

International Alliance of Theatrical Stage Employees,  
Motion Picture Technicians, Artists and Affiliated Crafts of the  
United States and Canada

AFL-CIO

Local 205 - Austin, Texas



## NON-CONTRACTUAL REFERRAL PROCEDURE

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UNIFORM RULES AND REGULATIONS FOR THE REFERRAL HALL AND  
REFERRAL ROSTERS OF I.A.T.S.E. UNION LOCAL 205

**Whereas**, certain agreements and practices relating to the hiring of employees are in effect between Local 205 and certain employees who operate within the jurisdiction of Local 205; and

**Whereas**, Local 205 wishes to establish and maintain written rules and regulations regarding the practices of its Referral Hall in referring both Local 205 members and Permit Workers (non-members) for temporary and permanent employment; and do so in a fair and nondiscriminatory manner:

Local 205 does hereby approve and adopt this preamble and the following " UNIFORM RULES AND REGULATIONS FOR THE REFERRAL HALL AND REFERRAL ROSTER OF I.A.T.S.E. UNION LOCAL 205" and declares its intention to establish and maintain its referral system on this basis.

### **EQUAL OPPORTUNITY EMPLOYMENT**

Local 205 recognizes it is required by law not to discriminate with regard to employment against any person on the basis of union membership, race, religion, age, color, sex, national origin, or ancestry; and hereby declares its acceptance and support of such laws. This shall apply to hiring, placement of employment, training during employment, and rates of pay or other forms of compensation.

### **NOTICE**

The Referral Hall is not an employer. No guarantee, assumption, promise, contract or warranty is now, will or should ever be made that participation in the Referral Hall and Referral Rosters will provide any person a job.

## **I. REGISTRATION**

### **A. Eligibility**

1. Any person may apply to the Referral Hall to be listed for both temporary and permanent employment referrals. Union membership or affiliation is not required.
2. Initial application may be made at any time.
3. An applicant must be at least eighteen (18) years of age.
4. An applicant must be physically able to work in the position(s) for which he or she applies.
5. Applicants may be required to take an appropriate skill and/or knowledge test.
6. The Referral Review Board may ask applicants to a personal interview.
7. An applicant shall not be considered until any past-due fees have been paid in full.

### **B. Application Materials**

1. All applicants shall fill out the following forms and provide the following information:
  - i. Qualifications for Job Referral.
  - ii. A verifiable resume or other materials adequately certifying the applicant's training and/or experience.
  - iii. Completed W-4 and I-9 forms for the employer.
  - iv. Proper identification as specified on the I-9 form.
  - v. An agreement to pay the Referral Fee, acknowledging that a percentage of gross wages is charged for referral and that failure to pay the fee will result in suspension from referral and ultimately in removal from the Referral Roster.
  - vi. Authorization for Automatic Deduction of Referral Fees. A form authorizing the employer or paymaster to automatically deduct the required referral fee from wages and submit it to Local 205.
  - vii. Collective Bargaining Authorization. A form authorizing Local 205 to act as bargaining agent. This allows Local 205 to represent the users of the Referral Hall and to bargain on their behalf.
  - viii. Other forms as necessary to administer and maintain the Referral Roster and its operation, or by agreement with an employer or employment agency, or as may be required by law.

- C. Registration Fee.** Access to the Referral Hall is a benefit for members of Local 205, whose regular membership dues include the registration fee. Permit Workers shall submit an annual fifty (\$50.00) dollar non-refundable registration fee. The Registration Fee is valid until the last day of the next registration sign-up period. Pro-rata Registration Fees shall not be accepted.

### **D. Submission & Renewal**

1. All applications shall be submitted by mail, email, in person to the office, or in person by appointment with the Business Agent.
2. Yearly Roster Placement. Placement on the referral roster is determined by the order your registration paperwork and registration fee are submitted.
  - i. Registration Period. New and Renewal Applications received between June 1 and August 15 shall be accepted for the upcoming season's new roster.
  - ii. Late Application. Applications not received complete during the Registration Period shall be considered late and shall not be included. (See also I.F.4)
3. Renewal. Registrants are placed on the rosters for one year. Registrants must renew their listing at least once a year, during the Registration Period, prior to August 15.
4. No Referral Work. Should a Permit Worker not receive a referral call for twelve (12) months, the registrant shall be given the choice to either receive a refund of the registration fee or to apply the fee to the next year's referral roster.

### **E. Review of Applications**

1. A Referral Review Board appointed by the President of Local 205 shall review the material submitted by each applicant and determine whether the applicant satisfies the requirements specified in these Referral Hall Rules.
2. Application shall be made by completing the appropriate form(s) and will be marked with the date and time of receipt.

### **F. Placement of Qualified Registrants on Lists**

1. All first-time registrants shall serve a probationary period of twelve (12) months. During this period, the Referral Review Board can remove from the lists a registrant whose work does not meet the standards outlined in the Referral Hall rules.
2. Placement of registrants on Rotating Referral Lists is solely by approval of the Referral Review Board. These lists are as follows:
  - i. A
  - ii. B+
  - iii. B
  - iv. C+
  - v. C
  - vi. Extra
3. All registrants will be placed on a Rotating Referral List. If a registrant does not apply for inclusion on a specific list the Referral Review Board shall decide. If a registrant does not meet the specified requirements for a requested list, the Referral Review Board shall decide placement. The Referral Review Board shall make the final decision as to list placement.
4. Late Applicants. Late applicants may, upon receipt of all application materials and registration fees, be recommended by the Referral Review Board at any time to the Business Agent for special placement on the bottom of any list. The membership-at-large shall vote to approve the special placement on any list other than "C" or "Extra" at the next regular meeting of Local 205. A majority vote of the membership-at-large shall be required for special placement on any list except "C" or "Extra".
  - i. No vote is necessary if the Referral Review Board recommends placement at the bottom of the "C" list or "Extra" list.
6. **Referral Roster**
  - i. "A" List. A registrant with a minimum of three years' experience who has worked, or been available for work, full-time within Local 205's trades and jurisdiction at least 2 years' total and who has unlimited availability for referral work.
    - a. "A" and "B+" List registrants who fail to maintain unlimited availability, per section I.F.7.i.a., shall be reassigned to the "B" or "C" list, except per section I.F.6.ii.
  - ii. "B+" List. An "A" list registrant who accepts a full-time job lasting longer than one month shall, after returning to unlimited availability, be reassigned to the "B+" list. The "B+" list will be called after the "A" list is exhausted and before the "B" list.
  - iii. "B" List. A registrant with a minimum of three years' experience who has worked, or been available for work, part-time within Local 205's trades and jurisdiction at least one year and who is usually available for referral work.
  - iv. "C+" List. A registrant with less than three years' experience who has worked in Local 205's trades and jurisdiction for less than one year, showing more skill than the C list.
    - a. Registrants failing to remain usually available, per section I.F.7.i.b., shall be reassigned to the "C" list.
  - v. "C" List. A registrant with less than three years' experience or not meeting the requirement of the A, B+, or B Lists.
  - vi. Extra List. A registrant with no stage or theatrical experience who wants to learn our trade.
7. **Availability and Skills**
  - i. In order to provide employers with qualified referrals at all times, the nature of the Referral Hall is to give preference for referral to registrants with the greatest availability and skills.
    - a. "Unlimited Availability" is defined as willing and available to accept referrals from the Referral Hall at all times, day or night, except when doing work referred through the Referral Hall, during mandatory turnarounds, sick, or with prior approval from the Referral Review Board.
    - b. "Usually Available" is defined as not meeting the requirements of Unlimited Availability but willing and available to accept referrals at least 2/3 of the time, except when doing work referred through the Referral Hall, during mandatory turnarounds, sick, or with prior approval from the Referral Review Board. Some impairment may exist due to prior commitments, holding a part-time job or personal choice. In general,

- a person holding a full-time job would not qualify as being usually available
- ii. Apprentices. These rules and regulations shall not apply to the employment of apprentices. Local 205 may establish and maintain a non-discriminatory apprentice- training program with corresponding rules and regulations making apprentices eligible for the "B" List.
  - iii. Job Categories. Registrants wishing to be considered for particular categories of work within a List must indicate the category(s) on their original application or submit a revised form for consideration to the Referral Review Board. Requests by employers will be filled using categories indicated on the registrant's most recent registration form. Categories include, but are not limited to, lighting, sound, carpentry, properties, projection, video and other crafts within Local 205's trade jurisdiction.
  - iv. Special Skills. Registrants possessing special professional skills and/or certifications are strongly encouraged to note such skills on the registration forms.
  - v. Telephone. All registrants must maintain a working telephone to facilitate referral to work calls. An answering device is recommended.
  - vi. Temporary Unavailability. Registrants who are temporarily unavailable for work due to illness, injury or other valid reason, and who can provide written notice in advance, shall maintain their position on the List. They will not receive referrals until they report availability to the Business Agent.
  - vii. Status Change. It is the registrant's responsibility to notify the Business Agent of any change in employment status that may affect placement on the Lists. The Business Agent will make a recommendation to the Referral Review Board whether the change in employment status necessitates placement onto a different list.

## **II. ADMINISTRATION**

- A. **Referral Costs.** All costs of administering the Referral Roster and running the Referral Hall shall be borne by the registrants.
  1. All registrants shall pay a fee, equal to a percentage of gross wages received as a result of referral, to Local 205 as administrator of the Referral Hall.
  2. Timely payment of all Referral Fees is required to remain eligible for referral.
  3. Referral Fees are payable to Local 205 immediately upon receipt of wages from an employer to whom the registrant was referred.
  4. For convenience, a registrant may elect to have the referral fee deducted from wages automatically by the employer or paymaster.
  5. If the registrant does not choose automatic deduction, or in the event that the employer or paymaster does not deduct the referral fee, Local 205 must receive the entire referral fee within thirty (30) days of registrant's receipt of wages.
  6. All other Fees are due immediately.
- B. **Non-payment of Registration Fee.**
  1. Local 205 Members have access to the Referral Hall as a benefit of union membership. A Local 205 member whose membership lapses for any reason must reapply as a Permit Worker to be accepted as a Late Applicant. See I.F.4.
  2. Permit Workers must pay the Registration Fee (\$50.-) at time of Registration. Permit Registrants will not have access to the Referral Hall until the Registration Fee is paid in full.

## **III. REFERRAL PROCEDURE**

- A. **Business Agent**
  1. Local 205's Business Agent shall be responsible for the daily operation of the Referral Hall.
  2. The Business Agent may appoint a Dispatcher and delegate to that person responsibilities appropriate to the position.
  3. The Business Agent shall be responsible for disciplinary actions not reserved as solely the province of the Referral Review Board. All actions taken by the Business Agent shall be reported verbally and in writing to the Referral Review Board within three (3) regular business days.
  4. The Business Agent shall maintain the Rotation Referral Roster and include in the records:
    - i. The date and time an employer submits a request for referrals.
    - ii. Any special qualifications requested by the employer.

- iii. The date and time each registrant from an applicable list was contacted, or when contact was attempted, and the registrant's positive or negative response.
- 5. The Business Agent shall provide signed copies of all Rotation Referral Roster call records and memoranda to the Local 205 Recording Secretary and Referral Review Board Chair each month.
- 6. The Business Agent shall make available to all registrants, upon reasonable request, copies of requests by employers for work.
- 7. Upon written request the Business Agent shall allow any registrant to examine, at the earliest reasonable opportunity, any Referral List record(s).
- 8. Rotation Roster records and memoranda shall be kept on file for a minimum of five years.

**B. Rotating Referral Roster**

- 1. Initial placement in rotation, on each of the Lists for the forthcoming year, will be determined by the order you turn your paperwork in. All forms must be submitted by August 15. Late additions, if allowed, shall enter at the bottom of the appropriate rotation list.
- 2. The Lists shall be posted at the next regular meeting following August 15 and thereafter be provided, upon written request, to any registrant.

**C. Filling Job Requests**

- 1. Referrals for A List will be made first, starting with the first registrant at the top of the list and proceeding in consecutive order. The Business Agent or Dispatcher shall start at the top of the referral list until a worker is located to fill an employer's request. If a registrant is not available or does not respond, the next registrant on the list shall be called.
  - i. First Sequence: Each registrant will be telephoned at their designated telephone number. If not reached the registrant will be immediately telephoned at a second alternative telephone number designated by the registrant. It is the responsibility of the registrants on the referral lists to keep the Union informed of all telephone numbers.
  - ii. Second Sequence: Registrants will be telephoned in the same manner within 30 minutes of the first telephone sequence only if the Union is unable to leave a message during the first telephone sequence, (e.g., no answer or no answering machine). No other telephone calls will be made unless the lists rotate completely around.
  - iii. E-mail and text: For referrals who agree to participate, contact may be made through text or e-mail. By this system, groups of referrals may be contacted at the same time to be offered the call.
  - iv. Response by Registrant: Referents will be contacted from the referral list they are on by specific skill. Referents will be given four hours to respond to a text, e-mail, or phone call. If the call is not filled after four hours, the next group of referents will be contacted. If the call is filled and referents respond as available within eight hours, those referrals will be added to the first group of referents contacted on the next call. Failure to respond to an email or text will be treated the same as failing to respond to a phone call as per Section III.D.
- 2. On each subsequent request, the Business Agent or Dispatcher shall begin with the top name not contacted on the previous requests (including those registrants who responded after the call was filled) and shall pass over those who accepted referral on the previous requests.
- 3. If the A list is exhausted, the procedure will continue in the same manner using the B+ List.
- 4. If the B+ list is exhausted, the procedure will continue in the same manner using the B List.
- 5. If the B list is exhausted, the procedure will continue in the same manner using the C list.
- 6. If the B list is exhausted, the procedure will continue in the same manner using the C+ list.
- 7. If the C+ list is exhausted, the procedure will continue in the same manner using the C list.
- 8. Following referral, a registrant's name will be rotated to the bottom of the appropriate list. When several registrants are referred to the same call, they will be placed at the bottom of the list in the same order they appeared previously.
- 9. Those persons who refuse referral, except for good cause, shall be placed at the bottom list, in the same order they appeared prior to being contacted, after the job call has been completed.
- 10. This procedure shall be followed until each person on the list has had an opportunity to refuse or accept a referral and then shall be repeated.

**D. Continued Refusal**

1. Registrants on the "A" and "B+" lists who refuse referrals three (3) times in a thirty (30) day period (other than for a short turnaround, illness, or by prior arrangement) will be placed on the "B" list for a period of not less than forty-five (45) days. At the end of that period the Business Agent will accept a written request for reinstatement.
2. Registrants on the "B" list who refuse a referral three (3) times in a thirty (30) day period (other than for a short turnaround, illness, or by prior arrangement) will be placed on the "C" list for a period of not less than forty-five (45) days. At the end of that period the Business Agent will accept a written request for reinstatement.

**E. Inability to Contact.** If, because of the inability to contact a registrant, the rotation process of the referral list is threatened with disruption, the Business Agent or Dispatcher shall bypass such registrant and thereafter notify them that some difficulty exists contacting them. The Business Agent shall, when a satisfactory method of communication is reestablished with the registrant, place the registrant's name at the bottom of the list.

1. If the Business Agent cannot contact a registrant on three separate occasions, the registrant may be removed from the list. Written notice will be sent to the registrant by certified mail.

**F. Special Skills.** When an employer requests referents with special skills, registrants who have not indicated they possess such skills shall be passed over during rotation without losing their position on the list.

**G. Entire Call.** Registrants must be available for an entire call, including Load-In, Load Out, and Show unless otherwise informed by the Business Agent.

**H. Short Notice.** If a request for referrals is submitted on short notice (of less than 48 hours), the Business Agent shall fill the call as expeditiously as possible. This shall also apply to replacement calls made less than 48 hours prior to the call time.

**I. Special Requests.** The Business Agent shall discourage abuse of this clause by Employers. In order to be requested for any given call, the referral in question must have been on Local 205's referral list for a period of at least two consecutive years or must be on the B-list or above.

**J. Rejection.** Employers have the right to reject any registrant referred by the Referral Hall, if they immediately provide their reasons in writing. If a registrant is rejected after appearing for a call, the registrant's name will be immediately placed at the top of the call list.

**K. Additional Staffing.** If temporary positions requiring special skills and at least three (3) years' experience cannot be filled from registrants currently available on the A, B+ or B lists, the Business Agent shall be permitted to call upon registrants who would not normally be available because of other work in the trade and jurisdiction. These registrants shall be allowed to work under such conditions as are permissible by their current employer.

1. Other Sources. In the event a call for referrals cannot be filled from the Lists, the Business Agent shall be permitted to secure competent workers from other reliable sources.

**L. Extras Called.** In the event that more referrals than were requested by the employer are called and appear for a call, the Steward or Business Agent shall first determine whether the employer is willing to hire or compensate the extra worker(s). Should the employer not hire or compensate the extra worker(s), the Steward or Business Agent shall request volunteers willing to be released from the call. If there are no volunteers, the last extra worker called shall be the first to be sent home. Extras sent home from a call without compensation will have their names placed at the top of the Rotation list in the order they were released from the call.

1. Extra workers should qualify for the position offered. Extra workers may receive any call-backs for the job they assume.

**IV. STEWARDS**

**A.** Job Stewards represent the Union; as such, Job Stewards must be members of Local 205. The Business Agent will appoint Job Stewards at their sole discretion. The Job Steward must be working under the same contract and conditions as the workers that they represent. Job Stewards shall work under the direction of the Business Agent and shall report to the Referral Review Board.

- B. The Job Steward will be responsible for providing a written report of the call to the Business Agent, including call times, crew numbers, and any events relevant to the policies and procedures of the referral hall.
  - 1. Job Stewards shall report to the Business Agent any infraction of:
    - i. general safety practices,
    - ii. the contract or work rules,
    - iii. tardiness and misbehavior,
    - iv. or any occurrence that in any way jeopardizes the welfare of this local or its members.
  - 2. Job Stewards shall investigate and advise the member, Business Agent and Referral Review Board, on any work-related concern that is witnessed or is brought to their attention by any member of their bargaining unit.
  - 3. Job Stewards shall provide evaluations of referent's work habits and skills, upon request of the Referral Review Board or Business Agent.
  - 4. Failure by the Job Steward to report can result in disciplinary action against the Job Steward.
- C. The Job Steward will call all breaks, meal breaks, call-backs and dismissals.
- D. If an Assistant Job Steward is required, the Assistant will have departmental preference in callbacks. Whenever the assigned Job Steward is absent, the member relieving them shall assume the duties and responsibilities of the Job Steward until the steward returns.

## **V. REFERRAL REVIEW BOARD**

- A. The President of Local 205 shall appoint a Review Board for the purpose of administering the Referral Hall's rules and regulations and for determining applicants' qualifications.
- B. The Review Board shall be composed of a total of five (5) persons. Local 205's Business Agent, by virtue of the office, shall serve on the Review Board. Up to one (1) other member of 205's Executive Board may also serve. At least three (3) members of the review Board shall be appointed only from Local 205's at-large membership. All members shall serve a term of one (1) year.
- C. The President of Local 205, as per the Local's Constitution, shall appoint the Chairman of the Review Board. The Business Agent is ineligible to serve as Chairman.
- D. The Chairman of the Review Board reserves the right to remove any Review Board member by an appropriate method outlined in the Local's By-laws.
- E. Review Board members must be notified at least forty-eight (48) hours in advance of any meeting or vote. Three (3) members shall constitute a quorum. All decisions shall be made by the majority vote.

## **VI. WORK RULES**

### **A. Attire**

- 1. All referents must report to work well-groomed and wearing clean and neat clothing. Personal hygiene is essential when working long hours and closely with others.
- 2. For safety reasons, large jewelry is not permitted, and long hair must be tied back.
- 3. Appropriate covered footwear is required; no open-faced shoes or heels may be worn. Designated Loaders shall wear work shoes or boots.
- 4. No shirts, hats or other apparel containing lewd, vulgar or offensive language, messages or graphics are permitted. Hats are not permitted for corporate-type work. Workout pants, tights, leotards, short shorts, or loose baggy clothing are not allowed.
- 5. Non-faded black clothing is preferred for all calls and required for all performances, unless otherwise specified by the Employer and/or Business Agent. The Employer can require or provide show or event personnel with specific dress requirements, including the covering of tattoos.
- 6. For corporate-type work, all referents are required to wear a non-faded black collared shirt that represents either Local 205 or another IA Local, or that has no logo or other images, as well as long black pants.
- 7. For non-corporate work, T-shirts and Jeans may be acceptable but must be in non-mutilated condition. Shirts must have sleeves (no tank tops). T-Shirts must either be Union shirts or be one solid color; otherwise, collared shirts must be worn.
- 8. If and when permitted by the Employer and Business Agent, Bermuda, cargo and uniform



shorts (no cut-offs) are acceptable.

9. Violations of the attire rules will be treated as minor offenses. Failure to have appropriate attire at report time may subject the person to removal from the call with no compensation.

**B. Reporting for Work**

1. Referents are responsible for their own transportation and parking.
2. All referents are requested to report to the Job Steward at the job site 15 minutes prior to the starting time.
3. Referents shall report to the Steward upon arrival at the job site to sign in.
4. Referent shall bring valid identification to the jobsite. Failure to provide valid identification may result in dismissal from job site without compensation.
5. A worker who will arrive late must contact the Job Steward, not the employer. If the Job Steward cannot be reached, contact the business agent, not the employer.

**C. Work Habits**

1. Referents are not permitted to leave the job site without permission from the department head or Steward, once half hour to performance is called.
2. Work calls are assigned for the full run of a show. Referents wishing to be released from a call must have the approval of a department head AND the Business Agent.
3. Referents shall comply with all reasonable work requests within a department and made by their department head.
4. Referents shall comply with all reasonable requests by management, relating to the venue.
5. Referents should be as diplomatic and congenial as possible at all times while at work or on a job site.
6. Referents are not to use electronic communication devices while on the job for other than work-related information. This includes cell/smartphone, laptops, tablets, iPod, Bluetooth, etc. If there is a family emergency, the referent may inform the Steward and make or take a call but no use of devices for personal business or amusement (music, social media, taking pictures, etc.) shall be permitted, especially during load-ins and load-outs.

**D. Safety**

1. Department heads should keep a list of hazardous materials used within their departments.
2. Referents must use proper safety procedures when working with hazardous or toxic materials.
3. Maintenance and safety checks must be performed on a regular basis by department heads.
4. Referents are prohibited from working under the influence of alcohol, drugs, or controlled substances while at work or on a job site.

**E. Tools.** Referents are required to bring small hand or power tools appropriate for the job position to which they are assigned. Personal Protective Equipment may be required, such as Hard Hat, High Vis Vest and Safety Glasses.

The Referral Hall requires that ALL referents, unless otherwise specified below, bring to the worksite the following tools:

1. A 16 oz. Hammer or heavier
2. An adjustable wrench
3. Straight blade screwdrivers with tips of 1/8, 1/4, and 3/16 inch
4. Phillips head screwdrivers with #1 and #2 tips
5. Work gloves
6. A pocket or razor knife
7. Flashlight or headlamp
8. Tape measure, 25' or longer
9. Slip-joint, linesman, and/or channel lock pliers
10. Diagonal wire cutters
11. Allen (hex) wrench set
12. Pencil, pen, and sharpie
13. A tool belt, nail apron, and/or other appropriate means of carrying tools on person (a backpack is not appropriate)
14. Carabiners\*\*

15. One 2-foot, and one 4-foot sling\*\*
  16. Rigging or safety harness\*\*
  17. Drop line at least 75' long\*\*
- \*\* Tools #14-17 are required by Riggers Only \*\*

The aforementioned list is required by the Referral Hall; the Employer or job may require specific tools not listed.

**F. Inadequate Tools.** All Referents are required to arrive at work calls with sufficient tools in working order for specific job classifications. It is the referent's responsibility to bring additional tools required by the Employer.

1. Failure to bring the tools required by the Referral Hall (see VI.E.1-17) at report time will be treated as a minor offense.
2. Should the referent fail to bring the tools required by the Employer at report time or cause disruption of the job due to inadequate tools, the referent may be dismissed from the job without compensation.

## **VII. DISCIPLINARY CODE**

**A. All Registrants** who accept work through referral by Local 205's Referral Hall will be held accountable for their actions under its Disciplinary Code.

**B. The Business Agent and Job Steward** shall have the authority to immediately remove from the job site and replace any registrants for commission of any of the offenses listed in the Disciplinary Code.

**C. Violation** under the Code shall be penalized by suspension from the Referral Roster as follows:

1. Extreme Offenses, 2 years
2. Major Offenses,
  - i. First offense in a twelve (12) month period, 30 days
  - ii. Second Offense in a twelve (12) month period, 90 days
  - iii. Third offense in a twelve (12) month period, 1 year
3. Minor Offenses
  - i. First offense in a twelve (12) month period, the referral would not be eligible for the next call
  - ii. Second offense in a twelve (12) month period, the referral would not be eligible for the next two calls
  - iii. Third offense in a twelve (12) month period, the referral would not be eligible for the next three calls
  - iv. Fourth offense in a twelve (12) month period, the referral will not be eligible for the next ten calls
  - v. An additional offense within a year of the fourth offense shall result in removal from the referral system.
  - vi. The term "Minor Offense" denotes an offense carrying a lesser penalty than a "Major Offense" and shall not be constructed as meaning trivial or unimportant.

**D. Extreme Offenses** are as follows:

1. Conviction of a felony committed while on a sanctioned job site or work call received by referral of the Referral Hall.
2. Consumption of alcohol or controlled substances at work or being under the influence of alcohol or controlled substances at work.
  - i. The Job Steward is required to send an intoxicated worker home without pay.
3. Theft at work, or in connection with work.
4. Physical assault against any registrant, Union employee, job steward, Union official, or Employer representative while at work, or in connection with work. This includes fighting, except in cases of self-defense.

**E. Major Offenses** are as follows:

1. Presenting false information or qualifications on application or during application interviews or otherwise provided to the Union.
2. Failure to appear for an accepted job without good cause. (No Show)

3. Harassment.
4. Verbal assault against or threatening harm to any registrant, Union employee, Job Steward, Union official or Employer representative while at work, or in connection with work. This includes threatening or abusive language to employees at the Union office.
5. Conduct or behavior damaging to the Union's contractual relations with Employers or conduct or behavior that disrupts or obstructs the referral system or the Union's ability to carry out its duties and obligations.

**F. Minor Offenses** are as follows:

1. Withdrawal from an accepted referral without good cause less than twenty-four (24) hours prior to the job.
  - i. This also applies to call jumping.
2. Leaving the Job Site prior to release by the Job Steward.
3. Habitual lateness. Appearing late for a job call three (3) times in twelve (12) consecutive months, without good cause.
4. Knowingly contributing to an unsafe work condition.
5. Working double shifts in a single day without the consent of the Business Agent.
6. Failure to appear before Referral Review Board when requested.
7. Professionalism. Infraction for professionalism is defined as follows:  
Reporting to work without required tools, knowledge, or appropriate dress to perform your assignment. You may also be charged if you conduct yourself in an unprofessional manner, offensive language, sleeping on the job, discussing Union or other work-related business, or have an uncooperative attitude.
8. Inappropriate use of electronic communication devices (refer to VI.C.6).
9. Failure to notify the Union before performing non-Union work that falls within the traditional scope of the Union's jurisdiction.
10. Contacting any Union or Employer official, representative, or employee with the intent of soliciting work so as to circumvent the referral process.
11. Failure to maintain current valid contact information (address, phone, email) with Local 205.

**G. Suspensions**

1. A registrant may be immediately suspended from the Referral Roster for any Offense listed in the Disciplinary Code. Notice will be provided by mail within two (2) business days from the day it is received in the office.
  - i. Any registrant suspended on the job site will be given an 'Intent to Appeal' form. The registrant has 24 hours to return the form to the Union to avoid an immediate suspension.
2. The Business Agent may impose the maximum penalty provided in the Disciplinary Code upon receipt of a written complaint from a department head, steward, or employer, unless the registrant files a timely appeal to the Referral Review Board.
3. If a timely appeal is filed with the Referral Review Board, no penalty shall be imposed until the appeal process is completed, except where immediate suspensions are provided for under the Disciplinary Code.

**H. No-Show.** In the event that a registrant fails to appear for a call that they have accepted, the following steps shall be followed in order:

1. The Job Steward shall attempt to contact the missing person.
2. If attempts fail, either the Job Steward or Business Agent shall replace the missing person.
3. The Business Agent shall then contact the person who missed the call and assess the reason for the absence. The Business Agent shall document the discussion including date, time, and excuse given. The Business Agent shall then inform the registrant whether a penalty is or is not being applied, the form of such penalty, and the process for appeal.
4. The Business Agent shall submit a report containing the above documentation to the Referral Review Board of Local 205.

**I. Replacements.** Once a referral has accepted a work call, should he or she need a replacement for whatever legitimate reason before or during the call cycle, the Union must be notified at least twenty-four (24) hours prior to the relevant report time.

1. Under no circumstance will anyone be allowed to replace themselves. These will be considered minor offenses.
  2. Once a referent has taken themselves off a call without prior arrangement with production and the steward of a call for a specific need, they will not be allowed to return for the remainder of that call.
  3. If a referent accepts a show call, they are obligated to complete the run of the show and are committed to fulfill their obligation on the out.
- J. Letters of Extreme Offenses and Major Offenses** shall remain on file for three (3) years. Letters of Minor Offenses shall remain on file for one (1) year. Registrants found not guilty of an offense will have such letters removed from the files.
- K. Letters of Commendation** shall be kept on file indefinitely.

## **VIII. APPEALS AND COMPLAINTS**

### **A. Appeals to Referral Review Board**

1. A registrant may appeal any penalty imposed or may appeal the qualifications for a referral as determined by the Business Agent.
2. A registrant may file a complaint with the Referral Review Board regarding any violation of the rules, regulations, or operation of the Referral Hall.
3. Appeals must be filed within fourteen (14) calendar days of the date of the violation notice. Complaints must be filed within fourteen (14) days of the alleged violation.
  - i. The Referral Review Board shall hold a hearing within thirty (30) days of receipt of the appeal or complaint. When circumstances prevent a prompt hearing, it must still be held within forty-five (45) days, and all parties must be notified. If no ruling is made within forty-five (45) days from receipt of the appeal, any penalty or fine being appealed shall be overturned.
  - ii. An appellant who fails to appear at the hearing upon request of the Referral Review Board shall have their appeal dismissed and any applicable penalty will be assessed.
4. Registrants shall be allowed representation at the hearing by another registrant of the Referral Hall. To promote a free exchange of facts, no party shall have the right to professional legal counsel at the hearing.
5. The Referral Review Board shall provide the Recording Secretary of Local 205 with a written record of the proceedings of all appeals. The Executive Board of Local 205 shall have at its discretion the release of these files.
6. The Referral Review Board may affirm, overturn, or reduce the penalty; but may not increase the penalty. The decision of the Referral Review Board may be appealed to the Membership-at-Large, whose decision shall be final and binding upon all parties.
7. Appeals for extension of time to pay a fee must be made in writing to the Referral Review Board within the first thirty (30) days following notification.

### **B. Questions & Complaints**

1. Questions about work rules or payroll should be asked of the Job Steward or Business Agent.
2. Questions or complaints should be directed through the proper chain of command in order to deal with problems fairly, quickly, and efficiently. The proper chain of command is, first,
  - i. Steward
  - ii. Business Agent
  - iii. Referral Review Board
  - iv. Local 205 Membership-at-Large

## **IX. AMENDMENTS**

- A.** Persons involved in the referral process of this Referral Hall should feel free to suggest changes that will improve its ability to efficiently provide quality referrals.
1. Proposed alterations or amendments to these rules shall be submitted in writing to the Referral Review Board and notice shall be made to all members of Local 205 at least fifteen days prior to any vote.
  2. Alterations or amendments to these rules shall be read before at least two consecutive regular

or special meetings of Local 205 and shall receive a favorable vote by at least two-thirds of the members present at the second meeting.