

Market Recovery

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Contractors are encouraged to utilize our Market Recovery Program. Your company must be fully signatory with Local 528 and you must be current in contributions to the trust.

See the bottom of this article for a Market Recovery Request Form...

OVERVIEW OF THE MARKET RECOVERY PROGRAM

Market Recovery funds are available to **union contractors** when they need financial assistance in order to be awarded a job. These funds are available based on the approval of the Business Manager and the Market Recovery Committee.

Cement Masons Local 528 rely on its Business Agents, as well as signatory contractors, to inform the Business Manager of a job where significant non-union competition is expected. In the event a project is likely to be done non-union absent a grant from the Market Recovery Program, Local 528 will inform signatory contractors of the job. When an eligible signatory employer decides to bid the project, **a request is made to the Business Manager, in writing, a minimum of 96 hours before the bid date.**

The Business Manager and the Market Recovery Committee will study each request and advise the contractor whether a job is eligible for the Market Recovery Program, the amount of funds available, and the maximum number of hours for which funding will be supplied. **Eligibility is valid for 30 days after being approved.** Once a job has been selected as eligible, and Local 528 is notified the contractor is the low bidder, a "Letter of Commitment" is sent, summarizing the amount of money and the maximum number of eligible hours allowed under the Market Recovery Program Contract.

A Letter of Commitment is valid for six months, and reimbursement must

begin within that frame, or with an approved extension from the Business Manager. Cement Masons & Plasterers Local 528 will reimburse the contractor on a regular basis. Each week, the contractor fills out a Weekly Field Reimbursement Report, listing all members who worked on the selected project in the preceding week and the number of hours worked. Local 528 will review the report for accuracy and issue a check to the contractor for the appropriate amount of money.

AN EXAMPLE OF HOW FUNDS ARE UTILIZED

When both Union and non-union contractors are bidding a job and the union contractors feel the job will go non-union, they can ask for Market Recovery assistance. Funds are granted based on the man hours estimated to complete the job. For example, if the number of man hours to complete a job is estimated at 2000, funds could be available from the Market Recovery Program at, for example, a \$2.00 subsidy for each apprentice, journeyman and foreman on the job. This would allow the signatory contractors to lower their bids by \$4000.00 and be able to better compete against non-union contractors. At the same time, our members working on the project would not have to work at a wage rate below the Master Labor Agreement.

JOBS ELIGIBLE FOR FUNDING FROM THE MARKET RECOVERY PROGRAM

Jobs eligible for funding from the Market Recovery Fund must meet the following requirements:

1. There will be competition for the job by non-union contractors.
2. The job is within Local 528's geographical jurisdiction.
3. The job falls within the work described in the Master Labor Agreement as that of a Cement Mason or in the Agreement for the Northwest Wall & Ceiling Industry as that of a Plasterer.
4. All types of jobs covered by the Master Labor Agreement (Cement Masons) or Agreement for the NW Wall & Ceiling Industry (Plasterers) are eligible for funds.

CONTRACTORS ELIGIBLE FOR MARKET RECOVERY FUNDS

Contractors eligible for Market Recovery Funds must meet the following criteria:

1. The contractor must be signatory to a full term agreement with Cement Masons & Plasterers Local 528. Contractors with a project-only agreement are not eligible for Market Recovery Funds.
2. The contractor completes and signs a Market Recovery Program Contract.

3. The contractor must be current in benefit contributions to the Trust office at the time the contractor bids the job and is awarded the job, and in compliance with all other terms of the applicable Master Labor Agreement.

PROCEDURE FOR REQUESTING MARKET RECOVERY FUNDS

The following information should be conveyed to the Business Manager for review by the committee:

1. Job date
2. Job address
3. Bid date
4. Non-union contractors bidding job
5. Estimated number of hours of bargaining unit work
6. The approximate number of Local 528 members to be employed
7. Name of party awarding the contract (General contractor/property owner/developer)
8. Bidding policy of the party awarding the contract
9. Description of the work
10. Anticipated start date and completion date of the project
11. Whether the job is private or public/public works (i.e. Davis-Bacon), and the prevailing wage and benefit package the government requires to be paid on the job
12. Any additional information pertinent to request

HOURS OF WORK ELIGIBLE FOR A SUBSIDY FROM THE MARKET RECOVERY PROGRAM

Apprentice, journeyman and foreman hours actually worked on the selected job are eligible for support from the Market Recovery Program. **Hours worked by an owner, officer or stockholder of the company awarded the selected job are not subject to support from the Market Recovery Program.**

The Market Recovery Program is intended to do exactly that: recover markets we are not competitive in or those we have lost our ability to compete in. We expect contractors receiving Market Recovery funds will employ members off the Local's Out of Work list. Attempts to evade or circumvent this clause will be cause to cease payment of the Market Recovery Program funds on that project.

STATE AND FEDERAL DAVIS-BACON JOBS

An employer bidding a State or Federal Davis-Bacon job may apply to the

Marker Recovery Program for an award of support. Local 528 will only award support on a State or Federal Davis-Bacon job when the wage and benefit package which must be paid on the job under the Collective Bargaining Agreement exceeds the wage and benefit package that the State or Federal government requires to be paid on the job. If a State or Federal Davis-Bacon is selected, the maximum level of support awarded on the job will be the difference between the wage and benefit package under the Collective Bargaining Agreement and the wage and benefit package required to be paid by the State or Federal agency awarding the contract.

For more information, contact the Business Manager, John Kearns, at jkearns@jkearns@opcmialocal528.org or (206)441-9386, ext. 1173.

If you would like to apply, you can download the following Request for Market Recovery:

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