



UNION NEWS

Union Steward

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Approved for posting,

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Understanding Contractual Rights During Layoffs

When WARN layoff notices are handed out, this can be one of the most stressful times our members face. Enforcement of our contractual seniority provisions is very important to our Union.

But many members are not aware of their contractual rights or the layoff process. The process of issuing WARN/layoff notices takes into account many variables, that may be unknown until the date of an actual layoff, as things are continually changing. Contractual provisions to be aware of include:

Surplussing Procedure/Rights to Other Jobs

- Members have contractual downgrade and return rights to any job previously held (other than a temporary promotion) for 90 consecutive calendar days, including emergency classification during the preceding 8-year period (see 22.6, page 104). Make sure if you have been laterally transferred/reclassified or emergency classified into another job code for 90 or more calendar days, it is on your work history.

- Members impacted by surplussing in their current job also have downgrade rights to the next lower job title in their current job family or previously held job families, if their seniority will hold them (see 22.6, page 104).

- Members who have these return/downgrade rights will not receive a WARN in their current job if their seniority will hold them in one of their previous jobs. The member will move to the other job they have rights to on or before the surplus date.

- When the Company determines there are excess employees in a job title in Puget Sound, the order of surplus will be in reverse seniority of such job title at the primary location (Puget Sound wide) where the surplus has been declared (subject to retentions) - per 22.5, page 104. This results in a lot of movement within a job title as remaining employees are shuffled throughout Puget Sound to rebalance the work according to needs at each site.

- Boeing may use retentions to hold junior employees in a job (as defined in section 22.2-22.3 pages 102-103). The union is notified of the applied retentions on the date of layoff. These retentions will then be reflected on the updated seniority roster following an actual layoff (with an R next to the member's name). NOTE: In each round of contract negotiations, our Union has tried to reduce the percent of retentions allowed; however, the Company has not traditionally reached their contractual limit on retentions.

- Union Stewards have contractual rights and are not impacted by surplus (4.7d, page 15).

- Boeing has a right to downgrade or

lateral employees to other open jobs if their seniority will hold them. (Section 22.10, page 106).

- During a surplus action, if the Company offers a downgrade to either a lower labor grade in the same job family or in another job family regardless if you have rights to it or not and a member subsequently refuses the downgrade, the member could then be laid off at the discretion of the company. Members would retain recall rights (Category A rights) to the job they were surplussed out of, but they would not retain return rights to the job(s) they rejected even if they previously had rights to that job. (22.6, Pg 104).

- If a member accepts a downgrade, rather than a layoff, the member retains the rate of pay held just prior to the downgrade for a period of 90 days (6.3d, page 23).

Category A Recall Rights

- Once a member is surplussed out of their job, either by downgrade or layoff, they have Category A recall rights from jobs they were surplussed from or not allowed to enter if their seniority would not hold them. (22.1(a)(1), page 98). Length of recall rights are:

Seniority	Length of Recall
For less than 3 years	3 years recall
3 or more, but less than 5 years	5 years recall
5 or more years seniority	8 years recall

After surplussing action, members must file for their Category A rights through Worklife to be placed on the recall list and will only be considered for locations they indicate on their Category A filing (look for more information in our updated Facing Layoff brochure that will be available later in June).

Once layoffs occur, our Union will be diligent to ensure that the Company followed contractual requirements regarding seniority rights.

Layoff & Education Benefits

Members should also be aware of Article 23 - Layoff Benefits (page 117). Members with at least one year of company service (including employees laid-off because of declining a downgrade offer) will receive one week of pay (base rate plus COLA in effect on the date of layoff, but excluding shift differentials or other premiums) for each full year of Company service up to a maximum of 26 weeks. Members will have two choices of how to receive this benefit: income continuation or lump sum. **The Union advises DO NOT select lump sum because this will eliminate your seniority and recall rights.** If you are rehired and

elect the lump sum, you would start with zero seniority.

Layoff benefits also include up to six months of medical coverage for employees and dependents (or until you are eligible for other group coverage including Medicare). Members must pay their share of the monthly premium, the same as when they were active, to maintain the six months' medical coverage following layoff.

IAM 751 members laid-off from Boeing are entitled to contractual Education Assistance benefits – even if you go to work for another company. Currently, Education Assistance benefits for laid-off members are approved for \$3,000 per year. If you have less than one year at Boeing, you receive the EA funds for one year. If you have more than one year, you are eligible for three years of EA benefits after layoff.

Verify Your Work History Now

During times of surplus, an accurate work history is critical. Therefore, members at Boeing should order their work history now through Worklife to ensure it accurately reflects all jobs they have held. Members can only request their Work History report from inside the Boeing firewall while at work on a Boeing computer.

Members have return rights for up to eight years to any job they held for 90 or more consecutive calendar days (including emergency classification but excluding temporary promotion).

Members should not assume Boeing accurately captured their work history, as Stewards and Reps routinely help members correct errors. Members should print out and keep a copy of their work history, any emails regarding e-classification or lateral move memos for your own documentation.

Steps to Order Work History in Worklife

From inside the Boeing firewall (on a Boeing computer), sign into Worklife.

- Search Field: Type in Work History
- Select: HR Data Reports including Work History Report
- Select: HR Reporting & Analytics Work Intake Form
- Report Details - Select: People Data
- What type of report is being requested? Select drop down: Standard report
- What type of standard report is being requested? Select drop down: Work History
- Check the two boxes at bottom of form
- Select: Order now and complete the order confirmation
- Select: Checkout

You will receive an email confirmation once submitted. Your Work History will be sent to you via email with an attached pdf file of your Work History.