

I.A.T.S.E. Local 134

Work Referral Rules for 2020/2021 Approved 7/13/20 and Ratified 7/13/20

This system shall be based upon four referral lists (A, B, C & the Extra Work List) and work shall be dispatched according to an individual's placement on these lists.

The principle of equitable and uniform dispatching as provided by these provisions will be general guidelines. However, local 134 reserves the right to dispatch any individual it chooses based upon:

1. Availability for work
2. The need for specific skills
3. Specific requests from employers when appropriate
4. The need to rapidly and efficiently fill short notice or emergency work requests

Each call shall be filled with the most senior individual available from the A, B or C list. Individuals will be dispatched for work from the "A" list first. When there is no longer anyone available on the "A" list, the "B" list shall be dispatched. When there is no longer anyone available on the "B" list, the "C" list shall be dispatched. When there is no longer anyone available on the "C" list, the "Extra Work List" shall be dispatched.

State of Emergency

In the event of unforeseen local, national, or global circumstances, (for example, pandemic, war, act of terrorism and/or any other natural disaster or emergency that results in ninety percent of foreseeable work referred by I.A.T.S.E. Local 134 to be canceled or postponed for a duration of 90 days or more), the membership may choose to bring forth a motion to alter the way shifts are counted in the **current** counting year.

List "A"

1. List "A" shall include all eligible workers who have worked on referral through Local 134, currently on the "A" list or attaining position on the "A" list, who have worked ninety (90) or more shifts between July 1 and June 30 of the applicable counting year.
2. List "A" shall remain constant for a period of twelve (12) months.
3. To maintain an individual's position on the "A" list, said individual must work a minimum of ninety (90) shifts within the specific twelve (12) month period from July 1 to June 30 of the applicable counting year. Failure to maintain the minimum number of shifts during the applicable counting year shall drop said individual to the top of the "B" list for the next twelve (12) month period.

List "B"

1. List "B" shall include all eligible workers who have worked on referral through Local 134, currently on the "B" list or attaining the "B" list, having worked between sixty (60) and eighty-nine (89) shifts between July 1 and June 30 of the applicable counting year.
2. List "B" shall remain constant for a period of twelve (12) months.

3. Individuals on List “B” who meet the criteria for list “A” shall move to the bottom of the “A” list when the yearly audit of shifts is completed.
4. To maintain an individual’s position on the “B” list, said individual must work a minimum of sixty (60) shifts and a maximum of eighty-nine (89) shifts within the specific twelve (12) month period -from July 1 to June 30 of the applicable counting year. Failure to maintain the minimum number of shifts shall drop the individual to the top of the “C” list for the next twelve (12) month period.

List “C”

1. List “C” shall include all current workers who have worked on referral through Local 134 and have completed between thirty (30) and fifty-nine (59) shifts between July 1st and June 30th of the applicable counting year. To be eligible for placement on List “C”, in addition to working thirty (30) shifts within a counting year, a worker must have worked a minimum of one hundred (100) cumulative shifts for the Local.
2. List “C” shall remain constant for a period of twelve (12) months.
3. Individuals on List “C” who meet the criteria for list “B” shall move to the bottom of the “B” list when the yearly audit of shifts is completed.
4. To maintain an individual’s position on the “C” list, they must work a minimum of thirty (30) shifts, and a maximum of fifty-nine (59) shifts within the specific twelve (12) month period, from July 1st to June 30th of the applicable counting year. If they do not work at least 30 shifts during the applicable year, they will revert to the “Extra Work List” for failure to work the required number of shifts necessary to remain on the “C” list.
5. An individual’s position on entering the “C” list shall be determined by their first date worked during the previous counting year they spent on the “Extra Work List”.

Extra Work List

1. Beginning July 1, 1995 any individual not completing 30 shifts within the specific twelve (12) month period from July 1 to June 30 of the applicable counting year but completing at least one (1) shift shall be listed on the “EXTRA WORK LIST”. Individuals on the “EXTRA WORK LIST” shall be called on the basis of availability and qualifications.

Definitions and Counting Rules

1. The year for counting shifts (Counting Year) shall be from July 1 to June 30 with the preliminary list due to members by August 1 of the following Counting Year, e.g., the audit for July 1, 2006 – June 30, 2007 is due on August 1, 2007. All challenges to an individual’s placement on the preliminary list must be made by August 15 to the Work Referral Maintenance Committee. All Steward Reports, Road Shifts, Self-Reporting Shifts & any other Countable Shift Documentation must be turned in to the Work Referral Committee by July 7th, NO EXCEPTIONS. The stewards shall be personally responsible for any bills (steward’s report) not turned in by that time and may be penalized \$10.00 per job affected at the discretion of the Work Referral Committee and subject to appeal to the membership. Any steward’s report not turned in by July 7th of the following Counting Year may not be counted (e.g., reports for the Counting Year of July

- 1, 2006 – June 30, 2007 will not be counted if turned in after July 7, 2007). This includes all reporting for referred work outside the jurisdiction of this Local. It is the steward's responsibility to see that all documentation for shifts has been turned in on time for the Committee to count.
2. An individual shall be credited with one (1) shift for each day worked. An individual must work at least four (4) hours, or at least the completed contract minimum call in a day, to be credited with one shift, as reflected in the steward's report.
 3. Only one (1) shift shall be credited for any single calendar day.
 4. Should a work call straddle two (2) consecutive calendar days, only one (1) shift is credited. The exception shall be if a minimum of four (4) hours is worked in each calendar day.
 5. Only work referred through this Local shall be counted towards qualifying shifts.
 6. A calendar day is a twenty-four (24) hour period commencing at midnight and continuing through to 11:59:59 p.m.
 7. The new list shall become effective September 1st each year.
 8. A "Medical Leave of Absence" shall be defined as a period of time for which a person is unable to work due to a medically verifiable injury, disease, or hospitalization, and must be accompanied by a Doctor's note. Either you are disabled, or you are not. It is not up to the Local to send out a person on limited or light duty; we do not dispatch people for such work. A "Parental Leave of Absence" shall be defined as a period of time for a worker to bond with a new child for up to one year from the date of the child's birth or adoption. A "Personal Leave of Absence" shall be defined as any period of time for vacation, educational purposes, spousal relocation, etc. Personal Leaves shall not be granted to work elsewhere for the purpose of circumventing the procedures of the referral system.
 9. In calculating shifts awarded for lost work due to any Leave of Absence, the "Rule of Ten" is used. The rule is as follows:
The time period for which shifts are to be awarded is taken. The number of shifts worked by the five people above and the five people below the affected person is added up and divided by ten. The resulting number is rounded up to the next whole number. The result is the number of shifts to be awarded. Persons may not earn shifts in any other way during the period of time in question.
For a Medical or Parental Leave, the "Rule of Ten" shifts awarded shall be used to maintain an individual's place on the applicable list or to move up to the next list. For a Personal Leave, the "Rule of Ten" shifts awarded shall be used only to maintain an individual's place on the applicable list.
 11. For individuals reporting traveling shifts according to Special Conditions #'s 11 and 17, working assessments must be received by the Treasurer in a timely manner in order for the shifts to be counted. Timely shall mean no longer than 60 days from the earliest shift, and within the counting year for which shifts are being reported.

Special Conditions

1. Any person who has performed a minimum of (10) ten consecutive years of work referred by Local 134, and whose age, combined with the number of years that they have worked with Local 134, totals sixty-five (65) or more, shall never fall below the position that person held when the criteria were met. This means their relative position on a given list; their seniority number may still change. They may move up the list if people above them fall. They may also move down if they are not on the “A” List and other workers who were below them advance to the “A” List. A person may move up the lists by maintaining the proper number of shifts required. Applicant’s birthday must fall within the counting year (7/1 – 6/30) in order for their name to be in italics for the next printed list. If the birthday falls after June 30th, then italics will be present in the year after. Application of this special rule must be requested in writing. The official records of Local 134 and the Work Referral Maintenance Committee shall be the only source of shift counts used to determine if dispatch criteria are met.
2. An individual on the Work Referral List who becomes sixty (60) days in arrears in payment of working assessments and has been sent a written Fifteen (15) Day Notice by the Treasurer shall be removed from the Work Referral List until such time as acceptable arrangements have been made for reinstatement with the Treasurer. The written notice must specify the amount of the delinquency and state the date by which it must be paid in order for the worker to avoid removal from the Work Referral list. This rule applies equally to members and non-members. Additionally, members of Local 134 who are delinquent in the payment of working assessments may lose membership privileges as detailed in the Local 134 Constitution.
3. All Medical, Parental, and Personal Leaves will be considered upon request on a case-by-case basis by the Work Referral Maintenance Committee. If a Leave continues to a new counting year, you are required to request a new Leave of Absence from the Work Referral Maintenance Committee, by August 1 of the new counting year. All requests for Medical Leaves must be made in writing within fourteen (14) days of injury or illness or as soon as reasonable. A Medical Leave will be a minimum of 3 days. When you do decide to go back to work from Medical Leave, you will need to submit a letter from your doctor that clears you for work. If you need to go back on disability, you will need another doctor’s note to put you back on Medical Leave. All requests for Parental Leaves must be made in writing immediately after the birth or adoption of a child. All requests for Personal Leaves must be made in writing within thirty (30) days of the effective date of the leave. Personal Leaves shall be a minimum of 90 days and not be longer than 3 years, or 4 years if you are attending school.
4. Should any of the workers used to calculate “Rule of Ten” not have worked any shifts within the counting year or are being awarded shifts via “Rule of Ten” for the same time period, they shall be omitted from the count. Should any of the workers used to calculate “Rule of Ten” be maintaining their position on the List via Special Conditions 1 or 16, they shall be omitted from the count *if* that worker’s inclusion adversely affects the shifts

awarded by the “Rule of Ten”. If a worker is omitted, if they are above you go up, if they are below you go down until the 10 are found.

5. The Work Referral Maintenance Committee will be responsible for the yearly audit of shifts. The head of the committee shall be the Stagecraft Representative. The committee shall consist of two (2) additional individuals appointed by the President at the start of each term of office. It will be this committee’s job to publish the preliminary lists by August 1. The committee will be responsible for overseeing all challenges to the list. It also will be responsible for granting all leaves of absence. Any person believing that he or she has not been properly placed on a given list or within the order of referral on a given list may file his or her complaint with the Work Referral Maintenance Committee within fifteen (15) days after any published change in the order of the list. Turning in paperwork late (after July 7th) from any type of leave is not a challengeable situation. The Work Referral Maintenance Committee will investigate the claims and hold hearings, if appropriate, and its decision shall be rendered in writing to the aggrieved party and shall be binding upon all persons utilizing the work referral system.
6. When a group of individuals move from one list to another, they shall all move in position relative to their position on the previous list (i.e., the person who was highest on the previous list would be on top, the next person below him would still be below him and so on.) The exception shall be that persons falling from the “C” List to the “Extra Work List” shall *not* be called in relative order.
Regardless of the number of shifts worked a person will only advance or fall one (1) list per year. (For example, if you are on the “A” list and work less than ninety (90) shifts in a given year you will drop to the “B” List for the following year.) If you are on the EXTRA WORK LIST and work more than the required number of shifts you will advance to the “C” List in the following year. This means it will take a new referral at least three (3) years to achieve the “A” List, but once a person does that it will take at least four (4) years of not making the minimum number of shifts to be removed completely from the Work Referral List.)
7. For individuals who have the same first day of hire, their relative positions on the list shall be determined by a one-time lottery held at an Executive Board or Special Meeting at the discretion of the President, prior to publishing the preliminary lists.
8. The Work Referral Rules document shall not be altered or modified for a period of at least one year after implementation unless the modification is required by the International or advised by the Local’s Attorney.
9. Any person holding a house position as assigned by the Business Agent of Local 134 may be called out of sequence in order to exercise their right to that position.
10. This Local encourages everyone to further their Stagecraft skills. To this end the committee will consider on a case-by-case basis granting credit for dispatch upon proof of satisfactory completion of formal education or training programs deemed to be relevant to the trade. If approved, the Committee may allow an individual to maintain standing on a particular list but cannot advance anyone to a higher list on the basis of school hours.

Prior approval must be obtained from the Work Referral Maintenance Committee by submitting an outline of syllabus, total hours and course duration, followed by a verification of successful completion.

All decisions by the Work Referral Maintenance Committee regarding this clause may be appealed to the membership.

11. The Work Referral Maintenance Committee is empowered by the membership to credit shifts in order for a person to maintain their position while working outside the jurisdiction on travelling attractions for persons having established a position on our work referral list under the following circumstances:
In order to receive such credit, a person must be dispatched through this Local and be journeyman stage technicians as defined in Local 134's Constitution Article II, Section 3; or be a person who has worked at least two (2) years on referral through Local 134 under the supervision of a journeyman stage technician. Such persons must also be paid in full for all Dispatch fees or Quarterly Dues for the applicable calendar year.
All journeymen working outside of the jurisdiction of Local 134 must carry a road card. Members must be in good standing prior to applying for a road card.

Within thirty (30) days of departure from the jurisdiction of Local 134 persons wishing credit must apply in writing (mailed letter, e-mail letter, faxed letter, or a copy of a tour book with printed name in it) to the Work Referral Maintenance Committee:

Such applications must include the following information:

1. The type of technical work to be performed.
2. A verifiable approximation of the number of shifts to be worked, i.e., an Itinerary.
3. An agreement on the part of the applicant to pay the current working assessment due Local 134 based on a minimum wage (as set forth for department heads or assistants whichever is applicable) for road work done under a "Pink Contract" as would be issued by the I.A.T.S.E. General Office.
4. Persons working outside the jurisdiction on traveling attractions will, in addition to the above documents, submit timely Steward's Reports on their shifts worked as set forth in Definition and Counting Rule 1.

All conflicts between Special Condition 11 and Special Condition 17 shall be resolved to the satisfaction of Special Condition 17.

12. Union membership or non-membership shall not be used as a criterion for entry onto, or maintenance of, a position on the work referral list.
13. The Work Referral Rules adopted by Local 134 shall be applied to the maximum extent permitted by law.
14. The Work Referral Rules established by Local 134 shall not be changed without prior notice to the membership and an approval by them of any such changes. A Special Work Referral Meeting will be scheduled when any proposal is submitted in writing to the Secretary in the format that the proposal would appear in the document. Proposed changes must appear in two meeting notices. They will appear in the next meeting notice after their submission, and then again in the subsequent meeting notice with the Special Work Referral Meeting scheduled for one hour prior to that General Meeting. If there is

not a quorum at the Special WRR Meeting, then the proposals will continue to appear in subsequent meeting notices and Special Meetings will continue to be scheduled one hour prior to General Meetings, until a quorum is achieved and there is discussion and vote on the submitted proposal. Any proposal passed by the membership will be submitted to the Local's attorney, and if approved, will take effect at the beginning of the next Counting Year. Proposals may be submitted at any time during the year, but all changes will go into effect only at the beginning of a Counting Year.

15. On calls where Local 134 refers people to work for Sister Locals, it shall be the responsibility of the referred worker to report the Job Number, Dates Worked, Hours Per Day and Gross Wages Earned to Local 134 for the purpose of recording Shifts and Assessing Dues. This information shall be reported on the Official 134 Steward Report or Facsimile Thereof.
16. Any Business Agent, Treasurer, Secretary, or Call Steward that has served the Local for six (6) months or more during a Counting Year shall not be dropped from the position on the List that he held at the time that he took office.
17. Any person covered by a Pink Contract which has been issued by Local 134 or any person with an established position on the Work Referral List paying Percentage Dues to Local 134 on a Pink Contract issued by the General Office of the I.A.T.S.E. shall receive full Shift Credit for the minimum number of weekly shifts which are guaranteed by said contract.
18. An individual on the Work Referral List who has engaged in misconduct or failed to perform to acceptable standards may be temporarily or permanently removed from the Work Referral List as set forth in the Outline of Worker's Obligation.
19. All workers taking part in a sanctioned or informational labor action shall be granted a shift per 4 hours of action taken or until the end of the action.
20. In appreciation of the dedication and duty of our armed services members, any Veteran, having been Honorably Discharged or Discharged under Honorable conditions within 5 years, shall, upon their placement on the "extra work list," be awarded a total of ten (10) shifts to be counted towards the requirements for advancement to the "C" list. The shifts awarded will only apply to the first year the Veteran works on the "extra work list" and all other requirements for advancement and for maintaining their positions will apply. The Veteran must request "Veterans 10" in writing to the local within 60 days of first dispatch.