



STANDARDS FOR EXCELLENCE

- The United Association Standard for Excellence is incorporated by reference and adopted by the parties to this Agreement.
- A Productivity Committee consisting of one member appointed by the Union and one member appointed by the Employer [or Association, as the case may be], and a Public Member who shall be a neutral party appointed by both these members shall be formed to consider any complaint from the Union, any employee, applicant, or any signatory employer arising from or relating to the Standard for Excellence.
- The Productivity Committee shall have the power to make a final and binding decision on any matter referred to it which shall be complied with by the Local Union, signatory employers and the Association, as the case may be, and employees covered by the collective bargaining agreement. The Committee is not authorized to add to, or subtract from, or modify any of the provisions of the collective bargaining agreement and its decision shall be in accord with the Agreement.
- An employee who is discharged for cause three times within a twelve-month period or who has engaged in egregious conduct in violation of the Standard for Excellence shall be referred to the neutral member of the Committee to determine the applicant's continued eligibility to seek referral or continue to work for signatory contractor. The neutral member of the Committee shall, within five business days, review the qualifications of the applicant, the reason for the discharges or other evidence relating to violation with the Standard for Excellence.
- The neutral member of the Committee, may, in his/her sole discretion issue a final and binding decision providing: (1) that the applicant obtain further training from the JATC; (2) disqualify the applicant for referral or continued employment for any signatory contractor for a period of two weeks, or longer, depending on the seriousness of the conduct and /or repetitive nature of the conduct; (3) refer the applicant to an employee assistance program, if available, for evaluation, treatment, or recommended action; or (4) declare the applicant eligible for continued referral or employment, pursuant to the collective bargaining agreement, including restoration of the application to his/her appropriate place on the referral list.
- The Committee shall have the power to establish rules concerning persons referred to the Committee, including the use of transcripts, lawyers, and the like, in keeping with the need to maintain an orderly and efficient process unencumbered by excessive formality and delay.
- Nothing in the process described herein shall prevent a member from filing a grievance relating to the underlying termination for cause in a timely manner after that termination occurs. The process shall also not negate any established agreed upon drug policy, including the penalties contained in that policy.
- The costs of the Committee, including the cost of the neutral shall be borne equally by the Local Union and the Association.