

# DISPATCH RULES

OF

**Local 987**

## INTERNATIONAL UNION OF OPERATING ENGINEERS

Hoisting and Portable

**OE987** | **OPERATING  
ENGINEERS**  
OF MANITOBA LOCAL 987

# DISPATCH RULES

The following dispatch rules have been adopted at the April 9, 2008<sup>th</sup>, Executive Board meeting and will come into full force and effect on May 1st, 2008:

As per Article 26.01, Local 987's BYLAWS AND WORKING RULES the following Dispatch Rules shall apply until amended:

1. These rules are intended for use by unemployed qualified members of Local 987 who abide by the International Union of Operating Engineers constitution and Local 987's bylaws for the purpose of being dispatched to available Jobs on a first-in-first-out basis subject to their qualifications and employer requirements.
2. No member shall work for a non-union contractor performing work that is the craft jurisdiction of the International Union of Operating Engineers as defined

in Article X111 Section 1 of the constitution, and be eligible for placement on the out-of-work list(s) unless the member on the out-of-work list(s) has written authorization confirming that the member is assisting the Union in organizing. In such cases the member shall receive written authorization from the Business Manager, President or the Director of Membership Services and shall have, at the discretion of the local, up to twelve (12) months of out of work dues credited to the members account. Any member on the out-of-work list who assists the Union in organizing (SALT) may remain on the out-of-work list for a period of two years. The two-year period will commence on the date of application to the Labour Board for Certification.

3. For the purpose of interpreting these Dispatch Rules, the following definitions will apply:

**Current Date** – The actual date and time that a member registers or re-registers on the out-of-work List(s).

**Hall** – Local 987's Dispatch Office only.

**Job Order**– Employment by way of a Job order received from a signatory employer and available to members of Local 987 registered on out-of-work list(s).

**Classification** – A category of work determined by the type of machine or skill required.

**General List** – Local 987 Hiring Hall Out-of-Work List for non-pipeline work.

**Pipeline List** – Local 987 Hiring Hall Out-of-Work List for pipeline work.

## **Fully Qualified**

- fully qualified principal operator, three (3) or more years' experience
- intermediate operator, two (2) years' experience
- oiler and helpers, one (1) or more years' experience

## **Qualified**

- principal operator less than three (3) years' experience;
- intermediate operator less than two (2) years' experience;
- oiler and helper less than one (1) year experience

**Years** – Means at least five hundred (500) hours of experience in any given calendar year

**Register** – Places his name on Local 987 Out of Work List(s).

**Restrictions** – A member can place his name on hold. During that period the member is aware that he is not actively seeking employment at the trade as per Art.XXIV Subdiv.1 Section (b).of the International Constitution. The members name shall remain on the Out-of-Work List(s) but the member will not be called to fill job orders received by the local union until said member removes the restriction of on hold.

**Valid Reason** – Serious illness of member or in the member's immediate family, funeral in the immediate family.

**Qualified** – Qualifications shall be determined by Local 987's previous dispatch records. The Local Union may also rely on letters from former employers provided the letters detail the skill(s) and experience the member has acquired.

**Out-Of-Work List(s)** – Means the Pipeline Out-of-Work List(s) or the General Out-of-Work List(s).

**Member** – An active member, probationary member, applicant member, or a member from another Local on a travel card.

**Jurisdiction** – I.U.O.E. Local 987's geographical jurisdiction includes the entire Province of Manitoba.

**NOTE:** Any references to the masculine gender shall apply equally to the feminine gender.

4. Adherence to these Dispatch Rules shall entitle a member to be called to fill job orders received by the union. Members on the Out of Work List(s) shall be entitled to obtain an Employment Insurance Registration form.

5. A member shall be entitled to register on the Out of Work List(s) at the completion of his work day on the day his employment was terminated or any day thereafter. The date used to calculate the member's position on the Out of Work List(s) shall be the Current Date.
6. Active members registered in a Classification will always be listed ahead of probation, applicant or permit members registered in the same Classification.
7. In order for a member to maintain his name on the Out of Work List(s), he must:
  - (a) maintain his membership in good standing; when a member's dues are in arrears, his name shall be removed from the Out-of-Work List(s);
  - (b) report to the Hall at least once every thirty (30) calendar days that he is available for work; members may



report by telephone, by e-mail, in person, by letter to the Hall, or in writing in the attendance book at any meeting.

(c) keep the Hall informed of his current address and telephone number, or supply to the Hall an alternate means of contact that is acceptable to the Hall.

(d) members shall only be entitled to register for Classifications for which they are qualified. Qualifications shall be determined by Local 987. This rule does not apply to apprentice positions on the Out-of-Work List(s).

8. When a member is dispatched to a Job, (Job includes any work where a member is required to be a member of the Operating Engineers and contributions are received to his Health and Welfare and Pension Plan) his name will be removed from the Out of Work List(s). A member may have his name reinstated

in the same position on the Out of Work List(s) if that member can prove that he was employed for two hundred (200) hours or less within two days of his lay-off. When these hours are checked against the Health and Welfare and Pension contribution records, if the contribution hours are greater than two hundred (200) hours worked, the member shall have his name removed from the Out-of-Work List(s). Any member removed from the Out-of-Work List(s) shall be notified in writing within 2 business days.

9. (a) A member registering will be allowed to choose up to three (3) Classifications.
- (b) A member may update his qualifications and experience from time to time as his training, experience, certificates of qualification, or personal preferences change, without changing his position on the Out of Work List(s).

(c) A member may delete his name from a Classification or Classifications on the Out of Work List(s) at any time, but if he wishes to change Classifications or add new Classifications, he must re-register and his position on the Out of Work List(s) will be determined by the Current Date.

10. Qualified operators shall not be entitled to register on the Out of Work List(s) for apprentice classifications unless the member is updating his/her skills.

11. Any member refusing to accept a job order, without a Valid Reason, shall have his name removed from the Out of Work List(s). Working for a non signatory employer shall not be considered a valid reason.

12. Any member who is dispatched to a Job and fails to report for the Job or fails to report to the Hall immediately that he will be delayed or cannot accept the Job order, without a Valid Reason, shall have his name removed from the Out of Work List(s).

13. No member shall hold membership or pay dues in another Union/Association that claims the same (construction) jurisdiction as the International Union of Operating Engineers. He shall be subject to the following penalties:

(a) Shall be removed from Local 987's Out-of-Work List(s) immediately; and

(b) Shall not be eligible to put his name back on the Out-of-Work List(s) for a period of one (1) year from date Local 987 becomes aware of the above violation of dispatch rules.

(c) Shall be ineligible for name hire for a period of one (1) year from date Local 987 becomes aware of the above violation of dispatch rules.

14. Any member who holds membership in another building trade union and is dispatched to work by that Union, his name shall be removed from Local 987's Out-of-Work List(s).

15. Any member who fails to report that he has been dispatched to work by another building trades union shall be subject to the following penalties:

(a) Shall be removed from Local 987's Out-of-Work List(s) immediately; and

(b) Shall not be eligible to put his name back on the Out-of-Work List(s) for a period of one (1) year from the date Local 987 becomes aware of the layoff.

16. Any member who quits a job (before an anticipated lay off) for which he was dispatched for shall not be entitled to re-register for work on the Out-of-Work List(s) until all other members from that job have registered on the out-of-work List(s).

17. Members who are dispatched to work shall only be entitled to perform the work for which they were dispatched. Members who perform work for which they are not dispatched and without the approval of the shop steward on the jobsite, or a business representative of the Union, shall be subject to the following penalties:

(a) Shall not be entitled to re-register on the Out-of-Work List(s) for a period of thirty (30) days after the date of his layoff;

(b) Shall not be entitled to be name hired for a period of one (1) year after the date the union becomes aware of the layoff.

18. Any member can appeal any decision made under these Dispatch Rules. The appeal shall be to the Executive Board and shall be heard at the next regularly scheduled Executive Board meeting. All decisions of the Executive Board are final.