

# LABORGRAM

ASSOCIATION OF CONTRACTING PLUMBERS OF THE CITY OF NEW YORK, INC.  
44 West 28th Street, 12th Floor, New York, N.Y. 10001 212-481-4580 Fax 212-481-7185 www.acpcny.org

September 13, 2011

TO: ALL MEMBERS AND PROMOTION FUND CONTRIBUTORS

RE: "MES" DIVISION COLLECTIVE BARGAINING AGREEMENT – RULE 7

Dear Contributor:

Rule 7 of the "MES" Agreement allows the use of "MES" Journeymen and Helpers when performing, among other things, the ***"repair and replacement of the present plumbing systems at commercial sites."***

The Association and Local #1 have signed a Memorandum of Understanding (copy attached) which defines "commercial sites." In effect the "MES" Agreement can be used in government buildings, private schools, and profit making commercial and residential buildings. The "MES" rates **cannot be used** in institutions such as hospitals, colleges, public schools, museums, libraries, etc. Even in these buildings, though, Local #1 contractors can "Target" the job to use "MES" rates if they believe non-signatory contractors will be bidding using the "MES" rates.

Kindly note that Rule 8 of the "MES" Agreement **does not allow** the use of that Agreement on "Building Trades Projects." Given recent developments that now allow general contractors/construction managers to sub to both union and non-union contractors at the same site, it is no longer clear what a "Building Trades Project" means. The Association will be meeting with Local #1 to clarify that phrase.

Should you have any questions regarding this matter, please call this office.

Sincerely,



Stewart O'Brien

SO/rs

cc: Gene Boccieri	President
Andru Coren	Vice President
Nick Covino	Treasurer
Reed Rickman	Secretary
Raymond G. McGuire	Counsel
Vinny Aspromonte	Immediate Past President
George W. Reilly	Business Manager

Association of Contracting Plumbers  
of the City of New York, Inc.

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Plumbers Local Union #1


## MEMORANDUM OF AGREEMENT AND UNDERSTANDING

This Memorandum shall serve to formalize certain agreements and understandings between the Association of Contracting Plumbers of the City of New York, Inc. and Plumbers Local Union No. 1 of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada made in connection with their Mechanical Equipment and Service Collective Bargaining Agreement (hereafter the "MES Agreement") covering the period October 1, 2009 through September 30, 2013.

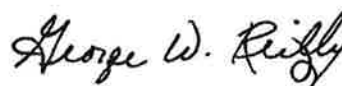
Specifically, the parties want to clarify the Scope of Work covered by the MES Agreement as detailed in Rule 7.

1. Rule 7 – "Commercial Sites" as used in Rule 7 do not include institutions such as hospitals, colleges, universities, public schools, community centers, social service facilities, museums and libraries. Employers may apply to use the MES Agreement at non-commercial sites pursuant to Article 12 of that Agreement (Target).
2. The MES Agreement allows any "service work" as that term has been historically used in the plumbing industry.

For the Association of Contracting Plumbers  
of the City of New York, Inc.

  
Eugene Bocchieri, President

For Plumbers Union Local No. 1

  
George W. Reilly, Business Manager

Date: September 6, 2011