



**BUILDING AMERICA®**

December 21, 2021

Mr. Tony Cardwell  
General Chairman, BMWED  
333 East Broadway  
Mayfield, KY 42066

General Chairman Cardwell,

This is to confirm our discussion to modify the February 1, 2005 restricted agreement in effort to obtain increased stability of the workforce and anticipated productivity gains. Specifically, this affects the "System Brandt Power Unit" (PPC 976) and "System Tracker Unloader" (PPC 973) positions assigned to the 9120 seniority roster, and which are otherwise governed by the provisions of the parties' July 1, 2001 agreement. As such, it is agreed that:

- Except as identified below, assigned employees are required to remain on the above-identified restricted positions for a period of twelve (12) months from date of assignment unless granted hardship release.
- Due to the timing of this Agreement, the effective date for initial assignments shall occur on December 30, 2021 and run through the end of September 2022. Thereafter, the restricted positions will run for a period of twelve (12) months beginning in October of that current year. It is understood that the parties may mutually agree to adjust the timing of these dates to better align with the bulletin cycle.
- The differential paid for the above-identified restricted positions is increased to \$2.00 per hour for all compensated hours worked. This differential allowance is not subject to general wage increases or cost of living allowances.

It is understood this agreement is made without prejudice to the position of either party, and does not alter existing rights, practices, or interpretations regarding other provisions of the February 1, 2005 restricted agreement, or the July 1, 2001 collective bargaining agreement. If the above accurately reflects our mutual agreement, please sign in the space provided below. This Agreement becomes effective on 1-12-2022

Respectfully,  
*Derek E. Hinds*  
Derek E. Hinds  
Director, Labor Relations

**Agreed:**


  
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General Chairman, BMWED

1-12-2022

Date:

**Approved:**

  
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Vice President, BMWED

12-22-2021

Date: