



NATIONAL UNIFORM ATTENDANCE POLICY

The YRC National Uniform Attendance Policy is patterned from the existing YRC Western Attendance Policy and was established as an absence control program that recognizes the principles of progressive discipline.

National Uniform Attendance Policy: The parties recognize that the vast majority of employees report for work when scheduled and do not have an attendance problem. The parties further recognize, however, that absenteeism among even a small group of employees is detrimental to the Employer's operations. For this reason, the parties adopt the National Uniform Attendance Policy attached as Exhibit A. This Policy shall not apply USF Reddaway. All employees will receive a "fresh start" under the Policy, including those in the Western Region. Reddaway employees will continue in their existing progression under their existing policy.

- Managers will need to use their own discretion when applying discipline under this policy while keeping in mind that the ultimate goal is to change an employees behavior regarding attendance.
- Managers should consult with their labor managers if there are any issues or questions that arise.
- Progression will be followed in all instances, unless extraordinary circumstances dictate an accelerated or decelerated progression.
- All current time limits for progressive discipline shall remain in effect for each supplement and terminal location.

National Uniform Attendance Policy

As the result of the formation of YRC, Inc., the Company has entered into agreement with the IBT on a uniform attendance policy covering all employees who work under the National Master Freight Agreement and all Supplemental Agreement. It is critical that each facility enforce this policy as outlined. All previously negotiated attendance policies are null and void. If we fail to consistently enforce this policy we will find ourselves stuck with the same restrictive policies that we have fought long and hard to abolish.

The new attendance policy states:

The union and the employer agree to the abolishment of those absence control programs that have been established by practice or by mutual agreement of the union and employer(s) and the establishment of an absence control program that recognizes the principles of progressive discipline; i.e., when an employee develops poor work attendance habits he/she shall receive verbal notice advising that continuation of such a bad habit may lead to disciplinary action in the form of, first written warning letter, followed by disciplinary suspensions, and then termination of employment if warranted.

The objective of this policy is to identify those with an attendance problem, take corrective actions to correct the unacceptable behavior, and if the employee fails to change his attendance habits, discharge the employee. We must receive a full month's work from each person to offset the high costs of HW&P in the contract and to ensure uninterrupted service to our customers. We are not looking to discipline those employees with legitimate reasons for missing work but are trying to correct the behavior of those who are undependable or have a "I'll work when its convenient for me" attitude. I've heard managers use this excuse for not disciplining for absence: "He is a great employee when he's here." YRC does not consider anyone to be a "great employee" unless they are at work when they are supposed to be and work hard and safely when at work. The attendance policy must be enforced equally with all employees.

What to look for:

We need to concentrate on those people who demonstrate an ongoing pattern of habitual absence. Patterns to look for are: absences leading into or out of weekends or the employee's scheduled off days, extending vacations or holidays, taking the same day of the week off, using allotted sick days early in the calendar year as an unscheduled "vacation" (in such cases you can't discipline for absenteeism, but can use it to demonstrate the individual's lack of dependability). A person who misses a Tuesday in March and a Thursday in August would not have a pattern unless it fell into one of the categories above, and would not be disciplined beyond a verbal warning on each incident. A person who misses one or more days each month would have a habitual problem, whether patterned or not, and will be disciplined.

What is considered a legitimate absence?

All missed work days are considered to be unexcused unless specifically covered by the following: contractually allowed union business (must have request in writing from the local union), FMLA, Company verified on-the-job and off-the-job injuries, and approved personal leave of absences. Every other absence is unexcused. It doesn't matter if the employee has a valid excuse; it is still recorded as unexcused and used towards the employee's overall attendance history.

Legitimate doctor's excuses may be used to exonerate the employee. To consider a doctor's excuse as valid the employee must turn it in as soon as he returns to work. Doctor "scratch pad" notes and excuses received well after the fact should not be considered as valid. If in doubt, call the doctor's office and verify that the doctor did issue the medical excuse. Even if the employee has a valid excuse but has used his sick days as an "unscheduled vacation" he should still receive discipline because he should have saved his sick days for their intended purpose or should have applied for FMLA.

How to enforce the absence control program:

1. Verbal warning- This must be issued for any UE and be documented as to the date of the discussion with the employee. This will start the progression for the employee.
2. Warning letter- This will be issued for the second UE, unless there is no clear pattern or evidence of a continuing attendance problem. Consult with your Labor Manager if you don't feel a letter should be issued, but in most circumstances the letter should be issued. Basically, these should automatically be issued except in extraordinary circumstances.
3. Suspension- This will be issued for the third UE. Prior to issuing you must contact your Labor Manager to review the employee's record to ensure this action will be supported by the grievance committee. We must have a solid warning letter to support the suspension and the suspension must also be solid. We do not want to bring bad cases in front of the Committee, it will only weaken hurt our policy. Suspensions will normally be for one day.
4. Discharge- This will be issued for the first UE after the suspension letter has been issued. Consult with your Labor Manager prior to taking this action.

Important reminders:

1. Tardiness is a separate category and should not be included in the absenteeism progression. However, the same absence control program progressions apply.
2. Multiple day absences will be considered as one absence for the purpose of discipline. The exception to this is if a person extends his absence beyond his scheduled return date.
3. Discipline must be issued immediately after the employee returns to work. For example, an employee misses two consecutive Mondays and the manager failed to issue a warning letter for the first Monday, he will now have to issue a warning letter for both days rather than a suspension for the second day missed. Employees must be given the chance to correct their behavior prior to proceeding to the next step in the progression.

Examples of Acceleration and Deceleration:

A Local Cartage driver shows up to work 10 minute late and receives a verbal warning for his actions. The same driver 8 months later punches in 2 minutes after his scheduled start time. During this time frame this driver has no other attendance related issues or infractions. In this particular case a deceleration of the progressive discipline process can be taken and a second verbal warning should be issued due to the long period of time between infractions.

A Clerical Employee is a no show no call for their bid shift on Monday. The same employee leaves 3 hours early on Wednesday and then calls off and fails to protect their bid shift on Friday. In this particular case acceleration of the progressive discipline process can be taken and a verbal warning should be issued for Monday, a written warning should be issued for Wednesday, and a 1 days suspension should be issued for Friday. Even though each occurrence was different: no show no call, leave early, and an unexcused absence, they are considered the same under absenteeism and should be accelerated as 3 separate infractions provided appropriate discipline was issued prior to the next occurrence.

Note: Under the current KRONO's time and attendance function the labor department recommends that proper discipline be issued on a daily basis in order to maintain our ability to accelerate or decelerate the disciplinary progression under this policy.

A Local Cartage driver calls off work on Friday before the weekend and then calls off on the following Monday. In this case only one step of discipline will be issued. Multiple day absences will be considered as one absence for the purpose of discipline. However these absences can be used to establish a pattern and can accelerate discipline for future instances.

All suspensions and discharges under the Policy will be "out of service."

**Memo of Understanding
Clarification of the YAC Attendance Policy
Western States Area**

The parties agree that the purpose of attendance disciplinary action is to correct an employee's behavior. Continued disregard of attendance obligation will result in discharge if the employee fails to change the behavior.

Disciplinary Progressions for Absenteeism or Tardiness:

First Instance-	Verbal Warning
Second Instance-	Warning Letter
Third Instance-	One Day Suspension
Fourth Instance-	Three Day Suspension
Fifth Instance-	Discharge

Progressions will be followed in all instances unless extraordinary circumstances dictate an accelerated or decelerated progression. Examples of an accelerated progression would be No Call/No Shows or blatant abuse of time off. An example of a decelerated progression would be a long time period between absences.

Discipline may be issued on all unexcused absences. Committees may consider timely, bona fide, verifiable doctors excuses in determining the validity of disciplinary action. Proper communication on all absences is the employee's responsibility.

The Company may discharge an employee who has received two letters of suspension as long as the letters resulted in agreed-to or committee action discipline.


For the Company 9-17-09
Date


For the Union 9-17-09
Date