

NATIONAL MASTER FREIGHT



EASTERN REGION SUPPLEMENTAL AGREEMENTS

VIRGINIA

**- 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
VIRGINIA FREIGHT COUNCIL
CITY PICKUP & DELIVERY
AND OVER-THE-ROAD
SUPPLEMENTAL
AGREEMENTS**

**EASTERN REGION
VIRGINIA FREIGHT COUNCIL**

**CITY PICKUP & DELIVERY
AND OVER-THE-ROAD
SUPPLEMENTAL AGREEMENT**

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Submitted 9/13/07**

ARTICLE 41. EXAMINATION AND IDENTIFICATION FEES

ADD NEW Section 4: The Employer shall pay for hazmat endorsement for all combination and over-the-road drivers.

ARTICLE 46. HEALTH AND WELFARE

Rates to be established by the National Negotiations.

ARTICLE 47. PENSION FUNDS

Rates to be established by the National Negotiations.

Section 8.

DELETE first sentence and REPLACE with: Effective April 1, 2008, the Employer shall contribute for each casual employee who works, one fifth (1/5) of the weekly rate per day worked.

ARTICLE 48. SICK LEAVE

ADD NEW to end of second paragraph: Payment for unused sick leave must be received by such employees by April 10th of each year or liquidated damages to each affected employee of eight (8) hours straight time pay for each day the employer delays payment.

DELETE third paragraph and REPLACE with: Sick leave will be paid on the first day of absence.

ARTICLE 49. FUNERAL LEAVE

AMEND first sentence of first paragraph to include Grandchildren.

ARTICLE 51. TERM OF AGREEMENT

Subject to the National Negotiations.

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ARTICLE 52. SCOPE OF AGREEMENT

Section 1. Operations Covered

DELETE 2ND paragraph and REPLACE with: Over-the-road drivers shall not be permitted to perform dock work or city pickup and delivery services or any other work covered by this Agreement within the fifty (50) mile radius, except that road drivers may make one (1) pickup and/or delivery en route to and /or from the terminal within the fifty (50) mile city radius.

DELETE first sentence in the 3rd paragraph and REPLACE with: Recognizing the competition from railroads, private carriers, and other modes of transportation, and should there arise a competitive problem regarding delivery or pickup within the fifty (50) mile radius, the Local Union and the Employer will endeavor to resolve the issue.

ARTICLE 53. SENIORITY

Section 1.

DELETE 6TH paragraph (a) through (d) under (b) and REPLACE with:

(a) Effective first (1st) day of employment - 90% of the current rate.

(b) Effective first (1st) day of becoming seniority employee - 100 % of the current rate.

Section 4. Layoff and Recall

DELETE second sentence in fourth paragraph and REPLACE with: However, laid off regular employees who have had ten (10) hours off may be offered any work they are qualified to perform starting after 8:00 p.m., but shall not be paid the overtime rate for hours worked on such shift.

Section 5. Posting of Bids

DELETE second sentence of second paragraph and REPLACE with: There shall be no more than one (1) starting time on a consecutive bid.

DELETE last sentence of paragraph two and REPLACE with: The assignment of equipment, routes or work shall be subject to seniority or bid.

Section 6.

DELETE second sentence of second paragraph and REPLACE with: There may be three (3) exceptions.

ADD 3.: When an employee has a bidded route, they will have the option after loading his/her unit for thirty (30) minutes to be dispatched or remain on their bidded run.

ARTICLE 54. CASUALS

Section 4. Vacancies

DELETE first sentence in the second paragraph and REPLACE with: Where any Employer utilizes any combination of casual employees for thirty (30) days or more in two (2) consecutive calendar months, the Employer shall be required to add one (1) probationary employee for each such thirty (30) days worked by casual employees as described above.

ARTICLE 55. VACATIONS

Section 3.

AMEND first paragraph to read: All employees who have been employed two (2) years or more shall receive a vacation with pay of ten (10) working days. All employees who have been employed seven (7) years or more shall receive a vacation with pay of fifteen (15) working days. All employees who have been employed twelve (12) years or more shall receive a vacation with pay of twenty (20) working days. All employees who have been employed seventeen (17) years or more shall receive twenty-five (25) working days of paid vacation. All employees who have been employed twenty-five (25) or more years shall receive thirty (30) working days of paid vacation. Vacation pay shall be forty-five (45) hours at the then prevailing straight time hourly rate at time of vacation for each week of vacation. Employees shall be

given their vacation pay before starting their vacation upon notice of one (1) week to the Employer.

DELETE last sentence of third paragraph and rewrite to read: Employees with three (3) or more weeks of vacation may split two (2) weeks vacation and employees with four (4) or more weeks may split three (3) weeks of vacation as outlined above.

Section 4.

In the first sentence of the first paragraph, CHANGE: fifteen percent (15%) to twenty percent (20%).

ARTICLE 56. HOLIDAYS

Section 1.

DELETE first sentence of first paragraph and REPLACE with: For the following named holidays shall be paid ten (10) hours at the applicable straight time rate in addition to any monies earned by the employee on such holidays: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving, Christmas Eve, Christmas Day, and five (5) Personal Holidays.

ARTICLE 58. WAGES

SUBJECT to the National negotiations.

ARTICLE 59. WORKWEEK AND WORKDAY

Section 4.

DELETE first sentence in first paragraph and REPLACE with: "The Employer may establish a workweek of four (4) consecutive ten (10) hour days.

Section 10.

CHANGE last sentence in second paragraph to read: In order for an employee to be entitled to exercise seniority on his off day, such employee must have had ten (10) hours off duty prior to the commencement of the shift on his off day.

Section 12.

DELETE second paragraph and REPLACE with: It is understood that no employee shall be required to work in excess of ten (10) hours.

Section 15.

DELETE paragraph (c) and REPLACE with: Laid off and unassigned employees shall be subject to a work call after eight hours off duty and must report within two hours of said work call.

Section 16.

CHANGE first sentence in the second paragraph to read: Except where otherwise mutually agreed, the Employer agrees to give all local employees two (2) fifteen (15) minute rest periods each shift.

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ARTICLE 61. SCOPE OF AGREEMENT

Section 3. Road-Peddle Driver Position

DELETE second sentence in sixth paragraph and REPLACE to read: The fifty (50) mile city provisions remain in effect pertaining to this position in the same manner as applied to any over-the-road run.

ARTICLE 62. SENIORITY

Section 1.

DELETE first sentence of second paragraph under (b) and CHANGE to read: “When an Employer utilizes any combination of casual employees for thirty (30) days or more in two (2) consecutive calendar months, the Employer shall be required to add one (1) probationary employee for each such thirty (30) days worked by casual employees as described above.”

DELETE 7th paragraph (a) through (d) under (b) and REPLACE with:

- (a) Effective first (1st) day of employment - 90% of the current rate.
- (b) Effective first day of becoming seniority employee - 100% of the current rate.

Section 5. Dispatch Procedure and Posting of Bids

ADD as new language: Drivers shall have the option to slide call times for up to six (6) hours provided such adjustment is requested upon arrival at the home terminal.

ADD to end of second paragraph under (a): Any known vacancies of the bid board for thirty (30) days or more will be posted as a hold down bid. It will be posted for seven (7) days and start on the eighth (8th) day. Hold down bids will run until the bid driver returns to work or the regular semi-annual bid. This opportunity will be offered to Extra Board drivers only.

DELETE paragraph (g) and REPLACE with: The dispatch of foreign drivers to any terminal other than their home terminal may only occur if the board at the Virginia domicile where being dispatched from is exhausted.

Section 8.

DELETE entire paragraph under (1) and REPLACE with: After completion of six (6) tours will be entitled to forty-eight (48) hours off. The drivers shall also be entitled to (48) forty-eight hours off after the 7th, 8th, 9th, 10th, and 11th tours.

DELETE fifth paragraph and replace with: “Where drivers fail to exercise time off privilege after twelve (12) tours, they shall be permitted to bank these tours and after the completion of fifteen (15) tours, will be entitled to seventy-two (72) hours off at the drivers discretion. Time off privileges may be exercised only if requested upon arrival at the home terminal. Drivers shall not lose these tours for dropping fatigued provided such driver has been available for ten (10) hours after their mandatory rest.”

ARTICLE 64. VACATIONS

Section 1.

DELETE last sentence of first paragraph and REPLACE with: Employees shall receive a vacation with pay of eighteen (18) days where they have been employed seven (7) years or more.

DELETE second paragraph and REPLACE with: Employees shall receive a vacation with pay of twenty-four (24) working days where they have been employed twelve (12) years or more. All employees having seventeen (17) or more years of service shall receive thirty (30) working days of paid vacation. All employees having twenty-five or more years of service shall receive thirty-six (36) working days of paid vacation. Employees shall be given their vacation pay before starting their vacation, upon notice of one (1) week to the Employer. Sixty percent (60%) equals 187 days.

Section 5.

ADD as new sentence to end of first paragraph: The Union and the Company shall negotiate a vacation bid procedure for all employees.

DELETE seventh sentence in fourth paragraph and REPLACE with: Employees with three (3) or more weeks of vacation may split two (2) weeks vacation and employees with four (4) or more weeks may split three (3) weeks of vacation as outlined above.

ARTICLE 65. HOLIDAYS

DELETE first paragraph and REPLACE with: The following named holidays shall be paid for at the rate of ten (10) times the regular hourly rate of pay in addition to any monies earned by the employees on such holidays: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving, Christmas Eve, Christmas Day and five (5) personal holidays.

ADD to end of second paragraph: Road drivers shall have the option to pass work on aforementioned holidays to a junior employee. After exhausting the list, reverse seniority shall apply.

ARTICLE 66. LODGING

DELETE first sentence of first paragraph and REPLACE with: Safe, comfortable, sanitary lodging shall be furnished by the Employer in all cases where an employee is required to take a rest period away from his home terminal and shall be maintained at present day standards in a safe environment.

ARTICLE 67. PAID-FOR-TIME

Section 1. General

DELETE entire third (3rd) paragraph

Section 3. Layover Time

DELETE first and second paragraphs under (a) and REPLACE with: When a driver is required to layover at the first (1st) destination away from his home terminal, layover pay shall commence following the fourteenth (14th) hour after the end of the run. If the driver is held over after the fourteenth (14th) hour, he shall be guaranteed two (2) hours pay, in any event, for layover time. If he is held over more than two (2) hours, he shall receive layover pay for each hour held over up to eight (8) hours, in the first twenty-two hours of the layover period, commencing after the run ends. This pay shall be in addition to the pay to which the employee is entitled, if he is put to work at any time within the twenty-two (22) hours after the run ends. The same principal shall apply to each succeeding eighteen (18) hours, and layover pay shall

commence after the tenth (10th) hour. When a driver is called for dispatch at an away from home terminal, and the dispatch for which the driver was pre-called is not available as projected, such driver shall receive actual delay time in addition to the penalty provided herein when held beyond the fourteenth (14th) hour. When on compensable layover on Sundays and holidays, 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 (3rd) meal allowance of fourteen dollars (\$14.00). No more than three (3) meals will be allowed during any twenty-four (24) hour period.

CHANGE third paragraph (b) to read: When a driver is required to lay over, he will receive twelve dollars (\$12.00) meal allowance if he is held beyond the seventeenth (17th) hour of the first layover period and after the thirteenth (13th) hour on subsequent layovers.

ARTICLE 68. PICKUP AND DELIVERY LIMITATIONS

Section 1.

DELETE third paragraph and REPLACE with: Notwithstanding any other provisions of this Agreement, road drivers may make one (1) pickup and/or delivery en route to and/or from the terminal within the fifty (50) mile city radius.

ARTICLE 69. MILEAGE AND HOURLY RATES

Section 1.

Subject to National negotiations.