



June 23, 2025

Via email

Andrew Foust, Nebraska Safety and Legislative Director
SMART-TD

Chris Smith, Iowa Safety and Legislative Director
SMART-TD

Carl Smith, Colorado Safety and Legislative Director
SMART-TD

Dear Andrew, Chris, and Carl:

In response to your June 19, 2025 correspondence regarding questions and safety concerns that SMART-TD has regarding Union Pacific's current use of Uber/Lyft for transporting rail crews, please see my responses in blue below.

1. **We currently know that Uber is being utilized by Union Pacific in Iowa, Nebraska, and Colorado. In these states, Uber and Lyft drivers are classified as independent contractors. This means that each driver must undergo an eRailSafe background check to be permitted on Union Pacific property. Has this process been completed with all UBER/Lyft drivers to follow the Controlled Access Policy? *Uber and Lyft each has its own process for reviewing and monitoring their drivers' backgrounds, which includes conducting criminal background checks.***
2. **Is there a UPRR policy that allows UPRR to share personal information and contact information with a 3rd party or a UPRR contractor? How can UP guarantee UBER/Lyft is not selling the employees' personal contact information? *Union Pacific ensures the privacy of its employees' personal information by not sharing it with Uber. When phone numbers are transmitted to Uber, they are encrypted. When an Uber driver reaches out to a Union Pacific employee, the communication is anonymized, meaning neither the driver nor the employee can see each other's real phone numbers.***
3. **Will UBER/Lyft travel to crew change points, off the main road? Or will they require crews to walk out to the transportation? *All locations designated for Uber use are thoroughly evaluated to ensure there is an adequate supply of Uber vehicles available for pickups. These locations must also be easily navigable by a civilian using only the Uber navigation system, without requiring additional guidance from the crew. For instance, a location on 24th Street in Omaha, which requires navigating complex urban routes and crossing several unprotected mainline crossings, is considered unsuitable for Uber services. When assessing locations, any walking required to reach transportation should resemble what traditional vendors previously offered.***
4. **Currently, Uber is sending text messages to employees informing them that UP has ordered their ride and indicating where the driver will meet them. Are there any policies or**

rules that require UP employees to use their personal cell phones for company business? (Attached in email) Employees are not required to use their phones. The provided information allows them to accurately monitor the location of their ride and estimate when they will arrive home or another destination.

5. What will the crew be required to do if their luggage does not fit in the ordered ride? Union Pacific attempts to exclusively book UberXL vehicles, which accommodate up to seven passengers. Smaller vehicles are only considered if an UberXL is unavailable. Presently, 98% of rides are completed with UberXL. If luggage doesn't fit, the employee should contact their manager or dispatcher and an additional ride will be arranged to accommodate the split.
6. Do these vehicles have the necessary safety equipment, such as fire extinguishers, cargo netting, and first aid kits? Uber and Lyft are obligated to comply with all applicable state laws, including safety-related laws.
7. Current transportation companies like Railcrew Xpress provide radios for their crews to contact dispatchers for information and updates while en route. How will this be managed with UBER and Lyft? If a route change is necessary, it is done through the system's navigation tool.
8. In the attached images, Uber requests that the employee log in or download the Uber app. If the employee already has the app and opens it to access their ride, would there be any financial responsibility incurred by the employee? Using the Uber app is optional; however, using it offers a more enhanced experience. If employees choose to open the trip in the app, there is no financial cost or effect on their personal Uber account ratings.
9. Are all UBER/Lyft drivers being notified through the ISN tool? Rides are requested through Union Pacific's EVMS van system, with clear instructions regarding location and other details specific to that trip.

Please let me know if you have additional questions.

Sincerely,

Doug Svatos
General Director, Crew Management