

## **IBEW Local 38 Referral Rules**

This out of work procedure is for those unemployed electrical workers under a Collective Bargaining Agreement (CBA) of the IBEW seeking work in IBEW Local 38's jurisdiction.

Cuyahoga County	Entire County, All Townships
Geauga County	Bainbridge, Chester and Russell Townships
Lorain County	Columbia Township

### **ARTICLE I REGISTRATION**

#### **Section 1.01 - Initial registration**

- a) Initial registration must be in person between 7:30 AM and 4:00 PM at:  
IBEW Local 38's Office  
1590 East 23<sup>rd</sup> Street  
Cleveland, Ohio 44114
- b) All applicants will fill out a referral application form and provide documentation for Group placement if not previously documented in Local 38's database. Any changes of special skills after initial registration must be documented by the applicant to the Union office.
- c) Employers may request applicants with special skills and abilities so long as the employer has a verifiable bona fide requirement for them. Applicants will only be contacted for jobs requiring a special skill or ability if they have registered them on the referral application.
- d) All application forms will be date and time stamped when completed by applicant, copy to applicant.
- e) A Business Representative will review the application and all documentation and properly classify applicant under the appropriate Collective Bargaining Agreement.
- f) Applicant will be properly classified for referral in Local 38's database and assigned the next sequential registration number of the appropriate Group based on the date and time stamp by the computer.
- g) Original application forms will be kept in a hardbound group book by date and time stamp and available for inspection by all registered applicants.

#### **Section 1.02 - Re-Sign Procedures**

- a) **AT THE PRESENT TIME WE ARE ON A YEARLY RE-SIGN.** For an applicant to remain registered they must re-sign the month of February. Resigns will be accepted between the 1<sup>st</sup> and the 28<sup>th</sup> of the month, not before and not after. Failure to comply will result in removal from the group and a new application in person will be required.
- b) Minimum re-sign information required:
  - Name
  - Group Number and Registration Number
  - Original and Last Registration Date.
  - Current Phone Number
  - Change in Home Address (if applicable)
  - Local Union Number and IBEW Card Number (if applicable).

c) Re-sign may be accomplished by:

In person.

Mail (must be received at the Union office between the 1<sup>st</sup> and the 28<sup>th</sup> of the month of February).

IBEW Local 38  
1590 East 23<sup>rd</sup> Street  
Cleveland, Ohio 44114

Fax: (216) 696-0660.

E-mail: [reregister@ibew38.org](mailto:reregister@ibew38.org)

## ARTICLE II DISPATCH SYSTEMS

**Section 2.01** - Any request<sup>1</sup> by a signatory employer who contacts IBEW Local 38 for electrical workers under the Inside CBA, the Teledata CBA or the Residential CBA by 12 p.m. (noon) Monday through Friday will be considered timely for the day of the request and will be processed the same day.

**Section 2.02** - All jobs to be filled will be placed on IBEW Local 38's job line – (216) 586-9400 at approximately 12:15 PM for inspection by all applicants. If an applicant hears the message and is interested, he/she may call the union and get “penciled in” but must call back by 3:00 PM to confirm that he/she was awarded the job. If the penciled in applicant is eligible for the job and does not confirm by 3:00 PM, the Union will continue to call applicants to fill the job request.

**Section 2.03** - The Union will start calling<sup>2</sup> referral applicants in the order of their referral position by group at 2:00 p.m. and continues until all jobs are filled. The Business Manager is responsible to fill calls in a timely manner as needed by employers. This means in an emergency, referral may have to be made outside normal hours using whatever means are available to fill calls and place registrants.

**Section 2.04** - Employers may request applicants with special skills and abilities so long as the employer has a verifiable bona fide requirement for them. Applicants will be called for special skills or abilities from employers if they have registered for the special skills<sup>3</sup> or abilities on their original application form. The special bona fide skills recognized for the purpose of dispatching work are:

### Inside Agreement

Fire Alarm (*On Jobs requiring a license*)  
OSHA 10 (*On Jobs requiring a license*)  
OSHA 30 (*On Jobs requiring a license*)  
Welding

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<sup>1</sup> Employer request may include a drug free card as per the CBA and will result in a turndown if applicant does not have one.

<sup>2</sup> The Union will contact the telephone number listed on applicant's original registration form. It is the responsibility of the applicant to notify the Union office of any changes in their contact number.

<sup>3</sup> It is the responsibility of the applicant to notify the Union of any changes in his/her special skills or abilities from their original application form. Such notification of changes will be made to applicant's record one business day after the notice is received.

Climbing  
Temperature Control  
Cable Splicing (Greater than 2,000 Volts)  
ICRA  
City of Cleveland Resident  
Minority  
Female

#### Teledata Agreement

BICSI 250  
BICSI 350  
Security  
AV  
Fire Alarm (*On Jobs requiring a license*)  
OSHA 10 (*On Jobs requiring a license*)  
OSHA 30 (*On Jobs requiring a license*)  
ICRA  
City of Cleveland Resident  
Minority  
Female

#### Residential Agreement

Fire Alarm (*On Jobs requiring a license*)  
OSHA 10 (*On Jobs requiring a license*)  
OSHA 30 (*On Jobs requiring a license*)  
City of Cleveland Resident  
Minority  
Female

**Section 2.05 – Per Section IV, 4.14 (b) of the Agreement** - Any applicant who received two discharges for cause within a twelve month period will be suspended from future referral privileges until he/she appears before the Appeals Committee for a determination as to their continued eligibility for referral and the Union has been notified by the Appeals Committee of its determination in writing.

**Section 2.06 –** As of January 1, 2019, the number of weeks<sup>4</sup> that will be allowed to be accumulated by members while maintaining their current registration number on the book will be 8 weeks.

### ARTICLE III

#### CALLS

**Section 3.01** - Any applicant accepting a call shall be responsible to fulfill the length of the call or may face disciplinary action.

**Section 3.02** - Any applicant accepting a call who does not show up for work or takes the call under false pretenses (i.e., not having a fire alarm license or drug card when one was required) may be charged the weeks the call was good for. Any applicant causing harm to the membership or the referral system for violating this section shall be subject to disciplinary action.

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<sup>4</sup> A week will be defined as any amount of time worked Monday through Sunday.

**Section 3.03** - Upon completion of any call, it is the responsibility of the applicant to notify the Business Representative on duty at the union hall within 24 hours.

**Section 3.04** - It is the responsibility of the applicant to check periodically to make sure they are familiar with all up to date referral rules, that they are positioned correctly on the book, and that all of their personal information, special skills and abilities are up to date. (CURRENT)

**Section 3.05** - Any applicant who quits a job or gets fired shall have to re-register following the rules in Article 1, Section 1.01.

## ARTICLE IV

### FOREMAN CALL BY NAME

**Section 4.01** - The Employer shall have the right to call one foreman per job, by name.

**Section 4.02** - All requests for Foreman by Name must be in writing and include the following information:

Name and Address of Company Making Request  
Name and Contact information of Company Representative Making Request  
Name and Location of Job  
Approximate Length of Job  
Name of applicant requested

**Section 4.03** - When request is approved, the applicant will be contacted and if request is accepted a work referral will be issued.

## ARTICLE V

### PORTABILITY REFERRALS

**Section 5.01** - An employer signatory to a collective bargaining agreement or to a letter of assent to an agreement with another IBEW Local Union, who signs an assent to the Inside CBA, the Residential CBA or the Teledata CBA may bring up to X<sup>5</sup> bargaining unit employees employed in that Local Union's jurisdiction into this Local's jurisdiction and up to two bargaining unit employees per job from that Local's jurisdiction to this Local's jurisdiction for specialty or service and maintenance work.

**Section 5.02** - All applicants for employment under this section shall be registered with the Union office by the employer with the following information prior to work beginning:

Employer Name  
Employer Address  
Employer Telephone Number  
Employer Contact Person  
Job Name  
Job Address  
Job Start Date

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<sup>5</sup> **Inside CBA:** Four bargaining unit employees. Two bargaining unit employees when local area unemployment exceeds 10%. **Residential CBA:** Four bargaining unit employees. Two bargaining unit employees when local area unemployment exceeds 10%. **Teledata CBA:** Eight bargaining unit employees.

Job Completion Date  
Approximate Hours of Job  
Employee(s) Name(s)  
Employees Home Local (if applicable)  
Employees(s) Union Card Number

**Section 5.03** – All properly registered employees for portability work by the employer will be issued a work referral.

## **ARTICLE VI**

### **APPEALS**

**Section 6.01 – Per Section IV, 4.17 of the Agreement** - It shall be the function of the Appeals Committee to consider any complaint of any employee or applicant for employment arising out of the administration by the Local Union of Sections 4.04 through 4.15 of the Agreement. The Appeals Committee shall have the power to make a final and binding decision on any such complaint which shall be complied with by the Local Union. The Appeals Committee is authorized to issue procedural rules for the conduct of its business but it is not authorized to add to, subtract from, or modify any of the provisions of this Agreement and its decisions shall be in accord with this Agreement.

IBEW Local 38  
1590 E. 23<sup>rd</sup> St.  
Cleveland, OH 44114  
Phone: (216) 621-3090

## **ARTICLE VII**

### **CHANGES**

**Section 7.01** – This referral policy is subject to review and changes at anytime. Before any changes are adopted to this referral policy, all applicants registered will be notified by an e-mail blast, posting on the website and on the Local 38 job line.

