



National Conference of Firemen & Oilers, SEIU 32BJ



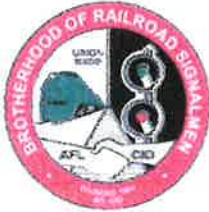
Sheet Metal Air Rail Transportation Union  
Transportation Division – Mechanical



Transportation Communications Union



Int'l. Assn. of Machinists & Aerospace Workers



Brotherhood of Railroad Signalmen

Independent Railway Supervisors Association



Dear Brothers and Sisters:

October 31, 2019


As many of you are aware, just prior to the holiday season of 2018, LIRR President Phil Eng rescinded on a long standing practice of providing an early release for non-essential employees on the holiday eves of Christmas and New Years. Our respective Organizations grieved this long standing practice change to Labor Relations, and in turn were forced to request a Special Board of Adjustment to the National Mediation Board (NMB) to seek a remedy and proper compensation for what we argued was a violation of the Railway Labor Act. On October 2, 2019, SMART, with support from the Unions listed above, arbitrated the case before a judge of the NMB on behalf of our Organizations.

We can now report a successful outcome, which demonstrates that when labor stands together in unity and fights together we can prevail in protecting the quality of life of our memberships. We are proud to report that the NMB ruling is in, and is as follows:

**Award**


The claim is granted. The Carrier is directed to revert to the practice in effect prior to December 2018 and provide a compensated half-day of TPNW on Christmas Eve and New Years's Eve to non-essential employees. Additionally, the Carrier is directed to restore leave time to any non-essential employees who chose to use paid leave rather than take unpaid leave on Christmas 24 and/or 31, 2018. Thirdly, the Carrier is directed to pay any non-essential employees who took unpaid leave on December 24 and/or 31, 2018.

Fraternally yours,

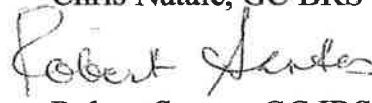
  
Anthony Simon, GC SMART TD

  
John McCloskey, GC SMART Mechanical

  
William DeCarlo, GC TCU

  
Chris Natale, GC BRS

  
Mike Pistone, GC NCFO

  
Robert Santos, GC IRSA

  
Gary Naylor, GC IAM