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# PROGRESS through UNITY

A brief history of SMART TD

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# You have support!

**F**olk singer Woody Guthrie immortalized the words, “I’m stickin’ with the union” in a 1941 song about gaining workplace dignity. SMART TD members know that in addition to better pay and benefits, their union acts as the state trooper in the rearview mirror of every company supervisor.

In fact, SMART TD, which represents almost one-third of all railroad workers, files two-thirds of the grievances at the National Mediation Board, a federal agency where disputes with the employer are resolved in an impartial manner.

Because of the work, tears and sweat of those union organizers and members who came before you, you know that every day on the job you are not fighting battles with the employer by yourself.

You don’t have to worry about not knowing what safety regulations apply to the job and you don’t have to worry about being fired for questioning whether you have been paid properly. You don’t have to worry about the company imposing discipline for no other reason than a supervisor doesn’t like you. This is because SMART TD stands behind you.

The old adage of strength in numbers is what a union is all about. Our members have an important voice in the workplace and gain the opportunity through their union to change things.

The strength and success of SMART TD stands behind tens of thousands of transportation workers every day of every week of every month of every year.

The history of SMART TD is one of unity, strength and accomplishment.

With SMART TD behind them, workers get better pay, better health care benefits, better retirement benefits, better safety regulations, better working conditions and a voice in the workplace.

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# Introduction

**S**MART Transportation Division and its predecessor organizations are pioneers of the American labor movement and responsible for many of the workplace gains often taken for granted today.

The purpose of SMART TD is to provide workers with a stronger voice and greater bargaining leverage in the continual struggle for better wages, improved benefits such as health care insurance, workplace safety and quality of life.



It has long been recognized that an individual stands little chance when going alone to an employer and seeking improved wages, benefits and working conditions. Even professional baseball, basketball, football and hockey players, whose skills are rare and unique, are represented in contract negotiations by agents.

Unions engage in collective bargaining with the employer on behalf of workers represented by the union. Through collective bargaining, unions improve wages, benefits and working conditions. Unions also help employees resolve conflicts in the workplace, such as ensuring they are not subject to harsh and arbitrary discipline and making sure the employer honors all terms of the employment contract. When necessary, the union goes to court on behalf of its members to enforce contracts.

In short, unions look after the best interests of workers. Indeed, history demonstrates that those who work under union-negotiated contracts earn higher wages, enjoy better benefits and have a safer workplace.

# SMART TD's Bus Department

**S**MART TD predecessor Brotherhood of Railroad Trainmen (BRT) welcomed interstate and local bus operators as members in 1933.

Today, SMART TD's Bus Department represents thousands of bus operators, bus mechanics, dispatchers, van drivers and airport operations employees through dozens of excellent contracts throughout the United States.

In fact, it was railroads that created what became intercity bus giants Greyhound and Trailways beginning in the 1920s when the former

Great Northern Railway purchased control of a bus line between Duluth, Minn., and Minneapolis. Great Northern, the New York Central, the Pennsylvania, the New York, New Haven & Hartford, the Richmond, Fredericksburg & Potomac and the Southern Pacific soon entered into a joint venture that became known as the Greyhound system. In 1936, the Atchison, Topeka & Santa Fe Railway, the Chicago, Burlington & Quincy and the Missouri Pacific invested jointly in bus lines that became the Trailways system.

A Bus Department was created within the BRT in 1939, and in 1960 a vice president was named to head it. The SMART Constitution has since changed the structure to one with two vice presidents and two alternate vice presidents. The department remains an important component of SMART TD and has shown steady growth and achievement since its beginnings.





in 1894 by switch tenders weary from working 12-hour shifts – sometimes for 30 consecutive days.

In 1969, a century after conductors formed their fraternal organization, presidents of the mature and significantly stronger ORC&B, BLF&E, BRT and SUNA proposed to merge these four operating unions into a single organization to represent all operating crafts. This advanced the vision of Eugene V. Debs toward a single union representing all railroad workers.

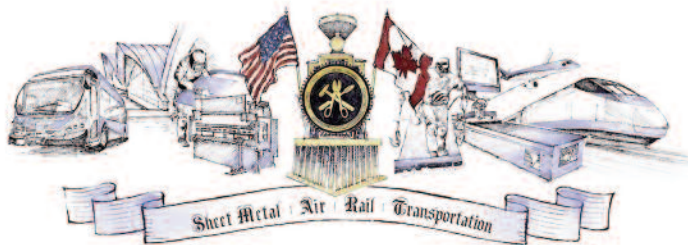


The name chosen for the merged organization was the United Transportation Union (UTU), which was officially established Jan. 1, 1969, following overwhelming rank-and-file support as demonstrated by a favorable ratification vote of each craft.

In 1970, the International Association of Railroad Employees – formed by African-American operating employees, mechanics, porters and maintenance of way employees during the sad period of American segregation – voted to merge with the UTU.

In 1985, the Railroad Yardmasters of America – created in 1918 as a response to managerial abuse – voted to affiliate with the UTU.

In January 2012, the UTU and Sheet Metal Workers' International Association merged to form the Sheet Metal, Air, Rail and Transportation International union (SMART Union) and it was then that the UTU became known as SMART TD.



SMART TD, with more than 450 locals in the U.S., has more members than any other railroad labor union, holds some of the best bus, rail passenger and rail commuter contracts in North America and also represents workers in the aviation industry.



SMART TD is the only labor union that has united various operating crafts while protecting craft autonomy and has the most effective voice among transportation unions before state legislatures and the U.S. Congress.

What follows is a brief history of our union. Our history makes clear why working men and women represented by SMART TD can hold their heads high while working under the best labor contracts available.

SMART TD has led efforts to shape historical events for the benefit of the working people of the United State and will continue to be a leader among unions to ensure that you and your family enjoy “progress through unity” — your assurance of improved wages, benefits, working conditions and quality of life.

## Out of despair — hope

Once upon a time in America, employees had no rights or protections. It was a jailable offense to form a union with the objective of gaining honest pay and fair treatment.

With no unions, employers arbitrarily cut wages, increased hours, thumbed their noses at safety, prohibited workers from talking with others about poor working conditions, fired workers for any reason and urged others not to employ those who associated with unions.

During the late 1800s, seven of every 10 train-crew members were injured or killed on the job during their first five years of employment. There was no overtime pay, no paid vacation, no paid holidays, no health care insurance and no pensions. Twelve hour and more work days with no rest days were common.

When workers protested or carried picket signs, police made arrests. When large groups of employees complained, soldiers responded. In 1894, when rail workers employed by the Pullman Palace Car Co. in Chicago protested unsafe working conditions, federal troops shot and killed a dozen protesters.

With no legal standing to bargain for better wages, benefits and working conditions, workers either accepted the employer's way or lost their jobs. Employers made clear: my way or the highway.



*Eugene V. Debs*

## The union's roots

The Order of Railway Conductors and Brakemen (ORC&B) is the oldest of the SMART TD predecessor unions, organized in 1868 as the Conductor's Union, and adding "Brakemen" to the title in 1954.

Unions as we know them today were unlawful at the time the ORC&B was organized. The ORC&B initially functioned as a fraternal organization, helping members and their families in need.

Another predecessor organization was the Brotherhood of Locomotive Firemen and Enginemen, organized in Port Jervis, N.Y., in 1873 as the Brotherhood of Locomotive Firemen ("Enginemen" was added to the name in 1906). Eugene V. Debs was elected general secretary-treasurer of this union in 1881 and also edited its magazine. The BLF&E inscribed itself in history by leading the fight in 1919 that resulted in federal imposition of an eight-hour work day for rail workers, and then leading the effort to gain passage of the Railway Labor Act in 1926.

In June 1883, when the average railroad wage was \$1 per day and seven of every 10 railroad employees could expect to be injured or killed on the job within five years of service, the Brotherhood of Railroad Brakemen (changing its name in 1889 to the Brotherhood of Railroad Trainmen, or BRT) was formed in Oneonta, N.Y. It, too, was formed as a fraternal organization to offer members insurance and death benefits.

The Switchmen's Union of North America (SUNA) was formed





# Taking the lead in protection

When it comes to improving wages for its members, SMART TD leads the pack. Department of Labor statistics confirm compensation for railroad employees is in the top 2 percent for wage earners nationwide, considerably more than earned by truck drivers covered by union contracts.

Bus operators represented by the union earn among the highest wages in that industry. In Los Angeles, for example, bus operators covered by SMART TD contracts earn about \$6 more per hour than nonunion bus operators.

One of the most-valuable benefits SMART TD negotiates for its members is health care insurance. Non-union employers frequently provide no healthcare benefits.

No union protects craft autonomy as well as SMART TD.

Craft autonomy has been fully protected since 1969 when the UTU in its constitution pioneered craft protection among train and engine service employees who move in and out of various craft assignments – from engineer to conductor to brakeman. This protects junior people from being furloughed, and provides additional job opportunities and job security for our members.

SMART TD also pioneered a requirement that engineer vacancies first be offered to qualified ground-service employees working under its contracts. Every operating employee – be it engineer or train service employee – owes their job to the union's efforts.

Job protection is another important benefit pioneered by SMART TD. A major victory of its predecessor unions occurred in 1936 when carriers agreed to what remains a unique benefit to railroad employees. When major railroads merge or lease lines, they are required to provide adversely affected employees with up to six years of income protection.

Jobs of SMART TD-represented employees also are protected against the introduction of new technology and its predecessor unions also helped railroad employees gain another unique benefit – a pension more generous than Social Security called Railroad Retirement.

In 1918, union organizer and visionary Eugene V. Debs was sentenced to 10 years in federal prison. Debs put his own safety and freedom second as he championed the cause of workers and encouraged them to gain strength through forming unions. Debs helped to organize one SMART TD predecessor union (BRT) and was an international officer of another (BLF&E).

All of organized labor continues to honor the memory of Debs. Two past SMART TD presidents – Charlie Luna and Al Chesser – were awarded the prestigious Eugene V. Debs award, celebrating their lifetime commitments and achievements on behalf of working men and women.

It has been said of Debs: “This man took a position, and there he stood. He followed his conscience and would not betray his friends or fellow workers. And that is why we shall forever honor him and his place in history.” SMART TD continues to subscribe to the visions of Eugene V. Debs.

It was not until 1926 – and largely through the efforts of courageous leaders such as Debs – that railroad employees could lawfully organize, choose their bargaining representatives without employer interference and successfully demand that their employers bargain in good faith over wages, benefits and working conditions.

In 1935, Congress extended those rights earned by railroad workers to employees in other industries, including bus operators.

The contributions to society of organized labor are enjoyed every day. Indeed, each major workplace advance – overtime and holiday pay, health insurance, employee pensions, safety laws, laws prohibiting workplace discrimination, compensation for workplace injuries, a right to contest unjust discipline, the right to strike – is the result of labor-union efforts.

SMART TD and its predecessor organizations are pioneers of the American labor movement and responsible for many of the workplace gains so often taken for granted today.



Charlie Luna



Al Chesser

## Tears and blood

Change came slowly and at great personal sacrifice for American workers. Almost 1,700 railroaders died in workplace accidents in 1893, yet employers faced no criminal or civil penalties for failing to provide a safe workplace.

At risk of losing their jobs and financial devastation of their families, rail workers – energized by the examples of Eugene V. Debs – ignored employer threats and won from Congress in 1893 a Safety



Appliance Act that outlawed so-called link-and-pin couplers which annually were causing more than 300 deaths and almost 9,000 injuries involving lost fingers, hands and arms.

With Debs leading, railroad workers struck the Pullman Palace Car Co. in 1894 and immediately were confronted by thousands of federal troops. A dozen strikers were killed and scores injured. Working men and women did not turn tail and run. They continued the struggle.

Further progress was made in 1898 when Congress made it a criminal offense for railroads to dismiss employees or otherwise discriminate against them because of union activity.

Union-inspired safety laws made railroads liable for failure to provide safe working conditions. In 1908, Congress passed the Federal Employers' Liability Act, which remains in force and permits injured railroad employees to sue negligent employers.

As more employees embraced unions and lawmakers recognized the increasing political power of unions, SMART TD predecessor unions helped to gain from Congress laws limiting the length of the workday, mandating minimum rest periods for



operating crews, and a requirement for locomotive safety inspections. Carriers also were required to submit accident reports to the government.

In 1926, Congress passed the Railway Labor Act (RLA), which, for the first time, required employers to bargain in good faith with employee-designated representatives. The RLA also established the process of mediation, arbitration and fact-finding boards.

Although Congress subsequently brought airlines under the RLA, all other industries – including the bus industry – were made subject to the National Labor Relations Act (NLRA).

A crucial difference between the Railway Labor Act and the National Labor Relations Act is that under the NLRA, employees may strike at the expiration of a contract. Under the RLA, contracts do not expire and the RLA provides for an arduous process intended to limit and even block the right of employees to strike, or employers to lock out employees.

This is a distinction important for railroad employees to understand because, unlike other industries, the slogan, “no contract, no work,” doesn’t apply in the railroad industry. If railroads and their unions cannot reach an agreement voluntarily, the White House and Congress frequently get involved and a contract not to either party’s liking can be imposed by Congress.