

## ARTICLE 32 - REPRESENTATION

- 1 A. The representation for the effective handling of grievances and disputes between  
2 the parties under this Agreement shall be:  
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- 4 1. The Union will be represented by properly designated Union Representatives  
5 in each station, department or location. Union Representatives shall be  
6 allowed reasonable time required for authorized Union business during  
7 working hours, consistent with the needs of the service and shall be  
8 compensated for such time at their straight time rate. "Authorized Union  
9 business" is that relating to the investigation of grievances, disciplinary action,  
10 hearings, and grievance meetings with officials of the Company. The number  
11 of representatives, that confer with management at any one time on any issue,  
12 including meetings convened under the provisions of paragraph J, will not  
13 exceed the number of management employees present plus one (1) additional  
14 representative to act in the capacity of a scribe. In the conduct of such  
15 authorized Union business, the Union Representative shall notify his  
16 supervisor of his desire to leave his work place, the reason therefore, and shall  
17 notify his supervisor of his return. When it is necessary for a Union  
18 Representative to enter a department other than his own, as a courtesy he  
19 shall notify management, if available, of that department.  
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- 21 B. The Company will be represented by an authorized representative at each  
22 point/station/location, who will be empowered to settle all local grievances not  
23 involving changes in Company Policy or the intent and purpose of this Agreement.  
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- 25 C. The Union and Company will, at all times, keep the other party advised through  
26 written notice of any change in authorized representatives.  
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- 28 D. It is understood that officials of either party having responsibilities under this  
29 Agreement may delegate those responsibilities to another authorized  
30 representative.  
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- 32 E. International Officers, Accredited Representatives, or Local Officers of the Union  
33 will, at any time during regular working hours, have access to the premises of the  
34 Company where employees are located, for the purpose of investigating  
35 grievances for employees covered by this agreement or other matters directly  
36 connected with the operation of this Agreement and its procedures for the  
37 settlement of any dispute. As a matter of courtesy, notice of an intended visit will  
38 be given to the ranking Company official or his designated representative. A visit  
39 will be subject to such reasonable regulations as may be made from time to time  
40 by the Company, but the Company will not impose regulations that will render  
41 ineffective the intent of this provision nor impair the privacy of any conference  
42 necessary to accomplish the purpose of the visit.
- 43 F. All hearings will be conducted during regular day shift working hours. Union  
44 officers or representative(s), employee(s), and necessary employee witnesses

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45 shall receive their applicable rate of pay while handling grievances or attending  
46 hearings.

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48 1. When the Company conducts an investigation the Union Representative,  
49 employee, and necessary employee witnesses, shall receive their  
50 applicable rate of pay.

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52 G. No employee selected as an officer or representative of the Union will be  
53 discriminated against for lawful activity on behalf of the Union.

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55 H. Service records shall be maintained for all employees by the Company and upon  
56 resignation or discharge from the service the employee, upon request, will be  
57 furnished with a copy of same. In discharge cases, the employee and his Union  
58 representative will have access to the personnel records applicable to the case  
59 prior to the holding of any hearing.

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61 I. Union representatives will, upon request of the TWU Local President/IAM General  
62 Chairman, be assigned to a fixed shift and days off. The arrangements will be  
63 worked out at each station by that Union representative and the local manager.

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65 J. In meetings for the purpose of investigation of any matter which may eventuate  
66 in the application of discipline or dismissal, or when written statements may be  
67 required, or of sufficient importance for the Company to have witnesses  
68 present, or to necessitate the presence of more than one Company  
69 supervisor, or during reasonable cause or post-accident drug/alcohol testing  
70 as provided for in this Article, the Company will inform the employee, including a  
71 probationary employee, of his right to have Union representation present. If the  
72 employee refuses representation, the supervisor's record will reflect his refusal.

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74 K. At the start of a meeting under the provisions of this Article, the Company will,  
75 except in rare and unusual circumstances, indicate the reason that causes the  
76 meeting and then provide an opportunity for the employee and his Union  
77 Representative to confer for a reasonable period of time. Following that period,  
78 the meeting will be reconvened and continue until concluded by the supervisor.

79  
80 L. Employees covered by this Agreement who are interviewed by a Company  
81 Security Department representative as part of a Security Department  
82 investigation may, upon request, have a Union Representative present  
83 during the interview. If a local Union Representative is not readily available  
84 after the request, the Company's Security Department will not be required to  
85 wait for his availability before conducting its interview. However, the employee in  
86 that circumstance may request the presence of another Union represented  
87 employee (peer witness) to be present. The role of the Union Representative  
88 or peer witness will be that of a silent observer only. The Union  
89 Representative or peer witness may in no way interfere nor impede the  
90 Security Department's investigation and/or interview.

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- 91  
92 M. Employees who are required to take a reasonable cause or post-accident  
93 drug/alcohol test by the Company may, upon request, have a Union  
94 Representative present who shall not suffer loss of pay, as a witness during  
95 those parts of the specimen collection process indicated below.  
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- 97 1. In those stations where a local Union Representative is not readily  
98 available, the Company will delay the test for up to one (1) hour from the  
99 time the employee requests or is notified of his right to Union  
100 representation, whichever occurs first, in order to allow the first available  
101 representative to be present at the medical facility.  
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  - 103 2. If normal travel time to the medical collection facility exceeds one (1)  
104 hour, then the one (1) hour waiting period will be extended by the amount  
105 of travel time in excess of one (1) hour.  
106
  - 107 3. Only one (1) Union Representative will be allowed to accompany the  
108 employee to the medical collection facility and into the area where the  
109 medical collector opens the drug testing kit, completes the relevant  
110 paperwork, and secures the kit after completion of the collection process.  
111 The Union Representative will be allowed to witness the opening of the  
112 collection kit by the collector, the documentation of the chain of  
113 custody procedure by the collector and the employee, and the  
114 packaging and sealing of the kit for shipment following the collection.  
115 The Union Representative will not be allowed to accompany the  
116 employee or collector into the restroom.  
117
- 118 N. No Union Representative will engage in any activity, which disrupts the collection  
119 process. Should the Union Representative engage in disruptive activity, the Union  
120 Representative will be required by the Company's Supervisor to wait in the  
121 employee/patient waiting area until the collection process and paperwork has been  
122 completed.