

January 28, 2016

Via Electronic Mail & Certified Mail

Tom Cunningham
UWUA Local 304 President
2704 Wallace Pike
Lumberport, WV 26386-2704

Subject: Article XVII, Section 5

Dear Tom:

Recently, we had a discussion regarding your concern that a sentence had been omitted from the printed local 304 collective Bargaining Agreement. The Section in question reads as follows in the agreement:

Article XVII, Section 5. Supervisors

No supervisor shall act in other than a supervisory capacity except in emergencies. This is not intended to prevent a supervisor from protecting life or property, giving occasional or emergency assistance or performing work for the purpose of instruction, assessing employee requalification, checking or inspecting work already done by an employee, or performing work necessary to inspect or access equipment in preparation for work.

This section will also apply to an employee while he is assigned temporarily to the directive duties of a supervisor in his absence.

The Company is in agreement that the language should have been printed in the agreement with the additional sentence in the first paragraph as follows:

Article XVII, Section 5. Supervisors

No supervisor shall act in other than a supervisory capacity except in emergencies. This is not intended to prevent a supervisor from protecting life or property, giving occasional or emergency assistance or performing work for the purpose of instruction, assessing employee requalification, checking or inspecting work already done by an employee, or performing work necessary to inspect or access equipment in preparation for work. However, the primary function of a Supervisor is supervision and he is not to perform work, which will eliminate an employee or interfere with supervision.

This section will also apply to an employee while he is assigned temporarily to the directive duties of a supervisor in his absence.

As we discussed, we agree that the book will not be reprinted at this time, but acknowledge that the paragraph in question should include the new sentence. It will be included in the next printing of the CBA. If you have any questions regarding the above, please let me know.

Sincerely,



Martin J. Lucki III
Lead Negotiator

Cc: Mary Schulte