

**AUTOMOBILE TRANSPORTERS COMMITTEE DECISION FORM**

DATE: July 29, 2008

**COMMITTEE:** National Joint Standing Seniority

**CASE NO:** NJSSC-07-08-674

**UNIONS:** 89 (Louisville) and 299 (Detroit)

**EMPLOYERS:** Jack Cooper Transport Company and Active Transportation

**RE:** Joint request for determination of seniority rights of affected Active Transportation drivers to transfer to Jack Cooper Transport Co., Inc. as a result of Ford reassigning business out of the Kentucky Truck Plant

**EMPLOYER COMMITTEE**

James D. Osmer, Co-Chairperson  
Robert Hutchison  
James Walker

**UNION COMMITTEE**

Paul Houck, Co-Chairperson  
Jimmy Neal  
Earl Walker

**DECISION:**

Based upon the facts and evidence presented, the Committee finds Article 5, Section 5(a) of the National Agreement applies to this transaction. Accordingly,

1. 114 Active Transportation drivers and 6 Active Transportation releasing employees will be offered the opportunity to transfer to Jack Cooper Transport pursuant to the provisions of Article 5, Section 5(a).
2. The Active Transportation employees electing to transfer to Jack Cooper Transport will be placed on a new driver seniority list and a new releasing seniority list, respectively. They will retain their existing Active Transportation terminal seniority date and their existing Active Transportation company seniority date for fringe benefit purposes with Jack Cooper Transport, but will be given a new company seniority date for all other purposes.
3. After the bidding is completed, Active Transportation employees remaining on lay off, if any, shall be entitled to the seniority rights contained in Article 5, Section 5(b). In the event any Active Transportation employee accepts employment under this decision with Jack Cooper, Active Transportation shall have no further seniority obligations to such employee.

