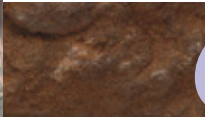
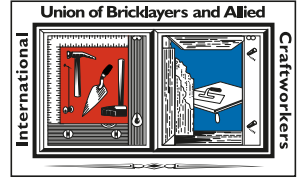


# Member Benefits and Services



*W*  
*Welcome*  
*Building*  
*your future*  
*with BAC*

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Members Building BAC's Future: John J. Flynn BAC/IMI International Training Center under construction

# BAC: Over a Century of Protecting Workers

## *The 1800s*

As far back as the 1800s, North American masonry-trowel trades workers protected their wages and working conditions by forming unions and associations. In 1823, for example, journeymen stone cutters in New York City went on strike in support of the 10-hour workday, and in 1835 masons in Troy, New York went on strike for higher wages. Craft unions gained strength in Canada during the 1850s as employers tried to dismantle the existing wage system and undermine workers' standard of living.

The financial crisis of 1857 wiped out most unions, but following the Civil War, bricklayer unions began to form in New York, Maryland, Rhode Island, Pennsylvania, Massachusetts, Missouri and New Jersey. Today's BAC was formed on October 17, 1865, with John A. White, a member of the Baltimore, Maryland Local, serving as president. Since its founding, BAC members have created a proud legacy of fighting for good jobs and wages, better and safer working conditions, and dignity for every worker.

In 1881, BAC became an international union with the admittance of Locals representing workers from Hamilton and Toronto in Ontario, Canada. One year later, the Union took a stand against segregation by admitting Locals representing the southern United States. The Union's acceptance of all masonry workers was formalized at the 1897 Convention in Worcester, Massachusetts. Delegates to the Convention agreed that membership in the Union should be open to "all members of the mason craft . . . without condition as to servitude or race."

BAC was one of the first unions to support the eight-hour workday, which was a top legislative priority for delegates to the 1869 Convention. In the late 1870s, Canadian workers began their push for the nine-hour workday, and by the early 1890s, following successful strikes against the anti-union National Builders Association, the nine-hour workday became part of the Union's collective bargaining agreements. Eleven years later, and thanks in large part to the efforts of BAC members, the eight-hour workday became the rule for workers across North America.

## *The 1900s*

William J. Bowen was elected BAC President in 1904. Under his leadership, BAC's craft jurisdiction expanded. In 1917, for example, tilelayers became part of the Union. When he left office in 1928, BAC's membership had grown to roughly 130,000 members. The Great Depression, however, took its toll. By 1933, the Union's membership had dropped to 35,000.

Harry Bates became president of the Union in 1935. He served until 1960, and was instrumental in expanding the Union's participation in the creation of national policy. Bates helped pass the U.S. Housing Act of 1937, a nationwide program to develop low-cost housing for workers. He worked to make fair labor standards a part of U.S. defense policy, and negotiated to ensure that 95 percent of defense construction would be performed by union members. Bates also participated in the development of the Seabees, the Construction Battalion of the U.S. Navy. He will long be remembered by the labor movement for chairing the convention that voted to merge the American Federation of Labor and the Congress of Industrial Organizations to form the AFL-CIO.

By the 1950s, BAC's membership included bricklayers, stone and marble masons, cement masons, plasterers, tilelayers, terrazzo and mosaic workers, and pointers, cleaners and caulkers. By 1960, the Union had grown to 156,000 members, reflecting its broader craft jurisdiction and new work opportunities.

The 1960s and 1970s were a pivotal time for BAC, the labor movement, and the construction industry. During this period, new materials were introduced, and the non-union sector grew. In response, BAC took three important steps:

- The International Masonry Institute (IMI) was established as a labor-management trust fund to promote the unionized masonry-trowel trades industry, strengthen the apprenticeship and training system, expand research and development, and improve labor management relations.
- New departments were created to address collective bargaining, communications, education, organizing, and trade jurisdiction.
- The International Pension Fund and BAC's political action committee (BACPAC) were created.

In the early 1980s, poor economic conditions in the Canadian and U.S. construction industries, competing materials, non-union competition, and a general deterioration in the political and legal climate for unions created challenges for BAC. In response, the Project 2000 Committee was formed under the leadership of then-president John T. Joyce. In 1985, the Committee presented a plan designed to ensure the Union's survival for the remainder of the century as an independent masonry-trowel trades union. Following the Committee's plan, many improvements were made to the Union's structure and operations.

## *2000 to the Present*

At the 2000 Convention, BAC President John J. Flynn announced the formation of the Millennium Morning Project (MMP). The MMP was established to create a strategic plan – a blueprint – for the Union that would ensure its growth and survival in the 21<sup>st</sup> century. The MMP Report and recommendations were unanimously adopted by the delegates to the 2005 Convention. The Report, *“A Union of the Future,”* contains detailed recommendations to guide BAC and position the unionized masonry-trowel trades industry to grow and prosper for another century. It focuses on improving the coordination of activities between the Locals, the International Union, and IMI, expanding work opportunities for members, and implementing new operating goals for Locals and the International Union that are targeted to improving member services.

Central to this strategic plan is the recognition that every BAC member is an important part of the Union’s proud history and bright future. For more than 100 years, dedicated members have enabled the Union to weather recessions, depressions, and changes in the political climate that have not always been hospitable to organized labor. As a result of their contributions, today BAC continues to provide members with superior services and representation.



# Objectives

The International Union of Bricklayers and Allied Craftworkers is a service organization that helps improve members' quality of life – both on and off the job – through access to good jobs, fair wages and quality benefits, and by building solidarity and support among all BAC members. According to the IU's Constitution, the objectives of the Union are to:

- Organize all masonry-trowel trades workers within BAC's jurisdiction.
- Promote or establish wages, hours, and working conditions for BAC members.
- Promote or establish programs to meet the health care, retirement, unemployment, and other needs of BAC members and their families.
- Promote the health, welfare and safety of BAC members and their families.
- Make programs available that increase employment opportunities for BAC members.
- Secure recognition by employers and the public of BAC's collective bargaining rights.
- Advance the skills, efficiency, and working knowledge of BAC members through apprenticeship and training programs.
- Maintain harmonious relationships with other labor organizations.
- Advance the industries employing BAC members.
- Improve the government's understanding of the labor movement.
- Engage in the legislative process on behalf of BAC members and all working families.
- Support issues affecting the IU and BAC members through voter registration, political education, and citizenship activities involving BAC members and their families.
- Engage in education and research activities, as appropriate.
- Engage in appropriate legal activities to defend and advance the interests of the IU, its affiliates, and members.
- Promote, foster, and develop BAC's trade jurisdiction.
- Raise public awareness of the need to improve the lives of workers around the world.
- Protect and promote the welfare and interests of the IU, its affiliates, and members.

# Structure

Unions are the only organizations of their kind that are run by members for the good of the members. BAC is managed through the following organizational structure:

## ***Members***

Members' votes ultimately determine who will sit on the International's Executive Council and Executive Board, and who will hold Local officer positions. BAC members play a direct and important role in developing the Union's policies and programs.

## ***International Union Executive Board***

The Union is governed day-to-day by an Executive Board made up of the president, the secretary-treasurer and three executive vice presidents. This Board sets the Union's policies, ensures that Locals are working in the best interest of their members, and develops benefit, political action, training, education and other programs designed to strengthen BAC and its members.

## ***International Union Executive Council***

The Executive Council includes the IU officers, regional directors, regional vice presidents representing the U.S. and Canada, craft vice presidents representing the branches of trade under BAC's jurisdiction, and at-large members representing specific membership groups within the Union.

## ***Canadian Congress***

The Canadian Congress was established by the 2000 IU Convention to give Canadian members a greater voice in Union affairs. Congress delegates, who are principal officers of Local Unions in Canada, meet twice a year. These meetings are presided over by the IU President and the Canadian Congress Co-Chair, a delegate elected by the body for a five-year term.

## ***Regional Councils***

Regional Councils include principal officers representing Local Unions in each of the five regions. They are supported by a regional director assigned by the IU Executive Board. Through the Regional Councils, Locals coordinate activities such as organizing and training, and address issues specific to their geographic area.

## ***Local Unions and Administrative District Councils (ADCs)***

Local Unions and ADCs are run by a president, business manager or director, and serve as the primary link between the International and members. The principal officer receives support from other elected officials, field representatives, organizers, and stewards. Local Unions and ADCs negotiate and enforce collective bargaining agreements, organize new members, and respond to their members' specific representational needs.

# Collective Bargaining

Collective bargaining enables all members of the Union to speak collectively to their employer through their Union representatives. It is one of the most powerful tools available to BAC and its members. It paves the road for higher wages, better benefits, improved working conditions, and retirement security. Collective bargaining also enhances the Union's broader goals of increased membership, more union work, and greater influence in the industry.

## ***What is bargaining strength?***

Bargaining strength relates to the number of members covered by a Local and the size of the geographic area covered. In general, a Local that represents all masonry-trowel trades workers in a geographic area is in a better bargaining position.

## ***Do I need to understand the collective bargaining process?***

Yes! Members need to understand the importance of collective bargaining and how it works. Informed members are better able to support their negotiating committee, which in turn helps the committee negotiate stronger agreements that address members' needs.

## ***What are international agreements?***

Under the Constitution, the IU – when it is signatory to an agreement – may bargain on behalf of Locals and members. The IU has negotiated several such agreements on behalf of BAC members, including the Refractory and Maintenance Agreements, and the International Council of Employers (ICE) Agreement.



## ***Who negotiates with us?***

Most of the Union's collective bargaining agreements are negotiated by Locals directly with employers. Under the IU's Constitution, Locals have the authority to establish negotiating committees, bargain over wages and working conditions, and resolve questions in disputes between employers and the Local. A Local's Constitution and By-Laws outlines how the negotiating committee is selected.

# Trade Jurisdiction

The Union's work jurisdiction is broadly defined by BAC's Constitution as follows:

*“all work which is, will be or has historically been traditionally or contractually assigned to members of this organization. This work includes, but is not limited to, the building, constructing, fabricating, erecting, cleaning, maintaining, repairing, renovating, sealing, caulking, waterproofing, acid proofing, application of chemical products to, and all*



*other work to or upon walls, floors, ceilings, roofs, decks, roads, paving and other objects or structural, building or construction components consisting wholly or partially of masonry (viz., brick and other clay products, structural tile, concrete, cement, stone, marble, glassblock, terra cotta, castables, and all other natural or artificial masonry units made from any material), tile, mosaics, cement, plaster, terrazzo, plastic, and all forms of substitute materials thereto; the laying, setting, installation or application of all such materials; the preparation of all structures, objects or components to receive such materials; all*

*refractory work; and all work servicing, assisting, or relating to the processes of materials described above from manufacture of the materials through construction and maintenance of the structure or object.”*

Each Local Union's Constitution outlines the craft jurisdiction covered by the Local, and each collective bargaining agreement has a section detailing the craft jurisdiction covered by the agreement. Members should alert their steward or Local officer when they discover work that falls within the Local's jurisdiction being performed by someone other than a BAC member.

# Member Benefits

BAC members and their families have access to a variety of great benefits that are not widely available to non-union masonry-trowel trades craftworkers. Benefits are provided by the Locals and/or the International Union. Pension, health and welfare, and other benefits must be negotiated in a Local's collective bargaining agreement in order for a member to receive them.

## International Pension Fund

The International Pension Fund (IPF) was established in 1972 to help BAC members plan for a secure retirement. The Fund has paid over a billion dollars to members and beneficiaries since its inception. It provides pension benefits to members, some of whom may also participate in Local pension funds, and offers four types of benefits, including normal, early and disability retirement, and survivor benefits. Generally, to receive any of these benefits, a member must accumulate five years of credited service as outlined in the plan.

In addition to providing a secure financial future, IPF also helps to create jobs and work-hours for BAC members through the investment of IPF contributions in secure pooled mortgage funds. These funds provide long-term financing for construction projects employing BAC members.

## BAC SAVE – Another Way to Build Retirement Security

Members can supplement their retirement income from Local and International pension plans by saving through BAC SAVE – the International's Retirement Savings Plan Annuity and 401(k) Plan.

Members covered by a collective bargaining agreement that includes language for the International's Retirement Savings Plan receive hourly employer contributions to the Annuity Plan. Investment decisions are made by the Fund trustees, and retirement benefits are based on the contribution rate plus interest earned by the Fund. Since its inception, the Fund has earned competitive returns. In addition to retirement, disability and survivor benefits, withdrawals for financial hardship and inactive status are allowed.

The 401(k) Plan is available to members in Locals that have negotiated it into their collective bargaining agreement. Members may accept or decline to participate, determine the amount of their pre-tax contribution, and select the best investment mix for their contributions. You may track your investments on the Internet prior to retirement. Withdrawals are permitted for hardship and major purchases, such as a home or college tuition.

## Health Benefits

The International Health Fund (IHF) offers participating Locals access to quality medical, hospital and other health benefits for their members at competitive rates. Locals choose from several health and welfare plans and a menu of supplemental benefits. Plans are selected by members and Locals according to contributions that have been negotiated in the Local's collective bargaining agreement.

A member in a participating Local becomes eligible for benefits on the first day of the second month following the month in which the member completes 300 hours of work in a calendar quarter. Members remain eligible for health and welfare benefits as long as they meet the eligibility rules outlined in the Summary Plan Description.

IHF also offers a vacation fund benefit that is available to both Canadian and U.S. Locals. Members who contribute to the fund may make quarterly requests for withdrawals as long as the total in the account is at least \$100. Members receive the balance of money remaining in the account at the end of each year.

## BAC Prescription Drug Program

In 2004, at the direction of the BAC Health Care Task Force, BAC joined a union-only prescription drug purchasing coalition to address the rising cost of prescription drugs. The BAC program is available to all BAC health and welfare funds.

*To find out which benefits you are eligible for, contact your Local officer. For more information about benefits offered through the International, visit the International Funds' websites at [www.ipfweb.org](http://www.ipfweb.org) or [www.ihfweb.org](http://www.ihfweb.org), or call 1-888-880-8222.*

# Member Assistance Program

BAC members – working and retired – are eligible to use the Member Assistance Program (MAP), a *free* crisis intervention and referral program providing confidential, professional help to BAC members and their families.

MAP helps members and their families with issues affecting their personal lives, job performance, and general well-being. Calls are addressed by a full-time, licensed clinical social worker who is available to answer questions, identify community resources, and suggest treatment options for issues including:

- Depression
- Alcohol and drug use
- Family conflicts
- Unemployment
- Stress
- Homelessness
- Financial pressures
- Interpersonal relations
- Domestic violence
- Gambling
- Workplace violence
- Retirement concerns



All calls are confidential, and MAP personnel do not discuss a member's concerns with anyone without that member's permission.

*For more information, contact MAP at 1-888-880-8222, weekdays, 8:00am to 8:00pm, Eastern Standard Time.*

# International Masonry Institute

The International Masonry Institute (IMI) is a labor-management trust, funded by BAC and the contractors who employ BAC members. IMI was founded in 1970 to focus on labor-management issues, and to expand the unionized segment of the masonry-trowel trades industry by addressing three key areas:

***Apprenticeship and Training*** – BAC members receive training through Local or International Union programs. The International’s training is conducted by IMI, which provides BAC members with cross-craft, foreman, instructor certification, safety, pre-job apprentice training, and specialized training for journey-level members. Training is held at many Local Union facilities. Mobile training units offer on-the-spot job training in areas with an immediate need. The Union’s permanent John J. Flynn BAC/IMI International Training Center operated by IMI is located in Maryland. In addition, IMI offers education and certification for current and potential supervisory personnel of BAC signatory contractors. IMI also conducts Contractor College for signatory contractors to help them develop business tools for growth and learn from “best practices.”

***Advertising & Promotion*** – IMI interacts with building owners, designers, architects, contractors, public officials and the general public to raise awareness of the superior quality of masonry products and the expert skills of Union contractors and BAC members. Architecture and engineering students learn the benefits of the materials installed by BAC members through programs on college and university campuses, while BAC apprentices and student architects acquire an appreciation for each other’s role in the construction process through IMI’s week-long Masonry Camp.

***Research & Development*** – IMI staff identify new products and procedures to help BAC members and contractors stay competitive, efficient and prepared to meet the challenges in the masonry-trowel trades industry.

*IMI is funded by contributions established through collective bargaining. To learn more about IMI training, call 1-800-562-7464 or visit IMI’s website at [www.imiweb.org](http://www.imiweb.org).*



# BAC Job NETWORK™: *Putting Members to Work*

The BAC Job NETWORK™ was established to provide out-of-work members with opportunities to work in areas with a surplus of Union jobs.

Members can register online at [www.bacweb.org](http://www.bacweb.org), or request an enrollment form from their Local officer and mail the completed form to the International Union.

Once an enrollment form is received, the member's information is entered into the computerized BAC Job NETWORK™ system. Registered members receive a personal ID card and instructions for activating their name in the system and retrieving information about jobs in the U.S. and Canada.



It is important to be aware that the transfer of masonry-trowel trades craftworkers between the U.S. and Canada is subject to each country's immigration laws. Construction Workers Incorporated (*see page 13*) can help sort through these laws.

*To receive an enrollment form, or learn more about this program, contact your Local officer, log on to [www.bacweb.org](http://www.bacweb.org), or call 1-800-992-9954.*

# Construction Workers Incorporated

Construction Workers Incorporated (CWI) was established in 1996 to bridge the gap between labor shortages in some areas of the U.S. and high unemployment in Canada. The corporation is owned by the Masonry Economic Development Trust, a joint trust of BAC and the International Council of Employers of Bricklayers and Allied Craftworkers (ICE).

CWI serves as a stand-alone placement service that applies for all visas on behalf of BAC members in Canada who want to work in the U.S., making the application process more reliable, shorter, and less expensive than it would be for an individual contractor. Workers are not allowed to apply for visas on their own and members receive CWI's visas at no cost.

To obtain visas, CWI must demonstrate to the U.S. Department of Labor (DOL) that there are no qualified U.S. workers to fill available jobs. Once certification is granted, CWI submits the visa applications to the Bureau of Citizenship and Immigration Services (BCIS). Visas are employer – and area – specific, so Canadian members may only work for CWI signatory contractors within a certain area, as determined by the DOL.



Total processing time for temporary work visas for the first workers on a specific project – or group of projects – is generally 10 weeks. If visas have already been approved and not filled for a specific project, paperwork can be distributed to members in a matter of days. Since its inception, this program has created significant job opportunities and work-hours for Canadian members.

*For more information, call 1-202-457-9040.*

# Communications

One more benefit BAC members enjoy is access to information about Union and industry issues through:

**BAC *Journal*** – BAC’s official publication, the *BAC Journal*, features articles about the Union, as well as industry and member news.

**Special Mailings** – Periodically, notices are sent directly to members that address high-priority issues affecting members and the Union. Past topics have included the dues structure, health and safety, and work-related issues.

**Local Union Newsletters** – A key source of information for what’s happening in a member’s Local is their Local Union newsletter.

**Member Surveys** – Members help shape BAC’s policies and programs by participating in periodic confidential telephone surveys. Topics covered include Union issues, industry trends, political affairs, health and safety, benefits, and training.

**Websites** – The Union’s and its affiliated organizations’ websites (listed below) provide members and the public with information about BAC’s structure, functions and services. A secure “Members and Officers” section gives members access to information about programs and activities not available to non-union workers. Links to Local Union websites are also available.

**BAC** – [www.bacweb.org](http://www.bacweb.org)

**IMI** – [www.imiweb.org](http://www.imiweb.org)

**IPF** – [www.ipfweb.org](http://www.ipfweb.org)

**IHF** – [www.ihfweb.org](http://www.ihfweb.org)



# Member Education

**Local and Chapter Meetings** – One of the most effective ways for members to become involved in the Union is by attending Local and Chapter meetings. By participating, members can find out about job opportunities, learn about issues facing the Union and industry, and make sure their views are heard.

**Issue-Bulletins** – Discussion papers on Union and industry topics, called Issue Bulletins, are used at Local and Chapter meetings. Comments, questions, and suggestions generated from member discussions are reported to the IU, and used to shape BAC programs and policies. BAC's Steward Training program, for example, was developed based on member responses to an Issue-Bulletin.

**BAC Scholarship Programs** – BAC offers two scholarship programs:

- **The Harry C. Bates Scholarship** was established in 1960 to help the children of members pursue a college education. The program is available to *eligible sons and daughters* of BAC members.

Bates Scholarships for U.S. and Canadian students are administered separately, and have slightly different eligibility requirements and application procedures.



Further information can be obtained at [www.bacweb.org](http://www.bacweb.org) or by calling the toll-free number 1-888-8222 (extension 3111).

- **National Labor College** – Established by the AFL-CIO in 1997, the National Labor College is a flexible, affordable program that allows union members to pursue degrees in several disciplines. Significant credit may be awarded to applicants in a number of ways, including the successful completion of an apprenticeship program, the transfer of credit for previous college-level coursework, military service, technical school training, work experience, and life experience. To learn more about the program call toll free 1-800-462-4237 or visit the website at [www.nlc.edu](http://www.nlc.edu).

# Membership Services

BAC's Membership Services program offers members a wide variety of products – from tools and specialty clothing to travel and auto insurance – at reduced rates. These services are available only to Union members.

The following are just some of the many benefits and services available to BAC members:

- Progressive mortgage program with a first-time homebuyer's feature designed specifically to fit the needs of construction workers.
- Low-interest credit card with a flexible payment schedule.
- Medical assistance programs featuring discounts on dental work and hearing aids.
- Supplemental term life, accidental death and dismemberment insurance.
- Low-cost auto insurance for Union family members.
- Credit counseling.
- Discounted car rental, resort vacation packages, theme park tickets, and hotel rates.
- Discounts on computers, family entertainment, legal services and more.

*For more information, contact BAC Membership Services – U.S. members call 1-888-880-8222 and Canadian members call 1-800-388-8395 – or visit [www.bacweb.org](http://www.bacweb.org) and click on Member Benefits and go to "Member Services."*



# Important Labor Laws

## *United States*

The following laws regulate BAC's labor and management relations in the United States.

### ***National Labor Relations Act (Wagner Act)***

Dates back to 1935, and guarantees workers the right to bargain collectively through representatives they have chosen. The law also allows workers to “engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.” It places restrictions on employer opposition to unions, outlines employer unfair labor practices and outlaws the formation of company unions. It also prevents employers from penalizing employees for union activities, forcing workers to sign “yellow dog” contracts, hiring labor spies, or circulating blacklists. The law is enforced by the National Labor Relations Board, which investigates complaints of unfair labor practices and supervises representation elections.

In 1947, the Wagner Act was amended by the Taft-Hartley Act, which weakened unions by outlawing the closed shop, jurisdictional strikes and the secondary boycott, and established the union unfair labor practice. Section 14(b) of the amendment also allowed states to pass “right-to-work” laws, which deny unions and employers the right to negotiate union shop agreements.

### ***Fair Labor Standards Act – 1938 (FLSA)***

Sets the nation's basic labor standards, and requires public and private employers engaged in interstate commerce to adhere to certain minimum conditions of employment, including the minimum wage, time and a half pay for work over 40 hours per week, and equal pay for equal work. The law also sets limits on the employment of children in hazardous work, such as most construction.

### ***Civil Rights Act of 1964***

Requires in Title VII that employers and employment agencies with 15 or more workers, and all unions maintaining hiring halls or representing 15 or more members, treat all persons equally, regardless of race, color, religion, sex, or national origin. This requirement applies to all phases of employment, including hiring, promotion, firing, apprenticeship, training, and other job assignments.

An amendment to the Act protects pregnant women from employer discrimination in any form of employment, including hiring, job security, promotions, and fringe benefits. Additionally, the act requires employers with health or disability plans to

provide the same coverage for pregnancy, childbirth, and related medical conditions that is provided for other ailments or disabilities under the employer's health plan.

### ***Age Discrimination in Employment Act (ADEA)***

Prohibits age discrimination against individuals 40 years of age or older by employers with 20 or more workers, and by all unions maintaining hiring halls or representing 25 or more members. Since its adoption in 1967, the ADEA has been amended numerous times to define and extend the protections available to individuals aged 40 and older.

### ***American with Disabilities Act of 1990 (ADA)***

Prohibits employment discrimination against qualified individuals with disabilities. Under the ADA, a "disability" is defined as a physical or mental impairment that substantially limits one or more major life activities, where there is a record of such an impairment and where an individual is regarded as having such an impairment. To be protected under the ADA, an individual must be qualified to perform the essential functions of a job, with or without a reasonable accommodation.

Protected disabilities include, but are not limited to: deafness or hearing impairment; *treated* alcoholism; *treated* drug abuse; AIDS or HIV infection; respiratory disorder; cancer; diabetes; mobility impairments.

### ***Davis-Bacon Act – 1931***

Also known as the prevailing wage law, Davis-Bacon requires that all contractors working on federal construction projects pay their workers the wage rate prevailing in that area for each craft, as determined by the U.S. Department of Labor. For example, if the typical bricklayer wage package in a community is \$25 per hour, contractors working on federal construction projects in the same area must pay their bricklayers that amount.

The law ensures that workers are paid a fair wage for the market in which the work is being done by prohibiting contractors from submitting a low bid by bringing in workers from lower wage areas who are willing to work for less. Some states have state-level prevailing wage laws that apply to state, county, or city construction projects.

### ***Social Security – 1935***

Provides financial protection to millions of Americans. It provides retirement benefits to retired workers, disability benefits to disabled workers and their families, and survivor benefits to families of deceased workers.

### ***Unemployment Insurance***

A joint federal/state program providing weekly benefits for eligible unemployed workers, with each state determining eligibility, amount and duration of benefits. Eligible unemployed workers are entitled to 26 weeks of regular unemployment benefits, with federal law providing for 13 weeks of extended benefits in states experiencing high unemployment.

Depending upon a state's unemployment rate, eligible unemployed workers may also receive up to 14 weeks of benefits after regular and extended benefits have been exhausted.

### ***Occupational Safety and Health Act of 1970 (OSHA)***

Gives the federal government power to establish and enforce national safety and health standards. The law covers all farm and non-farm workers not already covered by other federal laws, as well as most state and local public employees. The Secretary of Labor sets and enforces national safety and health standards, and the U.S. Department of Labor's Occupational Safety and Health Administration has the authority to inspect worksites, levy penalties, and stop work if violations continue.

# Important Labour Laws

## Canada

The following provincial laws regulate BAC's labour and management relations in Canada.

### *Social Labour Laws*

Laws covering child labour, minimum wage, equal pay for equal work, weekly rest-day, holidays, fair employment practices, annual vacations with pay, notice of termination, workers' compensation, trade qualifications, construction and industrial safety, hospital and medical insurance, employment insurance, pensions, and welfare coverage are examples of these laws. Workers' compensation, employment standards, pay equity, and occupational health and safety are the types of legislation where these provisions would be found.

### *Collective Bargaining Law*

The Federal Canadian Labour Code and provincial labour codes and acts are designed to "insure industrial peace." Both federal and provincial laws provide that every employee has the right to be a member of a union and to participate in its lawful activities. The codes and acts include provisions that:

- Guarantee workers the right to join a union and participate in the union's lawful activities.
- Govern the recognition of a union as the bargaining agent of a group of employees.
- Ensure that both parties bargain in good faith and define what constitutes an unfair labour practice. Under the laws, an "employer must not participate in or interfere with the formation, selection or administration of a trade union . . . intimidate or unduly influence employees with a view to discouraging union membership; [or] . . . discriminate against any person in regard to employment because of their membership in a trade union." Trade unions and their representatives are prohibited from using intimidation "to coerce an employee with respect to trade union membership." In the federal Act and "most provincial Acts it is an unfair labour practice to engage in or to promote strikes and lockouts during the life of an agreement . . ."

The following are applicable federal and provincial laws:

- **Canada (the areas of work in which legislative authority is vested in the federal government), Northwest Territories, and Yukon Territories** – *Canada Labour Code*
- **Alberta** – *Labour Relations Code*
- **British Columbia** – *Labour Relations Code*
- **Manitoba** – *Labour Relations Act and the Construction Industry Wages Act*
- **New Brunswick** – *Industrial Relations Act and the Labour and Employment Board Act*
- **Newfoundland and Labrador** – *Labour Relations Act*
- **Nova Scotia** – *Trade Union Act*
- **Ontario** – *Labour Relations Act*
- **Prince Edward Island** – *Labour Act*
- **Quebec** – *Labour Code, An Act Respecting Labour Relations, Vocational Training and Manpower Management in the Construction Industry, and an Act to Amend the Act Respecting Labour Relations in the Construction Industry, and Respecting the Representativeness of Certain Representative Associations*
- **Saskatchewan** – *Construction Industry Labour Relations Act and the Trade Union Act*

# Glossary

**Agency Shop** – A union security clause in the collective bargaining agreement stating that an employee who is in the bargaining unit but refuses to join the union must pay the union a service fee that is equal to union dues.

**Arbitration** – A way of settling disputes by using the local's arbitration committee or board, the International Masonry Institute's dispute settlement plan, or by calling in an impartial third party to make a decision.

**Bargaining Unit** – A group of workers who bargain collectively with their employer. The unit may include union workers in a single craft, or it may include union workers in a multi-craft agreement.

**Checkoff** – A clause in the union contract authorizing the company to deduct union dues from members' paychecks and transfer them to the union.

**Collective Bargaining** – The process for determining wages, hours, and other conditions of employment through direct negotiations between the union and employer.

**Discrimination** – Unequal treatment of workers. Some forms of discrimination are illegal, while others are immoral. For example, it is unfair to discriminate based on age, but not illegal if the person is under 40 years of age. It is illegal to discriminate in the conditions of employment for reasons based on sex, union membership, nationality, religion, race or age if the person is between 40 and 70. The conditions of employment include types of jobs, benefits, promotions, layoffs, pay and other conditions.

**Ergonomics** – The study of the relationship between workers and their working environment. The goal of ergonomics is matching the workplace to the worker in an effort to reduce job-related health problems – such as back strain and repetitive motion syndrome – and to decrease lost time because of work-related illness and disability.

**Fair Representation** – The legal and moral obligation of union representatives to represent all bargaining unit members fairly by accepting and acting upon grievances.

**Fringe Benefits** – All non-wage benefits in the union contract – such as pension or health and welfare contributions – which are paid in whole or shared by the employer.

**Good Standing** – The status of a member when their dues are current and all other membership obligations have been met.

**Insubordination** – The act of refusing, or deliberately failing, to carry out a legal assignment. When in doubt, complete the work under protest and follow up with a grievance.

**Labour Relations Boards** – Administer Canadian labour laws at the federal or provincial level. The Boards are responsible for certifying unions, investigating violations of labour law, and addressing unfair labour practices.

**Lock-Out** – An employer’s denial of work to employees in order to force the union to settle a labor dispute on the company’s terms.

**Management Rights** – A clause in the collective bargaining agreement describing functions or decisions management can make without consultation with the union.

**National Labor Relations Board** – Created by the National Labor Relations Act of 1935, the Board administers and enforces the Act. Functions of the NLRB include: defining appropriate bargaining units; holding elections to determine if workers prefer representation by a specific union or want no representation; certifying unions to represent employees; and interpreting and applying the Act’s provisions prohibiting certain employer and union unfair labor practices.

**Open Shop** – Projects involving an employer running a non-union operation.

**Project Agreements** – May be negotiated by the developer, owner, contractor or other entity, and – in most cases – the local building trades council to cover larger projects. Project agreements are usually agreed upon by all or most of the crafts working on the project. They may include special provisions aimed at ensuring harmony, including a “no strike, no lock-out” clause, that may not be included in the local’s collective bargaining agreement. Therefore, the responsibilities of the local union and the steward may be different on these types of projects.

**Right-to-Work Law** – Prohibits employers from negotiating a union security clause (or union shop clause) into a collective bargaining agreement with the union representing their employees. Although the phrase “right-to-work” implies access to work, in reality there is no guarantee of work under the law. In fact, based on wage trends in states covered by right-to-work laws, the only “right” workers get is the right to work for less money.

**Slowdown** – The act of reducing the pace of work. If led by a union steward or representative this is a violation of most agreements.

**Union Shop** – A job on which every worker covered by the contract must become a member of the union. Workers do not have to be a member to be hired, but must join the union within a certain number of days.

# BAC Member Code of Conduct

BAC members represent the best in the masonry-trowel trades industry, as well as the labor movement. They show up for work ready and able to produce work of the highest quality, and as Union members are committed to advancing our Union's causes and promoting the unionized masonry-trowel trades industry. These qualities have distinguished BAC from the rest for more than 140 years.

*As a member of the International Union of Bricklayers and Allied Craftworkers, I will uphold the code of conduct embedded in our Union's name – IUBAC:*

*I will come to work prepared to give my employer a fair day's work for a fair wage, and to work to the highest standards.*

*Be **U**nion through and through – loyal to, and respectful of, my brothers and sisters in the trade and the labor movement.*

*Work **B**etter because I have received the finest, most comprehensive masonry-trowel trades training in North America.*

*Willingly **A**cept responsibility for the quality of my work and behavior on the job.*

*And always be **C**ommitted to growing the unionized masonry-trowel trades industry for current and future generations.*

Unanimously adopted by the delegates to the  
2005 International Union of Bricklayers and Allied Craftworkers Convention,  
modified by the Executive Council to be more inclusive of all crafts represented.

