



TOPIC:
Rules & Working Conditions

Negotiations on the Tentative Agreement (TA) under consideration began in **November 2019** when Section 6 notices were exchanged between the carriers and the SMART Transportation Division. These documents, as well as all other documents upon which this informational packet are based are available in the Member Portal of the SMART website in the National Rail Contract resource. In order to activate access to the Member Portal, visit <https://www.smart-union.org/members> and create your account by following the link at the bottom of that web page.

NEGOTIATIONS (2020 - 2022)



CARRIERS

- Crew consist**
 ■ All crew-consist agreements shall remain in effect, subject to existing moratoria and on-property handling.
- Electronic bid system**
 ■ Open to discussion, but not willing to give up bumping and displacements without substantial enhancements to compensation and quality of life.
- Pool regulation, service zones, ID service/enhanced customer service**
 ■ Categorical rejection of proposed changes
- Locomotive standards**
 ■ Provide uniform locomotive cab standards for cleanliness, climate control, seating, and equipment
- Away-from-home lodging**
 ■ Provide uniform standards for selection, amenities, dining, location, and transportation
- Employment and furloughs**
 ■ Remove option for carriers to terminate seniority if furloughed for 365 days with fewer than three years of seniority
 ■ Guarantee at least 60 days of compensation to employees recalled from furlough
- Yardmasters**
 ■ Provide uniform scope rules
 ■ Restrict carriers' ability to abolish and consolidate yardmaster positions
 ■ Improved seniority and assignment selection rules
- Crew consist**
 ■ Redeploy conductors to ground-based positions and replace them with technology wherever possible.
- Electronic bid system**
 ■ Replace bumping and displacements with an electronic bidding process to automatically assign employees to jobs.
- Pool regulation**
 ■ Staff pools based on starts in lieu of mileage or other factors
 ■ Allow self-supporting pools to protect vacancies instead of extra boards in certain locations
- Expanded road/yard service zones**
 ■ Expand service zones to extend 25 miles or to first available mainline siding, whichever is greater
 ■ Road crews may operate through terminals to get or leave trains
 ■ Yard crews may stage trains at any location within new zones
 ■ Allow yard crews to perform switching within new zones
 ■ Allow yard crews to staff trains at any location within new zones
 ■ Crews to provide transportation
- Interdivisional (ID) service**
 ■ Remove all restrictions on rear-ranging ID service, and permit trains to operate through home terminals
 ■ 20 days' notice for trial runs
- Enhanced customer service**
 ■ Remove all agreement provisions restricting carriers' ability to institute work rule changes to accommodate customer requests for particularized handling of shipments

MEDIATION (JULY 2022)



CARRIERS

- Crew consist**
 ■ All crew-consist agreements shall remain in effect, subject to existing moratoria and on-property handling
- Electronic bid system**
 ■ Open to discussion, but not willing to give up bumping and displacements without substantial enhancements to compensation and quality of life
- Attendance policies**
 ■ Abolish all existing carrier attendance policies – future policies subject to negotiations
 ■ Optional five-day work week for all road crews
- Away-from-home lodging**
 ■ Increase meal allowances
- Yardmasters**
 ■ Establish uniform scope rules
- Crew consist**
 ■ Redeploy conductors to ground-based positions and replace them with technology wherever possible
- Electronic bid system**
 ■ Replace bumping and displacements with an electronic bidding process to automatically assign employees to jobs
- Pool regulation**
 ■ Staff pools based on starts in lieu of mileage or other factors
 ■ Allow self-supporting pools to protect vacancies instead of extra boards in certain locations

PEB 250 (AUG. 2022)



CARRIERS

- Crew consist**
 ■ All crew-consist agreements shall remain in effect, subject to existing moratoria and on-property handling under the Railway Labor Act's Section 6 process
- Electronic bid system**
 ■ Open to discussion, but not willing to give up bumping and displacements without substantial enhancements to compensation and quality of life
- Attendance policies**
 ■ Abolish all existing carrier attendance policies – future policies subject to negotiations
 ■ Optional five-day work week for all road crews
- Away-from-home lodging**
 ■ Increase meal allowances
- Yardmasters**
 ■ Establish uniform scope rules
- Crew consist**
 ■ On-property crew consist disputes should be subject to expedited and binding arbitration, rather than the Railway Labor Act's Section 6 process
- Electronic bid system**
 ■ Replace bumping and displacements with an electronic bidding process to automatically assign employees to jobs
- Pool regulation**
 ■ Staff pools based on starts in lieu of mileage or other factors
 ■ Allow self-supporting pools to protect vacancies instead of extra boards in certain locations

- Crew consist**
 ■ Rejected all carrier proposals relating to crew consist
- Electronic bid system**
 ■ Adopted carriers' proposals on electronic bid systems, with the provision that all assignments be given assigned rest days and guarantees for employees to observe those rest days, if so desired
- Attendance policies**
 ■ Recommended that attendance policies remain in effect, subject to the existing grievance and arbitration process
 ■ Rejected unions' proposals for sick leave
- Away-from-home lodging**
 ■ PEB 250 agreed that meal allowances need updating, but was not persuaded to make any definitive recommendation
 ■ Meal allowances should remain subject to traditional methods of bargaining and not subject to binding arbitration
- Yardmasters**
 ■ Rejected union scope rule proposals

TA (SEPT. 2022)

- Consistent with PEB 250 recommendations (Articles V, VI, and VII, and Side Letter No. 5)
- Employees allowed scheduled time off for attending up to three routine and preventive medical care visits (note that this is three occurrences, not three days)
- Medical leaves of absence may be taken without repercussion
- Absences relating to hospital admissions and surgeries will not result in any form of discipline
- Carriers must assess short-term serious illnesses and/or injuries on individual merits, taking into account the gravity of the medical issue (Side Letter No. 3)



TENTATIVE AGREEMENT (TA) FACT SHEET 2

TOPIC:
Compensation & Paid Leave

Negotiations on the Tentative Agreement (TA) under consideration began in **November 2019** when Section 6 notices were exchanged between the carriers and the SMART Transportation Division. These documents, as well as all other documents upon which this informational packet are based are available in the Member Portal of the SMART website in the National Rail Contract resource. In order to activate access to the Member Portal, visit <https://www.smart-union.org/members> and create your account by following the link at the bottom of that web page.

NEGOTIATIONS (2020 - 2022)



General Wage Increases (GWIs)

(January 2022 proposal)

Effective date	Increase
July 1, 2020	6.0%
July 1, 2021	10.0%
July 1, 2022	6.0%
July 1, 2023	6.0%
July 1, 2024	8.0%
July 1, 2025	4.0%

- Full retroactivity
- \$5,000 one-time signing bonus
- +15% pay differential during emergency declarations

Paid leave

- Full wages and H&W coverage for employees not working due to emergency declarations, including enhanced AD&D insurance
- 15 days of annual paid sick leave

Vacation

(January 2022 proposal)

Employment	Weeks
First year	1
1 full year	2
5 years	3
8 years	4
15 years	5
20 years	6

Holidays

- Add MLK and Veterans days

Bereavement leave

- Up to four days paid per year
- Improve flexibility and timing rules for taking bereavement leave
- Include grandparents, grandchildren, stepchildren, stepparents, spouse's stepparents, and step grandchildren

Yardmasters

- Modify vacation eligibility to align with existing operating craft rules

CARRIERS

General Wage Increases (GWIs)

(January 2022 proposal)

Effective date	Increase
Five-year term, July 1 effective dates	11.0% total (uncompounded) GWIs for the term of the agreement

- GWIs shall be reduced to account for economic impact of any other work rules, time off, and/or any other labor demand.

- No retroactivity, or a reduction in overall GWIs to account for the cost of retroactive application

- All GWIs withheld from SMART-TD represented employees, pending changes relating to crew size and redeployment of conductors

Arbitraries & penalties

- Eliminate all payments associated with train movements and operations

Bereavement leave

- Open to discussion, but carriers' costs to be deducted from GWIs
- No pay for bereavement leave

MEDIATION (JULY 2022)



General Wage Increases (GWIs)

Effective date	Increase
January 1, 2020	6.0%
January 1, 2021	6.0%
January 1, 2022	6.0%
January 1, 2023	6.0%
January 1, 2024	6.0%

- Full retroactivity

Paid leave

- 15 days of annual paid sick leave

Holidays

- Add MLK and Veterans days and Juneteenth

Yardmasters

- Modify vacation eligibility to align with existing operating craft rules

CARRIERS

General Wage Increases (GWIs)

Effective date	Increase
Five-year agreement term with GWIs spread out over six years	20.5% total GWIs

- GWIs shall be reduced to account for economic impact of any other work rules, time off, and/or any other labor demand

- Retroactive pay
- All GWIs withheld from SMART-TD-represented employees, pending changes relating to crew size and redeployment of conductors

PEB 250 (AUG. 2022)



General Wage Increases (GWIs)

Effective date	Increase
January 1, 2020	6.0%
January 1, 2021	6.0%
January 1, 2022	8.0%
January 1, 2023	4.0%
January 1, 2024	4.0%

- Full retroactivity

Paid leave

- 15 days of annual paid sick leave

Holidays

- Add MLK and Veterans days and Juneteenth
- All holidays should be paid to road crews, or be granted in the form of additional paid personal leave days

Yardmasters

- Modify vacation eligibility to align with existing operating craft rules

CARRIERS

General Wage Increases (GWIs)

Effective date	Increase
July 1, 2020	2.0%
July 1, 2021	3.0%
July 1, 2022	6.0%
July 1, 2023	3.0%
July 1, 2024	2.0%

- Full retroactivity

- One-time bonus of \$1,000
- All GWIs withheld from SMART-TD represented employees, pending changes relating to crew size and redeployment of conductors

General Wage Increases (GWIs)

- Full retroactivity
- GWIs/bonuses should not be withheld from SMART-TD-represented employees, pending changes relating to crew size and redeployment of conductors

Paid leave

- Rejected all union paid sick leave proposals
- Recommended one additional day of paid leave, to be used as agreed to by the parties

Holidays

- Recommended that the parties can swap MLK Day, Veterans Day, and/or Juneteenth for other existing holidays
- Rejected all other union holiday proposals

Yardmasters

- Rejected union vacation proposals

Effective date	Increase
January 1, 2020	3.0%
January 1, 2021	3.5%
January 1, 2022	7.0%
January 1, 2023	4.0%
January 1, 2024	4.5%

Payable date	Bonus
December 1, 2020	\$1,000
December 1, 2021	\$1,000
December 1, 2022	\$1,000
December 1, 2023	\$1,000
December 1, 2024	\$1,000

TA (SEPT. 2022)

- Consistent with PEB 250 recommendations (Articles I and II, and Side Letters Nos. 1 and 2)
- Additional day of paid leave may be used as personal leave, daily vacation day, or on employee's birthday.
- New-hire employees hired on or before Sept. 30 of each year will also be granted one day of paid leave (Article IV and Side Letter No. 6)



TOPIC:
Health & Welfare

Negotiations on the Tentative Agreement (TA) under consideration began in **November 2019** when Section 6 notices were exchanged between the carriers and the SMART Transportation Division. These documents, as well as all other documents upon which this informational packet are based are available in the Member Portal of the SMART website in the National Rail Contract resource. In order to activate access to the Member Portal, visit <https://www.smart-union.org/members> and create your account by following the link at the bottom of that web page.

NEGOTIATIONS (2020 - 2022)



Monthly cost-sharing contributions

- Status quo or better on current \$228.89 for the life of the agreement

Point-of-service costs

- Status quo or better on fixed-dollar copays, out-of-pocket maximums, and deductibles (est. 94/6% employer/employee cost share by 2025)

Benefit changes

- Provide coverage of autism-related therapies
- Remove age limitation on speech therapies
- Increase hearing benefits, including the costs of testing, diagnoses, and hearing aid devices
- Extend additional (disability rules) coverage for furloughed and suspended members, and families of deceased members
- Improve dental, vision, life, and AD&D benefits
- 30-day prescription fills at retail pharmacies
- Include coverage for voluntary sterilization of males
- Increase opt-out bonuses
- Increase hospice benefits to include full cost of care
- Introduce positive reinforcement programs for attending regular checkups and screenings
- Introduce and expand existing supplemental sickness benefits

Plan administration

- Maintain status quo of bargaining over individual bidding and re-bidding healthcare vendors

CARRIERS

Monthly cost-sharing contributions

- Apply an uncapped 25% contribution amount
- Retroactive application of cost sharing increases
- Instate a four-tier contribution structure (employee only, employee + spouse, employee + children, and employee + family)
- Add surcharges for working spouse and tobacco usage
- Require all covered employees (including furlough, suspended, dismissed, and disabled) to make monthly contributions

Point-of-service costs

- Annually index fixed-dollar copays, out-of-pocket maximums, and deductibles to maintain 85/15% employer/employee cost share
- No cap on future point-of-service cost increases

Benefit changes

- Open to modest increases and expansion for certain benefits, in exchange for higher cost-sharing contributions
- Instate site-of-care differentials to raise costs for certain lab testing, imaging, and outpatient treatment

Plan administration

- Design and implement an ongoing process for bidding and re-bidding healthcare vendors

Early retiree coverage

- Instate uncapped monthly cost-sharing for all covered retirees
- Increase pharmacy costs

Dental and vision coverage

- Instate 50% monthly cost-sharing for dental and vision coverage

MEDIATION (JULY 2022)



Monthly cost-sharing contributions

- Status quo or better on current \$228.89 for the life of the agreement

Point-of-service costs

- Status quo or better on fixed-dollar copays, out-of-pocket maximums, and deductibles (est. 94/6% employer/employee cost share by 2025)

Benefit changes

- Provide coverage of autism-related therapies
- Remove age limitation on speech therapies
- Increase hearing benefits, including the costs of testing, diagnoses, and hearing aid devices
- Improve dental and vision benefits
- Increase hospice benefits to \$6,000 maximum

Plan administration

- Maintain status quo of bargaining over individual bidding and re-bidding healthcare vendors

CARRIERS

Monthly cost-sharing contributions

- Apply an uncapped 18% contribution amount
- Instate a two-tier contribution structure (employee or employee + children, and employee + spouse or employee + family)
- Add surcharge for tobacco usage

Point-of-service costs

- Annually index fixed-dollar copays, out-of-pocket maximums, and deductibles to maintain 86.5/13.5% employer/employee cost share
- No cap on future point-of-service cost increases

Benefit changes

- Open to modest increases and expansion for certain benefits, in exchange for higher cost-sharing contributions
- Instate site-of-care differentials to raise costs for certain lab testing, imaging, and outpatient treatment

Plan administration

- Design and implement an ongoing process for bidding and re-bidding healthcare vendors

Early retiree coverage

- Increase pharmacy costs

Dental and vision coverage

- Instate 25% monthly cost-sharing for dental and vision coverage

PEB 250 (AUG. 2022)



Monthly cost-sharing contributions

- Maintain status quo on current \$228.89 for the life of the agreement
- Maintain existing single-tier cost sharing contribution structure

Point-of-service costs

- Maintain status quo on fixed-dollar copays, out-of-pocket maximums, and deductibles (est. 94/6% employer/employee cost share by 2025)

Benefit changes

- Provide coverage of autism related therapies
- Remove age limitation on speech therapies
- Increase hearing benefits, including the costs of testing, diagnoses, and hearing aid devices, to \$2,000 annually

Plan administration

- Maintain status quo of bargaining over individual bidding and re-bidding healthcare vendors

Monthly cost-sharing contributions

- Adopt carriers' proposal for uncapped 15% contribution amount

Point-of-service costs

- Adopt unions' proposals to maintain status quo on fixed-dollar copays, out-of-pocket maximums, and deductibles (est. 94/6% employer/employee cost share by 2025)

Benefit changes

- Adopt unions' proposal to provide coverage of autism-related therapies
- Adopt unions' proposal to remove age limitation on speech therapies
- Adopt unions' proposal to increase hearing benefits, including the costs of testing, diagnoses, and hearing aid devices, to \$2,000 annually

Plan administration

- Adopt carriers' proposal to implement an ongoing process for bidding and re-bidding healthcare vendors

Other

- Rejected all other carrier proposals relating to health & welfare

TA (SEPT. 2022)

- Consistent with PEB 250's recommendations (Article III, Part A, Section 2)
- Consistent with PEB 250's recommendations (Article III, Part A, Section 3)
- Monthly contributions would be the lesser of 15% of monthly premiums, or a frozen cap of \$398.97. (Article III, Part B, Section 1, and Side Letter No. 4)