



## **Canadian Standard for Excellence**

This program is designed to promote our UA members' world-class skills and safe, efficient work practices on the jobs performed by our signatory contractors for our customers and owner-clients.



UNIONIZED CONTRACTORS  
COUNCIL

## **Canadian Standard for Excellence** **Operating Rules and Regulations**

### **Definitions**

CBA – Collective Bargaining Agreement

Discharge/Laid Off for Cause (including but not limited to absenteeism, safety violations, timekeeping or productivity; not including lay off due simply to a lack of, or, downturn in work) - Occurs when an employer asserts cause for the discharge/layoff of an employee, and no arbitration or board of arbitration finds that there was no such cause.

MCA - Mechanical Contractors Association

Parties to this Agreement – The parties to this agreement are the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada on behalf of its Local Unions and the Mechanical Contractors Association of Canada.

SC - Standard Coordinator/Job Steward – An individual whose job it is to ensure the continuity of the projects by working to solve problems brought to them. The SC shall be appointed by the Union Business Manager and may be from the Employer's existing work force. Additional SC's may be appointed based upon job and/or crew size.

SFE - Standard for Excellence

### **Local Union Responsibilities**

The Local Union will provide training for the Standard Coordinator with respect to the purpose and intent of this Standard for Excellence.

The SC is empowered by the Business Manager of the Local Union to work with members and management to correct and solve problems related to job labour performance that have been reported to the Union.

The SC will communicate on a regular basis with the supervision on site and the contractor to convey job progress, work schedules, and work process problems to the employee/members.

Meetings will be established between the Local Union Business Manager or Business Agent and the SC to discuss and resolve issues related to the compliance of the SFE.

If applicable, management will be invited to attend and participate in the process. When deemed necessary, the Local International Representative will be invited to attend and participate in the process.

In the event a member(s) is not meeting SFE responsibilities, the Local Union Business Manager or Business Agent and his respective Executive Board Member will assume the responsibility to address problem member(s) not meeting their obligations.

The role of the union is to make every effort to correct the problem by whatever means, to the extent allowed by applicable law, including, but not limited to, the applicable Labour Laws and the Constitution of the United Association.

### **EMPLOYEE, MEMBER AND LOCAL UNION RESPONSIBILITIES:**

To ensure the Standard for Excellence platform meets and maintains its goals, the Business Managers, in partnership with their implementation teams, including Standard Coordinators and the Local membership, shall ensure all members:

- Respect the UA, the customer, client, and contractor by dressing in a manner appropriate for our highly skilled and professional craft. (Offensive words and symbols on clothing and buttons are not acceptable.)
- Eliminate disruptions on the job and safely work towards the on-time completion of the project.
- Meet their responsibilities to the employer and their fellow worker by arriving on the job ready to work, every day on time (Absenteeism and tardiness will not be tolerated.)
- Adhere to the contractual starting and quitting times, including lunch (personal cell phones will not be used during the workday with the exception of lunch and break periods.)
- Meet their responsibility as highly skilled craft workers by respecting those tools and equipment supplied by the employer.
- Use and promote the Local union and international training and certification systems to the membership so they may continue on the road of lifelong learning, thus ensuring Local craft workers are the most highly trained and sought after workers.
- Meet their responsibility to be fit for duty, ensuring a zero tolerance policy for on the job substance abuse is strictly met.
- Be productive and keep inactive time to a minimum.

- Respect and observe the customer, client, and employer and their rules and policies.
- Follow safe, reasonable management directives.
- Communicate with the Site Supervision and SCs in preventing and resolving work/labour problems especially where lack of material and guidance are observed.
- Accept and abide by the Standard for Excellence Operating Rules and Regulations.

### **Process for Addressing Employee Discharges or Layoffs for Cause**

Employees who are discharged/laid off by a contractor for cause shall be subject to the following procedures:

1. After 1<sup>st</sup> discharge or layoff for cause, the employee/member will meet with the Local Union Business manager or the Regional Business Agent and receive verbal counselling. The content of the counselling will include SFE Disciplinary Guideline and Operating Rules and Regulations and the possible penalties which could be imposed under the SFE as a result of any future discharge or layoff for cause.
2. After the 2<sup>nd</sup> discharge or layoff for cause within a thirty-six (36) month period, the employee/member will meet with the Local Union Business Manager, Local Union Executive Board, for evaluation and counselling related to the reasons for the discharges or layoffs. The employee/member will be counseled related to the reasons for the discharges or layoffs. The employee/member will be advised that any further discharge or layoffs for cause may result in temporary or permanent removal from the Out-of-Work list.
3. After the 3<sup>rd</sup> discharge or layoff for cause within a thirty-six (36) month period, the employee/member will meet with the Executive Board, which shall review the facts and make a recommendation for action against the employee/member, with a maximum recommended penalty up to and including permanent elimination from the Out of Work List.

Any penalties imposed as a result of two or more discharges or layoffs for cause within a thirty-six (36) month period, other than permanent elimination from the Out-of-Work list, will be removed from the employee/member's record after thirty-six (36) months.

In the event that the basis for an employee/member's discharge or layoff by a Contractor is challenged as lacking the requisite cause, by a timely grievance

filed by the Local Union or the employee/member, that issue shall be resolved pursuant to the provisions of the Grievance and Arbitration Procedure of the applicable CBA prior to any action being taken by the Executive Board.

The suspension of an employee/member's eligibility for referrals from the Out-of-Work List as a result of multiple discharges or layoffs for cause shall not constitute a violation of any provision or section or clause of any applicable Collective Agreement.

The above process may:

1. Require the employee/member to obtain drug and/or alcohol counseling or further training from the JATC before again being eligible for referral.
2. Disqualify the employee/member for referral from the Out-of-Work List for a period of two (2) or more weeks, or permanently, depending on the seriousness and/or repetitive nature of the conduct, with the Executive Board making the final determination as to the employee/member's continued eligibility for referral.
3. Refer the employee/member to an approved employee assistance program for evaluation and recommended action.
4. Declare the member eligible for continued referral employment pursuant to the CBA, including when an employee/member can satisfy his/her onus of showing why he/she should be restored on the referral list, with or without conditions.

In the event that any portion of the SFE Disciplinary Guideline and Operating Rules and Regulations conflict with any provision of the CBA, the CBA shall prevail, unless otherwise specifically stated herein. Nothing in the SFE Disciplinary Guideline and Operating Rules and Regulations shall be construed to amend, modify, restrict, or expand upon, any right, obligation, or provision contained in the CBA.

The SFE Disciplinary Guideline and Operating Rules and Regulations shall constitute an addendum to the CBA. Any changes to the SFE Disciplinary Guideline and Operating Rules and Regulations during the term of the CBA must be in writing and signed by the parties. Nothing in the SFE shall hinder the right of the employee/member to file a grievance as allowed for in the CBA.

## **EMPLOYER AND MANAGEMENT RESPONSIBILITIES:**

The ultimate responsibility of job management falls on the contractor management. Contractors will become signatory to the SFE Disciplinary Guideline and Operating Rules and Regulations before being able to utilize it in their company marketing.

Contractors who are bound to this Standard recognize their obligation to manage their jobs effectively, and as such shall have the following responsibilities under this Standard of Excellence:

- Educate Superintendents, General Forepersons and Forepersons about the purpose, intent and proper use of the Standard of Excellence.
- Provide reasons in writing for returning unsatisfactory general foremen, foremen, journey workers and apprentices to the hiring hall.
- Provide worker recognition for a job well done.
- Supply all necessary tools, equipment, material and information in a timely manner to ensure a successful project.
- Provide the necessary leadership and problem-solving skills to jobsite Supervision.
- Create and maintain a safe work environment by providing site specific training, proper equipment and following occupational health and safety guidelines.
- Promote and support continued education and training for employees while encouraging career building skills.
- Treat all employees in a respectful and dignified manner, acknowledging their contributions to a successful project.
- Cooperate and communicate with the Site Supervision and Standards Coordinator in preventing and resolving work problems.
- Problems with Contractor performance shall be addressed as follows:
  - Management will address concerns brought forth by the Standard Coordinator. If the lowest level of management does not resolve the problem, the Local Union Business Manager and Standard Coordinator will address the issues with higher levels of management.
  - If the issues are not corrected, the Union, or the Contractor shall call for a Labour-Management meeting to resolve concerns or issues.

- If the issue is not resolved, the MCA, Business Manager and the UA International Representative shall meet with the affected contractor and attempt to correct the management problems on the project.
- Accept and abide by the Standard for Excellence Disciplinary Guideline and Operating Rules and Regulations.