

JOB REFERRAL PROCEDURE
MEMPHIS STAGE EMPLOYEES LOCAL NO. 69

All persons who are available for referral to jobs within the geographic jurisdiction of Memphis, Tennessee Local Union No. 69, I.A.T.S.E. (hereinafter the "Union"), shall be placed on the A, B, C, D, or E List, as the case may be, and referred to available jobs in accordance with the following procedure:

A List: All persons who are regularly available for referral to jobs within the Union's geographic jurisdiction. Persons on this list must also meet the following requirements:

1. Be a resident in the geographic jurisdiction of the Union.
2. Have worked at least 1200 hours through the job referral procedure Memphis Stage Employees Local 69 in the previous calendar year..
3. Have a passing grade on the Stage Employees' Journeyman Qualification Test. [This requirement is suspended until the Union establishes a training program.]
4. Any A-List referent having reached age 65 and who is and remains current in their financial obligations may be exempt from requirement #2 of the A list of the Job Referral Procedure

This list will be arranged on the basis of years of service as a stage employee within the Union's geographic jurisdiction and persons will be referred on a rotating basis beginning with the most senior person.

B List: All persons who are regularly available for referral to jobs within the Union's geographic jurisdiction. Persons on this list must also meet the following requirements:

1. Be a resident in the geographic jurisdiction of the Union.
2. Have worked at least 1000 hours through the job referral procedure Memphis Stage Employees Local 69 in the previous calendar year.
4. Have a passing grade on the Stage Employees' Journeyman Qualification Test. [This requirement is suspended until the Union establishes a training program.]

This list will be arranged on the basis of years of service as a stage employee within the Union's geographic jurisdiction and persons will be referred on a rotating basis beginning with the most senior person.

C List: All persons who are regularly available for referral to jobs within the Union's geographic jurisdiction. Persons on this list must also meet the following requirements:

1. Be a resident in the geographic jurisdiction of the Union.
2. Have worked at least 800 hours through the job referral procedure Memphis Stage Employees Local 69 in the previous calendar year.
3. Have a passing grade on the Stage Employees' Journeyman Qualification Test. [This requirement is suspended until the Union establishes a training program.]

This list will be arranged on the basis of years of service as a stage employee within the Union's geographic jurisdiction and persons will be referred on a rotating basis beginning with the most senior person.

D List: All persons who are available for referral to jobs within the Union's geographic jurisdiction. Persons on this list must also meet the following requirements:

1. Be a resident in the geographic jurisdiction of the Union.
2. Have worked at least 400 hours through the job referral procedure Memphis Stage Employees Local 69 in the previous calendar year.

This list will be arranged on the basis of years of service as a stage employee within the Union's geographic jurisdiction and persons will be referred on a rotating basis beginning with the most senior person.

E List: All persons who are available for referral to jobs within the Union's geographic jurisdiction. Persons on this list must also meet the following requirements:

1. Be a resident in the geographic jurisdiction of the Union or be a resident in the geographic jurisdiction of a local union contiguous to Local 69.
2. Have 250 hours of work through the job referral procedure Memphis Stage Employees Local 69 in the previous calendar year.

This list will be arranged on the basis of years of service as a stage employee within the Union's geographic jurisdiction and persons will be referred on a rotating basis beginning with the most senior person.

As referred to in this document, years of service will be determined by proof of first date worked through the Local's job referral procedure. For new referents years of service will be determined as the day a person registers for job referrals at the union office. This date is also referred to as a person's industry seniority date. Acceptable forms of proof of first date worked are payroll records,

social security records, referral records, income tax records or check stubs. Any person submitting false records will be dropped from the referral list and will no longer be eligible for job referrals.

I. Eligibility and Responsibilities

All applicants for job referrals must be at least 18 years of age and must register at the union office. All persons on, or applying for placement on, the job referral list must have a telephone at his place of residence or be able to be reached at any time of the day. It is the referent's responsibility to notify the Union of address and telephone number changes. Failure to notify the Union of such changes will result in the referent being dropped from the referral list. If an applicant does not receive a call to work within ninety (90) days of making application for referral he must register again at the offices of I.A.T.S.E. Local No. 69 within ten (10) days of said ninety (90) days in order to retain his seniority date on the referral waiting list. This applies for each subsequent ninety (90) day period until the applicant receives a work call. Individuals failing to re-register will be dropped from the referral waiting list and will lose their seniority date. They may subsequently register and obtain a new seniority date at any time.

All persons referred to work must pay 5% of gross wages earned from each referral to I.A.T.S.E. Local No. 69 for the purpose of reimbursing Local No. 69 for expenses incurred in making job referrals. Such payment shall be due and payable on receipt of pay check for that particular job. Referents failing to pay the job referral fees shall be dropped from the job referral list until such payment is made. In addition, delinquent referents will not accrue seniority during such period of delinquency. Delinquent referents will not be reinstated on the referral list until they have tendered the full job referral fee which is due and owing to I.A.T.S.E. Local No. 69.

Referents who perform no work as a stage employee through this job referral procedure for one year or more except as a result of disability or service in the armed forces of the United States shall be dropped from the referral list on which their name appears and shall lose all accrued seniority for job referral purposes. Such persons may again be placed on the referral list but shall be considered as a new applicant; except that those employees who have been employed for more than five years as a stage employee within the Union's geographic jurisdiction shall retain all accrued seniority but shall not accrue additional seniority during a break in service. All employees with a break in service will be placed on the referral list which is one list lower than the one they were on just prior to their break in service.

The Executive Board of the Union may waive the break in service for referents where it is shown to the Board's satisfaction that the break in service is for good and sufficient reason, uniformly applied, such as illness, disability, service in the armed forces of the United States or other similar reason.

II. Referral Operation

In filling all job requests, the Union will first go to the A List. If all requests are not filled from available persons on the A List, the Union will go to the B List. If all requests are not filled from the B List, the Union will then go to the C List. If all requests are not filled from the C List, the Union will go back through the A, B and C Lists before then going to the D List. If all requests are not filled from the D List, the Union will go to the E List. When all persons on any given list have the opportunity to work on any given day, referrals will begin at the top of that list for the next work day. Referents will have two hours to return a telephone call or page before the Union goes

to the next person in rotation, except in cases of emergency. In such cases of emergency, in order to meet its contractual obligations, the Union shall have complete discretion to fill such calls with any available out-of-work employees regardless of their position on the job referral lists. In the event the Union fails to call a person in proper order, except when filling emergency calls, the remedy shall be that the skipped person shall be the first person on the next two consecutive calls.

Referents do not have a right to pick and choose what job referral they receive. Referents do not have a right to pick and choose what department or job classification they will be in once they accept a job referral. Referents who turn down a call will be eligible for another referral the following day. Referents may not replace themselves on calls.

When an employer requests an employee having a particular skill (e.g. sound operator, spotlight operator, forklift operator, I & D, etc.) the Local will refer the next qualified person in order of rotation.

The exceptions to the above will be when an individual is selected as a Job Steward or Lead Person; requested by name by an employer; or when an individual is requested because he possesses unique skills or tools for a specific job; or when riggers are requested. Riggers will be referred on the basis of rigging seniority regardless of list placement. The most senior rigger will always be referred first except that the same riggers who hang a show will have the first option to work the takeout.

Employees working multiple-day events may be temporarily replaced if they are calling off for a valid excuse which is expressed at the time they take the call. Valid excuses would be a doctor's appointment, a wedding or funeral of an immediate family member and so forth. However, employees having a valid excuse will not be placed on key jobs where the employee is required straight through. Out calls for multiple-day events will be treated as separate calls except for calls in the trade show industry or at the employer's request. Out calls for one day events will not be treated as separate calls and no bumping will be allowed.

The Union may establish a standby list of available out-of-work referents at or near the call location in order to have referents immediately available in case of replacements, no-shows, and short notice calls. Standby referents may not report to the standby report area more than 30 minutes prior to call time.

Upon reporting to the standby report area, referents desiring to standby will sign lists corresponding to their referral list status. A List referents will sign an A List standby list, B List referents will sign a B List standby list, and so forth. Referents will be arranged on their respective lists on the basis of this referral system. Standby referents will be assigned in the order established by this referral system.

Referents obtaining stagehand work within the Union's geographic jurisdiction without being referred by the Union or without permission of the Business Representative will be removed immediately from the referral system for a period of one year. (*waived 1-1-2012 for Organizing Purposes*)

III. Job Stewards.

1. Job Stewards represent the Union. The Union shall appoint, train, and certify its Job Stewards at its sole discretion. Job Stewards must be and remain members in good standing of the Union. The Union reserves the right to cancel the tenure of a Job Steward at any time.
2. The Union will maintain a list of its certified Job Stewards listed alphabetically. The Union shall refer its Job Stewards from this list at its sole discretion.
3. Job Stewards or anyone acting as an agent of the Union shall not lose their position on the regular referral list during the tenure of their appointment and may continue to be referred from the regular lists.

IV. Work Rules

The following work rules shall apply to all referents:

1. All persons are requested to report to the Job Steward at the job site 15 minutes prior to the announced starting time.
2. All persons are required to remain at the job site until released by the Job Steward. Any person who leaves a job site without approval from the Job Steward prior to release shall be reported to the Union and shall be treated as a no show.
3. Cutbacks or layoffs shall be done in reverse seniority on a first-in last-out basis according to the steward's call list except in cases of job or work continuity.
4. Referents may not quit one job in order to take another unless requested to do so by the Union. Job jumping will not be allowed.
5. All persons are required to arrive at work calls with sufficient tools to perform assigned jobs. Failure to have the required tools at report time may subject the person to removal from the call with no compensation and this will be considered a no show. The tools must be in working order. Sufficient tools are defined as the following:

Hammer

Phillips head screwdriver

Arrow JT-21 Staple gun

Utility knife

Adjustable Wrench

Slot head screwdriver

Tape measure

Pencil

Top or bottom carpet cutter - Journeyman

Battery operated screw gun - Journeyman

Allen wrenches, Rota Lock keys - Journeyman

These are the minimum required tools. Most workers bring a variety of extra tools that help them do their job more efficiently. Truck loaders are not required to bring tools.

6. Referents working the setup of a job may be required to work the take out of the job if requested to do so by the Union.
7. Referents must report to work wearing clean and neat clothing. Clothing must pose no safety problems. Clothing must not have holes or tears in them. This is for safety purposes. Long pants (no oversized) must permit climbing ladders. Shorts are permitted and must be knee length. Shorts are not permitted on performance calls except on outdoor concert calls. Shoes must cover the foot, have the appropriate sole and must be appropriate for kicking carpet, climbing, and working for long periods.

No work out pants, tights, leotards, short shorts, loose baggy clothing, sleeveless shirts or inappropriate foot wear is allowed. No shirts, hats or other apparel containing lewd, vulgar or offensive language or message are permitted. For safety reasons, large jewelry is not permitted and long hair must be tied back. Some employers may require that specific apparel be excluded or included on their jobs. Personal hygiene is essential when working long hours and closely with other workers.

Failure to have appropriate attire at report time may subject the person to removal from the call with no compensation and this will be considered a no show.

V. Suspension and Removal From the Referral List

Any referent who fails to report to work on time will automatically be suspended from the referral list until the referent has paid a \$25.00 fine and will automatically be assessed 1 Point.

All subsequent lates will be automatically suspended from the referral list until the referent has paid a \$25.00 fine, and will be assessed 1 point Any referent who fails to report to work within 2 hours of call time will be considered a NO-Show and will be automatically suspended from the referral list until the referent has paid a \$100.00 fine and will be assessed 3 Points.

All subsequent No-Shows shall be suspended from the referral list until the referent has paid a \$100.00 fine and will be assessed 3 points.

Any referent that has assessed 5 or more points within a 12-month period will be suspended 366 days from the date of the last offense. Referents will be notified by regular mail of each offense and may request an appeal, in writing, before the Executive Board within ten days of the date of the notice. Removal from the referral procedure is automatic and immediate and not reliant on notice or date of notice. Assessed points will drop off once 12 months have passed since the attendance infraction.

All referents will be allowed one late per 12-month period without being fined \$25.00 ,but will automatically be assessed 1 point. *Effective 11-18-2016*

The Executive Board may set aside the aforementioned penalties only in cases of verifiable emergencies. All decisions of the Executive Board are final and binding on all parties.

In addition to the penalties expressly provided under the various sections of this Referral Procedure, any person who engages in conduct or behavior damaging to the Union's contractual relations with employers, or conduct or behavior that disrupts or obstructs the referral system or the Union's ability to carry out its duties and obligations shall be subject to appropriate discipline. This behavior includes but is not limited to:

1. Conviction of a felony related to work.
2. Fighting.
3. Theft at work
4. Harassment.
5. Threatening harm to any employee, Job Steward, or Union official while at work, or in connection with work.
6. Consumption of alcohol or controlled substances at work or being under the influence of alcohol or controlled substances at work.
7. Contributing to an unsafe work condition that results in an injury.
8. "Giving" your assigned job to another person or participant.

The Job Steward and /or Lead Person on the call shall be responsible for reporting any infractions of

the above regulations although any referent may do so. Any person becoming disruptive or argumentative with the Job Steward of any other referent may be replaced on the job at the Job Steward's request and may be required to appear before the Executive Board for further disciplinary action. Failure by the Job Steward to report infractions can result in disciplinary action against the Job Steward.

Any referent who is voluntarily or involuntarily removed from the Referral List, who later wishes to return to the Referral List shall be required to notify the Union in writing of their desire to be reinstated.

VI. Appeals

1. A referent may appeal any penalty to the Executive Board. Appeals of penalties for lates, no-shows or call-ins must be based on a verifiable emergency.

2. Appeals must be filed in writing and received at the Union office within ten (10) calendar days of the notice of the reported infraction. The written appeal must clearly and specifically describe the subject matter of the appeal and the remedy desired. The written appeal should indicate if the appellant wishes to appear in person before the Executive Board. Appeals must be accompanied by documentation of a verifiable emergency.
3. The Executive Board, upon notice to the appellant, shall hold a hearing on the appeal within thirty (30) days of receipt of the appeal, except for extenuating circumstances. The Executive Board will notify the appellant of the date, time and place of the hearing if the appellant has requested to appear at the hearing or if the Executive Board is requesting the appellant to appear at the hearing. Appellants who fail to appear at the hearing shall have their appeal dismissed.

VII. Job Referral Committee

A Representative of the International will appoint a Job Referral Committee consisting of three members of the Union in good standing. One committee member will be designated the Chairperson of the committee. Committee members may be replaced at the discretion of the Representative of the International.

The Job Referral Committee shall be responsible for auditing the referral records of the Union to insure that this procedure is being properly followed and that any settlement agreements with the National Labor Relations Board are being complied with.

The Job Referral Committee shall meet at least once a month and the Chairperson will file a confidential written report with the designated Representative of the International based on each meeting of the Committee. Two members of the Committee shall constitute a quorum.

VIII. Miscellaneous

As used in this referral procedure, masculine pronouns and relative words shall be construed to include the feminine gender.

All new applicants will be placed on the Emergency Call List and will be called at the sole discretion of the Union.

For the purposes of equity, continuity, incentive and efficient administration of the referral system, all lists will rotate on a weekly basis, the week running from 12:00 a.m. Monday through 11:59 p.m. Sunday.

The Job Referral Procedure shall be amended in the following manner:

1. The proposed amendment must be submitted in writing at a regular monthly meeting. The amendment will be read, discussed and/or amended. The proposed

amendment will be mailed to all members no later than seven days before the next regular monthly meeting.

2. At the next regular monthly meeting the amendment will be discussed and voted on. No modifications are allowed and a two-thirds (2/3) majority of the members present is required to approve the amendment.

IATSE LOCAL NO.69 MEMPHIS TN

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