

# Voice Data Video National Agreement

## Questions and Answers

- 1.) Can a local or traveling contractor use the Voice Data Video National Agreement (VDVNA) in an area that currently has a Local VDV type of agreement?

**Answer:** Yes. A contractor, whether local or traveling, may choose to use the VDV National Agreement on any job covered by the scope of the agreement. It should be noted that the VDVNA was written in such a way as to ensure that the locally negotiated wage rates will prevail. In the case of a traveling contractor, they are required to pay their base local union wage rate or the site local union wage rate (whichever is higher). In addition, there are other requirements associated with the VDVNA, such as: paid vacation, holidays and travel that may not exist in the site local union area.

- 2.) Can the VDVNA be used on National and/or BCTD Project Labor Agreements?

**Answer:** Yes. As long as the work is covered under the scope of the VDVNA and the terms and conditions of the project agreement are met.

- 3.) If a contractor utilizes the VDVNA in their home local union area, how would the wage rates and fringe benefit payments be determined?

**Answer:** Contractors utilizing the VDVNA in their home local union area would be operating in their base local union area and as such would pay wages and fringe benefits as established in accordance with provisions of the local telecommunications agreement per section 4.05(a).

- 4.) When implementing the 75% rate, in accordance with section 4.05(b), 4.06(b), and 4.06(f), in those areas that currently do not have a VDV type of agreement, how are fringe benefit payments calculated?

**Answer:** All fringe benefits shall be paid in accordance with local inside agreement and trust fund requirements. If the local inside agreement establishes a dollars and cents per hour contribution, then the fringe benefits shall be paid accordingly. If the local agreement requires a percentage contribution for fringe benefits, then the contribution shall be based on the rate of 75% of the journeyman inside wireman hourly wage rate.

- 5.) If a contractor is employing workers from the site local union under Section 4.06(c), is a surety bond required for payments to site local union fringe benefits funds?

**Answer:** Since the traveling contractor is not required to become signatory to the local collective bargaining agreement, the only requirement for an additional surety bond would be when it is required by the local trust fund document.

- 6.) If the base or site local union agreement contains a reverse layoff procedure, does that provision apply to work performed under the VDVNA?

**Answer:** No. The reverse lay off procedure does not apply under the VDVNA.

- 7.) Scope II-B: What about the installation of fully integrated systems?

**Answer:** Those items listed are not covered.

- 8.) What does 3.07, "one member of the firm who shall be allowed to perform manual VDV work" mean? Is that one person per firm?

**Answer:** Yes, one member of the firm

- 9.) 4.03(a) Does holiday pay rate include fringes?

**Answer:** It depends on the local agreement trust language (hours worked, gross labor payroll, or hours paid).

- 10.) 4.03 (a) Is there any "qualifying event" for the paid holiday?

**Answer:** The employee starting work with contractor.

- 11.) In section 4.04, what about requiring a home address for employees?

**Answer:** This section does not specifically address that issue. An employer should obtain this information at the time that a bargaining unit employee is hired.

- 12.) If a site area has a lesser skilled classification in their agreement and cannot provide this class of employee, can an employer bring them in under portability?

**Answer:** Only if the local agreement in the base local union area provides for similar lesser skilled classifications. If not the employer may rely on the remedies provided in section 6.06 of the VDVNA after exhausting all efforts under the referral procedure.

- 13.) How are apprentice wage rates calculated if there is a wage/fringe difference between the base and site local unions?

**Answer:** Apprentice wage percentages are applied to the appropriate wage rate being paid. However, this rate cannot be less than the amount that the apprentices would receive in their home local area.

14.) Does the Business Manager of the site local need to be notified every time you begin a job under the VDVNA?

**Answer:** Yes. The International Vice President and the site local union Business Manager must be notified when a contractor begins a job in the local union's jurisdiction. If an employer wishes to perform service and maintenance work under the VDVNA, then the International Vice President and the site local union Business Manager must be notified that there will be so many employees performing this type of work for whatever period of time.

15.) Does signing a letter of assent to the National Agreement automatically make non-bargaining management personnel, bargaining personnel?

**Answer:** No, as long as they are not performing bargaining unit work.

16.) How do we know when contractors come into an area for the purposes of collecting AMF and verification of wages and benefits?

**Answer:** AMF's are paid to the base and site chapters if they exist in the base or site local union agreements and workers are employed from those areas.

17.) How do local parties verify if employees coming into an area under the national VDV are being paid the correct wages/fringes?

**Answer:** Verification of wage rates can be determined through contacting the base local union.

18.) Article I, Scope I.E. Fire Alarms. How is "historically performed" determined and does market share by inside wireman for alarm installation have any relevance?

**Answer:** Whoever has been performing this work in the past. Yes, market share counts.

19.) May the employer mail paychecks?

**Answer:** Yes, if they get to the employees on the appropriate payday.

20.) When employees are working weekends, how many days pay is withheld?

**Answer:** 5 weekdays.

21.) Where are union dues paid, to the base or site local?

**Answer:** They will be paid to the local union who is supplying the workers, either the base and/or site.

22.) Article IV, Section 4.15. When inside wireman and/or apprentices are working under this agreement, are they totally "portable"?

**Answer: Yes.**

23.) Article V, Section 5.01, Paid Vacations. What is the definition of "continuously employed" in (a) and (b)?

**Answer: 1600 hours per year.**

24.) Can a contractor who has an office in both the base and the site local areas use the portability provisions provided in section 4.06(a) of the agreement?

**Answer: Yes.**

25.) If a job is being performed under the VDVNA and a paid holiday designated in the VDVNA occurs, are employees obtained from the site local union entitled to the paid holiday, notwithstanding holiday provisions in the site local agreement?

**Answer: Yes**

26.) If an employee obtained from a site local union has the same paid holidays as the VDVNA, is the Employee entitled to holiday pay under both agreements?

**Answer: No, no more than eight (8) hours pay is required.**