STATE OF CALIFORNIA GRAY DAVIS, *GOVERNOR*

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF LABOR STATISTICS & RESEARCH
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*San Francisco CA 94142-0603*

# SCOPE OF WORK PROVISIONS FOR

# CARPENTERS (PILE DRIVERS)

# IN

# 46 NORTHERN CALIFORNIA COUNTIES

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*2000-2004*

# AGREEMENT

**Between The Associated General Contractors of California, Inc. and Northern California Carpenters Regional Council.**

THIS AGREEMENT, *entered into this first day of July, 2000 amending*, modifying, renewing and supplementing the agreement made and entered into February 1, 1997, and each and every prior Agreement, predecessor to this Agreement, entered into by and between the parties hereto, by and between THE ASSOCIATED GENERAL, CONTRACTORS OF CALIFORNIA, INC., a non-profit corporation and/or other employers becoming signatory hereto parties of the first part, hereinafter referred to as the CONTRACTORS, each acting for and *on* behalf of all of its respective members *and/or themselves*, and the *NORTHERN CALIFORNIA CARPENTERS REGIONAL COUNCIL for and on behalf of its affiliates*, parties of the second part, hereinafter referred to as the UNION provides:

WHEREAS, it is the desire of the parties hereto to provide, establish and put into practice uniform rates of pay, hours of employment and conditions of work for the employees represented by the UNION which are employed from time to time by the CONTRACTORS, and

WHEREAS, it is the desire of the parties hereto to provide, establish and put into practice effective methods for the settlement of misunderstandings, disputes or grievances which may arise between the parties hereto to the end that the CONTRACTORS may be assured of continuity of operations and the Employees represented by the UNION may be assured of continuity of employment;

NOW, *THEREFORE*, IT IS AGREED AS FOLLOWS:

## SECTION I

## WORK COVERED

A. **Area**. This Agreement shall cover all Heavy Construction work of the types hereinafter more specifically defined as within piledriving classification and located within the area of Northern California, which term is intended to mean that portion of the State of California above the Northern Boundary of Kern County; the Northern Boundary of San Luis Obispo County, and the Westerly Boundaries of Inyo and Mono Counties, consisting of the following forty-six (46) counties: Alameda, Alpine, Amador, Butte, Calaveras, Contra Costa, Colusa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Mariposa, Mann, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San

Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Suffer, Tehama, Trinity, Tulare, Tuolumne, Yolo, Yuba.

It is understood further that by the above listing the jurisdiction of the UNION is not thereby limited to that area. On the contrary, the UNION claims jurisdiction of certain areas beyond that covered by this contract, i.e., the Northern part of Nevada, the State of Utah, and/or one half the distance to the nearest Piledriver's Local.

**Type of Work**. *The character of the work covered by this Agreement shall be all heavy, highway and building work falling within the recognized jurisdiction of the Local Union No. 34. The parties hereto agree to recognize the formal rulings of the General President of the United Brotherhood of Carpenters and Joiners of America embodied in said President's letter of May 13, 1995, in response to Contractors' letter of July 17, 1955 and his letter of November 11, 1955, with clarification as stated in letter of December 12, 1967 and February 18, 1970.*

The character of work covered by this Agreement shall include specifically the following:

1. In the construction of waterfront and marine facilities, such as docks, piers, wharves, bulkheads, jetties, and similar structures, the Piledriver classification shall apply, up to and including the decking thereof.

2. On all piledriving and caisson work, on both land and water, the Piledriver classification shall apply. General pile driving work shall include all labor employed in the barking, shoeing, splicing, form building, heading, centering, placing, driving, staying, framing, fastening, automatic pile threading, pulling and/or cutting off of all piling of every type or nature. This shall include, but is not limited to, wooden piles, steel sheet piles, steel H piles, pipe piles, pilejackets, composite piles, cast-in-place piles, drill shaft, *Tubex, Tubex grout injection piles, geo piles, soil piles*, sand piles, concrete piles, as well as similar pre-cast structural shapes or units the setting of which is performed with piledriver, derrick, crane or similar power equipment. The fabrication, forming, handling and selling of all such pre-cast, prestressed and post-stressed shapes that are an integral part of any heavy structure enumerated in Section I, Paragraph B, subparagraph 4, of this Agreement, whether performed at the immediate jobsite, at the Contractor's yard or at temporary or permanent facilities established for the purpose of pre-casting, pre-stressing, and post-stressing such shapes, shall be done at the *Pile drivers, Divers, Wharf and Dock Builders* classification and scale.

3. **Unloading, Storage or Movement of Piling**: Labor employed in the rafting, boring, reeving, dogging or booming of piles or other material for use in or on the structures hereinafter specified. This shall include the unloading of piling of all types together with the waling and bracing therefore, from railroad cars at the jobsite.

4. **Heavy Structures**: These structures shall include all wharves, docks, piers, breakwaters, jetties, seawalls, ferry slips, dry docks, graving docks, cofferdams, caissons, trestles, overhead crossings, underpasses, underwater structures, subaqueous pipe lines, seaplane ramps, waterfront bulkhead, bunkers, snow sheds, towers, heavy trusses and other similar

heavy structures. In the construction of the above mentioned heavy structures, the following conditions shall apply:

(1) The capping of all piling including cast in drilled hole piling and caissons. This shall include the footing forms capping the piling and in cases where the piling extends into the girder, beam or abutment the soffit and side forms of these members. In no case will the forming of any deck be included as capping.

(2) In the construction of concrete or steel bridges over land, highways, railroads, overpasses, clover leafs, interchanges, or bridges over man-made canals, aqueducts, spillways, and man-made water retaining areas, the Piledriver classification shall apply to the driving of piles, caissons and (drilled-in-place) piling. The fabrication and erection of the forms for the capping of piles, caissons or (drilled-in-place) piling shall come under the Piledriver classification. This shall include the placing of wooden or steel capping of any substitute thereof.

Any other form work above the cap, pertaining to the construction operations herein noted above, shall be performed under the *Bridgebuilders* classification. This shall also include bridges over man-made canals, aqueducts, spillways, and man-made water retaining areas, if constructed prior to water being released or turned into area.

(b) **Tunnels**: The division between piledrivers' and miners' work on subways or tunnels, where the interior is to be constructed by tunneling methods, shall be at the portal of the subway or tunnel.

(c) **Subaqueous Pipe**: The handling, setting and joining of subaqueous pipe, including immediate approaches there to, requiring the use of derricks, piledrivers, gantries, or cradles in the laying, shall be considered as belonging to the Piledrivers classification.

5. **Movement of Heavy Masses**: Labor employed in the moving, cribbing and placing of heavy machinery, boilers, tanks, guns or similar masses where piledriver, derrick or similar power equipment is used.

6. **Sewers**: In the construction of open-cut sewers the Piledriver classification shall apply on all piling including wood, steel or concrete sheet piling, all bracing timber and form work incidental to the construction thereof.

7. **Reconstruction, Repair, Dismantling, or Salvage**: Labor performed in the reconstruction, repair, wrecking, dismantling or salvaging of any of the foregoing structures shall be included to the same extent as labor employed in new construction of such structures. In salvage operations the term "underwater structure" shall include

beached or sunken vessels and other heavy marine equipment, and such salvage work may be done in conjunction with the work done by divers.

8. Moving and spotting of piledriver equipment, floating derricks and barges in connection with the work covered by Section I shall be done by piledrivermen.

9. The moving, spotting and rigging of floating equipment for the purpose of exploration drilling shall be performed at the piledriver's classification and scale.

## C. Classifications of Employment

Except as provided for in Section B, labor shall include all labor including, but not limited to: The placing and moving of appurtenant minor facilities; the placing and moving of all jet pumps and temporary pipe lines when being used in connection with piledriving operations, and/or equipment; and the use of hand, pneumatic, gasoline and electric tools required for the performance of work covered by this Agreement. Labor shall include all work incidental to piledriving, bridge, wharf and dock building operations falling within the jurisdiction of *the Union* and covered by this Agreement such as but not limited to capping of piling, form building. stripping, dock framing, bridge framing, wharf building, welding, burning, boom tending, rafting, lofting, splicing, winching, sawing, cribbing, bracing, lagging, caulking, hook tending, signaling, flagging, barging, material handling, saw-filing, repairing, wrecking, dismantling, and boring and drilling.

## D. Work Preservation, Contracting & Subcontracting

1. The purpose of this Section 1D is to preserve and protect the work opportunities that will be available to employees covered by this Agreement at the jobsite or job yard.

2. The terms and conditions of this Agreement, insofar as it affects the employer and the individual employer, shall apply equally to any subcontractor of any tier under the control of, or working under oral or written contract with such individual employer on any work covered by this Agreement to be performed at the job site or job yard, and said subcontractor with respect to such work shall be considered as an individual employer covered by this Agreement.

3. If an individual employer shall subcontract work herein defined, the work will be subcontracted to a subcontractor signatory to the appropriate Agreement with the Union. Such subcontract shall state that such subcontractor is or agrees to become signatory to an appropriate Agreement with the Union and will comply with all the terms and provisions of said Agreement including the payments of wages, Trust Fund contributions and fringe benefit payments. A copy of the subcontract and signature shall be furnished to the Union upon request.

**DIVING AGREEMENT**
**(Addendum to Piledrivers Agreement)**

Between The Associated General Contractors of California, Inc., and the Northern California Carpenters Regional Council.

THIS AGREEMENT entered into this ___ *day of* _____*,2000,* modifying, renewing and supplementing the Agreement made and entered into *February 1, 1997* and between the ASSOCIATED GENERAL CONTRACTORS OF CALIFORNIA, INC., a non profit corporation and/or other employers becoming signatory hereto, parties of the first part, hereinafter referred to as the CONTRACTORS each acting for and in behalf of its respective members, and the NORTHERN CALIFORNIA CARENTERS REGIONAL COUNCIL and the UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, *on behalf of its affiliates,* parties of the second part, hereinafter referred to as the UNION, provides:

WHEREAS, it is the desire of the parties hereto to provide, establish and put into practice uniform rates of pay, hours of employment and conditions of work for the employees represented by the Union which are employed from time to time by the CONTRACTORS, and

WHEREAS, it is the desire of the parties hereto to provide, establish and put into practice effective methods for the settlement of misunderstandings, disputes, or grievances which may arise between the parties hereto to the end that the CONTRACTORS may be assured of continuity of operations and the Employees represented by the Union may be assured of continuity of employment:

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

Unless specifically specified to the contrary, in this Addendum, all terms and conditions of the Pile Drivers Master Agreement shall apply to Divers, Tenders and Assistant Tenders and be incorporated in this Addendum.

**TERRITORY**

**Section 1.**

The following work is claimed by the submarine divers and tenders of the Pacific Coast; Submarine diving in all its branches, as the wrecking of all ships, construction, reconstructing, repairing, inspecting, removing, rescuing and recovering of all objects below water surface which requires the use of diving apparatus. The Contractor shall be the judge in deeming where diving is necessary.

This Agreement shall cover the work more specifically defined herein as within diving classifications and located within the area of Northern California, which term is intended to mean that portion of California above the Northern Boundary of Kern County, the Northern Boundary of San Luis Obispo County, and the Westerly Boundaries of Inyo and Mono Counties,