



May 1, 2023

Mr. Ricardo Sanchez, General Chairman
International Brotherhood of Electrical Workers – Local 589
38B Church Street
Patchogue, NY 11772

Re: IBEW Availability Agreement – Vacation Buyback Program

Dear Mr. Sanchez:

This letter reflects the discussions held between the Long Island Rail Road (“Carrier”) and the International Brotherhood of Electrical Workers (“Organization”) regarding our mutual efforts to increase availability in the bargaining unit and support the Carrier’s efficiency objectives and needs of service.

As such, beginning with the calendar year of 2024, employees covered by the IBEW collective bargaining agreement shall be eligible to participate in a vacation buyback program based on seniority/creditable years of service, vacation entitlements and the established protocol to ensure effective administration of the program.

The following terms will apply:

- Employees with fifteen (15) years or more of credible service who qualify for vacation leave in the new calendar year in accordance with the Agreement requirements will have the option to sell back up to two (2) weeks (10 days) of vacation leave.
- Employees with less than fifteen (15) years of creditable service who qualify for vacation leave in the new calendar year in accordance with the Agreement requirements will have the option to sell back one (1) week (5 days) of vacation leave.
- It is understood that an employee’s decision to sell back earned vacation leave is irrevocable.
- It is further understood that the vacation leave is only sold back in weekly increments, not single days.
- Lastly, it is understood that the vacation leave will be paid at the employee’s regular rate of pay at the time of the sell back.

The agencies of the MTA

MTA New York City Transit
MTA Long Island Rail Road

MTA Metro-North Railroad
MTA Bridges and Tunnels

MTA Construction & Development
MTA Bus Company

May 1, 2023

In order to implement the terms reflected above, each department will develop protocols to administer the vacation buyback program for eligible IBEW employees. These protocols will align with the current vacation selection process, seniority rights thereunder and the overall objectives to increase availability during the calendar year. These protocols may be subject to change by the Department, who will provide at least six (6) months' notice to the Organization of the intent to modify the protocol. Ultimately, the protocol shall be determined and administered by the Carrier. A draft example of the administrative protocol memo is enclosed here as reference.

The parties will have the option to meet in July 2024 to review the efficacy of this program and to determine whether any modifications to this letter agreement are necessary.

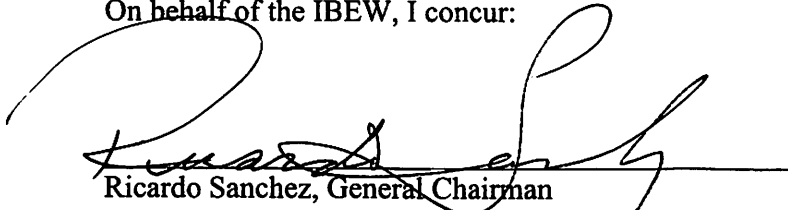
Please sign below and return a copy of this agreement to the undersigned if the terms accurately reflects the understanding reached between the parties.

Very truly yours,



Kelli Coughlin
Deputy Chief Labor Relations Officer

On behalf of the IBEW, I concur:



Ricardo Sanchez, General Chairman
International Brotherhood of Electrical Workers

5/2/2023
Date

Enclosure

cc: C. Daly, E. Rodriguez, C. Swicicki, J. McGrath, P. Dietlin, E. McGoldrick, F. Portela, S. Chandra, D. Cuomo, M. Reilly, L. Ramsaroop, A. Obioma, J. Mehm, T. Hessel-Andor, L. Martinez, K. Hanley, S. O'Connor, W. Jenkins, J. Tinghino, L. Kane, A. Conway, J. Klein – IBEW

Memorandum



Long Island Rail Road

Date: May 1, 2023
To: All Electricians in Maintenance of Equipment
From: Craig Daly, Chief Mechanical Officer
Re: **Protocols for Vacation Buyback Program**

This memorandum confirms the protocols that will apply for administration of the vacation buyback program reached by letter agreement between the Long Island Rail Road and the International Brotherhood of Electrical Workers.

The protocol for this program shall be as follows:

1. When IBEW-represented Electricians submit their Vacation Picks for the following calendar year each November, they may also opt in to sell back their vacation leave consistent with the above parameters at that time. If an employee selects to sell back vacation leave during this initial phase, the leave will be paid out no later than March in the succeeding year. Once an employee opts in, the employee may not reverse the buy back and that week will not be factored into vacation selection for the succeeding year.
2. If an employee does not choose to sell back any leave during the November vacation selection process, an employee may have one additional opportunity to sell back vacation leave in June of the succeeding calendar year (i.e. the vacation year). An employee may opt to sell back up to two (2) weeks (for those employees who have 15 or more years of creditable service and did not already sell back the full allotment of eligible vacation leave in November) or one (1) week (for employees who have less than 15 years of seniority and did not already sell back their vacation leave in November). An employee who is eligible to sell back two (2) weeks, may sell back one (1) week in November and one (1) week in June. If an employee opts to sell back vacation leave in June, the employee must identify the scheduled vacation week during the remainder of the calendar year that they are selecting to sell back. That vacation week will be forfeited as being observed by the employee and the employee will be paid out the vacation leave instead.
3. In July, the Maintenance of Equipment Department will post those vacation weeks that are available as a result of the June sell back and will allow an opportunity for others to re-pick vacation weeks based on seniority. However, this July re-pick will only be available for employees who have not already made a one-time change of vacation selection during the calendar year.
4. If an employee chooses to sell back vacation leave in the second sell back session in June, it is understood that the employee must select a scheduled week that was already planned to be observed as vacation between July and through December that calendar year; but not a week in June (in order to efficiently process this selection and re-pick process).

Questions regarding this program and the protocols should be directed to Central Manpower.