



# SMART



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**Dewey Garland**  
Director of Railroad and Shipyard Workers

March 23, 2010

Ms. Mary Johnson  
General Counsel  
National Mediation Board  
1301 K Street, NW  
Suite 250 East  
Washington, DC 20005-7011

Dear Ms. Johnson,

The Sheet Metal Workers' International Association ("SMWIA") and the United Transportation Union ("UTU") have merged into the International Association of Sheet Metal, Air, Rail and Transportation Workers ("SMART"). Although the merger was to become effective January 2008, litigation initiated by four UTU members prevented the merger from going forward. However, in October 2009, the Sixth Circuit Court of Appeals ordered the litigation to be dismissed. On March 17, 2010, the Sixth Circuit denied a request for further review and thus the merger is no longer enjoined.

As the successor organization, SMART shall hold the certifications currently held by the SMWIA and the UTU and shall have complete authority to negotiate and administer collective bargaining agreements pursuant to those certifications. Please transfer all certifications held by the SMWIA and the UTU to SMART. Attached is a list of the rail carriers that the SMWIA holds certifications. The UTU is likely to hold certifications on the same rail carriers plus additional carriers we have yet to identify, as well as three air carriers (see attached).

If you have any questions, please contact my office.

Very truly yours,

Dewey Garland  
Director of Railroad and Shipyard Workers

cc: M. Sullivan, SMART General President  
M. Futhey, SMART President Transportation Division ✓