

Decision

PRE-CIR INTERIM LABOR-MANAGEMENT HEARING

Thursday, October 8, 2015

A meeting of the Labor Management Committee (LMC) was held on Thursday, October 8, 2015 at 10:00 a.m. at the offices of the Albany Chapter of the National Electrical Contractors Association, 16 Wade Road, Latham, New York. The purpose was to conduct interim meeting prior to adjudication before the Council on Industrial Relations to address a Grievance filed by the Albany NECA Chapter (Albany NECA) on behalf of its contractor members against IBEW Local 236 (Local) charging a violation under Article II, Section 2.02 of the Inside Agreement (see attached letter providing notice of the grievance).

IBEW Local 236

Members: Don Rahm, Chair
Michael Torres

Executive Director / Secretary

International/National Representatives

Albany NECA Chapter

Jerrald Cherrier - Chair
Kevin Haggerty
Eileen LaCorte

Stephen Chamberlain

Larry Davis, IBEW
Ben Nest, NECA

Grievant: Jay McBain – on behalf of the Albany Chapter of NECA

Respondent: Mark Lajeunesse – on behalf of IBEW Local 236

Issues for Grievance:

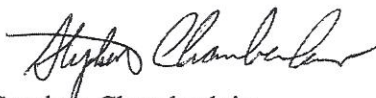
Albany NECA asserts a violation of Article II, Section 2.02 of the Inside Agreement inasmuch as teledata and electrical workers work under the Inside agreement and therefore the better terms for referral offered by the Local regarding the ability to refer teledata workers by name should apply to all workers under the agreement.

Local 236 contends that there was no violation of Section 2.02, because as a result of previous discussions, it had been decided by both NECA and IBEW that notice of the ability to call Teledata Installers/Technicians by name would be sent to all Local 236 Signatory Contractors. All Signatory contractors were notified and have the same hiring ability, therefore, no better terms or conditions have been made available to any one employer.

Decision by the Labor Management Committee:

After further discussion and careful consideration of the evidence provided by the grievant and respondent the NECA members of the committee with the consent of the grievant withdrew the grievance without prejudice.

Respectfully submitted,



Stephen Chamberlain
Executive Director / Secretary LMC



Donald Rahm
LMC Chair

cc: LM Committee Members