

NATIONAL MAINTENANCE AGREEMENTS POLICY COMMITTEE, INC.

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Impartial Secretary/CEO
Stephen R. Lindauer

The following constitutes an official action of the National Maintenance Agreements Policy Committee, Inc.:

Bulletin No. IV – 2 * National Maintenance Agreement

Subject: Article IV – Scope of Work

Commingling/Intermingling

The Committee has been requested to provide a clarification on the issue of commingling/intermingling of building trades crafts with in-plant employees of the Owner, as it relates to Article IV, Section 4, of the National Maintenance Agreements.

Conclusion

The original intent of Article IV, Section 4 of the National Maintenance Agreements was to minimize the contact between building trades crafts and those in-plant employees not represented by any collective bargaining relationship. Over the years, the Committee came to realize that such contact was not always unavoidable. Thus, the lines of demarcation, as to what was acceptable and what was not, became more obscure.

In an effort to provide a practical guideline for NMAPC participants, the Committee reviewed a number of incidents and determined that the intent of Article IV, Section 4 of the National Maintenance Agreements is to prevent the signatory Employer from initiating commingling/intermingling on work or tasks that have been assigned to the Employer by the Owner. Thus, the utilization of in-plant employees should not be requested or initiated by the signatory Employer. The Owner, on the other hand, is not prevented from utilizing in-plant employees to perform work not assigned to the signatory Employers and in fact may be contractually required to do so. However, the Employer shall not employ, train or instruct in-plant employees to perform work traditionally performed by building trades crafts.

Participants need to be aware that the NMAPC Program is based on a system of tripartite governance and cooperation with Owners, Employers and building trades craft workers sharing equally in the responsibilities and rewards generated by the NMAPC Program.

Stephen R. Lindauer
Impartial Secretary/CEO



October 26, 2011

APPROVED

Re: NMAPC Meeting of 10-26-11
NMAPC Meeting of 8-26-99