

### **Article 37 (9.5) Guidelines**

1. The "Opt In" List shall be maintained in the Center Manager's office.
2. If a driver has met the threshold outlined in Article 37 Section 1 (worked three (3) days over 9.5 hours in a workweek), he/she and their steward may meet with the manager and have their name added to the "Opt In" List.
3. Once added, they must stay on the list for five (5) months, excluding November and December. After the required five (5) month period, the driver's name will automatically come off the "List". They may have their name added back to the "List" if they meet the requirements outlined in (2.) above.
4. Once a driver's name has been added to the list, the Company will comply with Article 37.
5. Drivers on extended routes will qualify for relief under this article provided the Company can reasonably dispatch work to other drivers. **Note:** This constitutes no change from the 2002-2008 Contract as there was an understanding to this effect between the parties during those negotiations.

**These guidelines are effective immediately.**

Chair Rosentrater called Case N-467-08: Local 278 v. UPS, San Francisco, CA  
On behalf of Charles Lee, Union alleges a violation of Article 37, claiming that the Company continually working grievant more than nine and one-half hours (9½) per day three (3) days or more a week, multiple weeks beginning W/E 1/5/08.

**DECISION:** Based on the facts presented in this case, **Cover Drivers** that are not on the same route for an extended period (one (1) week or more) do not qualify for relief pursuant to Article 37.