Rescue plan gets things rolling

Amtrak, other transit workers back on job thanks to funding from legislation

President Joe Biden signed his $1.9 trillion American Rescue Plan on March 11 that was intended to stabilize the nation’s economy as it continues the task of rebounding from the COVID-19 pandemic that has killed more than 525,000 people in the United States. The plan has $30.5 billion in emergency funding reserved to assist transit in the country rebound after an immense drop in use as a result of the coronavirus outbreak.

Thanks to the American Rescue Plan, which passed on a party-line vote by Democratic members of Congress and signed by President Joe Biden, Amtrak workers who were placed on furlough last autumn are back on the job. As a result of the plan, transit agencies also rocked by the COVID-19 pandemic received financial assistance from the federal government in order to stay financially solvent. Photo courtesy of Brett Bottles, owner of Northeast Ohio Drone and son of TD Alumni Association member Raymond Bottles, a retiree from TD Local 2 (Toledo, Ohio).

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Next on the agenda: Transportation/infrastructure

After the Democratic majorities in Congress and President Joe Biden gave the country a lifeline to bridge the period between the height and what we all hope are these latter days of the COVID-19 pandemic, the country’s political leadership turns toward the future — what the Biden campaign dubbed “Building Back Better.”

On March 31, the administration released an outline of the American Jobs Plan, a $2 trillion bill that would transform the nation’s transportation system and its infrastructure.

It’s no secret that both sides of the political aisle recognize that the backbone of our country — the rails, roads and bridges where the members of SMART Transportation Division work on a daily basis — and how we get around need investment.

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Inside this issue of the SMART-TD News

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Vice Magazine article gets truth about PSR by talking to TD, TTD

Members and leaders of the SMART Transportation Division, as well as the AFL-CIO Transportation Trades Department (TTD), spilled out why U.S. freight railroads’ obsession with Precision Scheduled Railroading (PSR) increases the danger to the public and railroad workers alike. Journalist Aaron Gordon spoke with TD President Jeremy Ferguson and TTD President Greg Regan about the degradation in the safety culture of freight railroads because of PSR in an in-depth article published March 22. “It’s going to end up like Boeing,” President Ferguson warned.

Scan the QR code at left with your smart device to read Gordon’s article that touched upon many topics that we members are unfortunately already well aware of, including: the severe reduction of rail employees which has greatly impacted safe operations; the increase of fatigue associated with the same demanding work, but with a reduced work force; the practice of railroads to have inspectors spend less time inspecting cars; the deferral of needed maintenance and potential safety issues being glossed over so that dwell time is not increased.

The article paints a very realistic and clear picture of how the railroads’ operating ratios and profits have been placed well ahead of safety, all in the name of PSR.

The lessons learned from past operational mistakes could conceivably end up costing railroads in the long run, interviewees say in the article.

A pledge was made in 2018, and a promise is being kept

By Terry Tasker
Coordinator, TD Alumni Chapter 18

The photo at right was taken in 2018 at the Joseph R. Biden Jr. Amtrak station in Wilmington, Del., with the assistance of the Amtrak police. Then-candidate Biden was asked what SMART and rail labor in general could expect from a Biden administration.

He replied, “better and safer working conditions for all railroad workers.”

Candidate Biden spoke directly and was frank about organized labor’s need to stay loyal to those who support us for better and safer working conditions.

Since Biden took the oath of office in January, he has kept his word. On March 11, he signed H.R. 1319, the American Rescue Plan Act, which tremendously assisted transit agencies and frontline workers. This plan, in part, recalls 1,200 furloughed Amtrak employees and restarts previously canceled Amtrak services, including long-distance routes that were reduced.

Regarding our bus and transit members, “the transit funding provided by the plan will provide security for them going forward,” said National Legislative Director Gregory Hynes, showing us a promise made three years ago is being kept.

Tasker, a TD member for 27 years, established Alumni Association Chapter 18 Coordinator Terry L. Tasker Sr.

Rescue plan gets things rolling for furloughed Amtrak, transit members

Continued from Page 1
break one year ago. That amount is $10.5 billion more than the $20 billion requested by Biden in his initial version of the bill that was unveiled before he took office.

Passenger transit services were hit hard by the virus with ridership declining 95% for some carriers. In the initial stages of the pandemic, only essential workers used public transportation as many people in a number of highly populated areas went into lockdown.

“Our bus and transit members have been on the front lines working to provide for their families and to continue to keep the country running in the year since the coronavirus emerged in the United States,” SMART Transportation Division National Legislative Director Gregory Hynes said after the bill’s signing. “The transit funding provided by this plan will provide security for them going forward.

Amtrak, the nation’s largest passenger rail carrier, also experienced a massive decline in ridership as a result of COVID-19. The carrier is slated to get $1.7 billion to help restore service that had been reduced last autumn, resulting in furloughs of SMART-TD and other unionized workers.

The carrier already announced that it will resume full long-distance service as a result of receiving the funds from the relief plan.

“Amtrak Joe” and Congress has delivered for us,” Hynes said. “The American Rescue Plan is a much-needed boost that will allow Amtrak to recall all of our furloughed members and restore long-distance service very soon.”

The plan passed along party lines in both the U.S. Senate and in the U.S. House except for Democratic Congressman Jared Golden of Maine, who voted against it.

The American Rescue Plan provides direct payments of $1,400 to individuals making up to $75,000 annually, $350 billion in aid to state and local governments and $14 billion for vaccine distribution. The bill also provides $130 billion to elementary, middle and high schools to assist with safe reopening.

In addition to providing direct payments to individuals, the plan also expands jobless benefits through September and child tax credits to assist families who are continuing to struggle and this announcement is a part of this plan.

Amtrak already has released an expansion plan, wanting to seize this chance. “President Biden understands we need to do big, and this announcement brings us one step closer to delivering the aggressive changes we need to rebuild our country,” CEO Bill Flynn said.

Now, it’s time for Congress to follow through and deliver for America’s working people.

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COVID again stops Regional Meeting

The continued challenges posed by the COVID-19 pandemic regarding indoor gatherings led to SMART leadership voting unanimously to cancel the 2021 SMART Transportation Division Regional Rail Meeting.

Alternative educational opportunities are in the process of being planned for 2021 for TD members and the union continues to pursue a meeting in 2022. Information will be posted to the TD website when it becomes available. Please stay safe!

Up next: Focus on transportation and infrastructure

Continued from Page 1

The American Society of Civil Engineers found that deferred infrastructure maintenance in the United States has grown to a $3.2 trillion deficit.

Even as Biden’s predecessor in the Oval Office held “Infrastructure Week” events in the nation’s capital on a periodic basis, big projects such as Amtrak expansion, the Hudson Tunnel and the Gateway Project in the Northeast or the alleviation of port and traffic congestion nationally never came to pass in those four years.

Some of this is the responsibility of the Class I railroads, who keep their capital expenditures on maintenance at constant levels while raking in the profits from their Precision Scheduled Railroading scheme.

Beyond freight rail, there are other places where we as a nation have fallen behind in building and maintaining a 21st century infrastructure.

Making our nation travel better and safer will take a new generation of good-paying union jobs while making sound choices by preserving those that already exist.

Elements of H.R. 2, the bill we were able to get through the U.S. House last year, are a part of this plan.

Amtrak has already released an expansion plan, wanting to seize this chance. “President Biden understands we need to do big, and this announcement brings us one step closer to delivering the aggressive changes we need to rebuild our country,” CEO Bill Flynn said.

Now, it’s time for Congress to follow through and deliver for America’s working people.
Three members die in March accidents

A Local 1544 (Maywood, Calif.) member lost his life as a result of injuries early March 3.

Brother Taj Ellis, 46, of Chino, Calif., was making a set-out in La Mirada Yard in Orange County, Calif., at 12:30 p.m. when he was fatally injured. He had been a member of our union since July 2013 and was a conductor for BNSF. A member of the SMART-TD National Safety Team is assisting the National Transportation Safety Board in investigating.

Brother Ellis is survived by his wife, Trinity, and their children. An online fundraiser has been established by fellow Local 1544 member Jimmy Diaz. Follow the QR code at right.

“There are no words to describe how we are all feeling at this moment,” Diaz wrote on the GoFundMe page. “The smiles and laughter will forever be remembered my friend.”

Local 934 member Curtis A. Deines, 52, a member of our union for more than 20 years, died before dawn on the morning of March 19 after the SUV he was being transported in was involved in a head-on collision with another vehicle on U.S. Highway 2 near Ravenna, Neb. The driver and three other rail workers in the SUV that Deines was riding in were transported for treatment, as was the driver of the other vehicle involved in the accident, according to the Star-Herald of Scottsbluff, Neb. Deines passed away at the scene of the accident, the Buffalo County Sheriff’s Department stated in an accident report.

He will be greatly missed here in Alliance,” said Local Chairperson Wendy Henderson of the Nebraska local.

Born in Torrington, Wyo., Brother Deines was a hall-of-fame athlete from his time as a center on the Chadron State College football team. He graduated college in 1996 with a degree in education.

He then entered into service with the Burlington Northern Santa Fe Railroad in the maintenance of way department and then transferred into train service as a conductor.

Great sources of pride and joy for him were watching his son, Colin, and daughter, KayLeah, succeed in life and becoming a grandpa, his family wrote in his obituary.

“Curt was loved by all and will be greatly missed for his big heart and infectious laugh,” his family wrote.

“The role Curt played in each of our lives will never be forgotten.”

Brother Deines is survived by his wife, Sonya; his son, Colin; daughter, KayLeah King; two grandchildren; his parents; his sister; two nieces; and a number of in-laws and other relatives.

Follow the QR code above to assist in an online fundraiser for Brother Deines’ family.

Local 1544 member Taj Ellis, an officer of Local 219 (Han nibal, Mo.) for the vast majority of his 24-plus years with our union, died as a result of a switching accident on April 7 in Louisiana, Mo. He was 56 years old.

Brother Striker was vice local chairperson of LCA-001A and had served as the secretary/treasurer of his local for more than two decades. A trainman/breakman for BNSF, he also served as an LCA secretary and as a delegate for his local at the second SMART Transportation Division Convention in 2019.

An investigation has been launched by the National Transportation Safety Board into Brother Striker’s death with a member of the TD National Safety Team participating.

Brother Striker was a veteran of the U.S. Army. He is survived by his wife of 34 years, Lisa; his son, Matthew; a granddaughter; two step-grandchildren; three brothers; two sisters and other relatives.

“Away from home, Buddy loved being outside and visiting the family farm,” his family wrote in Brother Striker’s obituary. “Buddy had a green thumb and enjoyed working in his garden. A wonderful cook, Buddy made the most delicious cheesecakes, birthday cakes, and soups.”

Tony Wyman, a union brother out of Local 445 (Niota, Ill.) remembered on an online memorial page how he was mentored by Brother Striker after hiring on in 2004 as a BNSF conductor.

“Buddy … told me ‘as long as you’re with me you’ll be OK,’” Wyman wrote. “I’m heartbroken that he is gone! Buddy had a story or a joke every time he went to work! People of the BNSF family in Quincy lost a legend … and I mean a serious legend!”

The SMART Transportation Division offers its deepest condolences to the families, friends and to the union brothers and sisters of these three men as they mourn the loss of these stalwart and dedicated members of our union.
Biden administration already has improved things
Brothers and Sisters,

I want to start by applauding everyone from President Joe Biden, Vice President Kamala Harris to the House and Senate members whose votes were integral in making the American Rescue Plan a reality. Our collective effort to secure a pro-worker majority in the past election has begun to pay off early in this new administration.

This critical relief package is just one in a long line of new pro-worker advances being made by an administration that has a laser-like focus on the needs of working families, and not just the interests of the top one percent and Wall Street. This is a breath of fresh air compared to pandemics to the elite, as the huge diversion that has a laser-like focus on the needs of working families, and not just the interests of the top one percent and Wall Street.

For our transit and passenger rail brothers and sisters, Amtrak members were idled due to no fault of their own, $2 billion is targeted to get them back to work and restore intercity services that had been cut by the previous administration. The plan also includes an additional $30.5 billion in emergency funding reserved to assist transit operations around the country in rebounding from dramatic drops in use due to the coronavirus pandemic.

In addition, the rescue plan provides 100% of health care premiums for COBRA-eligible workers who have lost their jobs involuntarily or have suffered under-employment. This subsidy is for up to six months and will expire on September 30, 2021. For the Railroad Retirement Board, the plan provides a much-needed supplemental appropriation for the agency's administrative budget. This includes money to beef up online services for railroaders and their families, as well as funding to hire new staff to improve services, handle sickness benefits and process unemployment applications.

For those who are dealing with job loss, the Rescue Plan provides a $300 weekly boost in unemployment benefits, on top of standard state unemployment benefits. This benefit lasts until Sept. 6, 2021, and includes extended unemployment benefits for employees who have otherwise exhausted benefits. In addition, the package signed by President Biden waives taxes on the first $10,200 of unemployment benefits for individuals who made less than $150,000 in 2020. President Biden heard our calls for action. Instead of empty words, he is now taking action and delivering on the promises he made to the American people. Thank you, and please stay safe!

Joseph Sellers Jr. General President, SMART

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**SMART General President's Column**

**This critical relief package is just one in a long line of new pro-worker advances being made by an administration that has a laser-like focus on the needs of working families, and not just the interests of the top one percent and Wall Street.**

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**Bus Department News**

A message from your Bus Department leadership

**Dear Sisters & Brothers,**

With the vaccine rollout in full throttle mode, it is with optimism that I share that our industry is in recovery. While the recovery is not as swift as we would like it to be, it is, however, moving in the right direction.

Carriers are starting to recall furloughed workers, ridership is starting to creep up to the respectable numbers that carriers enjoyed pre-COVID. Hopefully, when you receive this message in your SMART-TD subscription, we will be back in full operation with all members who have previously been furloughed back in service.

Under the Biden administration, we have seen a more robust vaccine rollout and less vaccine hesitancy as bus operators literally roll up their sleeves and get back behind the wheels of their buses and once again prove how valuable they are to the public who rely so heavily on public transit systems. Also with the American Rescue Plan Act that President Biden signed into law on March 11, 2021, it sets aside $30.5 billion to the transit agencies through federal funding, which is another significant step to a full recovery for our industry, which in turn is another significant step to our members returning to normalcy in their livelihoods.

While all of the aforementioned topics are good for our membership there is still some concern for our sisters and brothers who work in the private sector. Those members are as essential as anyone and they deserve to be treated as such.

Due to the January 6, 2021, insurrection, many of your sisters and brothers served diligently and without fear for their own safety. They were tasked with transporting the National Guard around the nation’s capital during the inauguration proving just how essential they are. I’m extremely honored to serve those members, some of whom come from my local, that participated in such an important assignment.

I would also like to take the opportunity to thank both NJSLD Ron Sabol and NCSL Ron Ingerick for the hard work they are doing to assist our members in their states with legislation to ensure their safety. We have made the commitment to make sure that none of our members should ever suffer from an assault, and if one should be assaulted, then we are working hard to make sure that the perpetrators of the assault, be held accountable. As always, I pray for the safe travels of our members.

Fraternally,

Calvin Studivant
VP Bus Department, SMART-TD
216-630-0963

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**Members can opt in to get a PDF version of the TD news...**

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**SMART Transportation Division News**

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**Transportation Division President’s Column**

What we’ve done and what we are doing for you

By Jeremy Ferguson

March / April 2021 • SMART-TD News

**State Watch**

News from SMART-TD State Legislative Boards

**Virginia**

State Legislative Director Ronnie Hobbs appeared on the Talking SMART podcast (scan QR code with your smart device) to discuss community projects and service he and his fellow SMART-Amy members have taken part in, including collecting clothing for the homeless, food drives, sponsoring Little League events, and repairing and donating a golf cart for a young cancer patient to drive around his neighborhood. Hobbs’ act of generosity has inspired some of his union brothers to donate to help in the fight against pediatric cancer.

To help, visit https://www.stbaldricks.org/participants/DaltonDad2021.

Virginia SLD Ronnie Hobbs (left) and members of Local 854 (Portsmouth, Va.) send a picture to cancer patient Dalton Fox. The local donated $400 to help in the fight against pediatric cancer.

**Hobbs also wanted to give Local 363 Legislative Representative William Aldridge a huge thank you for his efforts in raising awareness about SMART-TD PAC, with two drives over the past year and a new one with a gift certificate incentive. “Brother Bill has done a great job!” Hobbs said. “He consistently tells members who want to make a difference to give to PAC.”**

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American Rescue Plan extends CARES Act benefits, supports RRB

As you may have heard, Congress recently enacted legislation to provide some financial relief to railroad workers. In the legislation entitled the American Rescue Plan Act of 2021 (ARPA), Congress essentially extended the benefits originally created by the CARES Act. This legislation provides for the following benefits:

- A recovery benefit of $600 per two-week unemployment registration period. This extends the benefit that was established through legislation at the end of December and was due to expire March 14, 2021. As a result, employees receiving unemployment benefits will continue to receive an additional $600 per registration period.
- Extended unemployment benefits for employees who have otherwise exhausted benefits. Now, in combination with previous legislation, an additional 200 days within the additional consecutive two-week registration periods are payable. These extended benefits are available for days of unemployment on or after December 28, 2020. No additional days are available for registration periods beginning after September 6, 2021.
- Waiver of the seven-day waiting period for unemployment and sickness benefits. This was also extended to Sept. 6, 2021.
- In addition, ARPA provides that up to $10,200 in unemployment benefits may be exempt from income tax. This provision is administered by the IRS and they have more information in an article entitled, ‘New Exclusion of up to $10,200 of Unemployment Compensation.’
- Finally, as you know, the Railroad Retirement Board’s (RRB) budget has remained flat for several years now and as a result, agency resources have been limited. ARPA provided a much-needed supplemental appropriation for the agency’s administrative budget. ARPA appropriated the remaining amount needed for the RRB’s multi-year IT modernization plan, which will eventually provide more online services to railroaders and their families. In addition, it appropriated $6.8M for agency hiring related to the pandemic for the next two years. The RRB intends to hire staff in field service, as well as in the unit at headquarters that handles sickness and unemployment applications. We hope that these additional hires will improve customer service.
- As with previous legislation, the RRB has updated the information on its website with the details regarding these benefits. You can find the FAQs on the site.
- Also, with most RRB field offices still closed to the public because of the pandemic, the agency is again reminding customers of self-service options available to them to help avoid lengthy wait times.
- I encourage all railroaders to set up a myRRB.gov account on the RRB.gov website to help avoid any possible delays. To establish an account, employees should go to RRB.gov/myRRB and click on the button labeled SIGN IN WITH LOGIN GOV at the top of the page. This directs them to login.gov where they will be guided through the process of creating an account and verifying their identity, which takes about 20 minutes to complete.

NLD Hynes makes appearance on Rick Smith labor podcast

National Legislative Director Gregory Hynes was a guest on the labor-oriented Rick Smith Show on Feb. 24 where he discussed the Ninth Circuit Court of Appeals ruling that threw out the Federal Railroad Administration’s negative preemption claim, which would have nullified our two-person crew state laws.

In addition to talking about the two-person crew ruling that reinstated state laws governing crew size, Hynes also discussed the history of railroads using technology not to improve operations, but instead to eliminate jobs to increase profits and the need for Amtrak safety to be tightened in the wake of January’s insurrection at the U.S. Capitol.

State Watch continued...

Virtual RR Day, take 2

For the second consecutive year due to the COVID-19 pandemic, the annual Railroad Day on the Hill ended up being a hectic schedule of Zoom calls and virtual discussions to get the needs of the railroad industry across to political leaders around the country.

Main topics of discussion mutually agreed upon by labor and carriers included the opposition of larger trucks and approving the personnel funding increase that had been requested by the Railroad Retirement Board (RRB) for the 2022 fiscal year. Participants in the effort were limited to these topics, but were able to use the opportunity to establish relationships for future discussions about other issues.

In addition to the National Legislative Office, participants in the effort included SLDs Scott Jones (Ariz.); Louis Costa (Calif.); Carl Smith (Colo.); Willie Bates (D.C.); Andres Trujillo (Fla.); Matt Campbell (Ga.); Bob Guy (III.); Chris Smith (Iowa); Jeff Mitchell (Ky.); Donald Roach (Mich.); Nick Katch (Minn.); Ron Ingerick (N.C.); Ron Sabol (N.J.); Clyde Whitaker (Ohio); Paul Pokrowka (Pa.); Ronnie Hobbs (Va.); and Herb Krohn (Wash.).

SLDs from California, Illinois, Texas, and Ohio also had backup from members of their respective SLBs.

Asst. National Legislative Director Scott Brent (Local 1201), Legislative Rep. Michael Convey (Local 84) and Legislative Rep. Ted Smith-Peterson (Local 1241) also represented their state of California. For Illinois, it was Legislative Chairperson Jeff Votteler (Local 1597); Legislative Secretary Dennis Nee (Local 1895); Alt. State Legislative Director Jordan Boone (Local 445); Assistant State Legislative Director Joseph Cienn (Local 1534) and Legislative Vice Chairperson Jarrod Hudson (Local 453) participating.

Assistant State Legislative Director Gabe Christenson (Local 1043) took part on behalf of the Nevada State Legislative Board.

Ohio had Assistant State Legislative Director Kurt Schwamberger (Local 1528); and Alt. State Legislative Director Ryan Fitzpatrick (Local 1397) take part.

“It went very well,” said National Legislative Director Gregory Hynes.
Bus members do their part by transporting D.C. guard

SMART Transportation Division Local 759 President Rafael Becerra and about seven of his local brothers and sisters departed their Coach USA garage in Paramus, N.J., on Jan. 10, and traveled to Joint Base Andrews in Prince George’s County, Md., to transport our nation’s troops and national guardsmen to protect Washington, D.C., for the Jan. 20 inauguration ceremony.

Becerra stayed in the nation’s capital for two weeks, returning home Jan. 24, while others from his garage stayed an extra week before returning Jan. 31.

Dillon’s Bus Service of Hanover, Md., an affiliate of Coach USA – was in charge of coordinating with different bus companies that sent their buses and operators to help transport the 26,000 troops (according to militarytimes.com) deployed to transport troops.

Employees of Rockland Coaches of Bergenfield, N.J., represented by TD Local 1558, also were called upon to transport troops.

Coach bus companies from as far away as Pittsburgh and about 29 people, Becerra said. “I also picked up people from the Florida National Guard from their hotel, and I dropped them off where they were stationed at the African American Museum (National Museum of African American History and Culture).”

Becerra said the first week there was the roughest because he was required to keep making runs from place-to-place and was on call a lot of the time. The troops were constantly coming in during the first week for their assignments, but then there wasn’t a lot of transportation that needed to be done during his second week.

“We waited around a lot at the Andrews base parking lot, waiting to be called upon,” Becerra said.

New Jersey State Legislative Director Ron Sabol had nothing but praise for the members who stepped up to assist.

“Brother Becerra and his fellow members took time away from their families during a pandemic to serve a greater cause than themselves — the protection and safe transition required by our nation’s democratic process,” Sabol said. “This assignment had health and safety risks involved — just days before our bus operators arrived, armed insurrectionists had threatened members of Congress in the U.S. Capitol itself. Our members had no guarantee that they wouldn’t be attacked by domestic terrorists or be exposed to COVID while assisting those troops at our nation’s capital — yet they did it without complaint.

“I thank them for their exemplary display of duty,” although he was in the city during the inauguration, Becerra said he did not get to see the ceremony up close.

“I was watching it on my phone, sitting in the parking lot. I was kinda afraid to take pictures,” he said. “You don’t just go wandering around. You go from check point to check point to check point.”

When asked if he had any concerns about contracting COVID-19 while there, Becerra said that he thought things were pretty safe with almost everyone wearing a mask, but he was still a little concerned.

“I would say that 99% of the guys, the troops, they all had masks on. I was tested before I went there, and I was tested when I came back. Thank God I came back in one piece. But it’s all part of the job,” he said.

Becerra said that by the time that he left, a lot of troops were already clearing out.

When asked what the most memorable thing about the trip was, Becerra replied, “I was amazed that I had never seen D.C. so empty. There was nothing. There was no traffic, there were no people walking. You could walk on the other side of the fence, but that was the closest you got. They kept closing down areas, so you didn’t know what was going to be closed.”

SMART-TD thanks Brother Becerra and the other troop transporters for their dedication and congratulates them on a job well done.

SMART-TD thanks Brother Becerra and the other troop transporters for their dedication and congratulates them on a job well done.

Members of the National Guard disembark from a bus in January in this photo courtesy of Local 759 President Rafael Becerra and New Jersey State Legislative Director Ron Sabol.

SMART-TD News

Safety expert and GC Billy Moye pulls the pin

After 23 years of service, General Chairperson Billy Moye (GCA – CSX-SCL) has pulled the pin, retiring Feb. 1.

A third-generation railroader, Moye hired out in 1998 with CSX after spending time in the military. Over the course of his career, he became their district safety chairperson.

Moye became very active in our union and held many positions over his career including LCA secretary from 2012-17, local chairperson (2017-21), Local 1971 delegate, GCA secretary (2012-17), GCA vice chairperson (2015-17) and general chairperson (2017-21). He also worked as an organizer and as a coordinator on the Human Rights Committee (HRC).

Billy Moye is one of the most decent individuals that I have had the pleasure of knowing. I first met Billy in 2009 while we worked on a campaign involving Local 1594. He was always planning the next move before we even had engaged the previous one. While on organizing campaigns, Billy enjoyed using military ling- go, and being a veteran myself, I always knew and understood what he was doing,” SMART-TD Bus Department Vice President Calvin Studivant said.

At regional meetings, Moye could be counted on to not only man the Human Rights Committee table, but to also conduct workshops on human rights, hazmat and first responders.

Fellow HRC Coordinator and Local 1867 Local Chairperson Chad Yokoyama would help Moye at the committee table at meetings.

“Billy served our country and first and foremost, I would like to thank him for his service to our country. He also served our union well and most of the things he did will and should never be known. His role in the HRC took a man of integrity, and that is exactly what he is,” Yokoyama said. “For some reason, Billy took a liking to me and saw things in me that I didn’t know existed.

“He is willing to help and mentor anyone. Working with Billy, I can’t tell you how many times people would come up to him and thank him for all he did for them,” Yokoyama said.

Brother Moye was a great example of what it means to be in a union as told by Vice President Studivant in a heartfelt tribute:

“The union has truly lost a shining example of unionism with the retirement of Brother Moye. I salute you Billy for all that you have done to strengthen our organization. Thank you.”

“I believe it fitting [that] we stand, salute and thank Billy for all he did,” added Yokoyama.

SMART-TD congratulates Brother Moye on all of his accomplishments and wishes him a long, happy and healthy retirement. Congratulations Brother Moye!
Superman doesn’t take the kryptonite, why should we?

By Justin Wolters
General Chairperson, SMART-TD GCA-449

I have been a fan of the superhero genre since I was a kid. Long before the Avengers teamed up on the big screen to defeat Thanos, I was reading the comics. I was watching superhero cartoons before Superman and Batman became best friends because our mothers had the same first name.

The love I have for superheroes is the same reason I am a union officer. I do not like bullies or villains. When I think of our union, I think of Superman. We defend each other for the greater good, much like Superman. I am talking about the collective “we.” SMART members and officers are union brothers and sisters. A collective. United, we are Superman.

For those of you who don’t know, Superman is an alien from the planet Krypton. Krypton is made up of an element called kryptonite and when that planet blew up, the element was scattered all over the universe, and it’s Superman’s lone weakness. While the radiation of Earth’s yellow sun gives him his great powers — super strength, the ability to fly, be “faster than a speeding bullet and more powerful than a locomotive,” etc. — he battles to fight wrongs and fight evil everywhere instead of just using the power for himself.

When we all work together it is like thriving under a yellow sun. We are no longer ordinary — we become something much stronger. Our kryptonite, our weakness, is when we fail to work as a collective. Stop taking daily doses of kryptonite. Work as a collective. Utilize the agreements, rules and laws to protect ourselves and our families. Only then, will we fully transcend those things that hold us back.

Justin Wolters, general chairperson of GCA-449, is a proud member of SMART Local 1381 in Hammond, Ind.

What’s so important about this caboose?

By Ryan J. Fitzpatrick
Local Chairperson, SMART-TD Local 1397 (Columbus, Ohio)

William C. Gurney, Daniel Hopkins, Daniel J. McCarty, Eugene S. McCarty, Union C. Osterhout, Elmer Wessell, H.S. Wilber and Charles J. Woodworth — do any of these names sound familiar?

It is what these eight men did on Sept. 23, 1883, that has paved the way to the creation of the union you know today.

While employed by the Delaware and Hudson Railroad, these men met in secret in a caboose in Oneonta, N.Y., to form a benevolent society known then as the Brotherhood of Railroad Brakemen.

During the years leading up to the formation of the BBR, the work of a railroad worker was one of constant danger. At that time, there was no OSHA, FRA or NTSB. Equipment was never maintained properly by the railroads as there was no official oversight. Workers lost limbs and lives. Railroad workers could not obtain life or disability insurance as the insurance companies felt that the workers in the industry were too much of a liability. Things had to change. It was not the railroads who made the move to better the workers’ benefits, but the workers themselves.

The idea of a labor union or even a benevolent society during these times meant you could lose your job or even worse, be “blacklisted”; meaning you could not work for another railroad because of your ties or support of the labor movement. Even speaking of organizing or unions was risking your livelihood. These men knew the risks, but also knew if they were to make a change in labor, it had to be done.

So, on September 23rd, these men met inside D&H caboose No. 10 to form the Brotherhood of Railroad Brakemen. The BRB was formed to provide life and disability insurance to railroad workers at affordable rates. Location Number 1, named after Eugene V. Debs, was formed, and from there, more lodges were formed across the country.

In time, the name was changed to the Brotherhood of Railroad Trainmen (BRT), but the mission stayed the same: to provide a benevolent society for the protection of its members.

In the following years, the BRT worked to better the lives of their workers, whether it be by securing pay increases, improvements in working conditions or healthcare benefits.

The BRT fought for the eight-hour basic day, something we take for granted today. Let us not forget the fights involved, the blood that was shed to make this happen. That is why we have today, what we work under every time we get our call to work, was fought for by men and women who stood up knowing that under one voice, we can make a difference.

Today, the foundation of the BRT still provides affordable insurance to our members via the UTU Insurance Association (UTUA). Well into its second century, what was set up to help members and their families who suffered death or dismemberment on the job, has expanded to include short-term and long-term sickness benefits, cancer care, income protection on account of discipline and much more. I believe the founders would be proud of what we have become. In fact, we’ve come a long way from the meeting of the “Brave Eight” in Oneonta.

This caboose in Oneonta, N.Y., is important to the history of SMART-TD — it is the site where the first eight members of what would evolve into the Brotherhood of Railroad Trainmen met in secrecy to form a union.

When we all work together it is like thriving under a yellow sun. We are no longer ordinary — we become something much stronger. Our kryptonite, our weakness, is when we fail to work as a collective. Stop taking daily doses of kryptonite. Work as a collective. Utilize the agreements, rules and laws to protect ourselves and our families. Only then, will we fully transcend those things that hold us back.

Justin Wolters, general chairperson of GCA-449, is a proud member of SMART Local 1381 in Hammond, Ind.

Officer in BRT headed labor Dept.

The confirmation of Boston Mayor Marty Walsh, a member of the Laborers’ Union, to be President Joe Biden’s labor secretary ends a nearly 45-year absence of having a union member head the U.S. Department of Labor.

But as the third secretary of labor, the Brotherhood of Railroad Trainmen’s William N. Doak helped establish a lasting legacy.

President Herbert Hoover nominated Doak, a vice president and national legislative representative of the SMART-TD predecessor union, to lead the DOL in 1936 as the nation struggled in the Great Depression.

In collaboration with his immediate DOL predecessor, James J. Davis, who became a U.S. senator representing Pennsylvania, Doak’s crowning achievement was helping the Davis-Bacon Act — legislation that established prevailing wage laws that benefit our Sheet Metal brothers and sisters and other union laborers — to become federal law in 1931. That law remains in effect 90 years later.

Doak’s labor secretary stint ended in March 1933, after Franklin Delano Roosevelt took office. Doak returned from his leave as a BRT officer, but just months later, on Oct. 23, 1933, Doak passed away at age 50.
SMART-TD Vice Presidents David B. Wier Jr. and Jamie C. Modesit report that the organization has received numerous favorable decisions from cases arbitrated at the First Division of the National Railroad Adjustment Board. Of the many cases that the organization received sustaining decisions on from the First Division, the cases referenced below are of significant interest:

**In NRAB First Division Award No. 30432 (Jacobs, 2020), Texas City Terminal Railway Company terminated a switchman for allegedly damaging a car and bumper post when spotting cars at a customer’s facility. In overturning the carrier’s decision to terminate the claimant’s employment, the board concluded that the carrier’s case was based entirely on speculation. Finding that the carrier failed to satisfy its burden of proof, the board reinstated the claimant and awarded him back pay and benefits. General Chairperson Anthony Simon**

**In NRAB First Division Award No. 30531 (Simon, 2021), CSX dismissed a conductor for purportedly missing FMLA leave. At the formal investigation, the organization attempted to call the claimant’s girlfriend as a witness in the proceeding; however, the hearing officer refused to allow the claimant’s girlfriend to testify at the formal inquiry. Based on an examination of the record developed in this case, the board determined that the hearing officer’s refusal to allow the requested witness to testify improperly deprived the claimant of his fundamental due process rights and constituted a violation of the agreement. Having concluded that the carrier committed a fatal procedural impropriety, the board reinstated the claimant to service and awarded the carrier to make him whole for lost wages. GO 49 General Chairperson Rick Lee and GO 49 Vice General Chairperson Kevin Serres progressed this case to the NRAB First Division.**

**In NRAB First Division Award No. 30535 (Simon, 2021), CSX dismissed a conductor allegedly missing FMLA leave. Nevertheless, the carrier failed to convene the formal investigation within the contractually prescribed timeframe set forth in the agreement. Because the carrier failed to schedule the formal investigation within the timeframe specified in the agreement, the board found that the claimant’s dismissal should be vacated on procedural grounds. Based on that conclusion, the board reinstated the claimant and directed the carrier to make him whole for lost wages. GO 49 General Chairperson Rick Lee and GO 49 Vice General Chairperson Kevin Serres progressed this case to the NRAB First Division.**

**In NRAB First Division Award No. 30550 (Tener, 2021), Union Pacific terminated a conductor for allegedly violating General Code of Operating Rules (GCOR) No. 6.3. Noting that it is incumbent upon management to charge an employee with the correct rule, the board discerned that the carrier failed to tender evidence into the record of the formal investigation to support its allegation that the claimant breached GCOR 6.3. As a result of its observation that the carrier failed to meet its burden of proving whether the claimant violated GCOR 6.3, the board reinstated the claimant to service and awarded him compensation for all lost time. GO 95 General Chairperson Luke Edington, GO 95 Associate General Chairperson Ian Reynolds, and GO 95 Senior Vice General Chairperson Zach Nagy progressed this case to the NRAB First Division.**

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**Union wins battle in getting cut LIRR services restored**

Long Island Rail Road (LIRR) implemented planned service cuts the morning of Monday, March 8, in spite of objections made by union leadership and echoed by New York state senators just before the cuts went into effect.

**What YOUR UNION is doing for you**

Here is a list of recent arbitration victories reported to SMART Transportation Division’s leadership.

General chairpersons who wish to report a recent success should email Vice President Alyv Hughes (ahunghes@smart-union.org) for Bus Department victories and Vice President David B. Wier Jr. (dwierjr@smart-union.org) for rail victories.

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**Union sportsmen**

- Sporting clay shoots planned in Colo., N.J.

Members are invited to compete in a pair of team clay shoots this autumn in conjunction with the Union Sportsmen’s Alliance (USA).

The first shoot is scheduled at 9:30 a.m. Sept. 25 at Colorado Clays, 13600 Laneawod St., Brighton, CO 80603.

The second is scheduled at 9:30 a.m. Oct. 23 at Red Wing Sporting Clays, 317 Sooys Landing Road, Port Republic, N.J. 08221.

Registration of your team of five competitors will be available at https://unionsportsmen.org. For both events, in-person registration runs 7:30 to 9 a.m. local time, and the entrance fee includes lunch, beverages, 10- or 20-gauge shells and clay targets.

Individual registration for those ages 18 and older is $175, while registration for youth is $125. Individual shooters will be placed in teams of five when competing or entire teams of five can register as a group either in-person or online.

The deadline for advance registration is Sept. 20 for the Colorado event and Oct. 18 for the New Jersey event. Family members and friends of all SMART members can take part in these team shoots, with individuals of which go toward the Alliance’s efforts to conserve natural and outdoor resources in our country.

In addition to the competition, awards, door prizes and premium drawings will take place at both events. There also are sponsorship opportunities available.

Additional information will be placed on the SMART-TD website as the shoots approach. Questions about registration and sponsorships can be directed to Chris Fitz of the USA at 203-767-0745 or chris@unionsportsmen.org.
From Korea to curator
Alumni member still chugging along at 92, runs local rail museum

At age 92 (he’ll turn 93 in May), Alumni Association member James D. Cruce is still keeping busy in year 339 in Jackson, Tenn. Cruce is still keeping busy in year 339 in Jackson, Tenn.

He was originally founded in 1994, but didn’t actually have a home until Cruce and nine other retired railroaders got involved in 2008 when the city turned the museum over to them. It started out with those 10 retirees running the museum, but with the passing of eight of them, the museum is now run by Cruce and only one other retiree – James Gamblin. Both are retired from Local 645 Zdazenski, Richard T. Middle Village, N.Y.

Another is still keeping busy in year 339 in Jackson, Tenn. “I’ve been in charge since 2008. I run the museum. It’s been closed on account of the virus. We’ll open up again probably in two weeks,” Cruce said this spring.

Cruce’s collection of railroad memorabilia was the starting point for the museum. Now the Twin Cities Railroad Museum houses numerous displays and demonstrations of historical and current area trains from Illinois Central and Canadian National. The museum also showcases the history of the Twin cities Fulton, Ky., and South Fulton, Tenn.

One of Cruce’s personal stories is displayed in the museum — he ran trains in the U.S. Army during the Korean War. “I was a yardmaster for President Truman,” Cruce said. He elaborated that he didn’t see combat, he just ran the trains. “I just ran the railroad yard. I didn’t go out on the road, but I took them in the yard and switched them. I ran troop trains and ration trains. Everybody and everything traveled by rail. There were two battalions that did it, my battalion the 724th and the 712th. The 712th ran all the way to the front and ran hospital trains.”

After the war, Illinois Central hired a lot of the veterans and Cruce hit the ground running when he hired out for them in Jackson in 1944. He worked as a brakeman and conductor for 47 years, retiring in 1991.

Running the museum is still keeping busy in year 339 in Jackson, Tenn.

Medicare pays for an Annual Wellness Visit (AWV), a free preventive service. An Annual Wellness Visit is a visit to develop or update a preventive services plan that is personalized to your needs and to perform a Health Risk Assessment (HRA). An AWV comes in two sizes: your initial AWV and your follow-up AWV. Your initial AWV sets the baseline for future visits. Your healthcare provider will review all of the information you provided to them, along with what they have observed, focusing on your ability to do general activities of daily living, your risk of falling, plus any hearing impairments or potential home safety issues that may come up.

From all of this, your provider will create a written schedule/checklist for the next five to 10 years for future screening visits and preventive services. Your provider will also give you personalized referrals based on what the AWV data has shown them.

If you have a question about the AWV, please call Palmetto GBA’s toll-free Beneficiary Contact Center at 800-833-4455, from 8:30 a.m. until 7 p.m. ET, Monday through Friday. They offer a TTY/TDD line for the hearing impaired at 877-566-3572.

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Are you getting close to retirement? You can get the TD News & other benefits for just $9 a year!
Call 216-228-9400, email arayner@smart-union.org or visit www.smart-union.org/td/alumni

Local        Name                                                City/State
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Retired General Chairperson James A. Williams of GO 875 dies at age 80

Former General Chairperson, James A. Williams, who led GO 875 for 19 years, passed away March 27, 2021, at the age of 80. He became a member of our union in May 1966, starting his long and energetic career as an officer in 1973, when he became the vice local chairperson for Local 1892 in Los Angeles.

In 1974, he ascended to local chairperson and became general chairperson in 1996 before his retirement in 2015.

“...was a man of integrity, who cared for his union brothers and sisters. He was a formidable business¬man and leader.”

Magallon said that Brother Williams remained connected with the going¬on of the union all throughout his retirement.

“He became a second family to some. His guidance on a profes¬sional level and his personality as a boss will be missed,” she said.

John Ellis, current GC of GO 875, recalled Williams as a staunch union man who led by example and was devoted to the betterment of the union and his members’ lives.

“...kept the peace in the office and was very much liked by his peers and business associates; always the first one at work and the last one to leave,” Ellis said. “He rarely took time off, if any, and treated his tight-knit staff like family who especially will miss him dearly.”

Outside of work, Ellis said that Williams got lots of entertainment out of “The Jerry Springer Show,” loved his morning coffee and then a salad for lunch.

“He had the heart of a giver and dressed to impress,” Ellis said.

The SMART Transportation Divi¬sion offers its condolences to Brother Williams’ family, friends and especially to our brothers and sisters in GO 875, whose fond memo¬ries of his leadership will help carry them through this difficult time of loss.

Karen ‘Kay’ Garrity-Barnett, 61, Local 262 Amtrak conductor, passes away

Karen “Kay” Garrity-Barnett, 61, Local 262 Amtrak conductor, passes away in Duluth, Minn. from COVID-19.

After graduating high school, she went on to earn her bache¬lor’s degree from the University of Wiscon¬sin-Superior where she also played basketball. Shortly thereafter, Wigfall hired out with Canadian National as a conductor in June 1998, where he would spend the next 21 years of his career.

Lauren Young Jr., 59, passes away from COVID

Lauren Young Jr., 59, a 34-year member out of Local 1565 who worked as a train operator for the LACMTA, passed away Dec. 27, 2020, from complications associated with COVID-19.

Brother Young served as secretary of LCA-875B for two years.

Jeff Fontanet, 27-year member, passes away

Brother Jeff Fontanet, a member of Local 1565 who worked as a railcar foreman for the LACMTA, died after a sudden car¬diac event that occurred in November.

“He was a dedicated union brother, a family man and the nicest person you would ever meet,” local Chairperson John C. Cabanas Jr. said.

He is survived by his wife and five children.
Retiree James Cruce went from Korea to a curator

SMART Transportation Division is always looking for good photos and your picture can be featured on this page.

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 JPEG format and emailed to news_td@smart-union.org. We prefer horizontal photos. Be sure that your camera is set to the large resolution setting when taking the photo or it might not reproduce well in print.

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 and can be used in future projects.

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

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Local helps brothers in fights against cancer

Local 792 (Cleveland, Ohio) pulled together recently to assist a pair of co-workers in their fight against the same illness.

Member Steve Kromer, a Norfolk Southern conductor and Tim Price of BLET Division 607 both are battling esophageal cancer, S&T and Local Chairperson Nick Dorsey reported.

LCA-687 Secretary Alan Thompson held two charity events on his comic book website to raise over $2,400 while BLET Local Chairman Pat Redmond also helped in the fundraising effort.

“Along with the gracious donations of our co-workers, a total of $7,800.00 was raised for these two men,” Dorsey said. “Please keep them in your prayers.”

Suspension of VSTD elimination period extended to June

At the outset of the COVID-19 (coronavirus) pandemic, the SMART Voluntary Short Term Disability Plan temporarily suspended the elimination period for COVID-19 disabilities.

In an announcement dated April 15, 2020, the elimination period was waived for any COVID-19 (coronavirus) disabilities beginning in the months of March, April and May 2020. Further announcements advised that the Plan would extend the waiver through February 2021.

The waiver of the elimination period has been extended again through June 30, 2021, in a decision made by the VSTD Board of Trustees comprised of SMART General President Joseph Sellers Jr., General Secretary-Treasurer Joseph Powell and TD President Jeremy Ferguson.

Members who participate in the VSTD must usually be disabled for 21 days before benefits will begin on the 22nd day, a period known as the elimination period.

Effective with all diagnosed COVID-19 (coronavirus) disabilities beginning in the months of March 2020, through June 2021, the elimination period will be waived. This change will expedite and simplify access to money. The period will be reinstated for COVID-19 (coronavirus) disabilities beginning on and after July 1, 2021.

We are pleased that the Plan can take this action on your behalf.