

**Operative Plasterers' and Cement Masons'
International Association
of the United States and Canada**



Code of Conduct

OPCMIA LOCAL 222

***“Promoting Pride in Craftsmanship
and Customer Satisfaction”***

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Introduction

The purpose of the Operative Plasterers' and Cement Masons' Code of Conduct is to stimulate our members pride in craftsmanship and customer satisfaction.

Fostering membership pride in our plasterers, cement masons, and shop hands is key to our survival. To achieve this goal our Local Union Officers must implement this Code of Conduct immediately, uphold it strictly, and apply it consistently. The result will be to increase our members self worth, bolster quality craftsmanship, improve working conditions, leverage higher wages and benefits, and create increasing work opportunities for our members. It will also benefit our contractors by increasing their productivity, ensuring timely job completions, keeping projects within (or under) budget, and providing them with reliable, quality craftsmanship.

To be successful, the Code of Conduct must have the full support of the Local Union at all levels. Officers must wholeheartedly dedicate themselves to this task by “setting the standard” and acting as role models for the membership.

Any member found in violation of the Code will be subject to the disciplinary procedures of the International and Local's Constitution which includes, but is not limited to, charges being filed and the possibility of a fine, suspension, and/or expulsion. While charges may be brought at any time a three strike policy shall be in effect. This means that any member who has three written complaints filed by Employers shall face disciplinary charges and after a hearing may be fined, suspended or expelled.

Members Responsibilities

- Members shall apply their knowledge, skills and experience diligently on the job.

- Members shall make every effort to upgrade their skills on regular basis

-Members, especially those with extensive experience in the trade shall convey (Mentor) their knowledge and skill of cement masonry and plastering to their colleagues to strengthen the overall value of the OPCMIA's workmanship as well as encourage teamwork.

Members meet their responsibility to their fellow workers and contractors by,

– Arriving on time fit to work (**Absenteeism and tardiness will not be tolerated.**)

-Strictly adhere to break times

- Bring necessary tools as established on the tool list and ensure they are in proper working order prior to arriving on the job.

-Respect the property of the customer, and are fully aware that graffiti and other forms of destruction are not tolerated.

-Perform consistently productive work; make every effort to eliminate unnecessary disruptions on the job.

- Respect their union, contractor and clients by not wearing clothing or buttons with offensive words or symbols.

- Follow safe, reasonable management directives
- Inappropriate behavior, harassment, or discrimination exercised towards another member or person, or group of members or persons will not be tolerated.

- Not to leave the jobsite or work area during work hours without prior approval

- Cell phones are not to be used on the project site, except during official lunch and break periods.

- Merchandise is not sold on the job site without the prior approval of the union and/or contractor

- Meet their responsibility of skilled craft workers by respecting those tools and equipment supplied by the contractor.

- Use and promote the local union and training centre and certification systems to the membership so that they may to continue on the road of lifelong learning, thus ensuring local craft workers are the most highly trained and sought after workers.

- Be productive and keep inactive time to a minimum.

Process for Addressing Member Terminations or layoffs for Cause.

Members who are terminated /laid off by a contractor for cause shall be subject to the following procedures

1. After the first termination for cause , the member will meet with either the Local Business Manager or Agent ,and receive verbal counseling The content of the counseling may include the code of conduct and possible penalties that may arise from the violation, the reason for termination and corrective measure to ensure there will not be a repeat offence.
2. After the second termination for cause within a 24 month period, the member will be instructed to meet with the Business Manager and Business Agent for evaluations and counseling related to the reasons for the terminations , the members maybe required to attend a third party counseling if deemed necessary by the Business Manager. The member will be advised that any further terminations or layoffs for cause may result in temporary or permanent removal from the out of work list.
3. After the third termination for cause within a 24 month period , the member will be called in front of the executive board which shall review the facts and make a recommendation for action against the member with a maximum recommended penalty up to including **Permanent** elimination from the out of work list.

Any penalties imposed as a result of terminations or layoffs for cause within a 24 month period, other than permanent elimination from the out of work list, will be removed from the members record after 24 months.

In the event that the basis for a member's termination or layoff for cause by a contractor is challenged as lacking the requisite cause, by a timely grievance filed by the local union, that issue shall be resolved pursuant to the provisions of the **Grievance and Arbitration Procedure** of the CBA prior to any action by the executive board.

The suspension of a member's eligibility for referrals from the out of work list as a result of multiple terminations or layoffs for cause shall not constitute a violation of any provision or section or clause of any applicable Collective Agreement.

The above process may:

1. Require the member to obtain drug and alcohol counseling or further training from the JATC before again being eligible for referral
2. Disqualify the member for referral from the out of work list for a period of two (2) or more weeks or permanently, depending on the seriousness and repetitive nature of the conduct, with the executive board making the final determination as to the members continuing eligibility for referral.

3. Refer the member to an approved employee assistance program for evaluation and recommended action.

4. Declare the member eligible for continued referral employment pursuant to the CBA, including when a member can satisfy his/her onus of showing why he/she should be restored on the referral list, with or without conditions.

Self Termination:

Any member who quits their job will face a 14 day dispatch ban.

Members are required to honor their dispatch.

Members may consult with the executive board to have the ban removed in writing, the executive board will discuss and determine if the ban should or shouldn't be lifted.

Progressive Disciplinary Guidelines

1. **Verbal Warning.** A member who has committed an infraction is verbally warned and told that if the infraction occurs again (within some specified period), the degree of disciplinary action will be increased.

Some examples: minor safety policy violations, minor work-site disruptions, poor workmanship issues, attendance (reporting late for work) problems, verbal abuse to supervisors and co-workers.

2. **Written Warning:** If the member again commits the same or similar violation within the specified period (or possibly an unrelated infraction), the member will be given a written warning which will be placed on his/her personnel file. The member will be told that if any further misconduct occurs, the member will be disciplined again, more severely.

3: **Suspension and Final Warning:** If the member again transgresses in the misconduct, he/she will be suspended from employment for a period of time without pay and will be given a final warning.

This warning clearly will normally specify discharge as the result of another infraction. This step may be repeated, however, for example, a one (1) day, then a five (5) day suspension

4: **Termination:** If the member again is guilty of misconduct (as outlined in step 3), the member may be **Terminated.**

The Member may also be immediately terminated, at the contractor's discretion, for serious disciplinary misconduct.

In other cases of sufficiently serious misconduct, the contractor at its discretion may skip any of the preceding steps.

Some examples of serious disciplinary misconduct: Fraud, Severe Health and Safety policy violations, severe work place disruptions, work place violence and /or intimidation, etc.

Responsibilities under the Code

Both the Union and the Contractor have responsibilities under the Code. For the code to be mutually beneficial, both parties must take their respective duties seriously, and communicate with each other party constructively and on consistent basis..

Dispute Resolution Mechanism

Both the OPCMIA Local Union and the signatory contractor have obligations respecting the resolution of disputes. In early stages of a dispute, our local union must actively facilitate dialogue between its members and the contractors.

Similarly, contractors should promptly address any and all problems and issues of concern as they arise. If these initial remedial actions of the local union and contractor fail to resolve the matter, the parties will pursue their respective remedies under the collective agreement.

Signatory Contractors

Contractors play an integral role in ensuring success of the Code of Conduct. It is expected that contractors will train and educate their supervisory staff on the contractors necessary responsibilities in the Code of conduct. Success in the program is dependent on the diligence of the contractor to follow and enforce the progressive discipline process through to termination, if necessary, rather than deferring to lay-offs when behavioral issues may arise.

Contractors and/or the responsible supervisor must notify the Local Union Business Representative in writing upon termination, quit or no show of a dispatched member. It is expected that there will be ongoing communication between the union and contractors to encourage corrective action prior to final warnings or terminations.

Contractors will implement a formal and documented progressive discipline process that facilitates this corrective action. The union will be provided a copy of all progressive disciplinary policies with ongoing feedback and copies of any written disciplinary notices, quits, no shows and terminations.

The Contractor will treat all employees in a respectful and dignified manner, acknowledging their contributions to a successful project. Also provide the necessary leadership and problem solving skills to job site supervision

The Contractor shall create and maintain a safe work environment by providing site specific training, proper equipment and follow occupational health and safety guidelines. Promote and encourage continued education and training for employees while encouraging career building skills

The Contractor shall educate Superintendents, General Forepersons and Forepersons about the purpose, intent and proper use of the Code of Conduct.

Safety

Local 222 and the members of local 222 will make safety their number one priority when out on the job site. They will ensure their training certificates are up to date and with them prior to taking a call out.

Local 222 members will comply with all site safety rules, contractor safety rules and regulations and OH&S regulations, no one should have to be or have to accept the risk of being injured in order to get the job done.

Members of Local 222 will fill out Start Cards, JHAS, FLRAS prior to beginning tasks, take an active roll in tool box talks and safety meeting.

Contractors will ensure all safety conditions are met prior to commencement of the job and that all safety equipment is in good working order.

Inspect your safety equipment prior to use and report any damaged items to your supervisor so that it can be removed from site or get repaired.

Failing to comply with safety can lead to disciplinary measures up to and including removal from site.

Signing Page

I _____ have read and understand my role in
(Print Name)
the OPCMIA Local 222 Code of Conduct.

X _____
(Signature)