

CONCRETE WORK

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Agreement between The Cement League and the Metallic Lathers' Union, as of February 20, 1918.

Article 11. Work covered.

The Employer agrees that the following work is covered and shall be contracted for, assigned to and performed by journeymen lathers and that shall be the term and condition of employment under this agreement:

This agreement shall apply on the laying and setting of iron and steel and mesh used in fireproof construction (excepting such slab areas as will be occupied by vault lights), on the cutting and bending of all iron and steel and metal and wire lath or mesh, or sheets for floor arches, and on making of hangers, clips and stirrups on the fabrication and assembling of all columns, beams, and girders of metal or wire lath, iron or steel; on the cutting, bending and setting of all iron and steel and of metal and wire lath or mesh used in construction of reinforced concrete, including the making of hangers, clips and stirrups. When frames of reinforcing steel, iron or metal lath, or wire lath, or mesh, are made and assembled in the shop by heating processes that cannot be made on the job, the same shall be handled after arrival at the building solely by journeymen lathers, excepting the hoisting by motive power.

60

Agreement between The Cement League and the Cement and Concrete Workers, Local Nos. 6A, 18A and 20.

Article IV. Work covered.

Section 1. The party of the first part recognizes the Union as the collective bargaining representative of Cement & Concrete Workers employed by members of the party of the first part and such employees shall be employed, unless otherwise awarded by proper Jurisdictional decisions, in the handling and wheeling of unmixed or dry concrete material, the mixing, wheeling, spreading, leveling, placing and ramming of concrete and cement mortar, the handling of form lumber, or forms, and reinforcing steel, the hanging of all joists and the striking of centers and stripping all forms on the following work:

Section 2.

- (a) Reinforced concrete walls, footings and piers.
- (b) All reinforced concrete structures.
- (c) Concrete floor arch construction, cellar floors, and sidewalks.
- (d) Concrete used for fireproofing purposes.
- (e) Monolithic gypsum floor and roof slabs.

- (f) Concrete and cement mortar used in paving work.
- (g) Hydrolithic waterproofing.
- (h) Finished cement or composition floors.
- (i) Floor and roof fill.
- (j) Sleeper fill (except where the sleepers are placed over tile or brick arches).
- (k) Concrete roads, curbs, concrete retaining walls, and miscellaneous concrete, including pump and equipment foundations, within the confines of a building site.
- (l) Concrete in piles, pile caps and grade beams.
- (m) Concrete conduits, vault lights, concrete pipe trenches and tunnels connecting buildings.
- (n) Cement mortar applied under pressure by a "Cement Gun" or any other pressure machine-such as "Guniting", (operation of nozzle not included).
- (o) Spreading of porous fill to a depth of twelve inches under concrete slabs.
- (p) Concrete swimming pools and transformer vaults.

Section 3. Members of the Union shall also be employed on the following work when done in connection with the work enumerated in Section 2 of this Article:

- (a) Fine grading, if preceding the placing of concrete on earth.
- (b) The hanging of tarpaulins to Protect Concrete from weather (with the exception of any rigid or semi-rigid frame to support same) and the covering and wetting down and coating of completed concrete and finished surfaces for curing or protective purposes.
- (c) The handling of all refuse material derived from material used by trades in direct agreement with The Cement League. Final cleaning of buildings and structures shall be subject to agreement by the Unions involved
- (d) Handling and tending any type of salamanders used for winter protection of concrete work. Two men shall be used to tend salamanders when 7 or more salamanders are used.
- (e) The cleaning and preparation of concrete floors to receive cement finish.
- (f) Cutting of concrete where cement finish is not to be applied, cutting openings in concrete walls and floors, and other concrete cutting not incidental to other trades.
- (g) All labor in connection with cement and concrete work not specifically provided for under his agreement, except where same has been officially awarded after due hearing to another trade group.
- (h) Fire watching when required by Employer.

(i) Tending of Cement Masons, Lathers, and Carpenters On concrete construction, including handling lumber and materials for all types of formwork.

(j) Tending of Carpenters on fences and temporary protection work on concrete buildings.

(k) Erection of scaffolds up to fourteen feet in height which are to be used by Concrete Workers, Lathers, and Cement Masons, and the planking of all scaffolds for concrete work.

(l) On alteration jobs, the removal of wooden partitions, wood and concrete floors, and rubbish connected therewith, is to be done by Concrete Workers.

(m) When concrete is poured by Mason Tenders as per McAgdon Decision, the tending of Cement Masons, Carpenters, and Lathers is to be done by Concrete Workers.

(n) 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 all concrete forms on building construction shall be performed with an equal number of Concrete Workers and Carpenters under the supervision of the Carpenter Foreman: Stripping of Concrete Forms Agreement between New York District Council of Carpenters and Cement & Concrete Workers District Council dated May 31, 1956).

(o) All concrete planks when being set by hand shall be set by the Cement and Concrete Workers.

(p) With regard to concrete cylinders, where a contractor has contracted a testing laboratory to only break cylinders for him and he himself is to take the cylinders, store them in a curing box and load them on a truck for transportation to the testing laboratory, the Concrete Laborer will continue to perform the services of taking the concrete from the truck to the cylinders, filling the cylinders, rodding the cylinders, placing them in the curing box and loading them on the truck for delivery to the testing laboratory for testing.

Where a contractor has a contract with a testing laboratory to take cylinders and break cylinders for compressive strength, the Concrete Laborer will take the material from the concrete truck and deliver it to the inspector for placing it in the cylinders and the cylinders will be under the care and protection of the testing laboratory's man.

60a

-Concrete footings, piers, pile caps and pilasters, Stripping and carrying and handling forms and form lumber for.

In the matter of the dispute between the Cement and Concrete workers, Locals No. 6A, 18A and 20 vs. Carpenters District Council (Dockbuilders and Timbermen)-Stuyvesant Town and Peter Cooper Village, 14th to 23rd Streets, between Avenue C and First Avenue, New York, N. Y.

Due and timely notices of hearings were filed with the parties, and although the carpenters had been afforded several opportunities, they refused to present evidence on the issues. Therefore, the committee, after hearing the evidence submitted by the concrete laborers, found that the work in question is in the possession of the concrete workers.-Decision of Executive Committee, June 10, 1947.

61

-Centers, corrugated Iron, floor arches.

Sheet Metal workers' Union Local No. 11 vs. Housesmiths and Bridgemen's Union, Metallic Lathers' Union and Berger Manufacturing Co.-School, Sutter Ave. and Wyona St., Brooklyn.

The work of installing corrugated iron floor arches for the purpose of holding plastic material or concrete has been in the possession of the Metallic Lathers' Union.-Decision of Executive Committee, August 28, 1905.

62

-Cinder arches, installation of.

United Cement Masons' Union on behalf of Cement and Asphalt Workers' Union vs. F. T. Nesbit Co.-School, Richmond Hill.

The F. T. Nesbit Co. is directed to employ members of the Cement and Asphalt Workers' Union (Cement Masons' Laborers) on the installation of the cinder concrete arches on the job in question.-Decision of Executive Committee, March 27, 1908.

63

-Iron used In reinforcing, fabrication of.

Metallic Lathers' Union vs. Chas. T. Wills, Inc.-Jersey Central Terminal Building, Ft. of Liberty St.

Chas. T. Wills, Inc., is directed to comply with the metallic lathers' trade agreement on the work of fabricating iron used in reinforcing the concrete on the job known as the Jersey Central Terminal Building.-Decision of Executive Committee, October 14, 1908.

64

-Concrete work, arches, fill over.

The Cement Masons' Laborers agree that fill or foundation under a brick paved driveway may be done by Masons' Laborers regardless of the form of arch over which it is installed.

The Masons' Laborers agree that sleeper fill over concrete arches shall be installed by the Cement Masons' Laborers. Agreement made between the Masons' Laborers and the Cement Masons' Laborers, at a conference held November 18, 1908.

65

-Kahn system of floor arches, installing the Concrete In connection with.

It is hereby mutually agreed and understood between the Cement and Asphalt Workers' Union of New York and Vicinity and the General Council of the Laborers' Union Protective Society that when the Kahn System of arches is installed in a building of reinforced concrete skeleton construction, the

concrete between and over the filler of that arch shall be mixed and placed by members of Cement and Asphalt Workers' Union, and when the Kahn system of arches is installed in a building where the skeleton or girders or beams are of iron or steel, the mixing and placing of the concrete between and over the filler of this arch, together with the encasing of the beams and girders, shall be done by members of the Laborers' Union Protective Society.-Agreement in effect on June 27, 1912, signed by representatives of the General Council of Laborers' Protective Society, the Bricklayers' Unions, Mason Builders' Association, Cement and Asphalt Workers' Union, Masters' League of Cement Workers, and the Joint Trade Board of the Concrete Alliance.

65a

-Republic system of floor arches as installed.

Bricklayers' Helpers vs. District Council of Concrete Workers, Local No. 859-Coming Glass Building, Fifth Avenue and 56th Street, New York, N. Y.

The complaint is dismissed. -Decision of Executive Committee, February 3, 1937.

66

-Foundations and footings, reinforced concrete, placing reinforcement.

Metallic Lathers vs., Cauldwell-Wingate Co.-161st St.

The Committee finds that the complaint of the metallic lathers is sustained. -Decision of Executive Committee, April 16, 1915.

67

-Vault Construction, reinforced concrete, placing reinforcement.

Metallic Lathers vs. Iron Workers and Thompson-Starrett Co.-Equitable Building.

The Committee finds that the complaint of the metallic lathers is sustained. -Decision of Executive Committee, April 16, 1915.

68

-Concrete fill.

Cement and Asphalt Workers vs. P. F. Kenny Co.-Metropolitan Museum of Art.

The Committee finds that the concrete fill which carries and is laid with the finished cement surface in the unexcavated portions of the building should be installed by the cement and asphalt workers, and that the entire fill over the concrete arches of the tunnel should be installed by the cement and asphalt workers.-Decision of Executive Committee, July 9, 1915.

69

-Reinforcement in concrete footing, bending and placing of.

Metallic Lathers; vs. E. E. Paul Co. -Elmhurst, L.I.

The contractor is directed to have all steel used for the reinforcing of concrete footings bent or fabricated and set by metallic lathers. -Decision of Executive Committee, July 24, 1917.

70

-Fireproofing of steel columns, in building of brick and steel construction having tile arches.

Bricklayers (for Masons' Laborers) vs. Patrizio & Hendrickson and Concrete Laborers-Telephone Exchange Building, 150th St. and Melrose Ave.

The complaint is dismissed, the work in question not being in the sole possession of either the mason's laborers or the concrete laborers.-Decision of Executive Committee, December 5, 1917.

70a

-Foundations, reinforced concrete, Installation of.

Concrete Laborers vs. Mason's Laborers and Win. Kennedy Construction Co.-Knights of Columbus Building, Ninth Ave. and Union St., Brooklyn.

The Committee finds that the work of installing reinforced concrete foundations is not in the possession of either the concrete laborers or the masons' laborers, and recommends that a special board of arbitration be convened to determine who shall perform the work. -Decision of Executive Committee, September 29, 1924.

This applies to concrete foundations for buildings of brick or hollow blocks including steel columns for brick or stone buildings.

70-2a

-Foundations, reinforced concrete, installation of.

In the matter of the dispute between the United Building and Common Laborers' Union of America and the District Council of Cement and Concrete Workers No. 859, and the Excavators and Building Laborers' Union, Local No. 73 1, relative to the following: "The work of installing reinforced concrete foundations for buildings of brick or hollow blocks, including steel columns for brick or stone buildings."

I hereby award to the United Building and Common Laborers' Union of America, the work with which this arbitration is concerned.-Decision of the Umpire (Justin McAghon) of the Special Board of Arbitration, September 15, 1934.

Note: By understanding, this does not include the helping of the metallic lather or the carpenter.

70b

-Chases, cutting of.

Cement and Concrete Workers vs. Electricians-Brooklyn Edison Power House, Hudson Ave., Brooklyn.

The complaint is dismissed, and the Committee recommends that a conference be held between the Electrical Workers' Union, Local No. 3, the Cement and Concrete Workers' Union, and the Cement Masons' Union on the question of the cutting of chases in concrete. -Decision of Executive Committee, June 2, 1926.

70c

-Wrecking.

United Building and Common Laborers' Union, Local No. 749 vs. Cement and Concrete Workers' Union, Local No. 18-Aeolian Building, 42nd St., between Fifth and Sixth Aves.

The Committee finds that the work of wrecking is not in the sole possession of the Masons' Laborers or the Concrete Laborers. Decision of Executive Committee, May 16, 1927.

70-2c

-Steel, In connection with demolition, taking down and removal of.

District Council of Iron Workers vs. House Wreckers' Union, Local No. 95.

The Committee finds that, where power is used in taking down and removing steel in connection with demolition, the work is in the possession of structural iron workers; but, where no power is used in taking down and removing steel in connection with demolition, the work is in the possession of the house wreckers. Decision of Executive Committee, March 19, 1940.

70-3c

-Demolished building materials, when power equipment is used, handling of.

House Wreckers' Union, Local No. 95 vs. Structural Iron Workers, Locals No. 40 and 361 -Tombs Building, New York, N.Y.

The committee finds that on buildings where structural steel is being demolished along with other building materials, and power equipment is being used in connection with the demolition, the slinging of and the hooking on of drafts of materials, or other heavy lifts, other than steel, which may have been prepared by house wreckers, together with all hoisting and lowering and the loading into trucks, is the work of the iron workers.

However, on buildings where there is no structural steel to be demolished, and power cranes are being used in connection with the demolition, the work in question may be performed by either iron workers or house wreckers, as the contractor for the work may elect. -Decision of Executive Committee, May 25, 1948.

70-4c

-Steel Gas Holdws, Demolition and Removal of.

Structural Iron Workers Local Union 361 vs. Housewreckers Local Union 95- Astoria Power Plant, Queens, New York.

The Executive Committee finds that the work involved is covered by Decision 70-2c and therefore is the work of the Structural Iron Workers. -Decision of the Executive Committee, May 17, 1977.

70-5c

-Concrete Slabs, When Power Equipment Is Used, Removal of.

Excavating Laborers Local 731 vs. Structural Iron Worker Local 40- Westside Highway, New York City, NY

The Executive Committee finds that on heavy construction demolition projects, where concrete slabs are removed and power equipment is utilized, the work is governed by the principles delineated in Decision 70-3C.

On heavy construction rehabilitation projects, where it is the intention to retain the structural steel framework where possible, then in such instances the removal of concrete slabs shall be the work of Excavating Laborers Local 731.-Decision of the Executive Committee, December 15,1983.

Decision 70-5c of the Executive Committee rendered on December 15, 1983 involving Excavating Laborers Local 731 and Structural Iron Workers Local 40 concerning the removal of concrete slabs is hereby rescinded and rendered null and void.

Following an objection raised by Local 40 to the quorum at the subject hearing, it has been determined that the technical procedures of the New York Plan for the Settlement of Jurisdictional Disputes were not adhered to in this case.

70d

-Floor system, precast gypsum, installation of.

Metallic Lathers vs. Bricklayers and Thomas O'Reilly & Son, Inc. - 895 Park Avenue, New York City.

The twisting and bending of the rods for the floor block should be done by the metallic lather and the balance of the work should be done by the bricklayer. -Decision of Executive Committee, March 17, 1930.

70e

-Concrete floor slabs, reinforced, precast, handling of.

District Council of Cement and Concrete Workers, No. 859 vs. Bricklayers Tenders' Local Union No. 10 - Church, 34th Avenue and 83rd Street, Jackson Heights, L.I.

On the evidence submitted, the committee finds that the work in question is not in the possession of a trade. -Decision of Executive Committee, January 17, 1936.

70f

-Concrete units, precast prestressed, forming decking, handling and placing of.

International Association Bridge and Structural Iron Workers, Local Union No. 40 vs. Dockbuilders, Pier Carpenters, Shorers, House Movers, Pile Drivers, Foundation Workers, Local Union No. 1456 - Pier 57 North River, New York.

The handling and placing in position of the precast prestressed concrete units forming the decking of Pier 57 N. R., is the work of the Dockbuilder. -Decision of Executive Committee, January 22, 1953.

70g

The Application of Epoxy Coating on Pre-Cast and/or Poured Concrete Tanks.

Structural Steel Painters Local 806 vs. Building, Concrete, & Excavating Laborers Local 731, - Flushing Bay Combined/Sewer Overflow Retention Facility, College Point, Boulevard, NY.

On the evidence presented, the Arbitration Panel finds that the work in question is the work of the Structural Steel Painters Local 806. Decision of March 18, 2002.

The Building, Concrete & Excavating Laborers Local 731 appealed this decision to the National Plan For The Resolution of Jurisdictional Disputes. On April 11, 2002 the National Plan dismissed the appeal based on the fact that the work in question had been completed.