

**JOB REFERRAL PROCEDURES**  
**OF THE**  
**EASTERN ATLANTIC STATES REGIONAL COUNCIL OF CARPENTERS**

**Revised December 4, 2019**

**1. OVERVIEW**

As a service to its members, the Eastern Atlantic States Regional Council of Carpenters (EASRCC) makes available a non-exclusive and non-discriminatory referral procedure for individuals seeking work with signatory contractors or contractors otherwise bound to a collective bargaining agreement with the EASRCC. 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;
- 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 member is an apprentice, they must be in compliance with the Apprentice Advisory Committee Standards regarding attendance at the Training Center;
- Applicants must provide the EASRCC Central Dispatch Center with an active phone number and must be available for contact between the hours of 2:00 p.m. to 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 EASRCC 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 their application current and up to date. When an applicant becomes unemployed, he/she shall contact the EASRCC Central Dispatch Center and provide his/her name, primary contact number, address, social security or UBC number, geographical location in which he/she desires employment and any updates as to the carpentry skills or certifications that he/she possess. An applicant seeking referral to an employment opportunity within the jurisdictional area of the EASRCC may contact the EASRCC Central Dispatch Center 24 hours per day via the automated telephone system or during the hours of 7 a.m. to 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, each registered applicant is required to notify the EASRCC Central Dispatch Center of their continued unemployment on a thirty (30) day basis from the anniversary date of the applicant's placement on the referral list by calling the EASRCC Central Dispatch Center's automated telephone system. If an applicant fails to follow this procedure after the expiration of a thirty (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. An applicant may specify one (1) or more companies he/she does not wish to be employed by contacting the EASRCC 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 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 EASRCC 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 EASRCC Central Dispatch Center will dispatch applicants based on chronological order and geographical preference of the applicant.

- D. 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 with the EASRCC. All applicants will be dispatched by the following groups:

**Group 1** – All applicants for employment who have five or more years’ 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 Eastern Atlantic States 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 is a member in good standing who has been employed for a period of at least one year in the last four years within the local region of a EASRCC 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 Eastern Atlantic States 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 is a member 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.
- F. Any member accepting a job dispatch who does not appear for work as scheduled shall have his or her name moved to the bottom of the Referral List. If the member disputes this finding, he/she can request a hearing on this matter by submitting a letter to the Executive Secretary-Treasurer of the EASRCC. The Executive Secretary-Treasurer shall appoint a committee of the Executive Board to hear such cases.

#### **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 EASRCC 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 EASRCC, 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 EASRCC of his/her minority status, gender or willingness to work on reduced wage rate jobs when placing his/her name on the Referral List or updating his/her 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 EASRCC. Applicants are PERSONALLY RESPONSIBLE to notify the EASRCC Central Dispatch Center if they seek and acquire an employment opportunity outside of the referral system. Each applicant is required to notify the EASRCC Central Dispatch Center within two (2) 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 thirty (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 EASRCC signatory contractor will be immediately removed from the Referral List and restricted from placement on the Referral List for a period of thirty (30) days after his/her employment in question ends.

## **6. STEWARDS**

- A. In those cases where mobility provisions are applicable, or as per the area’s Collective Bargaining Agreement, the first person on the job shall be a Certified EASRCC Shop Steward, who shall be assigned by the Executive Secretary-Treasurer or his designee.
- B. The EASRCC 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 (3) 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 (3rd) consecutive time.
- B. An applicant who fails to answer five (5) consecutive calls for employment during normal dispatch hours on five (5) 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 (5<sup>th</sup>) consecutive time.

## **8. POSITIONING ON THE REFERRAL LIST**

- A. Once an applicant accumulates a total of fifteen (15) days of employment, regardless of the number of jobs worked or contractors he/she has worked for during that period, his/her name will be removed from the list. The individual must then contact the EASRCC Central Dispatch Center Automated Dispatch System upon the completion of that fifteen (15) day period to reinstate his/her status on the Referral List if they are unemployed. If the individual becomes unemployed within their period of fifteen days of employment, he/she must call the Central Dispatch Center coordinator, in order to maintain his/her 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 (2) 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 EASRCC Apprenticeship & Training Fund.
- C. With respect to lay-offs, any applicant who places his/her name on the Referral list sooner than the day following the applicant's formal lay-off will be subject to the immediate removal from the Referral List and restricted from registration on the Referral List for five (5) days.
- D. An applicant may freeze his/her position on the Referral List for a maximum of twenty-one (21) days by contacting the EASRCC 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 he/she wishes to exceed twenty-one (21) days. However, the thirty (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 EASRCC and posted on the EASRCC website. Any member of the EASRCC 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 EASRCC.

#### **10. DISPATCH RECORDS RETENTION**

- A. All records pertaining to dispatch will be maintained by the Council through the EASRCC 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 EASRCC 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 EASRCC at the next regularly scheduled meeting.

#### **11. REFERRAL LIST ADMINISTRATIVE AUTHORITY**

- A. The Executive Secretary-Treasurer of the EASRCC, 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.