

Memorandum of Agreement

Safe Load Limit

This agreement between the Communications Workers of America (the Union) and BellSouth Telecommunications, LLC (the Company) outlines the understanding reached by the parties during Bargaining in regard to the attached policy.

1. Scope

The safe load limit is the certified maximum amount of weight that a piece of equipment can sustain at a given time without danger or hazard to the operator. Affected equipment includes, but is not limited to ladders, bucket trucks, climbing belts, climbers, lanyards, safety straps and various types of lifts.

2. Weight Limits

- A. Field technicians and central office employees whose weight exceeds 325 pounds dressed in work clothes cannot use equipment with a safe load limit of 350 pounds or less. This applies to all positions, regardless of job title, where job assignments require climbing ladders, poles or working aloft.
- B. Employees, whose work requires the use of any equipment with maximum load limits, cannot exceed those limits in work clothes plus any required tools or materials.

3. Guidelines

Internal applicants will be weighed when the position for which the candidate is being considered has a limitation on the candidate's maximum weight to meet the safe load limits.

- A. Employees should be advised of the expectation of always maintaining the weight established by this Safe Load Limit Policy.
- B. The supervisor/manager is responsible for ensuring employees work safely. This includes ensuring employees do not exceed equipment safe load limits. Employees are responsible for ensuring they work safely, maintain weight consistent with this policy and should immediately report to their supervisor/manager if they suspect they are above the weight established by this Safe Load Limit Policy.
- C. Employees are subject to being weighed within 30 days of their initial employment, at least annually and at any given time if they are in a Safe Load Limit job position.
- D. If a manager is concerned that a new/transferred employee may be over the weight established by this Safe Load Limit Policy when they report to work, they should be weighed as soon as possible.
- E. If an employee's measured weight is above 320 pounds, or for other lawful reasons determined by the Company, management will select a healthcare facility and the employee will report there to be officially weighed. If an employee or the Company challenges the weigh-in by the healthcare facility, the Company will select another healthcare facility for another weigh-in, at which time a manager may be present. The employee may challenge the weight by notifying their supervisor/manager before the end of the calendar day following the weigh-in via phone call, voicemail, email or text.

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In either case, the weight indicated will be the employee's official weight for purposes of this Policy.

- F. An employee who exceeds the weight established by this Safe Load Limit Policy will be referred to a vendor who will create a weight loss timetable for the employee to come into compliance with the weight limit. Until such employee meets the weight established by this Safe Load Limit Policy they will be placed on modified duty and prohibited from using the equipment. If the employee fails to obtain a weight at or below the weight established by this Safe Load Limit Policy in the defined timetable, it will result in a 60 day time period in which the employee may seek another position not subject to this Safe Load Limit Policy. If the employee does not secure a job that they are qualified and able to perform or meet the weight established by this Safe Load Limit Policy within 60 days after the defined timetable, they will be separated from employment without termination pay. If the employee secures a vacancy which has a report date later than the end of the 60 day period, the employee will remain on modified duty and be prohibited from using the equipment. If an employee is able to meet the established weight within the timetable or the 60 day period, they will remain in their current title.
- G. If after an employee has successfully completed the safe load limit requirement program for the second time but is subsequently weighed and is over the required limit for a third time during a four-year period, the employee will immediately be separated from employment without termination pay. The employee will not be classified as "non-rehireable" because they were separated for a Safe Load Limit Violation.

DURATION

This MOA shall remain in effect for the life of the 2019 Working Agreement.

For the Union:



Billy O'Dell

Administrative Director to the Vice President
CWA District 3

Date: 8/16/2022

For the Company:



John A. Andrasik

Director - Labor Relations

Date: 8/12/2022