

CARPENTRY

10a

Agreement between the Master Carpenters' Association, The Cement League and Hollow Metal Door and Buck Association, Inc., and the District Council of New York City of the United Brotherhood of Carpenters and Joiners of America.

Article III.- Jurisdiction:

Section 2.- Subject to the provisions of Article XVI, Section 1, this agreement covers the work of carpenters and joiners, the layers of wood floors, rubber, cork, linoleum, asphalt and vinyl tile floors, sheet linoleum and rubber for walls and ceilings, and the, laying of all carpets, also stair builders, cabinet makers, bench hands, millwrights, and operators of woodworking machinery, including kalamein work and the erection of hollow metal work. Ribs required for centers may be cut in the shop, but all other parts for centers shall be cut on the job, and all centers shall be assembled on the job. All concrete form work shall be under the supervision of the Carpenter Foreman.

Stripping of all concrete forms shall be done as follows: Stripping of all columns, beam sides and beam bottoms, wall and footing forms, flat arch forms of all types and construction, in fact, the stripping of all concrete forms on building construction shall be performed with an equal number of carpenters and laborers under the supervision of the Carpenter Foreman: (Stripping of Concrete Forms Agreement between New York District Council of Carpenters and Cement and Concrete Workers District Council dated May 21, 1956.)

Section 3.-The handling, unpacking, distributing and hoisting of materials to be installed and/or erected by employees covered by this agreement shall be done by apprentices and carpenter helpers.

Work not covered by this agreement:

- (a) Carrying and hoisting of lumber for concrete work.
- (b) Hanging joists with steel wires from steel beams which act as carrying members on concrete form work.

11

-Carpentry, Centers for concrete arches, cutting and fitting of lumber for.

Brotherhood of Carpenters vs. Guy B. Waite Co.-Broadway and Great Jones St.

The cutting and fitting of lumber for centers shall be done by carpenters.-Decision of Executive Committee, June 10, 1905.

12

-Centers for concrete arches, cutting and fitting of.

Carpenters' Joint District Council vs. Guy B. Waite Co -70th St. and Central Park West.

The work referred to in the complaint shall be done by carpenters; provided, there are four hours consecutive work cutting and fitting.-Decision of Executive Committee, November 22, 1905.

12a

-Notches in wooden beams for radiator branches, cutting of.

Request of the Heating, Piping and Air Conditioning Contractors New York City Association for a decision in the matter of a dispute between the Enterprise Association of Steamfitters, Local No. 638 and the Carpenters' District Council-Boulevard Gardens, Hobart Street, Queens County, New York.

The committee finds that the work in question is not in possession of a trade.-Decision of Executive Committee, July 30, 1934.

13

-Weather strips, installation of.

Carpenters' Joint District Council vs. Gillis & Geoghegan and Harry Alexander-Church, 96th St. and Central Park West.

The installation of the weather strips on this job is work that is in possession of the carpenters.-Decision of Executive Committee, January 9, 1906.

14

-Millwright work.

Elevator Constructors and Millwrights' Union vs. Carpenters' Joint District Council.

The secretary is instructed to notify the Carpenters' Joint District Council that millwright work is in the possession of the Elevator Constructors and Millwright's Union.-Decision of Executive Committee, November 13, 1906.

Note -The Elevator Constructors have ceased doing millwright work and the millwrights have joined the Carpenters' Union.

15

-Scaffolds, building of.

Carpenters' District Council vs. Davis Brown

Mr. Brown is instructed to immediately employ carpenters, members of the recognized union, on the work referred to in the complaint, building of scaffolds on church, DeKalb and Tomkins Avenues, Brooklyn.--Decision of Executive Committee, February 20, 1907.

15a

-Scaffolds, erection of.

Carpenters vs. James Stewart & Co., Inc.- Mecca Temple, Seventh Ave. and 55th St.

The scaffolding being built within the auditorium is work that is in the possession of the carpenters - Decision of Executive Committee, February 29, 1924.

15b

-Scaffolds, extraordinary and free-standing, erection of.

Carpenters' District Council vs. Mason's Laborers-176 Broadway.

The question of the erection of free-standing scaffolds and extraordinary scaffolds, in the disputes between the mason's laborers, the plasterers' laborers and the carpenters, is referred to a special board of arbitration, consisting of a representative of the Plasterer's Laborers, the Mason's Laborers and the Carpenters and a representative of each of their respective Employer's Association. -Decision of Executive Committee, March 28, 1927.

15-2b

-Scaffolds, extraordinary and free-standing, erection of.

Carpenters' District Council vs. Masons' Laborers.

All independent or free-standing scaffold built of wood, when over three horses or 14 feet high is extraordinary scaffold and requires the use of carpenters' tools and shall be built by carpenters no matter what trades are to use it thereafter. It is further decided that the planking of any such scaffold, when such planking is to be used by bricklayers, is to be placed or replaced for their use by bricklayers' laborers. -Decision of Special Board of Arbitration (John Halkett, William A. Hannan, L. R. Davidson, Frederick T. Youngs; Robert D. Kohn, Umpire), February 29, 1928.

15c

-caffolds, steel tubular (Safeway), erection of.

Structural Iron Workers, Local No. 40 vs. Carpenters District Council-Coca Cola Building, 34th Street and East River Drive, New York, N. Y.

The Committee finds that the scaffolding in dispute is composed of built-up, all steel members, the erection and removal of which comes well within the traditional jurisdictional claims of the iron workers; but, it further finds that through custom and practice of many years, the trades in dispute have been working together in equal numbers on the erection and dismantling of similar types of scaffolds, therefore, on the work in question, such an arrangement for the division of the work should not be disturbed.- Decision of Executive Committee, May 22, 1947.

16

-Treads (temporary), wooden on iron stairs.

Carpenters' Joint District Council vs. Hecla Iron Works.

The work of placing temporary wooden treads on stairs, requiring the cutting and fitting of lumber, is work that must be performed by carpenters.-Decision of Executive Committee, February 27, 1907.

17

-Centering for Waite type of fireproof arches, Installing of.

Carpenters' Joint District Council vs. Guy B. Waite Co.

In the installing of the centering known as the Waite type of fireproof arches, at least one carpenter must be employed to every five laborers, and no job shall be run without a carpenter being employed thereon.-Decision of Executive Committee, June 11, 1907.

17a

— Soffits (beam bottoms) on cinder concrete arches, hanging of.

Cement and Concrete Workers, District Council No. 859 vs. Carpenters' District Council I-Knickerbocker Village, Cherry, Catherine, Monroe and Markets Streets, New York, N. Y.

The committee finds that the hanging of soffits and/or beam bottoms for cinder concrete arches is work that is in the possession of the concrete laborer & - Decision of Executive Committee, June 26, 1934.

17-2a

-Soffits (beam bottoms) on cinder concrete arches, hanging of.

In the matter of the request of the Carpenters' District Council to rehear the above -captioned case.

Having granted the carpenters' request and having heard the issues in the above matter, the committee finds:

1. That the handling and hoisting of form work is the work of the laborer, and the installation of form work is the work of the carpenter.
2. That a soffit is a form which is raised to position by the laborer before being hung.
3. That it is impractical to separate these operations, therefore, one carpenter should be engaged for each laborer used in the hanging of soffits. -Decision of Executive Committee, August 15, 1939.

18

-Doors, tin covered, manufacture of.

Carpenters vs. Hedden Construction Co.-Tuttle & Bailey Building, North Tenth and Berry Sts., Brooklyn.

The charge is sustained (the doors should have been manufactured by Carpenters).- Decision of Executive Committee, January 5, 1909.

18a

-Doors, metal covered, for toilets, hanging of.

Carpenters' District Council vs. Housesmiths, Local No. 52– City Service Building, 60 Wall Street, New York, N. Y.

The committee finds that the work in question, toilet room doors as being erected at 60 Wall Street, is metal covered woodwork, and, therefore, shall be performed by carpenters. – Decision of Executive Committee, March 11, 1932.

19

-Door trim and doors, iron or steel, setting of.

Amalgamated Sheet Metal Workers' Union vs. Carpenters' Joint District Council.

The setting of iron or steel door trim and doors, samples of which were submitted to me, does not belong to the sheet metal workers. They are thick castings, and not of the kind of sheet metal which the sheet metal workers handle, and to which their tools are adapted. The samples before me are so thick that they have to be cut with a saw, and no doubt such castings may be even thicker. They could not be cut with a shears or bent, or united, or worked, or soldered, after the manner sheet metal is handled and fashioned. They are not contemplated by the rules which fix the domain of the sheet metal workers. The method and skill which the work requires does not belong to the craft of the sheet metal workers but to that of the carpenters. The substitution of metal for wood does not oust the carpenters. Even though the butts on which the trim and hinges are to be put be of iron or steel, the case is the same.-Decision of Umpire (Win. J. Gaynor), April 23,1909.

19a

-Doors, hollow steel, in elevator openings, Installation of.

Carpenters vs. Iron Workers, Local 52-Bank of America, Wall and William Sts.

The evidence in the case shows that the work in question is not the sole possession of either the carpenters or the iron workers, and therefore the complaint is dismissed.-Decision of Executive Committee, August 11, 1925.

19-2a

-Metal Trim, Interior, Installation of.

Sheet Metal Workers vs. Carpenters District Council-United Airlines Terminal Building, Idlewild Airport, New York City.

The Executive Committee finds that the work in question is interior metal trim and therefore is the work of the Carpenter. Decision of Executive Committee, August 26, 1959.

19-3a

-Ceiling, Extruded Aluminum Grid, Fibreglas Acoustical, Erection of.

Sheet Metal Workers vs. Carpenters District Council-Time-Life Building, New York City.

The Executive Committee finds that the work in question is not a metal panel ceiling. The aluminum extrusions, part of which are slotted, are primarily for the support of the ceiling. The complaint is dismissed.-Decision of Executive Committee, August 26, 1959.

19-4a

-Strips, metal, whose primary function is an architectural feature, Installation of.

Metallic Lathers Union Local No. 46 vs. Carpenters District Council-Hillcrest High School, Hillside Avenue and Parsons Boulevard, Queens.

The installation of a metal member whose primary function is an architectural feature rather than a plaster stop, is the work of the Carpenters.-Decision of the Executive Committee, September 9, 1971.

Upon rehearing, it is the decision of the Executive Committee that their decision 194a of September 9, 1971 is reaffirmed.-Decision of the Executive Committee, December 7, 1971.

19-5a

-Ceiling, Donn Acoustic, Installation of

Sheet metal Workers Local Union No. 28 vs. Carpenters District Council-North Central Bronx Hospital, Bronx, New York.

The Executive Committee finds that the Donn Acoustic Ceiling as presented to the Board of Arbitration on the above captioned job is not a metal pan ceiling. The installation is the work of the Carpenters.- Decision of the Executive Committee, May 30, 1972.

19-6a

-Air Bars, Installation of.

Sheet Metal Workers Local Union 28 vs. Carpenters District Council- Customs Court House, Federal Plaza, New York, N.Y.

The Executive Committee finds the work in question is covered by Decision 19-3a and is therefore the work of the Carpenters District Council.-Decision of the Executive Committee, November 12, 1976.

19b

- Doors, elevator, of pressed steel, hanging of.

Iron Workers vs. Carpenters, the Cauldwell-Wingate Co. and the Art Metal Co.-Saks Building.

The complaint is dismissed.-Decision of Executive Committee, December 11, 1923.

19c

-Bucks, metal elevator shaft doors, setting of.

Iron Workers vs. Carpenters-Federal Reserve Bank.

The complaint is dismissed.-Decision of Executive Committee, December 11, 1923.

19-2c

-Steel framing, hollow tube, in connection with lifting doors and forming front of wardrobes, setting of.

Ornamental Iron Workers, Local No. 580 vs. District Council of Carpenters-Public School No. 31, Bell Boulevard and 46th Avenue, Bayside, Queens, New York.

The complaint is dismissed.-Decision of Executive Committee, June 6, 1940.

19-3c

-Wardrobes and Closets, metal) pupils', erection of.

Carpenters District Council vs. Ornamental Iron Workers, Local No. 580-New York City Schools, per Board of Education detail, dated February 20, 1941.

The complaint is dismissed. Decision of Executive Committee, June 18, 1941.

19d

-Doors and windows, hollow bronze, installation of.

Ornamental Ironworkers and Bronze Erectors, Local No. 52, vs. Carpenters-In the basement of the New York Life Building, 27th Street and Madison Avenue, New York City.

From the evidence presented, the Executive Committee decides that the installation of bronze doors and windows is not in the sole possession of either the Carpenters or Bronze and Iron Workers of Local No. 52, and further recommends that a special board be convened promptly to determine who shall perform the work.-Decision of Executive Committee, November 26, 1928.

19e

-Interviewers, Knockers and Mechanical Chimes, Installation of.

Carpenters District Council vs. Electrical Workers, Local No. 3-Apartment House, A. D. Harrison, builder, Broadway and Bleecker Streets, New York City.

The Executive Committee finds the word in question is the work of the Carpenter.-Decision of the Executive Committee, April 19,1961.

20

-Carpentry, boxes (4x4), placed In concrete for electrical purposes, making of.

Carpenters vs. George H. Pride & Co.-Sea View Hospital, Staten Island.

George H. Pride & Co. is directed to employ carpenters on the work in question.-Decision of Executive Committee, May 26, 1909.

20a

-Wood and/or Metal Boxes to Concrete Forms, fastening of.

New York District Council of Carpenters vs. Plumbers' Local 2River Investing Corp., Carol Management, 237th to 239th Streets and Independence Avenue, New York City.

The Executive Committee finds that the locating of the wood and/or metal boxes on concrete forms to provide openings in the floor slab to allow for the Plumbers' piping is the work of the Plumber. The permanent fastening of the wood and/or metal boxes to concrete forms is the work of the Carpenter.-Decision of the Executive Committee, July 29, 1963.

20-2a

-Styrofoam Blocking To Form Openings, Installation of.

Enterprise Association of Steamfitters Local Union 638 vs. Carpenters District Council- Richmond Terrace, Staten Island, New York.

The Executive Committee finds that the installation of blocking, whether styrofoam or other material, to form a void or opening in a concrete wall, is the work of the Carpenters. -Decision of the Executive Committee, May 4, 1976.

21

- Bakeshop equipment, Installation of.

Machinists vs. Millwrights-National Biscuit Company building 15th St. and Tenth Ave.

The machinists are to install the machinery in thirty-four (34) reel ovens, and assemble nineteen (19)

pan conveyors and the packing tables and motors. The millwrights are to install the shafting, pulleys, belting, mixers, sifters, brakes, cutting machines, dry kiln machinery, cracker meal mills, sack cleaners, buffing and nailing machines, and wrapping and closing machines.-Decision of conference of representatives of the Building Trades Employers' Association and the Carpenters' and Machinists' Unions (Chas. J. Kelly, T. M. Guerin, M. T. Neyland), November 11, 1913.

21a

-Brewing machinery for malt mill, Installation of.

Carpenters' District Council (millwrights Local No. 740) vs. Machinists, District No. 15-Hupfel Brewery, 229 E. 38th Street, New York, N. Y.

The complaint is dismissed.-Decision of Executive Committee, February 7, 1934.

21b

-Conveyors, vertical, In connection with malt mills, Installation of.

Carpenters' District Council (Millwrights, Local No. 740) vs. Machinists, Local No. 125, District No.15-Eichler Brewery, 169th Street and Third Avenue, Bronx, N. Y.

The complaint is dismissed.-Decision of Executive Committee, September 28, 1938.

22

-Forms, for fireproofing columns with concrete.

Carpenters vs. Thompson-Starrett Co.-Equitable Building.

The complaint is sustained.-Decision of Executive Committee, October 16, 1914.

23

-Motors and fans, direct connected, setting and aligning of.

Machinists vs. Millwrights-Equitable Building.

The committee finds that the work in question (setting and aligning of direct-connected motors and fans) has not been in the sole possession of either the millwrights or the machinists. Decision of Executive Committee, February 15, 1915.

24

-Tile, cork, laying of.

Tile Layers vs. Carpenters-Parsons Residence, 86th St. and Fifth Ave.

The work of laying the material, that was placed on the floors of the Parsons residence, shall be done by the carpenters. Decision of Umpire (John G. Archer), April 20, 1916.

24a

-Concrete Sealant, Component of Carpet Tile Systems, Application or.

Painters District Council No. 9 vs. Carpenters District Council- 85 Broad Street, New York City.

The application of a concrete sealant as a component of a carpet tile system installation is the work of the Carpenters, Decision of the Executive Committee, July 20, 1983.

25

-Carpentry, forms for concrete.

Carpenters vs. Lewis H. Woods-Jamaica Ave. extension of Elevated Railroad.

The work of erecting the forms at the stations is in the possession of the Carpenters. -Decision of Executive Committee, September 22, 1916.

26

-Roofing strips or grounds for slate roof.

Slate and Tile Roofers vs. Carpenters-Port Washington, L.I.

The complaint is dismissed.-Decision of the Executive Committee, May 8, 1917.

26a

-Celotex, on pitched roofs, application of.

Slate & Tile Roofers, Locals No. 7 and 25 vs. Carpenters District Council-The Court of States Building, World's Fair, Flushing, L.I.

The committee finds that the applications of celotex, nailed in the construction of a pitched roof, is the work of the carpenter-Decision of Executive Committee, January 5, 1939.

27

-Forms, column, placing sheet metal lining in wooden forms.

Sheet Metal Workers vs. Carpenters and J. Odell Whitenack-14th St. and Van Alst Ave., Long Island City.

The complaint is dismissed.-Decision of Executive Committee, July 24, 1917.

28

-Partitions, steel, erection of.

Carpenters vs. S. H. Pomeroy Co. and Sheet Metal Workers - Telephone Exchange Building, Beaver and Broad Sts.

The committee finds that the complaint of the carpenters is sustained, and the S. H. Pomeroy Co. is directed to employ carpenters to erect the work.-Decision of Executive Committee, September 19, 1917.

28a

-Partitions, steel, with laminated panels, erection of.

Carpenters vs. Iron Workers, Local 52-12th St. and 5th Ave.

The Committee finds that the testimony developed that the panels of the steel partitions and the doors to be installed have laminated wood filler, and that carpenters should be employed to erect this work.-Decision of Executive Committee, February 6, 1925.

29

-Running boards, erection of.

Electrical Workers vs. Turner Construction Company and the Carpenters' Union-Fort Hamilton Barracks.

The complaint is dismissed, for the reason that the work (putting up running boards) has not been in the sole possession of either the carpenters or the electricians.-Decision of Executive Committee, December 10, 1917.

30

-Asphalt shingles, applying of.

Composition Roofers vs. Carpenters; and Slate and Tile Roofers vs. Composition Roofers and Waterproofers and John Kientsch-Bronx Amusement Buildings.

The work in question (die applying of asphalt shingles) is not in the sole possession of any one of the three parties to the case. Decision of Executive Committee, June 11, 1918.

31

-Cabinets, metal, Installation of.

Sheet Metal Workers vs. Carpenters; also, Plumbers vs. Carpenters -Pennsylvania Hotel.

The complaint of the sheet metal workers against the carpenters is dismissed.

We find that the access door to pipe shaft with mirror and recess shelf, and the cabinets set in the pipe shaft openings, shall be installed by the carpenters; and, that the medicine cabinets with shelf and with mirror set in blind openings shall be installed by the plumbers.-Decision of Executive Committee, October 24, 1918.

31a

-Cabinets, medicine, and plumbing accessories, installation of.

Plumbers vs. Carpenters-Columbia Medical Center, 168th St. and Broadway.

Supplementing Decision 31, the Executive Committee finds that where medicine cabinets and other plumbing accessories are installed in connection with the plumbing fixtures outside of bathrooms, they shall be installed by plumbers.-Decision of Executive Committee, January 23, 1928.

31b

-Cabinets, metal laboratory, Installation of.

-Cabinets, dressers, metal, In diet rooms or kitchens, Installation of.

Housesmiths vs. Carpenters-Jewish Hospital, Classon Ave., Brooklyn, N. Y.

The committee finds from the evidence produced that the installation of metal cabinets in laboratories is in the possession of the Iron Workers. The Committee further finds that the installation of metal cabinets or dressers made up of stock sizes in sectional units, used in diet rooms or kitchens, is not in the sole possession of the Iron Worker or Carpenter&-Decision of Executive Committee, July 9,1928.

31b-31c

(Clarification)

The Executive Committee at its meeting held on Wednesday, May 27, 1953, rendered the following decision.

The installation of the metal member fastened to the wall and to which the metal cabinets are separately attached is included in the work of metal cabinet installation in Handbook Decisions 31b and 31c.

31-2b

-Cabinets, metal, In kitchens, Installation of.

Sheet Metal Workers, Local No. 28 vs. Carpenters' District Council-80th St. and West End Avenue, New York, N. Y.

The complaint is dismissed.-Decision of Executive Committee, April 20, 1936.

31-3b

-Cabinets, metal under sinks and drain boards in kitchens, installation of.

Plumbers, Local No. 463 vs. Carpenters' District Council-Rockefeller Apartments, 17 West 54th Street, New York, N. Y.

The committee finds that the installation of the cabinets, consisting of a nest of drawers and doors, in the kitchen on the job in question, is work that is in the possession of the carpenters. The committee further finds that the setting of the top, consisting of sink, a drain board and splash back is the work of the plumber.-Decision of Executive Committee, August 4, 1936.

31-4b

-Metal work table with sinks In nurses' stations and laboratories, installation of.

In the matter of the dispute between Plumbers, Local No. 463 and the Ornamental Iron Workers, Local No. 447, on complaint of Jarcho Bros., Inc--Jewish Memorial Hospital, Broadway and 196th Street, New York, N. Y.

The committee finds that on the evidence presented the table tops with sinks as installed on the job in question is work that is in the possession of the iron workers.-Decision of Executive Committee, May 6, 1937.

31-4b

(Interpretation)

The Executive Committee at its meeting held on Wednesday, October 18, 1950, rendered the following decision:

From the evidence submitted, the complaint of the Plumbers, Local No. 2 concerning the interpretation placed by the Iron Workers, Local No. 580 on decision No. 31-4b as listed in the handbook, is not sustained.

31c

-Cabinets, metal, installation of.

Housesmiths vs. Carpenters-Doctors Hospital, 87th and 88th Sts. and East End Ave.

After hearing the complaint in regard to the possession of metal cabinets, of the type being installed at the Doctors Hospital, 87th and 88di Streets and East End Avenue, the Committee finds that the installation of metal cabinets of the type is in the possession of the iron worker-, except, that the installation of metal cabinets or dressers made up of stock sizes in sectional units, used in diet room,g and kitchens, is not in the sole possession of the iron worker or the carpenter.-Decision of Executive Committee, November 26, 1929.

31b & 31c

(Clarification)

The Executive Committee at its meeting held on Wednesday, May 27, 1953, rendered the following decision.:

The installation of the metal member fastened to the wall and to which the metal cabinets are separately attached is included in the work of metal cabinet installation in Handbook Decisions 31b and 31c.

31-2c

-Bucks, In connection with metal cabinets, selling of.

United Housesmiths Union, Local No. 52 vs. Carpenters' District Council-New York Hospital, York Avenue and 70th Street, New York, N. Y.

Where rolled steel bucks are to be built in by masonry in connection with metal cabinets as on the job in question, the setting of these bucks is the work of the carpenter but the installation of the cabinets in these bucks, including the doors, is the work of the iron worker. Where bucks are set in openings already prepared, it is the work of the iron worker including the cabinets, cases and doors. Decision of Executive Committee, May 20, 1931.

32

-Grounds, spot, application of.

Plasterers vs. Carpenters and Lewis Harding-Capitol Theatre, Broadway and 51st St.

The complaint is dismissed.-Decision of Executive Committee, March 10, 1919.

33

-Partitions, off ice, erection of (manufactured by R. F. Carpenter Co.).

Request of the Austin Company for decision in the case of a dispute between the sheet metal workers and the carpenters on job at foot of sixth St., Long Island City.

The work is not in the possession of either the sheet metal workers or the carpenters.-Decision of Executive Committee, August 25, 1919.

34

-Carpentry, partitions and doors, toilet (manufactured by Betz Bros.).

Sheet Metal Workers vs. Carpenters-Pictorial Review Building, 39th St. and Seventh Ave.

We find that the work in question, the erection of these toilet partitions and doors, is work that has not been recognized as being in the possession of a trade. -Decision of Joint Committee representing the Building Trades Employers' Association and the Building Trades Council (C. G. Norman, Max Baumann, M. F. Westergren, John C. Imhof, Al F. Day, David Danahy), February 2, 1920.

35

-Forms, floor, wood and metal.

Sheet Metal Workers vs. Carpenters-Studebaker Building, Sterling Place and Bedford Ave., Brooklyn.

We find that the work of setting the wood and metal floor forms in question is work that is in the possession of the carpenters.-Decision of Joint Committee representing the Building Trades Employers' Association and the Building Trades Council (Chas. J. Kelly, John T. Taggart, Albert F. Day), June 30, 1920.

35a

-Disks, rubber, nailed to concrete wooden forms, for the purpose of causing indentations or depressions In poured concrete surfaces.

Metal Lathers Union No. 46 vs. Carpenters District Council-New York Life Insurance Company, Manhattan Apartments, Third Avenue and 65th Street, New York, N. Y.

The Committee finds that the work in question, the nailing of rubber disks to wooden concrete forms, is the work of carpenters. -Decision of Executive Committee, February 7, 1950.

36

-Doors, iron, access to pipe shafts, setting of.

James Stewart & Co., Inc., vs. Housesmiths and Carpenters -45th and 46th Sts. and Lexington Ave.

The iron workers will distribute the doors, and as there is considerable wood work in connection with their setting, the carpenters will set them, without prejudice.-Agreement made by representatives of Housesmiths' and Carpenters' Unions at hearing before Executive Committee, February 11, 1921.

37

-Window frames, metal, calking of.

Carpenters' Union vs. Composition Roofers and Waterproofers and W. J. Taylor Company-Christian Science Building.

The work of caulking window frames is not in the sole possession of either the carpenters or the composition roofers and waterproofers. -Decision of Executive Committee, March 22, 1921.

37a

-Carpentry, plinth blocks, cement cast, setting of.

Cement Masons vs. Carpenters and Edward Coming Co. -Schermerhorn and Nevins Sts., Brooklyn.

The complaint is dismissed .-Decision of Executive Committee, December 7, 1921.

37b

-Seat or chair standards, setting of.

Iron Workers vs. Carpenters-Yankee Ball Park, 161st St. and Jerome Ave.

The complaint is dismissed. -Decision of Executive Committee, November 20, 1922.

37c

-Mastic, bituminous, used in laying wood flooring, heating and handling of.

Composition Roofers, Damp and Waterproof Workers Association, Local Union No. 8 vs. Carpenters District Council-Fresh Meadows Housing, Flushing, New York.

From the evidence submitted, the committee finds that the mastic used is not applied for waterproofing purposes, therefore, the work in question is the work of the carpenters.-Decision of Executive Committee, May 25, 1948.

37-2c

-Tile panels, prefabricated, applied to wood grounds with wood screws, Installation of.

Tile Layers Local Union No. 52 vs. Carpenters District Council -Equitable Life Insurance Building, 52nd Street and Avenue of the Americas, New York City.

The Executive committee finds that the work in question is the work of the Carpenter. -Decision of the Executive Committee, July 18, 1961.

37d

-Hampers, Combination Utility, installation and fastening of in Bathrooms and Toilet Rooms-

New York District Council of Carpenters vs.- Plumbers' local 2 -Executive Towers, Carol Management, 165th Street and Grand Concourse, New York City.

The Executive Committee finds that the installation and fastening of a combination utility hamper in bathrooms and toilet rooms is the work of the Carpenter. -Decision of the Executive Committee, July 29, 1963.

37e

-Inserts, Bell type, Installation of.

International Brotherhood of Electrical Workers Local No. 3 vs. Carpenters District Council -Long Distance Telephone Build-321 Broadway, New York City.

The installation of Bell type inserts attached to the form work of concrete, and not defined for a specific use by I.B.E.W. Local No. 3, is the work of the Carpenter. -Decision of the Executive Committee, September 10, 1970.

37f

-Penetrations In Sheet Rock, Cutting of.

Carpenters District Council vs. I.B.E.W. Local 3- Long Island Jewish Hospital.

The Executive Committee finds the cutting of penetrations in Sheet Rock for electrical outlets in new work,

is the work of the Carpenters District Council. -Decision of the Executive Committee, January 8, 1979.

37g

- TECKNION Office Furniture System, containing integral raceway, installation of

Electrical Workers Local Union No. 3 vs. Carpenters District Council-SIAC Building, 100 Myrtle Avenue, Brooklyn, New York.

The Executive Committee finds that the installation of a TECKNION Office Furniture System containing an integral raceway as specified on the subject job site is the work of the Carpenters District Council.--Decision of the Executive Committee, September 19, 1990.

37h

- Raised Floor System, containing sub-floor, installation of.

Electrical Workers Local Union No. 3 vs. Carpenters District Council-Livingston Plaza, Brooklyn, New York.

The Executive Committee finds that the installation of a sub-floor as part of a raised floor system is the work of the Carpenters District Council. -- Decision of the Executive Committee, September 19, 1990.

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- The assembly of all components in the construction of Sheetrock walls.

The assembly of all the components in the construction of veneer coat walls is the work of the NYC District Council of Carpenters. The assembly of all the components in a Sheetrock or acoustical tile ceiling, below the purlins (hangers and carriers), is the work of the NYC District Council of Carpenters. It should be noted that the installation of all purlins (hangers and carriers) in all ceiling systems, is the work of Local #46 Metallic Lathers Union.

EIFS (Exterior Insulation and Finish Systems or Synthetic Stucco). The installation of Styrofoam and backing wall board to receive a factory mixed compound on walls, columns and ceilings is the work of the NYC District Council of Carpenters.

LOCAL 46 METALLIC LATHERS UNION

The mechanical application of any reinforcing mesh in EIFS (Exterior Insulation and Finish Systems or Synthetic Stucco) is the work of Local #46 Metallic Lathers Union.

The assembly of all veneer coat systems in the construction of ceilings, fascias and soffits, no matter what the origin or plastic material to be applied, is the work of Local #46 Metallic Lathers Union. It should be noted that when the finished product on ceilings, fascias and soffits is EIFS (Exterior Insulation and Finish Systems or Synthetic Stucco), the installation of Styrofoam, Backing Board and Furring shall be the work of the NYC District Council of Carpenters.

Traditional Lath and Plaster: The assembly of all the components in traditional plaster systems (i.e. Wire Lath and Rock Lath) is the work of Local #46 Metallic Lathers Union.

Michael J. Forde
NYC District Council of Carpenters

Robert A. Ledwith
Local #46 Metallic Lathers Union

37-J

The purpose of this letter is to clarify the interpretation of the March 8, 2001 Opinion and Award of the Arbitration Panel of the NY Plan For The resolution of Jurisdictional Disputes for the above work in question. That award states:

The work of penetrating the access floor to provide access for electrical conduit or other electrical equipment, belongs, in part, to IBEW Local #3 and, in part, to the District Council of Carpenters.

Such penetrations performed offsite and penetrations of precise locations identified on shop drawings or other construction documents belong to the District Council of Carpenters.

Such penetrations performed on-site where the location of the penetration is not identified on a shop drawing or other construction documents belong to IBEW Local #3.

Based on this request and in an attempt to clarify this decision, I issued a letter on April 24, 2001 to both parties that stated:

- 1) Such penetrations performed off-site and penetrations of precise locations identified on **original** shop drawings and/or **original** construction documents belong to the District Council of Carpenters
- 2) Such penetrations performed on-site where the precise location of the penetration is not identified on the original shop drawing and/or **original** or other construction documents **or where it is necessary to mark the penetrations on the documents at the site is awarded to IBEW Local #3.**

Effective immediately, the April 24, 2001 Letter of Clarification is rescinded. This action is being taken for the following reason:

Only the Arbitration Panel, not the NY Plan Administrator, can determine the intention of the Arbitration Panel in clarifying any award.

Therefore, in order to address the request for clarification, a conference call of the Arbitration Panel members participating in the Arbitration Hearing on March 8, 2001, was held on Friday, March 22, 2002 at 11:00 am.

Based on the conference call of the Arbitration Panel held on March 22, 2002, the Panel has issued the following clarifications:

The cutting of raised floors to provide access for electrical conduit or other electrical equipment when such penetrations of precise locations are performed off-site; when such penetrations are identified on any drawing and/or sketch; or such penetrations are marked on the floor, is the work of the District Council of Carpenters.

When the cutting of raised floors to provide access for electrical conduit or other electrical equipment is necessary and such penetrations in precise locations are not identified on any drawings and/or sketches or marked on the floor, it is the work of IBEW Local #3.

This clarification is area-wide and will be entered in the Greenbook as a clarification to the initial decision.

**BUILDING TRADES EMPLOYER'S ASSOCIATION
NEW YORK PLAN FOR THE RESOLUTION
OF JURISDICTIONAL DISPUTES**

In the Matter of the Arbitration

-between-

**INTERNATIONAL BROTHERHOOD OF ELECTRICAL
WORKERS, LOCAL #3**

-and-

DISTRICT COUNCIL OF CARPENTERS

OPINION AND AWARD

In accordance with the New York Plan for the Resolution of Jurisdictional Disputes, the undersigned arbitrator was appointed Chairman of the Panel to hear and render a decision concerning the dispute between the IBEW Local #3 and the District Council of Carpenters concerning work at the New York Hospital Queens. After mediation proved unsuccessful and the matter was referred to arbitration, a hearing was held on January 22, 2010 at the BTEA offices, 1430 Broadway, New York City, before the full panel comprised of four contractor members and the chairman.

Representatives of both unions appeared and were fully represented at the hearing, where in accordance with the BTEA Rules of Procedure they made opening arguments, presented testimony and exhibits and made closing arguments. At the close of the hearing, the panel went into Executive Session to deliberate and render a decision which this opinion and award memorializes.

The controversy actually involves seven rooms, five new and two renovations, all part of a large renovation of some eighty rooms at the hospital in the early part of 2009. The rooms in question contain x-ray and other electrical equipment suspended from the ceiling and supported by and attached to Unistrut structural grids in the overhead space above the ceiling.

Local 3 contends that because the Unistruts are solely for the purpose of supporting electrical equipment, it has jurisdiction to install them. It cites dozens of jobs on which it has installed these grids. Yes, it concedes, if the grids are part of the entire ceiling support system or serve to support non-electrical equipment, it would yield jurisdiction to the carpenters. But here, it insists, the Unistruts serve no other function than as support for the electrical apparatus. Hence, Local 3 concludes, it is part and parcel and an integral part of electricians' work.

The carpenters say the Unistruts above the ceiling may be there for the structural support of the electrical equipment. Yet, it maintains, there is no way they can be separated from the entire structural work in the ceiling; they are part of an integrated


ceiling support system. The District Council points to countless jobs in which the carpenters have installed Unistruts for the support of electrical equipment. This job, it points out, was awarded to the carpenters by Unistrut itself which had bid the job and received the contract to install all structural supports in the ceiling. District Council also relies on evidence that Unistrut, in jobs such as this, has always used carpenters. The reason: the Unistruts supporting the electrical system cannot be separated from, but must remain as one part of the entire structural support system in the space above the ceiling.

Several factors mandate that this is carpenter's work. First of all, the Unistruts are solely for structural support. They do not carry electrical wires or any electrical components whatsoever. Second, the evidence shows that when the carpenters were finished with the installation of the Unistruts, no electrical components were attached to them. The electricians came afterwards to do their work. Third, the installation of the Unistruts requires no electrical expertise. On the other hand, their installation, whether to support electrical equipment or other structural applications, is typically carpenter's work. Fourth, this is a job bid and awarded to Unistrut which has a collective bargaining agreement with the District Council of Carpenters. Fifth, Unistrut's senior project manager testified that it is his understanding that in the several decades in which it has been in business, Unistrut has used carpenters exclusively for above ceiling structural work including grids for supporting electrical equipment.

Based on the evidence presented and after due deliberation, the arbitration panel issues the following award

AWARD

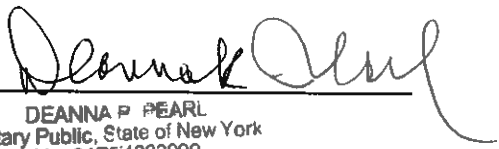
The Unistrut installation work at New York Hospital Queens, the subject of this jurisdictional dispute between these two unions, is work belonging to the District Council of Carpenters.



JACK D. TILLEM, Arbitrator

STATE OF NEW YORK)
COUNTY OF NASSAU) SS:

On the 1st day of February, 2010, before me personally came and appeared JACK D. TILLEM, to me known and known to me to be the individual described herein and who executed the foregoing instrument and he acknowledged to me that the same was executed by him.



DEANNA P. PEARL
Notary Public, State of New York
No. 01PE4823999
Qualified in Nassau County
Commission Expires: Nov 30 2012

100- U

- Installation of support brackets for video monitors on work stations at 200 Fifth Avenue
- IBEW#3 and Carpenters Local 157

NEW YORK PLAN FOR THE RESOLUTION
OF JURISDICTIONAL DISPUTES

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In the Matter of the Arbitration

between

LOCAL UNION NO. 3, IBEW

and

CARPENTERS UNION LOCAL 157

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OPINION AND AWARD

In accordance with the provisions of the New York Plan for the Resolution of Jurisdictional Disputes, a hearing was held before an Arbitration Panel on August 18, 2011, commencing at 8:15 a.m., at the offices of the Building Trades Employers Association in New York City, to resolve a jurisdictional dispute between the two above-named Unions. A mediation to resolve this dispute was held on June 27, 2011, but when the parties could not reach an agreement, notices were sent to the parties dated July 20, 2011, scheduling the dispute for hearing. Representatives from both Unions appeared at the hearing, and offered evidence and made arguments. The undersigned Arbitrator served as the Chairman of the Arbitration Panel. All four contractor members of the Panel were present at the hearing, and participated in deciding this dispute.

The jurisdictional dispute between the above-named Unions, i.e., the scope of work at issue in this case, is the installation of

support brackets for video monitors on work stations at Tiffany & Co., located at 200 Fifth Avenue in New York City. The installation of the support brackets in dispute at 200 Fifth Avenue was assigned to the Carpenters. The Electricians argue that the installation of these support brackets on work stations belongs to its jurisdiction, and that the Electricians have performed this work as part of the installation of video monitors. The Electricians contend that since it is generally understood that each craft is entitled to perform the work on the structures that support the equipment over which each craft has jurisdiction, and since the Electricians have jurisdiction over the installation of the video monitors, the Electricians are also entitled to the jurisdiction of the installation of the support brackets on the work stations which utilize the video monitors.

At the hearing, the Electricians introduced letters from a number of electrical contractors showing that the Electricians have installed support brackets on work stations which utilize the video monitors. The Electricians also cited recent arbitration decisions, with regard to TV monitor support brackets and to support brackets for mounting projectors, that resolved jurisdictional disputes with the Carpenters in favor of the Electricians. For these reasons, the Electricians submit that the work of the installation of the support brackets for video monitors on the work stations located at 200 Fifth Avenue in New York City, that has been assigned to the Carpenters, should be assigned to the Electricians.

The Carpenters assert that its jurisdiction covers the work of installing support brackets, work that the Carpenters perform,

that these brackets are hardware that come as part of the furniture package, that the Carpenters install work stations, that there is no wiring or electrical work involved, and that the Carpenters are the most qualified craft to perform this work. The Carpenters recognize that any work involving wiring or mounting of monitors belongs to the Electricians, but contend that the attachment of the support brackets to the work stations is work that plainly is within the Carpenters jurisdiction. The Carpenters introduced testimony and documentation of numerous jobs where the Carpenters performed the installation of the support brackets for video monitors on work stations, and assert that only recently have the Electricians claimed jurisdiction over this work. For these reasons, the Carpenters submit that the work in dispute of installing support brackets for video monitors on the work stations located at 200 Fifth Avenue in New York City, was properly assigned to the Carpenters.

Both Unions referred to the three criteria of the New York Plan that the Arbitration Panel is required to follow in making its decision:

- (1) National or International Agreements of record between the trade unions;
- (2) New York Green Book decisions; or where there are none, the recognized and established prevailing practice in the greater metropolitan area;
- (3) If none of the above criteria is found to exist or apply to this dispute, the arbitration panel may consider the interests of the consumer and/or past practices of the employer and/or technological advances.

However, neither Union presented evidence of an existing

agreement of record, nor of any applicable international agreement between the two Unions, other than their agreement to use composite crews for the installation of support brackets for video monitors on trading desks. This agreement, dated December 11, 2007, reveals that the two Unions have had an ongoing dispute over this sort of work, but in the resolution of this dispute, the Unions stated that:

It is expressly understood and agreed that this dispute shall relate only to "the installation of support brackets for video monitors mounted on trading desks at any location in the geographical jurisdiction of the two trades" subsequent to the execution of this document, and not relate to nor have any bearing on jurisdictional disputes that may exist, or in future occur, between either of the parties hereto and any other International Union or subordinate body thereof.

By its clear terms, this agreement applies "only to 'the installation of support brackets for video monitors mounted on trading desks,'" and specifically states that it is not intended to apply to any other jurisdictional disputes that may occur between the two Unions. Thus, as noted in previous decisions, this agreement has no bearing on the issue presented in this case. Moreover, neither Union offered any Green Book decision that resolved this particular dispute, nor was either Union able to show "a recognized and established prevailing practice in the greater metropolitan area."

As a result, based on the record in this case, the Panel finds that the evidence establishes that when the support brackets are part of the package order for the installation of a furniture system, as was the case at Tiffany & Co., at 200 Fifth Avenue, the installation of the support brackets for the video monitors on work stations should be assigned to the Carpenters. Thus, under the

provisions of the New York Plan, the Carpenters are entitled to perform the installation of the support brackets for video monitors on work stations at Tiffany and Co., located at 200 Fifth Avenue in New York City. Therefore, based on the facts and circumstances of this case, and for the reasons explained, the Arbitration Panel issues the following

Award

The work in dispute in this case, i.e., the installation of support brackets for the video monitors on work stations at Tiffany and Co., located at 200 Fifth Avenue in New York City, shall be assigned to Carpenters Union Local 157.

It is so ordered.



Richard Adelman, Chairman

Dated: August 24, 2011