



HOLIDAY PROVISION

FOR

SHEET METAL WORKER (HVAC)

All Classifications EXCEPT

Sheet Metal Worker (HVAC): Metal Deck and Siding

IN

**ALAMEDA, CONTRA COSTA, DEL NORTE, HUMBOLDT, LAKE, MARIN,
MENDOCINO, NAPA, SAN FRANCISCO, SAN MATEO, SANTA CLARA,
SOLANO, SONOMA, AND TRINITY COUNTIES**

166-104-1

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
BAY AREA ASSOCIATION OF SMACNA CHAPTERS
AND
SMART, SMW LOCAL UNION NO. 104**

**PERTAINING TO ALAMEDA, CONTRA COSTA, DEL NORTE, HUMBOLDT, LAKE, MARIN, MENDOCINO,
NAPA, SAN FRANCISCO, SAN MATEO, SANTA CLARA, SOLANO, SONOMA AND TRINITY COUNTIES**

This Memorandum of Understanding (MOU) amends and extends the current Standard Form of Union Agreement and Addenda thereto and any MOUs or amendments in regard to this contract in effect at this time between the parties, and shall be referenced as the Collective Bargaining Agreement (CBA) in this document. Any language specifically not addressed shall remain in effect through the duration of the Agreement.

- 1) Extend the current CBA between the parties through June 30, 2019.

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
SMWIA LOCAL UNION NO. 104
AND
BAY AREA ASSOCIATION OF SMACNA CHAPTERS
PERTAINING TO ALAMEDA, CONTRA COSTA, DEL NORTE, HUMBOLDT, LAKE, MARIN, MENDOCINO,
NAPA, SAN FRANCISCO, SAN MATEO, SANTA CLARA, SOLANO, SONOMA AND TRINITY COUNTIES**

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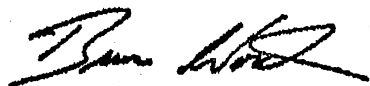
ADDENDA ONE

1) The CBA shall be extended as follows: July 1, 2012 through June 30, 2016

5) Apprentices: The Bay Area Apprenticeship Trust and the sheet metal industry employers have the obligation to ensure that all Building Trades apprentices have exposure to and training in the multiple skills of the industry. If by June 30, 2013, the bargaining parties determine this goal is not being achieved as documented by the training records, the Trust will, effective January 1, 2014, remove and rotate (to another employer) all apprentices not in compliance with the Trust's stated training goals. For those apprentices subject to rotation among employer(s), rotation shall occur every six (6) months for the first two (2) years of their apprenticeship and continue until the training is meeting the scheduled objectives.

For all apprentices subject to rotation among employers, after the apprentice has completed two (2) years with minimum exposure of four employers, or rotation of duties within a single employer, at the request of the apprentice and employer, the apprentice may elect to be reassigned and/or, subject to available employment, remain with any employer of their choice for the last thirty-six (36) months of their apprenticeship.

When an employer shows willful disregard for the obligation to train in multiple skills, apprentices removed from their employer shall not be replaced.



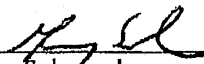
Bruce Word
Business Manager/President
SMWIA Local Union No. 104

8.10.12

Date

bw:jm opeiu #3

8.10.12



Gary Schwenk
Executive Vice President
Bay Area SMACNA

AUGUST 19, 2012

Date

**MEMORANDUM OF UNDERSTANDING ("MOU")
BY AND BETWEEN
SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION
LOCAL UNION NO. 104
AND
BAY AREA SMACNA**

**STANDARD FORM OF UNION AGREEMENT ("SFUA") ADDENDUM ONE AND TWO
EXTENSION**

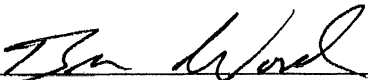
This MOU extends all contractual terms and conditions, with the exception of the wages noted below, of the current (July 1, 2006 – June 30, 2010) SFUA and Addendum One and Two between the parties, effective December 11, 2008 through June 30, 2013.

**ADDENDUM NUMBER ONE TO THE SFUA ITEM 1. WAGE AND FRINGE
SCHEDULE, SECTION A**

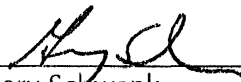
	7.1.09	7.1.10	7.1.11	7.1.12
Building Trades	\$3.50	\$4.00	Wage Reopener	Wage Reopener
Material Expediter	\$1.25	\$1.45	Wage Reopener	Wage Reopener

**LIGHT COMMERCIAL ADDENDUM NUMBER TWO TO THE SFUA ITEM 5.
WAGES**

	7.1.09	7.1.10	7.1.11	7.1.12
Light Commercial	\$3.50	\$4.00	Wage Reopener	Wage Reopener
New Residential JP	\$2.20	\$2.50	Wage Reopener	Wage Reopener
AC Specialist	\$1.80	\$2.10	Wage Reopener	Wage Reopener
Service Tech	\$2.15	\$2.45	Wage Reopener	Wage Reopener



Bruce Word
Business Manager/President
SMWIA Local Union No. 104



Gary Schwenk
Executive Vice President
Bay Area Association of SMACNA Chapters

DATED: 12/11/08

DATED: 12/11/08

bw:jm opeiu #3

RECEIVED
Department of Industrial Relations

DEC 19 2008

Div. of Labor Statistics & Research
Chief's Office

166-104-1

STANDARD FORM OF UNION AGREEMENT

AND

ADDENDA THERETO

BETWEEN

SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION

LOCAL UNION NO. 104

AND

BAY AREA ASSOCIATION OF SMACNA CHAPTERS

EFFECTIVE JULY 1, 2006 THROUGH JUNE 30, 2010



RECEIVED
Department of Industrial Relations

JUL 17 2007

Div. of Labor Statistics & Research
Chief's Office

SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION
LOCAL UNION NO. 104

2610 CROW CANYON ROAD, SUITE 300

SAN RAMON, CA 94583

925 314 8600

BUILDING TRADES
STANDARD FORM OF UNION AGREEMENT
SHEET METAL, ROOFING, VENTILATING AND
AIR CONDITIONING CONTRACTING DIVISIONS
OF THE CONSTRUCTION INDUSTRY

This Agreement (SFUA Form A-01-05), hereinafter, "SFUA," and applicable Addenda amending the July 1994 Agreement and subsequent modifications negotiated between the Sheet Metal Workers' International Association Local 104, hereinafter referred to as the "Union," and the Bay Area Association of SMACNA Chapters, and the applicable local chapters for Greater Oakland, Redwood Empire, San Francisco, San Mateo and Santa Clara, for and on behalf of its members and individual signatory contractors, hereinafter referred to as "Employer," covers all work for Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma and Trinity Counties of California. The parties agree that the terms and conditions contained in this Agreement and applicable Addenda shall apply as the minimum conditions for all work performed hereunder, for and within this contract jurisdiction. All signatory contractors must comply with the terms and conditions applicable to all work performed in given geographical areas as will be noted by area and contained in brackets [] below.

ITEM 8. HOLIDAYS

SECTION A. The following days are recognized holidays:

New Year's Day, Presidents' Day, Martin Luther King, Jr. Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving, Christmas Day and day after Christmas or days locally observed as such. Any holiday falling on Saturday shall be observed on the previous Friday. Any holiday falling on a Sunday shall be observed on the following Monday.

SECTION B. When Christmas falls on Friday, Saturday or Sunday, Friday and Monday shall be observed as the contract holidays.