



TENTATIVE ABF NMFA HIGHLIGHTS

The Teamsters National Freight Industry Negotiating Committee (TNFINC) has reached a tentative new National Master Freight Agreement with ABF Freight to succeed the current ABF NMFA expiring on June 30, 2023. This tentative agreement is the result of months of hard work by a dedicated negotiating committee made up of more than 40 dedicated and experienced union officials and rank-and-file members from all over the country. That committee has endorsed and approved this tentative agreement.

The tentative 2023-2028 ABF NMFA contains significant economic and non-economic improvements for the members employed by ABF. Some of the improvements are the following:

- **Wage Increases:** A \$3.50 per hour (8.75 cents per mile) raise immediately on July 1, 2023. And a total of \$6.50 (16.25 cents per mile) in raises over the life of the five-year agreement. **Note:** The first year alone increases wages more than the entire five years combined in the last contract (\$3.50 vs. \$2.00).
- **Additional Paid Holiday:** MLK Day was added as a new paid holiday.
- **Additional Sick Days:** Starting January 1, 2024, two additional annual paid sick days will be added to the minimum contained in Article 38. The minimum number of paid sick days will go from 5 to 7.
- **Health, Welfare & Pension Contribution Increases:** The company is required to stay in the same plans in which it currently participates with the following increases to rates to be split as directed by the Union-side supplemental negotiating committee. The contribution increases are as follows:

*For 2023 \$0.83; for 2024 \$0.63; for 2025 \$0.80; for 2026 \$0.99; and for 2027 \$1.21. The total over the term of the agreement is \$4.46 per hour of additional contributions. **Note:** These increases are higher in every year than under the prior agreement. In fact, most Health and Welfare Funds actually need fifty cents or less. The numbers represent the rates requested by TeamCare with the first two years being "hard" numbers and the last three years being "not to exceed"*

rates. In all likelihood, TeamCare will not require the entire "not to exceed" rate and the difference can be put in the Central States Pension Fund. In the non-TeamCare areas, the difference from the actual H&W payment and the above-figures can be diverted to the applicable pension fund.

- **Penalty Pay Improvement:** Minimum penalties for pay shortages were established in Article 17 of the National Master for the first time. If supplements have greater protections for the member, however, those greater provisions shall prevail.
- **Enhanced Road Driver Protection:** The "red-circle by name" protection for road drivers from the use of purchased transportation ("PT") has been removed so that all road drivers are now protected and additional protections were added as well. For example, the following language was added to the preexisting protections in Article 29, Section 6:

Regardless of any additional restrictions on the use of PTS, the Company shall not use PTS out of any location if any road drivers at that location are on layoff or not receiving the equivalent of a forty (40) hour guarantee in that location.

- **COLA:** The COLA provision is now uncapped. It previously was capped at five cents when it triggered.
- **FMLA:** FMLA leave rights will apply to all locations regardless of the size of the operation.
- **Protections Against Inward-Facing Cab Cameras:** The tentative agreement adds prohibitions on the use of inward-facing cab cameras, audio recorders, and body sensors in vehicles. The new language is contained in Article 26 and provides:

TENTATIVE ABF NMFA HIGHLIGHTS

...the company agrees that it will not, for the purpose of monitoring or recording in cab activity, or any other purpose, use inward-facing cameras, audio recorders, body sensors, or biometric technology in vehicles operated by bargaining unit employees. In vehicles that are equipped with inward-facing cameras, such equipment shall be covered or otherwise rendered inoperable and will not be used for monitoring or recording cab activity.

- **Protection Against Driverless Trucks:** The parties agreed that the company cannot use autonomous vehicles, robots, or vehicles that transport freight without a driver or operator without the written consent of TNFINC and, even then, such technology cannot result in the layoff of unit personnel or a reduction in the overall number of bargaining unit positions. The language is in a letter agreement and provides in relevant part:

The parties agree that for the term of the current bargaining agreement, July 1, 2023 to June 30, 2028, the Employer will not use robots, autonomous vehicles, or vehicles that transport freight without a bargaining unit driver or operator unless the parties mutually agree in writing otherwise and the use of such technology does not result in the layoff of bargaining unit employees or reduces the overall number of bargaining unit positions.

- **Supplemental Agreements:** Most supplements obtained numerous improvements. For example, many supplements obtained improvements in bereavement leave, meal allowances, and the ability to split vacations into individual days. Additionally in the Central and Southern Regions certain protections were added for employees who do not trigger a weekly health contribution but who become injured or ill prior to the "Third Punch." In the Central Region another significant improvement was the fact that road drivers no longer are required to give a free hour at meet and turn points where they are forced to wait and now receive pay after 30 minutes.

- **New non-CDL "Box Truck":** The parties were creative and established a new non-CDL "box truck" position that is primarily for the purposes of recapturing overflow work from contractors and third parties and, instead, have bargaining unit Teamsters perform the work. The new box truck position, however, cannot be used to replace city pick-up and delivery or local cartage drivers or to avoid filling CDL positions.

- **Attempted Takeaways Defeated:** In addition to the many improvements, the union committee was able to defeat several attempted company take-aways. Some of the company's attempted take-aways included:

- 1) *increased use of purchased transportation and rail;*
- 2) *a two-tier wage system that would have prevented certain new hires from ever reaching the top rate;*
- 3) *a uniform national point system attendance policy;*
- 4) *a gutting the Article 6 maintenance of standards provisions;*
- 5) *demands for little to no benefit contribution increases whatsoever;*
- 6) *reductions to hostler work;*
- 7) *demands to establish permanent non-CDL dock only positions at every location.*

The company maintained many of these proposals until the final days when they finally dropped them. The union held its ground and made it clear that the members would not accept concessions and that any new agreement needed to address the members' priorities. The committee believes that this agreement accomplishes that and more. The 2023 ABF NMFA will be submitted to the members for a secret ballot ratification vote. Balloting will be conducted in person locally by each local union.