

**Issue: ODL By-Pass**  
**Article 8.5**

<b>Documentation</b>	<b>Explanation</b>
All grievance paperwork	All paperwork developed and utilized in grievance procedure
Copy of LMOU on establishment of ODLs	Defines proper ODLs
Copy of applicable ODL - Identify Qualifications	Explains who is involved
List of employees worked. Include skills, beginning and ending times, days off, and work performed	Critical background information to prove violation
Dispatch schedule and operational plan	Offsets arguments on cut-off times; critical dispatches, and operational windows
Written witness statements from involved employees - include applicable bosses. Identify ODL employees next in rotation.	Helps to establish what happened and why. Normally will also show days off, leave taken, etc., for concerned employees
Crewsheets - listing of employees in area where overtime worked	Normally tells us who the appropriate employees are
Volume reports for day(s) involved. If delayed mail be sure you have a copy of the report	Offsets possible management arguments
Time records (ETC) for employees who worked and those by-passed	Proves union's contentions
Prior grievance paperwork (if applicable)	Shows repeated violations and management bargaining in bad faith
Applicable case law. Remember difference between precedent and persuasive value	Strengthens case through Step 4s, national arbitrations or pre-arbs, regional arbitrations or pre-arbs. Cites must be on point