NATIONAL CONSTRUCTION AGREEMENT

Market Recovery Addendum
for
Lagging of Boilers and Pressurized Vessels

Preamble

This Addendum is adopted by the Sheet Metal Workers International Association (SMWIA) and Signatory Employers (Employer) in a mutual effort to enhance the work traditionally performed by Sheet Metal Workers on the lagging of boilers and pressure vessels. Further, the signatory Employers have united with the SMWIA to re-capture market share and to promote growth in the best interest of the unionized sheet metal industry.

Article I

The Employer agrees to be signatory and abide by all terms and conditions of the SMWIA Local Building Trades Collective Bargaining Agreement for the Local Union having jurisdiction where the Employers home office is located, unless specifically modified by the General President which will then become part of the Addendum between the SMWIA and that employer.

The Employer further agrees to notify the Business Manager of the job site Local Union of any work outlined above, which the Employer is going to bid, prior to bid. The Business Manager may request a pre-job conference between the Employer and the SMWIA jobsite local union. If the jobsite Business Manager chooses not to request a pre-job, the Employer shall communicate with the Local Union in either event by Fax, e-mail, or phone, as to the required manpower for the project and in addition, a means of acquiring additional manpower for unexpected emergency situations that may arise outside of the normal business hours of the Local Union. Furthermore, the Employer shall advise the Local Union as to the scope of work, the probable duration of project, craft assignments, and will provide the Local Union with letters of assignment.

Article II

For the purpose of performing work under this Addendum, the Employer will be allowed six (6) building trades’ members from the home local or any other local union to travel freely within the governing boundaries of the SMWIA. Said approval of the six (6) building trades members as outlined above will be for a specific plant and/or project. For example, if the Employer had one or more contract(s), or multiple purchase orders, etc. at a specific plant
and/or project; the Employer would only be entitled to six (6) building trades’ members on that project.

Any work not specifically covered under the terms of this Addendum shall be performed under the terms and conditions of the appropriate Local Building Trades Collective Bargaining Agreement.

The Employer shall not subcontract or assign any work described herein which is to be performed at a jobsite to any contractor, subcontractor or any other person or party who fails to agree in writing to comply with the conditions of employment of the home or jobsite Local Building Trades Collective Bargaining Agreement.

Article III

This Addendum in no way relieves any individual member of his/her obligation of reporting in to the jobsite Local Union. This is in accordance with Article 16, Section 10(a) of the Constitution and Ritual of the Sheet Metal Worker’s International Association as amended August 2009.

Article IV

This Addendum shall become effective __________________________ and remain in full force and effect until terminated by ninety (90) days written notice from either party to the other. Changes to this Addendum shall only be made by mutual consent and shall be made part of this Addendum by written agreement only.

SHEET METAL WORKERS INTERNATIONAL ASSOCIATION, AFL-CIO:

________________________________
Michael J. Sullivan
General President

EMPLOYER:

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Name and Title