

## MEMORANDUM OF UNDERSTANDING REGARDING ATTENDANCE AMNESTY POINTS

ProTransport-1 ("PT1" or "Employer") and the United Steel, Paper, and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, CLC ("USW"), on behalf of its TEMSA Local 12-911 (hereinafter individually and collectively referred to as "USW" or "Union") enter into this Memorandum of Understanding ("MOU") to memorialize and to document the agreements they have reached concerning how, PT1 will implement an Amnesty Points Program.

- I. **PT1 will, upon both parties signing of this MOU, immediately implement a new policy regarding issuance of Amnesty Points for credit against prior issued attendance points.**
  
- II. **Issuance of Amnesty Points will be in accordance with the following procedure:**
  - Employees will be eligible to receive credit offsetting attendance points issued previous to the current pay period under the following circumstance:
    - Pickup any shift on a day and/or time that has been identified as part of the amnesty point program by management by sending a "Amnesty Point Alert" message to all field employees
    - Eligibility only applies to Pickups, no subs/swaps
  - Pickups will be identified using the reporting capabilities of our scheduling system in accordance with section 9.08 of the CBA, filling open shifts, and double checked using the scheduler notes
  - Full-Time employees accrue 1 amnesty point per shift pickup
  - Part-Time employees accrue 1 amnesty point per shift pickup
  - If an employee accrues an attendance point in the same pay period, all potential amnesty points that could have been earned in that pay period will be nullified
  - Amnesty points will only be applied to the pay period following the pay period that the shift was worked
  - Amnesty points will be applied to your most recent attendance points
  - Amnesty points will only be valid for points already accrued and cannot be used/kept as credit (i.e. - no negative points balance)
  - Lowering attendance points will not erase or invalidate attendance discipline that has already been issued, but it will lower the overall point total leading to the next step in the progressive disciplinary steps.


### III. **Term and Termination of this MOU**

This MOU is effective immediately and will remain in effect until modified or retained in any subsequent CBA negotiations.

ProTransport-1

USW/TEMSA Local 12-911

  
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Rick Fields  
For ProTransport-1

  
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Fernando Mirelez  
For USW/TEMSA

Dated: 10/21/2020

Dated: 10-20-2020