

**RULES AND REGULATIONS
FOR THE REFERRAL AND HIRING PROCEDURE FOR
BUILDING TRADES JOURNEYMEN
PLUMBERS AND STEAMFITTERS/PIPEFITTERS**

EFFECTIVE JULY 1, 2017

The Hiring Hall shall be located at the principal office of the Plumbers, Steamfitters and Marine Fitters Local No. 290 (the Union), 20210 SW Teton Avenue, Tualatin, Oregon 97062. The implementation of the Rules and Regulations for the Referral and Hiring Procedure for Building Trades Journeymen Plumbers and Steamfitters/Pipefitters (the Rules) shall be under the direct supervision of the Business Manager of the Union, acting for the Joint Hiring Committee.

The Rules are applicable to the dispatch of Building Trades Journeymen Plumbers and Steamfitters/Pipefitters performing commercial or industrial work under the Master Labor Agreement or a project labor agreement, performing work under a Building Trades Agreement with the Union, performing work under a Building Trades National Agreement with the United Association, performing Service work under an Addendum to the Master Labor Agreement (except as a tradesman), and performing Housing & Light Commercial work under an Addendum to the Master Labor Agreement.

Rules and Regulations for the Operation of the Hiring Hall

Section 1.1 Definitions. For the purpose of these Rules, the following terms are defined:

- A) "Applicant." Any Building Trades Journeymen Plumber or Steamfitter/Pipefitter available for work covered by these Rules and duly registered on the Hiring Hall Register.
- B) "Building Trades Journeymen Plumber or Steamfitter/Pipefitter." Any Applicant who meets one of the criteria in Section 1.2 at the time of registration.
- C) "Contractor" or "Employer." Any Contractor or Employer signatory to or bound by the Master Labor Agreement or a project labor agreement; any Contractor or Employer signatory to or bound by a Building Trades Agreement with the Union; or any Contractor or Employer signatory to or bound by a Building Trades National Agreement with the United Association and the work is performed in the Union's geographic jurisdiction.
- D) "Dispatcher." The individual designated by the Hiring Agent to oversee the day-to-day registration and dispatching of Building Trades Journeymen Plumbers and Steamfitters/Pipefitters through the Hiring Hall.

E) "Hiring Agent." The person in charge of the day-to-day operation of the Hiring Hall including the Hiring Hall Register. The Business Manager is the Hiring Agent. The Business Manager may delegate the day-to-day operation of the Hiring Hall, including the Hiring Hall Register, to others, including but not limited to the Dispatcher.

F) "Hiring Hall." The facility located at the principal office of the Union where the Hiring Hall Register is maintained.

G) "Hiring Hall Register." The books, lists, records and other documents maintained by the Hiring Agent which determine the order in which Applicants have registered their availability for work and are dispatched to work through the Hiring Hall.

H) "Master Labor Agreement." The Master Labor Agreement & Working Rules between the Union and the Plumbing and Mechanical Contractors Association covering the time period from April 1, 2014 to March 31, 2016, together with its Addendums and wage sheets as they currently exist and as may be amended from time to time.

I) "Rules." The Rules and Regulations for the Referral and Hiring Procedure for Building Trades Journeymen Plumbers and Steamfitters/Pipefitters as set forth in this document and as may be amended from time to time.

J) "Union." Plumbers, Steamfitters and Marine Fitters Local No. 290.

K) "United Association." The United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada.

Section 1.2 Building Trades Journeymen Plumbers and Steamfitters/Pipefitters. Building Trades Journeymen Plumbers and Steamfitters/Pipefitters shall qualify for registration pursuant to these Rules if they meet one of the following criteria:

A) Have successfully completed a United Association apprenticeship as a Building Trades Plumber or Steamfitter/Pipefitter under an apprenticeship program approved by the United States Bureau of Apprenticeship Training and/or the State Division of Apprenticeship Standards; or

B) Have had three (3) years previous employment as a Building Trades Journeymen Plumber or Steamfitter/Pipefitter with Contractors signatory to or bound by the type of collective bargaining agreements described in Section 1.1C; or

C) Have had three (3) years previous employment as a Building Trades Journeymen Plumber or Steamfitter/Pipefitter with contractors signatory to or bound by building trades collective bargaining agreements with the United Association or a local union affiliated with the United Association in the Plumbing or Steamfitting/Pipefitting trade; or

D) Are recognized, at the time of registration, by the United Association as having met its criteria for Building Trades Journeymen Plumber or Steamfitter/Pipefitter status as set forth in Section 144 of the Constitution of the United Association (revised and amended August 8-12, 2011), as it now exists or as it may be amended in the future; or

E) Have successfully passed a competency examination given by the Local 290 Examining Board adequately testing the degree of skill and training necessary to be a competent Building Trades Journeymen Plumber or Steamfitter/Pipefitter. Any questions as to what constitutes a "competency" examination shall be resolved by the Joint Hiring Committee established under these Rules.

F) Have 7,500 or more hours of previous employment performing commercial or industrial work, service work, and/or housing and light commercial work as described in the Master Labor Agreement; pass a "hands-on" test administered by representatives of the United Association Local 290 Apprenticeship and Journeymen Training Trust Fund (the Training Center); and sign an agreement with the Training Center that, among other things, describes training/education classes the individual will take and an agreement to pay for the training/education classes. An individual who qualifies under this Section 1.2F) is known as a provisional building trades journeymen and subject to the following:

1) An individual can hold the status of provisional building trades journeymen for only twelve months from the date of registration on the Hiring Hall Register unless the time is extended by the Joint Hiring Committee due to extenuating circumstances including, but not limited to, military service, illness, injury or extended travel. The expectation is that a provisional building trades journeymen will, after attending training/education classes at the Training Center, successfully pass a competency exam given by the Local 290 Examining Board and continue his/her status as a building trades journeymen under Section 1.2E.

2) An individual can hold the status of provisional building trades journeymen only once.

3) An apprentice cannot hold the status of provisional building trades journeyman.

4) Section 1.2F) will automatically expire and be removed from the Rules effective March 31, 2023 unless it is extended by action of the PMCA and the Union. An individual who has qualified as a provisional building trades journeyman under Section 1.2F) before April 1, 2023 shall be allowed to retain that status under the terms of Section 1.2F) that were in effect at the time of his registration.

Section 1.3 Unable to Dispatch. The Hiring Hall shall be the exclusive source of Building Trades Journeymen Plumbers and Steamfitters/Pipefitters necessary for Employers to perform work covered by these Rules. If, upon request, the Dispatcher is unable, within forty-eight (48) hours, Saturdays, Sundays and Holidays excluded, to supply Building Trades Journeymen Plumbers and Steamfitters/Pipefitters and any other classifications of employees provided for in the Rules, the Employer may secure workers from any source, provided the workers are referred to the Hiring Hall for temporary dispatch prior to employment.

Section 1.4 Hiring. Employers shall call the Hiring Hall for referral of Building Trades Journeymen Plumbers and Steamfitters/Pipefitters. They shall notify the Dispatcher either in writing or by telephone, stating the location, starting time, the type of work to be performed (for example, commercial/industrial, service or housing and light commercial), the number of workers required, the classification of worker required (Plumber or Steamfitter/Pipefitter) and the anticipated length of employment.

Section 1.5 Registration. The Union shall establish and maintain an appropriate registration facility for qualified Applicants available for employment as Building Trades Journeymen Plumbers or Steamfitters/Pipefitters. Applicants shall be registered on the appropriate craft (i.e., either Plumber or Steamfitter/Pipefitter) and priority (i.e., either "A," "B," "C" or "D") out-of-work list in the order of time and date of registration. Each Applicant for employment shall be required to furnish evidence of Building Trades Journeymen Plumber or Steamfitter/Pipefitter status, citizenship or authorized alien status, and such data, records, names of previous employers, licenses and a permanent or temporary residence, as may be deemed necessary, and each Applicant shall complete such forms as shall be submitted to him/her. Applicants for employment shall also list any special skills or certifications that they possess. In determining the length of any Applicant's past service, the Hiring Agent may refer to records submitted by the Applicant, records maintained by any jointly administered Health and Welfare Trust or Pension Trust and/or other records, documents and/or information believed to be genuine. An Applicant shall have the burden of submitting sufficient records, documents and/or other information to establish his/her status as a Building Trades Journeymen Plumber or Steamfitter/Pipefitter and to establish his/her place on the appropriate priority out-of-work list. Any individual who has applied for and been denied Building Trades Journeymen Plumber or Steamfitter/Pipefitter status or has not been granted the priority out-of-work list sought by the Hiring Agent may appeal the decision to the Joint Hiring Committee established under these Rules.

Section 1.6 Required Re-Registration by July 31 Each Year. All Applicants seeking work pursuant to these Rules must re-register his/her availability for work under the procedures set

forth in this Section 1.6 by 4:30 p.m. on the last business day of July each year. The re-registration must be received by the Hiring Hall by 4:30 p.m. on the last business day of July. Failure to re-register will result in the Applicant's name being removed from the out-of-work list. Thereafter, the Applicant must again register his/her availability for work pursuant to Section 1.5.

A) Re-registration is not required if the Applicant is working pursuant to a Building Trades dispatch.

B) Re-registration is also not required if the Applicant registered on the Building Trades out-of-work list between May 1 and the last business day of July.

C) For those Applicants who must re-register to remain on the out-of-work list after the last business day of July, re-registration must occur between May 1 and 4:30 p.m. on the last business day of July by one of the following methods:

1) In person. An Applicant may sign and date a re-registration sheet maintained at the Hiring Hall.

2) By mail. An Applicant may send a postcard or letter indicating an intention to re-register. The Applicant's name, U.A. card number or the last four digits of his/her social security number must be legible and appear on the postcard or letter. The postcard or letter must be addressed as follows:

Dispatch Office
United Association Local 290
20210 SW Teton Avenue
Tualatin, OR 97062

3) By facsimile. An Applicant may send a fax indicating an intention to re-register. The Applicant's name, U.A. card number or the last four digits of his/her social security number must be legible and appear on the fax. The fax number that must be used is: (503) 692-5604.

4) By email. An Applicant may send an email indicating an intention to re-register. The Applicant's name, U.A. card number or the last four digits of his/her social security number must appear on the email. The email address which must be used is: 290dispatch@ua290.org.

5) By telephone. An Applicant may telephone the Dispatch Office indicating his/her intention to re-register. The only telephone numbers which may be used are: (800) 452-2912 and (503) 691-5700.

D) The Dispatcher is not required to notify an Applicant that his/her name has been removed from the out-of-work list pursuant to this Section 1.6 for failure to meet the re-registration requirements.

E) An Applicant whose name has been removed from the out-of-work list pursuant to this Section 1.6 for failure to meet the re-registration requirements may appeal the action to the Joint Hiring Committee established under these Rules. The Joint Hiring Committee is authorized to hear appeals concerning issues of whether an Applicant did, in fact, take appropriate and timely steps to re-register pursuant to this Section 1.6 and whether an Applicant's failure to take appropriate and timely steps to re-register should be excused due to excusable neglect or other extenuating circumstances, including, but not limited to, military service, illness, injury or extended travel.

F) If an Applicant is removed from the "A," "B," "C" or "D" list for failure to re-register as required by this Section 1.6, the individual shall be allowed to re-register in the future at the bottom of the "A," "B," "C" or "D" list provided the individual meets one of the criteria for a Building Trades Journeymen Plumber or Steamfitter/Pipefitter at the time of re-registration.

Section 1.7 Referral of Applicants. Upon the request of a Contractor for Building Trades Journeymen Plumbers or Steamfitters/Pipefitters, the Dispatcher shall use best efforts to immediately refer competent and qualified Applicants to the Contractor in sufficient number required by the Contractor, in the manner and under the conditions specified in these Rules, from the appropriate craft (Plumber or Steamfitter/Pipefitter) and priority out-of-work list ("A," "B," "C," "D" or Metal Trades), on a first-in, first-out basis (i.e., the first Applicant registered on the highest priority and appropriate craft list shall be the first worker referred), except to the extent Section 1.7E through I and the next five paragraphs provide for a different procedure.

The referral procedure for a list call when the request of a Contractor is for a Building Trades Journeymen Steamfitter/Pipefitter is as follows:

- Steamfitter/Pipefitter A list
- Steamfitter/Pipefitter B list
- Steamfitter/Pipefitter C list
- Steamfitter/Pipefitter D list
- Plumber A list
- Plumber B list
- Plumber C list
- Plumber D list
- Metal Trades Steamfitter/Pipefitter list

The referral procedure for a list call when the request of a Contractor is for a Building Trades Journeymen Plumber is as follows:

Plumber A list
Plumber B list
Plumber C list
Plumber D list

If the list call for a Building Trades Journeymen Plumber has not been filled after calling through the Plumber D list and the call is for Service work or Housing and Light Commercial work, the list call will then be offered to applicants on the Metal Trades Plumbers list.

If the list call for a Building Trades Journeymen Plumber has not been filled after calling through the Plumber D list and the call is for commercial or industrial work that requires a plumbing license, the list call will then be offered as follows:

Steamfitter/Pipefitter A list applicants with a plumbing license
Steamfitter/Pipefitter B list applicants with a plumbing license
Steamfitter/Pipefitter C list applicants with a plumbing license
Steamfitter/Pipefitter D list applicants with a plumbing license
Metal Trades Plumber list applicants

If the list call for a Building Trades Journeymen Plumber has not been filled after calling through the Plumber D list and the call is for commercial or industrial work that does not require a plumbing license, the list call will then be offered as follows:

Steamfitter/Pipefitter A list
Steamfitter/Pipefitter B list
Steamfitter/Pipefitter C list
Steamfitter/Pipefitter D list
Metal Trades Plumber list

A) The "A" list shall be all Building Trades Journeymen Plumbers or Steamfitters/Pipefitters who meet one or a combination of the following criteria:

1) Applicants who have for seventy-two (72) continuous months:

i) been registered on Building Trades Hiring Hall Register and/or been dispatched and worked under the labor agreements described in Section 1.1 C;

ii) worked under a shipyard agreement with the Union and/or been registered on the Union's shipyard hiring hall register;

iii) been registered on a metal trades hiring hall register and/or been dispatched and worked pursuant to a dispatch from a metal trades hiring hall register;

iv) worked for a non-signatory employer performing the type(s) of work covered by the Master Labor Agreement for seventy-two (72) continuous months at the time the non-signatory employer became signatory to a collective bargaining agreement with the Union);

v) been employed by the Union and/or the United Association Local 290 Apprenticeship and Journeymen Training Trust Fund; or

vi) immediately preceding registration on the Building Trades Hiring Hall Register, the individual performed seventy-two (72) continuous months of commercial or industrial work, service work, and/or housing and light commercial work for signatory and/or non-signatory contractors within the Union's geographic jurisdiction.

2) An individual who is a Building Trades Journeymen Plumber or Steamfitter/Pipefitter can register on the "A" list even if the seventy-two (72) continuous months requirement in Section 1) has not been made if the Building Trades Journeymen Plumber or Steamfitter/Pipefitter has successfully completed a plumber and/or steamfitter/pipefitter apprenticeship program approved by the United States Bureau of Apprenticeship and Training and/or a state division of apprenticeship and training provided the apprenticeship program and training occurred within the Union's geographic jurisdiction.

3) Any Applicant who met the criteria for "A" list status prior to the adoption of these Rules shall retain that status.

4) Once an Applicant has met the criteria for "A" list status and registers on the "A" list, he shall retain that status until:

(i) he notifies the Hiring Agent he no longer wants "A" list status;

(ii) his name is removed from the "A" list for failure to re-register as required by Section 1.6; or

(iii) he is registered on another "A" list or the equivalent of an "A" list on another hiring hall register.

(iv) if an Applicant is removed from the "A" list for one of the three reasons listed above, he/she can re-register on the bottom of the "A" list at a later date so long as he/she is a Building Trades Journeyman Plumber or Steamfitter/Pipefitter at the time of re-registration.

5) Any Building Trades Journeyman Plumber or Steamfitter/Pipefitter who has met the criteria for the "A" list will be required to register on the "A" list and the date of registration will establish the Applicant's position on the "A" list.

B) The "B" list shall be all Building Trades Journeyman Plumbers or Steamfitters/Pipefitters who do not qualify for the "A" list but who meet the registration requirements for the "A" list or equivalent of any building trades hiring hall sponsored by a United Association Local, provided the Local is headquartered in the states of Alaska, Hawaii, Washington, Idaho, Nevada or California.

C) The "C" list shall be all Building Trades Journeyman Plumbers or Steamfitters/Pipefitters who do not qualify for the "A" and "B" lists but who meet the registration requirements for the "A" list or equivalent of any building trades hiring hall sponsored by a United Association Local that is headquartered outside the states of Alaska, Hawaii, Washington, Idaho, Nevada, California and Oregon.

D) The "D" list shall be all Building Trades Journeyman Plumbers or Steamfitters/Pipefitters who do not qualify for the "A", "B" or "C" lists provided for previously.

E) Written or verbal requests by Contractors for Building Trades Journeyman Plumbers or Steamfitters/Pipefitters to work as Superintendents, Senior General Foremen, General Foremen and Foremen shall be honored without regard to the Applicant's place on the out-of-work list, as long as the Applicant dispatched by written or verbal request to work as a Superintendent, Senior General Foreman, General Foreman, or Foreman is paid at the Superintendent, Senior General Foreman, General Foreman, or Foreman rate of pay for the duration of the project dispatched to, or three (3) months, whichever is longer. Once hired, these Superintendents, Senior General Foremen, General Foremen, and Foremen, if qualified, shall not be laid off before the "D," "C," and "B" list workers. This rule does not apply to "B", "C" and "D" list Applicants. This rule may only be used by a Contractor signatory to or bound by a collective bargaining agreement with the

Union and may not be used by a Contractor that is only signatory to a National Agreement with the United Association.

F) Written or verbal requests by Contractors for Building Trades Journeymen Plumbers or Steamfitters/Pipefitters to perform Service work and/or Housing & Light Commercial work shall be honored without regard to the Applicant's place on the out-of-work list. This rule does not apply to "B," "C," and "D" list Applicants. This rule may only be used by a Contractor signatory to or bound by a collective bargaining agreement with the Union and may not be used by a Contractor that is only signatory to a National Agreement with the United Association. An Applicant dispatched to perform Service work and/or Housing & Light Commercial work will not be allowed to perform other types of work, i.e., commercial or industrial work, unless permission is obtained from the Hiring Agent.

G) Written or verbal requests by Contractors for Building Trades Journeymen Plumbers or Steamfitters/Pipefitters shall be honored without regard to the Applicant's place on the out-of-work list as long as the total number of individuals dispatched through the Hiring Hall to the Contractor is less than Twelve (12). Contractors using this Section are excluded from using the 90-day call back rule in the next Section. This rule does not apply to "B", "C" and "D" list Applicants. This rule may only be used by a Contractor signatory to or bound by a collective bargaining agreement with the Union and may not be used by a Contractor that is only signatory to a National Agreement with the United Association.

H) Written or verbal requests by Contractors for Building Trades Journeymen Plumbers or Steamfitters/Pipefitters shall be honored without regard to the Applicant's place on the out-of-work list as long as the Applicant has been previously employed within ninety (90) calendar days by that Contractor. This rule does not apply if the Applicant was last dispatched to the Contractor outside his/her principal craft. For example, if a Building Trades Journeymen Plumber was dispatched to the Contractor pursuant to a list call for a Building Trades Journeymen Steamfitter/Pipefitter, the Applicant is not eligible for the ninety (90) calendar day recall rule. This rule also does not apply to "B", "C" and "D" list Applicants. This rule may be used by all Contractors, including those that are only signatory to a National Agreement with the United Association.

I) In the event a Contractor is unable to complete its work on a project for any reason, including bankruptcy, financial problems or termination of construction contract by the general contractor, and a second Contractor is employed to complete the work, the second Contractor may request Building Trades Journeymen Plumbers or Steamfitters/Pipefitters by name regardless of the Applicant's place on the out-of-work list so long as the Applicant worked for the first Contractor on the project from which the first Contractor was terminated within sixty (60) calendar days immediately preceding the name call. This does

not apply to "B," "C" or "D" Applicants. This rule may be used by all Contractors, including those that are only signatory to a National Agreement with the United Association.

J) Layoff Priority: Whenever there is a job layoff and workers are to be discharged or laid off, the discharge or layoff shall be according to the worker's priority classification at the time of discharge or layoff and the following rules:

1) Layoff of Building Trades Journeymen Steamfitters/Pipefitters.

First: Metal Trades Steamfitters/Pipefitters.

Second: Building Trades Journeymen Plumber D list workers who were dispatched pursuant to a Building Trades Journeymen Steamfitter/Pipefitter call.

Third: Building Trades Journeymen Plumber C list workers who were dispatched pursuant to a Building Trades Journeymen Steamfitter/Pipefitter call.

Fourth: Building Trades Journeymen Plumber B list workers who were dispatched pursuant to a Building Trades Journeymen Steamfitter/Pipefitter call.

Fifth: Building Trades Journeymen Plumber A list workers who were dispatched pursuant to a Building Trades Journeymen Steamfitter/Pipefitter call.

Sixth: Steamfitter/Pipefitter D list workers.

Seventh: Steamfitter/Pipefitter C list workers.

Eighth: Steamfitter/Pipefitter B list workers.

Last: Steamfitter/Pipefitter A list workers.

2) Layoff of Building Trades Journeymen Plumbers – Commercial or Industrial Work - Plumbing License Required.

First: Metal Trades Plumbers.

Second: Building Trades Steamfitter/Pipefitter D list workers who were dispatched pursuant to a Building Trades Journeymen

Plumber call for commercial or industrial work with a plumbing license.

Third: Building Trades Steamfitter/Pipefitter C list workers who were dispatched pursuant to a Building Trades Journeymen Plumber call for commercial or industrial work with a plumbing license.

Fourth: Building Trades Steamfitter/Pipefitter B list workers who were dispatched pursuant to a Building Trades Journeymen Plumber call for commercial or industrial work with a plumbing license.

Fifth: Building Trades Steamfitter/Pipefitter A list workers who were dispatched pursuant to a Building Trades Journeymen Plumber call for commercial or industrial work with a plumbing license.

Sixth: Building Trades Journeymen Plumber D list workers.

Seventh: Building Trades Journeymen Plumber C list workers.

Eighth: Building Trades Journeymen Plumber B list workers.

Last: Building Trades Journeymen Plumber A list workers.

3) Layoff of Building Trades Journeymen Plumbers - Commercial or Industrial Work - No Plumbing License Required.

First: Metal Trades Plumbers.

Second: Building Trades Steamfitter/Pipefitter D list workers who were dispatched pursuant to a Building Trades Journeymen Plumber call for commercial or industrial work.

Third: Building Trades Steamfitter/Pipefitter C list workers who were dispatched pursuant to a Building Trades Journeymen Plumber call for commercial or industrial work.

Fourth: Building Trades Steamfitter/Pipefitter B list workers who were dispatched pursuant to a Building Trades Journeymen Plumber call for commercial or industrial work.

Fifth: Building Trades Steamfitter/Pipefitter A list workers who were dispatched pursuant to a Building Trades Journeymen Plumber call for commercial or industrial work.

Sixth: Building Trades Journeymen Plumber D list workers.

Seventh: Building Trades Journeymen Plumber C list workers.

Eighth: Building Trades Journeymen Plumber B list workers.

Last: Building Trades Journeymen Plumber A list workers.

4) Layoff of Building Trades Journeymen Plumbers - Service work or Housing and Light Commercial work.

First: Metal Trades Plumbers.

Second: Building Trades Journeymen Plumber D list workers.

Third: Building Trades Journeymen Plumber C list workers.

Fourth: Building Trades Journeymen Plumber B list workers.

Last: Building Trades Journeymen Plumber A list workers.

Nothing in these paragraphs prohibits a Contractor from discharging a worker for any just and sufficient cause as defined by the Master Labor Agreement.

K) **Transfer Between Jobs:** The parties agree to the following transfer rules:

1) Employers may transfer a Building Trades Journeymen Plumber or Steamfitter/Pipefitter who has an "A" list classification at the time of transfer and who is dispatched pursuant to his primary craft from job to job.

2) Employers may not transfer a Building Trades Journeymen from the job to which he initially reported if the Building Trades Journeymen was dispatched to the job outside his primary craft, i.e., a Building Trades Journeymen Plumber was dispatched to the job pursuant to a Contractor request for a Building Trades Journeymen Steamfitter/Pipefitter without permission from the Hiring Agent. Permission will not be unreasonably withheld.

3) Employers may not transfer a Metal Trades Steamfitter/Pipefitter or Metal Trades Plumber who has been dispatched to perform commercial or industrial work from the job to which he initially reported without permission from the Hiring Agent. Permission will not be unreasonably withheld.

4) Employers may not transfer a Building Trades Journeymen Plumber or Steamfitter/Pipefitter who has a "B," "C" or "D" list classification from the job to which he initially reported without permission from the Hiring Agent (permission will not be unreasonably withheld), except Employers may transfer a Building Trades Journeymen Plumber or Steamfitter/Pipefitter dispatched to perform Service work or Housing & Light Commercial work between Service jobs and Housing & Light Commercial jobs.

5) Employers may transfer a Metal Trades Plumber or a Metal Trades Steamfitter/Pipefitter who has been dispatched to perform Service work or Housing & Light Commercial work between Service jobs and Housing & Light Commercial jobs.

L) The Hiring Hall Register:

1) The Hiring Hall shall maintain a current list of all Applicants who register their availability for work on the Hiring Hall Register. No Applicant shall be referred to any work covered by these Rules unless registered at the Hiring Hall.

2) The operation and maintenance of the Hiring Hall Register shall be the responsibility of the Hiring Agent.

3) The Hiring Hall Register shall show the name, trade classification, special skills, certifications, name of last Employer, date of last employment, telephone number and the date and time of registration for each Applicant.

4) In order for an Applicant to receive a list call to perform Service work or Housing & Light Commercial work, the Applicant must specifically indicate on the Hiring Hall Register that he or she is willing to accept list calls to perform Service work and/or Housing & Light Commercial work.

5) In order for an Applicant to receive a list call to perform work pursuant to the Certified Welder Brazier Program in Article XXI of the Master Labor Agreement, the Applicant must specifically indicate on the

Hiring Hall Register the UA/Local 290 pre-qualification weld or brazer certification(s) he/she holds (for example, UA-15, UA-21, UA-22, UA-41, and/or UA-51). The Applicant may be required, at the time of registration and/or at the time of dispatch, to provide proof of his/her weld or brazer certification(s).

6) The Hiring Hall Register shall be available for inspection by any Employer under contract with the Union and any Applicant who has registered for employment.

7) The Hiring Hall Register shall be kept separate and apart from any Union records.

8) The Hiring Hall Register shall be protected against fraud or misrepresentation on the part of Applicants to the best ability of the Hiring Agent.

9) Any Applicant asserting a grievance against the operation of the Hiring Hall or Hiring Hall Register shall file his grievance in writing with the Hiring Agent or with the Joint Hiring Committee. If filed with the Hiring Agent, the Hiring Agent shall immediately forward the same to the Chairperson of the Joint Hiring Committee. The Hiring Agent shall immediately thereafter transfer all pertinent records and any other data to the Chairperson of the Joint Hiring Committee.

(10) Applicants on the "B," "C," and "D" lists can sign the Hiring Hall Register but are not eligible for dispatch until completing an Orientation Program. If the Orientation Program is not completed within thirty (30) days after signing the Hiring Hall Register, the Applicant shall be removed from the Hiring Hall Register and the "B," "C," or "D" list Applicant shall not be allowed to re-sign the Hiring Hall Register until the Applicant has completed the Orientation Program. An Applicant has the right to petition the Committee for an extension of time to complete the Orientation Program for extenuating circumstances including, but not limited to, illness or extreme hardship in attending the Orientation Program. If an Applicant is removed from the Hiring Hall Register for failure to complete the Orientation Program, the Applicant may appeal the action to the Committee. The Orientation Program has been developed by the PMCA and the Union and is offered, free of charge, at the Training Center in Tualatin, Oregon and other regional training centers as determined by the Committee. Any "B," "C," or "D" list Applicant who has completed the Hi-Tech Cultural Class will not be required to complete the Orientation Program.

Section 1.8 Non-Discriminatory Referral. The Union, PMCA and the Contractors agree that the referral of Building Trades Journeymen Plumbers or Steamfitter/Pipefitters shall be on the following basis:

- A) Selection of Applicants for referral to jobs shall be on a non-discriminatory basis and shall not be based on or in any way affected by Union membership.
- B) The Employer retains the right to reject any Applicant referred by the Hiring Hall by written notice subject to any rights the Applicant or Union may have under the Grievance and Arbitration procedures in the Master Labor Agreement or other applicable labor agreement.
- C) The Union shall post in places where notices to all employees and Applicants for employment are customarily posted all provisions relating to the Hiring Hall Rules.

Section 1.9 Apprentices.

- A) The employment and dispatching of Apprentices is not subject to these Rules. Rather, the employment and dispatching of apprentices shall be governed by the applicable Joint Apprenticeship and Training Committee.
- B) To help ensure diversity of training, provide reasonable, continuous employment opportunities, and comply with apprenticeship rules and regulations, the applicable Joint Apprenticeship and Training Committee shall have full authority for issuing all job training assignments and for transferring apprentices.

Section 1.10 Discharge.

- A) An Employer may discharge for any just and sufficient cause, subject to the grievance procedures set forth in the Master Labor Agreement or other applicable labor agreement.
- B) When employees are discharged or laid off, the Employer will furnish the Union and the employee with a termination or layoff form which is available from the PMCA. If an Employer uses its own form, it must be similar to the PMCA form and must include the employee's name, date of termination, reason for termination, eligibility for rehire, and the foreman's or supervisor's signature.

Section 1.11 Hiring Hall Records.

- A) The Hiring Agent shall retain at all times the history of each Applicant, which shall include basic registration, re-registration, work referrals and terminations, examinations, appeal results and all related material for at least

three (3) years. During working periods the Applicant's history shall be retained in an inactive status. All Hiring Hall records are to be retained separate and apart from Union records. All such records shall be available for inspection by members of the Joint Hiring Committee.

B) The Hiring Hall shall maintain and keep for at least three (3) years all Employer work orders.

Section 1.12 Joint Hiring Committee.

A) There shall be a permanent Joint Hiring Committee (the Committee). The Committee shall be composed of six (6) members, three (3) of whom shall be representatives of Employers signatory to or bound by the Master Labor Agreement, representing the Employers, and three (3) of whom shall be representatives of the Union, representing the Union. At all meetings of the Committee both the Employers and the Union shall have equal voting rights. In order to have a quorum there shall be at least one (1) representative of both the Union and the Employers present.

B) The PMCA shall appoint the Employer representatives in such manner and for such terms as the PMCA, in its sole discretion, desires. The Union shall appoint the Union representatives in such manner and for such terms as the Union, in its sole discretion, desires.

C) The Committee shall perform the following functions:

First - The Committee will act as an appeal body for the purpose of hearing or otherwise adjudicating grievances concerning actions of the Local Union 290 Examining Board.

Second - The Committee will act as an appeal body for the purpose of hearing or otherwise adjudicating grievances addressed to it in writing concerning these Rules.

Third – The Committee shall interpret the Rules as circumstances warrant.

Section 1.13 Competency Examinations. Competency examinations shall be prepared and administered by the Local Union 290 Examining Board (the Examining Board). The Examining Board shall be requested to examine otherwise qualified applicants by the Hiring Agent on a standard request form.

A) In the conduct of required examinations, the Examining Board will utilize standard tests, which may be oral, written or manual, or a combination thereof

for the purpose of determining the degree of skill, training and competency the candidate may possess.

B) Examinations will be graded and the candidate and the Hiring Agent shall be advised of the results of the examination within seventy-two (72) hours after the examinations are graded.

C) Any applicant failing the first examination may request another examination the next time it is offered. In the event the applicant fails the second examination he/she may request a third examination the next time it is offered. A score of seventy (70) percent or above shall be considered a passing score.

D) No applicant shall be allowed to request more than three (3) examinations for the same skill classification within a five (5) year period.

E) The applicant shall pay the Examining Board a fee for each examination to defray the cost of materials and other expenses incurred. The fee shall be uniform for all applicants taking the same examination at the same time. This fee shall be collected by the Hiring Agent on behalf of the Examining Board.

F) Any applicant who is unable to comply with Section 1.2 and is unable to prove that he/she has submitted himself/herself to an examination at any time designated to determine his/her classification and competency shall not be placed on the Hiring Hall Register irrespective of his/her other training and experience. Such an applicant shall be supplied a request form directed to the Examining Board. The applicant requesting examination shall pay the examining fee. The applicant's name shall not be added to the Hiring Hall Register until the Hiring Agent has received written notification from the Examining Board that he/she has successfully passed the examination and met all requirements.

G) The applicant may request an examination to establish a specialized skill. In the event he/she limits the examination to a special skill, the successful completion of the examination shall operate to limit his/her work availability to that skill.

H) In the event an applicant requests an additional examination for any reason, the standard examination fee shall accompany each request.

I) Examinations will be given twice each year, in January and in June, or at another time as determined by the Hiring Agent.

Section 1.14 Appeals. The Joint Hiring Committee shall hear or otherwise adjudicate all grievances asserted against the operation of the Hiring Hall, including but not limited to

grievances arising out of work registration, work referrals and the preparation of the Hiring Hall Register, but not discharges after an Applicant has been hired.

- A) Proceedings before the Committee shall be informal.
- B) The Committee may adopt its own rules of procedure.
- C) All matters referred to the Committee by the Hiring Agent shall be considered and disposed of as appeals.
- D) Except in the case of a tie vote, all decisions of the Committee shall be conclusive and binding upon all parties including the Applicant. The decisions shall be in writing and communicated to all interested parties by the Chairperson of the Committee.
- E) In the event of a tie vote by the Committee over work registration, work referrals, preparation of the Hiring Hall Register or over any other grievance arising out of the job referral system, any party may request arbitration within two (2) weeks after issuance of the written decision. If a request for arbitration is not made, the decision of the Committee shall become final, binding and conclusive. If a request for arbitration is made, an arbitrator shall be designated by the mutual agreement of the parties within two (2) weeks of a request by any party to the dispute. If the parties do not mutually agree on the selection of an arbitrator, the arbitrator will be chosen in accordance with the selection procedures set forth in the Grievance and Arbitration procedures of the Master Labor Agreement. The authority of the arbitrator shall be limited to interpreting and applying the Rules governing the job referral system. The arbitrator shall have the authority to impose the appropriate remedies for violation of these Rules. The decision of the arbitrator shall be final, binding and conclusive on all parties, including Applicants.

Section 1.15 Hiring Hall Procedures.

- A) **Skill Limitation:** An Applicant may limit his/her work availability to a special skill. Such an Applicant shall not be deemed to be available for work other than the work he/she has specified.
- B) **Individual Registration:** No Applicant may register for any person other than himself/herself. All registrations must be filed directly with the dispatch office.
- C) **Fraudulent Registration:** In instances where it appears that a position has been obtained on the Hiring Hall Register through fraud, misrepresentation or other questionable means, the matter shall be referred to the Committee by the Hiring Agent, Dispatcher or other interested party. If the Applicant is found to be

guilty of fraud, misrepresentation or other questionable means of registration, the Committee shall fix the penalty to be imposed according to the gravity of the offense. Penalties shall range from downgrading on the Hiring Hall Register through suspension for a fixed period of time.

D) Petitions for Reinstatement to the Hiring Hall Register:

1) An Applicant who has been suspended from the Hiring Hall Register shall re-register his/her availability at the end of the suspension period. His/her name shall then be placed at the bottom of the applicable list.

2) An Applicant whose name may have been stricken from a Hiring Hall Register may file a petition with the Committee for reinstatement to the Hiring Hall Register.

E) Inability to Work: In the event an Applicant is incapacitated because of either occupational or non-occupational illness or injury, his/her position on the Hiring Hall Register shall continue to move until he/she is in the first position. Upon obtaining a written release from his/her medical attendant, the Applicant shall report that fact to the Hiring Agent for the purpose of receiving work referrals. It shall be the burden of the Applicant to prove illness or injury in order to retain his/her position on the Hiring Hall Register.

F) Employer Work Orders and Rejections:

1) Each Employer requiring workers skilled in specialized work shall inform the Hiring Agent of the special skill desired.

2) The Employer may reject any Applicant who was referred from the Hiring Hall for any reason allowed by law or the Master Labor Agreement, subject to any rights the Applicant or Union may have under the Grievance and Arbitration procedures in the Master Labor Agreement.

3) Where there is a list call for an Applicant possessing a special skill, the Applicant shall be referred pursuant thereto who preceded all others possessing the same special skill on the Hiring Hall Register.

4) Work referral slips shall be made available to the Employer and Applicant upon request.

5) If, for any reason, the Employer refuses to hire an Applicant, the Applicant must re-register within twenty-four (24) hours from the time

of the rejection in order to retain his/her place on the Hiring Hall Register. If the Employer's rejection is based upon the fault of the Applicant, the Applicant may be required to appear before the Committee who has the authority to take appropriate action including, but not limited to, suspending the Applicant from the Hiring Hall Register.

6) Applicants failing to report for work as referred without good cause therefore shall be placed at the bottom of the Hiring Hall Register for the first offense. A second offense shall be sufficient cause for the Committee to summon the Applicant to appear before it for the purpose of showing cause why he/she should not be suspended from the Hiring Hall Register.

7) An Applicant who has accepted a work referral and thereafter is unable to report at the time and place ordered shall notify the Hiring Agent of his/her inability to report as referred as a condition of retaining his/her position on the Hiring Hall Register.

8) No Applicant shall be offered any work referral to an Employer for which he/she is obviously unqualified. Applicants not referred for this reason may appeal the decision of the Hiring Agent to the Committee.

9) If any Employer requires a special license, certification, security clearance or competency card in order for the Applicant to perform work in a particular employment offering, the Employer shall notify the Hiring Agent of such requirement with the job order. The Employer shall send written notice of such requirement to the Hiring Agent upon request.

Note: The Union agrees that it will not deny an Employer the right to administer any reasonable job related pre-employment skills qualification test.

G) Maintenance and Loss of Position on the Hiring Hall Register:

1) An Applicant who accepts employment by name call shall lose his/her position on the Hiring Hall Register.

2) An Applicant who accepts employment by list call shall lose his/her position on the Hiring Hall Register when he/she begins the third day of employment. Exceptions to this rule are:

i) Shutdowns not more than seven (7) calendar days duration unless extended by the Hiring Agent.

- ii) Loss of job for failure to pass testing requirements.

After termination, the Applicant shall re-register his availability at the Hiring Hall.

3) An Applicant on the "A" list may reject work offers made by the Hiring Agent without losing his/her position on the Hiring Hall Register. An Applicant on the "B", "C", or "D" list may reject (either by turning the job offer down or by not being available to answer or return the Hiring Agent's telephone call) three (3) offers of work. Upon rejection (either by turning the job offer down or not being available to answer or return the Hiring Agent's telephone call) of the third (3rd) offer of work, the Applicant's name shall be removed from the Hiring Hall Register and the Applicant shall not be allowed to re-sign the Hiring Hall Register for thirty (30) days. The Applicant may appeal the removal of his/her name from the Hiring Hall Register and/or the thirty (30) day suspension to the Committee. The Committee shall meet as soon as practical to hear the appeal.

4) On the date of the termination or severance of employment, a Building Trades Journeyman shall be given a termination form which shall state the reason therefore, i.e., reduction in force, voluntary quit, etc. Any termination slip not submitted or not stating the reason for discharge shall be considered reduction in force.

5) An Applicant terminated for cause by an Employer shall not be eligible for rehire with the same Employer if the Employer notifies the Hiring Agent in writing that the Applicant is not eligible for rehire. The not eligible for rehire action may be appealed to the Committee.

6) If an Applicant is terminated for cause by an Employer and the Employer notifies the Hiring Agent in writing that the Applicant is not eligible for re-hire or the Hiring Agent is aware of alleged egregious conduct by this Applicant detrimental to the Employer/Union working relationship, the Hiring Agent may refuse to allow the Applicant to re-sign the Hiring Hall Register or strike the Applicant's registration on the Hiring Hall Register for a period up to one year and/or impose other conditions before the Applicant can re-sign the Hiring Hall Register (for example, attend an anger management class, attend a sexual harassment class, or prove a minimum level of competency through a test administered at the Training Center). The Applicant may appeal this decision to the Committee. The Committee will meet as soon as practicable to hear the appeal. The Committee shall not determine the merits of the grievance

regarding whether the termination was for cause because that is the function of the Joint Grievance Committee in the event a grievance is filed with that body. The function of this Committee shall be to determine whether suspension from the Hiring Hall Register or other sanctions as determined by the Hiring Agent is appropriate under the circumstances.

7) Any Applicant who accepts employment pursuant to a dispatch from another set of Hiring Hall Rules agreed to by the Union, for example the Pipe Line Hiring Hall Rules, Gas Distribution Hiring Hall Rules, or Metal Trades Steamfitters/Pipefitters Hiring Hall Rules, shall have his/her name removed from the Hiring Hall Register when he/she begins the third day of employment unless a later loss of employment is for failure to pass testing requirements. The only exception to this rule is an Applicant who accepts employment by list call pursuant to a dispatch at Cascade General. That Applicant shall remain registered on the Hiring Hall Register and move up the list but shall not be called concerning current employment offerings by the Hiring Agent until his/her employment at Cascade General has terminated and he/she has notified the Hiring Agent of his/her availability for dispatch.

H) Travel Cards Issued by the Union:

1) An "A" list Applicant who is issued a travel card by the Union shall continue to maintain his/her position on the Hiring Hall Register while the Applicant is using his travel card except as provided in Section 1.7.A.4(iii). "B", "C" and "D" list Applicants shall be removed from and lose their position on the Hiring Hall Register.

2) During the time that an "A" list Applicant is using his/her travel card issued by the Union, he/she shall not be notified of current employment offerings by the Hiring Agent. However, the Applicant may check with the Hiring Hall to determine what employment offerings are available.

I) Hiring Hall Business Hours:

1) The Hiring Hall shall be located at the main business office of the Union at 20210 SW Teton Avenue, Tualatin, Oregon 97062. The Hiring Hall shall be open from 8:00 a.m. to 4:30 p.m., Monday through Friday (unless otherwise posted by the Hiring Agent), except holidays covered by the Master Labor Agreement and other circumstances approved by the Hiring Agent.

2) Calls by Applicants for registration and registration by Applicants shall only be made during such business hours. Calls for Applicants by Employers for next day referral shall be placed with the Hiring Hall no later than 10:00 a.m., except in case of an emergency.

J) **Hiring Hall Work Calls:**

1) Work calls shall be made by the Hiring Agent to the primary telephone number supplied by the Applicant at the time of registration or as subsequently updated on the Hiring Hall Register.

2) If no telephone number is supplied by the Applicant, it shall be the responsibility of the Applicant to keep himself/herself available for work referrals by the Hiring Agent as his/her name moves toward the top of the Hiring Hall Register.

3) Applicants on the Hiring Hall Register shall be available for work referral calls from 10:00 a.m. until the Hiring Agent has filled all work orders daily, Monday through Friday (unless otherwise posted by the Hiring Agent).

K) **Posting:**

1) These Rules shall be posted in the Hiring Hall.

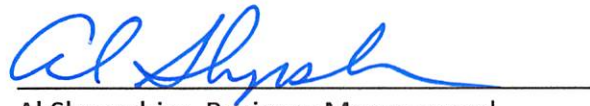
2) Any amendment of these Rules shall likewise be posted in the Hiring Hall.

L) **Gender Disclaimer:** The term "journeymen," "workers," "his," "man," "men" or any other term utilized in this document which suggests a male gender is intended to refer to any person regardless of gender.

DATED this 23 day of March 2017.



Frank Wall, Executive Director
**PLUMBING AND PIPING INDUSTRY
COUNCIL, INC., dba PLUMBING AND
MECHANICAL CONTRACTORS
ASSOCIATION**



Al Shropshire, Business Manager and
Financial Secretary/Treasurer
**PLUMBERS, STEAMFITTERS AND MARINE
FITTERS LOCAL UNION 290**