



Date: August 26, 2005

Memo To: Members of the NECA Board of Governors

From: J. Michael Thompson  
Secretary-Treasurer

Subject: Proposal to Amend Ordinary Proposal #5

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In accordance with Section 8.8 of the NECA Bylaws, the attached proposal to amend Ordinary Proposal #5 has been submitted to be voted upon at the meeting of the Board of Governors to be held at the Hilton Riverside Hotel in New Orleans, Louisiana on September 17, 2005. The original proposals were distributed on July 29, 2005.

pc: Chapter Presidents  
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**PROPOSAL TO AMEND ORDINARY PROPOSAL #5** - Re: Category I Referral Language  
(Submitted by the St. Louis Chapter, NECA and the NECA Executive Committee)

{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 its 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.~~
- 3.4. 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.~~

**Comment From NECA Headquarters:**

This proposal retains the essence of the original proposal from the St. Louis Chapter, instructs the existing NECA Labor Relations Task Force to continue to seek changes to the standard referral procedures, but avoids the potential conflicts and redundancies of establishing a second task force to accomplish the same goals. This proposal is recommended FOR adoption.