

MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
SMWIA LOCAL UNION NO. 104
AND

BAY AREA ASSOCIATION OF SMACNA CHAPTERS
PERTAINING TO ALAMEDA, CONTRA COSTA, DEL NORTE, HUMBOLDT, LAKE, MARIN, MENDOCINO,
NAPA, SAN FRANCISCO, SAN MATEO, SANTA CLARA, SOLANO, SONOMA AND TRINITY COUNTIES

This Memorandum of Understanding (MOU) amends and extends the current Standard Form of Union Agreement and Addenda thereto and any MOUs or amendments in regard to this contract in effect at this time between the parties, and shall be referenced as the Collective Bargaining Agreement (CBA) in this document. Any language specifically not addressed shall remain in effect through the duration of the Agreement.

ADDENDA ONE

1) The CBA shall be extended as follows: July 1, 2012 through June 30, 2016

2) Wage & Fringe Increases:

BUILDING TRADES JOURNEYMAN

July 1, 2012	July 1, 2013	July 1, 2014	July 1, 2015
3.50	3.50	3.50	Wage Reopener

MATERIAL EXPEDITER

July 1, 2012	July 1, 2013	July 1, 2014	July 1, 2015
1.80	1.80	1.80	Wage Reopener

3) Travel Pay: \$0.55 plus IRS allowable -

4) Employers shall have total mobility of manpower throughout all 46 counties of Local 104 and name-call rights at any Local 104 dispatch area.

5) Apprentices: The Bay Area Apprenticeship Trust and the sheet metal industry employers have the obligation to ensure that all Building Trades apprentices have exposure to and training in the multiple skills of the industry. If by June 30, 2013, the bargaining parties determine this goal is not being achieved as documented by the training records, the Trust will, effective January 1, 2014, remove and rotate (to another employer) all apprentices not in compliance with the Trust's stated training goals. For those apprentices subject to rotation among employer(s), rotation shall occur every six (6) months for the first two (2) years of their apprenticeship and continue until the training is meeting the scheduled objectives.

For all apprentices subject to rotation among employers, after the apprentice has completed two (2) years with minimum exposure of four employers, or rotation of duties within a single employer, at the request of the apprentice and employer, the apprentice may elect to be reassigned and/or, subject to available employment, remain with any employer of their choice for the last thirty-six (36) months of their apprenticeship.

When an employer shows willful disregard for the obligation to train in multiple skills, apprentices removed from their employer shall not be replaced.

6) The Work Preservation provision (Revised Item 40) of the CBA shall be applicable in all 46 counties of Local 104.

7) When performing covered work for projects bid after July 1, 2012 within the 46 counties of Local 104, the Wage Equalization provision of the SFUA (unmodified) is applicable, except that the differential between the wage and fringe benefit scales in the CBAs at the time the work is performed shall be paid by separate check to the Northern California Pension Plan no later than the 20th day following the month in which the work was performed, accompanied by certified payroll(s) indicating, by employee, the classification, the composite hourly wage differential amount, the number of hours worked, and the project(s) worked on. Any late payment regarding this provision shall be considered a delinquent payment to the Trust and collections will be implemented pursuant to the CBA/Trust, including but not limited to, liquidated damages. BeneSys, third party administrator for the Northern California Pension Plan shall distribute a report with this information to both Union and Management on a monthly basis.

ADDENDA TWO

1) Wage & Fringe Increases:

LIGHT COMMERCIAL JOURNEYMAN

July 1, 2012	July 1, 2013	July 1, 2014	July 1, 2015
2.25	2.75	3.50	Wage Reopener

SERVICE MECHANIC

July 1, 2012	July 1, 2013	July 1, 2014	July 1, 2015
1.80	2.10	2.65	Wage Reopener

SERVICE TECHNICIAN

July 1, 2012	July 1, 2013	July 1, 2014	July 1, 2015
1.50	1.80	2.30	Wage Reopener

A/C JOURNEYMAN

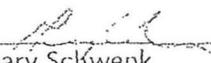
July 1, 2012	July 1, 2013	July 1, 2014	July 1, 2015
1.55	1.85	2.35	Wage Reopener

A/C SPECIALIST

July 1, 2012	July 1, 2013	July 1, 2014	July 1, 2015
1.30	1.55	2.00	Wage Reopener


 Bruce Word
 Business Manager/President
 SMWIA Local Union No. 104

8.10.12
 Date


 Gary Schwenk
 Executive Vice President
 Bay Area SMACNA

August 10, 2012
 Date

MEMORANDUM OF UNDERSTANDING
By and Between
SMWIA LOCAL UNION NO. 104
And
BAY AREA ASSOCIATION OF SMACNA CHAPTERS

Service Maintenance Work: Effective the date of the signing of this Memorandum of Understanding, SMWIA Local Union No. 104 and Bay Area Association of SMACNA Chapters hereby agree the Labor Management Cooperation Committee shall meet to discuss the implementation of a Maintenance Service Technician no later than January 1, 2013.



Bruce Word
Business Manager/President
SMWIA Local Union No. 104



Gary Schwabk
Executive Vice President
Bay Area Association of SMACNA
Chapters

8.10.12

Dated

40607.1 - 09, 2012

Dated

MEMORANDUM OF UNDERSTANDING
 BY AND BETWEEN
 SMWIA LOCAL UNION NO. 104
 AND
 BAY AREA ASSOCIATION OF SMACNA CHAPTERS

BUILDING TRADES

This Memorandum of Understanding addresses the wage reopener effective July 1, 2011, pursuant to the Standard Form of Union Agreement and Addenda thereto, effective July 1, 2006 through June 30, 2013, and additional modifications to the Collective Bargaining Agreement, as stated below.

WAGES

Effective July 1, 2011:

There shall be no monetary increase to the Wage and Fringe Schedules for all classifications working under Addendum One and Two of this Agreement.

Effective January 1, 2012:

Increases for classifications working under Addendum One shall be as follows:

BUILDING TRADES		JANUARY 1, 2012 INCREASE TO TOTAL PACKAGE	
CLASSIFICATION	Total Package	Wages and/or Benefits	Industry Promotion Fund
BT JOURNEYPERSON	\$78.98	\$2.00	\$0.16
MATERIAL EXPEDITER	\$28.14	\$0.76	\$0.16

Increases for classifications working under Addendum Two shall be as follows:

<u>LIGHT COMMERCIAL</u>		JANUARY 1, 2012 INCREASE To Total Package	
CLASSIFICATION	Total Package	Wages and/or Benefits	Industry Promotion Fund
BT JOURNEYPERSON	\$74.30	\$2.00	\$0.16
SERVICE MECHANIC	\$55.74	\$1.50	\$0.16
SERVICE TECH	\$48.47	\$1.30	\$0.16
AC JOURNEYPERSON	\$49.70	\$1.34	\$0.16
AC SPECIALIST	\$41.01	\$1.10	\$0.16

SERVICE TECHNICIAN RED CIRCLE CLASSIFICATIONS

Alameda, Contra Costa and San Mateo

Advanced 6 months	\$49.89	\$1.34	\$0.16
Advanced 12 months	\$51.68	\$1.39	\$0.16
Key	\$54.38	\$1.46	\$0.16

North Bay and San Francisco

Advanced 6 months	\$49.88	\$1.34	\$0.16
Advanced 12 months	\$51.29	\$1.38	\$0.16

January 1, 2012:

The contractors shall contribute an additional \$0.16 to the Local Industry Fund, as reflected above on all classifications.

Addendums One and Two - Wage Reopener, July 1, 2012

RESOLUTION 78

SMW Local 104 shall extend the current Resolution 78 regarding Addendums One and Two through June 30, 2012.

WORK PRESERVATION

The parties agree to expand the scope of the Standard Form of Union Agreement Addendum One, Item 40, to include the following items:

- Spiral duct, both round and oval
- Double-wall duct and fittings
- Testing, adjusting, and balancing of all HVAC and environmental systems
- Detailing as defined in the locality

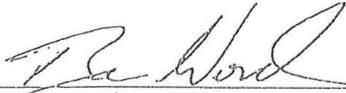
(Item 40, Work Preservation – Revision Effective July 1, 2011 attached)

HIRING HALL

Waiver:

Due to the lack of employment opportunity caused by the down economy for the past three years, the parties agree to temporarily modify Item 23, Section E of the Collective Bargaining Agreement (specifically, the 1,000 hours to maintain A List status provision) until June 30, 2013, if it is found and documented that due to no fault of the member, they were signed on the Out of Work List immediately following termination and were available and did not refuse work, they shall not be denied A List status and shall remain eligible for dispatch. Failure by the member to maintain this status shall revoke this waiver.

For any member a Local 104 Business Representative documents and grants this waiver, notice of such action shall be forwarded to the SMWIA Local 104 Business Manager and Bay Area Association of SMACNA Chapters.



Bruce Word, Business Manager/President
SMWIA Local Union No. 104



Gary Schwenk, Executive Vice President
Bay Area Association of SMACNA Chapters

DATED: 6/30/11

DATED: 6/30/11

MEMORANDUM OF UNDERSTANDING ("MOU")
BY AND BETWEEN
SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION
LOCAL UNION NO. 104
AND
BAY AREA SMACNA

STANDARD FORM OF UNION AGREEMENT ("SFUA") ADDENDUM ONE AND TWO
EXTENSION

This MOU extends all contractual terms and conditions, with the exception of the wages noted below, of the current (July 1, 2006 – June 30, 2010) SFUA and Addendum One and Two between the parties, effective December 11, 2008 through June 30, 2013.

ADDENDUM NUMBER ONE TO THE SFUA ITEM 1. WAGE AND FRINGE
SCHEDULE, SECTION A

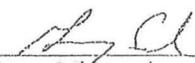
	7.1.09	7.1.10	7.1.11	7.1.12
Building Trades	\$3.50	\$4.00	Wage Reopener	Wage Reopener
Material Expediter	\$1.25	\$1.45	Wage Reopener	Wage Reopener

LIGHT COMMERCIAL ADDENDUM NUMBER TWO TO THE SFUA ITEM 5.
WAGES

	7.1.09	7.1.10	7.1.11	7.1.12
Light Commercial	\$3.50	\$4.00	Wage Reopener	Wage Reopener
New Residential JP	\$2.20	\$2.50	Wage Reopener	Wage Reopener
AC Specialist	\$1.80	\$2.10	Wage Reopener	Wage Reopener
Service Tech	\$2.15	\$2.45	Wage Reopener	Wage Reopener



Bruce Word
Business Manager/President
SMWIA Local Union No. 104



Gary Schwenk
Executive Vice President
Bay Area Association of SMACNA Chapters

DATED: 12/11/08

DATED: 12/11/08