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M. J. Dalton
Director
Labor Relations
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November 19, 2019

AG-CO-3

Mr. T. Owens, General Chairman
International Brotherhood of Electrical Workers
3620 Betty Lane
Knoxville, Tennessee 37931

Dear Mr. Owens:

This refers to our conversations concerning the variations between the IBEW Shop Craft and IBEW Communications START Policies due to the 2004 and 2005 revisions to the IBEW Shop Craft Policy. As a result of our discussions we agreed that in order to maintain consistency between the policies, the IBEW Communications START Policy would be amended to incorporate the same revisions that previously modified the IBEW Shop Craft Policy.

Please indicate your concurrence by signing in the space provided below.

Very truly yours,

M. J. Dalton
Director Labor Relations

Agreed:

T. Owens, General Chairman

START Policy Amendment

In order to enhance the effectiveness of the START Policy, the following modifications to the handling of minor and serious offenses under the Policy will become effective upon completion of an instruction class held at each major shop and/or division. The modifications do not affect the use of informal handling, the categorizing of offenses or the right of an employee to request a formal investigation.

There will be a one-year rolling period for minor offenses, and a two-year rolling period for serious offenses. Minor offenses occurring within the one-year period and serious offenses occurring within the two-year period prior to this policy amendment will be counted in determining the appropriate level of the offense. Offenses occurring outside these time periods will not be counted in determining the appropriate level.

Phase 1:

Employee development (12 months):

The first four minor offenses that occur within the rolling one-year period will be handled with alternative handling in the same manner as now.

- The employee and/or the general chairman, or his designee, must be contacted to schedule the alternative handling conference within three days of first knowledge of the occurrence.
- The union representative is very important to the process and encouraged to actively participate.
- The alternative handling session will involve training and education regarding the issue(s) involved in the violation. This will provide the supervisor an opportunity to foster leadership skills, and build and improve the relationship with the employee. The focus should be positive and educational.
- The alternative handling session will be confirmed in writing to the employee.
- A fifth minor offense committed within the rolling one-year period, will be considered a serious offense, and handled as such under the revised policy guidelines. If the employee does not commit a minor or serious offense during a subsequent two-year period, the employee will revert to having minor offenses handled with alternative handling.

Phase 1 (continued)

Repetitive Minor Violations:

If an employee commits the same minor offense a third time within a rolling one-year period, that offense and minor offenses committed thereafter will be considered serious offenses. If the employee does not commit a minor or serious offense during a subsequent two-year period, the employee will revert to having minor offenses handled with alternative handling.

Phase 2

Serious Violations (24 months):

Serious offenses will continue to be handled with formal discipline unless the supervisor in consultation with the local chairman deems alternative handling to be appropriate.

- In the event that formal discipline is assessed, the progression has not been changed and is as follows:

1 st serious	<u>MAXIMUM</u>	30 days deferred
2 nd serious	<u>MAXIMUM</u>	30 days actual
3 rd serious	<u>MAXIMUM</u>	dismissal

- In the event alternative handling is utilized, employees will be paid for one-half of the time they are engaged in activities such as training and education required by alternative handling.

START Policy Comparison

Old START Policy	New START Policy
Classification of Minor, Serious & Major Offenses	Remains the same
Employee Right to Investigation	Remains the same
3 days to schedule START conference	Remains the same
Alternative Handling for Minor Offenses	Remains the same
3 Minors within 3 rolling years = serious	5 Minors in 1 rolling year = serious or 3 Repetitive Minors in 1 rolling year = serious
Three Year Rolling Period for minor and serious Offenses.	One year rolling period for minor offenses. Two year rolling period for serious offenses.
After 3 minors, all minors within the 3 year rolling period are raised to the serious level. START incidents "drop off" after 3 years.	After 2 rolling years without a serious or minor offense, employees revert to alternative handling for minor offenses.
Formal discipline or alternative handling for serious offense at the discretion of the supervisor.	Remains the same
1 st Serious – 30 days deferred (maximum) 2 nd Serious – 30 days actual (maximum) 3 rd Serious – Dismissal (maximum)	Remains the same
Employees receive pay for one-half time engaged in training for serious offense.	Remains the same
Major offenses are only offenses that warrant removal from service and may result in dismissal for a single occurrence.	Remains the same

START POLICY

Quick Reference Guide - Questions & Answers

<p>What happens if an employee does not accept responsibility?</p>	<p>The employee has the right to formal investigation in accordance with the collective bargaining agreement, including minor offenses.</p>									
<p>Does a minor offense activate deferred time?</p>	<p>Alternative handling for a minor offense would not activate deferred time, but deferred time issued as a result of a formal investigation would.</p>									
<p>What are the probationary periods for deferred suspensions?</p>	<p>Deferred Suspension</p> <table border="1" data-bbox="958 903 1201 1333"> <tr> <td>5 days</td> <td>3 months</td> </tr> <tr> <td>10 days</td> <td>6 months</td> </tr> <tr> <td>15 to 29 days</td> <td>9 months</td> </tr> <tr> <td>30 days</td> <td>1 year</td> </tr> </table>	5 days	3 months	10 days	6 months	15 to 29 days	9 months	30 days	1 year	<p>Probation Period</p>
5 days	3 months									
10 days	6 months									
15 to 29 days	9 months									
30 days	1 year									
<p>What happens if a START session is not offered within 3 days?</p>	<p>Minor offenses will not be handled, and serious offenses may still be handled within the time limits of the appropriate Collective Bargaining Agreement.</p>									
<p>Will employees receive pay for Alternative Handling training and education time?</p>	<p>Minor Offenses Serious Offenses</p>	<p>Employees will not receive pay for training/education. Employees will be paid for one-half of the time they are engaged in activities such as training and education required by alternative handling.</p>								
<p>Can an employee who has entered Phase II handling due to an excessive number of minor offenses in one year return to Phase I handling for minor offenses?</p>	<p>Yes, if the employee does not commit a minor or serious offense during a subsequent two-year period, the employee will revert to having minor offenses handled with training/education.</p>									
<p>How are multiple violations detected during a rules check handled?</p>	<p>They should be treated as a single violation.</p>									
<p>Definition of repetitive offense:</p>	<p>Violation of the same rule multiple times during a one-year period. If the rule violated contains multiple sections, a repetitive violation would involve only the same section. For example, a violation of GR-13 (c) followed by a violation of GR-13 (g) would not be considered repetitive.</p>									
<p>Who should Supervisors and Local Chairman call if there is a question on where the charged offense fits into the policy?</p>	<p>They should make every effort to reach agreement. If they are unable to do so, they should pass the matter to the General Chairman and the DMMO or Shop Manager.</p>									

START POLICY

Quick Reference Guide

PHASE I - Employee Development MINOR OFFENSES (12 MONTHS)

Focus on alternative handling - training/education of employee

NON-REPETITIVE RECORD

How to handle a non-repetitive progression, when an employee violates a series of different rules:

1st minor	Training/Education
2nd minor within 1 year	Training/Education
3rd Minor within 1 year	Training/Education
4th minor within 1 year	Training/Education
5th minor within 1 year	GO TO PHASE II HANDLING - First Serious

REPETITIVE RECORD

How to handle a repetitive progression, when an employee violates the same rule multiple times:

1st minor	Training/Education
2nd repetitive minor within 1 year	Training/Education
3rd repetitive minor within 1 year	GO TO PHASE II HANDLING - First Serious

The employee and/or the local chairman must be notified within 3 days of first knowledge of the occurrence that a START session will be held or the offense may not be handled formally.

There is a one-year rolling period for determining the appropriate handling for minor offenses.

PHASE II SERIOUS OFFENSES (24 MONTHS)

Alternative Handling may be used if supervisor in consultation with the local chairman deems appropriate.

Follow progressive discipline standards assessing:

1st Serious:	NO MORE THAN 30 Days Deferred Suspension
2nd Serious:	NO MORE THAN 30 Days Actual Suspension
3rd Serious:	MAXIMUM OF DISMISSAL

Apply the Collective Bargaining Agreement provisions for scheduling and holding disciplinary investigations or offering waivers

There is a two-year rolling period for determining the appropriate handling for serious offenses.

MAJOR

Major offenses are those that warrant removal from service pending a formal hearing and possible dismissal from service for a single such occurrence if proven guilty.

Discipline up to and including dismissal may be assessed for a single occurrence. Waivers may be used for other than dismissal.

Apply the Collective Bargaining Agreement provisions for scheduling and holding disciplinary investigations or offering waivers