

**The Code of Excellence Program  
Developed for  
Local Union 82, IBEW  
and the  
Dayton Division of the Western Ohio Chapter of NECA**

**Introduction**

The Code of Excellence is a program designed to provide increased value to electrical construction and maintenance users by enhancing the performance of signatory Employers and the efficiency and craftsmanship of IBEW workers. The program is intended to enhance the partnership between labor and management that is devoted to furthering our common objectives by maintaining our high standards of workmanship while improving our competitiveness.

The objectives of the program are to create an infrastructure within Local Unions that enforces universal high standards for member efficiency and personal conduct on jobsites, and build a new awareness among signatory contractors of the importance of proper management, planning and supervision necessary to be competitive in the electrical construction market place. The Code seeks to build upon IBEW skill and training advantages and combine them with a well managed work place, a professional attitude and productive mentality.

Coupling the IBEW's inherent advantages with a new image and cooperative attitude can go far toward meeting the needs of the Employers and customers. The Code requires that the IBEW and its Employers work as a team.

The program's core strengths are its explicitness and its standards for accountability. It is explicit in the sense is that it clearly defines the responsibilities of each IBEW Local Union, participating Employer, and worker, which leads to enhanced customer value.

Simply put, the Code of Excellence addresses issues on IBEW job sites related to poor productivity and attitude. It enforces the high standards of conduct that are the norm for most IBEW workers and makes them universal. The establishment of the Code will address any efforts to disrupt jobs or undermine efficiency. Also, by focusing on the responsibilities of signatory Employers to provided proper management, planning and supervision, the Code will enable and encourage IBEW Employers to bid aggressively and seek out new work opportunities. This team effort will create increased confidence among electrical construction and maintenance users in the value provided by IBEW workers and signatory contractors.

**Background and General Principles**

In general principles, the Code of Excellence is a program for 4<sup>th</sup> District local Unions and signatory Employers to improve job performance in the construction industry by creating customer awareness, establishing mutual accountability, improving productivity and reducing conflicts. The realities that underlie the details of the Code establish the motivation behind the creation of the Code, and the urgent need that exists for its implementation.

## Realities of the Day

The Code is brought forth in an overall effort to enhance IBEW worker and Employer competitiveness and grow market share.

Being competitive is about more than wages and other compensation. There are many factors on jobsites that have a substantial effect on competitiveness. The efficient management of tools and materials, effective supervision, and the workers' commitment to perform to expectations all affect the ability to be competitive. Therefore the IBEW Local Union, the workers and Employers share responsibility and accountability for the competitiveness issue.

## Finding Solutions

The deteriorating standing of Locals in markets throughout the 4<sup>th</sup> District creates an urgent need to examine other methods that will enhance our ability to regain market share. One area is worker and supervisory conduct on jobsites. Although IBEW workers are the best electricians in North America, those advantages do not always translate into high productivity. Inadequate planning and supervision as well as inappropriate activities by certain workers that do not make the connection between high productivity and Union strength are primary causes. Another area is a lack of awareness on meeting the needs of the customer.

The Code of Excellence takes a multi-tier approach to addressing these problems:

1. Establishing Standards of Conduct: The vast majority of IBEW members work for numerous contractors over a period of time. If a member is laid off or terminated due to behavioral or performance problems on the job, there is no procedure in place to correct those problems before the member is referred to another job. Under the Code of Excellence the Local Union and Employers have an obligation to establish standards of conduct to address behavior that hurts productivity and leads to the perception of a lack of work ethic amount the Union workforce. Once the membership understands the importance of the Code, each individual will be responsible for living up to the standards set forth therein.
2. Stressing Enforcement and Accountability: The vast majority of IBEW workers understand that disruptive activities on the job reduce productivity, make it difficult for signatory contractors to compete with their non-union counterparts for work, harm job security and damage the image of the IBEW workforce. If standards of conduct are to be effective, workers who fail to adhere to the standards put forth in the Code of Excellence must be held accountable with penalties that reflect the severity for non-compliance.
3. Providing Membership Education: Membership education is imperative to understanding why the Code of Excellence is so vital. The education program will explain how certain membership activities on the job hurt productivity and competitiveness. The program will stress the relationships that exist between attitude, productivity and IBEW strength. The membership will be encouraged to learn the latest technologies to enhance their value in the market place.

4. Recognizing Employer Responsibility and Accountability: The Code of Excellence cannot function without the active support and participation of IBEW Employers. Employers are generally responsible for management, planning and supervision. In the drive to improve productivity Employers must increase the efficiency of their operations and more effectively use the skills of IBEW workers.
5. Providing Supervisory Education: The program stresses the need for supervisory education. Effective supervision is one of the key challenges for IBEW Employers. Supervisory personnel must also recognize why the Code of Excellence is so vital. They are the front line of the Employer's interface with the worker, and their actions have large impact on worker attitude and productivity. The Code of Excellence calls for all supervisors to complete a general supervisory training program that may be supplemented by individual Employers.
6. Defining Joint Responsibilities: The Code of Excellence recognizes that there are areas where the IBEW Local Union and Employer jointly share responsibility. Key joint responsibilities include leadership, cooperation, education and mutual respect. Another joint responsibility is both parties' commitment to a drug-free workplace.

The remainder of this document lays out the program details related to these areas.

### **Standards of Conduct**

The Code of Excellence will not succeed if its Standards of Conduct are simply a collection of abstract principles and broadly worded directives. This, it is imperative those specific standards of conduct for IBEW workers are clearly spelled out with specific consequences for non-compliance assigned to each area of conduct. The Code of Excellence recognizes that specific Employer and customer work rules may supplement these standards. The Standards of Conduct are set forth in Table 1 below.

### **Enforcement and Accountability**

The Local Union will provide each worker and traveler working in the Local Union jurisdiction with a copy of the Standards of Conduct and penalties for enforcement. A Local Union may, at its discretion, require a worker to sign a statement agreeing to comply with a portion of all of the Standards of Conduct as a condition of referral to a job in the jurisdiction of the Local Union.

The Code of Excellence defines thirteen (13) areas of IBEW worker standards of conduct \*. In most cases, corrective action (discipline) is progressive, with penalties ranging from a warning to probable expulsion from the Union.

The Employers will apply the standards of conduct and their respective work rules in a fair and equitable manner. The following table sets forth the prohibited activity and corresponding corrective action to be applied after a worker has been terminated for cause by his or her Employer for engaging in such activity.

\* Those actions prohibited under each standard are defined in Table 1 which follows:

**Table 1: Prohibited Conduct and Additional Corrective Action Applicable Following Termination by Employer**

<b>Prohibited Conduct</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense (within one year)</b>	<b>3<sup>rd</sup> and Subsequent Offenses</b>
<u>Excessive Absenteeism</u>	Verbal warning by Business Manager	Mandatory appearance before E-Board	Mandatory appearance before Code of Excellence Committee
<u>Excessive Tardiness</u>	Verbal warning by Business Manager	Mandatory appearance before E-Board	Mandatory appearance before Code of Excellence Committee
<u>Poor and Unprofessional Attitude and/or Appearance</u>	Verbal warning by Business Manager	Mandatory 4 hour class on the Code of Excellence & Mandatory Appearance before E Board	Mandatory appearance before Code of Excellence Committee
<u>Non-compliance with Employer/ Customer Work Rules</u>	Verbal warning by Business Manager	Mandatory 4 hour class on the Code of Excellence & Mandatory Appearance before the E-Board	Mandatory appearance before Code of Excellence Committee
<u>Poor Workmanship</u>	Mandatory Appearance before E-Board	Mandatory Skills Assessment and Required Training	Mandatory appearance before Code of Excellence Committee
<u>Poor Productivity</u>	Verbal Warning by Business Manager	Mandatory Skills Assessment & Required training/ Mandatory Appearance before E-Board	Mandatory appearance before Code of Excellence Committee
<u>Using "self-help" Instead of the Grievance Procedure</u>	Mandatory Appearance before E-Board	Mandatory 4 hour class on the Code of Excellence	Mandatory Appearance before Code of Excellence Committee
<u>Horseplay</u>	Verbal Warning by Business Manager	Mandatory Appearance before E-Board/Mandatory Training.	Mandatory appearance before Code of Excellence Committee
<u>Harassment of co-workers</u>	Written warning by Business Manager	Mandatory Training appropriate for type of harassment & Mandatory appearance before E-Board	Mandatory appearance before Code of Excellence Committee
<u>*Participation in any type of Work Slowdown or Work Stoppage.</u>	Mandatory appearance before Code of Excellence Committee up to possible expulsion depending on circumstances	Mandatory appearance before Code of Excellence Committee up to probable expulsion.	Probable expulsion

<b>Prohibited Conduct</b>	<b>1<sup>st</sup> E-Board Offense (within one year)</b>	<b>2<sup>nd</sup> and Subsequent Offenses</b>
<u>Theft</u>	Mandatory appearance before Code of Excellence Committee. Restitution equivalent to the value of the stolen goods	Probable expulsion
* <u>Instigating a Work Stoppage</u>	Mandatory appearance before Code of Excellence Committee up to possible expulsion depending on circumstances.	Probable expulsion
<u>Jobsite Violence</u>	Mandatory appearance before Code of Excellence Committee & mandatory Anger Management Training	Probable expulsion

A Code of Excellence Committee is hereby established for the exclusive and limited purpose of assessing corrective action associated with the prohibited conduct enumerated in Table 1 above. The Code of Excellence Committee shall be empowered to hear matters referred to it in accordance with Table 1 and apply additional corrective action it deems appropriate in the form of denying the worker the use of the referral procedure for a specified period.

The Code of Excellence Committee shall consist of four (4) members, two (2) appointed by the Local Union and two (2) appointed by Management. A majority decision of the Committee shall be final and binding on all parties. Should the Committee fail to achieve a majority decision, no action shall be taken.

Where possible or probable expulsion is indicated, that can only occur pursuant to decision by the Local Union Trial Board acting on proper charges filed in accordance with the IBEW Constitution. The charged member will have all rights of appeal provided in the IBEW Constitution.

- \* Under IBEW policy, any member who participates in an unauthorized work stoppage will be brought up on charges by the Local Union Business Manager.

In cases where the corrective action requires appearance before the Executive Board or Code of Excellence Committee or participation in specified training and the worker fails to comply without good cause, the worker will be subject to the next level of corrective action for the applicable prohibited activity.

### **IBEW Membership Education**

Educating IBEW members about the rationale behind the Code of Excellence and the details of the Code of Excellence itself is a vital component of the overall program. Education will be conducted on an ongoing basis and will feature a combination of classroom and jobsite efforts so that all members will be familiar with the details of the Code of Excellence.

The following components are essential:

1. Classroom Training: After the Code of Excellence has been adopted by a Local Union it should be mandatory that all Local members and those travelers working within the

jurisdiction attend a classroom training session as soon as possible. New members and workers will be expected to attend a training session within six weeks. The focus of the class will be to explain the importance of the program to IBEW members and provide information about the Standards of Conduct and potential penalties for non-compliance. Not to be overlooked is the importance of the customer who ultimately determines the member's job security.

2. Ongoing Worksite Education: Workplace stewards and leaders will receive training on how to continue education about the Code of Excellence on jobsites. This form of education is less formal than the classroom variety, but even more important. The goal is to ensure full compliance with the Code, and the objectives are to minimize the number of actual violations and to improve worker attitudes and productivity. Worksite Education will be coordinated with the Employer.

### **Employer Responsibilities**

As stated above, the Code cannot function without the active support and participation of IBEW Employers. Although Employers are generally responsible for management, planning and supervision, the Code recognizes that cooperation with IBEW Local Unions and workers in these areas can reduce cost and improve productivity. The Employer and Local Union representatives should engage in pre-bid and pre-construction planning to address issues such as anticipated manpower requirements, management of tools and materials, use of composite crews, special improvement and cost reduction in these areas. The Employer and Local Union may want to make a joint presentation to the customer to point out the advantages of an IBEW workforce. Other Employer responsibilities include:

1. Evaluating Supervisory Personnel: It is vital that employers continuously assess the performance of supervisory personnel to identify and remove ineffective supervisors. Supervisory personnel must have the ability and the training to effectively manage the workforce and project.
2. Making use of Cost Effective and Adequate Skill Mix: As an important means to reduce cost and become more competitive, it is the responsibility of Employers to ensure that the mix of journeymen, apprentices and other personnel are optimal on any given job. The Employer is also responsible for establishing and maintaining an adequate number of personnel on all projects.
3. Proper Management of Material: The efficient supply and movement of material on the job is a significant issue. Cost reduction and efficiency can be gained by having the types and quantities of material in place in the work area when needed.
4. Providing Adequate Tools: The Employer is responsible for providing adequate tools at the jobsite. The timely availability of tools and equipment is one of the key ways to improve productivity and avoid unnecessary costs.
5. Proper Job Layout: The Employer recognizes that the failure of supervision to properly line out workers on the job is a major cause of performance problems. Employers must ensure that supervisors provide an optimal job layout to minimize delays and downtime.
6. Providing a Safe Work Environment: Employers are responsible for ensuring that any safety concerns are addressed at jobsites, thus ensuring maximum efficiency and morale.

## **Supervisory Training and Education**

Improving the quality of supervision is essential to the success of the program. Supervisory personnel must have the ability and the training that will enable effective oversight of workers under their direction. It is important that all supervisors receive adequate training and education before assuming supervisory responsibilities.

To ensure quality supervision Employers should adhere to the following principles:

1. Supervisor Selection: Employers should select supervisors based upon both their ability as electricians and their capacity to effectively oversee and direct personnel.
2. Supervisor Education: Employers will educate supervisory employees about the Code of Excellence.
3. Supervisor Training: Most importantly, Employers should provide extensive training to ensure that supervisory personnel are prepared to fairly and effectively oversee IBEW workers. Supervisors need to be well organized, responsive to worker, Employer, and customer needs, and be adequately skilled to address technical problems that may arise during construction.

## Scope

The Code of Excellence is established to enhance the value of IBEW workers and electrical contractors to electrical construction and maintenance users. The provisions of this Code of Excellence Program are the result of the good faith efforts by the IBEW 4<sup>th</sup> District and the Employers to address productivity issues and increase market share. The provisions of the program contained herein may be changed at any time by the mutual consent of the parties.

Both parties agree the Code of Excellence Program is not intended to, nor does it replace, amend, or in any way affect the terms and conditions of any existing Collective Bargaining Agreement between the IBEW and any Employer.

Any question or dispute as to whether either party is complying with this Code of Excellence Program will be subject to resolution by meetings between the parties involved and will not be subject to the dispute resolution provisions of any Collective Bargaining Agreement.

The Code of Excellence Program shall take effect on the \_\_day of\_\_\_\_\_, and shall remain in effect through\_\_\_\_\_. It shall continue in effect from year to year thereafter, from the first day in \_\_\_\_\_ through the last day in \_\_\_\_\_ of each year, unless changed or terminated in the way provided herein. Either party desiring to terminate this Program must provide written notice to the other party at least thirty (30) days prior to the expiration date of this Program or any anniversary date occurring thereafter.

SIGNED FOR BY THE UNION:

SIGNED FOR THE EMPLOYER:

\_\_\_\_\_  
Nick Comstock, Business Manager  
Local Union # 82  
International Brotherhood  
of Electrical Workers

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Danal W. Neal, Executive Director  
Dayton Division, Western Ohio Chapter  
National Electrical Contractors Association

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Date

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Date