

## DISCIPLINE

### RULE 40

- (a) No employee shall be disciplined without first being given a fair and impartial investigation, unless such employee shall waive formal investigation, in writing, and accept dismissal or other discipline. If the employee requests to do so, such employee will be permitted to consult with and/or have present an accredited representative of the craft before signing a waiver to accept dismissal or discipline.
- (b) Suspension, for flagrant rules violations, pending an investigation shall not constitute a violation of this Rule.
- (c) Formal investigation, when accorded under the provision of this rule, must be convened within 20 calendar days (30 such days if the employee(s) is not suspended) from the date on which the Company has factual knowledge of the occurrence to be investigated. A decision shall be rendered within 20 calendar days (30 such days if the employee(S) is not suspended) after the investigation is concluded. Those time limits may be extended or suspended in individual cases, by mutual agreement, at any time.
- (d) The employee(s) of alleged to be at fault shall be apprised of the precise nature of the charge sufficiently in advance of the time set for the investigation to allow reasonable opportunity to secure the presence of necessary witnesses.
- (e) Employee's involved in a formal investigation may be represented by themselves or, if they so desire, by a duly accredited representative of their crafts and one member of that crafts Shop Committee, only one of whom may interrogate witnesses.
- (f) 1. Employees called by the Company to act as witness in investigations shall do so without loss of pay from the regular assignment. If required to report outside of the regular assignment, they shall receive straight time rate, from time reporting at the designated location, until released. If required to leave their headquarters point, they shall be paid at the straight time rate for time spent traveling to and from the city or town where the investigation is held and shall be reimbursed for actual necessary expenses for meals, traveling, and lodging.
2. Employees not called by the Company to act as witness, but requested by the employee involved in the investigation, shall, upon request of the employees or their representative, be notified, by the Company, of such request and granted permission to be absent to testify.
- (g) A copy of the transcript of the evidence taken at the formal investigation shall, within a reasonable time, be furnished the employee and the individual's representative, if any.
- (h) Formal investigations and conferences pertaining to matters covered by this Rule will be held during regular first shift working hours without deduction for time spent in such

investigations or conferences by accredited representatives and the employee(s) charged. Such employee(s) shall not be compensated for any time outside of their regular assigned working hours.

(i) If the final decision shall be that an employee has been unjustly suspended or dismissed from service, such employee shall be reinstated with seniority rights unimpaired and compensated for the net wage loss, if any, resulting from said suspension or dismissal. With a valid receipt, such employee shall also be reimbursed for any premiums paid, to maintain hospital association membership as provided in the rules of the respective hospital association's (but in no greater sum than the amount the Company would otherwise be required to pay the hospital association under provisions of Travelers Group policy contract GA--23000), and/or to obtain and maintain coverage available to the employee under group policy GA--23111 issued by the Travelers insurance company.

(j) The provisions of this rule may be reconsidered at any time upon request of either party without serving the required notice for general revision of Agreement, but this does not bind either party to agree to any change in these provisions.