

**UNIFORM RULES AND REGULATIONS
APPLICABLE TO ITS HIRING AND
REFERRAL SYSTEM**

Preamble

Whereas, certain agreements and practices relating to the hiring of employees are in effect between Local 115 of the International Alliance of Theatrical Stage Employes and Moving Picture Technicians, Artists and Allied Crafts of the United States and Canada, AFL-CIO, and certain employers who operate their business within the jurisdiction of the Union; and

Whereas, the Union is desirous of establishing written rules and regulations governing its hiring and referral practices, for both permanent and temporary employment, which shall be completely nondiscriminatory and in no way conditioned upon Union membership.

Now therefore, the Union does hereby approve and adopt this Preamble and the following Rules and Regulations and declares its intention to maintain its hiring and referral system on the basis herein established. Which shall take precedence over any illegal provision of its Constitution and By-Laws which may conflict herewith.

APPLICANTS FOR EMPLOYMENT

1. WRITTEN APPLICATION: All persons desiring to apply for employment through the operation of the Union's hiring and referral system shall make written application on the form hereto and designated appendix A. The written application and all Local 115 required paperwork must be on file in the offices of IATSE Local 115 and upon receipt, a minimum seven (7) day waiting period to confirm references, job history and background checks must occur prior to being referred for work. Application for employment does not guarantee that a person will be referred to work.

2. PROBATIONARY PERIOD: A probationary period of one calendar year (12 Months) beginning on the first day the person is placed on a call is required. A person who has successfully worked 520 hours during this time, and proven themselves competent and qualified may register for inclusion on the referral list. In an effort to provide persons on the probationary list the opportunity to achieve the requisite number of hours to register for inclusion on the "A, B, or C" referral list as defined herein; the probationary list will be based upon first date of hire, and will not be subject to rotation. The probationary period will start over each year upon the anniversary of the person's first date of hire, and hours worked will not be cumulative from year to year. Any person on the probationary list who fails to appear at a work call they have accepted (other than for personal illness or immediate family problems) will be summarily removed from that list. During the probationary period, the union retains the right to discharge, suspend, or discipline such workers at its sole discretion and without recourse on the part of the worker. All persons wishing to remain on the probationary list must reapply on the renewal

form provided by the local each year during the month of January. The one year probationary period may be waived at any time at the discretion of the Local.

3. REGISTRATION: An applicant, having completed the required probationary period may request in writing to the Business Agent to be registered on the A, B, or C referral list. All persons completing their probationary period and all persons currently on the A, B, or C referral list wishing to remain on the referral list must reapply on the renewal form provided by the local each year during the month of January and pay a Referral/Hiring Hall Fee of \$20.00. Persons delinquent in renewing will be assessed an additional \$10.00 late fee to remain on the referral list. Persons holding a Membership Card in good standing in IATSE Local 115 will be pay this fee as outlined in Article X, Sec 1. of the Constitution and Bylaws. Such applicants must maintain a working phone number with answering machine or voice mail in order to remain on the referral list. Persons removed from the referral list for any reason must contact the Business Agent in writing to request reinstatement on the referral list.

REFERRAL LISTS

1. JOB CATEGORIES: The Union shall maintain referral lists at its principal place of business. There shall be four (4) separate referral categories.

- A. Full Time Stagehand - Unlimited Availability
- B. Part Time Stagehand with a part time or full time job outside the trade - Usually Available
- C. Part Time Stagehand with full time jobs outside the trade – Limited Availability
- D. Stagehands who are serving their probationary period.

2. INITIAL PLACEMENT ON A, B, or C REFERRAL LISTS: All applicants who have successfully completed the mandatory probationary period may register for inclusion on the referral list by submitting documentation of hours worked in writing to the Business Agent.

HIRING PRACTICES

1. FOR REFERRAL: The Union shall maintain such lists in a manner designed to record the following information:

- A. The date and time of employer requests for workers.
- B. The type of qualifications requested, if any.
- C. The employees on the applicable referral list that were contacted to take such jobs, and what response the employee gave.

2. SPECIAL REQUESTS: Employers hiring employees from the referral list shall be permitted to request in writing, by name, employees on such list, for department heads only, regardless of their position on the list. The Union Business Agent shall be entrusted, however, with the responsibility of discouraging Employers who engage in such special requests as a regular procedure, to the end that the available work is equitably distributed between the persons appearing on the list. The Union wishes to supply competent employees with no discrimination.

3. FILLING JOB REQUESTS: The Union Business Agent shall start at the top of the referral list until an employee is located to fill an employer's request. On each subsequent request, the Union Business Agent shall begin with the top name not contacted on the previous requests (including those employees who the Business Agent was unable to contact), and shall pass over those persons who accepted referral on the previous requests. Those persons who refuse referral shall be placed at the bottom of the list, in the same order that they appeared prior to being contacted, after the job call has been completed. This procedure shall be followed until each person on the list has had an opportunity to refuse or accept a referral and shall then be repeated. If, because of the inability of the Business Agent to contact an employee, the rotation nature of this procedure is threatened with disruption, the Business Agent shall by-pass such employee and thereafter notify him/her that some difficulty exists in contacting him/her.

The referral list will consist of the four (4) categories as outlined above, and will be administered as follows:

First priority for work shall go to those who have the required skills and are on the "A" List. If a call can not be filled from the "A" list then next priority shall go to those on the "B" list and so on until the call is filled.

When a person is placed to work, his/her name shall be rotated to the bottom of the appropriate list.

When more than one man/woman is selected from a given list to fill a job, at the termination of that job they will be placed at the bottom of the list in the same order they appeared before being placed on that job.

Persons on the Union's Referral List, who leave the jurisdiction of Local 115 to work elsewhere, shall automatically lose their right to be on the work or Referral List.

Persons on the "A" List who refuse to accept a work call three (3) times in one (1) month (other than for personal illness, immediate family problems, or prior scheduled vacation time) will be placed on the "B" List for a period of not less than ninety (90) days. At the end of that period a written request for reinstatement to the "A" List will be accepted by the Business Agent.

Similarly, persons on the "B" List who refuse to accept a work call three (3) times in a one (1) month period (other than for personal illness, immediate family problems, prior scheduled vacation time or a full time job commitment outside the trade) will be placed on the "C" List for a period of not less than ninety (90) days. At the end of that period a written request for reinstatement to the "B" List will be accepted by the

Business Agent.

4. SEEKING EMPLOYEES FROM OTHER SOURCES: In the event there are no available stage employees on the Referral List to fill the employer's job request, the Business Agent may secure competent workers from sources that can supply competent stage employees.

5. BUSINESS AGENT: The Union's Business Agent shall have the responsibilities and duties outlined herein. By order of the Union, he/she may designate a person to assist him/her in performing his/her duties. He/She shall be governed by the premises set forth in the Preamble to these Rules and Regulations, and shall strictly operate this referral system in a non-discriminatory manner.

APPEALS

1. Any applicant seeking inclusion on the referral lists, any qualified employee, shall have the right to institute an appeal from any decision or act of the Business Agent or his/her designee; however, neither the Union nor its Business Agent nor his/her designee shall have any responsibility to initiate such appeal.

2. An appeal may be taken at any time, not to exceed fifteen (15) days after the event occurred upon which the appeal is based.

3. The aggrieved person shall institute the appeal by sending a statement in writing to the Union at its usual place of business, explaining the grievance and requesting that an Appeal Board be convened. The aggrieved applicant shall be given ample notice of the date, time, and place where such hearing shall be held. He/She shall be allowed to present evidence on his/her behalf and shall be allowed to cross-examine any witnesses presented

GENERAL

1. The Union shall post these Rules and Regulations at its usual place of business and shall make a copy available to any person entitled to receive a copy, upon written request to the Business Agent.

2. These Rules and Regulations shall not apply to the employment of apprentices. The Union may establish and maintain a non-discriminatory apprentice training program which shall include provisions for referral and employment of apprentices.

3. These Rules and Regulations may be amended by the Union in the same manner the Union amends the Constitution.