

November 2010

Terms and Conditions Reference Guide

Manpower Utilization

<u>Items Examined</u>	<u>Prevailing Provisions</u>
Supervision	
Foreman Ratio	10 to 1
Minimum Crew Requiring Foreman	2 or 3
Foreman Pay Premium	\$1.00, \$1.50 or \$2.00 per hour
Apprentices	
Minimum Crew Permitting Use	1
Apprentice Ratio	2 or 3 to 1
Hiring Halls	<ul style="list-style-type: none"> a) 85% prevalence, 58% of these exclusive. b) Permit management to reject applicants. c) Permit direct hire after 48 hours.

Trends

Foreman premiums are on the increase and there is a wider variety of amounts being paid. Language referring to non-working foremen has declined. Regarding apprentices, a ratio of two to one has replaced three to one as the most common provision.

Table 1

Foreman-Journeyman Ratio

Ratio	United States	New England		Middle Atlantic		East	West		South Central	Mt. Nor. Plains		Southwest Pacific	North west
		England	Atlantic	Southeast	Central No.		Central	Central		Pacific			
Not Specified	638	43	88	88	223	57	44	19	43	33			
Unclear	13	2	1	1	7	1				1			
Less than 5 to 1	4				3			1					
5 to 1 through 9 to 1	86	4	11	11	27	10	9	4	9	1			
10 to 1	182	1	28	30	64	13	17	8	13	8			
11 to 1 through 15 to 1	82	1	14	16	29	5	9	1	3	4			
Greater than 15 to 1	10		3	1	2		1		3				
Total	1,015	51	145	147	355	86	80	33	71	47			

A majority of construction agreements are silent regarding a foreman to journeyman ratio. Over one-third specify a ratio. Prevalence of foremen ratio language is little changed since 2006.

When a ratio of foreman to journeyman is specified it is most often 10 to 1. Practices vary widely by craft with references to ratios included in agreements with the basic trades, except for laborers. Ratios of 10 to 1 are most often associated with electrician and pipefitter contracts.

Similar language references the number of craft workers on a project before a foreman is required. Already most prevalent, the preference for two or three is increasing. Higher ratios occur with decreasing frequency. All crafts include this type of language with lower minimums generally associated with the basic trades.

Table 2

Amount*	Foreman Premiums									
	United New States	England	Middle Atlantic	Southeast	West		South Central			
					East No.	Central No.				
	England	Atlantic	Southeast	Central	West	South Central	Mountain No.	Southwest Pacific	North west	
Not specified	61	3	17	1	25	8	1	2	3	1
Less than \$1.00/hour	97	5	10	17	30	15	12	2	6	
\$1.00/hour	121	6	16	26	31	13	9	4	8	8
\$1.01 - 1.50/hour	168	8	20	28	61	15	17	5	10	4
\$1.51 - 2.00/hour	131	5	17	14	63	8	7	4	8	5
More than \$2.00/hour	103	10	27	5	38	4	3	2	8	6
Less than 10% per hr.	64	2	5	8	22	11	9	3	3	1
10% per hour	130	4	12	20	45	9	9	7	11	13
Greater than 10% per hr.	138	8	21	32	36	6	13	4	14	4

*Amounts are minimum provided.

Table 3

Amount*	General Foreman Premiums									
	United New States	England	Middle Atlantic	Southeast	West		South Central			
					East No.	Central No.				
	England	Atlantic	Southeast	Central	West	South Central	Mountain No.	Southwest Pacific	North west	
Unclear	15	1	2		1		1	10		
\$1.25 or less/hour	28		3	7	7	4	7			
\$1.26 - 1.50/hour	41		2	15	12	5	4	1	1	1
\$1.51 - 2.00/hour	71	2	9	13	25	8	9	1		4
\$2.01 - 2.50/hour	62	1	6	13	22	4	8	4	3	1
More than \$2.50/hour	159	3	32	18	66	4	9	5	10	12
15% per hour or less	80	2	7	5	37	12	4	8	5	
Greater than 15% per hour	119	5	16	27	20	5	11	4	18	13
Total	575	14	77	98	190	42	53	33	37	31

*Amounts are minimum amounts paid.

Chart 1

Minimum Crew Size Requiring a Foreman

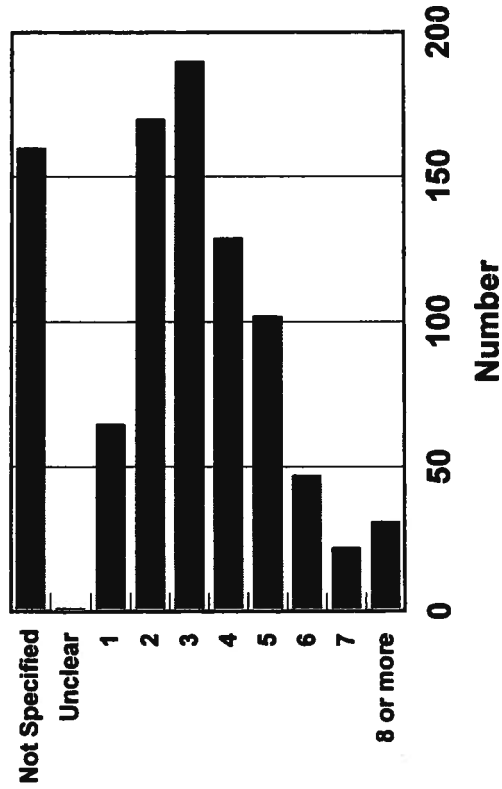
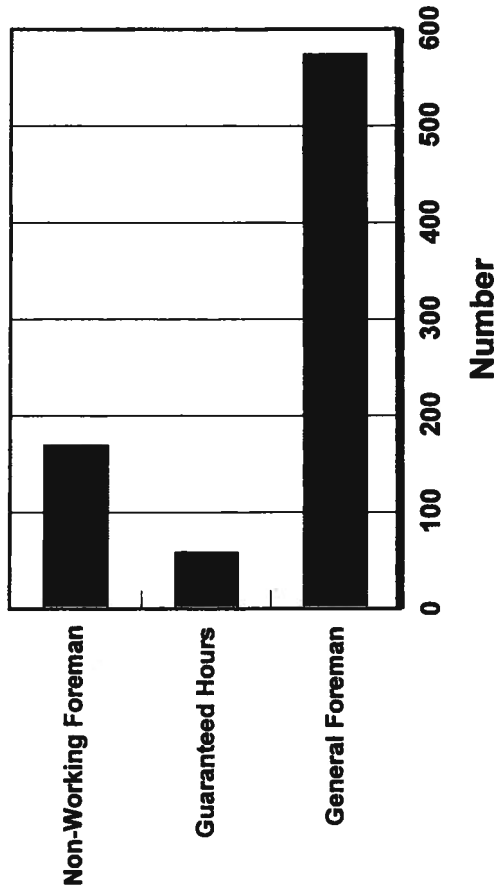


Chart 2

Other Foreman Provisions



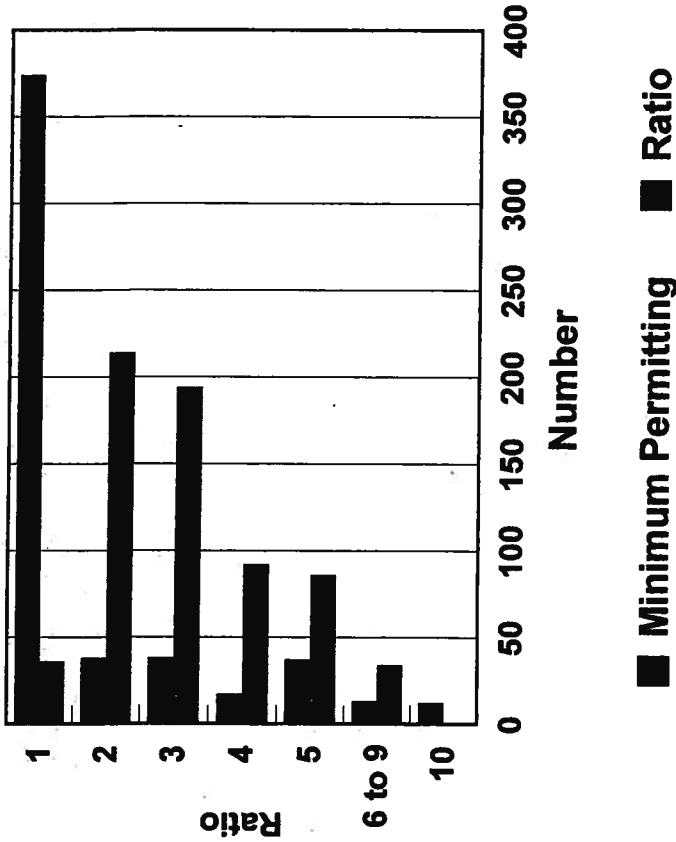
Foreman Premiums

It is common for contracts to specify an hourly premium to be paid to foremen. Premiums of \$1.00 per hour are the most common with \$1.50 and \$2.00 almost as popular. More than a quarter expressed the premium as a percentage of the journeyman rate. This assures an increase for the foreman when the journeyman rate rises.

Fewer agreements, but still a majority, specify a general foreman premium. Premiums expressed as a percentage of the journeyman rate are becoming more widespread with 20 percent the most widespread premium for a general foreman.

There are other provisions related to supervision which are sometimes found in contracts. About one in six agreements include provisions for a non-working foreman, continuing a downward trend. Guaranteed hours are also sometimes provided for foreman.

Chart 3 Apprentice Provision



Apprenticeship provisions may be included in the collective bargaining agreement or be left to a joint labor-management apprenticeship committee. A majority of all agreements specify an apprentice ratio. Somewhat fewer set a minimum crew size before an apprentice may be utilized.

Ratios of journeymen to apprentices permitting greater use of apprentices are becoming more widespread. A ratio of two to one has become most prevalent. Highest ratios tend to be associated with operating engineers and ironworker agreements, although a majority of operating engineer contracts do not address the subject.

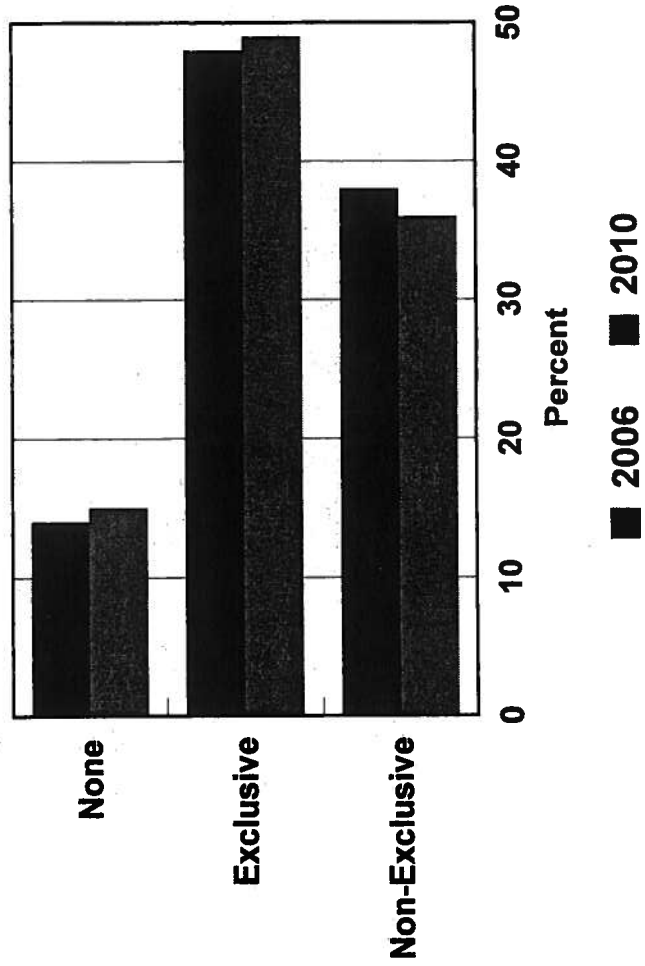
If a contract specifies a minimum number of journeymen on a job before an apprentice may be utilized, it is usually after the first journeyman. A majority of contracts do not address the subject. More than half of the contracts permitting an apprentice with the first journeyman are with the electricians and pipefitters.

Table 4

Hiring Halls

Provision	United States	New England	Middle Atlantic	Hiring Halls				South Central	Mt. Nor. Plains	Southwest Pacific	North west
				East	West	Central	No. Central				
Non-exclusive Hiring Halls	367	29	61	57	132	27	30	13	8	10	
Exclusive Hiring Halls	499	11	61	74	145	43	48	17	63	37	
No Hiring Halls	149	11	23	16	78	16	2	3			
Total	1,015	51	145	147	355	86	80	33	71	47	

Chart 4
Hiring Halls



Hiring Halls

The slow steady increase in contracts with hiring halls has leveled off. There are now 85 percent of industry agreements with hiring hall language. A shift from non-exclusive to exclusive hiring halls continues.

Prevalence and treatment of hiring halls exhibit regional variation. All agreements in the two western regions include hiring halls, generally exclusive. In the two northeast regions, hiring halls were more likely to be non-exclusive.

Hiring hall language often includes a number of other provisions related to its operation. About two-thirds of agreements with hiring halls permit the contractor to reject for employment a person referred from the hiring hall and to direct hire after a specified period of time, usually 48 hours. 40 percent of the agreements give the contractor the right to request workers by name. All of these prevalence's are somewhat higher than four years earlier

Chart 5

Other Hiring Hall Provisions

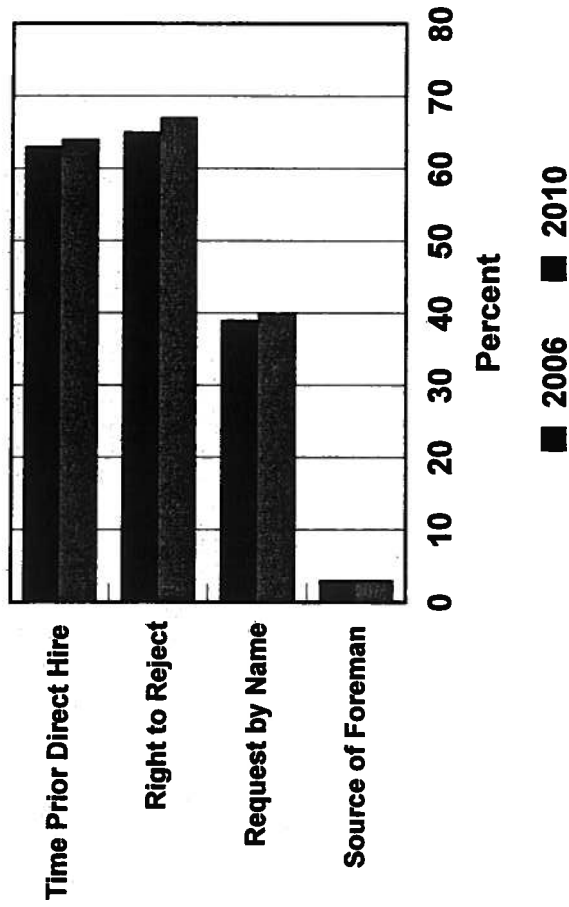
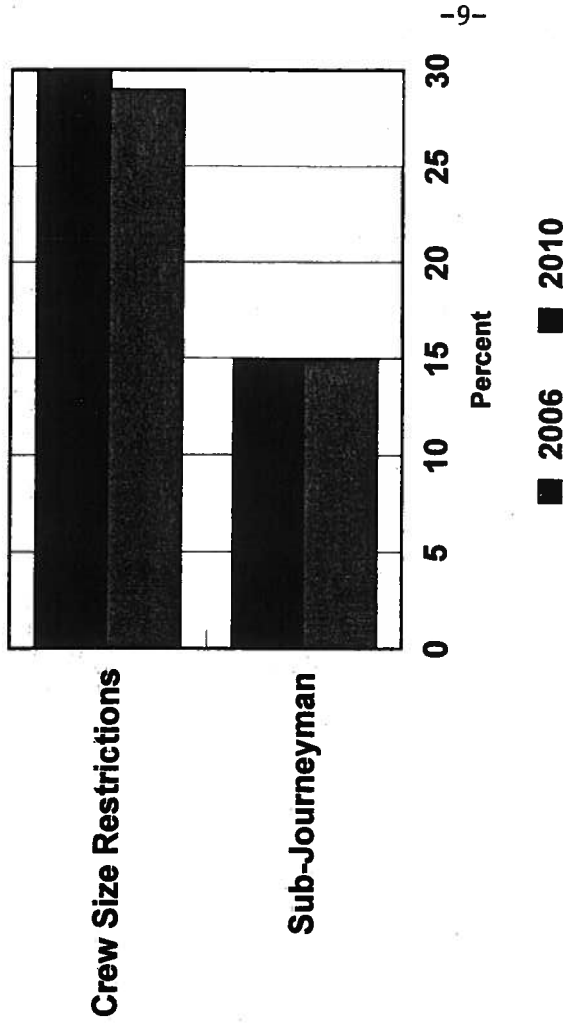


Chart 6

Other Manning Provisions



Crew size restrictions constraining management's manning flexibility are sometimes found in labor agreements. Prevalence is craft related. Contracts with electricians, ironworkers and operating engineers most often include this type of language.

Some contracts contain provisions for the use of sub-journeymen or another intermediate occupational designation. This type of language is particularly associated with contracts covering sheet metal workers. Crew variations may also be utilized without being incorporated in the collective bargaining agreements.

STATES and REGIONS

New England

Connecticut
Maine
Massachusetts
New Hampshire
Rhode Island
Vermont

Middle Atlantic

District of Columbia
Delaware
Maryland
New Jersey
New York
Pennsylvania

Southeast

Alabama
Florida
Georgia
Kentucky
Mississippi
North Carolina
South Carolina
Tennessee
Virginia

East North Central

Illinois
Indiana
Michigan
Minnesota
Ohio
West Virginia
Wisconsin

West North Central

Iowa
Kansas
Missouri
Nebraska

South Central

Arkansas
Louisiana
New Mexico
Oklahoma
Texas

Mountain-Northern Plains

Colorado
Montana
North Dakota
South Dakota
Utah
Wyoming

Southwest Pacific

Arizona
California
Hawaii
Nevada

Northwest

Alaska
Idaho
Oregon
Washington

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IRONWORKERS

Table 1
Foreman/Journeyman Ratio

<u>Ratio</u>	<u>Number</u>
Not specified	63
Unclear	2
Less than 5 to 1	
5 to 1 through 9 to 1	8
10 to 1	9
11 to 1 through 15 to 1	1

Table 2
Foreman Premiums

<u>Amount</u>	<u>Number</u>
Not Specified	
Less than \$1.00/hr	4
\$1.00/hr	9
\$1.01-1.50/hr	21
\$1.51-2.00/hr	22
More than \$2.00/hr	14
Less than 10%/hr	6
10% per hour	7
Greater than 10%/hr.	

*Amount is minimum provided

Table 3
General Foreman Premiums

<u>Amount*</u>	<u>Number</u>
Unclear	1
\$1.25 or less/hr	
\$1.26 - 1.50/hr	4
\$1.51 - 2.00/hr	12
\$2.01-2.50/hr	17
More than \$2.50/hr	30
15% per hour or less	9
Greater than 15%/hr	3

Table 4
Hiring Hall

<u>Provision</u>	<u>Number</u>
Non-Exclusive Hiring Hall	26
Exclusive Hiring Hall	25
No Hiring Hall	32
Total	83

