Brothers and sisters, this is a new chapter in the long history of our organization.

The foundation of the SMART Transportation Division was laid just after the end of the Civil War. Through a century-plus of blood, sweat and tears, members of the BRT, ORC&B, BLF&E and SUNA, which united 50 years ago to become the UTU, fought and overcame the challenges placed before them. The efforts of all those members resulted in the benefits we share today as members of SMART TD.

There were victories. There were defeats. There was hope and despair, but throughout it all, the solidarity of membership in those predecessor unions leading to the present day has sustained us through those decades of challenges.

There are more challenges ahead. As it says on our website regarding the history of rail labor, “the issues and concerns that workers faced in the late 1800s are not that much different from those being faced today.”

In overcoming some of those challenges during this new chapter in our organization’s history — contract negotiations, safety concerns and the shortsighted assumption by some that technology will make transportation workers replaceable, to name a few — we will need your action.

We have already heard from you and have compiled the Section 6 notices that will serve as the foundation for negotiating a new National Rail Contract. That input will steer us in a direction where we can get the most out of our talks as we begin the coordinated bargaining process.

We also are in the process of enacting change — our new union officers.

Continued on Page 5

GCs put their solidarity on display

INDEPENDENCE, Ohio — Hours after a lawsuit by rail carriers targeting our union over crew consist was announced Oct. 3, the Association of General Chairpersons — District 1 unanimously resolved to act in solidarity.

The resolution states:

Continued on Page 10
When technology impedes your ability to do your job, we want to hear about it

For months now, your union has been collecting hundreds of reports from members of our and other rail unions that document instances when railroad technology doesn’t work as intended.

While carriers might see technology as a stepping-stone to more money and the eventual replacement of employees with full automation, we want to collect real-world data showing that sometimes these improved technologies are more of a stumbling block when not working as intended.

Data is being collected via a form on the SMART TD website (www.smart-union.org/railroad-technology-event-report) or, while on the main page, look for the red flashing button, then follow that link to report incidences involving Positive Train Control, Trip Optimizer/LEADER, DPU (distributed power), EOT/HTD's or radio transmission failures among crewmembers when dealing with long trains.

This data helps our organization to formulate a plan to protect members and the public and to ensure the safety of the nation’s infrastructure.

This information is being sought on a voluntary basis, said Alternate National Legislative Director Jared Cassity, who helped to create the report form.

“The railroads like to tout there is no data to support that two-person crews are safer than a one-person crew. The irony, however, is that the counterpoint to their argument is also true — there is no data to support that one-person crews are any safer than two-person crews either,” he said. “Over the years [they] have purposely chosen to not collect the data, despite having the ability to do so, because they know the truth will hurt their position.”

The way to combat this is by gathering these reports from the people who are dealing directly with the situations created when the technology does not function as intended, Cassity said.

“By members submitting this very important information we are able to provide the one thing the railroads cannot or will not — data,” Cassity said. “And that data proves these technological safety overlay systems are not capable of replacing the human element, specifically two-person crews.”

Reports submitted through this form go to union safety leadership for collection. The reports are not a substitute for filling out a report to a carrier or to the Federal Railroad Administration (FRA).

“The railroads have fired the first shot in this round of the crew consist war and we need all hands on deck, everyone doing their part to complete these reports,” Cassity said. “This data may very well just be what makes the difference.”

Local 1033, Atlanta, Ga.

The local held a poker charity event to raise awareness and collect donations of much-needed items for its adopted charity, The Shepherd's Inn, Atlanta Mission’s shelter for homeless men.

More than 50 participants in the first-time event raised enough money to purchase more than 600 items such as socks, toothpaste and toothbrushes, shaving gels, floss and many other basic items needed to prepare for job interviews.

Local Secretary & Treasurer Bernard Gray III said the event was inspired by a very simple concept: “Working men, wanting to provide some very basic items, that would help or assist other men with getting back into the workplace.”

The event’s success left the local community wanting more such charitable efforts, Gray said. “Our Local and its members want to give back and have a positive impact on its surrounding communities,” he said. While the Shepherd's Inn men’s homeless shelter is just the first chapter, we recognize that this is not the end, but the beginning of the journey with our local community,”

Gray thanked all the event sponsors, including Aspen Dental and Hanger 92 of Douglasville Ga.; Rosman, Baumberger, Rebozo, Spier law firm of Atlanta; Any Two Cards Poker League; and the friends and family who helped make the event successful.

“We look forward to partnering again with you in the near future,” Gray said.

Local 898, Boston, Mass.

It was an ideal day Oct. 5 at Maplegate Country Club in Franklin, Mass., for a golf tournament in memory of member Donald Wheaton, the former New England alternate legislative director who passed away in January.

“Thanks to all that helped,” Local 898 Treasurer Frank Teague said. “It was a beautiful day and a beautiful tribute to our brother Donnie.”

Wheaton’s passing was mourned by SMART TD and his employer, Keolis.

The Massachusetts Bay Transit Authority renamed the interlocking near the home of his beloved New England Patriots and helped the first chapter, we recognize that this is not the end, but the beginning of the journey with our local community.”

Gray thanked all the event sponsors, including Aspen Dental and Hanger 92 of Douglasville Ga.; Rosman, Baumberger, Rebozo, Spier law firm of Atlanta; Any Two Cards Poker League; and the friends and family who helped make the event successful.

“We look forward to partnering again with you in the near future,” Gray said.

SMART Army efforts flourish in Va.

Virginia State Legislative Director Ronnie Hobbs was honored for his efforts in coordinating events as part of the union’s SMART Army outreach effort at the Second SMART General Convention over the summer, above. His work continued in the fall with Hobbs organizing volunteers in the union’s outreach initiative who helped out at a band car wash, above right, and handed out backpacks for schoolchildren, right, at the beginning of the school year.

From left, Local Treasurer Frank Teague, BLET member Melissa Starberry and Local Trustee Chuck Hayman have their picture taken at the first Donald Wheaton Memorial Golf Tournament.
Alternate Legislative Director Matt Hanson began his campaign for reelection to the Kane County Board during an event last month. “Any help that can be lent is needed and immensely appreciated,” said Hanson, who successfully ran in Nov. 2018 for an unexpired term and is now seeking a full term. “I am proud to tell everyone encountered on the campaign trail that I am a card-carrying union railroader that belongs to SMART TD Local 171.”

To contact Hanson and contribute to his campaign, email matt4kane@gmail.com or mail checks to Friends of Matt Hanson, P.O. Box 1101, Aurora, IL 60507.

Local 171, Aurora, Ill.

Local 278, Jackson, Mich.

Local 1440, Staten Island, N.Y.

Local 1241, Richmond, Calif.

The Local is saddened to announce the passing of Brother Henry “Hank” Washington after a battle with cancer. Hank was a first-class petty officer in the U.S. Navy from 1988 until 1996, after which he hired out with BNSF Railroad as a conductor and became a proud member of the union.

He always referred to the men and women that he worked with as his brother or his sister instead of as his co-worker, which speaks greatly to the mutual respect and friendship between him and his colleagues. Hank will always be remembered as a family man who loved his job as a conductor and was a huge Dallas Cowboys fan despite living surrounded by San Francisco 49ers fans.

Hank leaves behind three young children, his wife of almost 29 years, Rebecca, and countless heartbroken friends, family and union brothers and sisters.

SMART Transportation Division offers its condolences to Rebecca, their children, Local 1241 and Brother Washington’s other relatives and friends.

Local 33, Jacksonville, Fla.
As unionized rail workers, who do the work, day in and day out. Your experience is powerful — and can have a real impact on how legislators vote in the future. Together, we can amplify our voices and build a safer future for all SMART members. Add your voice by texting the word SAFETY to 21333 or the word SAFE BUS to 21333 for our bus operators and transit brothers and sisters. (Message and data rates may apply.) WE KNOW an even more direct way of getting our message across, and that is at the ballot box. Remember who stands with you, your family and your union values to work free from dangerous conditions. BE SAFE!

Fraternally,

Joseph Sellers Jr.
General President, SMART

BY JACOB HUGHES

Our unity was evident recently. SMART Sheet Metal Local 2 members opened their union hall and co-hosted a town hall meeting with TD Local 1409. The room overflowed with standing-room-only attendance. President Transportation Division Jeremy Ferguson and I responded to questions for more than two hours, then early the next morning we took our union to the street to protest the closing of the nearby Union Pacific Nefield Yard. At last count we had 177 SMART union activists shoulder to shoulder, with the “harm to one, is harm to all” attitude.

A key challenge facing members is the ongoing effort by certain special interests to undermine rail safety by attacking two-person crew regulations. The safety of every member and the communities we in travel through are a key focus across SMART, and nowhere is this more important than on our rail lines. The FRA is preemptioning and nullifying two-person crew laws that have been passed in seven states. This violates a professional dedication to state’s rights as well as a commitment to working Americans like you who all should expect to return home each work day safe and secure.

As unionized rail workers, we are the strongest collective voice in the country in support of strong rail safety regulations. While rail carriers and the FRA seek to weaken rail safety at the federal level, we are building momentum and success at the state level. Illinois Gov. J.B. Pritzker signed a two-person crew bill into law in August in defiance of the administration’s heavy-handed tactics. We will continue to work with our allies and state elected officials to build on these wins as we simultaneously work to protect them in the courts. We also plan to work with the FRA, showing the agency and the Trump administration the hard facts behind rail safety in the United States as we continue to insert our voice. This includes educat- ing industry regulators on the day-to-day reality members face. We will back that up with real-life experiences, facts and statistics in support of rail safety. The strongest voices on rail safety are the voices of those who do the work, day in and day out. Your experience is powerful — and can have a real impact on how legislators vote in the future. Together, we can amplify our voices and build a safer future for all SMART members. Add your voice by texting the word SAFETY to 21333 or the word SAFE BUS to 21333 for our bus operators and transit brothers and sisters. (Message and data rates may apply.) WE KNOW an even more direct way of getting our message across, and that is at the ballot box. Remember who stands with you, your family and your union values to work free from dangerous conditions. BE SAFE!

Fraternally,

Joseph Sellers Jr.
General President, SMART

BUS DEPARTMENT NEWS

A message from your Bus Department leadership

With the conclusion of the Second SMART Transportation Division Convention and the installation of new officers, we have a District 3 meeting on the horizon. On Tuesday, Nov. 12, the Association of General Chairpersons District 3 will hold its reorganizing meeting at the Transportation Division headquarters in North Olmsted. This is required by our SMART Constitution Article 21B, Section 9.

The association will meet to elect officers consisting of a chairperson, vice chairperson and secretary by secret ballot. Once the new officers are in place, they will adopt bylaws for its special government consistent with the provisions of the constitution. Also, this meeting is where the direction of the Bus Department will be discussed. The association will closely examine the report and recommendations made by the Transit/Bus Committee at the SMART General Convention in Las Vegas.

The committee recommended that the general chairpersons should look into creating a Bus Department director in the Cleveland office. The director’s responsibilities will be to handle the day-to-day issues that may arise in the department. A Bus Safety Task Force (BSTF) was also recommended. The recommendation would possibly involve a three-person committee with two alternates: one from the western territory, and another from the eastern territory. The BSTF’s focus would be primarily investigating major incidents/accidents and safety issues.

Organizing for the Bus Department also was a topic in the report, and a plan will be discussed to establish territories for organizers to build the department and assist the international Organizing Department in campaigns and training. A final topic involved researching a medical insurance plan that would be offered to all bus locals and creating a legislative program. At the conclusion of this meeting, the general chairpersons will act on a resolution for the path of the department moving forward. Fraternally yours,

Ayk Hughes VP Bus Department — SMART TD

ahughes@smart-union.org

216-287-3059

FMCSA renews charter of safety group

The Federal Motor Carrier Safety Administration (FMCSA) announced in a notice published in the Federal Register on Oct. 2 that it was renewing the charter of its Motor Carrier Safety Advisory Committee (MCSAC) for two years, effective Sept. 27. The MCSAC was established to provide FMCSA with advice and recommendations on motor carrier safety programs and motor carrier safety regulations. Membership is composed of up to 25 experts from the motor carrier safety industry, advocacy, safety enforcement, industry and labor sectors. They are appointed by the FMCSA administrator for two-year terms.

Current labor representatives on the committee are LaMont Byrd, a vice chairman for the International Brotherhood of Teamsters; Bruce Hamilton, a vice president for the Amalgamated Transit Union, and Christopher Trelml, director of construction training for the International Union of Operating Engineers.

NTSB issues 3 safety recommendations

As the National Transportation Safety Board continues to investigate an accident in Wyoming last year that killed two SMART TD members out of Local 446, it issued a pair of safety recommendations to Class I railroads and a recommendation to the American Short Line and Regional Railroad Association regarding train emergency brake communication.

Benjamin George “Ben” Brozovich, 39, and Jason V. Martinez, 40, both

Continued on Page 12

Joseph Sellers Jr.
SMART General President
jsellersjr@smart-union.org

Jeremy R. Ferguson
SMART Transportation Division President
presidentTd@smart-union.org

Gregory K. Hynes
SMART Transportation Division National Legislative Director
ghynes@smart-union.org

SMART GENERAL PRESIDENT’S COLUMN

As FRA retreats, we must be louder about safety

I will do all I can to utilize our collective power to grow our union. To ensure we have a strong voice in our industries and to evolve and develop for SMART members and our families — to leverage and mobilize the strength of this entire union to address issues of concern to all members.

As the five years since our First SMART General Convention have shown, we are truly stronger together. Whether it is sheet metal members contacting legislators in support of two-person crew legislation, TD members helping to fend off attacks on apprenticeship programs, or members showing support and solidarity with striking Ontario members, we are one union. We are more than 200,000 strong, moving forward together. And we have each other’s backs.
President Ferguson’s column: Welcome to a new chapter in the history of the Transportation Division

Continued from Page 1

general chairpersons’ District 1 and District 3 meetings will result in improvements in how our services are delivered and a renewed dedication to addressing your concerns.

For District 1, we’ve established a mentorship program where vice presidents have been designated to specific rail General Committees to provide assistance and guidance when needed, and more changes will be made on the bus side in the wake of next month’s District 3 meeting. Member safety is our prime concern. Our members who operate buses and passenger trains must be shielded from violence so that they may get home safely. Transit agencies that our brothers and sisters work for must not operate up for failure and need to provide up-to-date, well-maintained vehicles with features that help to prevent accidents.

On the road side, members out on the road know that the transition to Positive Train Control has been neither seamless nor without incident. We are collecting data of such difficulty to our already challenged infrastructure. It seems that the carriers are working for the short-sighted benefits of Wall Street, not for the good of our members or the communities in which those members live.

We are collecting data of such difficulty to our already challenged infrastructure. It seems that the carriers are working for the short-sighted benefits of Wall Street, not for the good of our members or the communities in which those members live.

Outside of the railroad industry, some people are starting to recognize so-called Precision Scheduled Railroading for the short-sighted shareholder-driven gimmick that it is and the risk that it poses to the long-term success of rail carriers.

The fight in the courts over two-person crews and crew consist has also just begun, and this will take time. We are confident that safety will speak louder than the carriers’ pocketbooks when all is said and done, and it is in no way melodramatic to explain to all who will listen—public, politician and media, alike—that our communities, our lives and our jobs depend on our ability to get our message across. The carriers earlier this month filed suit in court to attack our collective bargaining power—it is an attack they’ve tried before, and one that will be beaten back in the court and through the solidarity in which all members of the Association of General Chairpersons’ District 1 resolved to act.

In the political world, it is expected that those officials who have been voted into positions of power attend to the needs of the people—all people. It’s the reason they’re called public servants. Your union officers are no different. We exist to serve you and to protect you. It’s why you pay dues. If you are a local member and have issues, contractual or safety, use your voice to reach out to your local leadership, your general chairpersons and your state chairpersons and become an active participant in your union. If you are an active participant, your efforts are appreciated as you help to lead by example and to keep us strong.

We need your activism—NOW. We need you to educate politicians who represent your state about the risks that carriers are taking in their quest for profits. Let them know that corporate mismanagement is putting the middle class and the communities they have been elected to represent at risk, both physically and economically. Inform those politicians about the legislation that they have the power to pass—the Safe Freight Act (H.R. 1748 and S. 1979), the Transit Worker and Pedestrian Protection Act (H.R. 1139 and S. 436) and the Yardmaster Protection Act (H.R. 2449) that will protect our membership. Please do not hesitate to act accordingly when elections roll around if you feel our message is being pushed aside.

We need your activism locally to spell out how our lives and the lives of others are being adversely affected by the PSR scheme. Members of our and other unions are being furloughed, inspections and maintenance are being deferred, crossings are being blocked by long trains that cannot be managed by available trackage. This results in snarled traffic, potential delays in emergency response and adds risk and difficulty to our already challenging workloads. Shippers, angry at the delays and inefficiencies created by the carriers’ cut-past-the-bone attitude to maximize shareholder return, are then tempted to look to the roadways rather than the rails, and neither labor nor the carriers will benefit from the results of this PSR mismanagement.

Moving forward, I urge you to use your voices. Your SMART TD officers—our exact information is published in this newspaper—and your organization are here to serve, protect and defend our membership. We are here for you when you reach out. It’s what we have pledged to you that we will do as the new officers of your union.

We have tools available for you to express your voices—the Legislative Action Center on our website will direct you toward your elected officials. If we get a federal two-person crew law passed and signed, the carriers’ attack on crew consist will not matter, but we need members to contact their senators and representatives.

National Legislative Director Gregory Hynes and the Washington, D.C., office is working hard and needs our support. To help them get the resources we need, a TD PAC Challenge is going to be initiated with details to be announced. Believe it or not, if all our members rose up and joined at the PAC Dollar-a-Day level ($385 per year), we would have more funds available than the carrier lobbying groups, and it would be impossible to ignore our clout.

Speaking of collective clout—let’s not forget that there are other associated groups here to help you. The TD Auxiliary membership can help to reach out to elected officials as well since we know that a railroad’s schedule makes planning near impossible. The SMART Army effort and our Sheet Metal brothers and sisters are going to be ready to step in and engage. We have our Alumni Association—a group of our retirees who are ready to share their experience and can tell it like it is while preserving their (and eventually your) Railroad Retirement. UTUIA and the Designated Legal Counsel provide services that help to protect you and your family if the unthinkable happens. At all levels, from myself, the board of directors and the general chairpersons and from the TD office to the local hall, we are here, together, working for a common cause—you. And we’re just getting started.

In solidarity,

President,
Transportation Division

State Watch

News from SMART TD State Legislative Boards

Kansas legislative director explains PSR to the public

Union Pacific’s version of Precision Scheduled Railroading (PSR) claimed more victims this month.

UP confirmed Oct. 14 that it was doing away with its Payroll in Kansas City, Mo., and with it 200 well-paying rail jobs evaporated.

The short-term benefits of these and other workforce reductions by carriers in the name of PSR result in a few more bucks for Wall Street shareholders—the end result of PSR for all to see.

Ignored is the long-term damage done to customer service as the carrier tries to adapt to the changes that have made to operations, to equipment because of deferred maintenance, to the lives of employees. People—both those who are left jobless and those who have to work even harder to pick up the slack—and to the economies of communities in which those good-paying rail jobs have vanished.

UP’s not alone. Right around Labor Day at two locations in Pennsylvania and one in Virginia, Norfolk Southern cut nearly 300 jobs total.

What do the two carriers have in common? They’re both knee-deep in PSR.

SMART TD leadership backs Kansas State Legislative Director Ty Dragoo, who wrote a letter to explain to members of the general public about what the carriers are really doing.

We support the Kansas State Legislative Board’s efforts to preserve jobs in the face of the carrier cuts and hope that other members of rail labor follow his lead to explain the situation and keep the PSR.

SLD Dragoo’s letter is reproduced below.

Dear Editor,

America’s railroads are

Continued on Page 11

3 legislative boards have new leadership

State legislative boards for New England, Iowa and Kentucky have new leaders.

In New England, longtime Legislative Director George Casey retired and is succeeded by Chris Wel don, who knows that Casey’s institutional knowledge will be hard to replace.

But the priorities are going to remain the same for Wel don and the New England board—our support for the national two-person crew legislation, meeting with politicians to get them to understand the concerns of transportation workers; lobbying for increased Amtrak funding; and trying to enhance the support for the Transportation Division PAC.

It also is reassuring to know that Casey’s still accessible, even in retirement after his more than five decades of service, and that’s something that is truly appreciated and beneficial going forward, Weldon said. “(George) has forgotten more than I know,” he said. “I will continue to lean on him and am just going to follow his lead.”

Continued on Page 8
John D. Whitaker III  
Vice President  
2019 SMART Transportation Division President  
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109 Quail Springs Ct.  
Smithton, Illinois, with their three sons, Zach, David, and Dylan, and two daughters, Ava and, Summer.

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Jared Cassity was born in 1978 and is a member of Local 1377 (Russell, Ky.). He started his railroad career with CSX in September 2005 and was promoted to locomotive engineer in 2010. He holds the crafts of local chairperson, secretary and treasurer, legislative representative, local chairperson, assistant general chairperson, and Kentucky State legislative director. In addition to his elected roles, he has been a member of the SMART Transportation Division Constitution Committee. In 2014, he was sub- sequently selected to the position of Alternate Director (East) for the NST in 2016. Likewise, he was elected by his fellow members as state chairperson for the SMART Transportation Division Constitutional Committee. In 2014, he was elected to the position of alternate director of the SMART Transportation Division Constitutional Committee, representing the SMART Transportation Division Constitutional Committee, representing the SMART Transportation Division Constitutional Committee.

Calvin K. Studivist is a member of Local 759, Newark, N.J. Born June 16, 1960, in Richmond, Va., he graduated from the U.S. Army Academy in 1982. After the service he moved to Clifton, N.J. He has been a member of SMART Transportation Division since 1985. Studivist serves his union as general chairperson, a posi- tion he has held since 2002. He also serves as chairperson of the District 3 General Chairpersons’ Committee. He was named alternate vice president — bus — East by the UTU Board of Directors in August 2019 and was elected to that office in 2011. He was elected to the position of vice president — bus by the Transportation Division Board of Directors on Oct. 1, 2014. At the Second SMART Transportation Division Convention on August 11, 2019, he was elected vice president — bus by acclamation. Studivist is married to Michelle, and the couple have three children and two grandchildren.

Ben C. Leonard  
Local Vice President  
2202 Kootenay Ln.  
Moscow, ID 83843  
Cell: 208-282-3870  
Email: billLeonard@smart-union.org

Leonard has been a member of SMART Transportation Division since 1982. He has served as local vice president, and was elected to the position of vice president — bus by acclamation at the Second SMART Transportation Division Convention in August 2019. Leonard and his wife live in Topeka, Kan., and have two daughters.

Brett C. Leonard  
Local Vice President  
3910 SW 5th St., Ste F  
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Brent C. Leonard was born in 1973. After attending college he started a railroad career in 1997 on Union Pacific as a conduc- tor/switchman. He was promoted to engineer in 1998. He was a member of SMART Transportation Division Alternate Director (West) East.) He was elected local vice president in 1997, local chairperson in 1996 and secretary of the member of Local 313 in Grand Rapids, Mich., was born in 1979. After serving in the U.S. Army and attending college, he started a railroad career with CSX at Grand Rapids, Mich. He was promoted to engineer in 1995. Fergus was elected to the position of local chairperson in 1995, local chairperson in 1996 and secretary of the member of Local 313 in Grand Rapids, Mich., was born in 1979. After serving in the U.S. Army and attending college, he started a railroad career with CSX at Grand Rapids, Mich. He was promoted to engineer in 1995. Ferguson was elected local legislative director at the SMART Transportation Division Constitutional Committee. In addition, Ferguson was elected to the position of vice president. At the Second SMART Transportation Division Convention on August 11, 2019, he defeated two other candidates and was elected president. Ferguson also served as special representative and organizer for the United Transportation Union starting in 1997. He is the father of two children and resides in Sparta, Mich.

October 2019 SMART TD News
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New leadership elected for associations of general chairpersons

In Iowa, Jonathan Todhunter is taking over with the retirement of Jim Garrett and also said he is going to have priorities similar to his predecessor. “Jim, through his ability to partner with our Sheet Metal brothers and sisters as well as the other trades here in Des Moines, made this board stronger and far more effective than it was in the past,” Todhunter said. “I would hate to imagine how the railroad would have run roughshod over our members if it weren’t for his hard work.”

“His true love and passion for the work needed to protect the interest of the members is at the very least inspiring. We’ll keep building upon what Jim has done with his partnerships with other trades. The Iowa SLB also will focus on some yearly training for local legislative representatives to improve their skills in providing representation,” Todhunter said.

“I plan to do this by taking advantage of the training programs that SMART already has in place.”

A final main goal will be to encourage and secure contributions to TD PAC.

“For me, PAC, in this PSR environment, is career insurance,” Todhunter said.

With Jared Cassidy’s election to alternate national legislative director, Kentucky is the third state with a change atop its state legislative board. Jeff Mitchell of Local 1190 (Ludlow, Ky.) will now lead legislative efforts in the state.

One other state legislative board change also occurred recently — North and South Dakota are now served by a single Dakota Legislative Board, whose legislative director is James Chase of Local 1344 (Mandan, N.D.).
Local 1409 keeps retirees connected after they pull the pin

Local 1409 in Kansas City, Kan., has done its part to help its retirees and retired members’ spouses keep a strong connection with SMART TD, even after their working days are through. The local recently passed a motion that pays the first year of membership fees for its retirees and spouses of retirees to join the SMART TD Alumni Association and the SMART TD Auxiliary, respectively.

Local Legislative Representative Dan Bonawitz, Jr., who is also the local’s delegate, said the ground-work for the benefit was laid in 2007.

“Brother Kenny Menges began to push me into running for LegislativeRepresentative and to further my involvement in the Rail Workers Hazardous Materials Training Program,” Bonawitz said. “The relationship was built and he became one of my mentors.”

Menges, a former Missouri state legislative director, helps run the Alumni Association with Carl Cochran and is a familiar face who works the Association’s booth at TD regional meetings. Menges’ wife, Carol, is a former Auxiliary president and Bonawitz established a rapport with them over the years.

“We knew we needed to do more to further the causes of these great organizations,” Bonawitz said. “This would be our way of dragging the ‘old Local 1409 Warhorses’ back into the fight.”

Last fall, Local 1409 hosted SMART TD Director of Organizing Larry Grutzius in Kansas City and he brought up both organizations as a way to internally organize.

“We knew we had to branch that fight out to include our retirees and their families, many of which had played a part in mentoring several of the current officers in Kansas City,” Bonawitz said. A detailed discussion with Local Chairperson Nick Pfeifer led to the decision to present a motion to the members as part of a complete organizing plan of both retirees and our new members who struggle with being furloughed.

The successful passage means Local 1409 members who have retired over the last five years and their spouses are eligible for the free year of membership, and this benefit will be offered to all Local 1409 retirees going forward, Bonawitz said.

“We hope this helps keep our retirees and their families invested in our great union,” he said. “This is also a way of saying thank you to those former senior members whom guided us young guns as we stepped into our positions and began the good fight against UPRR.”

Organizing and engaging the lowest seniority members remains a challenge, Bonawitz said.

“We need ideas on how to concentrate our efforts to assist them going forward as they and their families struggle with this b---s--- called PSR — aka Wall Street greed,” Bonawitz said. He said he’s open to suggestions and ideas or strate-

Continued on Page 12
Local 376 conductor strives to educate people online on 2PC

If you visit a major news source and see an article on two-person crews, it is likely that Philip Stevenson has commented on it. A conductor out of Local 376 (Louisville, Ky.), Stevenson frequently takes the opportunity to educate people on the importance of having two people in the cab when ever a media organization such as The Associated Press covers this major issue in the rail industry, with the latest being the crew-consist lawsuit carriers have filed against our union.

“I don’t think people understand what we really do out here,” Stevenson said.

Stevenson provides a well-thought-out reply to those people who might say that having two people on a train doesn’t make a difference and that it should be an easy thing for carriers to automate away American railroad jobs with software and other technological advances.

“I have noticed we have had a lot of head-on collisions and trains rear-ending other trains,” Stevenson said. “Positive Train Control (PTC) is a wonderful TOOL, but that’s all it is.”

Stevenson gave permission for us to publish one of his responses.

You have all got this wrong when it come to two-man crew versus one-man crew. The airlines have had autopilot for years but still have two and three people in the cock-

pit.

If Boeing has taught us anything, technology fails. It’s common sense: Thousands of railroad workers will lose their jobs if all the railroads are allowed to go to one-man crews. That’s an issue you need to take up with TRUMP! He claims he is creating jobs, then let him do something about people keeping the ones they have! This is about safety. This is about saving lives. Not just crew lives, but the American people as well.

Railroads preach safety every day. It’s in their rule books and in their advertising. It’s 24 hours a day: Safety … safety … safety. Well, let them put their money where their mouths are. Pay for safety. Keep two in the cab.

The public has no idea what we deal with. Tell your neighbors about how many cars we hit and people are killed every year when they are hit by trains.

Explain to them how the engineer is in the cab calling the dispatcher and getting 911 called and is taking care of anything that may be wrong with the locomotive. He stays with the train.

Tell them how the conductor gets down and rushes to the vehicle to see if he can possibly save a life. Maybe a baby is in the car and needs to be helped or maybe the parents can be removed and need CPR. Maybe the conductor can comfort someone who is dying in shock or screaming because they are severely injured.

Tell them about how we hit livestock and large deer. Tell them how people love to put junk on the tracks. Shopping carts, bicycles, steel wheel-barrows, wheelchairs and even abandoned cars. Tell them about how many trees we hit a year and do extensive damage to the locomotive.

The engineer stays with the locomotives and assesses the damage and does what is necessary to radio dispatcher for help while the conductors get down and remove debris and check the rest of the train for any damage or signs of derailment.

Tell them about the territory that is in the middle of nowhere! The places where no one can get to you fast unless you have a helicopter.

Tell them the engineer should go to the bathroom or take lunch without two people to keep the train going down the tracks while not blocking crossings?

Tell them how radios don’t always work in remote locations. Telemetry drops out and communication is lost. How many times does a conductor have to go back and troubleshoot another unit after alarms are going off?

The engineer keeps the train rolling the best he can while the conductor checks the computers and checks to see if it is loading.

Tell them about the blind curves that only one crew member can see around when you’re approaching public crossings or trees that block signals until you get the train right on top of them.

Tell them about washouts from floods, and heat-warped rail and fog so thick you can’t see a foot in front of you. SO WHAT IF YOU HAVE PTC! PTC does not tell you if a car is stopped on the tracks or a tree is across them or a person is hanging in the tracks or there are five inches of water over the rail?

Tell them how crew members have been attacked and some have even been killed by gang thugs and trespassers.

A single crewmember has no chance in hell in these situations. It is better to have someone else with you to keep watch when working in bad areas.

The list goes on and on. Tell them how the company took away the right of the crewmembers to take a pow- er nap.

One crewmember is supposed to call stopped every 15 minutes while they are waiting on line of road. As long as someone is awake and doing this and paying attention, there is no reason on God’s green earth why a tired crew member can’t take a 20-minute power nap. Tell them how crews are run out of the ground and some are called out every 10 hours around the clock. They work all hours of the day and night and most have no weekends off.

The company won’t even let them have a power nap. What is going to happen when there is only one person on the train who is plain worn out or sick and afraid to take a day off because of the company’s new attendance policy, which is just absolutely insane?

People come to work sick all the time — vomitting, diarrhoea, fevers and the flu doesn’t stop them because they fear losing their jobs. How is a sick person going to be able to make a full run by his or herself safely and without risk ing his or her life or the public without another crewmember to help keep people safe.

There are so many things that go into railroading and running trains that the public doesn’t know a thing about. THIS ONE-MAN CREW IDEA IS THE MOST UNSAFE AND IRRESPONSIBLE IDEA that has ever been brought forward in the history of the railroad industry.

And for what? To save a damn dollar. To line someone’s pockets. To make someone rich. Who cares who gets killed. Who cares about the destruction? I don’t know about you, but I sure the hell do and so should everyone in America!

General chairpersons show their solidarity in wake of carriers’ lawsuit over crew consist

Continued from Page 1

“In response to the Carriers’ attempts to undermine bargaining and divide us, we, the members of District 1, resolve to act in solidarity in every effort to protect our members and our rights under the Railroad Labor Act.”

Every general chairperson in attendance signed the resolution as the meeting concluded.

Transportation Division President Jeremy Ferguson praised the leadership of the General Committees for a quick and unified response at the conclusion of the District 1 conference in the Cleveland area that also finalized the Section 6 notices that will trigger the beginning of the next round of National Rail Contract negotiations.

“As we progress forward into this negotiating period and beyond, soli-

arity among our membership at all levels everywhere will drive us as we overcome the challenges ahead,” Ferguson said. “This unique resolution shows at the outset that we stand together and will speak with one loud, clear voice.”

On Oct. 3, the National Railway Labor Conference (NRLC) filed a lawsuit on behalf of carriers in federal district court in the Northern Dis trict of Texas attempting to chal-

lenge moratoriums on various local crew-consist agreements. Ferguson, in a message to mem-

bership, identified the lawsuit as an attempt by BNSF, CSX, Kansas City Southern, Grand Trunk Western, Norfolk Southern, Illinois Central, Union Pacific, and the Belt Railway Company of Chicago to force SMART TD to bargain over crew consist on a national level in the upcoming round of national negotiations.

“This is not the first time that the carriers have attempted to chal-

lenge the crew consist agreements they have entered into over the years,” Ferguson said. “It seems that in each round of bargaining they raise this issue anew. And in each round, they have lost the argu-

ment.”

“We are ready to defend our agreements.”

A PDF of the lawsuit and Presi-

dent Ferguson’s message to mem-

bership about the crew-consist lawsuit all are available on the TD web site (www.smart-union.org/td).
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Carriers try to derail Illinois 2PC law

The short line Indiana Rail Road Co., with the backing of the two major U.S. rail carrier organizations, has filed suit challenging a law requiring two people on freight crews in Illinois, the Courthouse News Service reported.

“The recent history of railroads confirms the wisdom of FRA’s expert determination that minimum-crew-size laws are neither necessary nor appropriate,” the carriers said in their filing. “In recent decades, technological breakthroughs have allowed railroads to gradually decrease average crew sizes—from about five in the 1960s to just two today—while compiling an ever-improving record of safety. Now, the nation’s railroads are poised to deliver even safer and more efficient service.”

The filing repeatedly referenced the Federal Railroad Administration’s withdrawal of its Notice of Proposed Rulemaking (NPRM) that occurred in late May. In the NPRM, FRA Administrator Ron Batory announced that his agency was acting with the intention to pre-empt any state laws regarding rail crew size. Indiana Rail Road, a regional railroad that operates over 250 miles of track in Illinois and Indiana, began using one-person crews in 1997.

The FRA’s NPRM withdrawal is being challenged in the Ninth Circuit Court of Appeals in Nevada by SMART TD, Illinois and a number of other states. Illinois, on Aug. 9, became the seventh state overall and third this year to enact two-person crew legislation. The Illinois law is scheduled to take effect Jan. 1, 2020.

The lawsuit, which also lists the Association of American Railroads and American Short Line and Regional Railroad Association as plaintiffs, was filed Sept. 30 in the U.S. District Court for the Northern District of Illinois Eastern Division.

A letter to the TD News editor from an NS worker

“Norfolk Southern has moved to the Precision Railroading ‘fad.’ We as employees have been instructed to take shortcuts, disregard safety and ignore FRA regulations in order to move trains. Total disregard for personal and public safety in order for NS to make money. NS has cut and cut and cut employees and jobs to reach a non-sustainable end ... This type of irresponsible business practices has ruined lives, families and towns. I write this letter in fear of my job because we have been warned not to speak out ... Please help us with our story.”

Sincerely,

Ty Dragoo

Kansas State Legislative Director Ty Dragoo spells out the PSR scheme for the public to see

Continued from Page 5 going through a round of job cuts. But at what cost? We, the public, are paying for significant Wall Street gains while selling out our communities.

Union Pacific has announced the closing of Neff Yard in Kansas City. Now you get to hold the bag as UP takes the money to the bank.

Union Pacific Railroad’s decision this week to abolish 200 positions at Neff Yard follows similar force reductions by the other major freight rail systems across the country.

The cuts aren’t coming because the company is losing money: Union Pacific in July 2019 reported 2019 second-quarter net income of $1.98 per diluted share, in pares to $1.5 billion, or $1.98 per diluted share, in the second quarter of 2018. “We delivered record sec-

ond-quarter financial results driven by exceptional operating performance, including an all-time best quarterly operating ratio of 59.6 percent,” said Lance Fritz, Union Pacific chairman. The cuts aren’t due to burdensome corporate taxes. Union Pacific disclosed in 2017 the estimated impact from the Tax Cuts and Jobs Act in a filing with the Securities and Exchange Commission. That disclosure saw some shocking amounts of money to the tune of $6 billion.

The $5.8 billion benefit comes primarily from the revaluation of UP’s deferred tax liabilities to reflect the new federal corporate tax rate of 21 percent. Also, UP stated the tax break law would result in a $200 million non-cash reduction to its operating expenses. It is also of note that many states and local communities have subsidized Union Pacific with tax money.

The most-significant financial boost was Union Pacific’s much-lower tax bill for the reporting quarters. Operating income may have increased, which is impressive knowing that workers are responsible for that, but the company’s tax bill since passage has been substantially lower, which has led to a massive increase in net income for the quarters.

Despite taxpayer dollars and tax cuts helping Union Pacific gain more per-share for Wall Street, their way to say “thanks” seems to be, “Back up and go.” This is leaving behind an economic catastrophe for impacted communities to clean up for themselves. To add insult to injury, the company didn’t even have the decency to warn employees until a few days out.

The cuts are due to insatiable corporate greed. Union Pacific is one of the largest U.S. freight rail oper-

ators with annual revenues of more than $20 billion. While communities struggle with basic needs, educa-

tion, public utilities, streets, emergency services, food tax rates, sales tax, etc. all at the table for increase when UP wants its cut. You have been paying more while they cut and run. This is a double slap to the face; one we must be vocal about.

These job losses will ripple through the heart of the local economy. Without income and security, workers and families won’t be able to spend on clothes, restaurants, recreation, and much more. Union Pacific isn’t only undermining workers and families, but entire regional economies.

As we stand in solidarity with the Union Pacific workers who are about to lose their livelihoods, we can’t forget that corporate decisions in faraway places leave deep scars in unsus-
pecting communities. Not only do workers in these communities deserve grati-
tude, but we must also hold companies who take them for granted accountable.

When communities invest in jobs, we are investing in jobs. We kept our promise. Will Union Pacific and other railroads continue to break theirs?

Sincerely,

Ty Dragoo

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High-resolution digital photographs should be in JPEG format and emailed to news_td@smart-union.org. We prefer horizontal photos. 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 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.

Adrian Reyes, chairperson of LCA-577B (Brownsville & Rio Grande) and a member of Local 1205 in Kingsville, Texas, sent in this photo that was taken during sunrise at the Port of Brownsville.

Local 1409 keeps retirees, spouses connected

Continued from Page 9

gies to take care of and organize newer members who are subject to fur-
loughs and would like those to be emailed to him directly at danbonawitz
@yahoo.com.

“We must prepare to fight on every possible front as the assault on labor and working families intensifies.”

NTSB issues recommendations

Continued from Page 4

members of the Cheyenne, Wyo., local, died in the Oct. 4, 2018, accident. Class 1s and ASLRA members were advised to review and issue guidance regarding inspection of end-of-railcar air hose configurations and to review and revise air brake and train handling instructions for grade operations.

NTSB is looking at brake failure as a possible cause of the fatal accident.

What if?...

What if you could find an insurance company that:

- Pays the membership back rather than paying stockholders and greedy CEOs
- Provided over 200 college scholarships yearly to the children and grandchildren of members
- Provided up to 100 Trade School scholarships to help build America’s skilled labor force
- Provided Memorial Scholarships to the children of its members who were killed while performing the duties of their trade
- Had benefits designed to meet the unique needs of Union Trade Workers and their families
- Had highly affordable plans and flexible payment options
- Gave thousands of hours of volunteer work and matched member donations for charities in the communities they serve
- Financially Supported Disaster relief to assist Union members and their families in dire times of need
- Paid claims in days, not months
- Was established over 150 years ago by Trade workers like yourself

What if I told you that UTUIA is that insurance company and as a Union member, you had access to some of the best benefits available today? To find out more information as to how we can help you protect your family and yourself, simply go to www.UTUIA.org/information, fill out the form and submit or contact a Field Supervisor Direct. You can find your Field Supervisor at www.UTUIA.org/map

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