

**HIRING HALL PROCEDURE**  
**and**  
**STANDING RULES**  
**of the**  
**INTERNATIONAL**  
**LONGSHOREMEN'S ASSOCIATION**  
**LOCAL No. 24**  
**AFL-CIO**  
**Houston, Texas**



**March 1983**

**As Amended through November 2021**

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*\* IT IS UNDERSTOOD THAT REFERENCES HEREIN TO THE MALE GENDER, SUCH AS "HE," "HIM," OR "MAN" ARE FOR THE PURPOSE OF BREVITY ONLY AND SHALL BE UNDERSTOOD TO INCLUDE THE CORRESPONDING TERMS SUCH AS "SHE," "HER," OR "WOMAN" AND ARE WITHOUT REGARD TO GENDER.*

## LOCAL 24

### HIRING HALL PROCEDURE

**Section 1. Exclusive Hiring Procedure.** Effective April 1, 1983, the Hiring Hall operated by Local Union 24 of the I.L.A. (consisting of a consolidation of the separate Hiring Halls formerly operated by I.L.A. Locals No. 872 and 1273) shall be the sole and exclusive source of referrals of all applicants for employment as deep sea longshoremen in Harris County, Texas.

**Section 2. No Discrimination.** Selection of applicants for referral to jobs shall be made without discrimination against any applicant by reason of race, color, gender, national origin, disability, or membership or non-membership in this Local Union. Such selection shall be in accordance with this Hiring Hall Procedure and shall not be affected in any way by Union rules, regulations, bylaws, constitutional provisions, or any other aspect or obligation of Union membership, policies, or requirements.

**Section 3. Definitions.** As used in this Hiring Hall Procedure, the term "past service" means service rendered in deep sea longshore work in the Port of Houston, Texas, up to and including the end of the payroll fiscal year of the West Gulf Maritime Association immediately preceding October 1, 1982. Seniority credit of each longshoreman for past service is fixed by Order of the United States District Court for the Southern District of Texas in Cause No. 69-B-3, styled Equal Employment Opportunity Commission v. International Longshoremen's Association et al.

As used in this Hiring Hall Procedure, the term "qualifying service" means service in deep sea longshore work in the Port of Houston, Texas, from and after the end of the payroll fiscal year of the West Gulf Maritime Association immediately preceding October 1, 1982. Credit for qualifying service shall be earned from and after said date under the terms of this Hiring Hall Procedure.

**Section 4. Seniority Classifications.** Effective April 1, 1983, all persons working through the Hiring Hall of Local Union 24 shall be vested with seniority credit for past service as specified in the Order of the United States District Court for the Southern District of Texas in said cause. Said Order of the Court is dated March 22, 1983, and contains the names and seniority classifications of each longshoreman found by the Court to be entitled to seniority credit based upon his/her past service. The said Order of the Court creates thirty-seven seniority positions consecutively numbered from seniority position one, the lowest relative seniority position, through seniority position thirty-seven, the highest at this time, and specifies by name each individual longshoreman who is vested by Order of the Court with seniority for past service with the right to occupy, on the date of the Court's Order, his/her appropriate seniority position as specified by the Order. Said Order of the Court further provides for the creation of an additional seniority position annually to be numbered from seniority position thirty-eight upward, as may be necessary to accommodate additional yearly seniority credit earned under this Hiring Hall Procedure.

The said Order of the Court conclusively establishes the seniority position as of October 1, 1982, of each longshoreman who is entitled to seniority classification in this Hiring Hall for past service rendered.

Each longshoreman so classified in said Order of the Court shall be entitled to selection for referral and assignment by gang foremen daily on a non-discriminatory basis in keeping with his/her present or future seniority position and these Hiring Hall Rules and Procedure.

The said Order of the Court provides that all longshoremen not specifically named and not assigned specific seniority position therein shall be eligible for referral and assignment by gang foremen after longshoremen who are vested in seniority position and who are present and available for work have been exhausted and shall be eligible to attain seniority position in future years based upon work performance pursuant to this Hiring Hall Procedure.

The assigned seniority position of each longshoreman for past service effective as of October 1, 1982, may not be enhanced or diminished except by Order of the Court; however, the seniority position of any vested longshoreman may be altered in accordance with this Hiring Hall Procedure based upon his/her work performance from and after October 1, 1982.

**Section 5. Qualifying Service.** In order to advance to the next higher seniority position, each longshoreman must be credited with the number of hours of work or credited time hereinafter specified and must produce satisfactory proof of his/her entitlement to qualifying time for the preceding year in keeping with the procedure of this Hiring Hall.

**Section 6. Procedure to Determine Qualifying Service.** Qualifying service shall be credited annually at the end of each payroll fiscal year of the West Gulf Maritime Association, beginning with the payroll fiscal year ending September 1983. Credit for qualifying service shall be determined on October 1 of each year beginning in 1983 by the Personnel Director under the direction of the Executive Board of this Local Union. In determining the qualifying service credit to which each longshoreman is entitled, hours worked through the last paycheck actually received during the month of September of each year shall be included. In addition, qualifying service shall include an allowance for physical disability or military service, or other service as hereinafter set out. In the case of physical disability, it shall be the burden of the individual longshoreman to satisfactorily establish by competent medical proof his/her entitlement thereto. The Personnel Director shall cause identification buttons reflecting seniority positions to be issued to all longshoremen entitled thereto as soon as practicable each year. Each longshoreman must exhibit upon his/her person his/her identification button and place himself in the appropriate space on the Hiring Hall floor in keeping with the seniority position reflected by his/her identification button in order to be eligible for selection and referral on any occasion.

## **Section 7. Required Qualifying Service for Certain Longshoremen.**

- A. Longshoremen occupying the casual position must be credited with seven hundred hours of qualifying service in order to promote to the next higher seniority position, seniority position one, in the succeeding payroll fiscal year.
- B. Longshoremen occupying seniority position one to six must be credited with seven hundred hours of qualifying service in order to promote to the next higher seniority position in the succeeding payroll fiscal year.
- C. Longshoremen occupying seniority position seven and above must be credited with one thousand hours of qualifying service in order to promote to the next higher seniority position in the succeeding payroll fiscal year.
- D. Gold Star Clause:  
All individuals having received or achieved twenty (20) years of service thru Local 24 shall attain "Gold Star" status. Gold Star workers must work 1000 hours to advance seniority positions past section 20 and above.
- E. Any Local 24 longshore worker who has not earned Gold Star Status (twenty years of service thru Local 24) and fails to work the prescribed number of hours during the seniority/contract year for his/her seniority section shall fall back to the previous section. Workers who fail to work the prescribed number of hours for three consecutive years in the respective seniority classifications shall be reclassified as a Casual. Any Local 24 longshore worker who has earned zero hours for two consecutive years shall be permanently removed from all Local 24 seniority positions.

## **Section 8. Elements of Qualifying Service.**

Qualifying service may include:

- A. Regular and overtime hours worked through the Hiring Hall.
- B. Hours of work performed as an official of the Union—Local, District, or International—or as an employee whose work is in the service of the Hiring Hall or Credit Union, provided such individual previously occupied a seniority position in the Hiring Hall in the seniority year immediately preceding the acceptance of the position.
- C. In the case of longshoremen who previously occupied a seniority position in the Hiring Hall: an allowance for physical disability which causes a longshoreman to miss work specified in paragraphs A or B above, such allowance to be computed at the rate of 1/50th of the total hours of qualifying service required of him for each week of disability. Allowance for physical disability is limited to weeks in which the longshoreman was entitled to disability compensation for injury on the job, or to weekly benefits from the I.L.A. Welfare Fund, or to social security disability benefits, or time during which a longshoreman was confined in a Veteran's Administration hospital or other hospital if the charges thereof were paid by the I.L.A. Welfare Fund.

D. An allowance not to exceed four years (unless required to serve longer) for service in any of the Armed Services (including up to ninety days after discharge), provided the individual is not dishonorably discharged, and provided he/she returns to work within ninety days after discharge, and provided he/she had previously occupied a seniority position through the Hiring Hall in the classification year (beginning October 1 and ending September 30) in which his/her military service began or occupied a classified position at such time. The military allowance shall be computed at the rate of 1/50th of the hours required of him for each week of military service.

E. An allowance computed at 1/50th of his/her required hours per week for time served as a superintendent over classified men, provided that the individual occupied seniority through the Hiring Hall at the time of accepting a position as superintendent.

F. An allowance computed on the basis of hours actually worked when a longshoreman is employed by a member of West Gulf Maritime Association in the capacity of walking foreman, gearman, or crane operator, provided the individual is paid through the Hiring Hall.

**Section 9. Retired Longshoremen.** A longshoreman who exercises his/her option to receive retirement pension benefits under any of the specified age formulas of the Maritime Association—I.L.A. Pension, Welfare, and Vacation Fund will be removed from seniority position in this Hiring Hall. A longshoreman who subsequently removes himself/herself from pension benefits and returns to work through this Hiring Hall shall be reinstated to the seniority position the individual would have been placed at the start of the classification year following his/her retirement; however, retired longshoremen shall be permanently removed from all seniority position after three successive years as provided in Section 8 above.

**Section 10. Disability Pension Benefits.** A longshoreman who receives disability pension benefits because of physical disability will be credited with seniority as provided in Section 8(C) above for a maximum of five years so long as he/she is receiving disability pension benefits from the Maritime Association—I.L.A. Pension Fund, or total disability benefits from the Social Security Administration, provided, however, that such person will not receive an allowance of qualifying service for any period in which he/she is gainfully employed, directly or indirectly, in any job or business. Upon request, such person must furnish the Personnel Director with all requested information or cooperation for the ascertainment of the true facts. Failure to provide information or cooperation will require the Personnel Director to disallow qualifying service credit for physical disability for the period in question.

**Section 11. Vested Pensions.** Credit for qualifying service will not be allowed for longshoremen who earn a vested pension but who fail to meet the requirements for qualifying service specified in this Hiring Hall Procedure.

**Section 12. Disqualification and Penalties.** Persons with either of the following disqualification shall lose their classifications and shall not be referred for employment:

- A. Longshoremen who are caught in the act of, and convicted in court for, broaching or pilfering cargo; or
- B. Longshoremen repeatedly rejected and/or discharged by the employers for just cause. Employees jumping a gang without permission may be discharged by the employer. All discharges of gang members shall be made on behalf of the employer.
- C. In addition, longshoremen must comply with the Rules of Order and Discipline and are subject to penalties of suspension therein provided and must also comply with the "Rules Governing Job Applicants."

**Section 13. Referrals through Gang Foremen.** Gang foremen shall have the responsibility of selecting applicants daily on a nondiscriminatory basis in accordance with these Hiring Hall rules and procedures. Any gang foreman violating any of these rules and procedures shall be subject to suspension or removal by the Executive Board of this Local Union. The employer shall have the right to reject for just cause any applicant selected by a gang foreman.

**Section 14. Selections According to Seniority.** In selecting applicants for referral and assignment in the gang, each gang foreman shall give preference to available, qualified applicants in the order of their seniority positions. In making such selection within a seniority position, each gang foreman shall, in good faith, give preference to those he/she believes are best qualified to perform the work to be assigned. In making such selection within a given seniority position, each gang foreman shall specify to each applicant the available positions within his/her gang not yet filled and shall allow the applicant to select the specific available position of his/her choice. In making such selection within a given classification, each gang foreman shall carefully observe the rules against discrimination set forth in Section 2 of this Hiring Hall Procedure.

**Section 15. Posting of Jobs.** All jobs for which referrals are to be made shall be posted forthwith after their receipt on the Hiring Hall's job boards. Special jobs shall be filled according to the bidding procedure set out in Section 20.

**Section 16. Availability for Referral.** Each applicant seeking referral through the Hiring Hall shall be considered available only if he/she is sober and timely presents himself for selection in an orderly fashion at the Hiring Hall in only the proper area marked for his/her seniority position, and wears on his/her shirt or jacket in plain view his/her identification button (if he is entitled to one). Such buttons may be obtained in the Local Union office. Applicants who are not seeking referrals at the time shall wait outside the marked referral areas.

**Section 17. Hiring Hall Costs.** The costs of operating the Hiring Hall may be shared on the basis of earnings.

**Section 18. Selection and Removal of Gang Foremen.** The Local Union Executive Board shall select the gang foremen as permitted by the employers. Because of the responsibility of the Local Union for the fair and nondiscriminatory operation of the Hiring Hall, all gang foremen shall be subject to suspension or removal by the Local Union

Executive Board for violating any part of this Hiring Hall Procedure. Gang foremen shall not simultaneously hold office in the Local Union, but upon cessation of office such person shall be entitled to a preference in being selected as gang foreman.

**Section 19. Appeals Committee.**

A. An Appeals Committee shall be composed of two employees designated by the Local Union Executive Board and Gene L. Locke (or his designee or successor), to serve as a public member. The two employee members of the Committee shall be selected without reference to race, color, gender, national origin, disability, or membership or non-membership in the Local Union from seniority position five or higher. Local Union officers shall not be designated.

B. It shall be the function of the employee members of the Committee to consider any written complaint concerning the assignment or removal of any longshoreman to or from a seniority position. If the complaint is not settled to the satisfaction of the complainant within seven calendar days, the complainant may appeal in writing to the Committee as a whole within fifteen days thereafter.

C. The Appeals Committee shall have the power and duty to make a final and binding decision on any such complaint appealed to it, and the Local Union agrees to comply with the decision.

D. In the event of a dispute between the public and non-public members of the Appeals Committee on a complaint appealed to it, the decision of the public member shall prevail.

E. The Appeals Committee may adopt by majority vote and issue reasonable procedural rules for the conduct of its business; but the Committee shall not add to, subtract from, or modify any provision of this Hiring Hall Procedure; and the Committee's decisions shall be in accordance with the provisions of this procedure. However, such committee shall have discretion to consider additional evidence to permit allowance of qualifying service under Section 8(C) if total disability is established as a fact.

**Section 20. Posting of Hiring Arrangement.** Copies of this procedure for operating the Hiring Hall shall be posted by the Local Union and furnished to the employer for posting in places where notices to employees and applicants for employment are customarily posted. The Local Union office shall also make available a copy for each man seeking referrals through the Hiring Hall.

**Section 21. Amendment of this Hiring Hall Procedure.** The seniority positions of individual longshoremen as of October 1, 1982, established by Order of the Court, are not subject to amendment. The other provisions of this Hiring Hall Procedure may be amended by three-fourths majority of those voting thereon if the amendment is submitted by proper resolution, presented, and read in accordance with the Bylaws of this Local Union relating to the amendment procedure.



## **STANDING RULES AND RULES OF ORDER AND DISCIPLINE**

It is understood that rules for the expedient, day-to-day operation of the Hiring Hall and the obligation to ensure continuing efficiency of job performance are necessary and that there must be certain flexibility in adopting and applying such rules. Said rules shall be known as "STANDING RULES AND RULES OF ORDER AND DISCIPLINE" and shall include "Rules Governing Job Applicants" and "Gang Foremen and Gang Procedures."

It is furthermore understood that adherence to the Bylaws and Hiring Hall Procedure shall be of first priority when considering the adoption of such rules. Under no circumstance shall the Standing Rules be in conflict with any provision of the Bylaws or the Hiring Hall Procedure; and if a conflict is found, the Bylaws and Hiring Hall Procedure shall prevail.

Amendment or repeal of any standing rule or rule of order and discipline shall be made by the following procedure:

A motion must be presented and read at a membership meeting. The motion shall then be posted at the Hiring Hall the next day. The motion shall be voted upon at the next regular meeting or at a special meeting called for that specific reason. The motion may be adopted by a simple majority vote of those present. This procedure does not apply to action upon motions presented at meetings that do not involve amendment or adoption of standing rule. It will be the responsibility of the Recording Secretary to transcribe to the master file any amendments, repeals, and additions of the Standing Rules or Rules of Order and Discipline from any regular membership meeting or special meeting called for that specific reason. This file will be kept in the Personnel Office.

## **RULES OF ORDER AND DISCIPLINE**

**Rule 1.** All members of the Local Union or anyone working out of such Local Union while at work in working areas, on the Union's property, or at the Union's meetings shall maintain respect for each other. Harassment, intimidation, and sarcastic, profane, insulting, or vulgar language are prohibited, and anyone charged and found guilty of violating or disregarding any part of this rule toward another person shall upon conviction of such offense be penalized as follows:

1st Offense: Ten (10) days' suspension from use of the Hiring Hall.

2nd Offense: Twenty (20) days' suspension from use of the Hiring Hall.

3rd Offense: Forty (40) days' suspension from use of the Hiring Hall.

**Rule 2.** Any member or person working out of this Local Union who is found guilty of having destroyed or carelessly damaged any of the organization's property shall, upon conviction, be required to pay for such damage and in addition thereto shall be penalized as follows:

1st Offense: Twenty (20) days' suspension from use of the Hiring Hall.

2nd Offense: Forty (40) days' suspension from use of the Hiring Hall.

3rd Offense: Indefinite suspension from use of the Hiring Hall.

**Rule 3. EMERGENCY PROCEDURE FOR JOB-RELATED AND PREMISES DISTURBANCES.** The President shall have the power to call an Executive Board meeting and have a hearing immediately after notices have been served on the parties that are involved in any fighting or job disturbance on the Local Union premises or within the jurisdictional work area of the Local Union. The Executive Board's decision shall, upon conviction, be final and binding on these offenses. The penalties are as follows:

**A. FIGHTING**

1st Offense: Fifty (50) days' suspension from use of the Hiring Hall.

2nd Offense: Indefinite suspension from use of the Hiring Hall.

**B. DISPLAYING A DEADLY WEAPON TO FRIGHTEN OR ASSAULT**

1st Offense: One Hundred (100) days' suspension from use of the Hiring Hall.

2nd Offense: Indefinite suspension from use of the Hiring Hall.

**C. WOUNDS OR FATALLY WOUNDS ANY PERSON**

1st Offense: Indefinite suspension from use of the Hiring Hall.

**Rule 4.** Any member or person stealing or unlawfully appropriating the Union's property shall, upon conviction, be required to either replace such items or to make full restitution and shall, upon conviction, be penalized as follows:

Twenty (20) days' suspension from the use of the Hiring Hall for each offense.

**Rule 5.** Any member or person working out of the Local Union who is found to be under the influence of drugs or intoxicating liquor while at work or on the premises of the Local Union shall upon conviction be replaced if applicable and penalized as follows:

- 1st Offense: Thirty (30) days' suspension from use of the Hiring Hall.
- 2nd Offense: Sixty (60) days' suspension from use of the Hiring Hall.
- 3rd Offense: Indefinite suspension from use of the Hiring Hall.

**Rule 6A.** Individuals, who are found guilty of hiring out illegally, when first job is working through meal hour, will be disciplined by the Executive Board by the progressive penalties.

- 1st Offense: Two (2) days' suspension from use of the Hiring Hall.
- 2nd Offense: Twenty (20) days' suspension from use of the Hiring Hall.
- 3rd Offense: Indefinite suspension from use of the Hiring Hall.

***The following penalties apply for violation of Rules 6B through 6G:***

Seven days' suspension from use of the Hiring Hall for all offenses.

**Rule 6B.** Any individual may remove themselves from a job assignment if done while the foreman and/or Union Representative is still in his/her/section/hiring area. After legally scratching off of a book, any individual may hire out then or at a later time that day.

**Rule 6C.** No individual may replace themselves on the job without the foreman's/Union Representative's permission, and then the foreman will replace the individual through the office of the business agent.

**Rule 6D.** No individual who has quit or been replaced may hire out again until 6:00 p.m. of that day.

**Rule 6E.** Any special job board member who fails to take his/her job when ordered out at the respective time will not be allowed to hire out at that particular job call. However, an individual on a special job board who missed that particular job call can hire out at the next job call. 7:00 and 8:00 a.m. will be considered the same starting time; the next hiring time is 1:00 p.m. Individuals on special job boards will be allowed to take their job any time that they can get to the job on time and previous payroll does not overlap. If a special job board member has taken a walking foreman's job before the starting time of the special job board, the walking foreman may keep the walking foremen's position; however, they continue to be subject to the special board participation requirements.

**Rule 6F.** If a gang is fired, the foreman will have the right to hold the buttons of any individuals who are responsible for the firing. Those individuals who are found guilty shall be penalized.

**Rule 6G.** For evening hiring [for jobs that begin between 3 p.m. and 1 a.m.], no individual paid through the Local 24 Hiring Hall can hire out, be employed or work for more than one job for that tour of duty.

Example: Individuals (any longshoremen or walking foreman) that are hired or ordered for a 10 p.m., midnight or 1 am start may not hire for a 7 p.m. start.

**Rule 6H.** Any worker who is certified in a craft, in order to shape gangs in crucial times of high work orders, if needed, must cover certified job needs in shaping gangs. Any certified worker refusing to help shape the necessary gangs will not be allowed to accept work for that hiring time. Once gang orders are filled, this rule will not apply further at that hiring time.

**Rule 7.** No one working out of or for the Local Union shall loan any money to or collect any money from another longshoreman at interest or percentage in any area where deep sea longshoremen are working or on the Union's premises. Any person found guilty of violating this rule shall, upon conviction, be penalized as follows:

1st Offense: Five (5) days' suspension from use of the Hiring Hall.

2nd Offense: Shall not be permitted access to the Union's premises.

**Rule 8.** Each person shall accept only his/her own paycheck from the paymaster for work done by him as a longshoreman through the Local Union. Any person found guilty of feloniously accepting any paycheck other than his/her own shall, upon conviction, be penalized as follows:

All Offenses: Indefinite suspension from use of the Hiring Hall for each offense.

This rule, however, shall not apply to any person specifically authorized by the Executive Board to accept checks for another person or persons. Any checks to be picked up with a time slip must be authorized by the Business Agent's office.

**Rule 9.** Any person hiring out at any starting time who is found guilty of willfully leaving or walking off the job without proper permission or proper replacement before leaving shall, upon conviction, be penalized as follows:

1st Offense: Ten (10) days' suspension from use of the Hiring Hall.

2nd Offense: Thirty (30) days' suspension from use of the Hiring Hall.

3rd Offense: Indefinite suspension from use of the Hiring Hall.

**Rule 10.** Every charge against a member must be filed in good faith. Any member or non-member who files a false and malicious charge against another person shall be subject to having charges filed against him and shall, upon conviction, be penalized as follows:

Ten (10) days' suspension from use of the Hiring Hall for each offense.

**Rule 11.** No member or non-member shall interfere with any activity of any authorized officer or representative in the process of or the act of doing his/her duty on a ship or at any other place under the jurisdiction of the Local Union. Any person so interfering shall, upon conviction, be disciplined as follows:

- 1st Offense: Forty (40) days' suspension from use of the Hiring Hall
- 2nd Offense: Eighty (80) days' suspension from use of the Hiring Hall.
- 3rd Offense: Indefinite suspension from use of the Hiring Hall.

**Rule 12.** Each member and non-member shall obtain work as a longshoreman on his/her credentials and shall not use any other person's credentials or any false credentials. Any member or non-member convicted for violation of this rule shall be penalized as follows:

- 1st Offense: Thirty (30) days' suspension from use of the Hiring Hall
- 2nd Offense: Sixty (60) days' suspension from use of the Hiring Hall.
- 3rd Offense: Indefinite suspension from use of the Hiring Hall.

**Rule 13.** Any member or person working through this organization found guilty of selling jobs or accepting bribes shall, upon conviction, be penalized as follows:

- 1st Offense: Indefinite suspension from use of the Hiring Hall.

**Rule 14.** Any member or non-member whose name has been placed on the bulletin board for non-compliance with the rules and regulations of this organization shall be denied work through the Hiring Hall. Any person who directly or indirectly violates this rule shall, upon conviction, be penalized as follows: Ten (10) days' suspension for each offense.

**Rule 15. NO DISCRIMINATION.** Selection of applicants for referral to jobs or on the job shall be without discrimination against any applicant by reason of race, color, gender, national origin, disability, or membership or non-membership. Failure to comply with this rule by anyone shall carry the following penalty: Indefinite suspension from the use of the Hiring Hall.

**Rule 16.** Any person striking or physically harming an officer of this Local Union in any respect shall receive indefinite suspension from the use of the Hiring Hall and all related maritime industries.

**Rule 17.** Any member of a gang working out-of-town and working up to the hiring time will not be allowed to hire back out-of-town at the same hiring time:

- 1st offense: Two (2) days' suspension from use of the Hiring Hall
- 2nd offense: Ten (10) days' suspension from use of the Hiring Hall.
- 3rd offense: Indefinite suspension from use of the Hiring Hall.

**Rule 18.** Any person working out of the Local Union that refuses to follow the instructions of the foreman that are within the scope of the job and that are safe, will be disciplined by the Executive Board by the following penalties:

- 1<sup>st</sup> offense: Two (2) days' suspension from use of the Hiring Hall.
- 2<sup>nd</sup> offense: Ten (10) days' suspension from use of the Hiring Hall.
- 3<sup>rd</sup> offense: Indefinite suspension from use of the Hiring Hall.

## **RULES GOVERNING JOB APPLICANTS**

**Rule 1. AVAILABILITY FOR REFERRAL.** Each applicant seeking referral through the Hiring Hall shall be considered available only if he/she is sober and timely presents himself/herself for selection in an orderly fashion at the Hiring Hall in the proper area marked for his/her classification. Buttons or identification must be made visible to the gang foreman.

Such buttons may be obtained in the Local Union Personnel Office. Applicants who are not seeking referrals at the time shall wait outside the marked referral areas.

**Rule 2. DISQUALIFICATION.** Persons with either of the following disqualification shall not be referred for employment (subject to contractual agreement—Rule 39, “Misconduct,” and Rule 42, “Grievance Procedure”):

- A. Persons who are caught in the act of, and convicted in court for, broaching and/or pilfering cargo; and
- B. Persons repeatedly rejected and/or discharged by the Employer for just cause. Employees jumping a gang without permission may be discharged by the Employer. All discharges of gang members shall be made on behalf of the Employer (subject to Rule 39 and 42 of contractual agreement).

**Rule 3.** Anyone mishandling ships or stevedores gear and the improper handling of any cargo is subject to discipline by the Executive Board.

**Rule 4.** Safety rules set forth in the contract will be the rules of the Local Union. Anyone breaking these rules is subject to discipline by the Executive Board.

**Rule 5.** No individual can work through a meal hour and hire out again unless all members of the gang are free to do so.

**Rule 6. SPECIAL JOB BOARDS.**

- A. Any special job board individual who is out in the day and who is already working may quit, be replaced, and call in for his/her special job, provided the gang is not working the meal hour. Examples: Gang foremen, shore-side container gantry crane operators, heavy lift operators, tractor switchmen, pay

loader operator, truck drivers, etc., must be a regular special board member to that particular job call and must be ordered out.

B. The Executive Board may establish a Truck Driving Board II for non-Master Contract operations as deemed appropriate.

C. Truck Driving Board

(1) All regular board truck drivers will be required to participate a minimum of 140 hours per month. This does not replace the requirement all drivers must cover their outs. Any driver who does not meet the minimum hourly requirement will be removed from the regular board immediately.

Truck drivers looking to be placed or reinstated back to the regular driving board will be placed by seniority and participation. Participation shall be defined as working a minimum of 50% of the total hour requirements for the regular board for the previous month of consideration. For example, if the requirement to be on the regular board is 140 hours per month a truck driver seeking to be placed on the regular board would have to work 70 hours the previous month.

(2) Any truck driver who was been removed from the regular truck driving board will only be placed back on the board upon written appeal to the Executive Board.

1<sup>st</sup> offense – minimum of 30 days off of the Hall Board. Pending review.

2<sup>nd</sup> offense – minimum of 60-90 days off of the Hall Board. Pending review.

3<sup>rd</sup> offense – off of the Hall Board indefinitely.

Truck drivers requesting temporary removal from the truck driving board must complete the “Temp Request Form”. Persons determined to be abusing temporary removal may be subject to having the request denied.

D. Crane Operators

All gantry crane operators on the crane operator board will be required to participate a minimum of 160-200 hours per month.

- This does not replace the requirement all operators must cover their outs.
- Any gantry crane operator who does not meet the minimum hourly requirement will be removed from the gantry crane operator board immediately.
- Any gantry crane operator who was been removed from the regular crane operator board will only be placed back on the board upon written appeal to the Executive Board.

1<sup>st</sup> offense – minimum of 30 days off of the Hall Board. Pending review.

2<sup>nd</sup> offense – minimum of 60-90 days off of the Hall Board. Pending review.

3<sup>rd</sup> offense – off of the Hall Board indefinitely.

- Any appeals will be decided by the Executive Board.

- Any gantry crane operator seeking to be placed back on the crane board must participate a minimum of 75% of the total hour requirements for the crane operator board for the previous month of consideration. For example, if the requirement to be on the crane operator board is 160 hours per month a crane operator seeking to be placed on the crane operator board would have to work 120 hours the previous month.

**Rule 7.** No member of this organization or anyone working through the Hiring Hall shall ever, directly or indirectly, injure or cause damage to the Local Union or the South Atlantic and Gulf Coast District of the International Longshoremen's Association. Anyone found guilty will be subject to Article XVIII, Section I, of the International Constitution.

**Rule 8. Miscellaneous.**

- A. Guidelines for "good and welfare" collections:
- (1) A person requesting good and welfare collection must sign up to collect on a list in the business agent's office.
  - (2) Persons receiving good and welfare must work in the industry and not be retired.
  - (3) No person receiving workers compensation benefits is eligible for good and welfare.
- B. All job board members taking their respective jobs at 10:00 a.m. shall remain on the payroll until 9:00 a.m.
- C. All members are entitled to four (4) buttons. A fee of \$5.00 will be charged for each additional button issued.
- D. Each temporary work pass issued shall cost \$1.00.
- E. No person except a foreman will come before the executive board while they are on the employer's payroll.
- F. Anyone on workers compensation or drawing weekly benefits through Maritime Association—I.L.A. Pension Fund will be allowed to place his/her name on all job board lists and qualify to be placed on the respective boards pending release to return to work and next available position.
- G. There will be a three (3) year statute of limitation on all discipline from the date of each offense.
- H. Any individual accused of wrongdoing pursuant to this Hiring Hall Procedure and failing to appear for hearing after having been given proper notice shall be



penalized one day suspension from use of the hiring hall in addition to any other penalty imposed.

## **GANG FOREMEN AND GANG PROCEDURES**

**Rule 1. SELECTION.** Because of the responsibility of the Local Union for fair and non-discriminatory operation of the Hiring Hall, the Local Union Executive Board shall select the gang foremen according to seniority and qualification from the eligible foremen's list. Gang foremen cannot serve as walking foremen for any employer. Gang foremen shall not hold office in the Local Union.

**Rule 2. REMOVAL.** All gang foremen shall be subject to suspension or removal by the Local Union Executive Board for violating any of the Local Union rules for implementing the Hiring Hall Procedure.

### **Rule 3. DUTY OF FOREMEN AND ELIGIBLE FOREMEN:**

The following penalties apply to violation of the following rules:

1st Offense: Ninety (90) days' suspension from foremanship.

2nd Offense: One hundred eighty (180) days' suspension from foremanship.

3rd Offense: Indefinitely relieved of foremanship.

A. Each foreman must see that his/her time slips are correct when he/she receives them by carefully checking the time slips with the timekeeper to make sure that each man/woman in his/her gang has been credited with the correct amount of time. If the foreman fails to properly check and determine that the time slip is correct, that foreman will be held personally responsible for any loss occasioned by such member or non-member if the mistake is not corrected within two weeks.

B. When a foreman is ordered out at any agreed starting time on any day, the foreman has until 5:00 p.m. the following day to turn in his/her ticket to the Business Agent. Failure to do so will place a foreman on the bottom of the board, and the foreman will not be able to pick up a gang until he goes out again. When a foreman picks up another foreman's gang, this rule will apply to the foreman actually picking up the gang.

C. It shall be the duty of a foreman or eligible foreman to uphold the contract and enforce all contractual agreements and not to make any subcontracts or agreements of the contractual agreement with the stevedores. If said foreman or eligible foreman is so charged and, after due examination, found guilty, he/she shall be penalized.

D. All substitute regular foremen who fail to turn in their time sheets according to the rules set forth shall be penalized.

**Rule 4. JOB CALLS.** Gang foremen shall start selecting applicants according to the following system:

- A. For distant areas out of the Turning Basin such as Barbours Cut, OmniPort, Bulk Plant, Greensport, Imbessa, Care, Bayport, Cargill's, and similar distances, hiring time shall be one hour prior to the starting time. Midnight starts shall be hired at 6:00 p.m.
- B. No foreman shall hire any person before the specified hiring time.
- C. The Turning Basin shaping times shall be 6:15 a.m. for the 7:00 o'clock call; 7:15 a.m. for the 8:00 o'clock call; 9:15 a.m. for the 10:00 o'clock call; 12:15 p.m. for the 1:00 o'clock call; 2:15 p.m. for the 3:00 o'clock call and 6:15 p.m. for the 7:00 o'clock evening call. The number and names of gang foremen to select applicants and the names of applicants to fill special jobs shall be made available on the telephone recorder, whenever possible, by 8:15 p.m. on the preceding evening for the 7:00 and 8:00 a.m. calls and by 8:15 a.m., 11:15 a.m., and 5:15 p.m. for the respective later calls.
- D. Automobile and RoRo operations will be hired one- and one-half hour (1 ½) prior to starting time.

**Rule 5. REFERRALS.**

- A. Gang foremen shall have the responsibility of selecting applicants daily on a non-discriminatory basis and shall give preference to available, qualified applicants in the order of their seniority classification.
- B. Job referrals and assignments in the Hiring Hall, as well as at the job site, shall be given according to seniority; and the foreman shall in good faith give preferences to those who are qualified to perform the work assigned.
- C. Any foreman found guilty of violating any of these procedures shall be subject to the following penalties:
  - 1st Offense: Ninety (90) days' suspension from foremanship.
  - 2nd Offense: One hundred eighty (180) days' suspension from foremanship.
  - 3rd Offense: Indefinite suspension from foremanship.

**Rule 6. MISCELLANEOUS RULES.**

A. **STATUS REPORT BY FOREMAN.** All foremen must inform the Business Agent of their daily status in the hatch or on the ship in which they are assigned, i.e., finished, ordered back, or lying dead. Any foreman falsely reporting to the Business Agent regarding his/her status shall be placed on the bottom of the board and not allowed to pick up a gang until he goes out again.

B. **FOREMAN LATE.**

(1) Whenever a foreman fails to promptly present himself at the required time for hiring and another foreman is placed in charge of said gang by the Business Agent, the placed

foreman shall have charge of the gang until the completion of work for that day and shall not relinquish his/her position unless properly relieved by the Business Agent or someone in authority.

(2) When gangs are called for any start, any foreman failing to pick up his/her gang will not be permitted to accept referrals with any other gang until the next hiring time. (7:00 a.m. and 8:00 a.m. will be considered the same starting time. The next hiring time will be 10:00 a.m.)

(3) When the Business Agent sends replacements, he/she shall start in the top seniority section for add-ons and key jobs; for working jobs, he/she shall start in the seniority position in which the foreman stopped.

C. Under no circumstances shall any foreman be permitted to change his/her gang on the board from one ship or one hatch to another.

D. CUTTING OFF MEN. Any foreman cutting men/women from his/her gang must cut off the lowest class first according to seniority. This applies when foremen are shaping gangs in the Hiring Hall also.

E. INCREASING GANG OR REPLACING PERSONS IN GANG. After a gang has been formed and placed to work and the gang has to be increased or a person replaced, the foreman or stevedore must get in touch with the Business Agent for the purpose of supplying such extra persons. Under no circumstances shall any person, whether a member of the Local Union or not, be picked up on the dock and placed in any gang unless the Business Agent has been unable to supply such extra persons. Any extra person must have an authorization slip from the Business Agent's office.

F. Under no circumstances shall a foreman be allowed to take a day gang back for a 7:00 p.m. start (except as authorized by the Business Agent).

G. WHEN HATCHES ARE DOUBLE. When hatches are double and the foreman selects his/her end of the hatch, the foreman shall remain in his/her end of the hatch daily as long as two gangs remain. If a gang is to be cut off, the right of way gang must come back unless there is a question of number of men to do the work.

H. Any foreman who takes a gang to the ship must stay and supervise the gang at all times. Any foreman violating this rule will be removed from foremanship immediately and may remain suspended until there is a hearing by the Executive Board.

I. At the specific time gang foremen are hiring men, they will pick up the individual's button or work card, and the foreman or his/her designee shall enter the names on the clip board.

J. The foreman must retain all identification until the gang has reported to work at the starting time for which they were hired, then return the identification to the individual. The foreman will bring the buttons or work cards of those who have quit during the

workday to the Union Hall in time for these persons to reclaim them from the Local Union Office before the approaching hiring time, if possible.

K. No person will be added to the gang without the permission of the foreman.

L. Foremen are required to write down three (3) additional names by seniority for job replacements on the night shift.

M. **FAILURE TO COMPLY WITH HIRING RULES.** Any foreman failing to comply with the rules herein shall be subject to discipline in accordance with the procedures set forth in Rule 6 of these Standing Rules:

1st Offense: Twenty (20) days' suspension from foremanship

2nd Offense: Forty (40) days' suspension from foremanship.

3rd Offense: Indefinite suspension from foremanship.

N. Upon being reinstated to the foreman's board, this foreman will be placed \$0.01 from the top of the board.

O. Before being placed on the Board, all new foremen must come before the Executive Board for orientation.

## **GOVERNING RULES**

### **ENFORCEMENT OF HIRING HALL PROCEDURES, RULES OF ORDER AND DISCIPLINE, RULES GOVERNING JOB APPLICANTS, AND STANDING RULES**

Enforcement of the Hiring Hall Procedure, Rules of Order and Discipline, Rules Governing Job Applicants, and Standing Rules shall be subject to the following procedural safeguards, which shall be applicable to all disciplinary proceedings initiated under any such rules. The procedures set forth herein apply to all persons working or seeking work through the Hiring Hall of the Local Union, but may not be construed to conflict with rights and procedures spelled out in the Constitution and Bylaws of Local 24 or the South Atlantic and Gulf Coast District of the International Longshoremen's Association, or the International Longshoremen's Association for members of the I.L.A.

A. Disciplinary action may only be initiated by written charges filed by any person working through the Hiring Hall of Local 24, or by any officer, employee, or member of Local 24. Such charges shall specify the acts or conduct alleged as a violation, and the applicable rule and shall be signed by the persons filing the charge. Such charges shall be filed with the Personnel Director of Local 24. The Personnel Director shall transmit a copy of the charges to the accused at his/her last-known address, together with written notice of the time and place of hearing, which shall be held not less than five (5) days after the date of notice.

B. Hearings on charges shall be held by the Executive Board of Local 24 or by a committee appointed by the Executive Board to hear and report the evidence to it. The accused shall be afforded a full and fair hearing and shall have the right to appear at such

hearing, to produce and cross-examine witnesses, to file statements, and to be represented by any person working through the Hiring Hall of Local 24 designated by him/her for that purpose. Upon completion of the hearing, a decision shall be served by the Personnel Director upon the accused and the accuser. If the accused or accuser is a member of the Executive Board, the accused or the accuser, as the case may be, shall not sit on the Board, and the remaining members of the Board shall have power to act.

C. Hearings may be held on any charge, notwithstanding the failure of the accused to appear after being given notice pursuant to the provisions of this section.

D. The decision of the Executive Board pursuant to subparagraph B above may be appealed to the Appeals Committee in writing within seven (7) calendar days following receipt of the Executive Board's written decision. The Appeals Committee shall be composed of three (3) employees designated by the President and approved by the Executive Board of Local 24 and Gene L. Locke (or his/her designee or successor) to serve as a public member. The three (3) employee members of the Committee shall be selected without reference to race, color, or membership or non-membership in the Local Union. Local Union officers shall not be designated. It shall be the function of the Appeals Committee to consider any written appeal concerning the enforcement or implementation of the Hiring Hall Procedure, Rules of Order and Discipline, Rules Governing Job Applicants, or Standing Rules of Local 24.

E. The Appeals Committee shall have the power and duty to make a final and binding decision on any appeal taken to it, and the Local Union agrees to comply with the decision. In the event of a dispute between the public and non-public members of the Appeals Committee, the decision of the public member shall prevail. The Appeals Committee may adopt by majority vote and issue reasonable procedural rules for the conduct of its business, but the Committee shall not add to, subtract from, or modify any provision of the Hiring Hall Procedure, Rules of Order and Discipline, Rules Governing Job Applicants, or Standing Rules. Nor shall it have any authority to interpret or rule on any provision of the Bylaws of Local 24, the South Atlantic and Gulf Coast District, International Longshoremen's Association, or the International Longshoremen's Association.

F. Requests for appeals pending as of the date of adoption of this amendment shall be heard by the Appeals Committee.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

CIVIL ACTION NO. 69-B-3

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,**

Plaintiff

v.

**INTERNATIONAL  
LONGSHOREMEN'S ASSOCIATION et al.,**

Defendants

**REPORTS OF LOCALS 872 AND 1273**

**ON**

**HIRING HALL PROCEDURE**

Locals 872 and 1273 respectfully report to the Court that they have mutually agreed to the Hiring Hall Procedure attached hereto. Undersigned counsel are authorized by District Counsel James Watson to say that the District has no objection thereto.

Respectfully submitted,

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## **ORDER**

Pursuant to the agreement of the interested parties, the attached Hiring Hall Procedure for the newly merged local consisting of Locals 872 and 1273 is hereby approved by the Court.

Signed this 30th day of March, 1983.

NORMAN BLACK