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**JOB REFERRAL PROCEDURES OF THE**

**KEYSTONE + MOUNTAIN + LAKES REGIONAL COUNCIL OF CARPENTERS Revised August 15, 2018**

**1. OVERVIEW**

As a service to its members, the Keystone + Mountain + Lakes Regional Council of Carpenters (KMLRCC) makes available a nonexclusive and nondiscriminatory referral procedure for individuals seeking work with signatory contractors or contractors otherwise bound to a collective bargaining agreement with the KMLRCC. The referral procedure is not an exclusive source of employment, and members are encouraged and expected to continue to search for work, consistent with the longstanding principle of “open solicitation.” The referral procedure is not intended to be a source of regular, full- time employment.

Applicants will be selected and referred from the referral list for employment, through the Local Union or the Central Dispatch Center, without discrimination based on local union affiliation within the United Brotherhood of Carpenters or based on race, religion, gender, national origin or age. In order to administer the job referral system based on the complex and varied classifications of carpentry work and the available employment opportunities, the following rules have been established.

**2. ELIGIBILITY**

A. To be eligible for dispatch, applicants must:

• Be a member in good standing**, based on the applicant’s tender of the periodic dues and initiation fees uniformly required of members**;

• Be unemployed and available for employment at all times;

• Be currently registered on the Referral List;

• Meet the minimum training skills qualification requirements of the request;

• If members are apprentices, they must be in compliance with the Apprentice Advisory

Committee Standards regarding attendance at the Training Center;

• Applicants must provide the KMLRCC Central Dispatch Center with an active phone number and must be available for contact between the hours of 2:00 p.m. and 6:00 p.m. Monday through Friday. In the event of special circumstances, referral calls may be made outside of the foregoing hours. In the event that an applicant cannot be contacted during these specified time periods, the Local Union or the KMLRCC Central Dispatch Center will contact the next available qualified applicant.

B. It is the PERSONAL RESPONSIBILITY of each applicant to register promptly and to keep the information on his/her application current and up to date. When applicants become unemployed, they shall contact the KMLRCC Central Dispatch Center and provide their name, primary contact number, address, social security or UBC number, geographical location in which they desire employment and any updates as to the carpentry skills or certifications that they possess. An applicant seeking referral to an employment opportunity within the jurisdictional area of the KMLRCC may contact the KMLRCC Central Dispatch Center 24 hours per day via the automated telephone system or during the hours of 7:00 a.m.-4:30 p.m. Each applicant must update his/her skills profile sheet upon completion of any additional training or certification program.

C. To effectively maintain the integrity of the Referral List, registered applicants are required to notify the KMLRCC Central Dispatch Center of their continued unemployment on a 30-day basis from the anniversary date of the applicant’s placement on the referral list by calling the KMLRCC Central Dispatch Center’s automated telephone system. If an applicant fails to follow this procedure after the expiration of a 30-day period, it will be presumed that the applicant is working or that he/she does not choose to be referred, and the applicant’s name will be removed from the Referral List.

D. Applicants may specify one or more companies they do not wish to be employed by contacting the KMLRCC Central Dispatch Center via notarized letter. This restriction will only be granted if a 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 Local Union will determine whether applicants will be referred to an employer through the Local Union or through the Central Dispatch Center based on the size of the job, the number of applicants requested and the need for specialized certifications and skills.

B. The Local Union or the KMLRCC Central Dispatch Center will dispatch to requesting employers based on the skill and/or training requested, chronological order and the geographical preference of the applicant. In evaluating an applicant’s skill, the Local Union may rely on an assessment of the applicant’s work history, experience, skills and ability and the specific needs of the employer on the job regardless of their chronological location on the Referral List. The Central Dispatch Center will refer the first applicant on the list with the requested skill, where an employer requests an applicant with specific skills and abilities.

C. If no particular skill is requested by the employer, then the Local Union or the KMLRCC Central Dispatch Center will dispatch applicants based on chronological order and geographical preference of the applicant.

that the applicant is currently unemployed and a member in good standing with the KMLRCC. All applicants will be dispatched by the following groups:

**Group 1** – All applicants for employment who have five or more years of experience as carpenters in their specific craft within the construction industry, who are members of the local affiliate wherein the applicant is registering for referral, or are members of the Keystone + Mountain + Lakes Regional Council of Carpenters and have chosen one or more local regions as their primary work area instead of solely their home local, and who are members in good standing and have been employed for a period of at least one year in the last four years within the local region of a KMLRCC affiliate.

**Group 2** – All applicants for employment who have five or more years of experience as carpenters in their specific craft within the construction industry*,* are members of the Keystone + Mountain

+ Lakes Regional Council of Carpenters who have not chosen the local region as their primary work area, retirees who are eligible to work based on status with respective funds, members who are from any regional council affiliate within the United Brotherhood of Carpenters and are members in good standing.

E. All referrals by a Local Union must be inputted into the Central Dispatch System by the Local

Union, including the date, location, project name and contractor.

**4. EXCEPTIONS TO THE GENERAL DISPATCH PROCEDURE**

A. In order to meet the business needs of signatory employers and to provide for the administration of the Collective Bargaining Agreement, the KMLRCC shall apply the following exceptions to the order of applicants on the Referral 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 makes a specific request for an apprentice, the next apprentice on the list will be referred if available.

B. The KMLRCC, 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, applicants may, but are not required to, advise the KMLRCC of their minority status, gender or willingness to work on reduced wage rate jobs when placing their names on the Referral List or updating their skills.

**5. SOLICITING/SHAPING WORK**

A. Applicants are encouraged to solicit (“shape”) work from potential employers provided that the employer is a signatory or bound to a collective bargaining agreement with the KMLRCC. Applicants are PERSONALLY RESPONSIBLE to notify the KMLRCC Central Dispatch Center if they seek and acquire an employment opportunity outside of the referral system. Each applicant is required to notify the KMLRCC Central Dispatch Center within two business days of the (a) contractor, (b) location of the job site and (c) the date of employment.

B. Any applicant who fails to comply with this provision shall be removed and restricted from placement on the Referral List for a period no less than 30 days after the employment in question ends. Furthermore, any applicant registered on the Referral List and is currently working for any United Brotherhood of Carpenters Affiliate or KMLRCC signatory contractor will be immediately removed from the Referral List and restricted from placement on the Referral List for a period of 30 days after his/her employment in question ends.

**6. STEWARDS**

A. In cases where mobility provisions are applicable or per the area’s Collective Bargaining Agreement, the first person on the job shall be a Certified KMLRCC Shop Steward, who shall be assigned by the Executive Secretary-Treasurer or his designee.

B. The KMLRCC will exercise its discretion, pursuant to the Collective Bargaining Agreement, to dispatch applicants who possess the skills and/or training requested, as Steward regardless of their chronological location on the Referral List. Identification and designation of Stewards shall be at the discretion of the Executive Secretary-Treasurer or his designee.

**7. JOB REFUSALS**

A. An applicant who refused dispatch on three consecutive calls for employment, within their skill, training and location of geographical preference, as personally specified, shall be removed from the Referral List on the date that he/she refuses a referral for the third consecutive time.

B. An applicant who fails to answer five consecutive calls for employment during normal dispatch hours on five different days, within their skill, training and location of geographical preference, as personally specified, shall be removed from the Referral List on the date that he/she fails to answer a call for referral for the fifth consecutive time.

**8. POSITIONING ON THE REFERRAL LIST**

A. Once applicants accumulate a total of 15 days of employment, regardless of the number of jobs worked or contractors they have worked for during that period, their names will be removed from the list. Individuals must then contact the KMLRCC Central Dispatch Center Automated Dispatch System upon the completion of that 15-day period to reinstate their status on the Referral List if they are unemployed. If individuals become unemployed within their period of 15

their place on the referral list.

B. The employer retains the right to reject any applicant dispatched by the Union for just cause. The Local Union shall send written confirmation to the employer of their rejection of an applicant for just cause, including a deficiency in skills. The rejected applicant shall retain the position held on the Referral List at the time of dispatch. However, if an applicant is terminated and/or rejected by two employers for not being able to handle a skill/function of the trade, this skill will be removed from the applicant’s records until the applicant shows proof that he/she has successfully completed a journeyman upgrade course for the particular skill, administered by the KMLRCC Apprenticeship & Training Fund.

C. With respect to layoffs, any applicant who places his/her name on the Referral List sooner than the day following the applicant’s formal layoff will be subject to the immediate removal from the Referral List and restricted from registration on the Referral List for five days.

D. An applicant may freeze his/her position on the Referral List for a maximum of 21 days by contacting the KMLRCC 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 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 he/she wishes to exceed 21 days. However, the 30-day employment status notification rule continues to apply during the applicant’s freeze period.

**9. NOTIFICATION OF REFERRAL LIST PROCEDURES**

A. The Referral List Referral Procedures shall be available during normal business hours at all offices of the KMLRCC and posted on the KMLRCC website. Any member of the KMLRCC 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 KMLRCC.

**10. DISPATCH RECORDS RETENTION**

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

**11. REFERRAL LIST ADMINISTRATIVE AUTHORITY**

A. The Executive Secretary-Treasurer of the KMLRCC or his designee shall administer the Referral List and is authorized to exercise his/her own 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.