

HIRING HALL PROCEDURES



2nd Edition

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1st Edition

Adopted August 17, 2010

**International Alliance of Theatrical Stage Employees,
Moving Picture Technicians, Artists and Allied Crafts,
of the United States, its Territories and Canada, AFL-CIO, CLC**

**IATSE Local 442
PO Box 413
Santa Barbara CA 93102-0413
(805) 898-0442
www.iatse442.org**

Preamble

These are the dispatch rules for IATSE Local 442's Hiring Hall.

It is the mission of the Hiring Hall to use these rules to dispatch available work to its registered and eligible stagehands in a fair and equitable manner based upon a number of objective criteria. It is the intent of this document that the most senior/qualified personnel will be provided to the employers.

The Hiring Hall rules do not discriminate by race, color, national origin, creed, religion, age, gender, sexual orientation, disability, union affiliation or as otherwise prohibited by applicable state or federal legislation.

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1 Eligibility

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

- Stagehands must be current with any payment of financial obligations or payroll percentage owed to IATSE Local 442.
- Stagehands must not be non-referred from dispatch to the employer in question. Such non-referral may only take place following the language outlined in the collective bargaining agreement with said employer or by other legal procedure.
- Stagehands must not be suspended from dispatch by Local 442. Such suspension may only take place following the guidelines set forth in this document.

All stagehands are employed by the entity originally requesting labor referral from the Hiring Hall. The Hiring Hall is not an employer of any stagehand. Maintaining a position on the Dispatch List in accordance with these rules does not guarantee labor referral for any stagehand. Any stagehand wishing to be removed from the Hiring Hall Dispatch Lists must do so by returning a completed Hiring Hall Dispatch Removal Request form to the Local 442 Business Agent.

Any questions a stagehand may have about their area work seniority/eligibility status must be directed to the Local 442 Business Agent.

The Business Agent can be reached by mail or telephone Mon-Fri between 10a-4p.

IATSE Local 442
Attn: Business Agent
P.O. Box 413
Santa Barbara CA 93102
(805)898-0442

2 Calling Rules

2.1 General Dispatch Calling Rules

It is the responsibility of the Business Agent and Call Steward of IATSE Local 442 to fill employer labor requests to the best of their ability in accordance with the rules of the Hiring Hall and the applicable collective bargaining agreement. The Call Steward shall be held to the same dispatch calling procedure as the Business Agent. It is the responsibility of the Business Agent to apprise the Call Steward of each stagehand's eligibility status. The Business Agent/Call Steward (BA/CS) shall contact each eligible stagehand in Dispatch List order using the procedure set forth herein. The BA/CS will dispatch calls, by telephone, between the hours of 8:00 am and 6:00 pm, with time off for lunch, except in case of an emergency. The BA/CS is not obligated to call stagehands that have already begun working on a labor request when their current hours conflict with the new labor request. For each labor request the BA/CS will be required to make only one dispatch call to each stagehand.

2.2 Direct contact

The BA/CS must make direct contact with the stagehand or leave an electronic message. No third party messages will be left unless it is the only option. An electronic message may consist of a voice mail, answering machine message, telephone text, e-mail or electronic page. The BA/CS may not accept a third party response to accept or decline any offered work.

2.3 Non-availability and Inactive Status

Any stagehand wishing **not** to be called for dispatch to specific venues or employers must request, in writing, and return a completed Dispatch Removal Request Form to Local 422 Business Agent. Please be advised that this may negatively affect your annual documented labor referral availability hour accumulation.

If the Business Agent is aware that a stagehand is unavailable for dispatch, but has not been informed in writing, they may petition the Executive Board to forgo obligation to call said stagehand. A stagehand may inform the Business Agent, in writing, of their full or part time work schedule and request to be called only for labor requests that do not conflict with said schedule. Stagehands informing the BA/CS of Non-Availability shall not have work missed during that period count as a turn down.

Any stagehand who fails to respond to three consecutive calls placed by the BA/CS will be placed in Inactive Status. Stagehands placed in Inactive Status will be temporarily removed from the Dispatch Call List until they contact the Business Agent, and ask to be reinstated. Once reinstated, they will be returned to their respective position on the list. If at any time the BA/CS is unable to reach a stagehand by their contact information on file, the BA/CS will not be obligated to attempt contact while dispatching work until the stagehand provides current contact information. It is the responsibility of the stagehands to inform Local 442 Secretary/Treasurer and the Business Agent, in writing or e-mail, of any change in their telephone number or mailing address within ten (10) calendar days of any such change. It is the responsibility of the BA/CS to keep complete records of all dispatch calls made. Any stagehand with a question about a specific dispatch call may review these records by appointment with the Business Agent.

3 Dispatch Calling Procedure

3.1 Calling

The BA/CS shall attempt to make direct contact with the stagehand by calling up to two (2) available contact phone numbers for the stagehand. If direct contact is made with the stagehand, they shall have a response grace period to accept or decline the call by phone, fax or email to the BA/CS. If no direct contact is made, an electronic message will be left and the stagehand will have a response grace period to accept or decline by phone, fax or email to the BA/CS. The response grace period shall be six (6) hours from the time of call. If no message can be left, this shall be accepted as the dispatch call attempt. Stagehands responding within the response grace period will be placed on the labor request in Dispatch List order. Stagehands responding after the response grace period may be placed on the labor request, if a position remains, in the order of their response. Once the labor request is filled, the BA/CS shall not be obligated to respond to stagehands not needed.

3.2 Availability Call

To expedite the filling of labor requests the BA/CS may call stagehands to determine their availability, but not offer any work. These calls will be made in Dispatch List order.

The BA/CS will inform the stagehand this is only an availability call, and no work is being offered.

4 Emergency Dispatch Calls

Twenty-four (24) hours or fewer prior to the commencement of a labor request shall constitute an emergency dispatch call. In such an emergency the BA/CS shall move directly through the Dispatch List calling each stagehand at the phone number they are most likely to be reached. Either by direct contact or electronic message the stagehand will be informed the dispatch call is of emergency status and until what time the labor request will be filled in Dispatch List order. The labor request will be filled in Dispatch List order until eighteen (18) hours prior to or 6:00 pm the night before its commencement. Eighteen (18) hours or fewer prior to, or 6:00 pm the night before, the commencement of a labor request, stagehands accepting previously made dispatch calls will be placed on the labor request in the order of their response. The BA/CS may call any eligible stagehand regardless of dispatch list order so the labor request may be filled in a timely manner. If direct contact is not made, the BA/CS will leave an electronic message with the details of the labor request and of its emergency status, but is not obligated to wait for a response before filling the labor request. The BA/CS is not obligated to call stagehands that are already dispatched on a labor request where the hours will conflict with the new labor request. Declining or not responding to an emergency call will not be considered a dispatch call turn down.

5 Additions and Replacements to Labor Requests.

In the event additional or replacement stagehands are added before the start of an existing labor request it shall be the responsibility of the BA/CS to fill said positions. If the additional or replacement times and dates differ from the original labor request the BA/CS shall first contact stagehands who are already on the labor request, in dispatch list order within Specialty Personnel areas or departments.

If no stagehand previously on the labor request, within the Specialty Personnel area or department is able to accept the additional duties the Job Steward shall contact stagehands who are already on the labor request in dispatch list order. If no stagehand previously on the labor request is able to accept the additional duties the BA/CS or Job Steward shall call for additional stagehands in proper Dispatch List order. If the new labor request is of a temporary nature the BA/CS shall inform stagehands of this while making the dispatch call. Replacements, temporary or permanent, shall be granted only in cases of emergency, by prior arrangement or due to disciplinary action.

6 Leaving a Dispatched Position

All advance requests for temporary replacement from a labor request must be made at the time of call acceptance and approved by both the Business Agent and Call Steward. Such requests will be judged on a case by case basis and are not required to be fulfilled. Anyone requesting temporary replacement from a labor call due to their required elected or volunteer civic duty, such as elected government positions, armed service duty, voting polls stagehand, or jury duty, shall be granted an exemption. Any stagehand requiring either temporary or permanent emergency replacement should first attempt to make direct contact with the Job Steward. If the Job Steward is not available they should next attempt to contact the Business Agent. While it is appropriate to leave a voice mail message the stagehand should not assume that such a message will be retrieved in a timely manner and should continue to attempt to make direct contact with one of these two people.

7 Reductions to Labor Requests

In the event that an employer decreases the original number of stagehands requested before the start of a labor request stagehands will be removed in reverse Dispatch order. In the event that an employer decreases the original number of stagehands requested after the start of a labor request the Job Steward may remove stagehands in reverse Dispatch List order.

8 Work Referral Protocol

The Hiring Hall shall refer stagehands to employers by means of the following categories.

8.1 Job Steward

The President shall appoint Job Stewards. Job Stewards shall be subject to Executive Board disciplinary action based on established uniform criteria for Job Steward Performance, including suspension from such duties.

8.2 Specialty Personnel

In the absence of collective bargaining agreement language, governing the requesting of Specialty Personnel for skill, gender or experience, the guidelines in this document shall apply. There is no limit to the number of Specialty Personnel within any labor request. Specialty Personnel are stagehands requested by skill, experience or gender, not by name.

Specialty personnel may be requested by gender only if bona fide occupational qualification (BFOQ) is clearly demonstrated by the employer making the request. *Specialty Personnel requested by skill must only be used in the capacity requested.*

Specialty Personnel skills may include, but are not limited to: shop carpenters, fly rail operators, theatrical and non-theatrical riggers, fork lift and aerial lift operators, truck loaders, qualified hookup electrician, lighting, sound and video system operators and technicians, dressers, sewers, beaders, laundry personnel, hair personnel, make-up personnel and heads of departments.

The BA/CS shall follow the Specialty Personnel Dispatch List order when making dispatch calls for Specialty Personnel labor requests. A stagehand may be dismissed from a labor request when judged by the Job Steward or the Business Agent and Employer, both in writing, for not achieving the level of skill required performing a specific job.

8.3 Personnel Requested by Name

In the absence of collective bargaining agreement language, governing the requesting of personnel by name, the guidelines in this document shall apply. The Employer or their designated representative may request stagehands by name. This request will be considered when filling the labor request. Requests by name shall not include the Job Steward. All requests for personnel by name must be made in writing, or email to the Business Agent four (4) days prior to the commencement of a labor request. No standing request will be allowed.

8.4 General Personnel

All other requests for personnel shall be considered requests for General Personnel. The BA/CS shall follow the General Personnel Dispatch List order when making dispatch calls for General Personnel labor requests.

9 Dispatch Lists

9.1 General Personnel Dispatch List

Skill levels shall include the objective criteria described below.

To become a Local 442 Apprentice stagehand, you must gain approval of the Local 442 Board of Examiners. To become or advance to Journeyman stagehand status, you must gain approval of the Local 442 Board of Examiners.

Stagehands who have limited availability due to injury or because they receive Social Security or Workers Compensation may appeal, in writing, to the Business Agent for special attention concerning this area. Documentation shall be required for exemption from minimum hour requirements.

Hiring Hall Certification Date (HHCD) shall be based on the date a stagehand in good standing successfully completes the following criteria as described.

A stagehand shall be given "A" group status whenever they meet the following qualifications.

- Meet all eligibility requirements as outlined under Eligibility and Dispatch Groups.
- Achieve Journeyman status with IATSE Local 442.
- Must make \$3,000.00 per year minimum financial requirements for three (3) consecutive years in "B" Group.

A stagehand shall be given "B" group status whenever they meet the following qualifications.

- Meet all eligibility requirements as outlined under Eligibility and Dispatch Groups.
- Have passed the written portion of the general skills test or achieved Apprentice status with IATSE Local 442
- Must make-\$3,000.00 minimum financial requirements for one (1) year in "C" Group.

9.2 Specialty Personnel Dispatch List

The employer will provide Specialty Personnel skill level requirements needed for a particular labor request. The Business Agent shall make every effort to fulfill these requirements when filling a labor request. Specialty Personnel skill levels shall be calculated by the Business Agent and Qualifications and Training Officer as objectively as possible using, but not limited to the following criteria: documented, demonstrated or other objectively recognized skills, documented hours worked within particular Specialty Skills areas and stagehands Hiring Hall Certification Date (HHCD).

Specialty Personnel skills shall be within the following departments:

- **Carpentry:**
 - Shop carpenters, fly rail operators, theatrical and non-theatrical riggers, forklift and aerial lift operators and scenic artists.
- **Electrics:**
 - Qualified hookup electrician, computer lighting system operators and technicians, follow spot operators and technicians.
- **Sound:**
 - FOH mixers, monitor mixers, playback operators and technicians.
- **Wardrobe:**
 - Dressers, sewers, pressers, laundry personnel.
- **Hair:**
 - Hair personnel and make-up personnel.
- **Props:**
 - Properties carpenters, artist, set dressers personnel.
- **Video:**
 - Video and PowerPoint operators

AVAILABLE TO WORK CALL-IN

The dispatch system is easy to use. Each Sunday between the hours of 8 am and 6 pm, you must call, text, or email the call steward to report your availability for dispatch for two (2) weeks from the Sunday in which you are calling.

When you call in, you will leave a brief, detailed message informing the call steward of your specific availability and work preferences.

During the next week, the call steward will text, email, or call you as they go through the list of workers, who have reported their availability, offering work in seniority order with respect to skills.

The work you accept will usually happen the following week, although exceptions happen in cases of emergency.

Any remaining calls will be dispatched in the same order of workers calling in late and last; those remaining members and non-members

DISPATCH ORDER

Dispatch order is based on your area seniority date.

Starting January 1, 2018, all new group B members area date will be their initiation date into the IATSE. This will be their only date if they follow the minimums of each group. If they do not meet the minimums of each group, their area dispatch date will start anew following the terms of the Hiring Hall.

Group C seniority date will be their first work date after the mandatory probation period. To maintain their group C area date they must make \$1,500.00 per year minimum financial requirement through the IATSE Local 442 dispatch office.

10 Dispatch Groups

10.1 Group "A": Journeymen

The qualifications for achieving Group "A" Status shall be:

- Meet all eligibility requirements as outlined under Eligibility and Dispatch Groups.
- Must make \$3,000.00 per year minimum financial requirements for three (3) consecutive years in "B" Group.

To maintain Seniority in Group "A":

Must make \$3,000.00 per year minimum financial requirements in previous year through Local 442 Union Contracted Venues or IATSE Pink contracts.

Should a stagehand in Group "A" fail to meet the annual financial requirements, they will move below stagehands who successfully reach the financial requirements. Anyone not reaching the requirements due to lack of available work may petition the Business Agent as described in section 11.

10.2 Group "B": Apprentice

The qualifications for achieving Group "B" Status shall be:

- Meet all eligibility requirements as outlined under Eligibility and Dispatch Groups.
- Must make \$3,000.00 minimum financial requirements for one (1) year in "C" Group.

To maintain Seniority on Dispatch List "B":

- Must make \$3,000.00 per year minimum financial requirements in previous year through Local 442 Union Contracted Venues

Should a stagehand in Group "B" fail to meet the annual financial requirements will move below stagehands who successfully reach the financial requirements. Anyone not reaching the requirements due to Lack Available of Work may petition the Business agent as described in section 11.

10.3 Group "C": Casuals

Group "C" shall consist of all other qualifying stagehands and all new stagehands. All new stagehands shall be placed in Group C commencing with the first day the individual is employed under a collective bargaining agreement held by IATSE Local 442, whether by dispatch or direct employment. If two or more stagehands begin on the same day, the order of their placement shall be determined by the date their Dispatch Information Sheet was received by IATSE Local 442. If both Sheets were received on the same date, or if neither stagehand has a Sheet on file with the Union, the order of their placement shall be determined by lottery.

Must make \$1,000.00 per year minimum financial requirements in one (1) of the previous two (2) years.

Should a stagehand in Group C fail to meet these qualifications, they will be removed from the dispatch list. These stagehands may re-apply at any time after being removed from the dispatch list. The first twelve (12) calls shall be probationary.

10.4 New Applicants

All new applicants must submit their Dispatch Information to the IATSE Local # 442 Business Agent for consideration. Anyone who sends a stagehand inquiry to the office of IATSE Local # 442 at P.O. Box 413, Santa Barbara, CA. 93102 shall be sent a packet of information including a Dispatch Information Sheet and the Stagehand Agreement. The new applicant will be considered for dispatch upon the return of the requested information. A reasonable effort shall be made to keep the new applicants in an order determined by the date their Dispatch Information Sheet is received. However, a new applicant who is determined to be better qualified on the basis of their resume and Dispatch Information Sheet or a new applicant who is requested by an employer in accordance with this document and the applicable collective bargaining agreement may be dispatched for employment ahead of other applicants. If a new applicant has not accepted a call within the one (1) year of the receipt of their information they must reassert their interest in remaining on the dispatch list in writing to the Business Agent.

Should a new applicant fail to meet these qualifications, they will be removed from the list. Those removed may reapply at any time. The BA/CS will initiate the first telephone contact with the new applicant in regard to dispatched employment. Once a new stagehand accepts a call through the Hiring Hall or is employed directly by an employer under a collective bargaining agreement held by IATSE Local # 442, they will be placed at the end of Group C.

11 Lack of Available Work

For any year that the work available to the stagehands on the Dispatch List is not enough to allow them to maintain their positions on the lists, the Executive Board may revise the required minimum number of hours to reflect the work available. They will do so during the First Quarter of the following year. Any stagehand feeling that the number of calls made available to them has adversely affected their position on the Dispatch List may request such a review of the Board. Any revisions by the Executive Board of these minimums must be approved by the membership. Stagehands who receive Social Security, limiting their ability to accept calls, may be exempted from the minimum number of hours required to remain in their group at the discretion of the Executive Board. It is the responsibility of such stagehands to inform the Business Agent of their situation. Some documentation may be required. Stagehands, who are injured or receive Workmen's Compensation from work accepted through this hiring hall, limiting their ability to accept calls, may be exempted from the minimum number of hours required to remain in their group at the discretion of the Executive Board. It is the responsibility of such stagehands to inform the Executive Board of their situation. Some documentation may be required. Stagehands that have been placed in Inactive Status within the last 12 months may not be eligible. Stagehands barred or suspended from the Hiring Hall within the last 12 months are not eligible.

12 Additional Methods of Qualification

The Executive Board may consider additional methods of meeting the qualifications for remaining in a dispatch group. These methods include:

- The Call Steward shall be credited 100% of the financial requirement per calendar year while in office.
- The other Executive Board members shall be credit 50% of the financial requirement per calendar year while in office.

13 Discipline

13.1 Expectations

All stagehands dispatched by the Hiring Hall are representatives of IATSE Local 442 in their place of employment and are expected to abide by and uphold the IATSE Local 442 Hiring Hall Conduct Policy. Failure to do so shall result in disciplinary action.

13.2 Disciplinary Action

The Executive Board shall be the sole disciplinarian of these rules. Disciplinary action shall be taken by the Executive Board on the basis of written information provided by the Business Agent, an Employer and/or Coworker. Disciplinary action may consist of, but is not limited to monetary fines, suspension from dispatch, successful completion of an appropriate rehabilitation or training program, or proof of knowledge of a skill or concept. Any disciplinary action taken by the Executive Board will be done in closed session after the charged party has been given notice of the complaint, time and place of closed session and opportunity to respond in person or written letter to the Executive Board. If any disciplinary action is taken against the stagehand, it must be accompanied by a letter of explanation to the stagehand. There shall also be opportunity granted for appeal to the Executive Board and/or the membership of IATSE Local 442.

Stagehands being requested to appear before the Executive Board for consideration of disciplinary action will be contacted by return receipt letter. The Executive Board may choose to suspend from dispatch, where lawful, said stagehand if they are unable to be contacted or refuse to respond.

14 Administration, Oversight, Review

The Administration and Oversight of the Hiring Hall and its Procedure shall be the responsibility of the Executive Board and membership. The Business Agent shall publish and submit the Dispatch Lists to the Call Steward, Job Stewards and membership of IATSE Local 442 at the first regularly scheduled general membership meeting of each calendar year. The Executive Board shall review the Hiring Hall Procedure and offer any proposed revisions, other than Dispatch Lists, on a quarterly basis. The Business Agent shall answer for the actions in the management of the Hiring Hall to the Executive Board and membership of IATSE Local 442. It shall be the responsibility of the Business Agent, after being advised of such ineligibility by the Executive Board, to immediately suspend any stagehand from dispatch who does not meet all eligibility requirements. It shall be the responsibility of the Business Agent, after being advised of such eligibility by the Executive Board, to immediately reinstate any stagehand who once again meets all eligibility requirements including, but not limited to: payment of financial obligations, payroll percentages or successful appeal of disciplinary action. It shall be the responsibility of the Business Agent to inform Job Stewards of any stagehands changing eligibility status. The official Dispatch Lists shall be held by the Business Agent.

The Official dispatch lists will be available for public viewing from the Business Agent. In addition the dispatch list will be posted on the IATSE Local 442 public web page & available to all stagehands upon written request to the Business Agent.

Any stagehand who feels their position on the Dispatch Lists is incorrect may appeal, in writing to the Executive Board and/or membership for a detailed review.

15 Serviceability

Should any changes, modifications, or amendments to this document be required, they will follow the procedure listed below.

15.1 Changes, Modifications, or Amendments

Any member of IATSE Local 442, who wishes to propose any adjustments, amendments, or modifications to this document, may do so by contacting the Executive Board. Upon receipt of such proposals for adjustments, amendments, or modifications, the Executive Board shall review these requests. If, in the view of the Executive Board, the adjustments, amendments, or modifications are constructive, the Executive Board shall submit the above to the membership of IATSE Local 442 at any regularly scheduled General Meeting for approval, as outlined below. Adjustments, amendments, or modifications may also be brought before the membership of IATSE Local 442 on a quarterly basis.

Upon prescribed submission to the Membership as outlined above, notice of proposed changes shall be sent to the general membership of IATSE Local 442 15 days before the next General Meeting. A secret ballot on the adjustments, amendments, or modifications shall be taken at the next General Meeting. Upon approval, all documentation shall be updated.

16 Savings Clause

In the event that any term, paragraph, or provision, of this document be found to be unenforceable, illegal (under Federal, State, Local, or Union laws and Contracts), the Executive Board shall submit any changes to the general membership, as outlined above.

Should any term, paragraph, or provision of this document be found to be illegal or unenforceable, only that part shall become void. All other provisions of this document shall apply.

17 Finable Offenses

Penalties for late arrivals shall be \$25 for the first offense, and offenders shall be sent home when a replacement has been called. All subsequent offenses, within a one (1) year period, shall be fined \$50 for each occurrence.

Absence from a work call without proper notification or reasonable excuse shall be a \$100 fine for the first offense. For a subsequent offense within a one (1) year period, the offender shall be fined the equivalent of the day's wages for that person, or \$200, whichever is greater. After three (3) occurrences of absenteeism the member shall be placed in bad standing and further disciplinary action shall be invoked by the E-Board.

Anyone who arrives on a work call without the proper tools may be sent home without pay, or fined \$25 at the discretion of the Job Steward. This includes reporting to work with tools left in a vehicle parked apart from the job site.

Referrals that are fined or sent home more than twice within a one (1) month period shall be dropped to the bottom of the Call Steward's referral list for thirty (30) days.

The Business Representative shall conduct all Union Business with all Non-Members of this Local. A member failing to comply with this rule, thereby interfering with the Business Representative in the execution of his or her duties shall be subject to a \$25 fine on each count, pending E-Board inquiry.