

## **CONSTRUCTION REFERRAL PROCEDURE**

### **For Canton and Vicinity Including: Carroll, Columbiana, Holmes, Jefferson, Stark, Tuscarawas and Wayne Counties**

In the interest of maintaining an efficient system of production in the construction industry, providing for an orderly procedure of referral of applicants for employment, preserving the legitimate interests of the employees in their employment status within the area, and of eliminating discrimination in employment because of membership or non-membership in Teamsters Local Union No. 92, the following system of referral of applicants for employment will be followed by Teamsters Local Union No. 92 (Union).

1. The Union shall refer applicants for employment without discrimination against such applicants by reason of membership or non-membership in the Union, and such referral shall not be affected in any way by rules, regulations, By-laws, constitutional provisions or any other aspect or obligation of Union membership policies or requirements.
2. The Union shall maintain a register of applicants for employment established on the basis of the groups listed below. Each application for employment shall be registered in the highest priority group for which the applicant qualifies.

#### **GROUP I**

All applicants for employment who have four (4) or more years of experience in the trade, are residents of the geographical area constituting the normal construction labor market in the Canton and vicinity area and who have been employed performing Teamsters construction work for a period of at least one (1) year in the past four (4) years in the geographical jurisdiction of the Union.

#### **GROUP II**

All applicants for employment who have four (4) or more years of experience in the Teamsters construction trade

#### **GROUP III**

All applicants for employment, who have two (2) or more years of experience in the Teamsters construction trade, are residents of the geographical area constituting the normal construction labor market in the Canton and vicinity area and who have been employed for at least six (6) months in the past three (3) years in the Teamsters construction trade under a collective bargaining agreement signed by the Union.

#### **GROUP IV**

All applicants for employment who have worked in the Teamsters construction trade for more than one (1) year.

#### **GROUP V**

All applicants for employment, who have not worked in the Teamsters construction trade, but have a valid Commercial Drivers License (CDL).

3. Any employer shall have the right to obtain applicants for employment from any source and does not have to rely exclusively on the Union for applicants for employment. However, the employer shall notify the Union promptly of the names and social security numbers of any applicants for employment that the employer hires without being referred by the Union.

4. The Union shall maintain an "Out-of-Work List" which shall list the applicants within each Group in chronological order of the dates that the applicants register their availability for employment. An applicant who is registered on the "Out-of-Work List" must renew his application every sixty (60) days by personally resigning his name and or emailing constructionreferral@temsterlocal92.com on the "Out-of-Work List" or his name will be removed from the "Out-of-Work List."
5. When any employer needs additional employees in the Teamsters construction industry, the employer shall advise the Union the number of applicants needed. The Union shall refer applicants to the employer by first referring applicants in Group I in the order of their place on the "Out-of-Work List" and then referring applicants in the same manner successfully from the "Out-of-Work List" in Group II, then Group III, then Group IV, and then Group V. Any applicant who is rejected by an employer shall be returned to his appropriate place within his Group and shall be referred to other employment in accordance with the position of his Group and his place within his Group. An applicant who is hired by an employer and receives, through no fault of his own, work of twenty-one (21) calendar days or less shall, upon re-registration, be restored to his appropriate place within his group.
6. The only exceptions which shall be allowed in this order of referral are as follows:
  - a. When an employer states bonafide requirements for special skills and abilities in his request for applicants, the Union shall refer the first applicant on the register possessing the skills and abilities requested by an employer.
  - b. An employer shall have the right to call for a foreman by name provided the person requested is a member of the Union, the employee in question has not quit his previous employer within the past four (4) weeks, the employer notifies the Union in writing of the name of the individual who is to be requested for employment as a foreman and the Union shall refer said person as a foreman provided his name appears on the highest priority Group.
  - c. An employer shall have the right to request a certain person or persons to be provided as long as such request is in writing. Such a written request shall be honored provided the requested person or persons is/are not currently working in the Teamsters construction trade under a collective bargaining agreement with the Union, unless specific qualifications make such an assignment otherwise necessary, and the requested person or persons is/are willing to accept the employment offered by the requesting employer.
7. All applicants signed on the referral list must be out of work and not actively working for any employer. If it is found that an individual is working, his/her name will be removed from the referral list.
8. Applicants who are repeatedly unavailable when called (not answering the phone two or more successive calls) shall be notified by mail, to their last known address, of the times they have been called and unavailable and that they are being removed from the referral list. Applicants will be called at the phone number that the applicant designates in writing to the Union as the contact phone number for job referrals. Applicants are responsible for notifying the Union in writing of the phone number at which they are to be contacted for job referrals.

9. All individuals must have a Chauffeur's License and/or a CDL Driver's License, and an Interstate Commerce Commission Card or a D. O. T. Health Card, a social security card, and if required, a drug and alcohol test card to be eligible for work in those classifications where those licenses are required by law. Copies of these documents must be provided to the Local Union to be on the referral list, and it is the responsibility of the applicant to make sure they are updated.
10. Applicants shall be removed from the referral list and therefore not referred to employment for a minimum of thirty (30) days for the first offense and for each offense thereafter within a twelve (12) month period from the date of the last offense for any of the offenses listed below:
  - a. Any applicant who accepts a referral and does not report to the job ready for work at the appointed time, unless the applicant has a reasonable excuse approved by the Union,
  - b. Two refusals of offered employment,
11. Applicants shall be removed from the referral list and therefore not referred for employment for a minimum of ninety (90) days for any of the following offenses:
  - a. Supplying the Union false data, records of information used to establish the basis for registration.
  - b. Involvement in any unauthorized strike, work stoppage, slowdown or other activity disrupting the job.
  - c. Failure to return to work when involved in a contract disagreement when instructed to do so by the Union.
  - d. Drinking on the job, possession or use of any illegal drugs or controlled substances while on the job, being under the influence of alcohol, drugs or controlled substances while on the job, fighting or theft while on the job.
12. If an applicant is referred by the Union and is terminated by two (2) employers in a one-year period, said member shall be removed from the referral list for a period of one year from the date of the second termination.
13. A copy of this Referral Procedure shall be posted on the bulletin board in the offices of the Union. Any questions concerning this referral policy shall be directed to the President of the Union at 1-330-453-0135.

Reaffirmed at Executive Board Meeting = February 1, 2024