

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("Agreement") is entered into this ___ day of August 2010 between the Technical Engineering Division Local Union 130, U.A., AFL-CIO ("Union") and the Mid-America Regional Bargaining Association ("Association") for the period June 1, 2010 through May 31, 2013 and final agreement is contingent upon ratification of these terms by each of the parties.

The parties agree to extend their June 1, 2007 to May 31, 2010 labor agreement for the time period referenced above, with all dates therein modified to reflect the new contract term, and with the following additional modifications.

1. Article I, Section 5

Delete Section 5(a) **CONTRACTING OUT** and Section 5(b), and replace with the following:

Section 5. SUBCONTRACTING If an Employer, bound by this Agreement, contracts or subcontracts any work covered by this Agreement to be done at the jobsite of the construction, alteration or repair of a building, structure or other work, as described in Appendix A of this Agreement, to any other person or proprietor who is not signatory to this Agreement, the Employer shall require such subcontractor to be bound by all provisions of this Agreement, or the Employer shall maintain daily records of the subcontractor's or the subcontractor's Employees jobsite hours and be liable for payment to the Pension Fund-Technical Engineering Division, Local 130, U.A., The Plumbers' Welfare Fund, Local 130, U.A., and to the Trust Fund for Education, Technical Engineering Division, Local 130, U.A., as provided for in this Agreement. These provisions shall not apply to any employer who subcontracts to another union employer. Nothing in the Article shall make the employer liable or responsible for any union subcontractor's payment of wages or fringe benefit contributions.

2. Appendix A (as referenced by Article III)

Add the following new language to the end of Appendix A:

JURISDICTIONAL DISPUTES

The parties recognize that they share a common goal in minimizing disputes arising out of overlapping union jurisdictions. Accordingly, they agree as follows:

- (a) **COOK COUNTY** – It is understood that the parties to this Agreement shall be bound to the provisions of the Standard Agreement establishing the Joint Conference Board of the Construction Employers' Association and the Chicago

and Cook County Building Trades Council with respect to any work at any site or project within Cook County, Illinois, as if set forth in full herein.

- (b) **ALL OTHER COUNTIES** - All jurisdictional disputes between or among building and construction trade unions and Employers party to this Agreement shall be settled and adjusted according to the current edition of the "Plan for Settlement of Occupational and Jurisdictional Disputes" established by the Building and Construction Trades Department, AFL-CIO, or any other plan or method of procedure that may be adopted in the future by the Building and Construction Trades Department. Decisions rendered shall be final, binding and conclusive on the employer and union parties to this agreement. There shall be no grievances, work stoppages or picketing of any kind regarding disputes arising out of any jurisdictional dispute. The party taking the dispute before the "Plan" shall notify the other parties within fifteen (15) days of its intent to pursue a remedy through the "Plan".

3. **Article IV, Section 2 (SCHEDULE OF HOURLY WAGES)**

Effective August 1, 2010, an increase of \$1.85 per hour to be allocated in the amount of \$.60 to pension, \$.80 to welfare and \$.45 to the annuity.

Effective June 1, 2011, an increase of \$1.91 per hour to be allocated by the union, with at least \$1.00 to be allocated to pension.

Effective June 1, 2012, an increase of \$1.98 per hour to be allocated by the union.


4. **Article V, Section 2**

Replace the words "senior judge" where they appear in the second sentence with the words "chief judge".

5. **Merger with Plumbers Welfare Fund**

The legal counsels for the union and MARBA shall agree on language to be included in the agreement to address and recognize the merger of the welfare fund with the welfare fund of the Plumbers.

Technical Engineering Division Local Union Mid-America Regional Bargaining Assn.
130, U.A., AFL-CIO


James T. Sullivan, Business Manager


Ben Johnston, Craft Committee Chair