

Local 1928 Outside Construction Referral List Guidelines

Introduction

It is likely that there will be more and different contractors working in the Maritimes than have been over recent years. The Local is preparing to help supply unionized labour to these employers.

Local 1928 will maintain a referral list of qualified union members who work the following trades/occupations* and who are available for **full-time work** in Nova Scotia:

- Powerline Technicians and PLT Apprentices
- Electricians and Electrician Apprentices
- Crane Operators – qualified to operate equipment with lifting capacity > 50 tons
- Heavy Equipment Operators – qualified to operate equipment with lifting capacity < 50 tons
- Light Equipment Operators – qualified to operate trucks, skidders and so on
- Heavy-Duty Mechanics
- Mechanic Helpers
- Blasters/Drillers/Compressor Operators
- Communications Installers
- Utility Technicians – essentially a groundsperson, but knowledgeable about transmission and distribution construction
- Utility Person – general labourer and Leading Utility Person
- Storekeeper
- Arborist

NOTE: For the certified trades, you will need to provide proof of your journeyperson or registered apprentice status and level to the union hall in order to be added to the list in the classification that you wish to be identified (for example, your Red Seal Certification number, or a digital copy of your certificate).

In order to help employers and members, Local 1928 will also maintain a separate list of PLTs available for storm restoration.

The Provincial Outside Construction Contract Hiring Provisions

Contractors working in Local 1928's jurisdiction need to sign "voluntary recognition" of Local 1928's outside construction contract for Nova Scotia, negotiated with Emera Utility Services (EUS). See the "Agreements" section of Local 1928's website to review EUS contract, which covers all outside construction in Nova Scotia, with the exception of the Maritime Link. The outside construction agreement in Nova Scotia has a hiring provision where contractors coming in to work in this jurisdiction hire one worker and the Local names the next for hire, and

so on, one for one, from the union's list of available, qualified workers. All workers must be or become members of the union.

The Maritime Link Contract Hiring Provisions

Contractors working on the Maritime Link project (see www.emeranl.com/en/home/ourbusiness/aboutthemaritimelink/default.aspx) will work under the project agreement for that work. See the "Agreements" section of Local 1928's website to review that contract. The Maritime Link contract has a hiring provision that says that referrals and name hiring will give priority to qualified residents of Nova Scotia and Newfoundland and Labrador, then qualified Canadians from affiliate union locals, then qualified Canadians, then temporary foreign workers. (Thus, when you add your name to the list, you will want to give proof of your permanent residence should this give you priority. If this information is not provided when we add your name to the list, we assume that you do not have a hiring priority). The first worker is appointed by the union as a shop steward, the next six are selected by the contractor from the union list of qualified workers; any further workers are selected one for one, by the contractor and the union. All workers must be or become members of the union.

The NSP Labour Pool

There is a separate referral list for qualified workers at the provincial electric utility, Nova Scotia Power. It is called the Labour Pool and is managed largely outside of Local 1928. "A" members can also be members of the NSP Labour Pool. More information about the NSP Labour Pool can be found on the Local 1928 website.

Referral List and Storm Response List Guidelines

Local 1928 will maintain two up-to-date, rotating lists of workers available for outside construction work – a **referral** list and a **storm response** list.

- The **Referral List** is a list of those Local 1928 members who are available for full-time work, through employers who have contracts with or are signatory to contracts with Local 1928. You may be required to provide evidence of your qualifications and/or that you have been laid off from your most recent employer.
- The **Storm Response List** is a list of those workers who are available for shorter-term work related storm restoration in the provinces of Nova Scotia and PEI.

* Note: If you are available for both types of work, you may be able to keep your name on both lists. We ask that those who are not seeking full-time work in Nova Scotia *not* ask to put their name on the referral list.

Entrance Qualifications:

To place or maintain your name on either list you must be a member of IBEW Local 1928 in good standing (that is, you must be a member of Local 1928 and you can't be more than three months behind in the payment of your dues).

If you are a member of another Local and you want to be added to the Nova Scotia outside construction referral list, you must transfer your membership to Local 1928. To transfer, you must present a travel card from your home Local for approval by the Local 1928 executive. You may be asked to provide a referral letter from the Business Manager of the originating Local.

If you are an IBEW member but you are not a member of Local 1928, you cannot be added to the referral list. You can work in Local 1928's jurisdiction if you are name-hired by the employer according to the terms of the applicable contract. In that case you will need to provide proof to Local 1928 of IBEW membership in good standing (paid-up dues receipts from your home Local) in order to get a referral slip from Local 1928.

If you are not yet a member of the IBEW, you can apply to join Local 1928 when you have an offer of work from a unionized employer and after the referral list has been exhausted (that is, everyone on the list must go to work or refuse work from that employer before you are hired by that employer).

Apprentices please note: The employer always maintains the right to hire based on qualifications. If you are not qualified for the available work, the union hall is not able to refer you. It helps if you keep the union hall informed of your progression through your apprenticeship, particularly if your qualifications change.

Retirees please note: if you want to continue working after your retirement from your primary employer, you can either maintain your union membership (contact the union office to learn how to do so), or you can come in as a new member.

Providing Supporting Information to Local 1928

Where Local 1928 doesn't have it already, we will verify your name, classification(s), home address, home phone number, cell phone number, and your preferred mode of contact (e.g. email), your qualifications/certifications, and whether you have any current physical limitations. To be placed on the referral list you may also need to provide the date you were most recently laid off and the name of the company for which you most recently worked.

Requirement to Notify Local 1928

Each member on the referral or storm response list must communicate quickly and directly with the Local in terms of accepting or declining work. Without a response within 24 hours of an email or phone message, the Local will assume an offer has been declined.

- Further, you must notify the union hall to be removed from the referral list if
- You leave the province to work full-time in your trade in another jurisdiction

- You have been working full-time for a union contractor in Local 1928's jurisdiction for more than 30 days.

When you are added to the **referral** list, you are added to the bottom. Members will be contacted from the top-down. You will be rotated to the bottom of the referral list when you turn down or don't respond to messages left for *one* offer of full-time work with a union contractor.

The storm response list will simply be a resource that we provide to employers to meet immediate short-term needs. There will be no established priority of order on the storm response list.

Referral List Rules

1. You must be IBEW Local 1928 member in good standing to be on the referral list and the storm response list. If you are a member of another IBEW Local, you must transfer your membership to Local 1928 in order for the Local to "name" you. If you are three months behind on your dues (i.e. you do not maintain your "good standing," you will be removed from the list. When you return yourself to good standing (that is, once payment for arrears is received), your name will be placed on the bottom of the list.
2. The Local 1928 website (www.ibew1928.org) has a section that will advise members of the available outside construction work in the province of Nova Scotia and PEI.
3. Referrals will be selected based on workers having the necessary qualifications. If you have more than one skill or qualification, you must identify your primary qualification.
4. Registrants can retain their position on referral list until they have been working 60 cumulative days for one or more contractor(s) signatory with IBEW Local 1928. There is no restriction on how long a member can stay on the storm response list.
5. If you establish a pattern of failing to communicate with the Local regarding your status or availability, you may be referred to the Business Manager (or a Committee appointed by the Business Manager) and removed from the referral or storm response list until cleared by the Business Manager.
6. Any worker who is discharged for cause two times in a twelve-month period will be referred to a neutral member of the Referral Committee and will be removed from the referral or storm response list until cleared by the neutral member. In addition, if a worker is terminated for cause and the reason constitutes a serious

violation of the IBEW Code of Excellence, then the worker may be banned from being dispatched for a period to be determined by the Referral Hall Committee.

7. Workers will be dispatched only if they are properly licensed for the work they are to perform. If certifications are required, workers may be required to show the required certification in order to be dispatched.

8. Any registrant who is employed under the terms of an IBEW agreement in any jurisdiction is obligated to remove his or her name from the IBEW Local 1928 referral list.

9. Some contracts may have specific rules that provide for, among other things, Journeyman Recall, Foreman Call by Name, Appointment of Stewards, Bona Fide Skills, and work out of class.

10. Upon termination (including quits) registrants need to notify the union hall to request that they be added to the referral list (902-450-5366 or toll-free 1-800-450-5366). You may be required to supply (either the employee or the employer, as requested by the employee) a termination slip by hand delivery fax, or by e-mail to the union hall.

IBEW Local 1928 Contact Information:

IBEW Local 1928
14 McQuade Lake Cr.,
Halifax, Nova Scotia B3S 1B6
Phone: 902-450-5366
Toll-free: 1-800-450-5366
Fax: 902-450-5080
Email: lisa1928@eastlink.ca
Website: www.ibew1928.org
General email: info@ibew1928.org

Referral and Member-Hiring Information for Employers

Employers are obligated according to the terms of the contract to which they are signatory, to notify Local 1928 of their need for labour. Qualified workers can be named by the employer as per the applicable contract. The Local also names qualified workers as per the applicable contract using the above referral rules, the aim of which is to distribute available work fairly amongst qualified IBEW members.

Requirement for Notice

Whenever possible and in good faith, employers should notify Local 1928 (1-800-450-5366) during regular business hours (8am to 4:30pm) *seven days before the commencement of work* (excluding travel time) of their hiring needs. This allows the Local adequate time to contact people on the referral list. *(For example, a regular call from an employer on Friday afternoons to supply labour for the following Monday would demonstrate a lack of good faith).*

What Local 1928 will supply

The list of workers available for *storm response* will continue to be distributed weekly as it has been historically. After hours, and with respect to storms only, employers may contact available workers on the storm list.

Local 1928 will **discontinue** distributing the list of members available for full-time work. Employers **should not directly contact members** that they have previously employed/laid off with offers of work, unless that employer has specific access to those members under the rights of recall in the applicable contract. This respects the principle of fairness with respect to access to and distribution of available work. It also ensures that the efforts of the Local are not duplicated.

If there are members on the Local's hiring list that the employer intends to deny an opportunity for work, where there is a non-discriminatory and documented process of addressing performance issues and/or non-conformance of the member to reasonable employment standards, the employer should provide documentation of such to the Local, with the understanding that the same will go to the individual whose readiness for employment are in question.

What the Employer will supply

Employers should contact the Local when they have labour requirements for upcoming work (7 days in advance) with the following information:

- labour requirements (number, certifications required, any available spots for apprentices)
- project start and end dates
- description of work (e.g. live-line maintenance at 25KV; new transmission construction H-frames at 69KV; deadline distribution insulator change out; steel tower erection and so on)

- location that work is taking place; also, if applicable, the relevant IBEW Local in whose jurisdiction the work will be performed
- Where you want to put the Local 1928 member to work in another Local's jurisdiction, a copy of the applicable collective agreement and/or a suitable contact at the IBEW local in that jurisdiction. In the absence of either of those: hourly rates and overtime rates, hours of work and details of any travel turnarounds, room and board, travel allowances, inclement weather allowances, notice of any anticipated overtime
- Contact person at your company and phone number/email

The Local will cooperate with special employer recruitment efforts, where resources allow, and to publicize available work to members. We will also work cooperatively with other IBEW locals to try to solve labour shortage issues.

Travelling IBEW Members VS Local 1928 Members

In terms of pursuing full-time work with a unionized employer, IBEW members can either travel into another Local's jurisdiction (to travel in, they need to have dues receipts that demonstrate that they are members in good standing with their home Local) or transfer their membership to the Local in whose jurisdiction they are working. But because the Local 1928 referral list requires membership in the Local, Local 1928 cannot "name" a member from another Local for work in our jurisdiction (if the employer wants to employ the travelling non-Local-1928 IBEW member, the employer must name that member according to the terms of the applicable contract).

Local 1928 members have hiring priority and retention priority in event of layoff over all other IBEW members who travel in to the Local for work.

Whatever the member decides to do (travel in or transfer), the individual member is responsible for making the suitable arrangements with their home Local and Local 1928.

The Local will provide a referral slip for all employer-named travellers when that IBEW member shows proof of membership in good standing to the Local.

Similarly, if you take your employees who are Local 1928 members out of Local 1928's jurisdiction (Nova Scotia and PEI) to work in another IBEW Local's jurisdiction, the same requirements and limitations would apply to them there.

Temporary assignments such as storm work are an exception to the above.

Employing non-IBEW members

If the referral list is exhausted and the employer still has immediate labour requirements that have not been met, they are free to hire qualified non-IBEW members. On hire, those new employees must make application to become IBEW members, and also complete the paperwork for their pension benefits and health and welfare benefits, as per the applicable contract. Please notify the union hall (1-800-450-5366) of all new hires to the bargaining unit, and we can arrange to bring the forms to them, or they can come to the union hall to sign up.