

National Joint Adjustment Board for the Sheet Metal Industry

DECISION

SMART Local Union 88
2560 Marco Sstreet
Las Vegas, NV 89115

SMACNA of Southern Nevada
2640 South Jones Boulevard, Suite 4
Las Vegas, NV 89146

Re: Article X, Section 8: SMART Local Union 88
& SMACNA of Southern Nevada

Ladies and Gentlemen:

The National Joint Adjustment Board (NJAB) for the Sheet Metal Industry met September 17, 2024, in St. Louis, MO to hear the above-referenced matter.

Mandi Wilkins, Angelo Iannucci, Tyler Bonwell and Brad Davis appeared on behalf of SMACNA of Southern Nevada. Geremiah Robnett and Rob Spiegle appeared on behalf of Local 88.

A review of the record demonstrated that all procedural requirements had been met. The matter, therefore, was properly before the NJAB for decision.

Based on the record and testimony of the parties, the NJAB rendered the following unanimous decision.

The parties are directed to execute a four-year collective bargaining agreement effective July 1, 2024, through June 30, 2028 with the following changes:

1. Article 11, Section 4 | Change "JATF" to "Union".
2. Article 16, Sections 6 & 7 | Change Deceased Collective Bargaining Representatives to remove the specific names of representatives from the local area that are now deceased.
3. Article 34, Section 13 | Add language to the SFUA to prohibit employees covered under this Agreement from working from home.
4. Article 29, Section 2 | Remove Job Award Notification Requirement to remove the process of notifying the Union of projects awarded over 9,000 square feet.

5. Article 34, Section 22 | Change long-standing typographical error by changing “Las Vegas City Hall” to “jobsite”.
6. Section 1 (Preamble before Article I) | Resolution 78s SMART Local 88 is directed to provide SMACNA of Southern Nevada with a copy of any Resolution 78s.
7. Article 15, Section 5 | SMART Local 88 is directed to distribute a copy of SMACNA of Southern Nevada's New Signatory Employer Memorandum to new signatory Employers and notify SMACNA of Southern Nevada of any new signatory Employer within 14 days.
8. Article 10, Section 1 | SMART Local 88 is directed to provide a copy of any grievance filed to an approved officer of authority at the office of the Employer and to SMACNA of Southern Nevada.
9. Article 36, Section 2 | Change a typographical error which currently reads Article 6, Section 4 to read Article 6, Section 5.
10. Article 38, Section 2 | Add an asterisk to the Building Trades Jobsite Ratios Chart. The asterisk states, “Jobsite ratios for public works projects shall be in compliance with the current and prevailing apprenticeship utilization act.”
11. Article 33, Section 2 | SMART Local 88 is directed to provide bi-monthly numbers of Group A and Group B to SMACNA of Southern Nevada for Building Trades and apprentice out-of-work lists. The Union will provide the numbers of any other out-of-work lists upon request by SMACNA of Southern Nevada.
12. Article 1 | Add “metal exterior wall systems” into the Scope of Work. Add “kitchen equipment” to the Scope of Work.
13. Article 12, Section 1 | Change "JATF" to "Union".
14. Article 19, Section 2 | Change the bonding requirement for new Employers and impose it on all Employers in and increase the bonding requirement for Employers that are delinquent on their benefit payments.
15. Article 34, Section 6 | Provide employee compensation of \$100 towards the cost of specific safety shoes when an Employer requires them.
16. Article 10, Section 12 | SMART Local 88 to engage other labor organizations directly through the Plan for the Settlement of Jurisdictional Disputes when jurisdictional disputes arise.
17. Article 26, Section 4 | Employers to be protected from penalties for any minor timekeeping errors.

18. Article 34, Section 20 | Employees who have sustained loss time injuries may return to work in a light duty capacity at a light duty rate of pay.
19. Article 6, Sections 1, 3, (new) 6 and 7 | Change the four (4) day, ten (10) hour work week language in Section 1 and instead move this language to a new Section 7 where the language is expanded to include, among other things, overtime language including double-time pay. The new Section 6 under this Article addresses rules for five (5) day, eight (8) hour work week language and includes, among other things, overtime language including double-time pay.
20. Article 9, Sections 1 to 15
Article 9, Section 3
Change the actual dollar amounts for the various fringe benefits and replace it with “the allocated amount”. Under Section 13 of Article 9 it permits the Union to direct the Employer to pay all or any part of the Fringe Benefit Fund contributions due hereunder to a new or different qualified Employee Benefit Trust Fund. Remove SMACNA of Southern Nevada’s requirement to provide the local Business Manager with detailed information regarding Local Industry Fund activities.

Article 17, Sections 2 and 3 | Change the sheet metal foreman eleven percent (11%) per hour worked above the journeyman sheet metal worker’s taxable wage rate. Change the sheet metal general foreman to twenty-two percent (22%) per hour worked above the journeyman sheet metal worker’s taxable wage rate.
21. Article 17, Section 1 | Increase the wage package for all classifications by \$.10 in exchange for the deletion of the extra fifty cents (\$.50) received by general foremen, foremen and stewards for maintaining current CPR/First Aid Completion Certificates.
22. The Master MOU as it pertains to Paid Time Off stays as is for the successor 2024 – 2028 SFUA. The remaining three MOUs under the Master MOU were already incorporated.
23. Article 17, Section 1 | Add increases for the building trades journeymen as follows: Y1 – \$3.60 (which includes the \$.10 increase for the removal of First Aid/CPR) (or 4.2%); Y2 – \$3.30 (or 3.7%); Y3 – \$3.00 (or 3.2%) and Y4 – \$3.00 (or 3.1%). Additionally, this proposal provides an increase to all Zone Pay tiers and bifurcates Zone Pay between private and public works.
24. Article 17, Section 6 | Add a raise for the pre-apprentice as follows: Y1 – \$1.00; Y2 – \$.75; Y3 – \$.75 and Y4 – \$.75.
25. Light Commercial Addendum, Section 7 | Add a raise for the light commercial journeyman wages as follows: Y1 – \$1.00; Y2 – \$.75; Y3 – \$.75 and Y4 – \$.75.
26. Retroactive pay is granted back to July 1, 2024.

No further changes, except those agreed to locally by the parties, are directed.

Your attention is directed to the following language contained in the Procedural Rules of the NJAB under Article X, Section 8 (a):

“The unanimous decision of said Board shall be final and binding upon the parties, reduced to writing, signed and mailed to the parties as soon as possible after the decision has been reached.”

BY ORDER OF THE BOARD

CO-CHAIR

CO-CHAIR

DATE