



9.5 RIGHTS ENFORCEMENT FORM

This form was produced by Teamsters for a Democratic Union (TDU) to help UPS Teamsters enforce their 9.5 rights. Use this form to document any 9.5 violations and the steps you have taken to comply with 9.5 procedures. Do not turn this form into management. Keep it for your records so you have the documentation you need to enforce your rights. For more information, go to makeUPSdeliver.org or contact TDU at 313-842-2600.

INSTRUCTIONS TO MEMBERS

Article 37 of the contract provides you with protections if you are continuously worked more than 9.5 hours a day. TDU has produced this form to help you document 9.5 violations and enforce your rights. Exercising your 9.5 rights is a two-step process. It is critical to follow and document these steps. **Note:** Additional restrictions apply to Cover Drivers. Go to makeUPSdeliver.org for more information.

Step One: Use this form to document a single work week in which you worked three days over 9.5 hours. Go with your steward and inform the Center Manager that you want to be put on the Opt In list. Once you are on the Opt In list you will stay on the list for five (5) months, excluding Nov. and Dec. (Once five months have passed, excluding Nov. and Dec., you will be removed from the Opt In list and you will have to re-qualify by working three days over 9.5 hours in one work week and requesting to be put back on the list.)

You must already be on the Opt In list before you can proceed to Step Two and file a grievance

Step Two: Once you are on the Opt In list, use this form to document every time you work three days over 9.5 hours in a single work week. Follow the Step Two instructions below. Document your meeting with management and file a grievance if needed.

Name of member making report (Please print) _____ Phone # _____

Address _____ City _____ State _____ Zip _____

Center _____ Route _____ Date of Hire _____ Pay Rate _____

Fill out this form to document the days that you worked more than 9.5 hours on three or more days in one week.

Day	Date	Route	Start Time	Lunch	End Time	Hours Worked
Mon						
Tues						
Wed						
Thurs						
Fri						

DOCUMENT YOUR MEETINGS WITH MANAGEMENT

Step One: If you are not already on the Opt In list go with your steward to the Center Manager’s office and tell him/her that you want to be on the Opt In list. Use the section below to document that you will be added to the list for five months—and retain this form for your records. **You must be on the Opt In list to be able to file a 9.5 grievance.** If the manager refuses to add you to the Opt In list, document this fact and file a grievance.

Step Two: If you are already on the Opt In list, go with your steward to speak with the Center Manager to request that the company comply with Article 37 which calls for the company to adjust the driver’s work schedule and pay triple time pay for hours worked over 9.5 hours/day. If the Company agrees to pay for the violation, note the settlement here. If the Company does not agree, file a grievance. You can download sample grievance language at www.tdu.org/9.5samplegrievance

Name of Center Manager: _____ Date/Time of Meeting _____

Meeting notes (Use back if needed) _____

Result of Step One Meeting:

Member added to Opt In List for the following five months (Circle 5): Jan Feb March April May June July Aug Sept Oct

Note: 9.5 rights cannot be exercised in Nov. and Dec. These months do NOT count toward the 5-month period that the member is on the Opt In list.