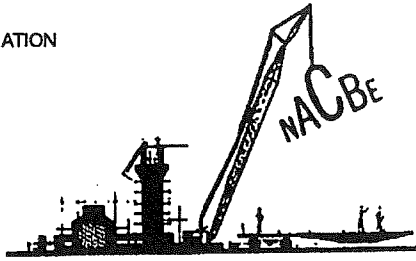


BOILER MANUFACTURERS ASSOCIATION  
SPECIALTY CONTRACTORS  
NTD EMPLOYERS ASSOCIATION

JEFF HINES  
McCarl's Inc.

J. JACOB SNYDER  
Enerlab  
SPECIALTY CONTRACTORS

LYNDAL TURNER  
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## NATIONAL JOINT RULES AND STANDARDS COMMITTEE

753 State Ave., Suite 570

Kansas City, KS 66101

March 13, 2018

File 6.3 NJRSC Corres.

TO: All U.S. CSO District and Local Lodge Business Managers  
RE: Nondiscriminatory Referral Selectivity Clarification Chart

Gentlemen and Brothers:

Due to questions concerning the requisition and referral of manpower when using the modified selectivity language of Article 8: Nondiscriminatory Referral, the following clarification chart and referral scenarios have been developed. This information should assist both the Contractors and Local Lodge referral agents in understanding the intent and application of the modified language.

You are reminded of the posting requirements as set forth in Articles 2.3 and 8.4 of these Rules. Please post this chart on the Local Lodge bulletin board, website, job site location and/or facility where the Uniform Referral Standards and Joint Referral Rules are displayed.

Please contact me with any questions.

Sincerely,

Timothy Simmons  
Secretary, NJRSC

cc: N.B. Jones, IP  
U.S. IVP's  
T. Brown, AAIP  
M. Vandiver, SAIP, AD-AAIP, ED-CSO  
G. Forkin, AD-CSO, AIP, ED-QCCUS  
M. Stanton, AD-CSO, AIP, D-JS-CSO  
J. Hughes, AD-CSO, AIP, D-NTS-CSO  
M. West, AD-CSO, D-NTDS  
U.S. CSO Reps  
C. Smith, D-ITS-IPO  
E. Jasinski, SE/A  
D. Branscum, MOST  
R. Traxler, NACBE  
NJRSC  
M. Stapp, General Council

## Article 8.7.1: Alternative to Applicable Collective Bargaining Agreement

### Referral Scenarios

#### Scenario 1:

Employer A needs ten (10) Boilermaker referral applicants for Project X and desires to use the selectivity of Article 8.7.1. The following selectivity is allowed and shown by order of requisition/referral:

1. Foreman
2. Steward
3. Employer preferred referral applicant
4. Local Lodge referral applicant
5. Apprentice/Trainee
6. Employer preferred referral applicant
7. Local Lodge referral applicant
8. Employer preferred referral applicant
9. Local Lodge referral applicant
10. Apprentice/Trainee

An Employer preferred referral applicant may be selected from the Primary out-of-work list of any Local Lodge within the Vice-Presidential section having jurisdiction over the Local Lodge. Apprentice/Helper/Trainee referrals shall not be included in the staffing ratios.

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#### Scenario 2:

Contractor B needs one hundred (100) Boilermaker referral applicants for Project Y and desires to use the selectivity of the Article 8.7.1. The following selectivity is allowed and shown by order of requisition/referral:

1. Foreman
2. Steward
3. Employer preferred referral applicant
4. Local Lodge referral applicant
5. Apprentice/Trainee
  
- 6 – 42. Employer preferred referral applicant  
Local Lodge referral applicant  
Employer preferred referral applicant  
Local Lodge referral applicant  
Apprentice/Trainee
  
- 43 – 100. Employer selected referral applicant  
Local Lodge referral applicant  
Employer selected referral applicant  
Local Lodge referral applicant  
Apprentice/Trainee

The explanation of the Employer preferred referral applicant remains the same as stated above. An Employer selected referral applicant may be selected by the employer from the top ninety percent (90%) of the Local Lodge (000) Primary out-of-work list.

Please note, this referral ratio may be maintained when additional referral applicants are requisitioned by the employer.

# Uniform Referral Standards and Joint Referral Rules Clarification Chart

## Article 8.7.1: Alternative to Applicable Collective Bargaining Agreement

Order of Referral:

Requisitions

Allowed By:

Contractor

Local Lodge

Foreman

Steward

**Art. 8.9.1:** The first two (2) employees on a job shall be the foreman, selected by the employer, and the steward, selected by the Business Manager/Agent, regardless of their positions on the out-of-work list.

**Art. 8.7.1:** Each employer shall have the right to select the first twenty (20) preferred referral applicants or fifty percent (50%) of referral applicants, whichever is less, from the Primary out-of-work list of any Local Lodge under the authority of and upon the approval of the International Vice President having jurisdiction over Local Lodge (000) and after consultation with the Business Manager.

1 - 39

Odd Numbered  
Requested  
Applicants

2 - 40

Even Numbered  
Requested  
Applicants

**Art. 8.7.1:** After initial staffing, fifty percent (50%) of referral applicants may be selected by the employer from the top ninety percent (90%) of the Local Lodge (000) Primary out-of-work list, with the remaining fifty percent (50%) referred by Local Lodge (000) in accordance with these referral rules, alternately on a one-to-one basis.

41 - End of  
Primary List

Odd Numbered  
Requested  
Applicants

42 - End of  
Primary List

Even Numbered  
Requested  
Applicants

**\*Please note:** When the modified referral language of the Uniform Referral Standards and Joint Referral Rules is utilized, an Employer has an obligation to requisition Apprentices/Trainees at a ratio of twenty percent (20%). After four (4) Journeymen Boilermakers are referred, the next requisitioned and referred applicant should be an Apprentice/Trainee to maintain the proper ratio.