

NATIONAL MASTER FREIGHT



EASTERN REGION SUPPLEMENTAL AGREEMENTS

PHILADELPHIA, PENNSYLVANIA

**- 2008 -
PROPOSALS**

In submitting this proposed supplemental agreement, the Local Unions reserve the right to add to, delete, modify or amend any of these proposals during the course of negotiations.

**EASTERN REGION
PHILADELPHIA
SUPPLEMENTAL
AGREEMENT**

**PHILADELPHIA, PENNSYLVANIA
AND VICINITY
SUPPLEMENTAL
AGREEMENT**

**Covering
Local Cartage and Over-the-Road**

In submitting this proposed supplemental agreement, the Local Unions reserve the right to add to, delete, modify or amend any of these proposals during the course of negotiations.

Submitted 9/13/07

ARTICLE 40. SCOPE OF AGREEMENT

Section 3. Local Operations

(d)

CHANGE in the second paragraph: “drop trailers within a twenty (20) mile radius” to “drop trailers within a forty (40) mile” radius.” (Road Drivers are doing more city work)

CHANGE in the third paragraph: pick up trailers within the twenty (20) mile radius” to “pick up trailers within the forty (40) mile radius.”

ARTICLE 42. SENIORITY

Section 1.

(b)

CHANGE in the first sentence: “after working sixty (60) days” to “after working thirty (30) days”.

CHANGE in the second sentence: “after working thirty (30) days” to “after working fifteen (15) days”.

AMEND to provide new sentence: “A company having more than one (1) probationary employee working at the same time shall work probationary employees in seniority order.”

Section 1.

(d)

DELETE: entire paragraph

Section 3.

(a)

ADD: "A driver will go in his/her seniority position on the open dispatch board until next posted re-bid of runs."

(b)

ADD in the first sentence: "All starting times (**bidded destination - routes - starting times**) and classifications"

AMEND to add NEW sentence: "No more than five (5) percent of seniority board may cross over."

(c)

AMEND to ADD: "Road drivers may cross to city operations on same date with same guidelines."

AMEND to ADD: "Local drivers may cross classifications (Road - City) on January 1st of each year with the following criteria:"

(h)

CHANGE in the second sentence: "Dispatch assignments shall be at the sole discretion of the Employer, except when more than two (2) drivers are dispatched at the same time." **to** "Dispatch assignments shall be offered in seniority order."

CHANGE in the third sentence: "Other than bid, the two (2) most senior employees shall be permitted the choice of dispatch, provided the employee has available hours to complete the work assignment" **to** "Other than bid, employees shall be permitted the choice of dispatch in seniority order. Dispatch shall be defined as any work assignment, city, road or dock."

ARTICLE 45. DISCHARGE OR SUSPENSION

Section 3.

(a)

CHANGE: “nine (9) months” to “six (6) months”

ARTICLE 46. EXAMINATION AND IDENTIFICATION FEES

Section 1. Examinations

AMEND to ADD: “The Employer shall pay for all fees involving CDL, maintaining a CDL, all endorsements such as Haz-Mat, background checks and fingerprinting and all costs involved for Homeland Security Act. The Employer shall pay employees up to two (2) hours travel time.”

ARTICLE 47. MEAL PERIOD

Section 5.

AMEND to ADD: Employees shall be entitled to a third paid break of fifteen (15) minutes when working two (2) or more hours overtime.”

ARTICLE 48. SAFETY VIOLATIONS

Section 1. Safety Violations

AMEND to ADD (Due to 911): “Employees shall not be obligated to do anything that might jeopardize their license.

AMEND to ADD: “No 53 feet trailers shall be used to peddle.”

Section 1. Safety Violations

(a)

AMEND to ADD: “Employees shall not be required to operate equipment that is snow covered.”

AMEND to ADD: “Employees shall not be required to operate overloaded equipment.”

AMEND to ADD: “Employees shall not be required to operate equipment that is in violation of D.O.T. safety regulations.”

Section 2. Winter Safety Equipment

ADD paragraph: “The Company shall make every effort to keep platform at a temperature that is safe to work in. Employees that are mandated to work in temperatures that are unsafe (10 degrees or below) will receive a paid break every hour and shall receive no discipline for stopping to get out of the cold.”

ARTICLE 50. PAID-FOR TIME

Section 2. Funeral Leave

(c)

CHANGE: “one (1) day off with pay” to “three (3) days off with pay” for grandparents, grandchildren and in-laws.

(d)

DELETE in the second sentence: “for at least six (6) months ”

Section 4. Sick Leave

AMEND to ADD: “Employees shall be paid sick days one (1) day at a time.”

DELETE in the first sentence: “ninety (90) days”

ARTICLE 51. LOCAL AREA OPERATIONS

Section 1.

AMEND to ADD: “Premium Service Employee”

AMEND to ADD: Rigger hourly rate of pay 4/1/08 - \$30.00

(a) (1)

AMEND to ADD: “City drivers required to operate double trailers shall be compensated \$1.00 above the City driver’s hourly rate of pay.”

DELETE in entirety: Language for Platform Men.

CHANGE: Drivers, Fork Lift Operators and Checkers shall all be one rate of pay.

ADD NEW SUBSECTION 1(b): “All employees shall be paid at the rate of double straight time for all house worked over ten (10) per day.”

Section 1.

(2) Entry Rates (New Hires)

DELETE: New Hire and Casual employees’ pay rates.

(3) Casual Employees

(c)

REPLACE second paragraph with the following: “The Employer shall not require employees to work more than one (1) hour overtime per day. This applies to City Drivers returning to terminals after completing tour of duty as well as all other classifications.”

(4) Orientation Employees

DELETE: All language for Orientation Employees.

Section 2. Saturday Work

(b)

DELETE in entirety.

Section 4.

(b)

CHANGE: "1979" to "2007"

Section 5.

DELETE in entirety.

ARTICLE 53. VACATIONS

Section 1.

CHANGE: "8 years - 3 weeks of vacation" to " 5 years - 3 weeks vacation"

CHANGE: "15 years - 4 weeks of vacation" to "12 years - 4 weeks vacation"

CHANGE: "20 years - 5 weeks of vacation" to " 17 years - 5 weeks vacation"

CHANGE: "30 years - 6 weeks of vacation" to " 25 years - 6 weeks vacation"

Section 3.

(b)

CHANGE: " ten percent (10%)" to "twenty percent (20%)"

Section 4.

(b)

CHANGE paragraph to read: “Employees shall be paid the greater of 1/52 their yearly gross earnings or forty-five (45) straight time hours for each week of vacation for which they qualify.”

ARTICLE 54. HOLIDAYS

Section 1.

(a)

ADD to paragraph: “Martin Luther King Day”

Section 4.

CHANGE paragraph to read: “Employees who are serving their probationary period shall be compensated for holidays that fall within their probationary period.”

ARTICLE 55. HEALTH AND WELFARE AND LIFE INSURANCE

Section 1.

CHANGE language to read: “The Employer shall contribute for all hours worked for employees in the local area operations. Road Drivers shall have contributions on the first forty (40) hours earned. Road Drivers workweeks vary. Road Drivers working three (3) and two (2) shall have contributions of forty (40) hours for each week.”

Section 2.

AMEND to read: “An employee, to qualify for Health & Welfare contributions, must have eighty (80) hours in the preceding month to qualify for the succeeding month’s contribution unless that employee is layoff status or the Employer has not provided that employee full work opportunity in which case only sixty-four (64) qualification hours shall be necessary. The Negotiating Committee will define absenteeism and how it is

to be applied to this Article.”

ARTICLE 56. PENSION

Section 4.

CHANGE language to read: “The Employer shall contribute for all hours worked for employees in the local area operations. Road Drivers shall have contributions on the first forty (40) hours earned. Road Drivers workweeks vary. Road Drivers working three (3) and two (2) shall have contributions of forty (40) hours for each week.”

ARTICLE 57. OVER-THE-ROAD PROVISIONS

Section 1. Classification of Runs

AMEND to ADD (d): “A Road Driver on a Fast Run who’s turn is broken and he/she is put to bed, the Road Driver shall be compensated the first eight (8) hours in bed at the applicable hourly rate of pay.”

AMEND to ADD: “Road Drivers being dispatched between metro terminals shall be compensated at the applicable hourly rate of pay, or mileage rate of pay whichever is greater.

Section 2. Hourly and Mileage Rates for Road Drivers

ADD: “Road Drivers when pulling loaded trailers with freight loads over forty thousand (40,000) lbs. will receive an additional one (1) cent per mile above the applicable mileage rate of pay.”

AMEND to ADD #3: “Road men required to pull double bottom units over forty (40) feet will receive five (5) cents per mile over the applicable mileage rate of pay.”

AMEND to ADD: “Road drivers hauling Hazardous Material loads shall be compensated one (1) cent per mile above the applicable mileage rate of pay.”

(d)

REPLACE all current language with: “All new hires shall receive the applicable hourly and/or mileage rate for the year he/she is hired.”

(e) Orientation Employees

DELETE in entirety.

Section 4. Trailer Drop and Pickup Compensation

ADD (e): “Foreign Drivers shall not drop and hook their own units at any terminal under this Agreement.

Section 5. Layover Time

(a)

CHANGE in first sentence: “fourteenth (14th) hour” to “twelfth (12th) hour”.

CHANGE in second sentence: “twenty-two (22) hours” of layover period to “twenty (20) hours” of layover period.

CHANGE in third sentence: “twenty-two (22) hours” after the run ends to “twenty (20) hours” after the run ends.

(b)

CHANGE language to read: “Drivers shall be entitled to compensation for meals when they are on layover, there shall be a meal allowance of twelve dollars (\$12.00); five (5) hours thereafter, another meal allowance of twelve dollars (\$12.00); and five (5) hours later, a third meal allowance of fifteen dollars (\$15.00). No more than three (3) meals shall be allowed during any twenty-four (24) hour period.

(c)

ADD: “Road drivers will be entitled to a meal allowance of twelve dollars and fifty cents (\$12.50) after the 12th hour from the end of previous run. This compensation will be in addition to all other entitlements for that dispatch.”

ADD NEW Section 5 (d): “Notwithstanding the above, drivers shall be paid one (1) meal allowance on all unscheduled layovers. Unscheduled meal allowance shall be paid at the rate of fifteen dollars (\$15.00).”

Section 7. Terminal Time

CHANGE language to read: “A Road Driver shall be paid for all terminal time. A Road Driver shall not be required to give any free time during a tour of duty.”

Section 8. Road-Trip Guarantees

CHANGE: “eight (8) hours pay” to “ten (10) hours pay”

(a)

CHANGE: “The eight (8) hour guarantee” to “The ten (10) hour guarantee”

Section 9. Lodging

(a)

CHANGE in second paragraph: “thirty (30) minutes” to “fifteen (15) minutes”

CHANGE in third paragraph: “thirty (30) minutes” to “fifteen (15) minutes”

DELETE: All language that refers to two (2) men to a room and all Dormitory language.

ADD language: “When driver deems Company hotel unsatisfactory, he/she may go to a hotel of their choice and be reimbursed the same amount of money the Company is paying the original hotel. Only after he/she follows the following:

- (a) He/She calls terminal and reports all problems.
- (b) Driver must attempt to request another room, and check for satisfactory conditions.

Section 10. Meal Period

ADD language: “A road driver on a meet and turn dispatch and delayed either waiting for the other driver or due to the dispatcher’s fault shall receive all delay time at the applicable hourly rate of pay and shall not be mandated to eat his/her lunch.”

Section 12. Holidays

ADD NEW subsection (c): “Road drivers ending their tour of duty in a Holiday shall receive two (2) hour penalty. Road driver being dispatched on a Holiday shall receive a two (2) hour penalty. A road driver ending his tour of duty on a Holiday and being dispatched on the same Holiday shall receive a four (4) hour penalty. Plus Holiday pay.

Section 14. Mileage Determination and Detours

ADD NEW subsection (c): “When the Employer knowingly sends a Road Driver through a construction zone (example: a.m. GW Bridge), high traffic area (example: rush hour), the Road driver will receive the applicable hourly rate of pay instead of the mileage rate, or the greater of the two.

Section 16. Fueling of Equipment

ADD language to end of paragraph: “Road drivers who are required to fuel their equipment at a fueling station other than a terminal belonging to the same Employer he/she is working for shall be compensated for thirty (30) minutes at the applicable hourly rate of pay.

ARTICLE 57. OVER-THE-ROAD PROVISIONS

ADD NEW Section 18. (New Section)

ADD NEW subsection (a): “Road drivers on a slip-seat (meet-turn) will be paid at the hourly rate of pay for all time spent at assigned location waiting for meet and turn driver.

ADD NEW subsection (b): “Road drivers on a meet and turn and are told to either switch out or drop and hook, shall be paid for all time of the drop and hook.

ADD language: “Road units shall be governed at not less than sixty-five (65) miles per hour

ADD language: “Equipment shall be maintained at the highest level, all equipment shall be retro-fitted for air conditioning.