

BYLAWS

SMART Transportation Division
General Committee of Adjustment
GO - 769

PREAMBLE

This body shall be known as SMART Transportation Division General Committee of Adjustment, GO - 769. To the extent these provisions comply with the governing laws set forth in the SMART Constitution, the following bylaw provisions shall apply to GO - 769. The duties and authority of GO - 769 are specified in Article Twenty-One B (21B) of the SMART Constitution. Actions or decisions of GO - 769 shall be binding upon the members and Locals under the jurisdiction of this Committee unless reversed or modified upon appeal as provided in Article Twenty-One B (21B), Section 75 of the SMART Constitution.

- ARTICLE I
- (a) Members of the General Committee of Adjustment, other than the full time officers, shall be paid for each calendar day in the service of the Committee the rate of \$286.22 (1/1/15) as provided in Article 21 (B) Section 84 of the SMART Constitution. The daily rate shall be automatically increased or decreased in accordance with the increase or decrease in the daily rates of pay of trainmen resulting from national wage agreements in the United States negotiated between the SMART Transportation Division and the Carriers.
 - (b) The chairperson of the General Committee of Adjustment shall be a full time officer; paid an annual salary equal to that of the vice presidents of the SMART Transportation Division. The formula applicable in the increasing or the decreasing of the vice presidents'

salary shall also be applicable to the chairperson's salary.

- (c) The General Committee of Adjustment will have one (1) vice chairperson paid an annual salary equal to the current annual salary of said position. The annual salary of the vice chairperson shall be increased or decreased in accordance with the increase or decrease in the daily rates of pay of trainmen resulting from national wage agreements in the United States negotiated between the SMART Transportation Division and the Carriers provided that sufficient funds are available.
- (d) The Secretary of the General Committee of Adjustment shall be a full time officer; paid an annual salary equal to the annual salary of the position of Vice General Chairperson of this Committee. The annual salary of the Secretary shall be increased or decreased in accordance with the increase or decrease in the daily rates of pay of trainmen resulting from national wage agreements in the United States negotiated between the SMART Transportation Division and the Carriers provided that sufficient funds are available.
- (e) The salaries of the General Committee of Adjustment office personnel shall be increased or decreased in accordance with the increase or decrease in the daily rates of pay of trainmen resulting from national wage agreements in the United States negotiated between the SMART Transportation Division and the Carriers, provided that sufficient funds are available and subject to the approval of the General Chairperson.
- (f) The per diem and mileage allowance for members of the General Committee of Adjustment, including the Chairperson, Vice Chairperson, and Secretary, while performing service away-from-

home shall be in conformance with the applicable IRS per diem rate and SMART Transportation Division Claims Policy.

- (g) The office personnel employed by this General Committee shall be compensated under the same arrangements and formula for per diem and mileage as are applicable to the members of this General Committee to and from their home city, where and when the General Chairperson requires.

ARTICLE II

A member of the General Committee of Adjustment shall not be paid for a day he is absent from a morning or afternoon session, except when he is excused by at least two-thirds of the members present. Absentees who are not excused shall be recorded in the Minutes of the General Committee of Adjustment.

ARTICLE III

The rate of pay and the per diem allowance paid to members of the General Committee of Adjustment shall also be paid to alternates for sessions they attend in that capacity, but in no event shall a member of the General Committee of Adjustment and his alternate be paid for the same day for attending a meeting of the General Committee of Adjustment.

ARTICLE IV

The amount of the monthly assessment payable to the General Committee of Adjustment (GO-769) by each member under the Committee's jurisdiction who is not relieved from payment of assessments shall be automatically* increased or decreased in accordance with the increase or decrease in the daily rates of pay of trainmen resulting from national wage agreements in the United States negotiated between the SMART Transportation Division and the Carriers. *Auto escalator clauses require notice to GS&T for implementation.

- ARTICLE V All members of the General Committee of Adjustment, except those excused by a two-thirds majority of the members present, must vote when a ballot is taken during a session of the General Committee of Adjustment. The majority of the members voting will determine the question at issue, unless otherwise specified.
- ARTICLE VI The Chairperson of the General Committee of Adjustment is authorized to have printed and distributed circulars and pamphlets which he deems necessary and helpful to the membership.
- ARTICLE VII The Chairperson is empowered to interpret collective bargaining agreements and to render decisions as to their application when the General Committee of Adjustment is not in session, subject to the appeal procedures of Article 21 (B), Section 75 of the SMART Constitution.
- ARTICLE VIII When a Local is notified by the International it must consolidate with another Local, the Local Committee or Committees of Adjustment of the notified Local may be transferred to another Local under the jurisdiction of the General Committee.
- ARTICLE IX When the General Committee of Adjustment is not in session, the Chairperson shall be empowered to recommend to the President of SMART Transportation Division changes in jurisdiction of subordinate locals which he deems advisable.
- ARTICLE X All matters to be considered by the General Committee shall be presented in writing and shall be in the hands of the Chairperson thirty days prior to the convening of the General Committee of Adjustment.

ARTICLE XI

The Chairperson of the General Committee of Adjustment shall be empowered to make the necessary arrangements for rental of the General Committee of Adjustment office, and to purchase office furniture, supplies and equipment such as he deems essential to the efficient operation of the office.

ARTICLE XII

A grievance affecting the interests of the membership of more than one local of a seniority district, other than a grievance involving claims for compensation under the provisions of collective bargaining agreements, shall be presented by the local chairperson of the local or locals wherein the grievance arises to the local chairpersons of all of the interested locals for their consideration and approval, before the matter may be submitted to management for its consideration, reply to which must be made within 45 days from the date of presentation.

In the event of disagreement among the local chairpersons interested, they shall, within forty-five days from date of disagreement, refer the subject to the Chairperson of the General Committee of Adjustment for decision, together with a joint statement of facts, and the position of each local Chairperson of the interested locals.

The Chairperson of the General Committee of Adjustment shall acknowledge receipt of the disagreement and, except when disputes involve seniority and/or mergers, shall render decision within forty-five days. The Chairperson's decision shall govern the further handling of the grievance, subject to appeal as provided in the SMART Constitution.

In instances in which anyone of the interested local chairpersons fails to forward his position within the time specified (forty-five days) the Chairperson of the General Committee of Adjustment is empowered to assume jurisdiction and render decision, consistent with the law and policy of the SMART Transportation Division and based on data at hand. His decision shall govern the further handling of the grievance, subject to appeal as provided in the SMART Constitution.

When a decision has been rendered by the Chairperson of the General Committee of Adjustment on a grievance in dispute, which has been referred to him by two or more local chairpersons, it shall be the duty of the local chairpersons, upon receipt of the decision, jointly to advise management of the decision made.

A dispute referred to the Chairperson of the General Committee of Adjustment upon which a decision has been made no longer is the property of an individual local or local chairperson, except as applicable under Article 21 (B), Section 75 I(d) of the SMART Constitution.

- ARTICLE XIII
- (a) The General Chairperson and his representatives (one full-time Vice Chairperson, full-time Secretary) and Secretarial staff, shall attend future SMART General and Transportation Division Conventions if the General Chairperson deems it to be in the best interest of the General Committee of Adjustment and providing sufficient funds are available.
 - (b) While attending the Convention the General Chairperson and his representatives shall be paid the per diem and mileage rate applicable as set by the delegates at the Convention.

ARTICLE XIV The employment of the General Committee of Adjustment office personnel shall be a matter dependent upon the discretion and judgment of the Chairperson of said committee.

ARTICLE XV Sessions of the General Committee of Adjustment shall not be adjourned for the purpose of participating in excursions or other amusements.

ARTICLE XVI All members (Local Chairmen), officers, and employees of the General Committee of Adjustment will be provided coverage under the UTUIA \$13.00 per member Accidental Death and Dismemberment policy, to be paid from the Advance Fund of the Committee.

A P P R O V E D

APR 13 2016


PRESIDENT