

**MEMORANDUM OF AGREEMENT**

**TO:** Shirley Block, ATU President  
**FROM:** Laird Cusack, TriMet, Director of Labor & Employee Relations  
**SUBJECT:** Rail Operator Probation Period  
**DATE:** July 16, 2019

This memorandum of agreement documents the agreement between TriMet and ATU regarding the Rail Operator Probationary period to allow Rail Operators to continue to develop skills and apply operating rules and procedures they have learned during training:

1. **Article 2, Section 9, Paragraph 1** will be revised as:

*"When a light rail employee has been trained and has received an appointment to a regular position, the employee shall be on a probationary period of not to exceed ~~ninety (90)~~ 180 days subject to the grievance procedure. An employee who does not satisfactorily perform during that probationary period may be returned by the District to the employee's former position without loss of seniority."*

2. The District will not use progressive discipline in the Rail Operator Probationary period for operating rule violations such as Speed Trips, Signal Trips, Route Codes, Doors off Platform and Train Orders/Verbal Instructions. *This change does not apply to discipline/discharge for misconduct, attendance, accidents, or negligence (not related to operating rule violations).*
3. Operating rule violations during probation will be handled with ACID letters, ERCs entries and reinstruction/reminders, including training interventions.
4. If the District determines an operator has successfully completed probation, the operating rule violations incurred during probation will not be used as progressive discipline steps moving forward.
5. These changes to probation apply to any Rail Operator who is in a probationary status after June 1, 2019. All regular operators will continue as before.

Pursuant to mutual agreement between TriMet and ATU, this MOA specifies the entire agreement between the parties, which is understood to be non-precedent setting.

Subject to execution of this agreement by both parties, signifying their mutual understanding and agreement as to the matters discussed herein, this MOA shall become effective on the date last signed by a signatory below.

TriMet

  
Laird Cusack  
Director, Labor Relations

7/22/19  
Date

Amalgamated Transit Union Local 757

  
Shirley Block  
ATU President/Business Agent

7/19/19  
Date