

Filing with the Fourth Division

1. Notice Of Intent

This letter is served on the Fourth Division. You must copy this letter to the President, Transportation Division, and SMART TD member on the Board, currently David B. Wier Jr. You must also copy this letter to the Carrier Designated Officer.

2. Acknowledgment from Fourth Division

You will receive acknowledgment of your letter of intent from the Fourth Division. A case number will be assigned and a date will be designated on which Submissions are due. Carrier will also receive this letter. You will have 75 days in which to send your submission to the Fourth Division.

3. Preparation of Submission

Submissions must be double-spaced on 8 ½ x 11-inch paper with a top margin of no less than 1½ inches. All pages must be numbered at the bottom, and all Exhibits must be numbered at the bottom. A rubber stamp is efficient for Exhibits;

Sample: SMART TD Exhibit No. _____
Page _____ of _____

You may use footnotes referring to Exhibits.

You will need a minimum of seven (7) paper copies; Fourth Division (1), Carrier (2), SMART TD Board Members (2), Referee (1), file copy (1). You may want additional copies for yourself in oral argument, or for any members attending in dismissal cases. When completed, the Submission including all exhibits must be transferred to a CD in read-only (pdf) format.

You will need a minimum of three (3) CD copies; Fourth Division (1), Referee (1), file copy (1).

You must send one (1) copy of your written brief along with one (1) copy of the CD to the Fourth Division within the specified time.

4. Exchange of Briefs

Upon receipt by the Fourth Division of copies of both parties' Submissions, a docket number will be assigned and you will be directed to exchange copies with the Carrier. Your exchange cover letter to the Carrier must be copied to the Fourth Division.

Upon receipt of the Carrier's Submission, you are responsible for providing copies of both the Carrier's and the Organization's Submissions to our member of the Board. David B. Wier Jr. is the current member for SMART TD.

5. Notice of Deadlock

When a case is deadlocked by the Board, the parties will be notified with the advice that if you desire a hearing before the Board with the Referee present they must so request.

6. Letter Requesting Hearing

You must promptly respond to the Fourth Division that a hearing before the Board with the Referee present is requested.

7. Notification of Hearing

The Board will notify you when a hearing date is set. You must respond to the Fourth Division confirming that you will be present at the scheduled hearing. Requests for postponement or delay of hearing dates are granted for just cause only.

You must now send one (1) paper copy and one (1) CD copy of your Submission to the Referee. You must also include a copy of your original Notice of Intent. A copy of your cover letter to the Referee must be sent to the Fourth Division.

8. Decision Rendered

When the Decision of the Board is rendered, a copy will be sent to you. You must send two (2) copies of the Decision to the President, Transportation Division.