



AMMENDED SEPTEMBER 23, 2011

HIRING HALL GUIDELINE FOR U.S. AFFILIATES

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

1. Requirements and Review Process:

Each Local Union in the United States shall adopt written referral rules confirming to the revised Hiring Guidelines, set forth below. The purpose of these Hiring Hall Guidelines is to maintain and administer a processing system for referral of members to employment in a fair and equitable manner, and to establish records and procedures which will be adequate to disclose fully the basis on which each referral is made.

All rules and policies pertaining to the referral of members must be written and prominently posted in the Local Union office and hiring hall. All referral issues not specifically mandated by the following Guidelines must be individually approved by membership vote at two (2) consecutive meetings and then submitted, with the relevant minutes, for General Executive Board review and approval.

Once approved by the General Executive Board, all referral rules will remain in effect indefinitely; renewed approval is not required.

2. Non-Discrimination in Job Referrals:

Referrals to jobs will be on a nondiscriminatory basis and will not be based on, or in any way affected by, race, gender, national origin, sexual orientation, disability, religion, or lawful union-related activity.

3. Effect on Hiring Hall Guidelines:

All referrals by a Local Union to jobs within its jurisdiction shall be made in accordance with these Guidelines except to the extent that any rules herein conflicts with a term of collective bargaining agreement. Any Local Union that concluded that these Guidelines conflict with the term of a collective bargaining agreement shall submit a Notice of Conflict citing the relevant sections of the agreement and the Hiring Hall Rules to the General Executive Board. The General Executive Board shall advise the Local Union in writing whether such a conflict exists.

4. Registration of Availability for Referral:

A.) Any member seeking referral to a job must file with the Local Union a signed and dated referral form providing name, telephone number, social security number, and stating any skills the member possesses and the jobs the member is able to perform, including any relevant licenses or certifications for any work classifications checked. Members must show proof of (500) hours worked in that discipline or show a certificate of completion in that discipline or a day refresher. Blank referral forms will be available at the Local Union. The Local Union will compile an out-of-work list, consisting of all the members who have registered their availability for referral listed in order of seniority according to their date of registration. The Local Union may confirm any prior employment, licenses, or certifications listed by a member. The Local Union may challenge an applicant's representations concerning his prior employment, licenses, or certifications. If the Local Union makes a challenge, it must promptly notify the member in writing, who shall have (5) five business days from the receipt of the notice in which to respond and to submit any relevant information. Any member who remains aggrieved by a final decision of the Local Union may file a protest with the LIUNA Executive Board.

B.) Apprentices shall be referred under a separate out-of-work list, in order according to the requirements of the apprenticeship program.

C.) Only members who are not currently employed at the trade may register their availability for referral.

D.) Any member refusing a job referral slip regardless of the duration shall be removed from the out-of-work book for (30) days. Any member quitting a job shall be removed from the out-of-work book for (60) days. A member shall be removed from the out-of-work book upon receiving a job that last for more than Ten (10) days or two (2) job referrals regardless of the duration of the job. A member who is laid off or discharged from a job must again register his or her availability for referral in accordance with the Local Union's written policy in order to be included on the out-of-work book.

E.) Members must also register their availability for referral periodically every thirty days (30) in accordance with the Local Union's written policy.

5. Referral Procedure:

A.) Members on the out-of-work list shall be referred to jobs in the order in which they have registered their availability for referral, with the first registered member referred first, provided that the member has the qualifications requested by the employer.

B.) Requests by an employer for specific members should be made in writing or, if made orally, shall be confirmed promptly by the employer in writing.

C.) The Local Union shall record all employer requests for laborers, the date and time of the request, the name of the dispatcher, the name of the employer, the location of the job and the start date of the job.

D.) A member shall not be referred to an employer if the member was previously discharged for cause by the same employer.

E.) Referral Book:

The Referral book will be called from 6:00 a.m. to 10:00 a.m. Monday through Friday. The first fifteen (15) members must be in the dayroom from 6:00 a.m. to 10:00 a.m. Any member not in the day room when a job referral is called or when picket line duty is called will be removed from the out-of-work book. After a member is unavailable (3) times, the number will be removed from the out-of-work book.

F.) Picket Line Duty:

The first fifteen (15) members on the out-of-work book must be present from 6:00 a.m. to 10:00 a.m. Monday through Friday, ready to serve on picket line duty. All members are required to remain on picket line duty as long as it is deemed necessary by the Local Union. Any member who leaves picket line duty will be automatically removed from the out-of-work book. Any member contacted to serve picket line duty must report to the Union Hall or picket line site. Any member who fails to report will be removed from the out-of-work book. Any member who refuses to serve on picket line duty will automatically be removed from the out-of-work book.

6. Dissemination of the Job Referral Guidelines:

All rules and referral policies must be in writing. These Guidelines and all Local Union referral rules and policies must be posted conspicuously in the office and hiring hall of each Local Union, where they are available for review at all times in which the Local Union is open. Additional copies of these Guidelines and all Local Union referral rules shall be made available to members upon request, subject to the payment of reasonable copying costs. New members shall receive a free copy of the Job Referral rules upon admission to membership.

7. Job Referral Records

A Local Union shall maintain accurate and current records of all job referrals. The records shall be preserved for a period of three (3) years from the making of each record. The records shall include the following information:

A.) Under telephone referral systems where the Local Union calls the member, the Local Union must record all referral attempts, including the date and time of the call (s), the name of the person making the call(s), and the outcome of the call.

B.) Under in-person referral systems, the Local Union must record the attendance of every member and the outcome of each attempted referral made by the Local Union or bid for referral by the member.

C.) Under all referral systems, the Local Union must record:

I.) All registration by members of their availability for referral, including the date of each member's registration.

II.) A current out-of- work list, including all members whose registrations of availability for referral are then in effect, listing the date of each member's registration, and organized to seniority.

III.) All requests from employers for workers, including the date of each request, the name of the employer, the location of the job site, the length of the job (if known), and any request by the employer for members with special skills, licenses, or certifications, or specific applicant pursuant to 4(B), above.

IV.) All job referrals made, including the name of the employer, the member referred, the date on which the member registered his or her availability for employment, the date of the referral, the location of the job site, the date the member was hired, and the date any employment terminated.

8. Access to Job Referral Information:

- A.) The Local Union must promptly respond to any member's written request for access to any record containing the job referral information described in Article VII, pertaining to periods during which the member was registered for referral. In the privacy interest of other members, a member's right to copy referral book records will be limited to their own records, unless just cause is shown. The requesting party must submit its request for records pertaining to another member or members in writing, along with an explanation as to why just cause exists for their records to be released to the Executive Board for consideration. It shall be the exclusive jurisdiction and authority of the Executive Board of Local 332 to determine if just cause has been established. The Local Unions restricts access to Social Security numbers, telephone numbers, and addresses where there is a concern that such information may be misused in a manner contrary to the interest of the Local Union. In all cases, however, members must be provided sufficient information to determine the identity of all individuals registered, contacted, or dispatched for employment.

An appointment for inspection shall be scheduled within five (5) days of the request.

All references to the GEB Attorney or the Inspector General shall be changed to the LIUNA Executive Board.

- B.) Lists containing the information described in #7C and 7C(II) shall be conspicuously posted, or otherwise immediately available for inspection, at the offices of a Local Union on a weekly basis, so that the previous week is posted or immediately available by the close of business on the following Monday. The information shall remain posted or immediately available for at least two (2) weeks.

9. Alleged Violations of the Job Referral Guidelines:

Any complaints or concern regarding alleged violations of the Job Referral Guidelines should be directed to the LIUNA Executive Board at (202) 737-8320.

