

Hiring Hall Rules

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International Alliance of Theatrical Stage Employees Local 28
3645 SE 32nd Ave
Portland OR 97202



INTRODUCTION

IATSE Local 28 administers a Hiring Hall for the purpose of referring workers to jobs requested by Employers. The Hiring Hall administers as an exclusive hiring hall under certain collective bargaining agreements, which means that the only way the Employer can obtain stagehand employees is by referral from the IATSE Local 28 Hiring Hall. Neither IATSE Local 28 nor its Hiring Hall are the Employer of workers referred through the Hiring Hall.

The purpose of the following rules is to provide for an orderly procedure for referral of applicants under all agreements, exclusive or nonexclusive. The following rules are to be applied equally and universally to all workers on the dispatch list. Evidence or occurrence of deviating, exception or favoritism that violates these rules can be brought to the Local 28 Executive Board as provided herein.

Neither the Hiring Hall in the referral process nor the Employer in the hiring process shall discriminate against any worker for any reason contrary to the law, the contracts, or these rules. An Employer may reject any worker referred by the Hiring Hall. Such rejection may only take place in accordance with any relevant language outlined in the applicable collective bargaining agreement.

The Hiring Hall is not an employment referral agency under the ADA/ADAAA (Americans with Disabilities Act) and does not make fitness for duty determinations.

It is not possible to write rules to cover every possible situation. When an issue arises that is not directly covered by these rules, two general concepts shall apply;

- A. The Business Agent is responsible for administering the Hiring Hall in accordance with these rules and the respective collective bargaining agreements.
and
- B. The Union owes a duty of fair representation to all referents of the Hiring Hall.

ELIGIBILITY

Requirements

Workers must fulfill the following requirements to remain eligible for dispatch through the Hiring Hall:

1. The worker must have a signed Worker's Agreement form (see Appendix A) on file with the Hiring Hall indicating his or her intention to abide by the Hiring Hall Rules and conduct policy.
2. The worker must be at least 18 years of age.
3. The worker must be current with any required payment of work referral fees owed to IATSE Local 28.
4. The worker must not be rejected from dispatch by the Employer requesting workers. Such rejection may only take place following the language outlined in the collective bargaining agreement or by other legal procedure.
5. The worker must not be suspended or permanently removed from dispatch by the Hiring Hall.
6. The worker must keep current his/her primary email address, telephone number, and mailing address with the Hiring Hall.

GENERAL RULES

All persons who are available for referral to jobs within the jurisdiction of IATSE Local 28, Portland, Oregon, shall be placed on the A, B, C, D, E, F or G work referral list of Local 28 (hereinafter the Union) for which they qualify. Referral to available jobs will be made in accordance with the provisions of this job referral procedure.

As provided below, one's placement on Lists A, B, C, D, and E will be on the basis of an hours worked equivalent, which shall be calculated by dividing the work referral fees reported and collected by the Union by the average hourly grip rate, as periodically determined by the Hiring Hall Committee. The Hiring Hall Committee will review placement on Lists quarterly. Within each list (A, B, C, D, E, F, G), the order of placement shall be determined by one's earliest hire date, i.e. the first day a person works a job dispatched through or under contract with the Union. Referrals will be made beginning with the referent with the earliest hire date who is available and qualified for the position. The referent must have met the requirements of each previous list to advance to the next list.

All referents who are regularly available for work within the jurisdiction of this Local Union shall meet the following qualifications and will be called in the following order:

A List:

1. Reside within the jurisdiction of the Local Union for at least three consecutive years.
2. Have been dispatched by Local 28 or worked under contract with Local 28 for at least 625 hours in each of the three preceding years.
3. Have a passing grade of 70% or more on the A-list Qualification Test as administered by Local 28.
4. After ten (10) years of activity on the referral list the worker will not lose his/her place on this list for failure to have met the minimum hour requirement.

B List:

1. Reside within the jurisdiction of the Local Union for at least eighteen consecutive months.
2. Have been dispatched or worked under contract with the IATSE for at least 600 hours during the previous twelve (12) months
3. Have a passing grade of 70% or more on the B-List Qualification Test.
4. After ten (10) years of activity on the referral list the worker will not lose his/her place on this list for failure to have met the minimum hour requirement.
5. *Any person on the B-List may make application to take the A-List Qualification Test with the Hiring Hall Committee as provided for in Tests and Advancement.*

C List:

1. Have been dispatched or worked under contract with the IATSE for at least 320 hours during the previous twelve (12) months.
2. Have a passing grade of 70% or more on the C-list Qualification Test.
3. After ten (10) years of activity on the referral list the worker will not lose his/her place on this list for failure to have met the minimum hour requirement.
4. Upon successful completion of all current Hiring Hall requirements for placement on the C-list the referent will no longer be subject to minimum hourly requirements to remain on the C-list. However, the referent must work at least one hour per 365 days to remain on the list.
5. *Any person on the C-List may make application to take the B-List Qualification test with the Hiring Hall Committee as provided for in Testing and Advancement.*

D List:

1. Have been dispatched or worked under contract with the IATSE for at least 160 hours during the previous twelve (12) months.
2. *Any person on the D-List may make application to take the C-List Qualification test with the Hiring Hall Committee as provided for in Testing and Advancement.*

E List:

1. Have been dispatched or worked under contract with the IATSE for at least 160 hours.

F List:

1. Have completed the Local 28 Hiring Hall applicant interview process, and been accepted by the Interview Panel of the Hiring Hall Committee.

G List:

1. Have submitted an application for work referral that has been preliminarily reviewed by the Hiring Hall Committee interview panel, its chair, or the Local 28 Business Representative, or have been referred by an employer or not meet the requirements of the A, B, C, D, E or F Lists above and has not been rejected for lack of sufficient skills.

Unless a referent has been active on the Hiring Hall Referral list for ten (10) continuous years, the referents who perform no work as a stage employee within the jurisdiction of the IATSE 28 for one (1) year (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 nontenured seniority for job referral purposes. Such persons may again be placed on the appropriate referral list but shall be considered as new applicants.

Those referents who load in a show will have the first option to work the load out. Referents may not quit one job in order to take another unless approved by the Business Representative. When the Union receives short notice for a call, within forty-eight (48) hours of the start of the work, the call will be filled on an emergency basis by whoever first accepts the call regardless of list placement.

Referents working multiple day events may be temporarily replaced if they have a valid excuse, which must be expressed at the time they take the call. However, referents having a valid excuse will not be placed on key jobs where the employer requires continuity. A valid excuse would be personal or immediate family illness, a doctor's appointment, a wedding or funeral of an immediate family member and so forth.

In cases of on the job injury or personal health issues that require emergency medical attention, surgery, hospitalization and/or occupational therapy, the referent will be temporarily removed from the referral list with no effect on seniority. Return to the list will only be allowed when the Union is in receipt of a written work release from the referents attending physician.

All persons referred to work must pay six percent (6%) of gross wages earned from each referral to IATSE Local 28 for the purpose of reimbursing the Union for expenses incurred in making job referrals. The Union shall make available automatic payroll deduction forms, when contractually appropriate, to facilitate payment of the work referral fee. Otherwise, such payment shall be due and payable within forty-five (45) days of the work call. Referents failing to pay the work referral fee within forty-five (45) days of the work call will be notified of their delinquency by certified mail to their last known address. If this fee is not paid within ten days of receipt of the notice of delinquency, the delinquent referent shall be dropped from the job referral list and will no longer be eligible for job referrals. In addition, such period of delinquency shall be subtracted permanently from the referents original seniority date. Delinquents will not be reinstated on the referral list until they have tendered the full job work referral fee, which is due and owing to IATSE Local 28. When delinquent referents have been off the referral list for one year they shall lose all accrued seniority. However, after payment of the delinquent work referral fee they may re-register as a new applicant and obtain a new seniority date.

The Hiring Hall referral list will be reviewed and updated at the end of each quarter of each year.

INTERVIEWS AND ASSESSMENT

Interviews and assessments for placement on the Hiring Hall referral list shall be performed by an Interview Panel. This Panel shall be comprised of three persons from IATSE Local #28's Hiring Hall A-List and/or B-List and qualified specialty personnel as needed. The Panel Chairperson shall be appointed by the President of IATSE Local #28. The remaining Panel members shall be approved by the President on a quarterly basis. The Panel shall meet at the beginning of each quarter or sooner as the need arises.

Any persons wishing to be placed on the Hiring Hall referral list shall fill out the application for work referral and deliver it to the office of Local 28.

TESTING AND ADVANCEMENT

Any person wishing to take a list advancement test shall be required to make application to the Hiring Hall Committee, in writing, before the beginning of the quarter for which the applicant wishes to take the advancement test. The Hiring Hall Committee shall meet at the beginning of each quarter to process any applications for advancement received. Hiring Hall referral list advancement tests shall be given and proctored at the end of each quarter by IATSE Local #28's Education Committee. All upgrades for the Hiring Hall referral list will be applied once per quarter with the quarterly Hiring Hall referral list update.

There shall be a testing fee for each of the following Hiring Hall referral list advancement tests.

- The C-List testing fee shall be set at \$50.00.
- The B-List testing fee shall be set at \$100.00.
- The A-List testing fee shall be set at \$150.00.

The testing fee shall be payable upon scheduling the advancement test for which the applicant applies, and payable to IATSE Local #28.

DISPATCH

The Dispatcher shall attempt to make contact with the worker by email or phone.

- Contact is a phone conversation with the worker or an email or phone message from a dispatcher and a response from the worker.
- After an email message is sent or phone message left the worker will have until 9AM the following day to accept or decline by email or phone unless the email or phone message was left after 9 PM and before 9 AM in which event the worker will have until the second following 9 AM to accept or decline by email or phone.
- Dispatch will not wait for a response before proceeding down the list for any work call that is not filled within 48 hours of the beginning of the job.
- When the call for labor is not filled by 9 am of the calendar day before the paperwork is due to the employer, by the letter of the contract, Dispatch shall proceed offering work in list order with no wait time for responses.
- The response should state what work call is being accepted or declined and if the worker is available for show call.
- If no response is received from the worker dispatch will move to the next worker on the list.
- Workers responding after the allotted response time will be considered for the work call if a position remains available.
- A worker assigned to a work call during a phone conversation with a dispatcher will be confirmed during the conversation.
- A confirmation email will be sent or phone conversation will occur for any worker assigned to a work call after leaving a phone or email message.

The Dispatcher may not accept a third party response to accept or decline any offered work.

The Hiring Hall may use email to efficiently distribute information about work calls.

Any worker wishing not to be called for dispatch for any period of time must make that request in writing or email to the Business Representative.

The Dispatcher is not obligated to offer work to those who have already accepted a dispatch or who have begun working on a Work Call when those hours conflict with the hours of the new Job Request.

If at any time the Dispatcher or Business Representative is unable to reach a worker because his/her contact information on file is incorrect, the Dispatcher will not be obligated to attempt contact for further Work Calls until the worker provides current contact information. It is the responsibility of the worker to inform the Business Representative in writing or email of change in their primary email and telephone number.

EMERGENCIES

If a call for a replacement worker is received during or within 4 hours prior to the start of a call or end of the dispatch day, whichever is first, the Dispatch may fill the replacement with any eligible worker regardless of dispatch list order.

DISPATCHING SPECIALTY PERSONNEL

Specialty personnel are workers selected by specific skill or experience. The employer will provide specialty skill level requirements needed for a particular labor request.

Assignments for specialty personnel shall be made using the following criteria: Documented or demonstrated skills as shown by documented hours worked within the specialty skill area or specialized training or certification in the specialty skill area. Among those with documented or demonstrated specialty skills, work will be offered according to the worker's Hiring Hall Date within that special skill.

Specialty Personnel Skills shall be within the following departments:

Rigging, Audio-Visual, Wardrobe, Hair, Make-up, and Forklift or Other Special Equipment Operator.

HIRING HALL CONDUCT POLICIES

All workers dispatched by the Hiring Hall are representatives of IATSE Local 28 in their place of employment and are expected to abide by and uphold IATSE Local 28 Hiring Hall Rules conduct policies. Failure to do so shall result in disciplinary action.

PREPAREDNESS & PROFESSIONALISM

A worker must arrive at the job site and be prepared to work at the time the work call starts. Professional conduct is required in relation to contractors, managers, clients, and coworkers. The following guidelines shall be followed:

1. Upon request from an employer the worker should have proper identification to fulfill I9 and W4 paperwork.
2. Workers shall have at the job site the tools required to do the job:
 - Stagehands: tools include 6" or 8" adjustable wrench, hammer, straight and Phillips head screwdrivers, pliers, wire cutters, ratchet, socket set, flashlight, knife, tape measure, gloves, and tool belt or apron.
 - Wardrobe: tools include work apron, scissors, safety pins, hands free flashlight, multitool, needle and thread.
3. Workers must report to the job wearing clean and neat clothing with no holes or tears and that pose no safety problems. Some employers may require that specific apparel be included or excluded on their jobs. Shoes must cover the foot and must be appropriate for working for long periods.
4. Workers should show up clean and presentable for work.

Violations of this section will be addressed by an oral warning for the first offense, a written warning for a second offense within 12 months, and suspension from one dispatch day for each of any additional offenses within 12 months.

NO-SHOW

Failure to report to work for an accepted call and/or requesting to be replaced on a call less than four (4) hours before the start of a call shall be considered a “No Show”, unless good cause is shown such as illness or family emergency.

1. Penalty for 1st offense: Suspension from one dispatch day.
2. Penalty for 2nd offense within 12 months of 1st offense: Suspension from dispatch for one month.
3. Penalty for offense within 12 months of the 2nd offense: Permanent removal from dispatch list.

ELUDING

Eluding occurs when a worker accepts a call, but then requests to be replaced between 48 and 4 hours prior to the start of the call, without good cause such as illness or family emergency.

1. Penalty for 1st offense: Suspension for one dispatch day.
2. Any subsequent event within 12 months of the 1st offense: Suspension from dispatch for one month.

SOLICITATION OF WORK DIRECTLY FROM EMPLOYERS

Workers shall not solicit work calls directly from any employer with whom IATSE Local 28 has an exclusive Hiring Hall agreement to fill work calls. This is a serious offense that undermines the integrity of the Hiring Hall.

1. Penalty for first offense: Suspension from dispatch for six months
2. Penalty for any subsequent offense: Permanent removal from the dispatch lists.

HARASSMENT OF HIRING HALL STAFF

Workers shall refrain from yelling, swearing, rudeness, belligerence, and threats directed at the Call Steward and/or other Hiring Hall staff. Workers must also refrain from interfering with the Call Steward’s ability to efficiently fill calls. Concerns about the administration of the Hiring Hall should be addressed to the Executive Board or Hiring Hall Committee. Penalties range from a one dispatch day suspension to removal from the dispatch list, potentially conditioned on anger management or other relevant training, depending on the severity of the conduct.

SAFETY

Workers must work in a safe manner, following industry standards for safe practices. While safety rules are generally within the province of the employers to whom workers are dispatched, the Hiring Hall reserves the right to suspend from dispatch any worker who has demonstrated a clear disregard for safety such as to present a safety risk to other workers dispatched by the Hiring Hall.

ENFORCING CONDUCT POLICY

Any violations of the Conduct Policy or any occurrence that in any way jeopardizes the welfare of the Hiring Hall and/or its referents shall be reported to the Business Representative.

The Business Representative shall investigate any alleged violation of the Conduct Policy and make recommendations to the Hiring Hall Committee. The Hiring Hall Committee shall impose discipline for violations in accordance with the Conduct Policy.

PRIOR NOTICE OF DISCIPLINARY ACTION

With the exception of immediate suspension from dispatch due to serious safety concerns, prior to imposing any disciplinary action, the Hiring Hall Committee shall provide written notice to the worker of his or her opportunity to respond to the alleged violation and to appear before the committee. If the worker declines the opportunity to appear or if the committee determines after such appearance to impose the discipline, it will provide the worker with written notification of the penalty to be imposed, upon expiration of the 30-day appeal period described below.

APPEALS TO THE IATSE LOCAL 28 EXECUTIVE BOARD

Workers may appeal any action imposed by the Hiring Hall Committee within 30 calendar days of the Postmarked Date of such action. Appeals must be in writing, state the reasons for the appeal, and be received by the IATSE Local 28 Executive Board within the 30-day deadline. The discipline appealed shall be held in abeyance pending the outcome of the appeal, except that suspension from dispatch due to safety may be imposed immediately.

The IATSE Local 28 Executive Board will provide the worker with an opportunity to appear and present their grounds for appeal before them and may consider other evidence supporting or refuting the charges. If the worker declines the opportunity to appear or, after availing themselves of such opportunity, the IATSE Local 28 Executive Board continues to believe a violation has occurred; it will impose discipline in writing and in accordance with this policy. The decision of the IATSE Local 28 Executive Board is final. The IATSE Local 28 Executive Board's consideration of disciplinary action will be done in closed session and a written letter of explanation regarding any decision to impose discipline shall be given to the worker.

PARLIAMENTARY PLACEMENT

Hiring Hall Rules shall fall after IATSE Local #28's 'Special Rules of Order', but before Local 28's 'Standing Orders', with respect to parliamentary procedures.

AMENDING/SUSPENDING HIRING HALL RULES

'Previous Notice' shall be given at the General Membership meeting prior to the introduction of an amendment to the Hiring Hall Rules. A 2/3 (Two thirds) vote in favor of amending the rules is required to approve an amendment. Hiring Hall Rules may be suspended with a 2/3 vote in favor of suspending a rule.

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Appendix A Workers Agreement (File Copy)

In accordance with the IATSE Local 28 Hiring Hall Rules, I the undersigned acknowledge that I have read and intend to abide by the approved IATSE Local 28 Hiring Hall Rules and that I will pay all required IATSE Local 28 Hiring Hall work referral fees. I understand that it is my obligation to notify the Local 28 Hiring Hall of any changes to the information provided below.

I further acknowledge that any violation by me of this established procedure may result in me being suspended or removed from the hiring hall dispatch list.

Print Name _____

Mailing Address _____

City _____ State _____ Zip _____

Email _____

Primary Phone _____

2nd Phone _____

Signature _____ Date _____

Emergency Contact

Name _____

Mailing Address _____

City _____ State _____ Zip _____

Email _____

Primary Phone _____

2nd Phone _____