

May 7, 2004

Amtrak's Comprehensive Settlement Proposal to BMW

Wages

Upon ratification 3%

7/1/04 3%

10/1/04 3%

\$75.00 health and welfare cost sharing upon ratification estimated at 43 cents an hour straight time

Health and Welfare

see attached sheet, slight general benefit improvements and significant benefit reductions along with prescription drug co-pay increases and some

Work Rule Concessions

see attached sheet - 19 changes, some draconian, all concessionary

Highlights of TCU Health and Welfare Concessions

- * Under the managed care plan (MMCP), the co-payment for an emergency room visit will be \$50 unless the participant is admitted to the hospital in which case it will be waived.
- * Employees who have managed care networks (MMCP plan) available where they live, who choose to enroll in the comprehensive/indemnity plan (CHCB), will be covered at 75% instead of the current 85%, until the Out of Pocket Maximum is reached.
- * The annual deductibles for the MMCP plan when participants use medical providers who are not in-network will increase to \$200 per individual and \$600 per family.
- * Medical Plan coverage for employees who become disabled shall end 24 months following the month in which the employee last received compensation. This change would penalize our members who are at a point in their lives when they most need health care and eliminate at least one year in benefits for our disabled members. This change could literally kill some of our members.

Aug 7, 2004
Amend proposal
A-13080

H&W – TCU Settlement

- CHCB to include one routine physical examination (including diagnostic testing and immunizations in connection with such examination) each calendar year for covered employees and eligible dependents. Cover 100% of the Covered Expenses involved up to \$150, and 75% of such Eligible Expenses in excess of \$150. Eligible Expenses include amounts up to reasonable and customary or the applicable PPO fee schedule.
- In addition to the Plan's existing coverage for speech therapy, such therapy will be a Covered Expense under the CHCB and the Plan's MMCP, when given to children under three (3) years of age as part of a treatment for infantile autism, development delay, cerebral palsy, hearing impairment or major congenital anomalies that affect speech.
- PKU blood tests will be a Covered Expense under the MMCP and the CHCB when given to infants under the age of one in a hospital or on an out-patient basis.
- The MMCP will not require a co-payment with respect to any visit to a physician's office solely for the administration of an allergy shot.
- The Plan's Prescription Drug Card Program co-payments per prescription are revised as follows: (i) Generic Drug - \$5.00; (ii) Brand Name Drug - \$10.00. The Plan's Mail Order Prescription Drug Program co-payment is revised as follows: Generic Drug - \$10 and Brand - \$15
- Examine regional HMO's for MMCP gaps.
- Reduce CHCB coinsurance from 85% to 75% for those who live in managed care areas, but only 60% if a required notice to Care Coordinator/Patient Management is not given or if Care Coordinator/Patient Management determines that the service or supply involved although a covered Health Service is not Medically Appropriate.
- Increase Ind./Family out of network deductibles under MMCP to \$200/\$600.
- Employee contribution rates set at \$50 per month effective 10/01/03 and \$75 per month effective 10/01/04. Pre-tax accounts will be established for the contribution amounts. Effective 07/01/05, adjustments to the COLA will be made as follows:
 - It is understood that up to half of the COLA each time, July 1, 2005 and every 6 months thereafter, can be used to offset 50% of the yearly per employee increases in AMPI.AN based on the previous year's per employee base. Any portion of the prior year 50% increase not previously offset will be carried over to be met by future COLA's subject to the 50% cap at any one time.
- Under the MMCP, the co-payment on behalf of a participant or beneficiary with respect to any visit to a hospital emergency room shall be \$50. Except, however in those instances where the participant or beneficiary is admitted to the hospital such co-pay is waived.

- Medical plan coverage for employees who cease to render compensated service after the date of this agreement as a result of disability due to illness or injury; or who become disabled before coverage as a furloughed, dismissed or suspended employee ends; shall be changed to end on the earlier of the following: the date the disability ends or at the end of the twenty-four (24) month period following the month in which the employee last received compensation.
- During a prescribed election period preceding October 1, 2003, and preceding each January 1 thereafter, an employee whose spouse is also a covered employee under the plan, may elect to forego coverage as an eligible employee. Such employee will not be required to contribute monthly payments to the plan as described in this section and shall be treated for coverage purposes as an eligible dependent of the spouse who retains coverage as an eligible employee. If the employee retaining coverage as an eligible employee should lose such coverage during the calendar year, the spouse, if still an employee, will automatically revert to an eligible employee and will be required to make the monthly contribution.

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A-13080

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Work Rules

- Provide for bi-weekly pay through direct deposit
- Establish a General Training/Examination Rule
- Provide for restoration of status quo following emergency force reductions
- Eliminate the May 12, 1976, Platform Truck Agreement, and establish a new Classification of Lineman/Catenary Car Operator with a rate to be determined
- Modernize Electric Traction Work Zones
- Provide for elimination by attrition of Relay Electrician
- Provide that employees filling temporary vacancies will be considered automatic bidders for such assignment
- Amend the Assignment Rule to provide that when no bids are received for advertised positions, the junior employee holding seniority in the class working in a lower class in the work zone will be assigned. If no such employee available, Amtrak may assign the junior qualified employee in the work zone working in a lower class, not possessing seniority in the class.
- Amend the Work week rule to provide that 3 X 12 gangs may be established with any consecutive work days, including work weeks of Friday, Saturday and Sunday or Saturday, Sunday and Monday. Incumbents shall receive 40 hours pay provided they work all advertised hours of the assignment (36 hours).
- Modify existing rules governing rest days as may be necessary to permit weekend coverage at the straight time rate.
- Modify existing starting time restrictions to permit starting times to cover morning rush hour.
- Amend existing rules to provide that overtime shall be paid only after 40 hours worked.
- Modify existing Bridge Rehab. Gang Rule to contain the same provisions as Rules 90 A, B and C, and permitting such gang to perform any capital improvement work deemed appropriate.

- Provide that assembly points may be established for certain production gangs where parking at the lodging facility is impractical
- Provide that consistent with operating conditions, the advertised shift of a gang may be changes under the following conditions:
 - 72 hours advance notice
 - Change shall not exceed 30 days in duration
 - Not more than 2 such changes per year for any one gang
- Modify the Discipline rule to encourage informal handling and to expedite the handling of absenteeism and D&A cases
- Modify existing rules to eliminate payments to employees while withheld from service pending investigation.
- Require employees to work the entire tour of duty preceding, on and following holidays in order to qualify for holiday pay
- Eliminate contracting out restrictions