

A GUIDE FOR SUBMISSION AND PRESENTATION OF A CASE TO THE COUNCIL ON INDUSTRIAL RELATIONS



PREFACE

In an average year over one hundred cases are presented to and decided by the Council on Industrial Relations for the Electrical Contracting Industry. These include deadlocked negotiations, grievances, and other disputes which arise under the collective bargaining agreement.

It is the desire of the Council on Industrial Relations that all parties who appear before it be given ample opportunity to present the facts and evidence in support of their individual positions. Too often, the parties obscure the facts or obfuscate them with a mass of extraneous paper or with long, irrelevant oral arguments.

This guide is an attempt to amplify and clarify the important points in the submission and presentation of a case to the Council as viewed from the standpoint of people who have had experience rendering decisions. The first step is very important to assure that your case will be scheduled for the next session of Council. You must request submission forms from the Secretary of the Council according to the provisions set forth in your collective bargaining agreement. This can be done

through our case management system, this can be found online at: www.thecir.org.

Contact Information:

Secretary, CIR
Council on Industrial Relations
IBEW Building
900 Seventh Street, N.W.
Washington, D.C. 20001
(202)728-6165 Telephone
www.thecir.org (website)
secretary@thecir.org (e-mail)

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PART I

INTRODUCTION

The Council on Industrial Relations (CIR) exists as a result of the mutual determination of the International Brotherhood of Electrical Workers (IBEW) and the National Electrical Contractors Association (NECA) to provide a forum for the peaceful resolution of labor disputes in the electrical contracting industry.

The services of the Council are available to either or both parties to a labor dispute whose local labor agreement provides for this means of resolving negotiating or grievance impasses. The Council encourages and supports local agreements. The Council does not solicit business. It exists to serve the industry and to help resolve only those issues upon which an impasse has been reached. Use of the Council should not be abused, nor should it be used as an excuse for not exhausting every possible effort by both parties to resolve disputes locally. The Council was never intended to be a substitute for the development of good faith labor-management relations on the local level.

Please read all of the eight "Instructions to Submitting Parties" in the box on the bottom half of page 1.



**Council on Industrial Relations
for the
Electrical Contracting Industry**

Co-Sponsored by
National Electrical Contractors Association
and
International Brotherhood of Electrical Workers®

A copy of this form properly filled out and signed must be returned to the Secretary postmarked and uploaded to CIR Case Management on or before:

Either:
February 1st
May 1st
August 1st
November 1st

All unresolved issues should be submitted jointly. However, unilateral submissions may be accepted when all conditions of Council Policy VIII are fulfilled.

PARTIES TO SUBMISSION

_____	Chapter, NECA	_____	Local Union No.	_____	IBEW
_____	(City)	_____	(City)		
_____	(State)	_____	(State)		
Division	Type of Agreement				

INSTRUCTIONS TO SUBMITTING PARTIES

1. A copy of this form, properly and completely filled out, signed by the parties, mailed and uploaded to Case Management, is required by the Council. It is suggested that the parties retain a duplicate copy for their files.
2. The Council shall be furnished with copies of the current approved collective bargaining agreement and all approved amendments which must be postmarked on or before the first day of the month in which the hearing is scheduled and filed with the Council Secretary and the parties must upload an electronic copy to Case Management by the same date.
3. Each of the parties to this submission should furnish the Council 4 paper copies of a brief supporting their contentions with respect to the issues submitted and upload an electronic copy to Case Management. The brief should deal with the issues in the same order in which they are listed on Page 2 of this form.
4. When briefs are filed, they must be uploaded and mailed to the Council Secretary, (postmarked, and a copy furnished to the other party) on or before the first day of the month in which the hearing is scheduled. The same obligation exists for both joint and unilateral submissions.
5. The parties are strongly encouraged to arrange for personal appearance at the Council hearing to present oral testimony; however, such appearances are not mandatory.
6. The parties are urged to continue efforts to settle the issues locally between the date a case is submitted and the date it is heard. A case may be withdrawn by mutual consent at any time prior to, or at the time of the hearing. If local agreement is reached on some issues, then those issues can be withdrawn by mutual consent at the hearing.
7. The parties should suggest new agreement language clearly when stating what each party wishes to accomplish.
8. Sections marked * on pages 3, 4, 5 and 6 are to be completed if wages or fringes are issues to be adjudicated.

PART II

HOW TO PREPARE THE COUNCIL SUBMISSION FORM **COMMENTS FOR PAGE ONE PARTIES TO SUBMISSION**

Do not make any entry in the box at the upper right hand corner of page 1. This is for use by the CIR, and will be marked when you receive your blank submission forms.

Fully complete the spaces for identification of the "Parties to Submission." "Parties to Submission" are the same as the parties to the agreement in question. Most often they are the Local Union and the NECA Chapter. In cases where an independent agreement exists, the employer party would be the individual employer. The full legal name of the Chapter or employer should be used. The Local Union's city of charter should be used. Be careful to identify the "Type of Agreement"; i.e., Inside, Outside, Residential.

STATEMENT OF ISSUES

Joint Submission

Do not list any issues, which have been settled prior to submitting the case to Council.

Indicate Articles and Sections of agreement affected by the unsettled issues. State the essence of the issues being submitted. List the issues in the order as they appear in the agreement.

Joint Submission Form is used where both parties have come to impasse and both are jointly requesting the services of Council.

	Employer Issue of Joint Submission	Union Issue of Joint Submission	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	

Sample Do Not Use

COMMENTS FOR PAGE TWO

STATEMENT OF ISSUES

In completing the "Statement of Issues," there are some important things to remember here which will be of great help to the Council in deciding your case. First of all, please read carefully and follow the instructions in the box:

1. Do not list issues which have already been settled. (But be sure they are unquestionably settled. If you have any doubts, then list the issues.)
2. State the articles and sections in the agreement which are affected by the issues, including article and section numbers and a brief description such as wages or unjust discharge. If there is more than one section or article affected, state all sections affected separately.
3. There are two columns of boxes. For each issue that is listed, check the appropriate box as an "Employer" or "Union" issue on joint submission. If the issue is a unilateral submission, check the box for (Employer) or a (Union) on each issue.

4. List the issues in the same order as treated in the brief, citing the articles and sections affected in the agreement. In your presentation at the hearing, address the issues in the same order as listed on your Submission Form and in your brief. Do not use your negotiation notes, or other notes which have the issues in some other order. This only leads to confusion and takes unnecessary time for the Council to follow the issues. Usually there is only one "Statement of Issues" page for each submission. It is not necessary for each party to prepare separate lists of issues which may be in different order. The parties have to agree only to the identification of the issue.

WIREMAN/LINEMAN CURRENT BENEFITS*

FUND	Paid by Employer	Deducted from Pay Check
National Pension - NEBF	(NEBF _____ % of Gross Payroll)	
Local Union Pension	_____ % or _____ ¢ per hour	_____ % or _____ ¢ per hour
Health and Welfare	_____ % or _____ ¢ per hour	_____ % or _____ ¢ per hour
Annuity Plan	_____ % or _____ ¢ per hour	_____ % or _____ ¢ per hour
Vacation Pay	_____ % or _____ ¢ per hour	_____ % or _____ ¢ per hour
Holiday Pay	_____ % or _____ ¢ per hour	_____ % or _____ ¢ per hour
Apprenticeship	_____ % or _____ ¢ per hour	_____ % or _____ ¢ per hour
Educational	_____ % or _____ ¢ per hour	_____ % or _____ ¢ per hour
Industry	_____ % or _____ ¢ per hour	_____ % or _____ ¢ per hour
Other _____	_____ % or _____ ¢ per hour	_____ % or _____ ¢ per hour

1. Have the parties agreed on an effective date for all changes? Yes ☐ No ☐
2. If the answer is "Yes" give effective date _____. If answer is "No", Council will set effective date.
3. The parties have met for _____ hours in an effort to reach agreement through local negotiations. The most recent meeting took place on _____.

NOTICE! ALL OF THE FOLLOWING MUST BE FILLED IN WITH THE EXCEPTION OF ONE SIGNATURE IN THE CASE OF UNILATERAL SUBMISSIONS. ALL OTHER INFORMATION MUST BE PROVIDED.

FOR THE EMPLOYER

FOR THE UNION

(Signature)

(Print or Type Name Here)

(Title)

(Name of Employer's Association)

(Street)

(City) (State) (Zip)

Date: _____ Phone: _____

(Signature)

(Print or Type Name Here)

(Title)

Local Union No. _____ IBEW

(Street)

(City) (State) (Zip)

Date: _____ Phone: _____

THE AUTHORIZED REPRESENTATIVES OF THE ABOVE NAMED PARTIES HEREBY AGREE AS FOLLOWS:

1. To submit for adjudication by the Council the issues listed on Page 2, which we have attempted without success, to settle through local negotiations; and to accept as final and binding the decision rendered by the Council.
2. To submit for wage review by the Council the information listed on Pages 3, 4, 5 and 6.

COMMENTS FOR PAGE THREE
WIREMAN/LINEMAN CURRENT BENEFITS

As indicated in Instruction No. 8 on CIR Form page 1, the asterisk at the top of the box for "Current Benefits" (*) here means that this information is to be completed only if wages or fringes are an issue before the Council. Be sure to include all fringes and use the space for "other" at the bottom for any fringes not covered above. Also complete the proper column - either "Paid by Employer" contributions, or "Deducted from Pay Check." Express the amount of employer contribution or deduction from check in the same way as it appears in the agreement; i.e., either as a percentage, or cents per hour as stated in the CBA.

The three statements in the middle of the page are important, and helpful to the Council.

1. If the parties have agreed to an effective date for changes, it should be stated; however, be certain there is an agreement before you sign the form.
2. Be certain the date agreed upon is correct (day, month and year). The Council will give much credence to a date agreed on by the parties but reserves the right to change it if in their opinion such change is warranted by circumstances.
3. The amount of time spent in local negotiations gives the Council an insight into how close the parties were to agreement, and may lead to specific questioning of the parties by Council members in arriving at a fair decision.

NOTICE - All of the spaces at the bottom of the page for signatures must be completed by both parties on one form for joint submission. Do not use separate submission forms. "For the Employer" refers to the employer party to the submission identified on page 1.

IMPORTANT. Once both parties have signed the submission form, any changes will require mutual consent. Unilateral submissions are signed by only one party and submitted under the conditions of Standing Council Policy VIII as follows:

"VIII - Unilateral Submissions

"Unilateral submissions will be accepted by the Council only when all of the conditions set forth below are satisfied:

"(1) The collective bargaining agreement between the parties contains Council Clauses.

"(2) The submitting party has engaged or attempted to engage in bona fide collective bargaining in accordance with the terms of the local labor agreement in an effort to effect a local settlement.

"(3) The submitting party has given timely notice to the other party, in writing, of intent to file the case, and at the same time invited said other party to join in the submission, with a copy of said invitation to the Secretary of Council.

"Upon receipt of a unilateral submission which qualifies under the conditions set forth above, together with the other material required, the Secretary of the Council will notify the non-submitting party that the case has been filed, and list the issues submitted to the Council."

Read, understand and comply with the two conditions agreed to by both parties when submitting a case to Council. These conditions are listed just below the section containing the signatures and other pertinent information on page 3.

*	Adjacent IBEW Local Unions*			Local Union Involved	Comparable IBEW Local Unions			
L.U. No.					Selected by Union		Selected by Employer	
Location								
Year								
*	Indicate total wage package, excluding apprenticeship-educational-industry funds, as of December 31 st for each of the last ten years.							

HISTORICAL DATA*

Indicate total wage package excluding apprenticeship, educational or industry funds, as of December 31 for each of the last ten years. If there were wage increments during the year, indicate effective date of each increment.

	Wireman	Lineman	Plumber	Iron Worker	Boiler Maker	Sheet Metal	Oper. Eng.	Bricklayer	Carpenter	Laborer
L.U. No.										
Year										

5

WAGE HISTORY*

Tabulate the Journeyman hourly wage rate, exclusive of fringe benefits, by contract years **for the past 5 years**, with the current rate at the bottom. Show percentage differential, or monetary differential (whichever was specified by the agreement at the time), for the other classifications. Show the effective date of each increment in each contract year.

Effective Dates		GF	F	CS	JN	Apprentice Rate in % or Money							
						1	2	3	4	5	6	7	8

Current rates of other classifications also affected by wage increase: If the hourly wage rate for any classification listed is based on a formula such as a constant money differential or percentage differential, so indicate.

COMPARATIVE DATA*

In wage disputes involving Inside Wireman or Commercial Line work, list the current hourly rates and fringe benefits CONTRIBUTED BY THE EMPLOYER in the local agreements of the following trades:

	Wireman Lineman	Carpenter	Sheet Metal	Iron Worker	Plumber
Journeyman Rate					
Local Union Pension					
Health and Welfare					
Annuity Fund					
Paid Vacation					
Paid Holidays					
CHECK THE FOLLOWING ITEMS FOR ABOVE TRADES IF APPLICABLE IN YOUR AREA					
Short Work Week					
Hours Per Day					
Days Per Week					
Zone Pay					
Mileage					
Subsistence					

COMMENTS FOR PAGES FOUR, FIVE, AND SIX

WAGE AND FRINGE BENEFIT

COMPARISONS AND WAGE HISTORY

CIR Form pages 4, 5 and 6, along with the fringe benefit information on CIR Form page 3, are to be used only if wages or fringes are issues before the Council. Do not complete these pages for grievance cases.

1. "Local Union Wage Comparisons" - page 4 - The Council looks carefully at many things. They read your brief, your agreement, and your submission form data. They listen to oral arguments and rebuttals, and they ask questions. Do not prejudice your case by careless preparation of the submission form. Take the time to prepare it correctly, and it will pay dividends in the end. The submission form data must agree with the agreement as submitted with your brief. If it doesn't, the Council decision you receive may be confusing to you, and may require later interpretation - all on account of carelessness in preparing the submission form. Please note the footnote at the bottom of CIR Form page 4. For the comparative local union data, indicate the total wage package.

2. This amount will include the employers' cost of all fringe benefits plus wages, except apprenticeship, educational and industry funds. Data should cover the most recent ten-year period, with the most recent data appearing in the top row. Make this data as reliable and accurate as possible. Do not compare apples to oranges. Use the same base for all data on this page.
3. "Historical Data." - page 5 - This provides comparative information historically over a ten-year period for nine crafts. Again, exclude from the total wage package "apprenticeship, educational or industry funds" and place the most recent data in the bottom row. Integrity of the data is important to enable the Council to make a fair decision. It cannot and must not be based on careless or inaccurate information. If information is not available in any instances leave the space blank. Do not guess. This will only distort the facts, and mislead the Council.
4. "Wage History" - page 6 - This is a history of the Relationship between various wage classifications in the agreement. Please note here that this only calls for wage rate (not fringe costs - nor total package).

5. If you have a ten-period apprentice pay schedule or other classifications, utilize the lines directly below the table. Again, accuracy is of prime importance, and certainly the classification wage differentials should be expressed as either percentage or cents per hour - the same as in the agreement. Also be sure to show the effective dates in the left hand column of this table. It is absolutely critical to your case that the wage information for the classifications shown here is the same as in your agreement. Do not be careless here. If the wage rates have been changed by amendments since your agreement was printed - be sure to reflect all such amendments.
6. "Comparative Data" - page 6 - This table calls for comparative hourly wage rates plus certain specified fringe benefits for five different trades. Entries should be made carefully and accurately. Do not guess. If part of the information is unavailable, leave the space blank.

PART III

ABOUT COUNCIL BRIEFS AND ORAL PRESENTATIONS

The rules of good communications apply to the subjects of briefs and oral presentations. Avoid complicated, ambiguous statements. Strive for clarity. Make statements that are brief, complete and to the point.

Your brief should show for each issue - in a convenient and easy to read format - pertinent existing agreement clauses, union proposals, employer proposals, arguments for your proposals and substantiating evidence. Copies of letters, lengthy lists and other such data are usually best placed in back of the brief and referred to in the text.

Council members are interested in jointly signed minutes of meetings. These minutes which relate to the issues submitted are of special value when an argument for your case is that an agreement has been reached on some or all issues in dispute.

The Council members will have read your brief before your case is called. The hearing itself is divided into three phases: oral presentation, rebuttal, and questions. Each

party will be given an opportunity to orally present new or additional evidence. After oral presentations have been made, each party will be allowed to rebut the other's written brief and/or oral testimony. Following rebuttal, Council members may question the disputants.

Although the best type of oral presentation will be determined by the nature of the case, often a very short statement, merely emphasizing and perhaps illustrating the most important parts of your case, is most effective. You should tell the Council what you want from the Council in your own language. Members of the Council will write language if necessary, but it is in your best interest to submit the written language that you want in your agreement. Remember, however, the oral presentation is for you to present new evidence. Do not read your brief. Save your rebuttal arguments for the rebuttal portion of the hearing.

With few exceptions, discourses on the uncooperative attitude of the other party, the bad faith bargaining engaged in, and other extraneous matters will confuse the issue and accomplish nothing.

CIR members are familiar with your problems. Most have faced similar problems themselves. All members of the Council have had labor relations experience in our industry.

Although personal appearances are not mandatory for the Council to hear a case, it is preferred for you to make a personal appearance if a dispute is important enough to submit. A personal appearance by both parties allows the Council members the opportunity to question the disputants directly, and some unrevealed but pertinent facts may be brought to light enabling the Council to resolve the dispute in the most equitable manner. Through direct questioning of the parties, Council members will gain an insight leading to a decision directed to the real problem rather than to an issue which may be somewhat obscure in the brief. The person who appears at the hearing should be well versed on the issues in dispute.

If it is not practical for either party to make a personal appearance and a case must be submitted by brief only, then be certain that your brief contains all the information on the issue and that your position and arguments are germane to the issues. Also be sure that

the issue is clear and represents the true item which is in dispute.

It is most important; whether you are presenting your case in person or by brief only, that you clearly state what you want the CIR to do. In a wage case, asking for a reasonable wage increase (or worse, asking Council not to grant an unreasonable increase) is wholly inadequate. State in dollars and cents the amount of any increase requested and whether that increase should go to wages only or be allocated so much to the hourly wage and so much to specified fringe benefits. Bear in mind that a wage increase is not the same as a total package increase, particularly if fringes such as health & welfare and pension are calculated as a percentage of the wage rate. If you mean for your wage proposal to include the "percentage roll-ups" in your agreement, make this clear in your presentation.

If you are asking for a language change or clarification, include the desired language.

In grievances, clearly state whether Council should find a violation of the agreement or not, and if a violation is found, what the specific remedy should be and how it was arrived at.

Many disputants before the CIR have gone to considerable effort to detail the issues and arguments in their briefs, oral presentations and rebuttals, only to leave this basic question, "What do you want Council to do?" unanswered.

When appearing before the Council on Industrial Relations, the best advice is to know your case. If you really understand the problem; if you have given the other party ample opportunity in bargaining to study, modify or reject your solution and have in turn given every consideration to that party's alternative proposals and can identify their weaknesses; if you have written out a statement of the problem and your suggested solutions in an orderly and clear manner -- if you have done all these things, you are prepared to come to Council.

PART IV CHECKLIST FOR BRIEFS

- Have you uploaded copies of your brief, submission form and agreement(s) to the CIR Secretary via Case Management in a timely fashion by the 11:59 e.s.t. on the 1st of the month of Council. Your brief should be on letter size paper (8 1/2" x 11") and 4 copies of your brief, submission form and agreement(s) post marked on or before to the 1st of the month of Council to the Secretary of CIR.
- Is each issue on the submission form clearly addressed in your brief?
- Is your position on each issue and the reason for your position clearly stated? Are all arguments in support of our position pertinent to the issue? Have you clearly stated how you want Council to rule on each issue?
- If you propose a change in the agreement, does your brief state exact language for consideration by the Council?

- Have you included a brief summary of negotiations to date including all economic items already agreed upon at home?
- Is all necessary supportive data clearly organized, identified and properly referenced so as to be easily located in your brief?
- If you propose a change in the effective date of the agreement, have you stated the effective date you propose and the reason for such change?
- Have you reviewed and deleted from the original draft all unnecessary and extraneous language in your brief which would only tend to confuse the reader?
- Have you exchanged briefs with the other party on or before the first day of the month in which the hearing is scheduled?
- Have the parties continued their efforts to settle the issues? Remember that a negotiated settlement tends to strengthen good relations between the parties.

PART V

CHECKLIST FOR MAKING A PERSONAL APPEARANCE AT COUNCIL

- Upon your arrival at Council, make your presence known to the Secretary and check to see when your case is scheduled to be heard.
- At the time that you check in, notify the Secretary of the Council if you have any additional written evidence which you wish to introduce at your hearing and which was not included in your brief. Present a copy to the other party for review prior to your scheduled hearing. This additional material will not be distributed at the hearing unless its distribution is consented to by the other party. You must provide 22 copies for distribution.
- Ensure that any other representatives who will appear at the table with you know when your case is scheduled to be heard and arrange for them to be present when the hearing starts.
- If you are not thoroughly acquainted with Council procedure, arrive early and plan to observe other cases heard in open session so as to become familiar

with the procedure and order of presentations. Organize your thoughts and have your oral presentation well in mind so that you can make optimum use of the time allotted for your case and hold the full attention of Council members with only minimum reference to notes.

- If a submitted issue is withdrawn by mutual consent of the parties, either prior to or at the hearing, it will not appear in the decision as an issue. But before you consent to withdraw an issue, be certain that there is irrevocable agreement on the issue. If there is any doubt, leave it as an issue and ask the Council to include it in their decision as you think it was agreed to at home.

PART VI

EXAMPLES OF COMPLETED SUBMISSION FORMS

- (1) Negotiation Issues - sample completed form
- (2) Grievance Issue - sample completed form



Council on Industrial Relations for the Electrical Contracting Industry

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International Brotherhood of Electrical Workers®

A copy of this form properly filled out and signed must be returned to the Secretary postmarked and uploaded to CIR Case Management on or before:

Either:
February 1st
May 1st
August 1st
November 1st

All unresolved issues should be submitted jointly. However, unilateral submissions may be accepted when all conditions of Council Policy VIII are fulfilled.

PARTIES TO SUBMISSION

Tucumcari	Chapter, NECA	Local Union No.	0	IBEW
Tucumcari		This line should reflect the city of the charter		
(City)		(City)		
New Mexico		New Mexico		
(State)		(State)		
Division		Type of Agreement	Inside	

INSTRUCTIONS TO SUBMITTING PARTIES

1. A copy of this form, properly and completely filled out, signed by the parties, mailed and uploaded to Case Management, is required by the Council. It is suggested that the parties retain a duplicate copy for their files.
2. The Council shall be furnished with copies of the current approved collective bargaining agreement and all approved amendments which must be postmarked on or before the first day of the month in which the hearing is scheduled and filed with the Council Secretary and the parties must upload an electronic copy to Case Management by the same date.
3. Each of the parties to the submission should furnish the Council 4 paper copies of a brief supporting their contentions with respect to the issues submitted and upload an electronic copy to Case Management. The brief should deal with the issues in the same order in which they are listed on Page 2 of this form.
4. When briefs are filed, they must be uploaded and mailed to the Council Secretary, (postmarked, and a copy furnished to the other party) on or before the first day of the month in which the hearing is scheduled. The same obligation exists for both joint and unilateral submissions.
5. The parties are strongly encouraged to arrange for personal appearance at the Council hearing to present oral testimony; however, such appearances are not mandatory.
6. The parties are urged to continue efforts to settle the issues locally between the date a case is submitted and the date it is heard. A case may be withdrawn by mutual consent at any time prior to, or at the time of the hearing. If local agreement is reached on some issues, then those issues can be withdrawn by mutual consent at the hearing.
7. The parties should suggest new agreement language clearly when stating what each party wishes to accomplish.
8. Sections marked * on pages 3, 4, 5 and 6 are to be completed if wages or fringes are issues to be adjudicated.

NEGOTIATION ISSUE(S)

STATEMENT OF ISSUES
Joint Submission

Do not list any issues, which have been settled prior to submitting the case to Council.

Indicate Articles and Sections of agreement affected by the unsettled issues. State the essence of the issues being submitted. List the issues in the order as they appear in the agreement.

Joint Submission Form is used where both parties have come to impasse and both are jointly requesting the services of Council.

Employer Issue of Joint Submission

Union Issue of Joint Submission

Employer Issue of Joint Submission	Union Issue of Joint Submission	Issue
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Article I, Section 1 - Term of Agreement
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Article III, Section 5 - Wages
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Article III, Section 16 - Dues Check-off
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Article VII, Section 16 - Crew size: Foreman Ratio
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

WIREMAN/LINEMAN CURRENT BENEFITS*

FUND	Paid by Employer	Deducted from Pay Check
National Pension - NEBF	(NEBF <u>3</u> % of Gross Payroll)	
Local Union Pension	<u> </u> % or <u>1.50</u> ¢ per hour	<u> </u> % or <u> </u> ¢ per hour
Health and Welfare	<u> </u> % or <u>2.20</u> ¢ per hour	<u> </u> % or <u> </u> ¢ per hour
Annuity Plan	<u>2</u> % or <u> </u> ¢ per hour	<u> </u> % or <u> </u> ¢ per hour
Vacation Pay	<u> </u> % or <u> </u> ¢ per hour	<u>4</u> % or <u> </u> ¢ per hour
Holiday Pay	<u> </u> % or <u> </u> ¢ per hour	<u>2</u> % or <u> </u> ¢ per hour
Apprenticeship	<u>1</u> % or <u> </u> ¢ per hour	<u> </u> % or <u> </u> ¢ per hour
Educational	<u> </u> % or <u> </u> ¢ per hour	<u> </u> % or <u> </u> ¢ per hour
Industry	<u> </u> % or <u> </u> ¢ per hour	<u> </u> % or <u> </u> ¢ per hour
Other <u>LMCC</u>	<u> </u> % or <u>.10</u> ¢ per hour	<u> </u> % or <u> </u> ¢ per hour

- Have the parties agreed on an effective date for all changes? Yes ☐ No ☒
- If the answer is "Yes" give effective date NONE. If answer is "No", Council will set effective date.
- The parties have met for 21 1/2 hours in an effort to reach agreement through local negotiations. The most recent meeting took place on 1/5/15.

NOTICE! ALL OF THE FOLLOWING MUST BE FILLED IN WITH THE EXCEPTION OF ONE SIGNATURE IN THE CASE OF UNILATERAL SUBMISSIONS. ALL OTHER INFORMATION MUST BE PROVIDED.

FOR THE EMPLOYER

FOR THE UNION

(Signature)
John Smith

(Print or Type Name Here)
Chapter Manager

(Title)
Tucumcari Chapter, NECA

(Name of Employer's Association)
3200 Central Avenue

(Street)
Tucumcari NM 38421

(City) (State) (Zip)

Date: **1/6/2016** Phone: (555) 555-5555

(Signature)
Jean Simpson

(Print or Type Name Here)
Business Manager

(Title)
Local Union No. 0 IBEW
3201 Central Avenue

(Street)
Tucumcari NM 38421

(City) (State) (Zip)

Date: **1/6/2016** Phone: 555-555-5556

THE AUTHORIZED REPRESENTATIVES OF THE ABOVE NAMED PARTIES HEREBY AGREE AS FOLLOWS:

- To submit for adjudication by the Council the issues listed on Page 2, which we have attempted without success, to settle through local negotiations; and to accept as final and binding the decision rendered by the Council.
- To submit for wage review by the Council the information listed on Pages 3, 4, 5 and 6.

*	Adjacent IBEW Local Unions*			Local Union Involved	Comparable IBEW Local Unions			
	L.U. No.	2966	3218	4012	3042	Selected by Union		Selected by Employer
Location	Gobi, AZ	Tempe, AZ	Mesa, NM	Tecumcair, NM	3413 Sunrise, AZ	4218 Richrock, NV	4677 Apache, NM	5616 Santa Fe, NM
Year	20.73	23.41	25.08	23.55	25.97	23.74	21.92	22.96
2014	20.13	22.69	24.35	22.88	25.20	23.03	21.27	22.27
2013	19.54	22.03	23.64	22.11	24.46	22.35	20.65	21.61
2012	18.97	21.39	22.95	21.47	23.75	21.70	21.05	20.98
2011	17.67	20.44	22.15	19.89	22.25	20.40	19.19	19.74
2010	17.42	19.62	20.75	18.88	20.99	19.3	18.58	18.78
2009	16.62	18.67	19.21	18.28	19.35	18.28	17.77	17.98
2008	16.22	17.91	18.64	17.93	18.54	17.83	17.07	17.22
2007	15.82	17.40	18.13	17.57	18.02	17.37	16.62	16.92
2006	15.57	17.09	17.36	16.87	17.66	16.67	16.31	16.42
*	Indicate total wage package, excluding apprenticeship-educational-industry funds, as of December 31 st for each of the last ten years.							

HISTORICAL DATA*

Indicate total wage package excluding apprenticeship, educational or industry funds, as of December 31 for each of the last ten years. If there were wage increments during the year, indicate effective date of each increment.

	Wireman	Lineman	Plumber	Iron Worker	Boiler Maker	Sheet Metal	Oper. Eng.	Bricklayer	Carpenter	Laborer
L.U. No.	3042		624	813	22	746	912	62	38	144
Year <u>2015</u>	23.55		21.25	21.47	23.10	20.98	21.65	20.85	19.25	16.32
<u>2014</u>	22.88		20.75	20.47	22.55	20.35	20.00	20.10	18.95	15.65
<u>2013</u>	21.11		20.44	19.47	20.05	19.68	19.22	19.39	18.55	15.18
<u>2012</u>	21.47		19.25	18.99	21.50	18.15	18.38	18.36	18.06	14.98
<u>2011</u>	19.89		18.25	17.79	20.26	17.65	17.63	17.06	17.31	14.73
<u>2010</u>	18.88		17.25	16.69	18.86	16.92	17.43	17.31	16.66	14.23
<u>2009</u>	18.28		16.90	16.34	18.06	16.55	16.50	16.93	16.31	13.80
<u>2008</u>	17.93		16.55	16.03	17.60	16.20	16.15	16.60	15.98	13.65
<u>2007</u>	17.57		16.20	15.70	17.20	15.75	15.63	16.28	15.68	13.15
<u>2006</u>	16.87		15.20	14.95	16.80	15.05	14.99	15.75	14.88	12.63

WAGE HISTORY*

Tabulate the Journeyman hourly wage rate, exclusive of fringe benefits, by contract years **for the past 5 years**, with the current rate at the bottom. Show percentage differential, or monetary differential (whichever was specified by the agreement at the time), for the other classifications. Show the effective date of each increment in each contract year.

Effective Dates	GF	F	CS	JN	Apprentice Rate in % or Money							
					1	2	3	4	5	6	7	8
1/15/2015	22.80	21.75	21.12	20.44	40%	45%	50%	60%	70%	80%		
1/15/2014	21.32	21.34	20.40	19.40								
1/15/2013	21.22	20.30	19.45	18.45								
1/15/2012	20.53	19.64	18.85	17.85								
1/15/2011	20.12	19.25	18.50	17.50								

Current rates of other classifications also affected by wage increase: If the hourly wage rate for any classification listed is based on a formula such as a constant money differential or percentage differential, so indicate.

COMPARATIVE DATA*

In wage disputes involving Inside Wiremen or Commercial Line work, list the current hourly rates and fringe benefits CONTRIBUTED BY THE EMPLOYER in the local agreements of the following trades:

	Wireman or Lineman	Carpenter	Sheet Metal	Iron Worker	Plumber
Journeyman Rate	22.80				
Local Union Pension	.50				
Health and Welfare	2.20				
Annuity Fund	1.50				
Paid Vacation	Deduct				
Paid Holidays	Deduct				
NEBF	.62				
CHECK THE FOLLOWING ITEMS FOR ABOVE TRADES IF APPLICABLE IN YOUR AREA					
Short Work Week Hours Per Day Days Per Week					
Zone Pay Mileage Subsistence					

GRIEVANCE ISSUE(S)

STATEMENT OF ISSUES
Joint Submission

Do not list any issues, which have been settled prior to submitting the case to Council.

Indicate Articles and Sections of agreement affected by the unsettled issues. State the essence of the issues being submitted. List the issues in the order as they appear in the agreement.

Joint Submission Form is used where both parties have come to impasse and both are jointly requesting the services of Council.

Employer Issue of Joint Submission

Union Issue of Joint Submission

☐☒☐☐

Alleged violation of Article III, Section 23(b) by Alco Electric Co.

☐☐

for failing to pay the required high time to men working from a

☐☐

bucket truck on the ALCO Power job.

☐☐☐☐☐☐☐☐☐☐☐☐

Sample Do Not Use