

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 – 6 * National Maintenance Agreement

Subject: Article IV – Scope of Work

Work Scope Determination Process for Application of the National Maintenance Agreement

The Committee was requested to outline the process by which Employers, Owners or Construction Managers may submit a scope of work (project description) to the NMAPC in order to determine its application to the National Maintenance Agreements (NMA).

Conclusion

Employers interested in performing/subcontracting a scope of work under the terms and conditions of the NMA; or Owners and Construction Managers interested in calling for bids under the terms and conditions of the NMA, may submit a written request to the NMAPC Impartial Secretary/CEO containing a detailed description of the work in question, location of the proposed scope of work, including owner and facility name, estimated construction budget, as well as approximate start and completion dates of the work in question. Upon receipt of the written request, the NMAPC Impartial Secretary/CEO shall either issue an administrative approval to the requesting party, or schedule a formal work scope determination hearing to review the request.

Administrative Approvals

When an Administrative Approval has been issued, the fourteen (14) participating International Unions shall have ten (10) days to review and respond to said approval in the form of a protest. In the event two (2) or more International Unions protest, in writing, to the NMAPC Impartial Secretary/CEO regarding a determination that a project properly falls within the scope of the NMA, the NMAPC Impartial Secretary/CEO will inform the requesting party of the protests and schedule a formal work scope determination hearing.

Formal Work Scope Determination

When a formal work determination hearing has been scheduled the requesting party will be extended the opportunity to appear before the NMAPC Labor – Management Committee, at its next regularly scheduled meeting, to provide the Committee with a formal work scope determination presentation.

In the event the request is time sensitive and a determination must be made prior to the next regularly scheduled meeting of the NMAPC Labor – Management Committee, the NMAPC Impartial Secretary/CEO may convene a meeting of the NMAPC Work Scope Determination Subcommittee to hear the presentation of the requesting party.

Upon hearing the full presentation of the requesting party the NMAPC Labor – Management Committee, or the NMAPC Work Scope Determination Subcommittee, both of which are comprised of an equal number of labor and management representatives, will render a determination by a simple majority vote on whether or not the scope of work presented falls within the terms and conditions of the NMA. In addition, the Work Scope Determination Subcommittee reserves the right to address the designation of any scope of work’s “Yellow Card” designation, if requested.

In the event that the Employer’s, Owner’s or Construction Manager’s Work Scope request is approved through the administrative approval process, then the work as approved shall be designated a “Yellow Card Project” and shall be afforded all of the benefits provided by the “Yellow Card” designation.

Stephen R. Lindauer
Impartial Secretary/CEO



July 20, 2016

APPROVED

Re: NMAPC Meeting of 7-20-16
NMAPC Meeting of 10-22-15
NMAPC Meeting of 10-24-13
NMAPC Meeting of 6-17-11
NMAPC Meeting of 10-26-06
NMAPC Meeting of 9-8-89
NMAPC Meeting of 1-27-75
NMAPC Meeting of 10-21-74
NMAPC Meeting of 6-27-74