

THE NATIONAL MAINTENANCE AGREEMENTS



NATIONAL MAINTENANCE AGREEMENTS POLICY COMMITTEE, INC.

www.nmapc.org



THE NATIONAL MAINTENANCE AGREEMENTS

**Building a Partnership of Safety,
Productivity, Quality and Strength**



**STEPHEN R.
LINDAUER**
NMAPC Impartial
Secretary/CEO

INTRODUCTION

The National Maintenance Agreements (NMA) are among the most widely used project labor agreements in the United States, with more than 2,000 contractor firms. Since their inception in 1971, more than two billion work hours have been performed under the terms of the NMA. In a recent three-year period, NMA projects facilitated on average 40,000 full-time construction jobs per year. In one 12-month period, payments to workers on NMA projects averaged nearly \$2.5 billion.

But despite their tremendous success, the Agreements remain one of the construction industry's best-kept secrets. This booklet was written to answer a few basic questions: How does the NMA work? On what types of projects are the Agreements used? How much does it cost? And, perhaps most importantly, how can the NMA help contractors and unions become more competitive and deliver the highest quality product to our customers in an ever-changing construction market?

WHAT IS THE NMA?

The National Maintenance Agreements is the umbrella term for a set of 14 project labor agreements, one for each of the international building trades unions that participates in the program. There are minor differences between them, but overall the agreements are 99 percent similar; each provides standardized terms and conditions for work performed throughout the United States.

The NMA is utilized by union contractors who specialize in industrial construction and maintenance, repair, renovation and modernization at hundreds of the nation's largest utility companies, steel mills, refineries and automotive plants – Ford, Chrysler, General Motors, Shell Oil, American Electric Power, U.S. Steel, ConEd, FirstEnergy and ExxonMobil, to name just a few. The country's top industrial contractors – Scheck, Cherne, Enerfab, Bechtel, McCarl's and many more – use the NMA almost every day.

A typical NMA project can involve anything from performing a vital maintenance outage on a boiler



at a power plant to installing a 180-foot coker unit at an oil refinery. On any given day you'll also find NMA contractors using skilled union craftspeople to retrofit assembly line equipment, reline blast furnaces, install steam pipes at a nuclear facility, wire complicated electrical systems, rig multi-ton crane lifts or erect hundreds of feet of scaffolding around a cooling tower.

The NMA is administered by an impartial body of labor and management representatives known as the National Maintenance Agreements Policy Committee (NMAPC). The Committee is made up of 28 members, 14 each from the labor and contractor communities.

It offers NMA signatories an extraordinary amount of administrative and technical support. In addition, the NMAPC employs a full-time staff of labor relations professionals who work with the NMAPC Impartial Secretary and who are just a phone call away to help you interpret the provisions of the Agreement.

WHY USE THE NMA?

Over the past four decades, contractors and their building trades partners have relied on the NMAPC Program to ensure that even the largest and most complex projects are completed for their clients in a safe, timely, efficient and cost-effective manner.

The NMA sets out the terms and conditions of a job before work begins. Without it, an employer would have to bargain separately with each union working on a project. That means if eight different crafts are needed to complete a large project, eight separate contracts with eight drastically different wage scales and work rules must be negotiated with the local unions – a time-consuming process to say the least. But the NMA essentially does away with the need for contractors and local unions to engage in this process. All of the unions agree upfront to the same terms and conditions, thus eliminating the need for individual negotiations and establishing a level playing field for everyone.

One of the hallmarks of the NMAPC Program is that it expressly forbids job disruptions of any kind – no ifs, ands or buts. Unions that sign on to the agreement are prohibited from striking, picketing, or engaging in slow-downs or other disruptive activities.

The foundation of the NMA is the tripartite philosophy, the basis of which is the belief that cooperation and open dialogue is the key to a safe and successful job. In fact, the NMA mandates such cooperation. Further, every project worked under the Agreement must begin with a pre-job

conference where the contractor and the unions meet in the same room to plan their activities, assign the work tasks to the crafts and ensure that the proper safety procedures are in place before the first bolt is turned.

HOW DOES THE NMA WORK, AND HOW MUCH DOES IT COST?

Another reason why the NMA is the industrial contractor's Agreement of choice is that it's very simple to use. In fact, the entire process of signing on to the NMA and coordinating with the unions can be completed online through our official website (www.nmapc.org).

Step 1: A contractor who wishes to hire a particular craft for a job must first become a signatory to the Agreement by submitting an online request to the appropriate international union. If approved by the union, the contractor pays an annual fee of \$750 for each craft he becomes signatory with. The contractor can then work with the craft under the NMA at virtually any location in the country for the next 12 months without having to pay any additional charges, unless the contractor requests to become signatory to the NMA with additional crafts.

Step 2: After becoming a signatory for the first time, the contractor then files an online Site Extension Request, or SER, for any future projects/locations that the contractor wishes or may be directed to perform under the terms of the NMA. The SER lays out all of





the details about the job: where it's located, the exact scope of work, the length of time needed to complete it, number of employees requested, etc. Once completed, the SER is sent out to each international union that is being asked to perform the work and to which the contractor is signatory. It's up to the international unions to either approve or deny the SER in a timely manner. There is no additional charge for filing an SER once the contractor has become a signatory with the appropriate union(s).

WHAT HAPPENS AFTER I START A JOB UNDER THE NMA?

When you use the NMA, you get much more than a project labor agreement; you also get the services

of an all-inclusive "one stop shop" that can handle virtually any issue that may arise during the course of the job.

General grievances – disputes involving overtime pay, work scheduling, employee or contractor misconduct, hiring/firing, etc. – are heard by a special NMAPC subcommittee made up of labor and management representatives with the authority to make final binding decisions. Work assignment disputes between unions are handled by a special umpire appointed by the Committee. And if a job disruption occurs in contravention of the Agreement, the NMAPC has a permanent arbitrator address the situation.

The NMAPC website is a treasure

trove of helpful information, too. Each signatory contractor and labor union, as well as the end client, is given a customized home page so they can quickly and easily keep track of every job being worked under the NMA at any one time. Almost all of the administrative details can be completed online, from paying fees and reporting work hours to downloading forms and information.

WHAT IS THE NMAPC'S RELATIONSHIP WITH TAUC?

The NMAPC has a close affiliation with The Association of Union Constructors (TAUC), the leading trade group for union contractors specializing in industrial maintenance and heavy construction. Legally, TAUC and NMAPC are separate entities, but they share the same office space and employees allocate their time between the two organizations.

All contractors who become signatory to the NMA are automatically enrolled as regular members of TAUC at no extra charge. As members, signatories receive access to TAUC's entire stable of resources, including experts who specialize in workplace safety as well as the latest legislative and regulatory developments on Capitol Hill that have a direct impact on your business. TAUC members are also eligible to register for the group's exclusive conferences and events, and receive a complimentary subscription to the association's award-winning magazine, *The Construction User*.

WHERE CAN I GO TO FIND MORE INFORMATION?

If you want to learn more about the NMA, visit our website at www.nmapc.org, e-mail us at info@nmapc.org or call 703-841-9707 and ask to speak to one of our labor relations professionals.

NMAPC
T: 703.841.9707
www.nmapc.org
info@nmapc.org



NATIONAL MAINTENANCE AGREEMENTS POLICY COMMITTEE, INC.

NMAPC: The Tripartite Philosophy in Action

The National Maintenance Agreements Policy Committee, Inc. (NMAPC) is TAUC's sister organization. NMAPC negotiates and impartially administers the National Maintenance Agreements, a series of collective bargaining agreements utilized by more than 2,000 industrial contractor firms who employ members of fourteen building trades international unions. Although there are 14 separate agreements, they are 99 percent similar.

The NMAPC was the first national labor-management organization in the construction industry to become incorporated, and is based on the philosophy of tripartite cooperation between the customer, contractor and union craft personnel. All three share equally in the responsibilities and rewards generated by the program. And because the NMAPC's viability is equal only to the sum of its parts, careful consideration has been given over the years to ensure proper balance is maintained among the three participants.

The NMAPC recognizes and addresses several common concerns of the partners in the program, including safety in all phases of work; no disruptions of the owner's work; performance on schedule; cost-effective and quality craftsmanship; productivity flexibility; a trained and available workforce; attainable work opportunities; and a resolution process for job site issues.

By recognizing, addressing and delivering on these concerns, the National Maintenance Agreements program reflects a true partnership dedicated to providing the most effective tool for the performance of work in industrial construction maintenance.

To learn more about the NMAPC, visit www.nmapc.org today!

THE NATIONAL MAINTENANCE AGREEMENTS

National Maintenance Agreements Policy Committee, Inc.

1501 Lee Highway, Suite 202
Arlington, VA 22209-1109

T: 703.841.9707 | **F:** 703.524.3364



NATIONAL MAINTENANCE AGREEMENTS POLICY COMMITTEE, INC.

www.nmapc.org

