



Date: September 24, 2004

Memo To: Members of the NECA Board of Governors

From: J. Michael Thompson  
Secretary-Treasurer

Subject: Proposals to Amend Ordinary Proposals #2 and #9

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In accordance with Article VI, Section 8 of the NECA Bylaws, the attached proposals to amend Ordinary Proposal #2 and Ordinary Proposal #9 have been submitted to be voted upon at the meeting of the Board of Governors to be held at the Westin Bonaventure Hotel in Los Angeles, California on October 16, 2004. The original proposals were distributed on August 27, 2004.

pc: Chapter Presidents  
Chapter Managers

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**PROPOSAL TO AMEND ORDINARY PROPOSAL #2** re: Substance Abuse Language  
(Submitted by District 1 Council, NECA)

(proposed amended language underlined)

RESOLVED, That NECA, through its Board of Governors, shall reaffirm its support and recommendation of the new Category I Substance Abuse Language and Local Area Wide Substance Abuse Testing Policy, excluding item #14 of the Required Minimum Standards.

**COMMENT FROM NECA HEADQUARTERS**

The Substance Abuse Language and Policy have been agreed to with the IBEW. It is presented to the NECA Board of Governors for affirmation and is not subject to amendment. The District 1 Council apparently is in support of the language and program, but does not agree with the hold harmless provisions in item #14 of the Required Minimum Standards. The language in item #14 was discussed and debated with the IBEW in detail. The IBEW has always insisted that it be held harmless for an employer's safety programs. Without this provision the IBEW will not agree to the substance abuse program. If this amendment is adopted there will be no Category I Substance Abuse Language. It is recommended to vote AGAINST this amendment.

**PROPOSAL TO AMEND ORDINARY PROPOSAL #9** re: Category I Referral Language  
(Submitted by Connecticut Chapter, NECA)

As Presently Written

RESOLVED, The National NECA's Labor Relations Department shall be authorized to engage in negotiations with the IBEW to modify Category I language pertaining to the referral of applicants for employment to allow employers to select employees by name from the list of referral applicants ~~and allow employees~~ to solicit work directly from employers.

New Proposed Language

RESOLVED, The National NECA's Labor Relations Department shall be authorized to engage in negotiations with the IBEW to modify Category I language pertaining to the referral of applicants for employment to allow employers to select employees by name from the list of referral applicants. In addition employees who have signed the referral list and are available for work shall be permitted to solicit work directly from employers.

COMMENT FROM NECA HEADQUARTERS

The sponsor wishes to clarify that an employee should be unemployed before soliciting work directly from an employer. This amendment is recommended FOR adoption.