



“Horse sense is the thing a horse has which keeps it from betting on people.”

W.C. Fields

MANAGER’S COMMENTS

GREATER CLEVELAND

“2.02.” Say that out loud. Did you say two oh two, two point oh two, or did you say it like me, two dot oh two? I wish I could see a show of hands for how many say it like me. From the ridicule I received just recently about my way, it seems unlikely I’m in the majority. But that’s fine with me. I’m used to it. What I mean by being used to it though, is that many times I don’t get a clear accounting of the people who actually agree with me, they do it silently. Yep, I believe full well that I have my own “silent majority.”

I sincerely hope that when people read “Manager’s Comments” in this newsletter that it sparks a reaction. Either something along the lines of that’s BS or oh hell yeah! Anything in between also works as long as its not “I don’t care.” “I don’t care” concerns me when it’s the reaction from people who have a vested interest in the particular topic. Obviously, not every reader has a vested interest in every topic I have interest in. Sadly, I had to write that sentence to show the Arnold Horshack’s (A late 1970’s TV show reference) out there that I understand the audience. *Feel free to call me if you want an explanation.*

As you can imagine, sometimes when the end of the month comes around it’s easy to come up with a topic for this column that’s relevant and should spark a reaction but sometimes it’s not. Occasionally, there’s that month when the topic is very apparent to me but then the argument starts in my head. You know, the little white suited

angel and little red horned devil get into it. When the devil wins, I justify it by using the “Never be afraid of the truth” argument.

Anyway, back to the beginning. So, what and why two dot oh two? You all know I didn’t pick those three numbers out of the blue. Certainly some of you know what 2.02 is and every union electrical contractor should know what it is. However, I bet there might only be a few, less than 5, who know why I’m writing about it.

First, the “what” is, it’s Section 2.02 in Article II of every IBEW/NECA Inside Collective Bargaining Agreement. It reads as such:

Management Rights Clause

The Union understands the Employer is responsible to perform the work required by the owner. The Employer shall, therefore have no restrictions except those specifically provided for in the collective bargaining agreement, in planning, directing and controlling the operation of all his work, in deciding the number and kind of employees to properly perform the work, in hiring and laying off employees, in transferring employees from job to job within the Local Union’s geographical jurisdiction, in determining the need and number as well as the person who

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MANAGER'S COMMENTS CONTINUED

will act as Foreman, in requiring all employees to observe the Employer's and/or owner's rules and regulations not inconsistent with this Agreement, in requiring all employees to observe all safety regulation, and in discharging employees for proper cause.

The "why" is because it's also in the Regional Agreements, the Northern Ohio Regional Agreement (NORA) being the one covering the Greater Cleveland Chapter's geographical jurisdiction.

Anyone who knows much about the content of any of our agreements would have to admit there are more clauses written that spell out the rights of the Union than the Employer. If you doubt that, get someone from another walk of life to read an agreement or better yet have a non union contractor read it. The point being, 2.02 is a really big deal to the Employer.

The Recovery/Regional agreements which include NORA, were born out of the resistance by some, I dare say a vast majority, of IBEW 4th District Business Managers to the 2005 Addendum to the Inside CBA creating the permanent classifications Construction Wireman and Construction Electrician. The agreement language was developed and agreed upon by the Business Managers and the IBEW 4th District Vice President at the time.

The Scope of Work section has remained relatively unchanged since the inception of the Recovery/Regional agreements. Scope was a big problem for NECA because it was and remains very limited. I won't get into the weeds on that point because the agreements also include a Request For Variance proce-

sure by which a contractor can ask the Business Manager to use the agreement on a job that is outside the Scope as long as there is non union competition.

The Business Manager can either choose "denied" or "approved" on the official request form. After a little learning curve period passed, the system for the most part, works well. A lot of manhours have been attributed to the approval of these RFV's.

Now back to the "why" of my comments today. By the way, the devil is winning at the moment. On the RFV form, after the denied/approved decision, there's a line that says this, *Business Manager Comments*.

I am confounded (the angel won on using the word confounded) when forms come back with the Business Manager approving the RFV then using the opportunity to comment, to strike the Management Rights clause. If ever there was a WT_ moment that's it. I am confounded because a comment is not a license to unilaterally re-write the agreement, at least not to me and my silent majority.

Why not be honest and deny the request then comment "But if you want to bid this work, I'll allow you to if you do it my way and relinquish your management rights". Then the contractor could chose to deny or approve.

Is it any wonder why non union employers aren't beating a path to the union hall to sign a letter of assent?

OK, little white suited angel, I'll stop there without saying what I would do.

KENT STATE UNIVERSITY ANNOUNCEMENT

A joint agreement between the Greater Cleveland and North Central Ohio Chapters has been reached with Kent State University to create a Student Chapter relationship. Once the official paperwork was completed and approved, a \$26,000 scholarship endowment was bestowed by the Chapters for students in the Construction Management School of the Architecture and Environmental Design College who are members of the NECA Student Chapter.

On January 22nd the Executive Directors from the North Central Ohio and Greater Cleveland chapters will make an opening presentation to the over 80 construction man-

agement students to introduce NECA vision for how this relationship is designed to be mutually beneficial. The hopes are to interest some of these CM students in joining and becoming members of the inaugural Kent State/NECA student chapter.

In addition, on February 1st KSU's Construction Management School will be hosting a Career Day. GCC and NCO NECA members will be invited to purchase a table for the event. It will be a great opportunity for our contractors to meet the students and begin a relationship. More information and a registration form for the Career Day will be available from the chapter offices.

NEBF FINANCIAL DISCLOSURE INFORMATION

The following information on the National Electrical Benefit Fund can also be found at https://www.nebf.com/nebf/employers/fasb_disclosure_information/. Keep in mind the same disclosures should be included for every multi-employer defined benefit plan in which you participate.



FASB Disclosure Information

In September 2011, the Financial Accounting Standards Board issued Accounting Standards Update (ASU) No. 2011-09, which requires certain financial-statement disclosures by employers who participate in multiemployer pension plans. To assist employers that contribute to the National Electrical Benefit Fund and are required to make such a disclosure in their financial statements, we are providing (below) the plan-related information needed to complete the disclosure.

The disclosure contains two sections - a narrative containing basic information about participating in multiemployer plans, and a table containing plan-specific information about the individual plans in which the employer participates. While the content of the disclosure will be ultimately determined by the employer and their auditors, FASB has provided an example of the narrative portion of the disclosure within the ASU, which may be found on FASB's website (www.fasb.org). The NEBF-specific information needed for the table portion of the disclosure is as follows:

Disclosure About an Employer's Participation in a Multiemployer Plan

Financial Accounting Standards Board (FASB) Terminology	Required Disclosure	Information Needed for Disclosure
Pension Fund	Legal Name of the Plan	National Electrical Benefit Fund
EIN / Pension Plan Number	Employer Identification Number and Plan Number	53-0181657 / 001
Pension Protection Act (PPA) Zone Status	PPA Zone Status, as certified by the Plan's actuaries, for 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, and 2010	Green / Green
FIP / RP Status Pending / Implemented	Status of Funding Improvement Plan or Rehabilitation Plan	Not applicable (green-zone plan)
Contributions of Entity A	Contributions to NEBF by the Employer for the years 2016, 2015, 2014, 2013, 2012, 2011, 2010, and 2009	Data to be provided by the Employer
Surcharge Imposed	Has the Plan imposed a surcharge on contributions?	Not applicable (green-zone plan)
Expiration Date of Collective Bargaining Agreement	Expiration Date(s) of Collective Bargaining Agreement(s) requiring contributions to the Plan	Data to be provided by the Employer

Other information about the Plan:

- Information about the Plan is publicly available on Form 5500, Annual Return / Report of Employee Benefit Plan
- The Plan year-end is December 31
- No single employer contributes 5% or more of total plan contributions

MEMBERSHIP ANNIVERSARY AWARDS

At the Annual Holiday party the following Membership Anniversaries were recognized and thanked for their loyalty and service to the Industry:

South Shore Electric — 20 years

VIP Electric — 20 years

Contemporary Electric — 30 years

P.J. Ellis Electric — 50 years

Fresch Electric—50 years

Harrington Electric—An amazing 100 years

MANHOURS

Cleveland Division thru October:	3,023,058
Lake Erie Division thru October:	401,876
Northeast Ohio Division thru October:	284,714
Chapter Total:	3,709,648

UPCOMING EVENTS

- 1.) **Lake Erie Division Meeting**—January 8, 2019 —6:00 PM—TBD.
- 2.) **Northeast Ohio Division Meeting**—January 9, 2019—Noon-Red Hawk Grille.
- 3.) **Cleveland Division Meeting**—January 10, 2019—5:30 PM—Capital Grille.
- 4.) **NECA NOW**—April 1-4, 2019—Phoenix, Arizona



LOOK FOR THE NEXT REVIEW IN JANUARY 2019!!

**IT'S GOOD BUSINESS TO DO BUSINESS WITH THOSE FIRMS
WHO SUPPORT OUR ASSOCIATION**

CHAPTER ASSOCIATE MEMBERS

1-888-Ohio Comp	Graybar Electric Co.
ABB Industrial Solutions	Leff Electric
Admar Supply Company	Mars Electric
BMA Media Group	Milwaukee Tool
Ciuni & Panichi, Inc.	PEPCO
CompManagement, Inc.	Riffle and Associates
Eaton Corporation	Simplex Grinnell
ENESPRO PPE	United Rentals
Ericson Manufacturing	

NECA PREMIER PARTNERS

3M	Schneider Electric
Federated Insurance	Southwire Corporation
Graybar	Thomas and Betts Corporation
Greenlee	United Rentals
Milwaukee Tool	Westex by <i>Milliken</i>

ELECTRICAL TRAINING ALLIANCE PARTNERS

PLATINUM LEVEL:

Milwaukee Electric Tool Corporation
 Klein Tools, Inc.
 Thomas & Betts Corporation
 3M Company Electrical Markets Division
 Salisbury by Honeywell
 Harger Lighting and Grounding
 Fluke Corporation
 Lutron Electronics, Inc.
 Eaton's Bussman Business
 Schneider Electric
 Southwire Company
 Prysmian Power Cables and Systems
 Graybar
 Greenslee by Textron Corporation
 Ideal Industries, Inc.
 Westex by Milliken

GOLD LEVEL:

Buckingham Manufacturing Company, Inc.
 Alexander Publications

SILVER LEVEL:

Ann Arbor Area Convention & Visitors Bureau
 Rubin Brothers, Inc.
 American Technical Publishers, Inc.
 Ypsilanti Area Convention & Visitors Bureau
 Legrand, North America
 E2E Summit

BRONZE LEVEL:

MOSAIC
 Stark Safety Consultants
 Coyne First Aid
 Wellshade