



3555 Veterans Memorial Hwy  
Suite H,  
Ronkonkoma, NY 11779

1750 NY Ave, NW  
Suite 600  
Washington, DC 20006

37 S. Ashland  
Chicago, IL 60607

Organizing Depart. 9<sup>th</sup> Fl  
60 Boulevard of the Allies  
Pittsburgh, PA 15222

Sent to PTI, Hallcon/Renzenberger and RCX  
Via email  
April 29, 2020

Dear Sirs,

We have reviewed your verbal and written responses to our Temporary Proposals for Rail Crew Hauling Drivers letter of April 9<sup>th</sup>. We recognize some progress and there are a number of unresolved issues. However, there is one action that we should be able to agree on and be implemented immediately. The use of facial masks, when worn by both drivers and crew members, is the one action that can be taken that will seriously reduce the transmission of COVID-19 within rail hauling vehicles. This requires the cooperation of the Class I railroads and their crews.

Masks are now readily available and we understand that some of you are providing masks to drivers and at least one Class I railroad is providing them for its crews. It makes sense to provide all drivers and all railroad crews with masks and be required to wear them when crews are in rail crew hauling vehicles. The idea of limiting two or three crew members to a vehicle, while laudable, does not meet the social distancing requirements of this pandemic.

This letter is to advise you that all four of our Unions are taking the position, under the safety language of our respective labor agreements, that you and the customers you serve are obligated to provide and have your employees wear masks when crews are in the vehicle or more than one person is in the vehicle. We are prepared to immediately arbitrate the issue. Also, as you know, drivers have the federal legal right to refuse work that endangers their personal safety at any time.

We would ask that you respond to our position by Wednesday, April 29, 2020 and advise us of your customer's response at that time. This is a step we can take that can literally save both drivers and crews from severe illness and death and ultimately save the companies from very high liability claims. It is the best of win-win actions to take.

Sincerely,

**Kevin E. Boyle Jr, President, UPSEU**

**James White, Dir. of Strategic Campaigns, S.M.A.R.T**

**J Burger, International Representative  
United Electrical Workers**

**Ike Gittlen, Coordinator  
USW Rail Crew Hauling Project**