

**THE
RULES AND REGULATIONS
GOVERNING THE REFERRAL
OF**

I.A.T.S.E. LOCAL 834

EXHIBITION EMPLOYEES

(Revised 12/17/2012)



IATSE LOCAL 834 RULES AND REGULATIONS

GOVERNING the REFERRAL of EXHIBITION EMPLOYEES

These Rules and Regulations govern all persons who are available for referral by the Union to exhibition, convention, and trade show industry jobs within the geographic jurisdiction of Atlanta, Georgia IATSE Local 834, hereinafter the Union. Referrals shall be placed on one or more of the lists below.

1. Referral Lists

- A. The Union maintains referral lists of qualified employees to service the trade show industry. Currently, the Union has a General referral list and a Freight referral list. The Union may create additional referral lists as the need arises.
- B. General Referral List. The General list is composed of three classifications: Journeyman, Apprentice, and Extra. The minimal qualifications for each classification are as follows:

***Journeyman:* All persons who are available for referral to jobs within the Union's geographic jurisdiction who meet the following criteria. For initial placement on this list, referents must meet the following requirements:**

- I. A minimum of 2,000 hours of experience in the industry. 400 hours of the 2,000 hours are to be derived through this Referral Procedure.
- II. Application to and approval by the Joint Classification and Training Committee (JCTC).
- III. For Apprentices desiring to advance to Journeyman, the JCTC will schedule the applicant for Journeyman testing upon completion of the Journeyman application and completion of all required paperwork. Upon the completion and passing of all tests, the applicant will advance to Journeyman classification, to be effective five working days from the completion of all tests.

***Apprentice:* All persons who are available for referral to jobs within the Union's geographic jurisdiction who meet the following criteria. For initial placement on this list, referents must meet the following requirements:**

- I. A minimum of 750 hours of experience in the industry.
- II. Application to and approval by the JCTC. Advancement to Apprentice classification will be effective five working days from the date of JCTC approval.

***Extra:* All persons classified as Extras may be referred to jobs when the Union needs additional referrals. Extras that are referred to jobs are referred at the Union's discretion.**

- I. Extras are new applicants with minimal industry experience. If an Extra has not worked or been referred within 90 days of placement on the Extra list, they will be dropped from the list and their application discarded. The Union is under no obligation to notify an Extra that they have been dropped from the list. It is the sole responsibility of the Extra to monitor their status on the list.

C. Freight Referral List

***Forklift:* All persons who are available for referral to jobs within the Union's geographic jurisdiction who meet the following criteria. For initial placement on this list, referents must meet the following requirements:**

- I. Employee must show he or she has been certified as a Forklift Driver through an OSHA-approved program. The forklift certification must be current.

***Checker:* All persons who are available for referral to jobs within the Union's geographic jurisdiction who meet the following criteria. For initial placement on this list, referents must meet the following requirements:**

- I. A minimum of 500 hours in the industry.
- II. Application to and approval by the Joint Classification and Training Committee (JCTC).
- III. For Checker advancement, the JCTC will schedule the applicant for Checker testing upon the submission of an application and completion of the required paperwork. Upon the completion and passing of all tests, the applicant will advance to Checker classification, to be effective five working days from the successful completion of all tests.

Ground Loader: All persons classified as Ground Loaders may be referred to jobs when the Union needs additional referrals. Ground Loaders that are referred to jobs are referred at the Union's discretion.

- I. Ground Loaders are new applicants with minimal industry experience. If a Ground Loader has not worked or been referred within 90 days of placement on the Ground Loader list, they will be dropped from the list and their application discarded. The Union is under no obligation to notify a Ground Loader that they have been dropped from the list. It is the sole responsibility of the Ground Loader to monitor their status on the list.
- D. The referral lists are meant to identify individuals who are actively seeking employment in the trade show and exhibition industry. An individual who has worked less than 150 hours in any calendar year will be classified as inactive and dropped from the referral lists unless a leave of absence has been obtained pursuant to these Referral Rules and Regulations.
- E. It is the sole responsibility of the referent seeking advancement to a different classification to obtain the necessary forms, complete the required paperwork and to prove the required hours of experience or provide other necessary documentation to the satisfaction of the JCTC, pursuant to the rules adopted by the committee. The forms for advancement to a different classification are available at the Union's office or online at the Union's website, www.iatse834.com.

2. Referral Agreement

- A. Each employee must sign a Referral Agreement with the Union in order to be referred from any referral list. The Referral Agreement provides for payment of a reasonable referral fee to cover the costs and expenses of the Union's administration of the referral service. The Union has the right to set and to change the amount of the referral fee from time to time. All such changes will be posted at the Union's offices.
- B. Payroll Deduction Referral Fee. Most collective bargaining agreements provide that the employer will automatically deduct and withhold from each employee's pay check the referral fees due to the Union, provided the employee has authorized such deduction in writing. In all other cases, or if the employee has failed to authorize such payroll deduction, the employee is responsible for paying the referral fee to the Union at the end of each payroll period. Failure to tender such referral fee at such time will result in the employee's immediate suspension from the referral list.

3. Referral Procedure

- A. Rotation. In general, the Union refers employees in rotating order beginning where the last call left off. This rule does not apply in cases of employer requests, quick calls, replacements, or emergencies which prevent the Union from making a normal rotation call. In addition, the Union will not refer employees classified as Extras in rotation order, but has discretion to refer them based upon the Union's determination of the employee's qualifications and experience needed for the call.
- B. Telephone Notification. The Union will attempt to notify employees of available work by telephone, except in cases where this is not practical. When telephoning employees, the Union will follow these procedures:
 1. First Sequence:

Each individual will be telephoned at their first designated telephone number. If not reached, the individual will be immediately telephoned at a second alternative telephone number designated by the referral.
 2. Second Sequence:

Individuals will be telephoned in the same manner within 30 minutes of the first telephone sequence **only** if the Union is unable to leave a message during the first sequence (**no answer or no answering machine**). No other telephone call will be made unless the list rotates completely around.
- C. Except in cases of emergencies, replacements, and quick calls, the Union will not put out calls earlier than 11:00 AM each day.
- D. When contacting employees for a work call, the Union will provide the name of the work call (show name), name of employer, work site and location, report date and time, Job Steward name, employer supervisor name, and whether the work call is a request call or rotation call.
- E. Referrals shall have one hour to confirm acceptance of the call. It is possible that the call could already be filled by the time the employee makes a return call to confirm acceptance.
- F. An employee may confirm in advance the next call to such employee, if such call is to be made the next day, provided that the individual has the means of receiving and recording the Union's report message for such call.

- G. Employees will be placed on the job list in the order of confirmation received.
- H. If the call is not filled by 6:00 PM on the day before report, the call will be converted to a “Quick Call” and covered pursuant to the rules governing “Quick Calls”.
- I. The employee listed is the only person who can accept a referral call.
- J. All employees seeking work must keep the Union informed of all telephone numbers by calling the Union’s office during normal office hours. **Individuals whose telephone numbers are disconnected and/or out of service are not eligible to be called in the normal rotation until such time as they have informed the Union in writing as to their new number(s).**
- K. If an employee has accepted or been placed on a call, the Union shall not contact the employee for any work that would interfere or conflict with the call. If an employee is cut or released early from a call, it is his or her responsibility to inform the Union office as to his or her availability.
- L. Employer Requests. The Collective Bargaining Agreement may grant the employer the right to request employees by name from the Union’s referral lists. In such cases, the Union will attempt to fill all employer requests first. Thereafter, the Union will fill the call in the normal manner, starting with Journeymen. Employer requests for Specialists will be filled in the same manner.
- M. Specialists. The JCTC has authority to certify employees as Specialists in certain areas, e.g. sign rigging. Specialists will be so identified on each referral list. If an employer’s call includes Specialists, then the next employee that is a certified Specialist in such skill will be referred beginning with Journeymen. Specialists who are referred to work in such manner do not otherwise lose their position on the referral list.
- N. Quick Calls. Defined as a call received by the Union with less than eight (8) hours to report or in some cases to meet its contractual obligations. The Union has complete discretion to select employees to refer to Quick Calls. Employees accepting a Quick Call do not lose their place on the referral list.
- O. Replacement. Defined as a person referred to replace an existing employee on a call. The Union has complete discretion to select employees to refer as replacements. Employees referred as replacements do not lose their place on the referral list. **Replacements will be added to the bottom of the work list as a new referral.**
- P. Cuts and Layoffs. Cuts and layoffs in any call are governed by the Collective Bargaining Agreement. If the Agreement does not specify a cut and layoff procedure, or if the Employer requests the Union to make the cut, then cuts and layoffs shall be made in reverse order of referral, provided the call maintains a minimum of 50% Journeymen and a maximum of 15% Extras.
- Q. In the event the Union has inadvertently failed to refer an employee in accordance with these Rules, the remedy will be that the Union will offer such employee first priority on the next two calls.
- R. Daily Availability (“Stand-By”) List. The Union may establish a daily availability list for any job. If for any reason the Union cannot fill a call through the other referral procedures contained in these Rules or the call is short, the Union has complete discretion to refer employees who have signed the Daily Availability List. Add-ons to any call may also be filled from the Daily Availability List. Employees signing the Daily Availability List are not guaranteed work from the list and do not lose their position on the general referral list; however, pursuant to Paragraph K above, the Union will not be obligated to contact them for another call if such would interfere with the job they are working.
- S. Upon request, the Union has the right to provide information to employers concerning the qualifications, skill, and experience of employees on its referral lists. Employees are encouraged to submit resumes showing their particular qualifications and experience.

4. **Job Stewards**

- A. The Union will appoint, train, and certify its Job Stewards at its sole discretion. The Job Steward will be the second person referred by the Union on each call.
- B. The Union will maintain a separate referral list of its Job Stewards listed alphabetically. The Union will refer its Job Stewards from this list in regular rotating order, however the Business Representative reserves the right to place stewards, at his or her discretion, on job calls based on the needs of the call.
- C. Job Stewards will not lose their position on the other referral lists during the tenure of their appointment and may continue to be referred from the other lists.
- D. Job Stewards must be available for assignments at all times. If a Steward is working elsewhere when needed by the Union, or if the Union determines that a Steward is not properly representing it, the Union may suspend or remove the Steward from the Steward’s List.

5. **Enforcement**

- A. No-Shows. Once an employee has accepted a call, should the employee need a replacement for any legitimate reason during the call cycle, the Union's call agent must be notified by 8:00 a.m. the day before the relevant report time. **Under no circumstances will any employee be permitted to replace him or herself.** Employees violating this rule will be charged \$25.00 for the first offense, \$50.00 for the second offense, and \$150.00 for the third offense. Employees violating this rule more than three times will be suspended from the referral list for 30 days for the fourth offense, 60 days for the fifth offense, and one year for the sixth offense. These offenses accumulate within a one-year cycle.
- B. Lateness. Once an employee has accepted a call, the employee is required to report to work at the scheduled report time. An employee will be considered late if he or she does not report at the scheduled report time. Employees violating this rule will be charged \$25.00 for reporting to work late three times in 30 days, \$50.00 for reporting to work late six times in 60 days, and \$100.00 dollars for reporting to work late nine times in 90 days. Employees will be suspended from the referral list for 30 days if they report for work late 12 times in 120 days. Employees will be suspended from the referral list for one year if they report for work late 13 times in 121 days. These offenses accumulate within a one-year cycle.
- C. Leaving Early. If an employee fails to obtain approval in writing from the employer for an early departure from a call, the employee will be suspended from the referral list for 30 days for each occurrence.
- D. Misconduct. Any person who creates a disturbance or engages in disorderly, abusive or threatening conduct at the referral hall or at a worksite or who intentionally interferes with or disrupts the administration of the referral hall will be subject, at the discretion of the Union's Business Representative, to a suspension from the referral list. Any person suspended from the referral list for misconduct will have the right to appeal that suspension pursuant to Section 6 of these rules and regulations
- E. Leave of Absence. Employees may obtain a leave of absence by giving **written notice** to the Union. While on leave of absence, the employee will be considered inactive and shall be removed from the referral list for the duration of the leave. Upon the expiration of the leave, or sooner if written request is made, the employee will be automatically reinstated to the referral list.
- F. Refusing or Failing to Respond to Calls. If an employee refuses or fails to respond **within three (3) consecutive months** without a written leave of absence, such employee may be considered inactive and may be removed from the referral list. The Union will not be required to give notice of removal to such employees. In order to be reinstated, the employee must give written notice of availability to the Union.
- G. Any person reporting for work who has not been referred to the Employer by the Union in accordance with these Rules will not be allowed on the job.
- H. All referral hall participants must accept bargaining unit work (as defined by IATSE Local 834's Collective Bargaining Agreements) with signatory employers within IATSE Local 834's geographic jurisdiction only via referral from IATSE Local 834's referral halls. No referral hall participant may accept bargaining unit work within IATSE Local 834's geographic jurisdiction directly from any signatory employer without prior written permission from IATSE Local 834's Business Representative. Employees who accept bargaining unit work within IATSE Local 834's geographic jurisdiction directly from any signatory employer without prior written permission from IATSE Local 834's Business Representative, including "protected list" employees, shall be subject to removal from the referral list for up to one year for each violation of circumventing the referral hall process. Upon request, written permission from the Business Representative to accept work directly from signatory employers will not be unreasonably withheld from "preferred list" employees.
- I. Referents obtaining trade show and convention work within the Union's jurisdiction without being referred by the Union or without permission of the Business Representative will be removed immediately from the list. Any person who has left a call without permission and has secured other work at the same convention, show, or exhibition without being referred by the Union will be suspended immediately from the referral list for six (6) months.
- J. Unfair Employers. Any employee who has accepted work with an employer declared unfair by the Union shall be immediately suspended and removed from the referral list for a period of not less than one (1) year. The Union shall notify employees of any and all employers declared unfair.
- K. Failure to Pay Referral Fee. Employees who fail to pay the referral fee when due will be immediately suspended from the referral list. The Union will notify the employee by mail of the amount due. If the employee fails to pay the amount due within 30 days of mailing, the employee will be removed from the referral list. The employee may apply for reinstatement by tendering the full amount due plus a late penalty of 25%.
- L. Failure to Reimburse Union Referral Hall for Legal Expense in Defending Garnishment Actions involving Referral Hall Participants.
Referral hall participants are employed by the signatory employers subject to the Collective Bargaining Agreements, not by the Union referral hall. Any referral hall participant who causes the Union referral hall to be sued in a "continuing garnishment action" against the referral hall participant's employer shall be required to provide an affidavit to the Union referral hall in defense of said garnishment action and within 30 days written notice of the amount due, will be required to promptly reimburse the Union referral hall for all reasonable legal expenses incurred by the referral hall in defending said continuing garnishment action. If the employee fails to pay the amount due within 30 days of mailing of the legal fee and expense bill, the employee will be removed from the referral list. The employee may apply for reinstatement by tendering the full amount due.

- M. Work Tools. Any employee reporting to work without the required work tools, or who has been released from the job for not having the required tools, will be fined \$25.00 for the first offense, \$50.00 for the second offense, and \$150.00 for the third offense. These offenses accumulate within a one-year cycle.
- N. Failure to Pay Fine. The Union will notify the employee by mail of any fine. If the employee fails to pay the fine in full within 30 days of mailing, the Union will immediately suspend the employee from the referral list. The employee may apply for reinstatement by tendering the full amount due plus a late penalty of 25%.
- O. Theft and Drugs. Any employee arrested for and convicted of theft or possession of illegal drugs on a worksite will be immediately removed from the Union's referral list. The employee may apply for reinstatement one year after the date of discharge.
- P. Notice of Rules Violation. The Union will mail to the employee, at his or her last known address, written notice of the employee's fine, suspension, or removal from the referral list pursuant to these Rules. The employee will not have more than ten (10) calendar days from the date of the notice in which to file a written appeal to the Referral Appeals Committee in the manner set forth in these Rules.

6. Referral Appeals Committee

Any employee who has been given written notice of suspension or removal from the referral list as provided in these Rules may appeal to the Referral Appeals Committee (RAC). The employee must file the appeal with the Union, in writing, within ten (10) working days of the date of such notice. The appeal must state all the reasons why the employee believes he or she should not be suspended or removed from the referral list and must list all witnesses and attach all supporting documents, if any.

Upon receipt of the appeal, the Union will schedule a hearing before the RAC. The appeal shall be heard by the Committee as soon as possible. Employees will be entitled to no more than one postponement.

The RAC will consist of three (3) persons appointed by the Union. The Committee will have the authority to investigate all appeals, to determine the facts upon a hearing, and to make whatever adjustments in penalties it deems appropriate based on the facts. The Committee shall be entitled to adopt its own operating procedures consistent with these Rules and Regulations.

7. Joint Classification and Training Committee (JCTC)

The Union and employers will establish a Joint Classification and Training Committee (JCTC). The JCTC will consist of an equal number of representatives appointed by the Union and the employers. The JCTC will qualify all new applicants for placement on the Union's referral list, shall certify all specialists, and shall certify and approve the advancement of all employees on the referral list. In case of dispute, the applicant or referral may be required to take and pass a test, such test to be developed and administered by the JCTC. The JCTC shall have final authority in all cases.

The JCTC has authority to develop and implement a training program.

Absent agreement, the Joint Classification and Training Committee shall not certify any applicant who was discharged by the employer prior to or during the term of this agreement; provided, however, that after three (3) years from the date of such discharge the discharged individual shall be entitled to apply as any other new applicant.