

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

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MEMORANDUM

TO: LOCAL UNIONS: 41, 61, 135, 217, 397, 449, 480, 492, 519, 577, 600, 667, 710, 728,
745, 776, 878, 916, and 957

Walter A. Lytle, Central Region Freight Coordinator
Ernie Soehl, Eastern Region Freight Coordinator
Ken Bryant, Southern Region Freight Coordinator
Bob Paffenroth, Western Region Freight Coordinator

FROM: Tyson Johnson, International Vice President &
Director, National Freight Division

DATE: June 10, 2009

RE: ABF Freight Systems, Inc. – MR-CO-12-05/2009 Decision

Please be advised the ABF Freight Systems, Inc. Multi-Region Change of Operations, MR-CO-12-05/2009, was heard at the Sheraton Gateway Suites O'Hare on Thursday, June 4, 2009.

The Decision: Mr. Chairman, I move the Company's proposed change of operations be approved as modified, clarified and stipulated to by the company on the record with the following provisions:

1. The Company's proposed method of bidding by telephone, including the right to bid by proxy, is approved with the "Request To Participate In The Phone Bid" being posted on June 10, 2009, and the phone bid being conducted on June 22, 2009, and the implementation date being no later than July 13, 2009.
2. Gaining positions shall be bid on a pool basis and shall include both active and inactive employees. Eligible employees shall exercise their present bidding and layoff seniority dates for purposes of bidding and successful bidders shall be dovetailed on the applicable seniority list at the location they bid into based on their bidding seniority date.



3. Employees bidding into an Eastern Region location that has a single-line seniority practice (common road/local cartage seniority list) must remain in the classification they bid into for a one (1) year period, unless the next annual bid occurs at least nine (9) months following the date the transfer became effective.
4. Employees transferring into a gaining location where there are senior employees on layoff, such senior employee may not exercise seniority to displace the transferring employee, unless and until such time as the senior employee is recalled to active status for regular work opportunity by letter of recall, or the equivalent thereof, at which time the senior employee shall be dovetailed on the active seniority list based on his present bidding and layoff seniority date.
5. Employees who are on long-term disability (LTD) shall be allowed to participate in the bidding process and if successful, such employee is not able to claim his bid at the time of implementation because of the disability, that position shall be offered, on a seniority basis, to those employees at the losing location affected who did not have an opportunity to bid at the time of the original bid on a "hold-down" basis. Hold-down bidders shall be dovetailed on the applicable seniority list at the gaining location affected, based on present bidding and layoff seniority dates, but shall not be entitled to any lodging or relocation allowances provided under the terms of Article 8 Section 6 of the NMFA. Provided however, if it is determined the LTD employee will never be able to return to active employment and claim his bid the hold-down employee shall be considered as a successful bidder at the time of the original bid and be entitled to all of the provisions set forth in this decision. If the LTD employee is released to return to active employment and claims his bid, the hold-down employee will be given the opportunity to either remain at the gaining location and be given a new bidding and layoff seniority date as of the date the hold-down bid became effective or return to the location he transferred out of on a seniority dovetail basis.
6. Employees who do not have enough seniority to successfully bid any gaining location of their choice at the time of the original bid may elect to bid to "hold" for a location they were not able to bid and in the event there is need to add additional employees at that location during the window period, such additional positions shall first be offered, on a seniority basis, to those employees who had bid to hold for that location.
7. There shall be a 180 day window period during which employees who were not able to claim a gaining position at the time of the original bid shall be given preferential rights, on a seniority basis, to fill any additional positions that become available during the window period, ahead of employees on layoff at the location affected and/or new hires but behind employees who bid to "hold".

8. Employees who have been discharged and whose discharge is pending resolution under the terms of the NMFA and the applicable Supplemental Agreement shall be allowed to participate in the bidding process.
9. Employees who are on layoff shall be afforded work opportunity under the provisions of Article 3, Section 2, where applicable, and Article 5, Section 5 of the NMFA, on a system wide basis.
10. Employees transferring under this decision shall not have their earned vacation adversely affected and vacation entitlement shall be paid in accordance with the Southern Region "Letter of Understanding".
11. Health and welfare and pension contributions paid on behalf of employees relocating under this decision shall continue to be paid into the respective trusts such contributions were being paid immediately prior to the date the employee relocated.
12. Employees who are placed on layoff shall be afforded the opportunity to relocate under the provisions of Article 5, Section 5 of the NMFA and such opportunity shall be applicable to both road and CDL-qualified local cartage employees on a separate classification basis and shall be offered on a system wide basis. In addition, where applicable, employees shall be afforded work opportunities under the provisions of Article 3, Section 7 of the NMFA.
13. The Company's proposal to run triangular turn bids out of Harrisburg, PA and Dayton, OH is approved; provided however the number of such triangular dispatches shall not exceed 2 per day unless otherwise approved through a subsequent change of operations.
14. The request of Local Union 600 to end tail the laid off drivers at Cape Girardeau on the Local 600 St. Louis drivers seniority list is referred back to Local 600 and the Company for resolution.
15. The Committee shall retain jurisdiction of this decision for a period on one (1) year for the purpose of resolving any disputes that may arise relative to the decision.
16. Nothing contained in this decision is intended to be in violation of the terms and conditions of the NMFA or its Supplemental Agreements.

**Please acknowledge receipt of this notification by facsimile (telephone: 202/624-8722).
Thank you..**