

QUESTIONS & ANSWERS
IBEW TENTH DISTRICT PREFAB AGREEMENT

1 *Why draft a district prefab agreement?*

Answer: The IBEW Tenth District, and its local unions, created the IBEW Tenth District Prefab Agreement to encourage contractors to participate in the prefab process, to enhance the competitiveness of contractors signatory to the prefab agreement, and to separate the manufacturing application of prefab from the traditional construction process. This agreement allows a contractor to implement an unlimited ratio of sub-journeymen to one (1) journeyman wireman in the prefab operation and the prefab crew mix does not count as a job ratio under the inside construction agreement nor count against the shop ratio of that agreement.

2 *What is required to be able to utilize the agreement?*

Answer: A contractor must sign a letter of assent to the IBEW Tenth District Prefab and sign a letter of assent to the site local union inside agreement.

3 *What is the jurisdiction of the agreement?*

Answer: The IBEW Tenth District Prefab Agreement can be used in all Tenth District local union jurisdictions ***except for*** LU 175 (Chattanooga) and LU 270 (Oak Ridge). While Local Unions 175 and 270 are not signatory to the District Prefab Agreement, they are willing to work with contractors in gaining work in their jurisdictions. If you desire to work under the terms of the District Prefab Agreement, you should contact the respective local union directly regarding a possible variance and/or project agreement.

4 *Where should a contractor send a Request for Variance?*

Answer: A contractor should submit requests for variance, using the prescribed Tenth District Prefab Agreement Variance Request Form, to the appropriate (site) NECA Chapter with a copy to the site local union.

5 *What are the time thresholds for a variance request to be submitted and the subsequent response to be returned?*

Answer: Variance requests must be made by the contractor on the Tenth District Prefab Agreement Variance Request Form at least five (5) working days prior to the bid date and time of a project. The site local union will provide a decision on the variance request to the appropriate (site) NECA Chapter within two (2) working days after receiving the variance request.

6 *Where does the variance request response get sent?*

Answer: The variance request response is to be sent by the site local union to the appropriate (site) NECA Chapter. The NECA Chapter is responsible for informing all contractors bidding on a job as to what, if any, variance has been granted.

7 *What is the manpower portability provision within the IBEW Tenth District Prefab Agreement?*

Answer: Employers domiciled within the IBEW Tenth District shall have full portability of manpower within the inside jurisdiction throughout the IBEW Tenth District as defined in Question/Answer #3. For the purpose of this agreement, full portability shall mean those employees employed by the employer for a minimum of two (2) weeks. For employers domiciled outside of the IBEW Tenth District, the terms and conditions of the National Portability Agreement shall apply.

8 *What wage rate and fringe benefit package is applicable to employees brought into a jurisdiction through the portability provision?*

Answer: Under the portability provision of the IBEW Tenth District Prefab Agreement, all wages shall be based on the site local union's inside collective bargaining agreement or the applicable wage sheet from the referring local union, whichever is higher. All fringe benefits, working assessments, and apprenticeship contributions shall be paid to the site local union where the work is performed.

9 *Does the IBEW Tenth District Prefab Agreement forbid a contractor from bringing in material they have assembled in their own facility outside the District?*

Answer: The intent is to encourage a contractor to establish a prefab shop in the jurisdiction where the work is being performed, allowing for better utilization of manpower and to reduce congestion on the job site. While the local unions in the IBEW Tenth District feel this agreement is equal to or better than the prefab conditions in jurisdictions outside of the IBEW Tenth District, the contractor's need to "test the waters" is understood. Thus, a variance should be secured with the site local union if a contractor wishes to transport prefabricated materials from outside of the IBEW Tenth District. It is not the intent of this agreement to restrict a contractor's ability to secure a project within the IBEW Tenth District.