

DATE: December 1, 2015

MEMORANDUM OF UNDERSTANDING

UAW

METALLURGICAL LABORATORY TECHNICIANS

LOCAL UNION #699

AND

SAGINAW SITE

NEXTEER AUTOMOTIVE

**MEMORANDUM OF UNDERSTANDING
METALLURGICAL LABORATORY TECHNICIANS**

MEMORANDUM OF UNDERSTANDING entered into this 1st day of December 2015, between Nexteer Automotive, Saginaw Site, hereinafter referred to as "Management" and Local 699 of the United Automobile, Aerospace, and Agricultural Implement Workers of America, hereinafter referred to as "the Union".

Whereas Management has agreed to recognize the Union as the collective bargaining representative of all-full time and regular part-time employees in Metallurgical Laboratory Technician assignments employed by Nexteer Automotive at its facility located at 3900 Holland Road, Saginaw, Michigan, excluding guards and supervisors as defined by the Act.

THEFORE, it is mutually understood and agreed that the following constitutes the local agreement applicable to the above mentioned employees. All issues pertaining to Metallurgical Laboratory Technicians will be dealt with in an MOU in the Saginaw Site Production Agreement or referenced to the appropriate current agreement stipulations for other UAW represented employees as they apply.

SENIORITY AGREEMENT

DESCRIPTION	PLANT/DEPT.
Metallurgy	Plt. 99, Dept. 13-1
Rubber Lab	Plt. 99, Dept. 13-2
Plastics Lab	Plt. 99, Dept. 13-3
Chemistry Lab	Plt. 99, Dept. 13-4
Sample Preparation and Salt Spray 99-13-6	Plt. 99, Dept. 13-5
Metallurgy	Plt. 3, Dept. 13-1
Metallurgy	Plt. 4, Dept. 13-1
Metallurgy	Plt. 5, Dept. 13-1
Metallurgy	Plt. 6, Dept. 13-1
Metallurgy	Plt. 7, Dept. 13-1

It is hereby understood that a Metallurgical Laboratory Technician's service date, for the purposes of temporary or permanent layoffs, shift preference, and transfers, will be based upon the employees' entrance date into the Plant Metallurgical Laboratory as a technician.

Metallurgical Laboratory Technicians will be laid off and recalled independently from all other classifications in the bargaining unit.

TEMPORARY LAYOFFS

A. Scheduled layoffs will be handled as follows:

1. When less than a full complement of Metallurgical Laboratory Technicians in a seniority group is required during such period, Metallurgical Laboratory Technicians who have not acquired Metallurgical Laboratory seniority will be the first to be laid off. They will be laid off in seniority order by Metallurgical Laboratory department: Central Met. Labs, 3, 4, 5, 6, and 7.

2. In the event more Metallurgical Laboratory Technicians apply to work in accordance with Paragraph B below than there are jobs available, the oldest service date Metallurgical Laboratory Technicians within each department who have applied will be retained.

3. In the event fewer Metallurgical Laboratory Technicians apply than are needed, those Metallurgical Laboratory Technicians who apply will be retained at work and in addition as may be necessary, employees, with more than one (1) year seniority will then be retained within each department in inverse seniority order.

4. In the event an unanticipated requirement arises during the layoff period, Metallurgical Laboratory Technicians working in the plant may perform such work. However, in the event laid-off employees are needed back at work before the scheduled end of the layoff period, employees will be recalled from among the applicants on layoff from the department in Metallurgical Laboratory Technician's service date order, or if there are none, from among the Metallurgical Laboratory Technicians laid-off in inverse Metallurgical Laboratory Technician's service date order from the departments within the affected seniority group.

- B. The applications indicating a desire to work, as used in this temporary layoff section, will be accepted during the month of December of each year and will be valid from January 1 through December 31 of the next year. An employee application must be to work in the employee's department. An employee becomes eligible to make application upon attaining one (1) year seniority. Eligible employees may make application or may cancel, in writing, an existing application at any time subsequent to the application period, with the understanding that such cancellations or applications will not become valid until one (1) week after they are submitted. During temporary layoffs covered under Paragraph A, applications will be considered within the seniority group by department across shift lines.

1. If an employee desires to return to work while on an inverse layoff, that employee must file an application to work, under B above, and the employee will be returned to the appropriate seniority group, by department, in accordance with A (1), (2), (3) when an opening occurs.

PERMANENT LAYOFF, REDUCTION IN FORCE, AND REHIRE PROCEDURE

When it becomes necessary to reduce the working force, the following procedure will

apply:

A. Layoff Procedure

1. When it becomes necessary to reduce the workforce, Metallurgical Laboratory Technicians will be moved out of their departments (99-13-1, 99-13-2, 99-13-3, 99-13-4, 99-13-5, 99-13-6, 3-13-1, 4-13-1, 5-13-1, 6-13-1, and 7-13-1) in line with their Metallurgical Laboratory Technician's service date provided the remaining employees are capable of doing the work.

2. Metallurgical Laboratory Technicians laid-off from their departments will then have their Metallurgical Laboratory Technician's service date checked on a Plant-wide and then Site-wide basis. If seniority Metallurgical Laboratory Technicians laid-off from one Metallurgical lab department have more Metallurgical Laboratory service than Technicians in another Metallurgical lab department, the longest service date Technicians laid-off will replace the lowest service Technicians working, provided they are capable of doing the work. Such placement will be made within a period of five (5) working days.

3. Metallurgical Laboratory Technician employees laid-off from their classification will be placed on production classifications in accordance with the local agreement, or will be given the option to waive their rights to such job assignment. Such option must be in writing on forms available at the plant. It is understood that any Metallurgical Laboratory Technicians who elect to waive their right to a production job in line with their seniority will not be re-employed until work is available in the Metallurgical Laboratory Technician classification in which the employee was employed at the time the employee exercised the option. At such time as work is available in that classification, the employee will be recalled in line with the employee's Metallurgical Laboratory service date. However, after six (6) months the employee may revoke the employee's waiver and will be rehired in line with the employee's site-wide seniority date or Metallurgical Laboratory Technician's service date, whichever is longest, to fill a job opening created by the need for more employees at the site, provided the employee is capable of doing the work. In the event job openings occur at the Site that require additional production employees, Metallurgical Laboratory Technicians who are on permanent layoff may be recalled without regard to their waiver status to fill open production jobs.

B. Recall from Layoff

1. The employee will be transferred to the shift for which the employee has made application, provided the employee has a Metallurgical Laboratory Technician's (plant met lab) service date greater than the person the employee seeks to replace.
2. It is agreed that employees may be assigned to any shift for the purpose of being trained for a job.
3. In the event it is found that certain employees with a greater Metallurgical Laboratory Technician's service date are needed on any shift, it is agreed that such employees will work on the shift on which they are needed so long as their services are required, or until such time as employees with a lesser Metallurgical

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Shift Preference Groups

A. Once each four (4) months, except as otherwise provided herein, (plant met lab) seniority employees may make application for transfer to another shift in the same shift preference group in which they are working at in the same classification. The shift preference groups referred to above are as follows:

It is agreed that the following provisions shall not conflict in any way the principle that this agreement pertaining to shift preference must have sufficient flexibility to give full protection to efficiency of operations under all circumstances and conditions. Further, the parties agree that the intent of the Local Shift Preference Agreement is for a person-for-person trade.

SHIFT PREFERENCE

1. Metallurgical Laboratory Technicians who have been laid-off under this Agreement will be rehired in line with their site-wide seniority to fill job openings created by the need for more Metallurgical Laboratory Technicians at the site provided they are capable of doing the work.

Laboratory Technician's service date is available for replacement. They will be returned to their former shift, and in any event not later than thirty (30) days from the date of initial transfer, seniority permitting.

4. The respective Shop Committee person will be notified of any employee moved under the Shift Preference Agreement but failure to do so will not form the basis of or be cited in any claim for liability on the part of Management.

5. It is not Management's intent to apply this provision in such a manner as to prevent eligible shift preference applicants from exercising their shift preference. Further, when employees with more seniority are needed on another shift, Management should, when considering employee availability and qualifications to do the job in question, also consider seniority when more than one (1) employee is available and qualified.

6. When a temporary assignment to another shift of an employee is required, Management will give consideration to employees who volunteer for such vacancies in a fair and equitable manner. When no volunteer exists, the employee with the lowest seniority capable of doing the job will be assigned.

7. Changes in shift at an employee's request for a limited time will be permitted in emergencies, or for special occasions, when it is agreeable to the employees involved and the team.

OVERTIME

Equalization of Hours

In line with the administration of this Agreement, the following will apply:

Overtime will be equalized as far as practicable between ME22 employees in the same plant, department, and shift.

It is understood that the above provisions will not form the basis for any liability on the part of management.

FILLING ME22 JOB OPENINGS

Valid Applications to fill job openings will be considered in the following order:
+ The Metallurgical Laboratory Technician applicant with the highest service date within the same plant who have applied

- Bachelors Degree in technical area.
- Materials or metallurgy experience or courses.
- Ability to assist in the development of new tests and / or procedures based on understanding of customer requirements and material behavior.
- Able to draw conclusions from test results and take appropriate action.

Desired Skills are as follows:

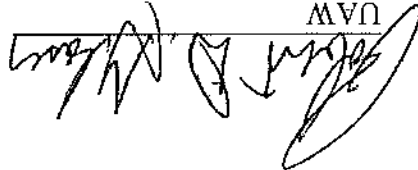
- High school diploma or recognized equivalent
- Advanced education in technical area, math calculations, chemistry, physics, and Metallurgical skills.
- Familiarization with operating instrumentation / test equipment for metallurgical / chemical laboratory analysis using ability to run computer controllers
- Basic computer skills
- High level of motivation and initiative
- Ability to work well with others
- Good written and oral skills
- Analytical ability
- Positive, professional attitude – customer focused
- References

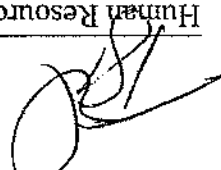
Employees who meet the above listed attendance and infraction criteria who are also found to be the highest qualifying candidates based on the necessary skills found below will have first consideration for the opening into the Metallurgical Laboratory.

The records of employees who make application to openings in any Metallurgical Laboratory Technician Department will be reviewed prior to application. Employees who currently have more than 5 attendance points may be rejected. Employees with more than two (2) "2" codes or one (1) "U" code or one (1) "R" code or one (1) "8" code or one (1) "3" code may be rejected. Employees with any written infractions may be rejected.

SELECTION CRITERIA

2. The Metallurgical Laboratory Technician applicant with the highest service date from another plant at the Saginaw site.
3. A qualified hourly employee with a valid application in for the Metallurgical Laboratory.
4. A non-Metallurgical Laboratory candidate.


UAW


Human Resources

If either party desires to cancel, modify or change this Agreement, it shall be at least sixty (60) days prior to the date when it proposed that such cancellation, change or modification becomes effective give notice in writing of the proposed cancellation, change or modification. The other party, within ten (10) days after receipt of said notice, shall either accept or reject the proposal or request a conference to negotiate the proposal.

CANCELLATION AND/OR MODIFICATION

The parties recognize the desirability of maintaining the integrity of this agreement. Therefore, it is understood that no agreement, understanding or interpretation will be entered into which will supersede, conflict or modify any provisions of this Agreement. Deviations from the above provisions can be made by mutual agreement between the Shop Committee and the Site Manager of Industrial Relations.

INTEGRITY OF AGREEMENT

An Employee Training Matrix with jointly developed criteria, which identifies all of the required job duties, will be established. This Training Matrix will be used to track the proficiency in job duties of each new employee entering the MB22 classification

PROFICIENCY

All records will be turned into the Training Department and Management will evaluate each probationary employee at least once every thirty (30) days. This will be done for either satisfactory or unsatisfactory progress discussions. When Management contemplates the need to remove an employee from the above classifications, wherever possible, they will notify the Shop Committeeperson thirty (30) days prior, but in any event far enough in advance to discuss the evaluation of said employee before any action to remove the employee is taken. Additionally, Management will provide the Shop Committeeperson with the employee training matrix.

Employees may be removed from the Metallurgical Laboratory Technician departments if employees are unable to attain proficiency within 90 days from entry into the department, based upon Management evaluation. Employees removed within 90 days from entry will be returned to the plant, department and classification in which the employee was working in immediately before entering a Metallurgical Laboratory Technician department.

REMOVAL CRITERIA