

SCOPE OF WORK PROVISIONS

CRAFT/CLASSIFICATION

Asbestos Removal Worker (Laborer)

ID

102-67-1

LOCALITY

Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, 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, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba Counties.

SCOPE OF WORK

2.1 Work Coverage.

The work covered by this Agreement is site mobilization, initial site cleanup, site preparation, shrink wrap, and work or removal of materials that have a potential to create hazardous exposure, as determined by job specification and/or state, federal or safety regulations. The work covered by this Agreement includes asbestos; lead containing materials; mold; associated work; work requiring personal protection equipment ("PPE") and engineering controls; and any other tasks which the Individual Employer may direct in connection with this work. This work may be performed by hand, equipment or machinery and includes the erection of scaffolding, the fabrication of temporary wooden barriers and the assembly of decontamination stations.

[REDACTED]

2.4 Exclusions.

This Agreement shall not cover supervisors, guards, clerical, managerial, technical or professional employees of the Individual Employer.

Laborer's Scope of Work for Lead Removal

(Letter dated January 26, 2006 from Northern California District Council of Laborers)

The scope of work "Lead Removal" as described in the Laborers' Asbestos and Lead Agreement is completely different from the Painters lead description.

The Laborers' "Lead Removal" scope of work covers: "the removal and abatement of any construction materials which contain lead as prescribed in state regulations," prior to demolition or reconstruction. Removal and abatement are not an incidental function for the Painter. The Painter's limitation on lead contaminated surfaces is work described as the sealing and preparation of surfaces for painting. If you have any further questions about the Laborers' scope of work, please do not hesitate to call.

Cedric Porter

Laborer's Scope of Work Agreement

(Letter Dated February 8, 2006 from Northern California District Council 16 International Union of Painters and Allied Trades)

Per your fax request dated Jan 27, 2006

The content of the Worker Lead Abatement curriculum approved by the Department of Health Services of the State of California is deliberately one dimensional across the Trades. It addresses the Policies, Guidelines, and Procedures for the safe removal and handling of Lead-based paint and the surfaces it occupies.

Individual Trades then take those Policies, Guidelines and Procedures and employ them within the context of the work that specific trade performs.

The Painter is a Finish Artisan not a Demolitionist

To compare the functional work description of a Laborer and a Journey-Level Painter is disingenuous.

The Laborer performs tasks, as described in their own Lead Removal description as: "Removal and Abatement of construction materials" as in demolition and clean up; not remodeling or rehabilitation of existing surfaces which remain in place.

A Painter's task is not to "abate" demolished cabinets, doors, windows and walls by putting them into the appropriate plastic bag; any more than it is the job of a Laborer to remove lead-based paint from any surface. "Paint" is the venue of the Painter; and "Labor" is the venue of the Laborer.

The Painter prepares those same surfaces, preserving them in place, to receive new Color and Materials having mechanically or chemically removed the offending Lead-based paint, replacing it with compliant materials.

It is correct to say that removal and abatement, within the context of demolition as performed by a Laborer, are not an incidental function of the Painter.

To be precise, the removal of lead-based paint, preserving the surface material, and applying a new coat of environmentally compliant material without destroying that surface is an elementary function of the painter.