

# NATIONAL MASTER FREIGHT



## EASTERN REGION SUPPLEMENTAL AGREEMENTS

**JOINT COUNCIL NO. 40**

**- 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  
TEAMSTERS JOINT COUNCIL  
NO. 40 FREIGHT COUNCIL  
SUPPLEMENTAL  
AGREEMENT**

**EASTERN REGION**  
**TEAMSTERS JOINT COUNCIL NO. 40**  
**FREIGHT COUNCIL**  
**SUPPLEMENTAL AGREEMENT**

**Embracing the Jurisdiction of**  
**Local Unions 30, 110, 249, 261, 397,**  
**491, 538, and 585**

**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. City or Local Work**

**CHANGE second sentence to read:** All drops and hooks, re-fueling and yard work will be performed by local cartage employees. If such work is performed by a road driver, he/she shall receive triple time.

## **ARTICLE 41. UNION SHOP AND DUES**

### **Section 1.**

**ADD to first paragraph:** Any employee that is discharged while on probation shall be given the reason for the discharge.

**CHANGE second paragraph to read:** Seniority shall be established as of the first day of employment.

### **Section 2 B.**

**CHANGE to read:** Effective first day of employment – 90% of the current rate. After thirty (30) days – 100% of the current rate.

### **Section 3 B. Casual / Extra Employees**

**DELETE**

## **ARTICLE 42. ABSENCE**

### **Section 2. Leave of Absence**

**NEW:** The employer shall not deny an employee request for an emergency leave of absence.

## **ARTICLE 43. SENIORITY**

### **Section 1. A (1)**

**ADD:** Senior employee can opt to take a lay-off over a junior employee.

### **Section 1. (2)**

**CHANGE:** fourteen (14) days to seven (7) days.

### **Section 3.**

#### **A. Posting**

**CHANGE:** seven (7) calendar days to fourteen (14) calendar days.

**DELETE Fourth paragraph:** at the discretion of the employer.

**ADD:** Ninety percent (90%) of the seniority list shall have bid start times.

**ADD:** There shall be a consistent start time – the time that the employee starts on Monday is the time that the employee starts all week.

**CHANGE fourth paragraph to read:** Temporary job vacancies created due to compensable injuries, disability, vacation or other absences of a week or more, shall be temporarily filled by offering such work in seniority order to the list of on-call employees.

### **Section 3.**

#### **B. Layoffs**

**ADD:** Lay-off by master seniority terminal to terminal – not system wide.

## **ARTICLE 44. GRIEVANCE MACHINERY**

### **Section 6. Change of Operations**

**DELETE:** This shall not apply within a twenty-five (25) mile radius.

**ADD to paragraph four:** The union and the company must agree if there is a difference in the grievance procedure.

## **ARTICLE 45. GRIEVANCE MACHINERY AND UNION LIABILITY**

### **Section 1. (d)**

**CHANGE to read:** Deadlocked cases shall be submitted to the Eastern Region Joint Area Committee for decision. When a case involves a matter of discharge, and the case is deadlocked by the Eastern Region Joint Area Committee, the grievance shall then be referred to arbitration.

## **ARTICLE 46. DISCHARGE AND SUSPENSION**

**ADD in first paragraph:** proven theft of property.

**ADD in first paragraph:** and guns with legal carry permit.

**DEFINE:** chronic or habitual.

**CHANGE to read last sentence in second paragraph:** A warning letter or previous disciplinary action, over three (3) months old, may not be used for any purpose under this agreement.

## **ARTICLE 47. EXAMINATIONS AND IDENTIFICATION FEES**

### **Section 1.**

**DELETE:** where the time spent by the employee exceeds two (2) hours, and in that case, only for those hours in excess of said two (2).

**ADD new fourth paragraph:** The employer will pay the cost for all operating permits, licenses (including HAZMAT) as required by either current law or the employer.

## **ARTICLE 48. HEALTH AND WELFARE**

**CHANGE to read:** eighth paragraph: three (3) months to twelve (12) months and six (6) months to twelve (12) months.

**CHANGE to read:** in last paragraph: one hundred (100) hours to eighty (80) hours.

## **ARTICLE 49. PENSION PLAN**

### **Section 1. (d)**

**CHANGE to read:** six (6) months to twelve (12) months.

### **Section 1. (e)**

**CHANGE to read in second paragraph:** \$8.00 to \$12.00.

## **ARTICLE 50. DEATH IN FAMILY**

**CHANGE to read:** first paragraph: three (3) days to five (5) days.

**CHANGE to read:** second paragraph: Add aunts and uncles. Change two (2) days to three (3) days.

**CHANGE to read in third paragraph:** one (1) day to two (2) days.

## **ARTICLE 52. SICK LEAVE**

**DELETE:** however, at no time shall more than 15% of the current active seniority list be granted sick leave on any one day, unless otherwise agreed to.

**NEW:** The employer shall not force the employee to take sick leave.

**NEW:** The employer shall not deny sick days on Saturday or Sunday.

## **ARTICLE 53. LOCAL CARTAGE PROVISIONS**

### **Section 2. Meal Period**

**ADD:** Any employee who works eleven (11) hours or more shall be entitled to an additional twenty (20) minute paid break.

### **Section 3. Sundays and Holiday Work**

#### **B. Holidays**

(1)

**ADD:** Martin Luther King Day.

**ADD:** Birthday holiday may be taken anytime within a one (1) year period from said birthday.

**ADD:** Two (2) personal holidays.

(3)

**CHANGE to read:** Any regular employee who works on or into a holiday and is eligible for holiday pay as provided in (b) above shall be paid for all work performed at the time and one-half (1 ½) hourly rate in addition to receiving his holiday pay, and shall be guaranteed a minimum of eight (8) hours work.

### **Section 4. Vacations**

**A.**

**CHANGE:** June 1<sup>st</sup> to April 1<sup>st</sup>.

(2)

**CHANGE:** eight (8) years to five (5) years.

(7)

**CHANGE:** June 1<sup>st</sup> to April 1<sup>st</sup>



**CHANGE:** July 31<sup>st</sup> to May 31<sup>st</sup>

**(8)**

**ADD:** Full week vacations take precedence over split vacation day requests.

**CHANGE:** One (1) week to two (2) weeks.

**CHANGE:** Five (5) calendar days to ten (10) calendar days.

**B.**

**CHANGE:** June 1<sup>st</sup> to April 1<sup>st</sup>

**CHANGE:** May 31<sup>st</sup> to March 31<sup>st</sup>

**CHANGE fifth sentence to read:** Vacation pay shall be 45 hours' pay at the employees regular rate of pay as set in Section 9 or 1/52 of the employees' previous year's W-2 earnings, whichever is greater. This shall apply for each week of vacation for which the employee is eligible.

**F.**

**CHANGE:** June 1<sup>st</sup> and June 1<sup>st</sup> to April 1<sup>st</sup> and April 1<sup>st</sup>

**H.**

**DELETE**

**I.**

**CHANGE:** 15% to 20%.

**ADD:** Employees off work due to military leave will not be counted towards the 20% under this section.

## **Section 5. Protective Apparel**

**ADD:** The employer shall pay for the replacement cost of any employee's clothing which is damaged during the course of a workday.

## **Section 6. General Conditions**

**E.**

**DELETE:** but may not bump any regular employee irrespective of their relative seniority until the next regular bid period.

**DELETE:** Second paragraph.

**I.**

**CHANGE to read:** All employees shall be entitled to a fifteen (15) minute paid break after they have been on duty for seven (7) hours.

## **Section 7. Call-In Time**

**B.**

**CHANGE:** six (6) hours to eight (8) hours.

## **Section 9. Wages and Hours**

**A. Wages**

**NEW:** Increase of \$1.00 per hour for each year of the agreement for each classification.

**CHANGE:** Wage progression:

Start: 90% of the current rate

31<sup>st</sup> day: Top Rate

**DELETE:** Nine (9) hour bids and forty-five (45) hour work week.

## **B. Hours and Guarantee**

**CHANGE:** eighty-five percent (85%) to ninety percent (90%).

**(1)**

**ADD to paragraph 5:** Employees working over ten (10) hours in a day shall be paid at the rate of double time for all time worked over ten (10) hours.

**(3)**

**CHANGE:** four (4) hours to eight (8) hours.

**(5)**

**CHANGE:** six (6) hours to eight (8) hours.

**(6)**

**CHANGE:** \$8.75 to \$15.00.

## **C. 7-Day Operations**

**(1)**

**CHANGE:** seventy-five percent (75%) to ninety percent (90%).

**ADD:** after 7-day period with one (1) weekend off.

**(2)(a)**

**CHANGE:** eighty-five percent (85%) to ninety (90%).

**DELETE:** When an employee absents himself for any reason, it shall break the guarantee.

**(3)**

**CHANGE:** seventy-five percent (75%) to ninety percent (90%).

(4)

**ADD:** Any employee working in excess of ten (10) hours in a day shall be paid at the rate of double time for all time worked in excess of ten (10) hours.

## **ARTICLE 54. OVER-THE-ROAD PROVISIONS**

### **Section 1. Pickup and Delivery Limitation**

**DELETE**

### **Section 4. Protective Apparel**

**ADD:** The employer shall pay the replacement cost of any employee's clothing, which is damaged during the course of a workday.

### **Section 5. General Conditions**

E.

**DELETE:** but they may not bump any regular employee irrespective of their relative seniority until the next regular bid period.

**NEW:** Road drivers required to fuel their tractors shall receive ½ hour's pay for all such work.

### **Section 7. Holidays**

A.

**ADD:** Martin Luther King Day.

**ADD:** New Year's Eve.

**ADD:** Two (2) personal days.

**ADD:** If a holiday falls on a non-scheduled workday, the employee may float that holiday within the contract year.

**NEW:** All holidays, including personal holidays and birthdays, are to be paid from 12:00 midnight to 12:00 midnight.

**Section 8. Vacations**

**A.**

**CHANGE:** June 1<sup>st</sup> to April 1<sup>st</sup>.

**(2)**

**CHANGE:** eight (8) years to five (5) years.

**(7)**

**CHANGE:** June 1<sup>st</sup> to April 1<sup>st</sup>.

**CHANGE:** June 1 and July 31 to April 1 and March 31.

**CHANGE:** June 1 to April 1.

**(8)**

**NEW:** Eliminate the 2-day rule to use vacation days.

**CHANGE:** One (1) week to two (2) weeks.

**B.**

**CHANGE:** June 1<sup>st</sup> to April 1<sup>st</sup>.

**CHANGE:** May 31<sup>st</sup> to March 31<sup>st</sup>.

**CHANGE:** Vacation pay under this section shall be 1/52 of the employee's previous year's earnings or sixty (60) hours pay, whichever is greater.

**DELETE:** Last sentence.

**E.**

**CHANGE:** June 1<sup>st</sup> to April 1<sup>st</sup>.

**F.**

**CHANGE:** June 1<sup>st</sup> and June 1<sup>st</sup> to April 1<sup>st</sup> and April 1<sup>st</sup>.

## **Section 9. Wages and Hours**

### **A. Wages**

(1)

**ADD:** A \$1.00 per hour increase for each year of the agreement for each classification and a corresponding increase in the mileage rate.

**DELETE:** Casual/Extra Combination Classification.

### **B. Hours and Guarantees**

(1)

**CHANGE:** eighty percent (80%) to ninety percent (90%).

**DELETE:** When an employee absents himself for any reason, it shall break the guarantee.

(1)(a)

**DELETE**

(2)

**DELETE:** first hour.

**ADD:** All delayed times shall be paid.



**DELETE:** Any references to adequate public transportation. The employer shall supply all transportation.

**ARTICLE 55. TERM OF AGREEMENT**

**NEW:** A three (3) year agreement.