

united transportation union

July 29, 2002

Via Certified Mail

Bryan Marcella
President, ACRE Division 1
420 Lexington Avenue, Suite 215
New York, NY 10017

Dear Bryan:

Consider this letter a formal request for copies of several specific agreements and copies of any and all changes made to our Collective Bargaining Agreement in effect for ACRE Division 1 since ACRE was installed as bargaining agent for train service employees in March, 2000. This request includes all side bar letters and verbal agreements between ACRE and Metro North or the MTA.

Please forward copies of any changes to our separation of service agreement, the 17B agreement, and the pre and post holiday agreement.

In 2001 Metro North implemented a sick time abuse policy without any overt opposition from ACRE. Forward a copy of this policy and any relevant information pertaining to the policy and its status in our Collective Bargaining Agreement. Because ACRE failed to seek third relief in this issue, it would be safe to assume, if the time limits for arbitration have expired, this policy is now part of the Collective Bargaining Agreement.

The installation of ticket machines at outlying passenger stations has the potential to effect the size of train crews. Granted, this situation may never develop, but if increased passenger use of these ticket machines does result in the loss of trainmen's assignments, ACRE should have formulated a strategy to address this issue. Please forward any proposal ACRE may have prepared to present to the Carrier in the form of a Section Six notice concerning job protection for trainman's assignments or any other protective measures.

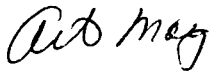
ACRE has stated that the organization has an agreement with the Carrier to allow four ACRE officers to be paid to perform union work full time. Please furnish a copy of this agreement. Rule 51 of the train service agreement for payment to attend company directed conferences is not acceptable. This agreement is not germane to the issue.

Please forward a copy of the CMS agreement in its entirety. Only the complete document will suffice, not just the portion relating to the mechanics for implementation of the system. In addition, arrange to forward a copy of any dues objection policy in effect for ACRE Division 1.

I expect this information to be forwarded within 10 days of your receipt of this letter.

These requests are made in accordance with provisions of the Labor Management Reporting and Disclosure Act of 1959 (29U.S.L.414, Sec. 104).

Sincerely,

A handwritten signature in cursive script that reads "Art May".

Art May

cc: Paul Holland, ACRE Division 1 Secretary
ACRE membership

AM/iyt