



NOTICE TO EMPLOYEES AND MEMBERS

POSTED PURSUANT TO A SETTLEMENT STIPULATION APPROVED BY A REGIONAL DIRECTOR OF THE NATIONAL LABOR RELATIONS BOARD AN AGENCY OF THE UNITED STATES GOVERNMENT

WE WILL NOT brandish or carry any weapon of any kind, including, but not limited to, guns, knives, slingshots, rocks, ball bearings, liquid-filled balloons or other projectiles, sledge hammers, bricks, sticks, or two by fours at or near any picket line, handbilling effort, rally or in any vehicle engaged in ambulatory picketing of any Overnite vehicle or following the private vehicle of any Overnite employee.

WE WILL NOT use or threaten to use a weapon of any kind, including but not limited to guns, knives, slingshots, rocks, ball bearings, liquid-filled balloons or other projectiles, picket signs, sticks, sledge hammers, bricks, hot coffee, bottles, two by fours, lit cigarettes, eggs, or bags or balloons filled with excrement against any non-striking Overnite employee or security guard in the presence [of] any Overnite Employee.

WE WILL NOT damage, threaten to damage or attempt to damage any vehicle or equipment owned or operated by Overnite, its employees or security guards, by any means or manner, including but not limited by slingshots, rocks, ball bearings, liquid-filled balloons or other projectiles, knives, picket signs, sticks, sledge hammers, bricks, bottles, two by fours, eggs, or paint, or by tearing off mirrors, windshield wipers or antennas, or breaking windows.

WE WILL NOT disable or attempt to disable vehicles owned or operated by Overnite, by any means or manner, including but not limited to disconnecting or otherwise severing air brake lines, padlocking doors, spraying substances in or otherwise jamming locks, stealing keys, puncturing radiators, cutting hoses or door cables, flattening tires or throwing, placing or otherwise spreading any nails, screws, star nails, jack rocks or similar devices capable of puncturing tires on any road surface.

WE WILL NOT endanger or impede the progress of or harass any non-striking employee or any employee of a neutral person doing business with Overnite, while he or she is operating a company vehicle or his or her own personal vehicle, by forcing or attempting to force him or her off the road, blocking, delaying or limiting his or her access to or passage on any road, swerving toward, driving recklessly near, tailgating or braking abruptly in front of him or her, impeding his or her progress by speeding up and slowing down, driving at speeds below the legal minimums while in front of him or her.

WE WILL NOT endanger or impede the progress of or harass any non-striking employee or any employee of a neutral person doing business with Overnite, while he or she is operating a company vehicle or his or her own personal vehicle, by jumping on vehicles, by attempting to open the doors of vehicles, by throwing paint on windshields, by using mirrors, laser pointers, spot lights or flash photography in the eyes of drivers, or by obstructing the view of drivers by holding picket signs over the windshields of vehicles.



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WE WILL NOT engage in mass picketing or otherwise impede the ingress or egress of Ovemite employees or employees of any other employer to or from any Ovemite service center or any facility of any neutral person doing business with Ovemite or patrol or walk across the entrance of any Ovemite service center or a facility of any neutral person doing business with Ovemite in such a manner as to impede or delay the ingress or egress of any individual.

WE WILL NOT batter, assault, spit on, blow whistles loudly near a person's ear, throw any liquid or solid object at, or attempt to assault any non-striking employee of Ovemite or any member of his or her family or any employee of a neutral employee doing business with Ovemite, or on any security guard or supervisor or manager of a neutral employee doing business with Ovemite in the presence of employees.

WE WILL NOT threaten to kill or inflict bodily harm, make throat slashing motions, make gun pointing motions, challenge or threaten to fight or assault employees, threaten to sexually assault non-striking employees or their family members, threaten to follow non-striking employees to their homes, use racial epithets or obscene gestures at non-striking employees or otherwise threaten unspecified reprisals on any non-striking employee of Ovemite or any member of his or her family or any employee of a neutral employee doing business with Ovemite, or on any security guard, supervisor or manager of Ovemite or neutral employers doing business with Ovemite in the presence of employees.

WE WILL NOT videotape or photograph any non-striking employees of Ovemite, or vehicles of Ovemite or of its nonstriking employees while engaging in coercive activity observed by or known by those being videotaped or photographed or threaten to release the photographs, names, addresses or phone numbers of non-striking employees in order to intimidate the non-striking employees.

WE WILL NOT prevent any non-striking employee from accessing an Ovemite vehicle or a personal vehicle or block Ovemite vehicles or the personal vehicles of non-striking Ovemite employees.

WE WILL NOT threaten to fine or cause the discharge of non-member employees because they cross a picket line or refuse to go on strike.

WE WILL NOT threaten to cause any employee's discharge if they do not engage in a strike or picketing of Ovemite or of any neutral person doing business with Ovemite.

WE WILL NOT attempt to harass and intimidate employees or security guards on Ovemite property by using mirrors to reflect sunlight into the eyes of Ovemite drivers or use mirrors or laser pointers to shine light into the eyes or video cameras of security guards.



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WE WILL NOT issue documents or otherwise ratify or condone acts which restrain or coerce employees in the exercise of their Section 7 rights.

WE WILL NOT remove the personal property of non-striking employees from their personal vehicles.

WE WILL NOT in any other manner, restrain or coerce employees in the exercise of their Section 7 rights.

WE WILL provide a copy of this settlement stipulation to all of our freight industry locals.

WE WILL during the course of any strike or picketing called, directed, or controlled by us against Ovemite, or at which our agents are physically present, for a two-year period commencing with the approval of the Settlement Stipulation:

- (1) Designate an agent responsible for insuring lawful conduct is maintained at each Ovemite facility that is being struck, picketed or handbilled, at each facility of any neutral person doing business with Ovemite where picketing or handbilling is occurring and at each location where ambulatory picketing or handbilling is occurring.
- (2) At each facility at the commencement of such strike, picketing or handbilling, distribute copies of this Notice to Employees and Members to every person who participates in the strike, picketing or handbilling and thereafter maintain a list of all picketers and hand billers. The list shall contain the name and location of the Ovemite facility or facility of the neutral person doing business with Ovemite that is being struck, picketed or handbilled, the dates of the activity and the full names and addresses of all persons present on the picket line or where the handbills are being distributed along with their job classifications or positions with us, if any, or with any local union or joint council affiliated with us.
- (3) Upon the commencement of ambulatory picketing, distribute copies of the Notice to Employees and Members to every person who participates in such ambulatory picketing and thereafter maintain a list of all such persons and the vehicles engaged in any such activity. The list shall contain the location of such ambulatory picketing the make, model, year, and license plate number of every vehicle used in such activity, the dates of the activity and the full names and addresses of all persons participating or in any way involved in the ambulatory picketing along with their job classifications or positions within us, if any, or with any local union or joint council affiliated with us.
- (4) Within 48 hours following notification of the filing of an unfair labor practice charge alleging unlawful conduct in connection with picketing or handbilling of any kind, provide to the Regional Director for the Region in which the charge has been filed a copy of the list or lists set forth in (2) and/or (3) above, as pertinent to the allegations in the charge. If the list(s) is not provided



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within the 48-hour period, we shall order the person set forth in (1) above to refrain from engaging in any picketing or handbilling at or near any Ovemite facility, the premises of any neutral person doing business with Ovemite or any ambulatory picketing of any Ovemite vehicles in the general area in question for a period of one year.

- (5) Seek to prevent any member or individual acting on behalf of us who refuses to sign or otherwise refuses to be entered on the list or lists set forth in (2) and/or (3) above from engaging in any activity on behalf of us by ordering the individual to leave the area immediately. Should the individual remain at the premises while continuing to refuse to sign or be entered on the list or lists set forth in (2) and/or (3) above, we shall publicly disavow his or her conduct. Upon a finding that the individual refused to sign or be entered on the applicable list or lists, we will order the individual not to engage in any future conduct on behalf of us in connection with this labor dispute. A failure to enforce any portion of provision (b) in good faith shall preclude us from disavowing the agency status of any such individual whose name is not entered on the list(s) set forth above in (2) and/or (3) in this or any other future proceedings before the Board or appropriate Court of Appeals.

WE WILL prominently post on our Internet Home Page a copy of the Settlement Stipulation and a copy of this Notice to Employees and Members for a period of 60 consecutive days.

INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AFL-CIO

(us)

BY: 
(Responsible Official)

Date: May 14, 2003

The National Labor Relations Board is an independent Federal Agency created in 1935 to enforce the National Labor Relations Act. It conducts secret-ballot elections to determine whether employees want representation and it investigates and remedies unfair labor practices by employees and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below. You may also obtain information from the Board's website: www.nlrb.gov.

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Room 3003
Cincinnati, Oh 45202

Telephone: (513) 684-3681
Hours of Operation:
8:30 am to 5:00 pm