

SMART LOCAL NO. 23 & SMACNA OF ALASKA CODE OF EXCELLENCE

SMART LOCAL UNION NO. 23 MEMBERSHIP COMMITMENT

As we face competition for the services provided by the membership of the International Association of Sheet Metal, Air, Rail and Transportation Workers Local Union No. 23 (hereinafter referred to as the “Union”), we must recognize our primary marketable qualities are our skills, productivity and professionalism. To succeed we must present to the end user, be it contractor or end user clients, the value in using Union members. This requires that each member conforms to and supports the Code of Excellence responsibilities set forth below. As a result, our promise of professionalism and productivity is met everyday by every member. The future of our membership and the Union is dependent upon our ability to establish our added value to the employers and end users within the sheet metal industry.

UNION RESPONSIBILITIES

The Business Manager of the Union will have ultimate responsibility for implementation and administration of the Code of Excellence. The Code of Excellence structure is designed to ensure that the Business Manager or his/her designee shall be the first point to resolve Code of Excellence issues quickly and effectively.

Our responsibilities include the following:

Working Time

- First and foremost, our members shall adhere to our core principle of productivity, a fair day’s work for a fair day’s pay.
- All members shall adhere to established contractual starting and quitting times and shall meet their responsibility to their fellow members and employers by arriving to work on time and ready to work.
- Break and lunch periods are limited to the time allowed by the Collective Bargaining Agreement, or federal, state, or local law, whichever prevails.
- Members shall meet their responsibility not to leave the jobsite without proper approval.
- When absent the member shall contact their supervisor in advance of their established starting time to confirm such address.

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- All members shall be productive and efficient, with idle time kept to a minimum.
- Personal cell phone usage shall be limited to appropriate break times or lunch periods, or emergency use as defined by the Union Business Manager.
- Members shall meet their contractual responsibility to eliminate work disruptions on the job.
- All members shall work toward the goal of completion of projects on or under the allotted time.

Safety

- Safety, being a primary concern for both our members and contractors, members shall meet their obligation to perform work safely and effectively, following employer and industry established rules.
- Members will meet their contractual and personal responsibility to utilize proper safety equipment and safety methods.
- Members will participate in OSHA 10 courses as offered by the JATC and when required by the Collective Bargaining Agreement.

Tools

- In meeting their responsibility as highly skilled and qualified craftsman, all members shall carry the necessary and proper tools as required by the Collective Bargaining Agreement.
- Members shall meet their responsibility in taking care of the equipment and tools provided by the employer.

Fitness for Duty

- Members shall meet their responsibility of being fit for duty by accepting work for which they have the requisite skills and training.

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- Members shall exhibit and maintain a level of craftsmanship recognized to be within the industry standard.
- Members shall meet their responsibility to be fit for duty, with zero tolerance policy for substance abuse.
- As a representative of the Union and the employer, all members will be professional in appearance.
- The wearing or display of inappropriate materials shall not be tolerated.
- The Business Manager or his/her designee and leaders on the job shall work with other members who have displayed unacceptable work habits so that each member on the job meets a standard of quality and productivity second to none.

Labor / Management Relations

- Members shall respect the property of the contractor and end users. Graffiti and other forms of destruction and waste will not be tolerated.
- Members shall respect all legal facility rules of the client and/or end user.
- Activities which cast the International Association or the Union in disrepute shall not be tolerated.
- Any inappropriate behavior toward another member or group of members shall not be tolerated.
- Inappropriate behavior toward customer representatives or employer representatives shall not be tolerated.
- The goal of the Union Code of Excellence is to promote professionalism within the total membership of the Union and a sense of pride in our membership.

EMPLOYER RESPONSIBILITIES

The ultimate responsibility of managing the work and projects falls within the control of the employer. With such responsibility, our signatory employers and if applicable, our employer associations, have a responsibility to manage their jobs effectively. Therefore, to build confidence and trust in the Code of Excellence, the employer must meet their responsibilities in addressing job performance issues, including the following:

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- To address ineffective supervisors, including superintendents, general foreman, and foreman
- To insure proper job planning, supervision and layout, to minimize downtime.
- To make available the proper types and quantities of tools, equipment and materials to ensure job progress.
- To ensure proper maintenance, care, storage, and security for employer-provided and employee-provided equipment and tools.
- To demonstrate the efficiency of our partnership, the employer will ensure there are adequate numbers of employees to perform the work efficiently and, conversely, to limit the number of employees to the work at hand.
- To provide the necessary jobsite leadership to eliminate problems and provide effective solutions.
- To instill the necessary positive attitude in supervisors that the Union, their members and the employer are working together.
- To ensure that jobsite leadership takes the necessary ownership of mistakes created by management decisions.
- To eliminate unsafe work conditions and ensure that proper safety training, equipment, and methods are utilized.
- To address concerns brought forth by the Business Manager or his/her designee. If the problem is not resolved at the lowest level of management, the Business Manager or his/her designee may choose to address the issue with higher levels of management.
- If the issue is not resolved, the local union or employer may call for a labor / management meeting to resolve concerns or issues.
- Upon employee's separation of employment, the contractor shall issue to the employee and copy the local union dispatch office, a completed Notice of Termination. (See attached Exhibit A)

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MEMBERSHIP DISPUTE RESOLUTION CRITERIA

Overview

The success of the Code of Excellence is dependent upon the acceptance and understanding by each member of the scope of their responsibilities as established within the Code of Excellence.

It must be understood that a truly successful workplace environment can only be achieved by participation of both the Union and the Employer in meeting their responsibilities. The Union's role is to address with its members any individual problems that are brought to its attention to ensure the Union's obligation to live up to the promise of providing a skilled and professional workforce to the employer and the end user is maintained and improved.

UNION RESPONSIBILITIES

- The Business Manager or his/her designee will work with members through a process of mentoring to correct and solve problems related to job performance.
- As needed, the Business Manager or his/her designee will communicate with management on Code of Excellence issues. This will then be communicated to Union members through the Union leadership and workplace stewards.
- If an individual member is not meeting established responsibilities under the Code of Excellence and the correction of such adverse behavior cannot be achieved through mentoring between the Union leadership, member peers, and the individual member, the Business Manager shall appoint a committee of three (3) representatives that shall have the responsibility to review, evaluate, and address such problems with the individual member. If the member is unwilling or unable to meet his/her obligation under the Code of Excellence, the committee shall be empowered to take necessary action up to and including filing of appropriate charges under the Constitution and Ritual of the SMWIA.

The following is inconsistent with the conduct required under the Code of Excellence.

1. Refusal of jobs upon call from the dispatcher for work shall, upon the third violation, result in the member being placed at the bottom of the list of unemployed workers.

2. Not showing for work when dispatched, which shall be deemed to be a violation of the Constitution, and may subject the member to Union charges and trials.
3. Acceptance of employment or job under false pretenses, no adequate skills for the job, which shall also be deemed a violation of the Constitution, and may subject the member to Union charges and trials.
4. Conduct resulting in termination by an employer for cause, which shall be documented upon the attached form which is to be supplied by the Union. If the employer indicates that a terminated employee is not eligible for rehire, such designation shall be honored by the dispatch office for a minimum of 180 days. Provided that, if the Union determines to process a grievance contesting such a termination, such determination shall not be considered as being for cause until the Joint Referrals Appeal Committee determines that such termination was for cause, or the grievance process is otherwise completed without invalidating the termination.

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The Business Manager and/or his designee, as well as the employer, must endeavor to correct performance problems with individual members at the workplace, so that their performance meets the standards of the Code of Excellence. However, there will be instances where the Union ultimately must withhold contractual referral privileges from those employees that have demonstrated that they are either unwilling, or incapable, of meeting acceptable standards of workplace behavior. In such circumstances, employers have a reciprocal obligation to terminate such employees for cause, rather than merely laying them off, so that such employees are not simply referred for employment with another employer. A disciplinary action plan shall be implemented which establishes a “Three Strikes Policy” for violation of the Code of Excellence provisions. Such plan shall provide that, in any case where there are three separate instances within a 24-month period where the employee has been convicted of a constitutional violation(s) under points 2 or 3 above, or has been subject to termination under point 4 above, in any combination, the employee’s referral privileges may be suspended indefinitely.

The employee may appeal the suspension to the Joint Referrals Appeal Committee, which shall have authority to reduce the period of any suspension of referral privileges if it determines that fairness and equity require such action under the circumstances of the particular case, or to terminate the suspension when it determines that the underlying cause(s) for the suspension have changed so that the employee deserves to be restored to referral privileges.

Ben Marcinkiewicz
Business Manager/FS/T
SMART Local Union No. 23

Member / Traveler

IA Number

Date

Date

