and fellow members that have mentored me through the years. I also have to thank my first local chairperson, Dane Urban, for teaching me how to fight for the members and preserve our agreements.”

Barnett also used his ingenuity to help fellow members in the field, having a hand in developing a flashlight for remote control operators, an effort that was featured in a 2018 issue of the TD News.

Continued on Page 4
Local 1245, Atlanta, Ga.

The local hosted a large meeting in the spring. In addition to many members, General Chairperson Tommy Gholson, Vice General Chairperson Jason Roberts (GO 898) and Georgia State Legislative Director Matt Campbell attended.

Member Kevin Carter won a raffle for being a new contributor to TD PAC.

Campbell also addressed membership about his efforts in the 2019 state legislative session. As part of his presentation, he issued a call to action that members use the LAC to contact Congress about legislative priorities H.R. 1139 — a bill to protect bus operators and transit workers from assault — and H.R. 1748 and S. 1979 — national two-person freight crew legislation.

Local 1910, Macon, Ga.

The local brought together a number of entities for a large informational conference. Among those present were representatives from the Railroad Retirement Board, UTUIA and SMART TD Designated Legal Counsel Warshauer Law Group. General Chairperson Jimmy Stewart (GO 169), shown at right addressing members, and Georgia SLD Matt Campbell also attended.

Member Anthony Lane won a raffle for signing up to contribute to SMART TD PAC.

Local 904, Evansville, Ind.

Local President and Chairperson Jim DeArmond took part in the “Run for the Wall” motorcycle ride to Washington D.C., as a member of Rolling Thunder, Indiana Chapter 6 in May. Brother DeArmond visited many of the sights around D.C., and while at the World War II Memorial, he had a chance to meet his U.S. representative, Larry Bucshon of Indiana’s 8th District, and discussed two-person crew legislation and the recent FRA decision. Brother DeArmond logged more than 1,600 miles on his motorcycle over the weekend and says, "The emotions surrounding the trip were intense."

Local 590, Portage, Wis.

Legislative Representative Steven James said members of the local recently participated in Wisconsin’s Adopt-A-Highway clean-up program. Involved in the program for years now, volunteers come out to clean up a two-mile stretch of highway in Wisconsin two or three times a year. The state also installs permanent signage, as shown above, on both ends of the stretch letting motorists know who is doing the cleanup.

Participants in the June effort were S&T Adam Lutt, Kevin Royal, Trustee Eric Koehn, Local Chairperson Vince Ramirez, Local Chairperson Will Sercye, Vice Local Chairperson Cory Cardinal, James and General Chairperson Gerry Wallace.

Local 1892, Houston, Texas

Officers of the local went out to provide refreshment to their fellow brothers and sisters during a “Gatorade Day” at the Union Pacific Englewood Yard.

In addition to giving out some liquid refreshment to help combat the Texas summer heat, Local S&T Robert Maldonado said that informative flyers concerning SMART TD PAC donations, job insurance and reminders about union meetings were distributed. Most important, Maldonado said, was the chance for the local leadership to ask members how they can better serve them.

Annual solidarity rally planned for September

The fourth-annual Houston Solidarity Rally is scheduled noon to 8 p.m. Sept. 24 at the SPJST Lounge, 1435 Beall St. in Houston. The event is open to all and previously drew members from 16 locals/divisions/lodges from multiple unions around Texas and the Gulf Coast. It features BBQ, guest speakers, prize drawings, vendors and informational booths.

“Someone best described it as a ‘mini-regional’ for our area,” said Local 1892 S&T Robert Maldonado.
Enrollment deadline is November 30 for new TD Voluntary Disability Plan

Open enrollment has begun for SMART Transportation Division bus and rail members in the union’s new Voluntary Disability Plan (VDP). The plan, now underwritten by Amalgamated Life Insurance Company, is available for long-term protection against a sudden loss of income due to an illness or injury. Although open enrollment will run through Nov. 30, 2019, members may sign up at any time during the enrollment period.

Coverage will commence upon successful completion of the enrollment process. This plan has been established to provide yet another level of financial security to members in the event that a long-term recovery from an illness or injury leaves them unable to work. Members can customize their 24-7 coverage by selecting the benefit option best suiting their individual needs and then pay for coverage through payroll deductions. VDP benefits are payable after a 180-day elimination period and are paid in addition to any other benefits such as the TD Voluntary Short-Term Disability (VSTD) plan, worker’s comp, Railroad Retirement Board (RRB) sickness benefit or others.

The new VDP has two- and five-year options with monthly benefits starting at $300 up to $5,000 available in $100 increments that can cover up to 60% of an enrollee’s earnings. Approval of benefits from Amalgamated is subject to participation requirements and/or simplified medical underwriting.

This VDP coverage is portable for all members, and it won’t be lost if an enrollee is furloughed or suspended. Benefits remain payable in addition to other disability benefits, exceed those of standard long-term disability plans and will give financial security in a time of need.

This plan is optional and voluntary. If a member does not enroll, he or she will not be covered. Information concerning benefit options and rates for all SMART TD members is available at www.smart-vltd.com, by emailing info@smart-vltd.com or by calling the SMART TD VDP Enrollment Center at 224-770-5328.

Books on TD website spell out federal laws pertaining to bus and rail members

The safety coordinator to the SMART Transportation Division Designated Legal Counsel has updated a pair of publications that offer comprehensive surveys of federal laws that cover TD members who work in the rail industry and who work as bus operators.

“What Every Railroader Should Know About the Federal Railroad Safety Laws and Regulations,” by Larry Mann, has been updated with changes that have occurred since the 2014 version’s release and contains detailed information about how federal railroad safety law pertains to railroad workers.

“What Every Bus Driver Should Know,” also by Mann, does the same for bus members and is essential reading for TD members concerned about how the law protects them.

Mann has given SMART Transportation Division permission to distribute both the updated rail book and the updated bus book via PDF. Visit https://www.smart-union.org/td-publications/ to download the files.
Delegates select new TD officers at convention

Continued from Page 1

returned to office by acclamation.

Also elected TD vice president by acclamation were Alternate TD Vice President Chadrick Adams (Local 331, Temple, Texas), Executive Board Member and GCA 049 General Chairperson Jamie Modesitt and Joe M. Lopez, general chairperson of GCA 009 (BNSF). Additionally, General Chairperson D.B. Wier, Jr. (GCA 919, Terminal Railroad Association of St. Louis) of Local 469 was elected TD vice president, defeating General Chairperson Tom Pate (GCA 20, BNSF), president of Local 1081 in Glendale, Ariz., and General Chairperson Billy Moyo (GCA CSX-SCL) of Local 1971 in Atlanta, Ga.

Meanwhile, Alternate Vice President Bus – East Alvy Hughes (Local 1596, Charlotte, N.C.) defeated Bonnie Morr (Local 23, Santa Cruz, Calif.) and incumbent Adhi Reddy (Local 1785, Santa Monica, Calif.) for TD Vice President Bus.

Article 21B, Section 35, of the SMART Constitution provides for a successor to the president of the Transportation Division in the event a vacancy occurs between conventions. To provide for such a contingency, delegates chose TD Vice President Leonard to that position.

Kentucky State Legislative Director Jared Cassity was elected Alternate National Legislative Director. Waverly Harris, was elected to TD Alternate Vice President Bus – East by acclamation. Alternate Vice President Bus – West Guillermo Rosales was returned to that office, defeating Erskins Robinson, general chairperson of GCA SMB, out of Local 1765.

Among five candidates for four TD alternate vice president positions, Scott Chelette, Gary Crest, Larry Miller Jr. and Christopher Bartz were elected. SMART TD Board of Appeals members elected by acclamation are Tim Flynn (engine service), Tessa Collins (road service), Rick Pauli (commuter), and Brenda Moore (bus). Incumbent Kevin Smith won an election and will return as the Board of Appeals’ yard representative.

The newly elected officers assume their roles on Oct. 1, 2019.

State Watch

Ohio

Ohio State Legislative Director Stu Gardner reports that H.B. 186 will be held over from the summer session to this fall when it will be given priority.

The comprehensive rail-safe bill addresses two-person crews, safe walkways, rail yard lighting and blocked crossings. It was introduced to the Ohio House Transportation Committee on June 18.

Although the bill is static for now, Gardner says the time is right for Ohio members to offer proponent testimony as to why they believe the bill should be approved by the committee in preparation for this fall.

“Your testimony is what is needed to convince these committee members that this bill is what we have said all along it is – a common-sense approach to railroad safety,” Gardner said in an email to Ohio members.

Gardner suggests members write up testimony on all four segments of the bill or just on a specific segment. The four segments of the bill are:

- Two-person freight train crews;
- Common-sense safe walkways within rail yards;
- Common-sense illumination of rail yards;
- Blocked crossings that obstruct and delay emergency vehicles.

According to Gardner, members in the state can testify to the committee through either written-only testimony or by submitting electronic written testimony prior to testifying before the committee at its next hearing.

The House Transportation and Public Safety Committee is scheduled to meet Tuesday mornings at 11 a.m. in House Hearing Room 114 in the Ohio Statehouse in Columbus unless otherwise notified.

Details about the process to submit testimony are available in either this article on the SMART TD website or at the Ohio SLB’s website — http://www.smart-oslb.com.

Kansas

State Legislative Director Ty Dragoo reported that Gov. Laura Kelly signed Senate Bill 63 into law in June.

The law requires that a driver stop a vehicle at least 15 feet, but not more than 50 feet before crossing a railroad track under certain circumstances if other on-track equipment in addition to a railroad train is nearby.

The circumstances under which such a stop is required are the same as those for which a stop is required in the presence of a train: “This law is vitally important to our members especially to our brothers and sisters on the KYLE RR,” Dragoo said. “I want to thank all the members that helped in this effort along with the legislators and governor for their commitment to worker safety.”

Virginia

State Legislative Director Ronnie Hobbs met former Secretary of State Madeleine Albright (shown above) and U.S. Rep. Abigail Spanberger in late May.

Hobbs discussed with Albright, who served as secretary during the second term of Bill Clinton’s presidency, her experience traveling by train overseas and on Amtrak.

“She spoke very highly of our Amtrak conductors,” Hobbs said.
At the conclusion of the San Diego Regional Meeting, SMART Transportation Division President John Previsich announced the location of the meeting to take place next year.

The Hilton Cleveland Downtown, in TD’s home base of Northeast Ohio, will welcome SMART TD members Aug. 24 to 26, 2020.

The facility is in the heart of Cleveland and is minutes from the Rock & Roll Hall of Fame and other downtown attractions such as Progressive Field, home of the Cleveland Indians.

Smart Transportation Division President John Previsich receives a hug at the conclusion of his speech in which he announced his retirement on the final day of the San Diego Regional Meeting on July 3.
Members of the Local Committee who assisted with the regional meeting, from left, Alternate State Legislative Director Louie Costa, GCA SMB Secretary Christine Ivey and Local 1701 Secretary and Legislative Representative Don Olguin, applaud during the July 1 opening session. Assistant California State Legislative Director Mike Anderson, also a member of the committee, is not pictured.

From left, Jamie Poquette of Local 1241 (Turlock, Calif.) and vice local chairperson of LCA 020, and Andrew Andrade, secretary & treasurer of Local 1241 (Valley Springs, Calif.) fill out SMART Army pledge cards during General President Joseph Sellers Jr.’s speech on Tuesday morning at the SMART TD Regional Meeting in San Diego.

Kimberly Gilliam, secretary of GCA TMD, and Christy Givens Kiser, assistant chairperson of GCA TMD, both of Local 1715 in Charlotte, N.C., take a coffee break between sessions.

Terry Hobbs, secretary of LCA 851A and secretary & treasurer of Local 1138 (Miami, Fla.) fills out a pledge form at the SMART TD PAC table on Monday.

Giant thrill for a TD spouse at Petco Park

Cayleen Weaver said her old instincts from playing softball served her well at the July 2 group event at Petco Park.

Weaver, the wife of Local 201 Secretary & Treasurer Tabor Weaver, pounced on a blast by Evan Longoria of the San Francisco Giants after it caromed off the wall of the Western Metal Supply Building in left field of Petco Park, capturing a unique souvenir from the TD Regional Meeting to take home.

Longoria’s fifth-inning homer gave San Francisco a 6-1 lead, and the Giants eventually won the game, 10-4, against the host San Diego Padres.

Cayleen Weaver shows off the home run ball she snagged July 2 at her seat at Petco Park’s Rail Out in left field during the fifth inning of the San Francisco Giants’ 10-4 win over the San Diego Padres. Bottom right in the green baseball cap is her husband Tabor, secretary & treasurer of Local 201 (Trinidad, Colo.).
Local 971 honors retirees at June meeting

Local 971 (Crewe, Va.) President Michael Barton recognizes three recently retired lifetime members at the local’s monthly meeting in June. From left are Barton, B.D. Bennett, a retired conductor; B.B. Hart, a retired conductor; and G.S. Williamson, a retired engineer. In addition to being presented with engraved lanterns and their 30- and 40-year membership pins, a cookout was held in the retirees’ honor.

Former VP Hughes passes away

Ronald G. Hughes, a retired member of Local 1529 (Waldi, Bridge, Ohio) who served a pair of terms as a United Transportation Union vice president, died July 7, 2019. He was 82. Hughes served as Chesapeake & Ohio-North general chairperson in the early 1980s and was elected second alternate vice president (East) at the 1983 UTU Convention. At the 1987 UTU Convention, he was elected 21st vice president and was re-elected in 1991 by acclamation.

Former Arizona0 SLD dies at 87

Elmo Gorden Smith, 87, died from complications of pulmonary hypertension in April. A veteran of the U.S. Navy, having served during the Korean War, he began working on the railroad and served more than 20 years as the Arizona state legislative director. “Elmo ‘Elmo-isms’ will always bring a smile and he will continue to be our shining star,” his family wrote in his obituary.
Mark Arnold of Caledonia, Ohio, sent in some photos from his family’s collection of his father — the late Winton Arnold, a member of predecessor union the Brotherhood of Railroad Trainmen (BRT) whose rail career spanned more than 40 years — and shared a brief biography. Winton was born December 31, 1913, in Wayne County, Ohio, and grew up around farm machinery.

He was valedictorian of his 1932 high school class, but since he was the eldest of eight children, college was not a consideration.

Winton joined the Erie Railroad as a maintenance of way worker a week after high school and worked the rails until about 1939. Several times, an Erie Railroad conductor, Charlie Sidenstricker, talked to Winton when his caboose stopped where Winton was working and urged Arnold to head to Marion, Ohio, and apply for a job as a trainman. Winton took Sidenstricker’s recommendation and worked freight and passenger service until about 1943, when he transferred to management at Kent, Ohio. Several assignments as a general yardmaster in Ohio and Pennsylvania followed.

Throughout his various roles, Mark said Winton maintained his BRT membership.

“Somewhere along the line when the Railroad Retirement Act became law, he discovered that his farmhouse birth was not recorded. So he needed to have a record of birth created,” Mark Arnold said.

In about 1963, Winton returned to the job he liked the best, as the conductor of a train crew.

“I don’t remember when his last day on the job was,” Mark said. He knows his dad was the westbound conductor on the last Erie Lackawanna passenger train in the early 1970s and retired as a Conrail worker later that decade.

Winton Arnold enjoyed many years of retirement and passed away Dec. 4, 2015, just shy of his 102nd birthday.

But his rail legacy lives on — Winton’s passenger conductor uniform was donated and it remains on permanent display at the Marion Union Station Association, 532 W. Center St. in Marion, Ohio, a museum housed in a former train station where Winton often worked.
Local 1785 gets together for a big cookout

Members of Local 1785 united June 29 at Cheviot Hills Park in Century City, Calif., for the first in what local officers hope is a series of events to build togetherness and a sense of pride.

About 150 members came to the picnic, which featured music, food, and fun and will hopefully serve as a springboard for future events for the Santa Monica, Calif.-based local, General President Erkins Robinson said.

“We’re trying to put something together to bring us closer together and to unite us,” Robinson said.

In addition to the cookout, the local gave out awards to honor college scholarship recipients and members of the maintenance and training departments. Robinson said that the local will go forward with more events with the next around Christmas.

Transportation Division policy concerning fees objectors

1. Any person covered by a LUTF, LUTF or SMART, union shop or an agency shop agreement in the United States who elects to be a non-member has the legal right to object to political and ideological expenditures not related to collective bargaining, contract administration, or other activities germane to collective bargaining. Each non-member who objects shall pay reduced fees. In the public sector, non-members can seek to pay their fair share of the costs of collective bargaining by paying the agency fees, or they have the right to pay no fees.

2. Notification of objection procedures:
   a. To be a non-member fee objector and pay reduced fees, the non-objecting non-members shall provide notice of objection by notifying the President, Transportation Division of the objection by first-class mail postmarked during the month of September preceding the calendar year, or by January 1, 2000 days after his/her first begins paying fees and receives notice of these procedures. The objection shall consist of the non-member's complete home address. Once a non-member objects, the objection shall stand until revised. Objectors may be made by individual employees. No petition objections will be honored.

Transportation Division:

1. To be a non-member fee objector and pay reduced fees, the non-objecting non-members shall provide notice of objection by notifying the President, Transportation Division of the objection by first-class mail during the period agreed to in his/her Authorization for Fee Deduction form, if applicable. The objection shall contain the objector's current home address. Once a non-member objects to the non-member's objection, the objection shall stand until revised. Objectors may be made by individual employees. No petition objections will be honored. Anyone who believes they are having dues improperly deducted must notify the President, Transportation Division in writing immediately.

2. The following categories of expenditures are chargeable:
   a. All expenses concerning the negotiation of agreements, practices and working conditions;
   b. All expenses concerning the administration of agreements, practices and working conditions, including grievance handling, all activities related to arbitration, and discussion with employers in the craft or class (or bargaining unit) or employee representatives regarding working conditions, benefits and contract rights;
   c. Convention expenses and other union internal governance and management expenses;
   d. Social activities and union business meeting expenses;
   e. Publicity expenses related to collective bargaining, collective bargaining, and internal governance;
   f. Expenses for legislative activities and legislative and administrative agencies activities to effectuate collective bargaining agreements;
   g. All expenses for the education and training of officers and staff intended to prepare the participants to better perform chargeable activities.

3. All strike fund expenditures and other activities of economic action, e.g., demonstrations, general strike activity, informational picketing, etc., that benefit members of the bargaining unit or craft formerly entitled to the reduced fees set forth in the analyst's report are chargeable activities.

4. SMART shall retain a certified public accountant to perform an independent audit of the records of the Transportation Division and subordinate units maintained by the President, Transportation Division. The Transportation Division shall designate an analyst for the purpose of determining the percentage of expenditures that fall within the categories specified in Section 3. The amount of the expenditures that fall within Section 3 shall be the basis for calculating the reduced fees that must be paid by the objector. The analyst shall also give an opinion concerning the adequacy of the amounts of money that is in the escrow account as of the date of the last appeal. The analyst shall be paid the reduced fees as soon as practicable after its report is filed. The analyst's report shall include a list of the legal and/or technical basis for such reduction, independent of the arbitrator.

5. The analyst shall complete the report no later than August 31.

6. Each month thereafter for all objectors, an amount shall be put in an interest-bearing escrow account equal to 25 percent of the amount of the reduced fees that is in the escrow account at the end of the calendar month preceding the current month.

7. The Transportation Division shall have the authority to examine any documents, books, papers, or reports concerning any objector's objection. The Transportation Division may, in its discretion, require any objector to show cause why the objection should not be sustained.

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10. The Transportation Division shall have the authority to examine any documents, books, papers, or reports concerning any objector's objection. The Transportation Division may, in its discretion, require any objector to show cause why the objection should not be sustained.

11. Appellants may, at their own expense, be represented by counsel or other representative of choice. Appellants need not appear at the hearing and shall be permitted to file written objections with the arbitrator instead. In the event of a change in address, all objectors shall be notified of the hearing.

ATTENTION LOCAL OFFICERS: ORDER DEADLINE FOR TIMEBOOKS IS SEPTEMBER 16

In order to alleviate significant expense and wasteful distribution of timebooks, all locals must complete a timebook order form and return it to the SMART TD office by Sept. 16, 2019.

It is important that the form is completed by a local officer, even if the local does not desire to receive the books. All locals will be contacted if a form is not received to ensure accurate ordering this fall. You may return the form by fax or email to Dora Wolf.

The order form is available on the SMART TD website — www.smart-union.org. Click on ‘Order Timebooks’ to download the form.

Fax to: 216-227-5208 – ATTN: Dora Wolf

Email to: dwolf@smart-union.org

Via mail to: SMART TD
ATTN: Dora Wolf
24950 Country Club Blvd, Ste. 340
North Olmsted, OH 44070-5333

A confirmation email will be sent to acknowledge receipt of your order — if you do not receive the email within 10 days of your order being submitted, please call 216-228-9400 and ask for Dora.
NTSB issues probable cause in crash that killed member

The National Transportation Safety Board determined July 23 that Amtrak’s and CSX Transportation’s failure to properly assess and mitigate the risk of conducting switching operations during a signal suspension led to the collision of an Amtrak train with a CSX train near Cayce, S.C.

Michael Cella, 36, an Amtrak conductor out of SMART Transportation Division Local 30 (Jacksonville, Fla.), and Michael Kempf, an engineer who was a former TD member, were killed in the Feb. 4, 2018, accident.

NTSB said the accident occurred when a southbound Amtrak train diverged from the main track into a storage track and collided head-on with a stationary CSX train. At least 92 passengers and crew members on the Amtrak train were transported to medical facilities for treatment of injuries.

In its probable cause, NTSB stated that CSX failed to properly assess and mitigate risk during the signal suspension, which led to the collision. “They could have said, ‘We’re not going to do switching operations during signal suspension,’ but they did not do that,” NTSB Chairman Robert L. Sumwalt said. “So I fall back on the notion that CSX is truly the root of this problem.

... the problem is not the individuals’ performance of their duties, rather, the problem is the failure to mitigate the risk associated with the task they are performing,” Sumwalt said. “That’s why the NTSB includ ed CSX Transportation’s failure in the probable cause.”

The board recognized that CSX made changes in safety procedures after the accident, but investigators said any one of a number of actions by the carrier could have prevented the collision.

“CSX had many opportunities to prevent this accident,” said Robert Hall, director of the NTSB’s Office of Railroad, Pipeline and Hazardous Materials. “There should have been many barriers to preventing that accident causing a collision.”

Gaps in training and a lack of redundancy when making sure the switch was lined properly helped cause the crash, NTSB said.

The board also found Amtrak’s failure to conduct a risk assessment prior to operating during a signal suspension. Although Amtrak meets and exceeds Federal Railroad Administration (FRA) safety standards to ensure safe operations of its own railroads, NTSB said, Amtrak trains relied only on the minimum federal safety standards when operating on host railroads.

NTSB reiterated a recommendation from May stemming from the investigation of the December 2017 DuPont, Wash., Amtrak accident, concluding that Amtrak needs to implement a Safety Management System (SMS) on all operations on its own tracks or on those of a host railroad. NTSB also issued three new safety recommendations, two of which were to CSX. These recommendations address actions and responsibilities of the train crew in handling switches.

One recommendation issued to all host railroads is to work in partnership with Amtrak to implement an SMS to assess and mitigate risks for operation on host railroads. A contributing factor in the accident was FRA’s failure to implement effective regulation to mitigate the risk of misaligned switch accidents, NTSB said.

Post Cayce, rather than follow a recommendation by NTSB that it issue an emergency order telling railroads to provide instruction during signal suspensions, FRA issued a safety advisory.

NTSB classified that response as unacceptable and said misaligned switch accidents will keep happening unless FRA implements more robust safety interventions. The board made special note in its report that FRA has posted a number of safety mandates for years, including Title 29, Part 270, which covers railroad safety system programs.

The complete Cayce report is available on the NTSB website.