

LIUNA CODE OF PERFORMANCE *

The Labor International Union of North America has issued a Code of Performance that affects all LIUNA members, LIUNA Local Unions, District Councils and Employers agreeing to sign the Code.

THE GOAL:

The goal of the Code of Performance is to ensure that our membership meets the highest standards in our industry. The aim is to deliver craftsmanship that exceeds the expectations of our contractors and their customers. We need to provide and maintain a work force that makes contractors want to be Union and owners want to build Union.

THE CODE:

Should any Laborer referred for employment be terminated from that job for one of the following reasons (causes):

1. Excessive Absenteeism
2. Excessive Tardiness (lateness)
3. Lack of Required Skills (Cannot be used for apprentices)
4. Insubordination
5. Theft

his or her referral privileges shall be suspended automatically for one month. Should the same individual be terminated for cause for a second time within a twenty-four (24) month period, his or her hiring hall privileges shall be suspended automatically for six (6) months.

Should the same individual be terminated for cause a third time within a twenty-four month period, his or her referral privileges shall automatically be suspended indefinitely.

If the person referred for employment files a written grievance challenging the termination, the suspension of hiring hall privileges will not take effect unless and until the grievance is resolved and the termination for cause is found to be true.

Grievances will first be referred to a three (3) member Review Committee appointed by the Business Manager of the Laborers' District Council. If the member is dissatisfied with the decision of the Review Committee, that member may appeal the Committee's decision to an Independent Review Officer.

Appeals to the Independent Review Officer must be filed in writing within five (5) calendar days of the time that he/she was notified by the Review Committee. **The decision of the Independent Review Officer shall be final and binding.**

An appeal to the Independent Review Officer does not affect the beginning or continuation of the suspension from referral unless and until the Independent Review Officer decides otherwise

Local Union Responsibilities

- Understand and adopt the Code of Performance as a part of the Local Unions Hiring Hall Rules.
- Educate members about the Code of Performance, its goals and standards
- Provide guidance to members in their skill assessment
- Provide training opportunities for members to upgrade their skills
- Enforce the Code of Performance by suspending the members' referral rights as appropriate.
- Ensure fair opportunity for members to contest any suspension of referral privileges.
- Provide an opportunity to counsel members whose referral rights have been suspended about how to prevent further problems.
- Promptly notify members who are discharged "for cause" and provide the contact information to the District Council.

District Council Responsibilities

- Assist Local unions in effectuating the Code in accordance with Article II of the Unified District Council Constitution and where the hiring hall rules are included in a collective bargaining agreement, in negotiations with contractors, to adopt the this Clause.

Member Responsibilities

- Acquire the necessary skills through apprenticeship and/or training programs
- Report promptly upon referral to a job and show up to work on time, ready, willing and able to work.
- Beware of and follow the Local Union's job referral rules.
- Avoid excessive absenteeism and excessive tardiness
- Follow directions from supervisors
- Do not be insubordinate
- Give a "fair" day's work
- Treat the Employer's and the customer's tools and property and those of fellow workers with respect
- Avoid disruptions on the job by using the established procedures to resolve disputes.
- Understand and use safe practices and safety equipment.

Employer Responsibilities

- Ensure that each project has the necessary number of Laborers, equipment and leadership to perform the work.
- Inform the Local Union of any problem Laborers and/or work issues with Laborers regarding the Code of Performance
- Counsel Laborers who are not meeting their responsibilities through verbal and written warnings and consult with the Local Union when warnings occur.
- Fill out the Notification of Termination Form for any Laborer terminated "for cause". Cause shall include only those (5) reasons for termination specified on the Notification of Termination Form.
- Agree to support any decision made through or by a Review Committee or Independent Review Officer.

Acknowledgement Form:

All Local will be required to have all members sign an Acknowledgement Form at the time of registering or re-registering for work referrals.

**LABORERS' CODE OF PERFORMANCE
ACKNOWLEDGEMENT FORM**

The goal of the Code of Performance is to ensure that our membership meets the highest standards in our industry. The aim is to deliver craftsmanship that exceeds the expectations of our contractors and their customers. We need to provide and maintain a work force that makes contractors want to be Union and owners want to build Union.

Meeting these goals requires members (to) understand and incorporate these values in their day-to-day performance. According, as a member of the Laborers' International Union of America I agree to:

- Acquire the necessary skills through apprenticeship and/or training programs,
- Report promptly upon referral to a job and show up for work on time, ready, willing and able to work
- Be aware of and follow the Labor Union's job referral rules.
- Avoid excessive absenteeism and excessive tardiness.
- Follow direction from supervision.
- Do not be insubordinate.
- Give a fair day's work

- Treat the Employer's and the customer's tools and property and those of fellow workers with respect.
- Avoid disruptions on the job by using the established procedures to resolve disputes.
- Understand and use safe practices and safety equipment.

I acknowledge this responsibility and pledge my word to do the same and acknowledge that I have received, read and understand the Laborers' Code of Performance.

Signature

Social Security/Membership (Number)

Date

Frequently Asked Questions and Answers:

1. Q. Why have a Code of Performance?
A. The Code of Performance is intended to encourage more cooperation among our signatory contractors, affiliates and members to help ensure that our workforce is the most efficient, most skilled and most highly trained anywhere. This is another tool to grow our Union and to provide more and better opportunities for our members
2. Q. What if a laborer is let go or discharged by a contractor for some other reason?
A. If a laborer is let go, laid off or discharged for some reason other than "for cause" as define in the Code, then this will not trigger a suspension of referral privileges under this Code.
3. Q. How should Locals get current members to sign the Code of Performance Acknowledgment Form?
A. Local shall require current members to sign as a condition of registering or re-registering for referrals.
4. Q. What if a laborer whose referral privileges have been suspended under the Code of Performance wants to transfer to another Local?
A. The home Local will note the suspension of referral privileges on the transfer slip and the same suspension of referral privileges will apply at the new Local to which the member transfers
5. Q. Does a suspension of referral privileges under the Code affect the members' good standing, right to voice and vote at meetings or any other rights of membership?
A. A suspension of referral privileges under the Code will not affect good standing or any other right of membership.

6. Q. Is a member whose referral privileges are suspended under the Code considered to be "working at the calling"?
- A. In some circumstances a member whose referral privileges are suspended under the Code may nonetheless be able to obtain work that would qualify as working at the calling; however, such a member generally would not be able to show that he or she was working at the calling.
- This article contains the primary points of the Code. A full copy of the Code is available from the Secretary-Treasurer's office.

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