2005 BOARD OF GOVERNORS MEETING

Minutes of Meeting

The Hilton Chicago
Chicago, IL
September 17, 2005
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Call To Order: Chairman Cook called the regular meeting of the Board of Governors of the National Electrical Contractors Association, Inc. to order at 8:30 a.m. September 17. Mr. Cook welcomed the members of the Board and guests. He thanked everyone for being so cooperative in agreeing to change the meeting site from New Orleans as a result of the damage in New Orleans from Hurricane Katrina.

Regarding the conduct of the meeting, the following are applicable in accordance with sections 4.4 and 8 of the Bylaws:

- In all elections of officers, except when the candidate is unopposed, and in voting on amendments to the Bylaws, the Board of Governors shall take a ballot vote. On other matters, the usual form of viva-voce voting shall prevail with each member of the Board of Governors having one vote, provided any member of the Board of Governors may call for a ballot vote on any question before the question is put to the Board of Governors for a vote.
- On ballot votes, except on matters pertaining to Labor Relations, each Governor shall cast, as a unit, all the number of votes as provided in the Bylaws for the members of the chapter who are in good standing thirty (30) days prior to the date of the meeting. On any matter pertaining to labor relations, the number of votes shall be limited to those attributable to members signatory to an I.B.E.W. labor agreement. The President, District Vice-Presidents and the Vice-President-at-Large shall cast one (1) vote each.
- Effective date of these proposals shall be immediate upon passage unless otherwise indicated.
- Robert’s Rules of Order will govern such discussion as may be desired on these proposals.

Committees: President Cook announced that he had appointed the following committees for this meeting:

- **Credentials Committee**
  Chairman: Lanny S. Thomas, Atlanta Chapter, NECA
  Gregg B. Eisenhardt, Milwaukee Chapter, NECA
  Leo J. Villeneuve, Northern New York Chapter, NECA
  Selma Ulrich (Secretary), Bethesda, Maryland

- **Tellers Committee**
  Chairman: David Ward, Peoria, Illinois
  Bill Birkett, Casper, Wyoming
  Ben Nest, Cape Porpoise, Maine
  Selma Ulrich (Secretary), Bethesda, Maryland
**ROSTER** - The following is a list of the members of the NECA Board of Governors:

**EXECUTIVE COMMITTEE**

President: Ben Cook, Brownwood, Texas
Vice President, District 1: Richard L. Burns, Syracuse, New York
Vice President, District 2: Rex A. Ferry, Girard, Ohio
Vice President, District 3: E. Milner Irvin, III, Miami, Florida
Vice President, District 4: James B. Stouffer, Benton Harbor, Michigan
Vice President, District 5: Howard D. Hughes, Fort Smith, Arkansas
Vice President, District 6: James E. Mackey, Seattle, Washington
Vice President, District 7: David F. Firestone, Lincoln, Nebraska
Vice President, District 8: Robert V. Rydalch, Salt Lake City, Utah
Vice President, District 9: Robert F. Daoust, Alamo, California
Vice President at Large: Donald Wilson, Canby, Oregon
Vice President, District 10: Robert Egizio, Springfield, Illinois

**CHAPTER AND GOVERNOR**

Alaska .............................................................. Scott Bringmann
Albany ............................................................. Simeon A Hunsdon
American Line Builders ............................. Philip H Wagner
Arizona ............................................................. Gregory Russell
Arkansas ............................................................. Johnny Robinson
Atlanta ............................................................. Lanny S Thomas
Atlantic Coast .................................................. Daniel K. Herndon, Alternate
Augusta ............................................................... Tim Mundy
Baton Rouge ...................................................... Greg Smith
Boston ............................................................. William G Seaver Sr
California Central Coast ....................................... John L Mussell
Cascade .............................................................. Mel A Buttrum
Central Florida .................................................. Terry W Davis
Central Illinois ................................................ Michael Snyder, Alternate
Central Indiana .................................................. M Thomas Cummins
Central Massachusetts ......................................... Jonathan Ostrow
Central Mississippi ............................................... Donald G Jordan
Central Ohio ..................................................... Charles R Scherer
Central Texas ...................................................... John Lambert
Chicago & Cook County ........................................... David A Hardt
Cincinnati ......................................................... Ronald R Pennington
Connecticut ........................................................ Ian M Logie
Contra Costa ...................................................... Ray Trebino
Dakotas .............................................................. Gregory A Rick
East Central California ........................................... Matt Furrer
East Tennessee ................................................... Jerry W Sims
Eastern Illinois ................................................... Larry H Clermont
Eastern Oklahoma ............................................... Alan J Cook
El Paso .............................................................. Nathan Wilcox, Alternate
Finger Lakes NY ................................................... James A Engler Jr
Florida West Coast ............................................... Andrew D DeLaParte
Georgia ............................................................... Brad Butler, Alternate
Greater Cleveland ............................................... Richard E Cunningham
Greater Sacramento .............................................. Richard Nogleberg
Gulf Coast ......................................................... Adrian Yarbrough
Hudson Valley ..................................................... Jeffrey L Seidel
Idaho ................................................................. Douglas W Keith
Illinois ............................................................... Richard H Jakowsky
Inland Empire .................................................... Andrew D Dahlman
Intermountain ..................................................... Terry Fleming
Iowa ................................................................. John Negro
Kansas .............................................................. Doug Hague, Alternate
Kern County ....................................................... Richard Traynor
Long Island ....................................................... Robert J Kohlmeier
Los Angeles County ............................................... Don R Davis
Louisville ............................................................ William B Lich
Maryland ............................................................ James H Cornelius
Memphis ............................................................. Ira K Eastman
Michigan .......................................................... Ronald Lindberg
Middle Tennessee ................................................. Raymond Vandiver
Milwaukee .......................................................... Gregg B Eisenhardt
Minneapolis ....................................................... Bruce Young
Missouri Valley Line Constructors ........................ Gregg B Eisenhardt
Montana ............................................................. Fred J Talarico
Nebraska ............................................................. William Heller
New Mexico ........................................................ Dale E Phagan
New York City .................................................... David B. Pinter, Alternate
North Central Ohio ............................................ Anthony L. Shreve, Alternate
North Florida ..................................................... Ron A Autrey
North Louisiana .................................................. G K Davis
North Texas ....................................................... Michael H Boggs
Northeast Louisiana ............................................ Garland Meredith
Northeastern Line Constructors .......................... George Troutman
Northeastern Illinois ........................................... Craig R Martin
Northern California ............................................. Lewis Frain, Alternate
Northern Illinois ................................................. David E Morse
Northern Indiana ............................................... Anthony J Maloney III
Northern New Jersey ............................................. Lewis S Weinstock
Northern New York ................................................ Leo J Villeneuve
Northwest Line Constructors ............................... Gary A Tucci
INTERNATIONAL CHAPTERS

Canadian Electrical Contractors Association, Inc.
Toronto, Ontario, Canada .........................Rick Brodhurst

NECA (Australia) - National Office
South Melbourne, Victoria, Australia ........ Neville Palme

Electrical Contractors Association Queensland
Fortitude Valley, Queensland, Australia Geoffrey Baldwin

Electrical Contractors Association of New Zealand
Wellington, New Zealand .........................Scott Applegate

Electrical Contractors Association of Western Australia
West Perth, Western Australia, Australia .....Wayne Carter

NECA (Australia) - New South Wales
New South Wales, Australia ......................Stephen Griffiths

NECA (Australia) - South Australia
Fullarton, South Australia, Australia ..........Frank Russo

NECA AMERIC – National Office
Mexico City, Mexico .................................Salvador Gomez

ACEN NECA Monterrey (Mexico)
Nuevo Leon, Monterrey, Mexico Claudio Villarreal Garza

NECA ACOEO (Guadalajara, Mexico)
Guadalajara, Jalisco, Mexico .....................Marco de la Barrera

The following domestic chapters were not represented:
Baton Rouge San Joaquin Valley
California Central Coast Middle Tennessee
Central Mississippi Monterey Bay
Connecticut Northeast Louisiana
Contra Costa Santa Clara Valley
East Central California South Louisiana
El Paso Southwest Louisiana
Kern County West Texas
Los Angeles County Western Massachusetts
San Francisco

The following international chapters were not represented:
Canadian Electrical Contractors Association, Inc.
NECA (Australia) - National Office
Electrical Contractors Association Queensland
Electrical Contractors Association of New Zealand
Electrical Contractors Association of Western Australia
NECA (Australia) - New South Wales
NECA (Australia) - South Australia
ACEN NECA Monterrey (Mexico)
NECA ACOEO (Guadalajara, Mexico)
Recognition of Fellows of the Academy of Electrical Contracting: Mr. Cook requested that all Fellows stand and be recognized.

Action on Minutes of Previous Meeting:
Upon motion duly made and seconded, the minutes of the meeting held in Los Angeles, CA on October 16, 2004, were approved.

Report of the President: Mr. Ben Cook, President presented a report on the state of the association.

Report of the Secretary-Treasurer: Mr. J. Michael Thompson, Secretary-Treasurer, reported on the financial and membership status as of August 31, 2005.

Report of the Chief Executive Officer: Mr. John M. Grau, Chief Executive Officer, provided a current update on all matters of substantial concern to the Association.

Special Report on Labor Relations: Mr. Geary M. Higgins, Vice President, Labor Relations, reported on the current status of Labor Relations issues.


Report on NECA Political Leadership Council: Mr. David Firestone, National Chairman, reported on progress towards becoming a $1 million Political Action Committee.

Guest Speaker: Mr. Edwin D. Hill, International President of the IBEW discussed challenges confronting the industry.

Action to Reaffirm Standing Policy Statements:
Upon motion duly made and seconded, it was voted to reaffirm Standing Policies 1-14 and 17.

Action on Bylaw Proposal Amendment #1:
Being properly submitted by the Northern and Southern New Jersey Chapters, NECA, this proposal to amend Section 10.7(b) regarding Vacancies was LOST. A ballot vote was required and the results showed 1,219 votes cast FOR and 3,235 votes cast AGAINST.

Action on Ordinary Proposal #1:
Being properly submitted by the NECA Executive Committee, this proposal regarding the Reauthorization of the National Labor-Management Cooperation Committee was ADOPTED by voice vote.

Ordinary Proposal #1

WHEREAS, An agreement to establish a National Labor-Management Cooperation Committee (NLMCC) was approved by the Board of Governors in 1995;

WHEREAS, In order to gauge the effectiveness of the NLMCC, the initial agreement reached by the IBEW and NECA provided that the agreement would terminate at the end of five years from its date of creation if not renewed by the parties;

WHEREAS, The agreement was re-authorized through November 30, 2005;

WHEREAS, The agreement states that it “may be terminated…by either party upon written notice to the other of at least 90 calendar days”;

WHEREAS, The NLMCC has initiated a number of programs to implement its mission of improving the relationship between signatory contractors and the IBEW at all levels, explore means of becoming more competitive, increase employment opportunities, and promote union electrical work to end users;

WHEREAS, The effectiveness of many of these programs is already apparent on both the local and national levels and these and other programs show the promise of even greater results in the future;

WHEREAS, Many of these programs have entailed a current and continuing commitment of resources at both the national and local levels;
WHEREAS, A discontinuation of the NLMCC at this point would have a negative impact on these programs and require local parties to devote a disproportionately larger share of their resources to replace and duplicate services and materials now available to them through the national NLMCC; and

WHEREAS, Re-authorization of the NLMCC will give its programs an opportunity to mature, expand, and improve the outlook for all local areas on the most economical basis; now, therefore, be it

RESOLVED, That the National Electrical Contractors Association reaffirms its support for the NLMCC and authorizes its officers to renew the “NECA-IBEW Agreement for a National Labor-Management Cooperation Committee.”

Action on Ordinary Proposal #2:
Being properly submitted by the NECA Marketing Committee, this proposal regarding Standing Policy Statement #15 (Electrical Industry Contractor Utility Relations) was ADOPTED by voice vote.

Ordinary Proposal #2

WHEREAS, The existing NECA Standing Policy Statement 15 still accurately depicts NECA’s position; and

WHEREAS, The timeliness of the policy statement can be improved by minor revisions to the first sentence of the closing paragraph, now, therefore, be it

RESOLVED, That NECA Standing Policy Statement 15, “Electrical Industry Contractor Utility Relations,” be reaffirmed with the following changes:

Current wording: “NECA advocates a return to positive relations between electric utilities and electrical contractors, and encourages reopening and maintaining effective communication channels of communication at all levels….”

Note: underlined language indicates new language; strikeover language indicates language that is replaced.

Proposed revised wording:
NECA advocates positive relations between electric utilities and electrical contractors, and encourages effective channels of communications at all levels. Electrical contractors and utility companies are most productive, and customers are best served, when the industry partners cooperate to deliver the goods. Disputes will arise and the parties will have to “agree to disagree” on some issues, but the industry and the end-users of electrical power will benefit from electric utilities and contractors working together on common interest and competing fairly when interests diverge.

Action on Ordinary Proposal #3:
Being properly submitted by the NECA Marketing Committee, this proposal regarding Standing Policy Statement #16 (Public Relations) was ADOPTED by voice vote.

Ordinary Proposal #3

WHEREAS, NECA’s Strategic Plan establishes a priority to “improve the image and visibility of the electrical construction industry and NECA”;

WHEREAS, A strong public identity is consistent with and supportive of all NECA’s strategic objectives and priorities; and

WHEREAS, The existing NECA Standing Policy Statement 16 no longer accurately reflects the Association’s proactive and responsive approach to public relations; now, therefore, be it

RESOLVED, That NECA Standing Policy Statement 16, “Public Relations,” be deleted in its entirety and replaced with the following policy statement:

NECA maintains a comprehensive public relations program to address the strategic goal of enhancing the image of NECA and the electrical contracting industry. Electrical contractors provide a vital service, but the impact of their work is often undervalued by the public. Effective public relations creates a marketplace environment where NECA contractors are recognized by customer audiences and members of their communities as business professionals, leaders, problem-solvers and technical experts; and NECA is recognized as the voice of the electrical industry.
NECA’s approach to public relations is both proactive and responsive; it positions NECA as the leading authority on the electrical industry and the primary advocate for member contractors. The Association actively seeks opportunities to speak out on issues important to NECA members through the media and other forums. NECA also develops public relations initiatives that address emerging concerns and unfolding events. The Association provides resources, training, and support to advance and expand the public relations and marketing efforts of individual members and chapters, as well as ensure a consistent message in all of NECA’s media and outreach initiatives.

Active communication with NECA members, the media and key decision-makers is essential to maintaining a positive appreciation for the electrical contracting industry and the Association. Therefore, ongoing efforts should be made at the chapter, district and national levels of NECA to identify and communicate newsworthy Association activities and feature outstanding examples of members’ work. Communications methods include distributing press releases and developing articles for the trade and public media. Public relations also includes community outreach, strategic partnership and philanthropic activities. These activities should have a strategic and meaningful connection to NECA’s role in the industry. When publicized, these activities will enhance the image of qualified electrical contractors. It is also recommended that special commemorative events that occur within the Association be shared with the business community.

A higher profile makes it possible for NECA to assume industry leadership and be a key player in policies, legislation and partnerships. For NECA members, this growing visibility will translate into increased market opportunities, improved access to important decision-makers, and a broader talent pool from which the next generation of skilled craftsmen and managers will come. As NECA’s brand recognition grows, qualified electrical contractors will benefit from their alignment with NECA as their customers will associate professional excellence with NECA membership.

Regular efforts should be made by NECA staff and officers to stay informed of the developments and best practices in public relations and marketing communications. NECA will use these skills and knowledge to remain effective and efficient. Funding for such public relations activities should be an integral part of the Association budgeting process, at the local chapter and national levels of NECA. Finally, systematic studies to measure the public opinion of NECA and its members should be conducted in order to refocus the public relations program as local, regional, and national issues may warrant.

Action on Ordinary Proposal #4:
Being properly submitted by the Northern and Southern New Jersey Chapters, NECA, this proposal regarding Electronic Voting was LOST. A ballot vote was required and the results showed 1,605 votes cast FOR and 2,897 votes cast AGAINST.

Action on Amendment to Ordinary Proposal #5:
Being properly submitted by the St. Louis Chapter, NECA and the NECA Executive Committee, this proposal to amend Ordinary Proposal #5 regarding Category I Referral Language was ADOPTED by voice vote.

Ordinary Proposal #5

Note: underlined language indicates new language; strikeover language indicates language that is replaced.

WHEREAS, No progress has been reported to date concerning agreement by the IBEW to amend Category I Referral Language as proposed by the Connecticut Chapter, NECA as amended Ordinary Proposal #9, 2004;

WHEREAS, By passage of Amended Ordinary Proposal #9 in 2004, NECA’s Board of Governors resolved that, “The National NECA 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.”;

WHEREAS, To date, the IBEW has not agreed to such changes;

WHEREAS, Current Category I Referral language discourages personal initiative and superior performance by IBEW craftsman;

WHEREAS, Conditions imposed upon contractors by Category I Referral procedures limit timely industry growth and restrict NECA members from consistently demonstrating to customers superior expertise, professional work ethics and productivity; and
WHEREAS, NECA contractors can compete more successfully with non-IBEW employers, increase market share and significantly expand employment opportunity for IBEW members if Category I referral procedures are sufficiently flexible to recruit and place trained and consistently productive workers when and where necessary; and now, therefore be it

WHEREAS, There exists a Labor Relations Task Force, appointed by the Executive Committee and made up of NECA District Vice Presidents, charged with reviewing industry conditions and recommending to the parent organizations changes to make the organized electrical industry more competitive, now therefore, be it

RESOLVED, That the NECA Executive Committee shall direct the Labor Relations Task Force to address Category I Referral Procedures in its discussion with the IBEW. This directive shall complement the ongoing work of the task force to achieve necessary changes, additions, or deletions to Category I and other agreement language and continue to impress on the IBEW the importance of the referral issue to our membership. The Task Force shall report it’s progress to NECA’s membership by no later than June 15, 2006. The Task Force shall be directed to do the following by December 1, 2005, appoint a special Task Force to amend Category I Referral Procedures. This “Referral Procedure Task Force” shall spearhead a national initiative to achieve necessary changes to Category I referral procedures and other Category I Agreement Language. The Task Force shall report progress to NECA’s membership by no later than May 1, 2006. Duties for the new Referral Procedure Task Force shall include, but are not limited to:

1. Draft NECA’s proposal to amend Category I referral procedures to achieve the terms of Amended Ordinary Proposal #9, 2004 and any additional amendments deemed necessary.

2. Communicate with the Advisory Council of each NECA District to coordinate and consolidate input from NECA’s membership.

2-3. Review any additional proposal submitted by a NECA Chapter or District Council by March February 1, 2006, to improve and make more competitive Category I Agreement Language, such as elimination of Reverse Order of Layoff provisions, improvement of the Apprentice Ratio, or development of new classifications of employees.

3. Develop a strategy to achieve NECA’s goals in negotiating more competitive agreement language with the IBEW, revisions to the referral procedure and assist NECA’s Labor Relations Department to negotiate and secure IBEW agreement to amend Category I Agreement Language.

Action on Ordinary Proposal #5, as amended:

Being properly submitted by the St. Louis Chapter, NECA, this proposal, as amended, regarding Category I Referral Language was ADOPTED by voice vote.

Ordinary Proposal #5

WHEREAS, No progress has been reported to date concerning agreement by the IBEW to amend Category I Referral Language as proposed by the Connecticut Chapter, NECA as amended Ordinary Proposal #9, 2004;

WHEREAS, By passage of Amended Ordinary Proposal #9 in 2004, NECA’s Board of Governors resolved that, “The National NECA 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.”;

WHEREAS, To date, the IBEW has not agreed to such changes;

WHEREAS, Current Category I Referral language discourages personal initiative and superior performance by IBEW craftsman;

WHEREAS, Conditions imposed upon contractors by Category I Referral procedures limit timely industry growth and restrict NECA members from consistently demonstrating to customers superior expertise, professional work ethics and productivity;

WHEREAS, NECA contractors can compete more successfully with non-IBEW employers, increase market share and significantly expand employment opportunity for IBEW members if Category I referral procedures are sufficiently flexible to recruit and place trained and consistently productive workers when and where necessary; and

WHEREAS, There exists a Labor Relations Task Force, appointed by the Executive Committee and made up of NECA District Vice Presidents, charged with reviewing industry conditions and recommending to the parent organizations changes to make the organized electrical industry more competitive, now, therefore, be it
RESOLVED, That the NECA Executive Committee shall direct the Labor Relations Task Force to address Category I Referral Procedures in its discussion with the IBEW. This directive shall complement the ongoing work of the task force to achieve necessary changes, additions, or deletions to Category I and other agreement language and continue to impress on the IBEW the importance of the referral issue to our membership. The Task Force shall report its progress to NECA’s membership by no later than June 15, 2006. The Task Force shall be directed to do the following:

1. Draft NECA’s proposal to amend Category I referral procedures to achieve the terms of Amended Ordinary Proposal #9, 2004 and any additional amendments deemed necessary.

2. Communicate with the Advisory Council of each NECA District to coordinate and consolidate input from NECA’s membership.

3. Review any additional proposal submitted by a NECA Chapter or District Council by March 1, 2006, to improve and make more competitive Agreement Language.

4. Develop a strategy to achieve NECA’s goals in negotiating more competitive agreement language with the IBEW.

Action on Ordinary Proposal #6:

Being properly submitted by the NECA Executive Committee, this proposal regarding Category I Repeated Discharge Language was ADOPTED by voice vote.

Ordinary Proposal #6

WHEREAS, Since 1999 there has existed Optional Agreement Language that requires that an individual who has been discharged for cause three times in a twelve month period be examined by a neutral party to determine what corrective action may be required before that individual may return to the referral list;

WHEREAS, This language was developed in order that IBEW-signatory contractors would be “guarantee(d) a supply of the most qualified, competitive, and highly trained manpower”;

WHEREAS, A number of local areas have adopted this language with favorable results, but many areas have not yet adopted this language;

WHEREAS, Due to the efforts of the Joint NECA-IBEW Labor Relations Task Force study that developed the Mission 2004 Report and the IBEW’s own internal review of referral practices, a revision to the optional language was recommended and agreed to that would reduce the triggering event from three discharges to two discharges and also elevate the language from Optional to Category I; and

WHEREAS, The changes called for are well founded and of benefit to the industry, now, therefore, be it

RESOLVED, That NECA, through its Board of Governors, shall reaffirm its support for and acceptance that the Repeated Discharge Language be made Category I.

Election of Member Officers:

There being no opposition, upon motion duly made and seconded, the following candidate was elected to a three-year term commencing January 1, 2006:

President   E. Milner Irvin, Miami, FL

There being no opposition, upon motion duly made and seconded, the following candidates were elected to two-year terms commencing January 1, 2006:

Vice President, District 1   Richard L. Burns, Syracuse, NY
Vice President, District 3   Franklin D. Russell, Mobile, AL
Vice President, District 5   John M. Gueldner, San Antonio, TX
Vice President, District 7   John J. Negro, Cedar Rapids, IA
Vice President, District 9   Richard Nogleberg, Citrus Heights, CA
Special thanks were offered to retiring Vice Presidents E. Milner Irvin, Howard D. Hughes, David F. Firestone, Robert F. Daoust and Robert Egizii.

**Announcement of Executive Committee Selection for Vice President At Large:**
President Cook announced that the Executive Committee had appointed John R. Colson of Houston, Texas as the Vice President at Large for the two-year term commencing January 1, 2006. Mr. Colson represents Quanta Services, Inc.

**Action on Honorary Membership for President Cook:**
The Executive Committee had nominated Ben Cook for honorary membership. Mr. Cook relinquished the chair to E. Milner Irvin.

Upon motion duly made and seconded, an Honorary Membership was voted for Mr. Cook, based upon his significant contributions to the industry.

**Other Business:**
There being no further business to come before the meeting, the Chairman thanked the members for their presence and cooperation and officially adjourned the meeting at Noon.

J. Michael Thompson
Secretary