

ARTICLE VII

DISCIPLINE, SUSPENSION OR DISCHARGE

Section 1. Disciplinary Action

When a suspension, written reprimand, layoff or discharge of an employee is contemplated, the employee, where circumstances permit, will be offered an interview (s) to allow for answering the charges involved in the situation for which such discipline is being considered before being required to leave the plant. Employees who, for the purpose of being interviewed concerning discipline, are called to the plant, or removed from their work to the supervisor's desk or to an office, or called to an office, will be advised that they may, if they so desire, request the presence of their District Committee person to represent them during such interview.

Section 2. "Cooling Off Period"

The Union expressed concern that some disciplinary interviews escalated into confrontation because tempers flared. The Union suggested that in these situations a "Cooling Off" period would be beneficial to all concerned.

The Corporation and the Local Union agreed that contemplated discipline should be discussed in a calm manner allowing for an objective evaluation of the facts. In those situations where emotions preclude this from happening, the parties agreed that as a matter of practice and when possible such discussions should be postponed until such time that, in the opinion of Management, a constructive exchange of information could occur.

Notwithstanding the foregoing, the parties recognized that certain actions such as assault or other serious acts of misconduct would render the "cooling off" period totally inappropriate.

Additionally, it was mutually recognized that providing or not providing a "cooling off" period will be without prejudice to either party in the applications of any terms of the agreement and will not be cited or relied upon by an employee, the Union or Management on a basis for any claim.

Section 3. Disciplinary Procedure

Employees who have been disciplined by a suspension, layoff or discharge will be furnished a brief written statement advising them of their right to representation and describing the misconduct for which they have been suspended, laid off or discharged and, in the case of a layoff or discharge, the extent of the discipline. Thereafter, they may request the presence of the committee person for their district to discuss the case privately with them in a suitable office designated by the Local Management, or other location by mutual agreement, before they are required to leave the plant. The committee person will be called promptly upon such request. Whether called or not, the committee person will be advised in writing within one working day of 24 hours of the fact of written reprimand, suspension, layoff or discharge and will be given a

copy of the statement given to the employee. After a suspension has been converted to a layoff or discharge, the committee person will be notified in writing of the fact of layoff or discharge. The written statement furnished to the employee pursuant to the first sentence of this paragraph shall not limit Management's rights, including the right to rely on additional or supplemental information not contained in the statement to the employee.

- a) Employees will be tendered a copy of any warning, reprimand, suspension or disciplinary layoff entered on their personnel records, within three days of the action taken. In imposing discipline on a current charge, Management will not take into account any prior infractions which occurred more than twenty-four months previously. Further, Management will eliminate from an employee's record any infraction where there was a lapse of time of greater than 18 months between infractions provided the employee has not been on leave of absence the majority of the time between the infractions. Also Management will not impose discipline on employees for falsification of their employment applications after a period of twelve (12) months from their date of hire.

- b.) It is important that complaints regarding unjust or discriminatory layoffs or discharges be handled promptly according to the Grievance Procedure. Grievances must be filed within three working days of the layoff or discharge. Within two working days after a grievance has been answered by higher supervision, pursuant to the grievance procedure, the specific charge will be discussed with designated representatives of Local Plant Management, the Chairperson of the Shop Committee, or designated representative, and another member of the Shop Committee or the district committee person who filed the grievance. If the grievance is not resolved, Local Plant Management will review and render a decision on the case within three working days thereafter. In any event, Local Plant Management will render a decision on the case within 10 working days from the date the grievance is filed. If a Notice of Unadjusted Grievance is not submitted by the Shop Committee within five (5) working days of a decision of the Local Plant Management, the matter will be considered closed.

Section 4. Statement of Policy in Regards to Investigations of an Employee

In order to satisfy Management's obligation with respect to this section, Supervision has been instructed as follows:

- 1. Merely citing a shop or safety rule, policy or procedure will not be sufficient.
- 2. The reason will be stated in sufficient detail to leave no doubt as to the nature of the offense.

Section 5. Undercover Agents

The Corporation clarified their position that the use of undercover agents is limited to those instances where there is evidence of serious misconduct and the perpetrators must be observed by persons not readily identified as Management representatives. Further, the Union was advised that, in the future complaints regarding conduct of undercover agents and the quality of such service may be brought to the attention of the Director, Human Resource by the Vice President and Director of the IPS/General Motors Department, UAW.

Section 6. The essence of Managements' disciplinary responsibility lies in establishing respect for the rights of others by ensuring that employees comply with reasonable rules of conduct. In this regard, disciplinary action should be corrective, rather than punitive, in nature. In other words, in fulfilling your responsibility to maintain discipline, your objective should be to get an employee to correct his improper conduct, rather than to punish the employee as a result of this conduct. This approach goes to the heart of the philosophy of corrective discipline.

Management

Date 12-1-15

Union

Date 12-1-15

