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JOB REFERRAL PROCEDURES OF THE NORTH ATLANTIC STATES REGIONAL COUNCIL OF CARPENTERS

1. OVERVIEW

In order to administer the job referral system in a fair and equitable manner, having in mind the complex and varied classifications of carpentry work, and to establish records and procedures which will be adequate to disclose fully the basis on which each referral is made, the following rules have been established. The North Atlantic States Regional Council of Carpenters (“NASRCC”) will make available a non-exclusive and non-discriminatory referral list for individuals seeking work with signatory contractors or contractors otherwise bound to a collective bargaining agreement with the NASRCC. The referral list will select and refer applicants for employment without discrimination against applicants based on their local union affiliation within the United Brotherhood of Carpenters and Joiners of America (“UBCJA”) or based on race, religion, gender, national origin, age or sexual orientation.

2. ELIGIBILITY

- A. To be eligible for dispatch applicants must:
- Be a member in Good Standing
 - Be unemployed and available for employment at all times
 - Be currently registered on the Out-of-Work List
 - Meet the minimum training skills qualification requirements as per the request
 - If member is an apprentice, they must be in compliance with the Apprentice Advisory Committee Standards regarding attendance at the Training Center in order to be eligible for the Out-Of-Work List.
 - Applicants must provide the NASRCC Central Dispatch Center with an active phone number and must be available for contact, Monday through Friday. In the event that an applicant cannot be contacted, the NASRCC Central Dispatch Center will contact the next available applicant meeting the requested specifications.

- B. It is the **PERSONAL RESPONSIBILITY** of each applicant to register promptly and to keep the information on their application current and up to date. When an applicant becomes unemployed, he or she shall contact the NASRCC MIX 20/20 System and provide his or her name, primary contact number, address, social security or UBC ID number, geographical location in which he or she desires employment and any updates as to the carpentry skills or certifications that he or she possess. An applicant seeking referral to an employment opportunity within the jurisdictional area of the NASRCC may contact the NASRCC Mix 2020 Automated System 24 hours per day or the Dispatch Center during the hours of 7:30 a.m. to 4 p.m. Each applicant must update a skills profile sheet upon completion of any additional training or certification program.
- C. To effectively maintain the integrity of the Out-of-Work List, each registered applicant is required to notify the NASRCC Central Dispatch Center of their continued unemployment on a thirty (30) day basis from the anniversary date of the applicant's placement by calling the NASRCC Central Dispatch Center. Failure to exercise this procedure after the expiration of a thirty (30) day period shall be presumptive evidence that the applicant is working or does not choose to be referred. As such, the applicant's name will be removed from the Out-of-Work List.
- D. An applicant may specify one (1) or more companies he or she does not wish to be employed with, by contacting the NASRCC Central Dispatch Center via notarized letter. This restriction will only be granted if the carpenter worked for the company in the past, or has had a grievance, lawsuit or other legal action related to the company. This restriction will remain in place, unless removed via notarized letter by the applicant.

3. GENERAL DISPATCH PROCEDURES

- A. The NASRCC Central Dispatch Center will dispatch to requesting employers in chronological order based on the skill and/or training requested, and the geographical preference of the applicant. If no particular skill is requested by the employer, then the NASRCC Central Dispatch Center will dispatch applicants based on chronological order and geographical preference of the applicant. Specific requests by an employer for a previously employed applicant will be honored provided that the applicant is currently unemployed and a member in good-standing. Any member of the NASRCC staff who fills an employment opportunity without going through the NASRCC Central Dispatch Center will be subject to disciplinary action at the discretion of the Executive Secretary-Treasurer or his designee.

- B. Apprentices shall be referred under a separate referral list and shall be listed according to their apprentice year. Apprentices should freeze the registration on the Out-of-Work list when attending training classes if they were unemployed prior to beginning their training. Apprentices may be dispatched manually by Senior Council Representatives.
- C. The Carpenters employed on a job within the geographical jurisdiction of the NASRCC shall be processed through and supplied by the NASRCC Central Dispatch Center in accordance with the terms and conditions set forth in this document and the area Collective Bargaining Agreement, (CBA). In the absence of a provision in the area CBA, fifty percent (50%) of the carpenters employed on a job within the geographical jurisdiction of the NASRCC shall be processed through and supplied by the NASRCC Central Dispatch Center in accordance with the terms and conditions set forth in this document. However, any provision of the area Collective Bargaining Agreement that is in conflict with these procedures supersedes this rule.
- D. Any applicant canceling due to an emergency (car trouble, accident, family emergency, medical, etc.), you have until 7 a.m. of the first day the job starts to cancel, with no penalty.
- E. Any applicant accepting a job dispatch who does not notify by the end of that business day (4 pm) that they can no longer accept the position, or any applicant accepting a job dispatch who does not appear for work as scheduled; shall have his or her name moved to the bottom of the Out-Of-Work list as a first offense. All other no call no shows will result in a removal from the OOWL and a 15 - day block. If the applicant disputes this finding, he or she can request a hearing on this matter by submitting a letter to the Executive Secretary-Treasurer of the NASRCC. The Executive Secretary-Treasurer shall appoint a committee of the Executive Board to hear such cases.

4. EXCEPTIONS TO THE ORDER OF THE OUT-OF-WORK LIST

- A. In order to meet the business needs of signatory employers and to provide for the administration of the Collective Bargaining Agreement, the NASRCC shall apply the following exceptions to the order of applicants on the Out-of-Work List:
 - 1. If an employer requests a specific individual, that person will be referred if available.
 - 2. If an employer requests the recall of specific individuals who were previously laid off from the jobsite, the requested persons will be referred if available.

3. Where an employer requests an applicant with specific skills and abilities, the NASRCC will refer the first applicant on the list with the requested skill if available.
 4. Where an employer makes a specific request for an apprentice, the next apprentice on the list will be referred if available.
- B. The NASRCC, based on the qualifications listed in certain labor agreements, ordinances, resolutions or other lawful requests, may be required to fill requests by race, gender or specific economic wage condition due to contract staffing requirements. In order to facilitate these requests an applicant may, but is not required to, advise the NASRCC of minority status, gender or willingness to work on reduced wage rate jobs when placing their name on the Out-of-Work List or updating skills.

5. SOLICITING/SHAPING WORK

- A. Applicants are allowed to solicit (“shape”) work from potential employers provided that the employer is a signatory or bound to a collective bargaining agreement with the NASRCC. Applicants are PERSONALLY RESPONSIBLE to notify the NASRCC Central Dispatch Center if they seek and acquire an employment opportunity outside of the referral system. Each applicant is required to notify the NASRCC Central Dispatch Center within two (2) business days of the (a) contractor, (b) location of the jobsite, and (c) the date of employment.
- B. Any applicant who fails to comply with Provision 5(A) shall be removed and restricted from placement on the Out-of-Work List for a period of no less than thirty (30) days after the employment in question ends. Furthermore, any applicant registered on the Out-of-Work List and is currently working for any UBCJA Affiliate or NASRCC signatory contractor will be immediately removed from the Out-of-Work List and restricted from placement on the Out-of-Work List for a period of thirty (30) days after his or her employment in question ends.

6. STEWARDS

- A. The NASRCC shall periodically offer Certified Shop Steward Training for members on an as needed basis. Any member who registers to attend the Certified Shop Steward Training and fails to report for the entire class will be prohibited from registering for another Shop Steward Training for a period of twelve (12) months.
- B. All Certified Shop Stewards will be obligated to attend a minimum of four (4) local union meetings of the respective locals per year. Failure to do so will result in revocation of their Certified Shop Steward status until

otherwise reinstated by the Council. Beginning in January 2014, all local unions shall have a sign in/sign out sheet for stewards attending each meeting which will be used to track compliance with this policy.

7. JOB REFUSALS

- A. An applicant who refused dispatch on three (3) consecutive calls for employment, within the skill, training and location of geographical preference, as personally specified, shall be moved to the bottom of the Out-of-Work List on the date he or she refuses a referral for the third (3rd) consecutive time.
- B. In the event a member receives a dispatch call for a blended rate/reduced rate or HUD job, and the member refuses the call for employment, that member shall be subject to the provisions of this section.

8. POSITIONING ON THE OUT-OF-WORK LIST

- A. Once an applicant accumulates a total of fifteen (15) days of employment, regardless of the number of jobs worked or contractors he or she has worked for during that period, his or her name will be removed from the list. The individual must then contact the NASRCC Central Dispatch Center upon the completion of that fifteenth (15th) day period to reinstate status on the Out-of-Work List, if they are unemployed.
- B. The employer retains the right to reject any applicant dispatched by the Union for just cause. However, the rejected applicant shall retain the position held on the Out-of-Work list at the time of dispatch.

However, if an applicant is terminated and/or rejected by two (2) employers for not being able to handle a skill/function of the trade, this skill will be removed from the applicant's record until the applicant shows proof that he or she has successfully obtained training to qualify for this particular skill as administered by the NASCTF.

Any applicant who accepts a referral to a job and is then rejected by the employer because of a positive drug or alcohol test shall be placed on the bottom of the Out of Work list. Applicants who decline a job referral because of the requirement that the applicant submit to a drug or alcohol test shall be charged with a job refusal. If the applicant disputes this finding, he or she can request a hearing on this matter by submitting a letter to the Executive Secretary-Treasurer of the NASRCC. The Executive Secretary-Treasurer shall appoint a committee of the Executive Board to hear such cases.

- C. With respect to lay-offs, any applicant who places his or her name on the Out-of-Work list sooner than the day following the applicant's formal lay-off, will be subject to the immediate removal from the Out-of-Work List and restricted from registration on the Out-of-Work List for fifteen (15) days.
- D. An applicant may freeze their position on the Out-of-Work List for a maximum of twenty-one (21) days by contacting the NASRCC Central Dispatch Center, prior to the start date of unavailability due to medical, legal or vacation related issues. The applicant must receive another job referral before being allowed another twenty-one (21) days of freezes. As a provision of requesting a freeze, the applicant must submit a medical note or documentation of compulsory legal attendance if one wishes to exceed twenty-one (21) days. However, the thirty (30) day employment status notification rule 2(C) continues to apply during the applicant's freeze period.

9. NOTIFICATION OF OUT-OF-WORK LIST PROCEDURES

- A. The Out-of-Work List Referral Procedures shall be available during normal business hours at all offices of the NASRCC and posted on the NASRCC website. Any member of the NASRCC may contact their local affiliate for a copy of these procedures by electronic or regular mail. The referral procedures shall also be posted conspicuously at all times at all offices of the NASRCC.

10. DISPATCH RECORDS RETENTION

- A. All records pertaining to dispatch will be maintained by the Council through the NASRCC Central Dispatch Center for a minimum of six (6) months. Any individual proposing to amend any part of the procedures should submit their proposal in writing to the NASRCC Council Office. Any amendment must conform to both the By-Laws of the Council and the United Brotherhood of Carpenters and Joiners of America Constitution and By-Laws, the Collective Bargaining Agreement, and applicable law. Any amendment must be approved by the delegates of the NASRCC at the next regularly scheduled meeting.

11. OUT-OF-WORK LIST ADMINISTRATIVE AUTHORITY

- A. The Executive Secretary-Treasurer of the NASRCC, or his designee, shall administer the Out-of-Work List and is authorized to exercise at their discretion. In any event a decision must be made on any administrative or procedural question that may arise in a particular situation that is not specifically provided for in the above language.

12. Penalty Quick Reference

Job Referral Penalties

<u>Bottom Of OOWL</u>
No call No show to the Job site (First Offense)
Failed Drug Test
<u>Off the OOWL</u>
Non-Renewal on your 30th day
3 Job Declines
15 Days worked (Accumulative)
<u>15 Day Block</u>
Failure to notify BY END OF BUSINESS DAY (4 P.M.)
Signing the list before the job ends
No Call No show after the 1 st one
<u>30 Day Block</u>
Failure to report your working within 48 hours (caught working while on the OOWL)