



LOCAL 804 - DELIVERY AND WAREHOUSE EMPLOYEES

An Affiliate of

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

34-21 REVIEW AVENUE - LONG ISLAND CITY, NY 11101 -TEL. (718) 786-5700 - FAX # (718) 786-5757
EMAIL: EXECUTIVEBOARD@TEAMSTERSLOCAL804.ORG WWW.TEAMSTERSLOCAL804.ORG

LOCAL 804 CONTRACT PROPOSALS

BETWEEN

UNITED PARCEL SERVICE SUPPLEMENTAL AGREEMENT

The Union reserves the full right to add, delete, or alter any or all proposals at any time during the course of the 2018 negotiations. The Union also reserves the full right to correct any errors and omissions.

Deletions From old language are struck through.
Additions and new language are underlined.

LOCAL 804 CONTRACT PROPOSAL FORM



UNITED PARCEL SERVICE SUPPLEMENT ONLY

NAME OF SUPPLEMENT:

Local 804 and United Parcel Service Supplemental Agreement

LOCAL UNION No.: 804

Proposal 1

ARTICLE No.: ARTICLE 1

SECTION No.: Paragraph (d)

Proposal (Type single spaced):

Last sentence- ~~The Company will notify the Shop Steward within five (5) days after a new employee attains seniority.~~

Change Last sentence to- The Company will notify the Shop Steward in writing on the day that a new employee attains seniority.

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SUPPLEMENT ONLY

LOCAL 804 CONTRACT PROPOSAL FORM



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Local 804 and United Parcel Service Supplemental Agreement

LOCAL UNION No.: 804

Proposal 2

ARTICLE No.: Article 3

SECTION No.: Section 1

Proposal (Type single spaced):

~~(a) The basic workweek for all regular full-time employees should be forty (40) hours per week consisting of eight (8) hours per day, five (5) days per week.~~

Add (a) The workweek for all regular full-time employees is (5) consecutive eight (8) hour days Monday through Friday or Tuesday through Saturday. Volunteers and Seniority Provisions apply for (b) below.

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LOCAL UNION No.: 804

Proposal 3

ARTICLE No.: Article 3

SECTION No.: Section 1(c)

Proposal (Type single spaced):

(c) Day off schedules for all classifications shall be posted by Thursday of the preceding week. If the day off schedule is not posted, no affected employee shall be charged with an attendance violation for the following week.

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Proposal 4

ARTICLE No.: Article 3

SECTION No.: Section 3

Proposal (Type single spaced):

Add (c) If the grievants load isn't adjusted within 2 days from grievance they ^{shall} ~~should~~ be made whole automatically for 4 hours straight time penalty pay until the load is adjusted.

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NAME OF SUPPLEMENT:

Local 804 and United Parcel Service Supplemental Agreement

LOCAL UNION No.: 804

Proposal 5

ARTICLE No.: Article 3

SECTION No.: Section 4

Proposal (Type single spaced):

Relief from Overtime

~~(a) It is the policy of the Company to cooperate and grant the request of an employee who desires to be relieved from overtime for bona fide personal reasons. It is understood that at least one request will be granted in each center per day, and that the employee granted such relief will not be required to work more than eight (8) hours.~~

(a) It is the policy of the Company to cooperate and grant the request of an employee who desires to be relieved from overtime for personal reasons. It is understood that (1) request for every (20) seniority employees, will be granted by seniority in each center per day, and that the employees granted such relief will not be required to work more than eight (8) hours.

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Proposal 6

ARTICLE No.: Article 3

SECTION No.: Section 7

Proposal (Type single spaced):

Supervisors Working:

Leave Current Section (a). but remove the words (where possible)

Remove from Letter (b) on.

Add: Failure to notify Stewards prior to Supervisors performing any bargaining unit work will result in a five (5) hour straight time penalty pay to the Senior Employee in the area.

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Proposal 7

ARTICLE No.: Article 4

SECTION No.: Section 2

Proposal (Type single spaced):

Section 2- Relief Employees

No restriction as to starting time shall be applied to relief employees, but the Company shall identify such relief men to the Union and to the Shop Steward. Only 10% of each seniority list can be identified as relief in the tractor trailer operation.

This provision shall not apply to package drivers.

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Proposal 8

ARTICLE No.: Article 5

SECTION No.: Section 1 (b)

Proposal (Type single spaced):

Section 1- Driver and Helper Meal Periods and Coffee Time

(b) All employees who ~~attain Company seniority prior to August 1, 2008,~~ will be given fifteen (15) minutes of additional pay after the completion of eight and one-half (8 1/2) hours of work in lieu of a coffee period when they attain seniority in the package driver and helper classification.

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Proposal 9

ARTICLE No.: Article 5

SECTION No.: Section 1(f)

Proposal (Type single spaced):

(f) The specific time taken for each meal period shall be marked on the time card immediately at the start of such period. The Company agrees that they will not harass or conduct business with employees during the meal period.

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Proposal 10

ARTICLE No.: Article 5

SECTION No.: Section 3-Relief Break

Proposal (Type single spaced):

There shall be one (1) relief break for all seniority part-timers up to ten (~~10~~) minutes to be taken after first (1st) hour of work and prior to completion of the third (3rd) hour, ~~except for emergency conditions.~~

Change from (~~10~~) minutes to (20).

Add-If a part-timer chooses to work beyond the 5th hour he/she shall be entitled to an additional (10) minute paid break.

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Proposal 11

ARTICLE No.: Article 6

SECTION No.: Section 1

Proposal (Type single spaced):

Change (a) from (~~3 1/2~~) hours to (5) hours.

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Proposal 12

ARTICLE No.: Article 3

SECTION No.: Section 6

Proposal (Type single spaced):

Section 6- Sunday and Holiday Work

(b) Pay at double the regular straight-time rate shall be paid for off schedule Sunday work and for overtime work on Sundays where the regular schedule of work extends into Sunday hours. ~~This will not apply to the overtime rate during the period between Thanksgiving and Christmas when the overtime rate shall be one and one half times the regular straight-time rate.~~ The Company in good faith will hold to a minimum the overtime hours of employees whose regular schedule of work extends into Sunday or holiday hours.

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Proposal 13

ARTICLE No.: Article 6 Part-Time

SECTION No.: Section 8

Proposal (Type single spaced):

Add new paragraph

Pay and Notice

Any seniority employee who reports for work shall be guaranteed (4) hours pay unless there is an assignment within their classification, by seniority, first within their center and then within their building.

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Proposal 14

ARTICLE No.: Article 6

SECTION No.: Section 10

Proposal (Type single spaced):

Section 10- Holidays

Add Employee's Birthday
Day after Employee's Birthday
Martin Luther King Jr. Day
Veterans Day

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LOCAL UNION No.: 804

Proposal 15

ARTICLE No.: Article 6

SECTION No.: Section 12

Proposal (Type single spaced):

Sick-Leave

Change (a) From (3) days to (6) days.

Change (b) to After 4 months employment- 2 day
After 6 months employment- 2 additional
After 9 months employment- 2 additional

Change (d) From (3) to (6) days.

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Proposal 16

ARTICLE No.: Article 7

SECTION No.: Section 5

Proposal (Type single spaced):

Delinquent Health, Welfare and Pension Contributions

Add

The company shall not send bargaining unit employees home as a scheduled day off and then use non-seniority employees, supervisors, or members from a different classification to do the work of the work of the sent home employees. Any infraction shall result in contributions to the pension fund for each member replaced.

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Proposal 17

ARTICLE No.: Article 9

SECTION No.: Section 1

Proposal (Type single spaced):

Section 1-Holidays

Add Employee's Birthday
Day after Employee's Birthday
Martin Luther king Jr. day
Veterans day

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Proposal 18

ARTICLE No.: ARTICLE 9

SECTION No.: SECTION 1

Proposal (Type single spaced):

ADD- The company will ensure that all employees choose their floating holiday and the company will not limit number of employees choosing to work their floating holiday on any given day.

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Proposal 19

ARTICLE No.: ARTICLE 9

SECTION No.: SECTION 2

Proposal (Type single spaced):

ADD to (c)- Tuesday through Saturday employees will have Tuesday off when a holiday falls on a Monday.

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Proposal 20

ARTICLE No.: Article 10

SECTION No.: Section 1,2 and 4

Proposal (Type single spaced):

Sick Leave

Change Section 1- from six(6) days paid sick leave to (10) days paid sick leave.

Change Section 2- After 4 months employment - 2 day
After 6 months employment - 2 additional day
After 8 months employment- 2 additional day
After 9 months employment- 2 additional day
After 12 months employment- 2 additional day

Change Section 4- From (6) days to (10) days

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Proposal 21

ARTICLE No.: Article 11

SECTION No.: Section 1

Proposal (Type single spaced):

Vacation Schedule

~~Change from 1 Years Seniority- 1 Weeks Vacation
2 Years Seniority- 2 Weeks Vacation
5 Years Seniority- 3 Weeks Vacation
15 Years Seniority- 4 Weeks Vacation
20 Years Seniority- 5 Weeks Vacation
25 Years Seniority- 6 Weeks Vacation~~

Change To 1 Years Seniority- 1 Weeks Vacation
2 Years Seniority- 2 Weeks Vacation
5 Years Seniority- 3 Weeks Vacation
10 Years Seniority- 4 Weeks Vacation
15 Years Seniority- 5 Weeks Vacation
20 Years Seniority- 6 Weeks Vacation
25 Years Seniority- 7 Weeks Vacation

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Proposal 22

ARTICLE No.: ARTICLE 11

SECTION No.: SECTION 5

Proposal (Type single spaced):

A tentative vacation list shall be posted by ~~October 1~~ September 1 for vacations for the following calendar year. Vacation picks will start on ~~November 1~~ October 1 and be completed and posted by ~~December 1~~ November 1. Vacations shall be selected for both the summer and winter vacation periods at the same time. During any vacation period the Company shall allow no less than ten percent (10%) of the eligible seniority employees off during each week. In the package driver classification the Company shall allow no less than Fifteen percent (15%) of the eligible seniority employees off each week between Memorial Day and Labor Day.

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Proposal 23

ARTICLE No.: Article 12

SECTION No.: Section 1 and 2

Proposal (Type single spaced):

Proposal forthcoming

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LOCAL UNION No.: 804

Proposal 24

ARTICLE No.: Article 13

SECTION No.: Section 1(b)

Proposal (Type single spaced):

(b) There shall be a free period, beginning ~~October 15~~ and ending January 15 the following year, during which no employee can qualify for seniority.

Free period should be from November 1 to January 15.
Free period wording should be changed on entire Supplement.

(1) Free period for the tractor trailer Department will begin on November 1 and end December 25 of the same year.

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LOCAL UNION No.: 804

Proposal 25

ARTICLE No.: ARTICLE 13

SECTION No.: SECTION 1

Proposal (Type single spaced):

Acquisition of Seniority

Change (a) ~~From 40 in 70 consecutive work day period.~~

Change to (a) 30 in 60 consecutive work day period.

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LOCAL UNION No.: 804

Proposal 26

ARTICLE No.: ARTICLE 13

SECTION No.: SECTION 1

Proposal (Type single spaced):

ADD new- (d) Seniority employees will be entitled to a hearing with the business agent before being denied promotion.

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SUPPLEMENT ONLY

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UNITED PARCEL SERVICE SUPPLEMENT ONLY

NAME OF SUPPLEMENT:

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LOCAL UNION No.: 804

Proposal 27

ARTICLE No.: Article 13

SECTION No.: Section 1(b)

Proposal (Type single spaced):

(b) There shall be a free period, beginning ~~October 15~~ and ending January 15 the following year, during which no employee can qualify for seniority.

Free period should be from November 1 to January 15.

Free period wording should be changed on entire Supplement.

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LOCAL UNION No.: 804

Proposal 28

ARTICLE No.: Article 13

SECTION No.: Section 6 (a)

Proposal (Type single spaced):

Add to (a) 3. Any new facilities that are opened after contract ratification will be assigned to existing seniority lists that will be mutually agreed upon by the company and the local union.

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Proposal 29

ARTICLE No.: Article 13

SECTION No.: Section 6(b) 2.

Proposal (Type single spaced):

2. Any tractor trailer driver whose assignment or job is discontinued shall have the option to select an open assignment within his/her current bidded location not to exceed (2) hours or more from drivers original bid. ~~the district.~~

4. If the number of assignments or jobs in a group is reduced, the reduction shall be made by ~~tractor trailer driver~~ seniority within that group. A group will include start times of (2) hours before or (2) hours after the assignment or job to be changed.

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Proposal 30

ARTICLE No.: Article 13

SECTION No.: Section 9

Proposal (Type single spaced):

Reduction of Staff- Full-Time Seniority Employee

11. In the event an employee elects not to accept or request a transfer, the employee may nonetheless elect to take the layoff (in which event the employee shall be considered a laid-off employee for lack of work for the purpose of unemployment compensation) or to take the work of a part-time employee, if any, for the duration of the lay-off. Such right may be exercised with respect to those part-time jobs which have employee who selects a permanent job performed by a part-time employee shall be paid at his/her regular rate in addition to all fringe benefits, rather than at the part-time rate, ~~with a minimum guarantee of four and one-half (4 1/2) hours. In the event the employee works more than five (5) hours in any shift, the employee shall be guaranteed eight (8) hours work or pay at such regular rate.~~

~~Such employees will also have the option to select the work of two (2) part-time employees. If the laid off full-time employee has completed a full-time progression he/she shall receive the prevailing top rate for an inside 22.3 employee. If the laid off full-time employee has not completed a full-time progression he/she shall receive the appropriate rate that is provided by Article 41, Section 3 of the National Master Agreement.~~

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LOCAL UNION No.: 804

Proposal 31

ARTICLE No.: Article 14

SECTION No.: _____

Proposal (Type single spaced):

TRACTOR TRAILER DRIVERS TO WORK AS
DIRECTED

A. Tractor trailer drivers will load, unload and sort as indicated by his/her normal schedule within the Local 804 jurisdiction only, taking into account the employees age and physical condition. in the various locations of the Company, without any interruption or interference of any kind with the Company's operations. However, in the event of unexpected volume or breakdown of equipment a tractor trailer driver's schedule may be changed.

B. Tractor trailer work shall include but not be limited to pick up and deliver either empty or loaded trailers at rail yards, airports, off-site pad areas, satellite facilities, and any other employer facility or Customer location.

C. Tractor trailer drivers shall balance any and all equipment at any of the employers locations inclusive of rail yards, airports, off site pad areas, satellite facilities and any other United Parcel facility or customer location.

Hub drivers on the Hub Drivers seniority list will not be laid off as a result of the use of the above clause.

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Proposal 32

ARTICLE No.: Article 18

SECTION No.: Section 1(c)

Proposal (Type single spaced):

(c) All Supplemental grievances which cannot be adjusted between the parties may be submitted for a binding determination upon written notice of either party to the other within ten (10) working days of the failure to agree under paragraph b. above, to the UPS/Local 804 Panel. The UPS/Local 804 Panel shall establish a minimum of two (2) calendar days each month for Panel hearings ~~except in December~~, on a yearly basis.

All grievances that cannot be resolved between the parties having to do with provisions of the National Master Agreement (NMA) shall be docketed for National Master Panel. see Article 8 of the National Master Agreement.

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Proposal 33

ARTICLE No.: ARTICLE 18

SECTION No.: SECTION 1

Proposal (Type single spaced):

ADD- Grievances under only national language will go directly to the national grievance panel.

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LOCAL UNION No.: 804

Proposal 34

ARTICLE No.: Article 18

SECTION No.: Section 4(a) Add(c)

Proposal (Type single spaced):

No Strikes or Lockouts

(a) The Union agrees that it will not cause or permit its members to cause strikes of any kind, stoppages, or any other interference with any of the operations of the Company during the term of the Agreement, so long as the Company abides by the procedure prescribed for the settlement of disputes and differences and the decisions of the Panel and arbitrators as provided in this Agreement. The Company agrees that there shall be no lockout during the term of this Agreement, so long as the Union abides by the procedure prescribed for the settlement of disputes and differences and the decisions of the Panel and arbitrator as provided in this Agreement.

(c) In the event of any violations by the Employer of this Supplemental agreement or upon failure of the Employer to meet with the Union to adjust a grievance when requested to do so, or to appoint members of the Grievance Panel or to strike names for the selection of an arbitrator or arbitrators, or failure to comply with any final decision of the Grievance Panel, then the Principal Officer or his/her designee and the Company Regional Labor Relations Manager or his/her designee shall meet within three (3) working days of written notice to attempt to resolve the dispute. Failing to agree, the Union at its discretion shall be permitted all legal and economic recourse (including the right to strike) The action taken by the Union in recourse or enforcement of its right shall not be arbitrable or reviewable by any tribunal.

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Proposal 35

ARTICLE No.: Article 18

SECTION No.: Section 1

Proposal (Type single spaced):

Remove- except December.

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Proposal 36

ARTICLE No.: Article 19

SECTION No.: Section 5

Proposal (Type single spaced):

Add to Section 5

No Shop Steward or alternate Steward shall be discharged or removed from the Job without a meeting between the Company's East Region Labor Manager and the Principal officer of the Local Union.

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**Teamsters Local 804
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Long Island City, NY 11101
718-786-5700**

SUPPLEMENT ONLY

LOCAL 804 CONTRACT PROPOSAL FORM



UNITED PARCEL SERVICE SUPPLEMENT ONLY

NAME OF SUPPLEMENT:

Local 804 and United Parcel Service Supplemental Agreement

LOCAL UNION No.: 804

Proposal 37

ARTICLE No.: Article 22

SECTION No.: Porter/Car Washer job

Proposal (Type single spaced):

Remove last paragraph

~~The Company shall have the right to subcontract porters and carwashers work as per past practice provided, however, such subcontracting does not result in the layoff of any Porter or Car Washer. (See National Contract Article 32).~~

Need to remove all outside non-union Porters and Car Washers in all of Local 804 Jurisdiction upon ratification of this agreement.

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Proposal 38

ARTICLE No.: Article 27

SECTION No.: Add Section 4

Proposal (Type single spaced):

The Company will develop a Package Car Training School

Add Section 4- Employees who are interested in qualifying as a Package Car Driver. Shall be allowed in Seniority order Provided they are on the Package Driver list to attend, on their own time, the Company training Program. Employees will be allowed to use Vacation, Sick days, optional paid holidays or request no pay to attend the Package Car training School.

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Proposal 39

ARTICLE No.: Article 28

SECTION No.: Section 2

Proposal (Type single spaced):

Section 2- Tachograph

~~Tachographs will not be used for the purpose of checking drivers' time schedules.~~

Add- Tachographs, GPS systems, or any other electronic tracking devices shall not be used for the purpose of checking drivers' time schedules and shall not be used as evidence against any driver for the purpose of discipline.

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Local 804 and United Parcel Service Supplemental Agreement

LOCAL UNION No.: 804

Proposal 40

ARTICLE No.: Article 28

SECTION No.: Section 4

Proposal (Type single spaced):

Add Section 4- The Employer will provide UPS brown socks to its employees. Who choose to wear shorts. The Employer will also provide appropriate rain gear to its employees.

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Proposal 41

ARTICLE No.: Article 28

SECTION No.: Section 5 Add New

Proposal (Type single spaced):

Add New- The company will have a 30 day time limit to verify and discipline an employee for any misinformation on their Employment application and any Motor Vehicle Report (MVDC) report.

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Proposal 42

ARTICLE No.: ARTICLE 29

SECTION No.: New Section 4

Proposal (Type single spaced):

ADD New Section 4- TAW jobs shall not displace any car wash or inside positions.

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Local 804 and United Parcel Service Supplemental Agreement

LOCAL UNION No.: 804

Proposal 43

ARTICLE No.: Article 33

SECTION No.: _____

Proposal (Type single spaced):

~~On-job supervision of employees shall not be used for purpose of harassing employees.~~

Add- On- job supervision of employees will not be used for purpose of disciplining or harassing employees. No more than 1 OJS ride shall be required with in a 12 month Period. OJS ride shall be 3 Consecutive days and shall be reviewed with the Management team, Shop Steward and employee.

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LOCAL UNION No.: 804

ARTICLE No.: MEMORANDUM **SECTION No.:** Page 267

Proposal (Type single spaced):

MEMORANDUM OF UNDERSTANDING UPS AND LOCAL 804

Remove the word ~~Feeder drivers~~
Replace with Tractor Trailer Drivers

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