



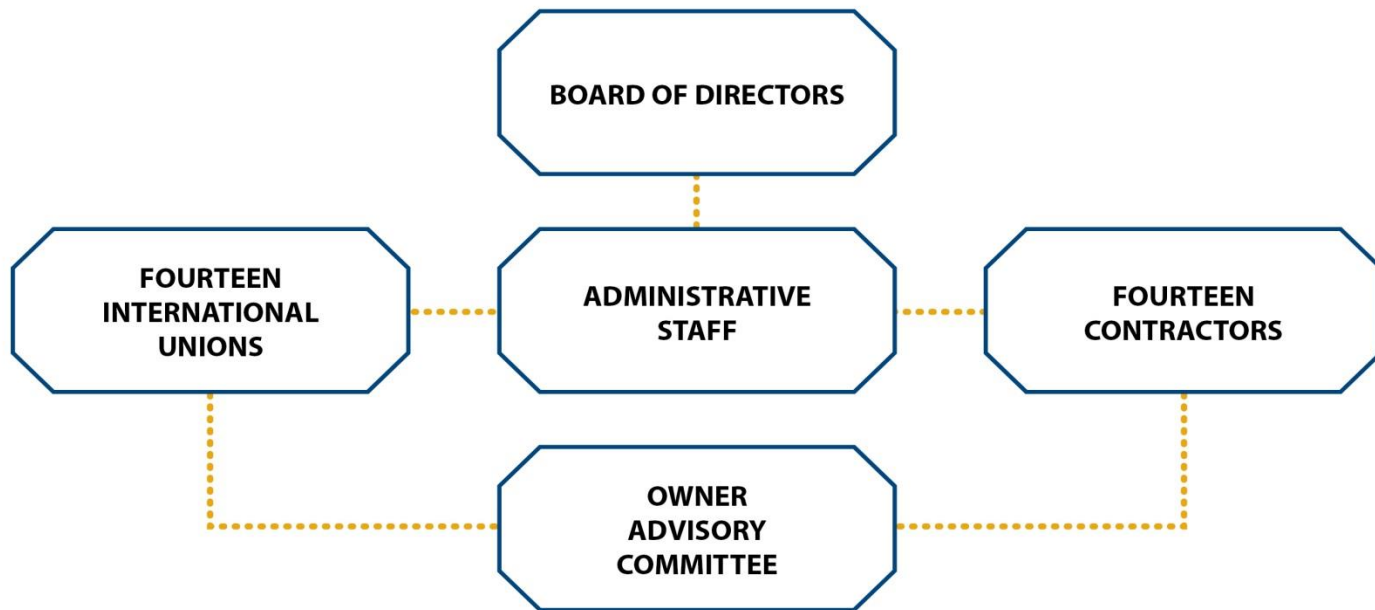
NMAPC

NATIONAL MAINTENANCE AGREEMENTS POLICY COMMITTEE, INC.

National Electrical Contractors Association 2017 Labor Relations Conference June 20, 2017

At a Glance

- The NMAPC is an incorporated, joint labor-management committee that negotiates, interprets and administers the National Maintenance Agreements (NMAs);
- The NMAs are 14 individual collective bargaining agreements that are 99.9% similar;
- The NMAs are used by 14 International Unions and more than 2,100 contractors throughout the United States.



A Tripartite Approach to Success



NMAPC TRIPARTITE



CONTRACTORS

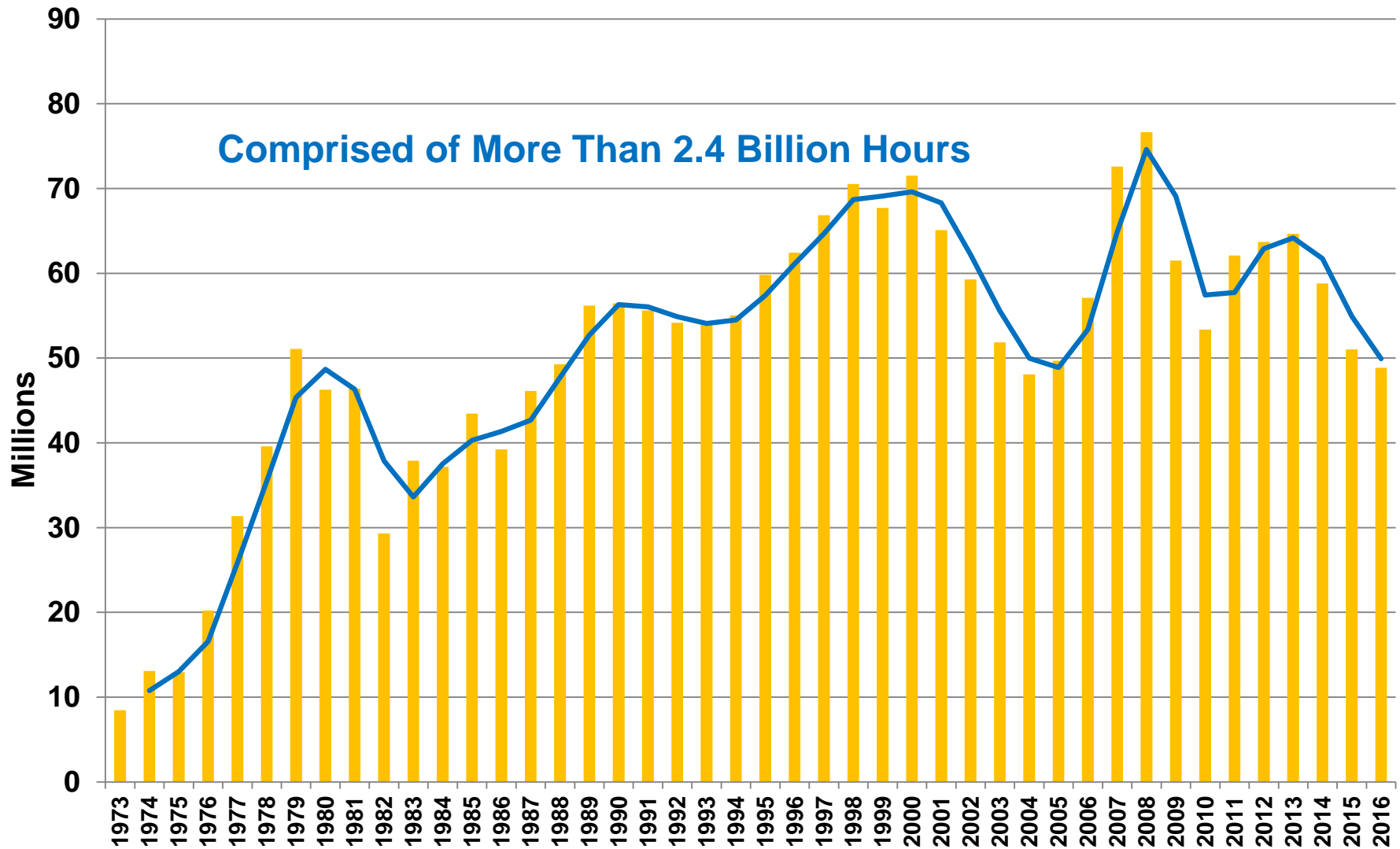


UNIONS

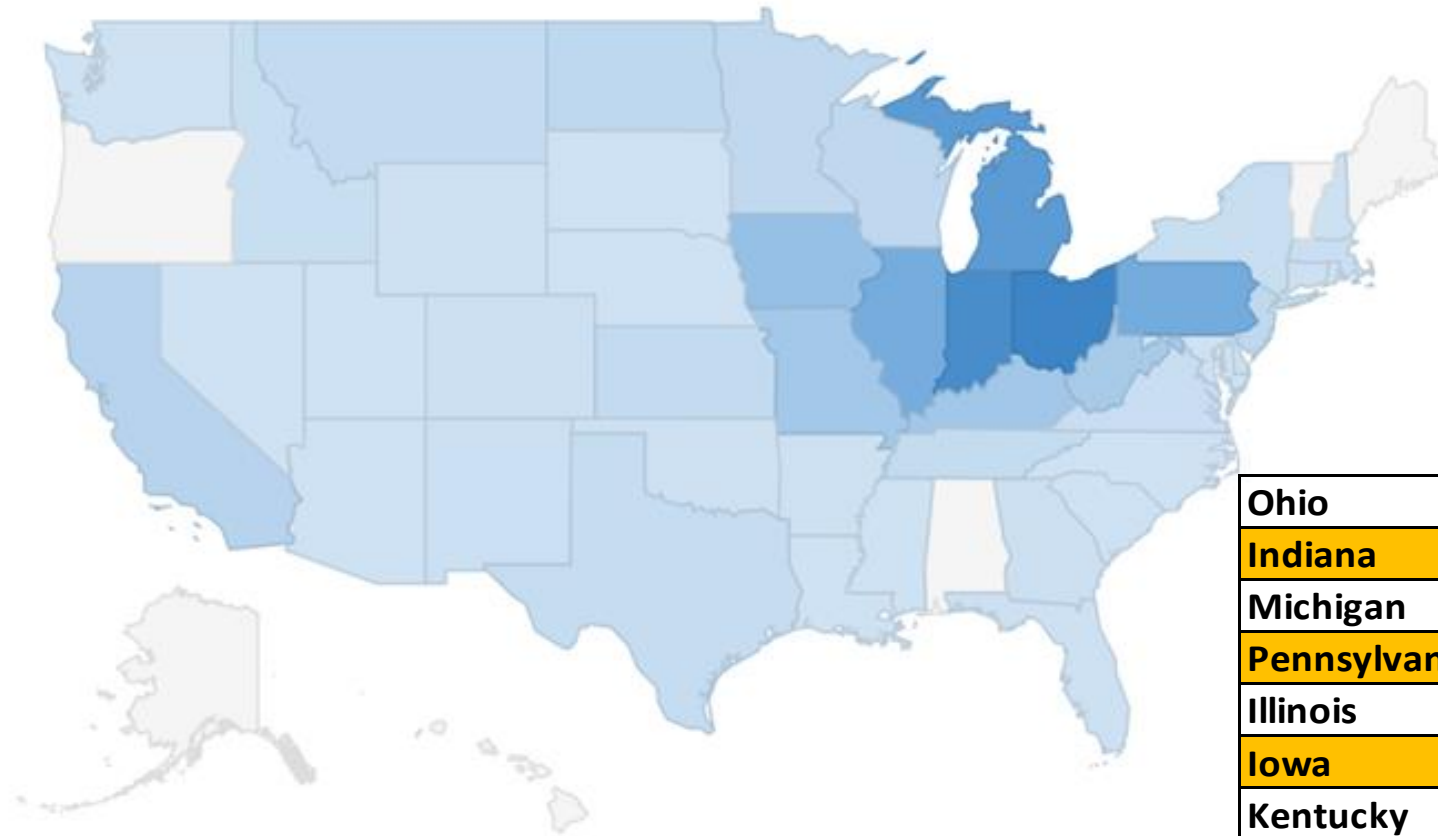


OWNERS

Total NMA Work Hours

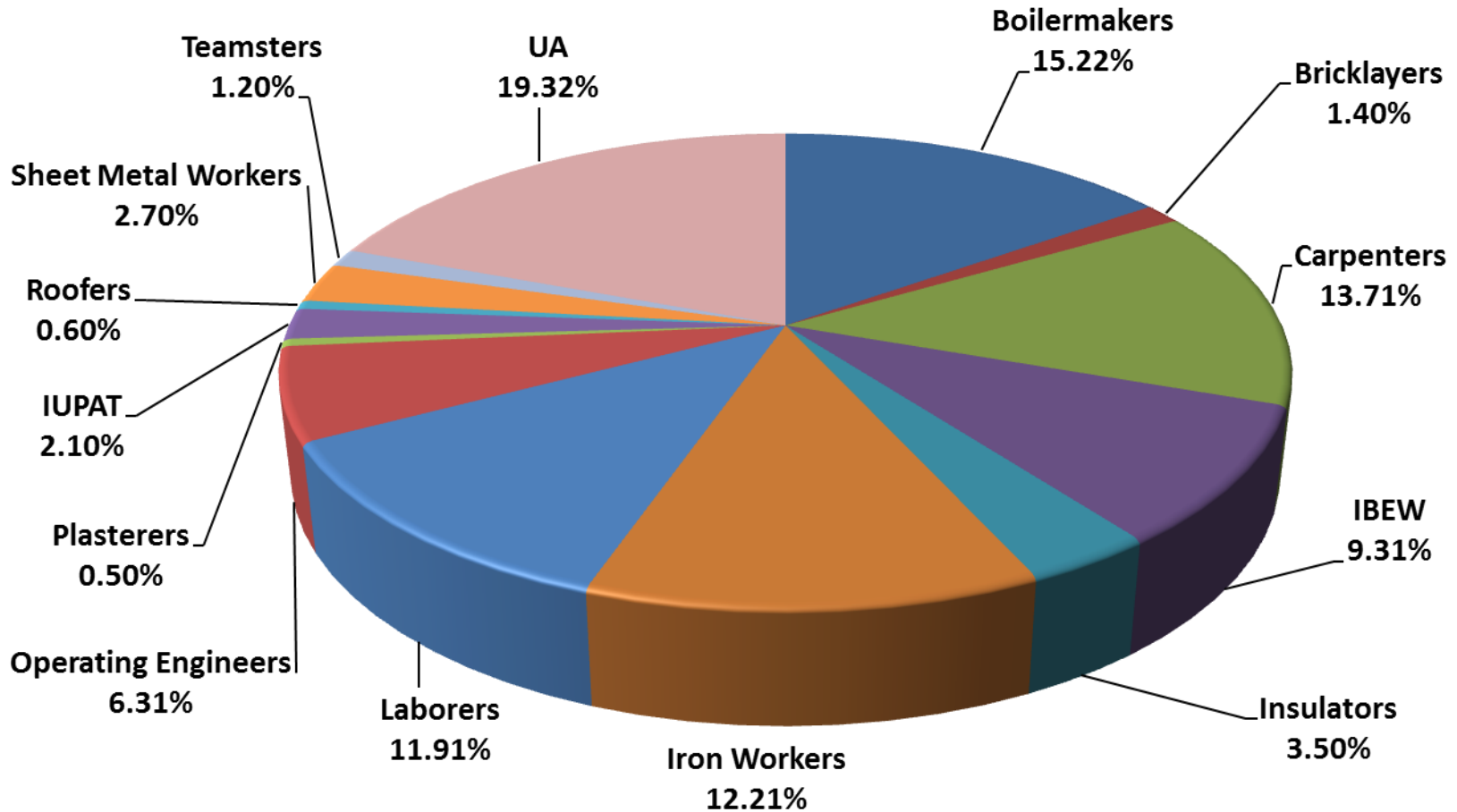


2016 Top 10 NMA Work Hour States

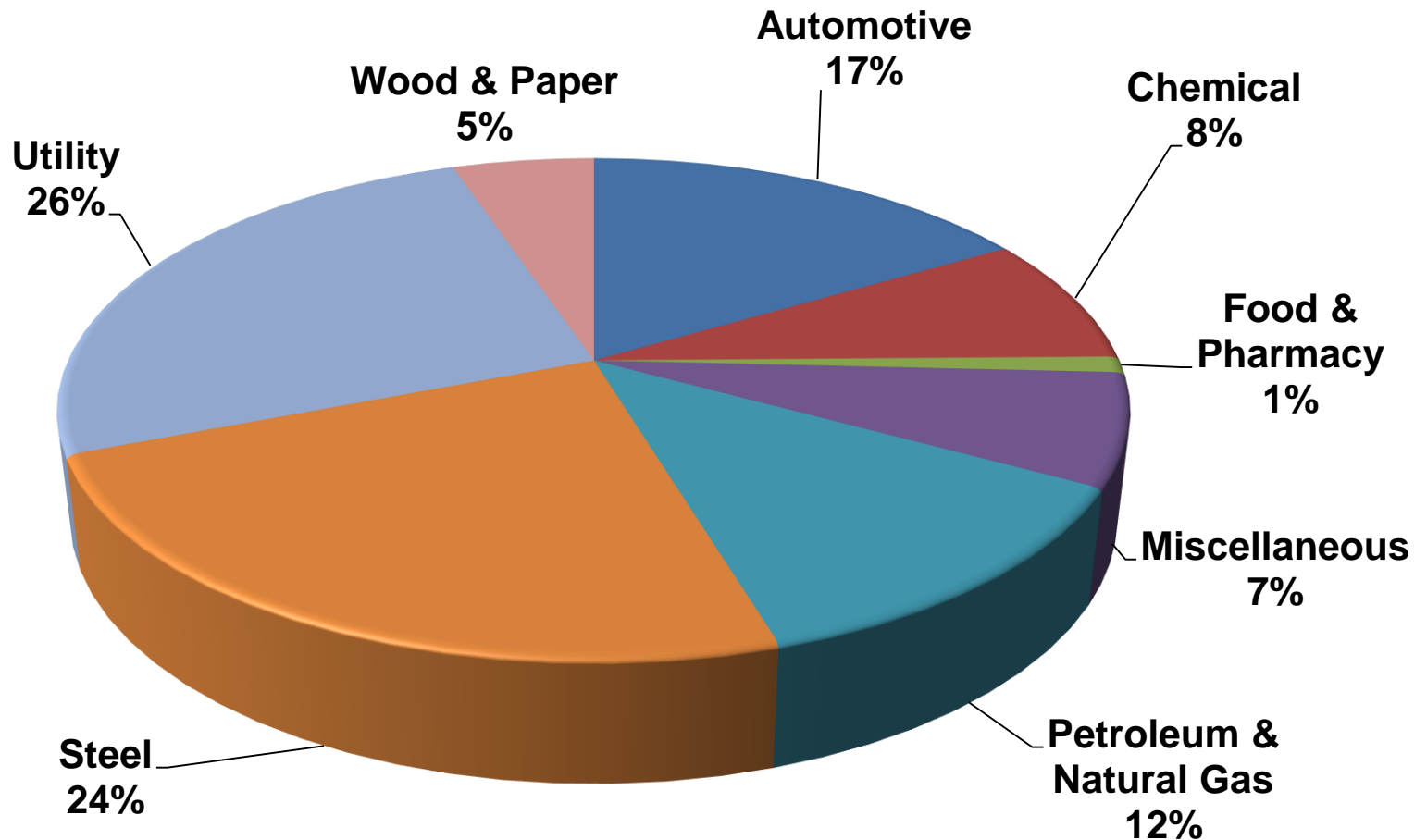


Ohio	9,006,330
Indiana	7,969,708
Michigan	6,132,100
Pennsylvania	4,205,076
Illinois	4,126,963
Iowa	2,601,729
Kentucky	2,083,995
Missouri	2,023,564
West Virginia	1,800,932
California	1,129,461

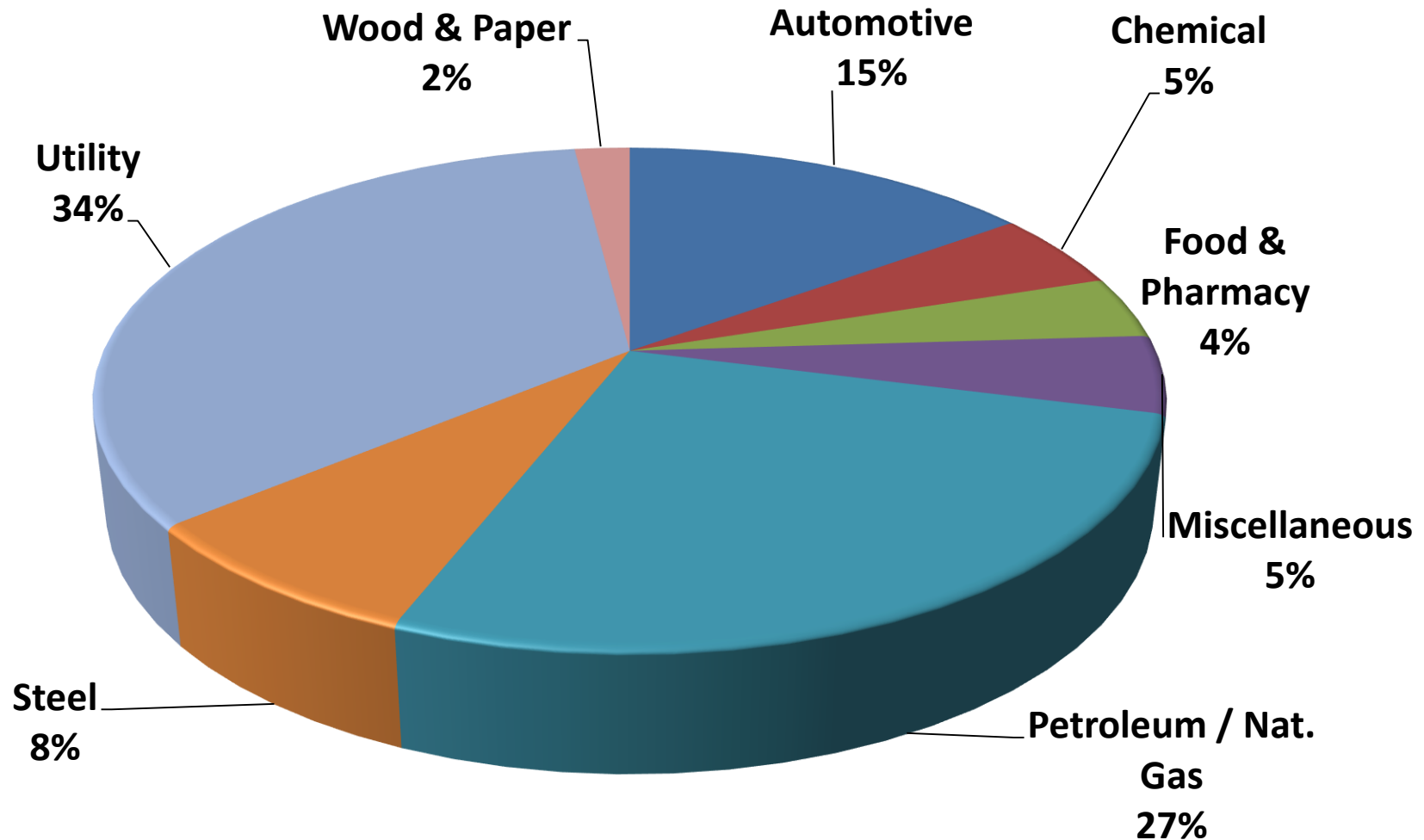
Total NMAPC Work Hours by Craft



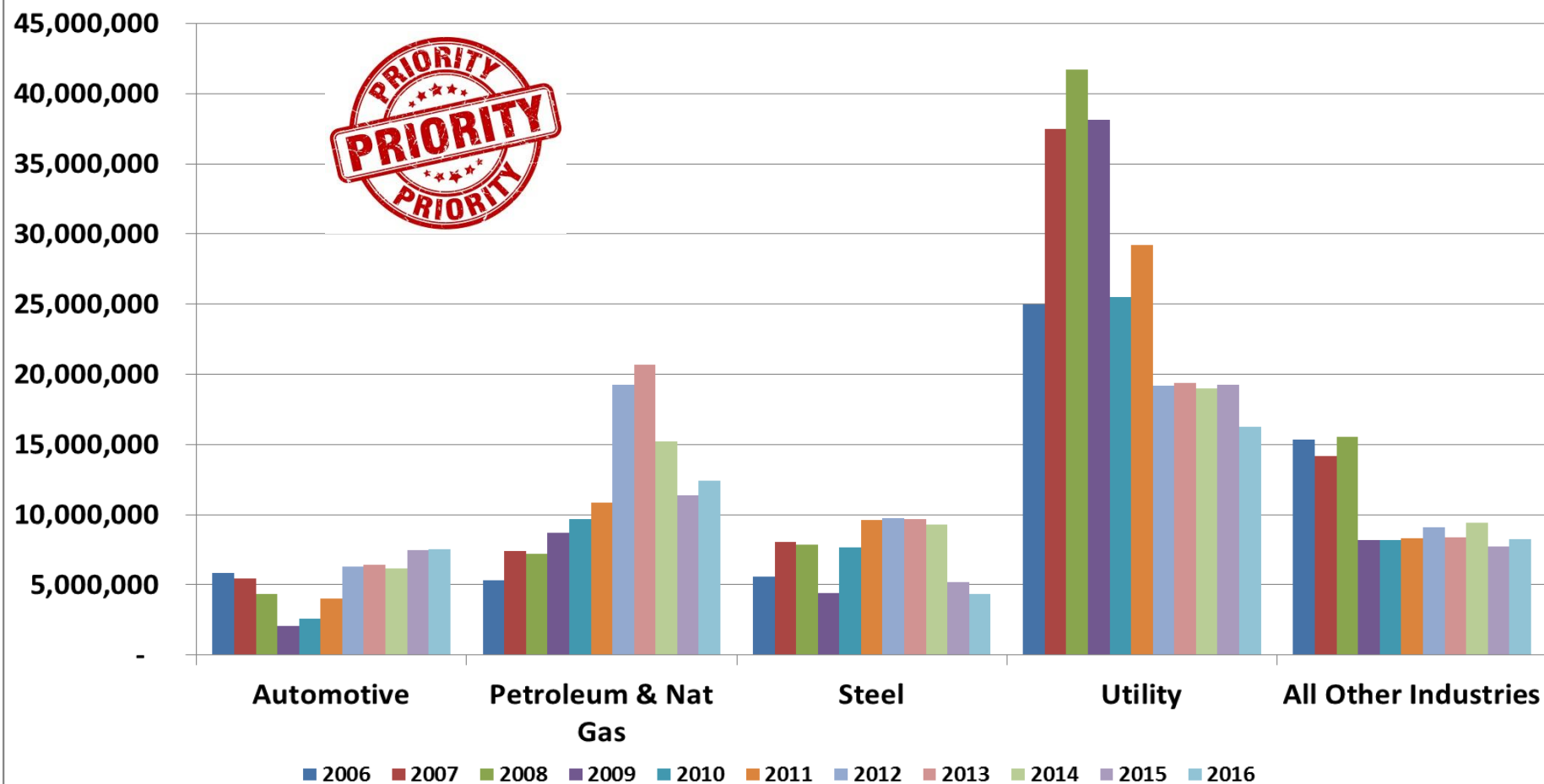
Total NMAPC Work Hours by Industry



2016 Total NMAPC Work Hours by Industry



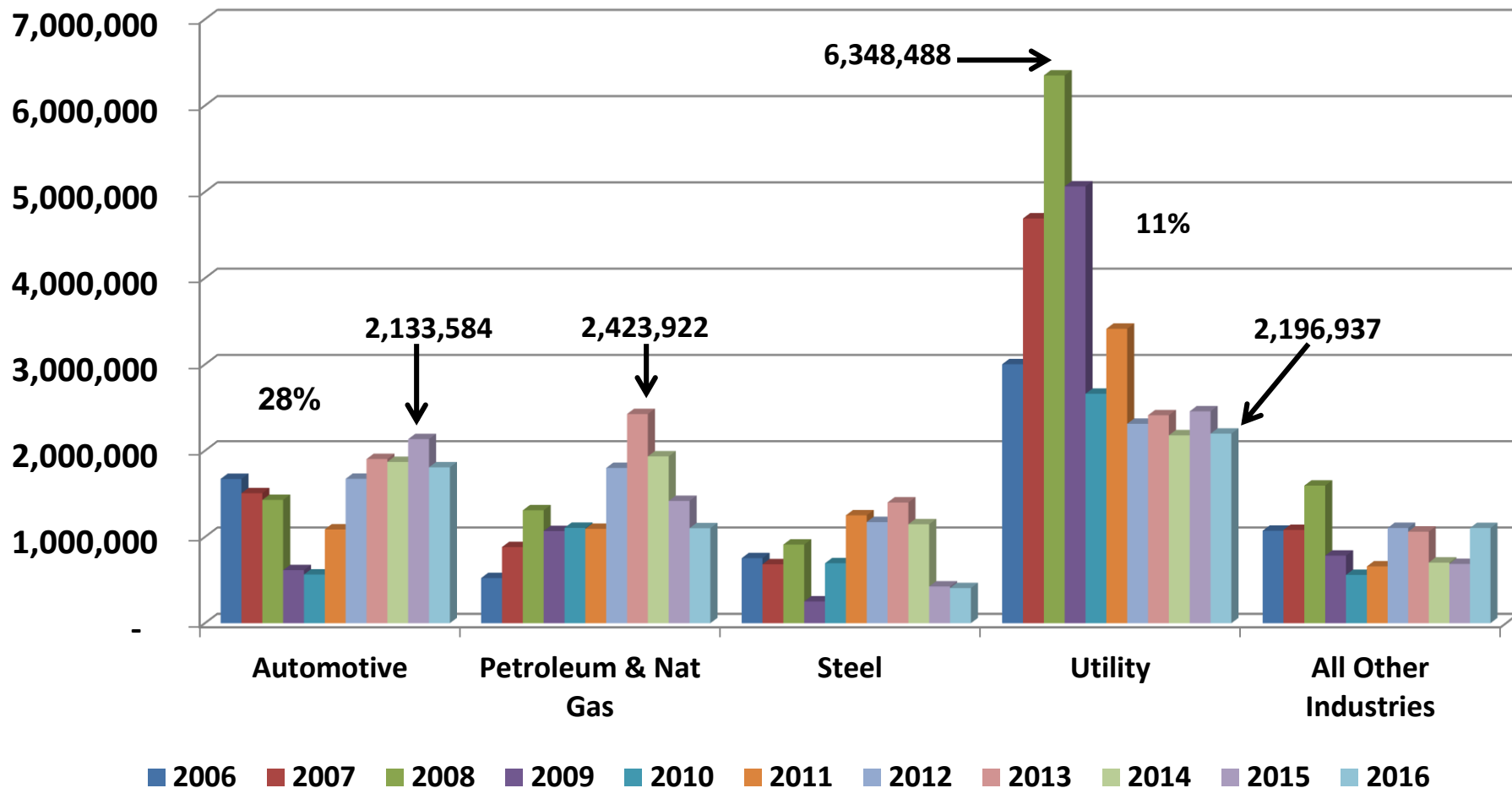
NMAPC Work Hours by Industry 2006 - 2016



IBEW International Union Specific NMA Facts

- **328 NMA Contractors** were signatory to the IBEW International Union in 2016;
- **6,878 SERs** were approved by the IBEW International Union in 2016;
- **6,613,300 NMA Work Hours** were performed by the IBEW International Union in 2016.

IBEW - NMA Work Hours by Industry: 2006 - 2016



IBEW International Union's NMA

National Maintenance Agreement



Building a Partnership of
Safety, Productivity, Quality and Strength

Effective January 1, 2012

- Contractor requests to become signatory to **IBEW's NMA**;
- Contractor submits **Site Extension Request (SER)**;
- IBEW Construction & Maintenance (**C&M**) Department notifies IVP District Office;
- IVP District Office solicits approval/denial from affected Local IBEW Union;

IBEW International Union's NMA (cont'd)

National Maintenance Agreement



Building a Partnership of
Safety, Productivity, Quality and Strength

Effective January 1, 2012

- IVP District Office submits recommendation to approve/deny to IBEW **C&M** Department;
- IBEW **C&M** Department approves/denies **SER** based upon Local & IVP District Office recommendation;
- Contractor receives **SER** approval/denial notification electronically.

Modes of NMA Utilization

- **Yellow Card Site**
- **Yellow Card Project**
- **Traditional NMA**

Article I - Recognition

- All Employers are required to conduct Pre-Job Conferences before commencing with work (See **Policy Decision I-3**);
- Employers must provide written work assignments within 10 days of holding Pre-Job;
- Employers are required to assign work to the appropriate craft(s).

Article V – Subcontracting

- All subcontracting of work at any tier must be performed under the NMAs or an agreement approved as compatible by the NMAPC (See **Policy Decision V-1**).

Article VI – Grievances

- The NMAPC Grievance process is a five (5) step process commencing at the local level before being escalated to the NMAPC Grievance Review Subcommittee (GRS) (Contractors and Unions may obtain a detailed NMAPC Grievance Procedure from the NMAPC website; **www.nmapc.org**);
- Disputes involving applicable wage rates are not covered under Article VI (See **Policy Decision VI-2**).

Article VIII – Wages

- Wage Rates paid under the NMAs are those found in the applicable Craft's local agreement for the area where the work is to take place;
- The NMAPC Wage Appeals Subcommittee reviews and issues determinations for matters related to wage rates (See **Policy Decision VI-2**).

Article IX – Benefits and Other Monetary Funds

- Fringe Benefits paid under the NMAs are those found in the applicable Craft's local agreement for the area where the work is to take place;
- Contractors that become delinquent in making fringe benefit contributions will be barred from utilizing any of the fourteen (14) participating craft's NMAs until such time all funds are paid in full.

Article XI – Holidays

- 7 Uniform Holidays:

New Year's Day

Memorial Day

Labor Day

Christmas Day

Presidents' Day (Federal) *

Independence Day

Thanksgiving Day

- Presidents' Day may be considered as a floating Holiday and celebrated on an alternate day if requested by the local building trades council and approved by the NMAPC;
- Holidays that fall on a Saturday are observed on the previous Friday;
- Holidays that fall on Sunday are observed on the following Monday.

Article XIII – Supervision

- Supervision refers to the craft supervision (i.e. foreman and/or general foreman);
- There is a requirement for initial Supervision; however the designation, appointment and determination as to the number of foremen is the sole responsibility of the Employer;
- Top hourly craft supervisor(s) is guaranteed forty (40) hours straight time per week (See **Policy Decision XIII-1**)

Article XV – Work Hours Per Day

NMA – Three shifts

1st Shift: 8 hours work = 8 hours pay

2nd Shift: 8 hours work = 8 hours pay + \$2.00 shift additive

3rd Shift: 8 hours work = 8 hours pay + \$2.25 shift additive

- All time worked before or after the established shift is premium time;
- Premium time M-F & Sat. is time and one-half ($1\frac{1}{2}x$), Sunday and Holiday premium time is not to exceed double time ($2x$).

Article XV – Work Hours Per Day (cont'd)

NMA – Four-Tens (4-10s)

1st Shift: 10 hours work = 10 hours pay

2nd Shift: 10 hours work = 10 hours pay + \$2.00 shift additive

All ten (10) hours are at the straight-time rate

- Friday is an optional make-up day, employees must inform their Employer on Thursday if they are not willing to work the make-up day and shall NOT be penalized;
- 4-10's Q & A (See **Policy Decision XV-20**).

Article XVII – Safety

- Employees are required to follow all Owner and Employer safety rules as well as all applicable safety laws;
- Drug and alcohol “substance abuse” testing may be performed under the NMA, including; pre-employment, reasonable suspicion, post-accident, and random;
- Employers shall submit their substance abuse programs to the NMAPC for review and distribution to Unions prior to implementation.

Article XIX – Hiring & Transfer of Craft Workers

- Employers are required to follow the hiring procedures in the area where work is to be performed **(All employees must be referred via appropriate IBEW Inside Local Union);**
- If a local union is unable to provide the requested manpower within 48 hours (excluding weekends & Holidays) then the Employer can obtain employees from any source;
- The Employer has the right to determine the competency of all employees.

Article XXII – Lockout and Work Stoppage

- All Lockouts and Work Stoppages are prohibited under the NMAs;
- If a Contractor is actively participating in a local collective bargaining agreement's negotiations and does not have a waiver to do so, then the Union may withhold manpower from that Employer.

NMA – Penalties for Lockouts & Work Stoppages

	Non-Yellow Card	Yellow Card Project	Yellow Card Site
First Shift	\$10,000	\$10,000	\$15,000
Shift(s) Thereafter	\$10,000	\$20,000	\$50,000

Article XXVI – Reporting Requirements Administrative Fees

- Requires Employers to report work hours performed under the NMAPC Program on a quarterly basis, for each craft, at each location;
- Administrative Fees \$825 annually, per Employer, per craft (evergreen);
- Administrative Fees are invoiced during December of each year and must be remitted by end of January.

Article XXVII – Administrative Procedure

- Reinforces that Employers must file Site Extension Request(s) (**SER**) for each location;
- Owners are encouraged to regularly review **SER** activity at their sites to ensure Employer compliance;
- Emphasizes **NMAPC Book of Decisions** are a part of the **NMA**;
- Further clarifies and reinforces that **NMAs** are stand-alone agreements.

Article XXVIII – Addenda

- Employers and Owners can request to amend the **NMAAs** to become more competitive or to meet Owner requirements;
- All requests must be submitted in writing to the NMAPC and are approved / denied based upon a majority vote of the NMAPC Labor Section Committee;
- The Committee encourages all potential addendum seekers to meet with the affected local building trades council to gain support before requesting an addendum from the NMAPC.

Voice Data Video (VDV) – Addenda

- Employers can request via the **SER** process to utilize the IBEW's - VDV Addendum to NMA on the following scopes of work:

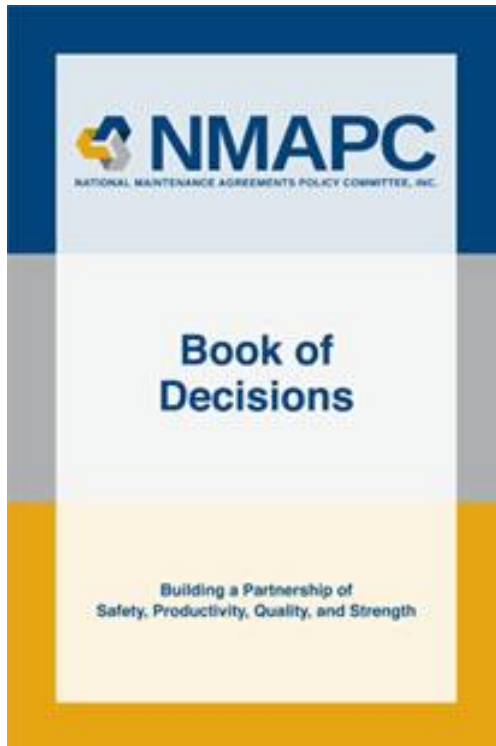
Television and Video Systems

Security Systems

Communications Systems

- Wages/Fringes to be paid are those established under the appropriate local IBEW VDV agreement, or in the event a local VDV agreement does not exist then per IBEW/NECA Voice-Data-Video National Agreement.

NMAPC Book of Decisions



- **Compilation of 80 + interpretations of the NMA**
- **Living document**
- **Key-word searchable**
- **Available online – (Free)**
- **Further updates may occur by approval of the NMAPC Committee**

Resources – www.NMAPC.org

- Newly revamped
- Practical Uses:
 - Become Signatory
 - File Site Extension Requests
 - Terminate Agreements
 - File Quarterly Work Hours
 - Pay Administrative Fees
 - Location to find NMAPC documents and instructions
- Owners have ability to track contractors



Zero Injury Safety Awards



- Over **21 Million** Zero Injury Hours & **121 Tripartite Teams** Recognized for Work Performed in 2015
- More Than **202 Million** Total Zero Injury Hours Recognized Under ZISA Since 2000
- 2017 Gala – November 2, 2017 - Washington, D.C.



eLearning Resource Center

The Association of Union Constructors (TAUC)

*2,000 + Member Contractor Firms
30 + Local Employer
Organization (LEO) Members
20 Affiliate Members*

