



# MEMBER INFORMATION

**Mike Ryan – Business Manager   Mike Belanger – Secretary -Treasurer   Geoff Nicholson – President**  
**Matt Alloway – Vice-President   Hank Beaven – Recording Secretary**  
**Mac Moffatt – Executive Board Member   Richard Howard– Executive Board Member**

**584 Clinton Avenue, Sudbury, ON P3B 2T2**

**Office # 705-674-2515   Toll Free # 877-493-7770**

**Benefits # 705-805-5601   Toll Free # 855-942-9937**

**Training Centre # 705-969-8314**

**LiUNA Pension Fund # 866-932-1100**

**General Email: [info@liunalocal493.ca](mailto:info@liunalocal493.ca)**

**Dues E-Transfer Email: [dues@liunalocal493.ca](mailto:dues@liunalocal493.ca)**

**Website: [www.local493.com](http://www.local493.com)**

**Facebook Page: Liuna Local 493**





# Out-of-Work List (OOWL)

## Have you been LAID OFF?

Go to the LiUNA 493 office or call 705-674-2515 and register on the Out-of-Work List (OOWL)

### Eligibility for registering on the OOWL.

#### Member must:

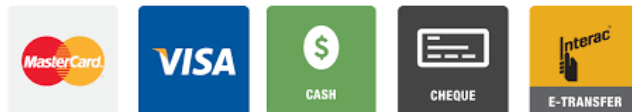
- Be in good standing with dues.
- Available for dispatch.
- Have a completed qualification/skills sheet truthfully and accurately on file.
- Be current with WHMIS and Working at Heights to avoid delays in being dispatched to work site.
- Only the Member is responsible for registering on the OOWL.
- Member name is added to the OOWL on the day of registering **not** the day of lay-off.

# LiUNA493

## Payment Options

### Member Dues

- ✓ Monthly dues are \$43.00/mth & due on the 1<sup>st</sup> day of each month.
- ✓ Dues must be paid no later than the last day of the 2<sup>nd</sup> month.
- ✓ **Failure to pay dues can result in suspension without notice**
- ✓ Payments can be made by phone, in-person, e-transfer and on our website [www.local493.com](http://www.local493.com) via PayPal.
- ✓ Cash, Cheques, Mastercard, Visa or Debit  
Make cheques payable to "LiUNA Local 493" and e-transfers sent to [dues@liunalocal493.ca](mailto:dues@liunalocal493.ca) Password: uniondues



Private Member Area

## 493

Member Payment Sign in

This site is for Local Union Members Only!  
For help accessing this site, please call your Union Hall



Member Last Name:

First Initial:

Last 4 of SSN:

Sudbury,  
Ontario

## The Labourers' Code of Performance

The goal of the Code of Performance is to ensure that our membership meets the highest standards in our industries. Our aim is to deliver craftsmanship that exceeds the expectations of our contractors and their customers. We want to create and maintain a work force that makes contractors want to be Union and owners want to build Union.

Meeting these goals requires that members understand and incorporate these values in their day-to-day performance. Accordingly, as a member of the Labourers' International Union of North America I agree to:

- Acquire the necessary skills through apprenticeship and/or training programs
- Report promptly upon referral to a job and show up for work on time, ready, willing and able to work
- Be aware of and follow the Local Union's job referral rules
- Avoid excessive absenteeism and excessive tardiness
- Follow directions from supervisors
- Do not be insubordinate
- Give a fair day's work
- Treat the Employer's and their customer's tools and property and those of fellow workers with respect
- Avoid disruptions on the job by using the established procedures to resolve disputes
- Understand and use safe practices and safety equipment

## Enforcement Procedures

(a) Should any Labourer be terminated for cause, his or her referral privileges shall be suspended automatically for one month. Should the same individual be terminated for cause a second time within a twenty-four (24) month period, his or her hiring hall referral privileges shall be suspended automatically for six months. Should the same individual be terminated for cause a third time within a twenty-four (24) month period, his or her referral privileges shall automatically be suspended indefinitely (time period begins from the date of first discharge).

(b) A termination shall not be considered as “for cause” for purpose of this provision if the person referred for employment has filed a grievance under the c/b/a challenging the propriety of his or her termination, unless and until the grievance is resolved in a manner that affirms the termination for cause. For the purpose of this provision, a decision of a designated panel or an arbitrator shall be final and binding.

(c) The provision in subsections (a) and (b) notwithstanding, a Review Committee, composed of three (3) members appointed by the Business Manager of the District Council, may, upon written request of the applicant, vacate or reduce the period of suspension, in the event that the Local Union is not affiliated with a District Council, any such representatives shall be appointed by the Business Manager of the Local Union.

Any such written request by the applicant shall be filed in writing with the Business Manager of the District Council, or if the Local is not affiliated with a District Council then with the Business Manager of the Local Union, within five (5) calendar days of the time he/she has been notified that the termination is “for cause” under this Code. A request under this provision shall stay the commencement of suspension from referral unless and until the Committee decides otherwise. The Committee’s decision will be by majority vote and shall be based on all of the available evidence including, as appropriate, the circumstances of the termination, skills evaluations by third parties, the availability and need for additional training whether the applicant is a journeyman or an apprentice member and such other factors as may be relevant. The Committee’s decision shall rest in its sole and complete discretion.

(d) The decision of the Committee will affect only the issue of eligibility for future referrals, and will not affect the termination unless all parties expressly consent to have that issue considered by it.

(e) If dissatisfied with the decision by the Review Committee, the applicant may appeal the Committee’s decision to an Independent Review Officer. The Independent Review Officer shall establish an expedited procedure to review such appeals promptly and expeditiously. Any appeal to the Independent Review Officer shall be filed by the

applicant in writing within five (5) calendar days of time he/she has been notified of the Review Committee's decision and shall contain a brief statement of the issue/s. The decision of the Independent Review Officer shall be final and binding. A request for review by the Independent Officer under this provision does not affect the commencement or continuation of the suspension from referral unless and until the Independent Review Officer decides otherwise.

(f) Should any member whose referral privileges are suspended pursuant to this Code seek to transfer into another affiliated Local Union, then the terms and conditions of such suspension of referral privileges shall be recorded on the transfer slip issued by the Local Union from which the member seeks to transfer; such suspension of referral privileges shall continue in effect at the new Local to which the member transfers.

## FAQS

Q: Why have a Code of Performance?

A: The Code of Performance is intended to encourage more cooperation among our signatory contractors, affiliates and members to help ensure that our workforce is the most efficient, most skilled and most highly trained anywhere. This is another tool to grow our Union and to provide more and better work opportunities for our members.

Q: How will the Code of Performance work in relation to our c/b/a's?

A: The Code is designed to work in tandem with the collective bargaining agreements that reflect its provisions

Q: What is the discharge "for cause" under the Code?

A: A discharge "for cause" includes a discharge for only the following reasons: Excessive absenteeism; excessive tardiness; lacking required skills; insubordination; theft. Additional instances of discharge "for cause" may be included by a local union upon recommendation by the District Council (if the Local Union is affiliated with a District Council) and pursuant to a variance requested from the general president.

Q: What if a labourer is let go or discharged by a contractor for some other reason?

A: If a labourer is let go, laid off or discharged for some other reason than "for cause" as defined by the Code, then this will not trigger a suspension of referral privileges under the Code.

- Q: What if a labourer is discharged “for cause” under the Code and files a grievance under the c/b/a?
- A: If a labourer files a grievance under the c/b/a to challenge a discharge “for cause” then no suspension of referral privileges will occur unless and until the grievance is resolved in a manner that affirms the termination “for cause”.
- Q: What are the consequences under the Code if it is determined that a labourer was discharged “for cause”?
- A: For a first violation, the labourer’s referral privileges will be suspended for one month. For a second occurrence within a 24 month period, referral privileges will be suspended for six months. For a third occurrence within a 24 month period of the first occurrence, referral privileges will be suspended indefinitely.
- Q: Can a labourer who has been discharged “for cause” appeal the suspension of referral privileges?
- A: Yes, the Code establishes a Review Committee of three persons to be appointed by the Business Manager of the District Council or, if the Local Union is not affiliated with a District Council, by the Local Union to review these suspensions. A labourer dissatisfied with the decision of the Review Committee can request a review by an Independent Review Officer.
- Q: How will apprentices be treated under the Code?
- A: Whether the labourer who has been discharged “for cause” is an apprentice or a journeyman is a factor to be considered by the Review Committee in determining whether a suspension of referral privileges is warranted.
- Q: What if a labourer is not discharged “for cause” but simply fails to follow the Union’s internal hiring hall rules as, for example, by accepting a dispatch but failing to report to the job?
- A: The Code of Performance is not intended to displace the Union’s ability to sanction or discipline labourers who fail or refuse to comply with the Local’s job referral rules and procedures, as, for example, by failing to report to the job after receiving a dispatch.
- Q: What if the Union already has internal rules or practices similar to those set out in the Code of Performance?
- A: In those situations the Local may, upon approval from the Regional Office and the District Council (if the Local is so affiliated) requests a variance from the General President.
- Q: Does the Code of Performance apply to all LIUNA – affiliated Local Unions?



- A: The Code applies to those affiliated Local Unions that provide job referrals to signatory contractors in the construction industry.
- Q: What should those Locals that are subject to the Code of Performance do now?
- A: Locals should include the Code as a part of their job referral rules or negotiate appropriate changes if the job referral rules are included in a c/b/a, discuss the Code with their members, provide members with copies of the Code, post copies, obtain members' signatures on the Acknowledgment Form, and work with their District Councils to encourage signatory contractors to participate in enforcing the Code of Performance by adopting the model c/b/a provision.
- Q: How should Locals get current members to sign the Code of Performance Acknowledgement Form?
- A: Locals shall require current members to sign as a condition of registering or reregistering for referral.
- Q: What if a labourer whose referral privileges have been suspended under the Code wants to transfer to another Local?
- A: In that situation, the home Local should note the suspension of referral privileges will apply at the new Local to which the member transfers.
- Q: Does a suspension of referral privileges under the Code affect the member's good standing, right to the voice and vote at meetings or any other rights of membership?
- A: A suspension of referral privileges under the Code will not affect good standing of any other rights of membership.
- Q: What are the Local's obligations if notified by a participating contractor that a labourer has been terminated "for cause"?
- A: The Local should promptly notify the labourer either in person or in writing by return receipt mail of the termination "for cause" and provide him/her with a copy of the completed notification of termination form submitted by the contractor.
- Q: Is a member whose referral privileges are suspended under the Code considered to be working at the calling?
- A: In some circumstances a member whose referral privileges are suspended under the Code may nonetheless be able to obtain work that would qualify as working at the calling, as, for example, under the non-exclusive referral system or working in a related capacity for the government or the trade union movement. However, where an exclusive referral system is in effect, such a member generally would not be able to show that he or she was otherwise working at the calling.

# **Labourers' International Union of North America**

## **Local 493**

### **By-Laws**

#### **As established in 2012**

## **1. GENERAL**

- 1.01 "Member" shall mean an application for membership in the Labourers' International Union of North America, Local 493 whose application has been approved by the Labourers' International Union of North America, Local 493 and in addition, where it is appropriate, shall include members of other locals of the Labourers' International Union of North America who have deposited transfer cards with the Union office of Labourers' International Union of North America, Local 493 in accordance with the constitution of the Labourers' International Union of North America.
- 1.02 "Local 493" shall mean Labourers' International Union of North America, Local 493.
- 1.03 "International Union" shall mean the labourers' International Union of North America.
- 1.04 "Constitution" shall mean the constitution of the Labourers' International Union of North America, the Uniform District Council Constitution and the Uniform Local Union Constitution.
- 1.05 "Union" shall mean any Union recognized by the Ontario Labour Relations Board.
- 1.06 Any Member giving or obtaining a membership card in Local 493 belonging to another Member for the purpose of obtaining a job, attending Local 493 Union meeting, or voting in a Local 493 election may be charged and brought before a Trial Board of Local 493 and may be subject to expulsion.
- 1.07 Any Member refusing to sign a certificate of membership card attesting to membership in Local 493 when asked to do so by a Local 493 Union Representative may be charged before a Local 493 Trial Board.
- 1.08 All Members will carry their membership cards at all times while at work, on a job or project and will produce and show same when requested to do so by the Local 493 Business Representative or Business Manager.
- 1.09 Any Member obstructing the Local 493 Business Representative or Business Manager in the execution of his duties shall be charged before the Local 493 Trial Board and is subject to fined and or suspension form Local 493.

- 1.10 Where a Member has been fined and or suspended and/or expelled from membership and the fine, suspension or expulsion remains outstanding, the Local 493 Business Representative or Business Manager shall have the right to take action against the fined and/or suspended Member and/or former member inclusive of removal from the job for a violation of Union security provisions of operative Collective Agreements upon notification to the employer or his supervisor.
- 1.11 No Member shall enter into an Agreement with an employer or his representative concerning any term or condition of employment that would violate any operative Collective Agreement binding between Local 493 and the employer.
- 1.12 No Member of Local 493 shall take it upon himself to enter into an Agreement with any other trade or employer in respect of labourers' jurisdiction.
- 1.13 When a member signs up for a training course and does not attend without just cause, the member shall be charged a penalty of \$50. The member shall be removed from the out of work list until such time as the penalty is paid, and/or not entitled to take anymore training until the penalty is paid. Then the member shall be placed back on the out of work list.

## **2. STEWARDS**

- 2.01 No steward of Local 493 shall call or authorize or threaten to call or authorize, counsel, procure, support or encourage an unlawful work stoppage or unlawful strike. No steward of Local 493 shall authorize a work stoppage or strike over any dispute without first reporting to the Local 493 Business Representative or Business Manager and receiving approval for such action. All Members shall produce and submit their membership cards upon request of the Local 493 shop steward. Members reporting for work who fail to present their membership cards to the Local 493 shop steward upon request shall be subject to charge.
- 2.02 Upon request by a Local 493 Business Representative, Business Manager or shop steward, a Member must produce his pay envelope, intact, or cheque, for examination. Failure to comply with this request shall be subject to charge.

**\*Amended April 3, 2019**

LABOURERS'  
INTERNATIONAL  
UNION OF  
NORTH AMERICA

**LiUNA493**

## **HIRING HALL RULES** **PREAMBLE**

In order for the Labourers' International Union of North America (LiUNA) Local 493, to maintain and administer a processing system for referral of members to employment in a fair and equitable manner.

The following rules have been promulgated and shall be adopted and implemented by LiUNA Local 493.

These rules shall form part of the By-laws of the Local Union.

All meetings of the Local Union shall be governed by Roberts Rules of Order.

There shall be no discrimination by the Local Union with respect to dispatch of members on the basis of sex, age, religion, ethnic origin, sexual orientation, marital status, political affiliation or any other ground of discrimination as prohibited by the *Human Rights Act* of Ontario.

To change hiring hall rules, the Local Union must follow the following procedure:

(a) Post the proposed rules in the Hiring Hall where they will be seen by the membership for a period of 10 days prior to the meeting at which the Rules will be discussed and voted upon. The notice of the next two meeting dates shall be included on the posting.

(b) The Local Union shall approve the Rules with any changes at two consecutive meetings. Any change adopted at the first meeting, must be incorporated into the posting in the Hiring Hall immediately after

the meeting, so members who do not attend the meeting will have the opportunity to know what the changes are in advance.

(c) The proposed Rules must be approved at two consecutive meetings without any changes. In other words, if changes are approved by the membership at the first or second meeting, then two further meetings must be held to approve the Rules.

(d) Upon the approval of the Rules, the Local Union shall send to the Office of the General President, Laborers' International Union of North America, a copy of the Rules and the minutes of all membership meetings at which the Rules were discussed and approved.

(e) The Office of the General President shall review the proposed Rules and upon approval by the Office of the General President, the Rules shall be implemented effective the 1<sup>st</sup> day of the month following the approval.

(f) After approval by the Office of the General President, the Rules shall be posted as approved in a conspicuous place the Local Union Hiring Hall. The Rules shall remain posted in the Hiring Hall of the Local Union.

(g) After the approval by the Office of the General President and the posting, if there is a need for clarification of the Rules through a re-wording or re-writing, which re-wording or re-writing does not involve any substantive change to the Rules, the Local Executive Board may request such changes to the Office of the General President, without the need of formal approval by the membership. These changes shall be effective immediately upon approval by the Office of the General President.

(h) The Rules will remain in effect indefinitely until modified in accordance with the above-noted procedures.

---

## **RULES**

1. Every member seeking employment is required to register on the out of work list by signing his/her name or by contacting the Union Office by phone the Local Union staff will record the members name on the list. When you are placed on the out of work list you have agreed that you are now available and fit for work.

Each member must provide the union with a current address, phone number, social insurance number and current skills including any certificates and licences.

All members must confirm they are unemployed with a photocopy of the last employers separation slip within 21 days.

A member who fails to submit verification within the 21 days will be removed from the out of work list. The Local Union will assist members where required to obtain record of employment/separation slip.

2. In order to be placed on the out of work list and to remain on the list, the member shall abide by all of the rules pertaining to the Hiring Hall, the Constitution and the Canadian Code of Ethics.

(a) Should a retiree/pensioner of Local 493 wish to be placed on the out of work list, then that member shall be considered to be working at the calling. He/she shall pay the current monthly dues as set by the Local and remain current or face possible suspension as per Article VIII Initiation Fees, Readmission Fees, Dues and Assessments Section 4.

3. It is the responsibility of the member to inform the office in writing of the areas/zones they want to work in for all sectors without room & board & travel.

Once a member has filled out the form indicating areas/zones, that member cannot change the form for a time period consisting of two (2) months.

4. A member may register himself/herself as unavailable for work for a period of thirty (30) days and will retain their position on the out of work list.

After thirty (30) days, if the member does not call the hall to place themselves back on the out of work list, the member will be removed from the out of work list. When the member becomes available for work he/she will have to register and be placed at the bottom of the out of work list.

Exceptions will be dealt with on a case by case basis for just cause shown.

5. No member will be sent to work unless he/she is current in his/her dues. As per Uniform Local Union Constitution, Article VIII, pg. 32 – If your dues are in arrears of 60 days (2 months) you will automatically be suspended without notice.

6. Members in good standing will be dispatched to available jobs on the basis of classification, job skills and on the basis of standing on the out of work list. Apprentices shall be referred to work separately from the referral of regular members. Union stewards and health and safety reps may be referred to work by the Business Manager regardless of their standing on the out of work list.

7. It is each member's responsibility to keep himself/herself informed as to availability of work through the Union office and as to his/her position on the out of work list.

All unemployed members must contact the office at least once every 30 days to re-register on the list in order to maintain their position on the list.

8. The Local Union shall post each Monday the list of dispatch to be used by the dispatcher for the forthcoming week. Such dispatch list shall be posted in a conspicuous place in the Hiring Hall.

9. Members shall be removed from the List when they have secured any job at the calling. In order for members to remain on the list, they must be available for dispatch by the Local Union.

a) Apprentices who received an offer of schooling from either MTCU for CCW program level 1 or 2 or any other apprenticeable trade and refuses to attend with just cause may be removed from the Hiring Hall list permanently.

10. Any member who turns down a job when that member has the necessary skills, any member who does not return a call for work or any member who has one (1) refusal, on the second (2<sup>nd</sup>) refusal within the same calendar year, shall be placed at the bottom of the out of work list.

a) Any member on the out of work list who does not accept employment for a period of 6 months, shall be removed from the out of work list. In order to be placed back on the out of work list, the member shall have to speak with the Business Manager.

11. Any member who is contacted/called by the union for employment and does not return the call to the office shall be counted as 1 refusal. After two (2) refusals within the same calendar year, is placed at the bottom of the out of work list.

12. Members who are discharged for just cause, requesting lay-offs or quit jobs will have to register and be placed at the bottom of the out of work list.

13. Any member who accepts a job and does not show up for work with out just cause will be automatically removed from the out of work list and before re-registering on the bottom of the out of work list must first be given permission from the Business Manager.

14. No member shall work for a union company unless he/she first has a Referral Slip from the Union Office.

15. Members who obtain a job referral slip by falsifying employment information may be removed from the job referred to.

16. A member shall not be referred to an employer if the member was previously discharged for just cause by the same employer. Members, who are justly rejected by an employer for lack of skills, after referral by the Local Union, shall have said skill removed from the member's qualifications until such time that the member can prove that he/she is able to perform the work in question.

17. For job requests of less than 14 days duration members with no Employment Insurance Benefits shall be given preference:

(a) Individuals requiring the least amount of hours will be given priority in regards to dispatch.



(b) Members must verify lack of benefits by giving the union hall their EI Access Code or a letter from EI.

(c) Members who refuse any job that they are qualified for, when being dispatched off the Employment Insurance (EI) list will be removed from the EI list permanently.

(d) Members who ask for lay-off, quit or are discharged for just cause will be taken off the EI list permanently.

(e) Members who transfer from other locals must produce proof of residence in Local 493's geographical area before being placed on the EI list or after a waiting period of 3 months. Also, former 493 members originally initiated in Local 493 will be exempt from this rule.

(f) New members will not be eligible to be placed on Local 493's EI list until such time that they have received their membership card.

18. The members name will not be moved to the bottom of the out of work list, when members are referred to a job which last less than 160 hours cumulative for the same employer within a 12 month period. Hours will be identified by a photocopy of the members separation slip.

19. Any member wishing to transfer into Local 493 must deposit his/her transfer in person, and any member wishing to transfer out of Local 493 will obtain the transfer personally or by written request by facsimile from the member containing the members signature and social insurance number.

20. The Business Manager, after consideration and study of a particular case or situation, and when he/she believes it necessary to fully accomplish an objective or purpose of the Local Union and members may grant variances, tolerances or exceptions from these specific provisions.

21. Any person that signs a card during an organizing drive and has their employment terminated, the Local shall place that person on a priority list for employment (upon approval of the Business Manager) through the Local Union. This confirms the longstanding practice of Local 493.

22. Members who are in receipt of compensation benefits, such as WSIB, due to illness or injury, or disability shall not be eligible to be on the out of work list and must re-register when they provide proof that they are now

able to work. The member's position on the out of work list will be determined by the hours worked for the employer prior to their illness or injury and as per rule 21.

23. LiUNA members who hold membership in other unions and who accept employment with said union shall be removed from Local 493's out of work list. They shall be placed back on the list at the bottom when they can prove that they are now unemployed.

24. All members must contact the hall personally to indicate that they are laid off.

25. Only a LiUNA Local 493 member may accept a job when called by the office and furthermore, family members are not able to accept jobs on behalf of the member.

26. Access to Information

(a) The Local Union shall post each Monday the list of dispatch to be used by the dispatcher for the forthcoming week. Such dispatch list shall be posted in a conspicuous place in the Hiring Hall.

(b) Within five working days, where a member reasonably believes that his dispatch has been treated improperly by the Local Union, the member may request from the Business Manager or his delegate the opportunity to inspect the Hiring Hall records as they pertain to the member and his/her place on the List or how his/her dispatch was treated.

(c) A member shall not make frivolous or repetitive requests, and if the Business Manager feels the requests are frivolous or repetitive, he shall refer the requests to the Office of the General President with an explanation for the refusal and the Office of the General President shall decide whether or not to accept or reject the request of the member.

(d) The member shall only be entitled to the names on the list and their registered skills, if necessary. Such names shall be those that pertain to and are relevant to his complaint. No other information shall be provided.

(e) The member shall be entitled to have photocopies made of that portion of the List relevant to the complaint by the member. Such photocopies will be made by the Union at a cost of 25¢ per page to be paid by the member in advance.

(f) The member shall be entitled to take any notes of that portion of the List relevant to his complaint by hand. A member shall not be entitled to make any copies of any portion of the list except that portion of the list which is relevant to the complaint of the member.

## 27. Complaints

- (a) Complaints regarding the operation of the Hiring Hall shall be first directed to the Business Manager. If after five days from the date of the oral or written complaint, the member is dissatisfied with the results from the Business Manager, the member may file only a written complaint to the Office of the General President.