

2023 Referral Hall Rules FAQ (12/15/23)

This document provides a summary of the RH Rules. You may review a complete copy of the RH Rules through the Local 28 [Union Fusion Member Portal](#).

If you are viewing this FAQ on a computer, you can read each question and answer or click on your question to get the answer.

1. **What is the Referral Hall (RH) and why do I have to use it?**
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6. **What do I do if I find my own job or if a non-signatory or out-of-town contractor offers me a job?**
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1. **What is the Referral Hall (RH) and why do I have to use it?**

- The RH is a **job referral service** for members and contractors. Contractors and Business Agents (BA) call the RH, give the location and start date of the job and specify which skills are needed and how long the job will last.
- The Local 28 **Collective Bargaining Agreement (CBA)** requires that one out of every four contractor hires must be from the RH.
- **Out-of-town and non-signatory contractors** must exclusively hire from the RH.
- **All Fan Maintenance hires** are exclusively hired through the RH.
- Local 28 journeypersons must sign up with the RH **within 24 hours of layoff or voluntary termination** as specified in the Local 28 CBA and Court Orders whether you are looking for a job or not. There is a No Referral list for those who are not looking for work.

2. **How do I register?**

- **Call (646) 798-1164** to register for the **Standard, Short-Term or No Referral Lists**.
- To manage your profile **online**, including updating your personal information and/or selecting the skills you wish to advertise, log into UnionFusion which you can do from Local 28's website, <http://www.smart28.org>. If you haven't created a UnionFusion user account yet, follow the instructions on the website.
- **If you are looking for work:**
 - You sign on to the **Standard List**.
 - You may also sign on to the **Short-Term List** to be called for jobs that are estimated to last 12 days or less but can sometimes last longer. If you take a job that does not last 12 days, you will maintain your place on the Standard List **if** you alert the RH on your last day.

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- If you want to be considered for **Fan Maintenance**, you must contact the Referral Hall to learn if you meet the benefits-related criteria. **Call 646-798-1164** for more information.
- **If you are unemployed and are not looking for work:**
 - You must list yourself on the **No Referral List**. You will receive letters from the RH on a quarterly basis reminding you that you are on the No Referral List and that you can change to the Standard List at any time.

3. What are the RH rules for the Standard and Short-term RH lists?

- You must be **Ready, Willing and Able** to Work. This means that you will accept all appropriate job referrals.
- **Answer RH calls on weekdays between 1:00 and 5:30 PM.** The **RH Call-out AND Call-in** number is **646-798-1164**. Please make sure your phones recognize the RH number. Most jobs are called the night before they start. Keep in mind, when the RH is busy, you could be called three nights in a row.
- **There is a penalty for not answering.** If you miss the call, call back as soon as you can. Calling back after 5:30 PM will count as a No Response.
- **There is no penalty for missing off-hours calls.** Any missed calls or job refusals outside normal calling hours will not count as an infraction of the rules.
- No one other than you, the member, can accept a job.
- If you accept a job and then don't show up or go to the job and then decide not to work or return, a penalty will be applied which can affect your subplan benefits.
- **If you are unable to accept a job that requires a drug test/breathalyzer**, and inform the RH Operator, you will not lose your position on the Standard List and there will be no other consequences. However, if you accept the job and subsequently fail the drug test/ breathalyzer, a penalty will be imposed.
- **If you are temporarily unavailable** for work, you can request that the RH put you on **Hiatus** for up to 15 business days in one calendar year. Under certain special circumstances, the Business Manager may grant you an extended hiatus that goes longer than 15 days. While on Hiatus you will maintain your List position(s) but will not be called for jobs. Being on Hiatus will affect your subplan benefits.
- **You have the right to refuse two referrals** for each List. However, a third refusal could result in a penalty. You will be dropped to the bottom of the RH List after your third refusal and the Union will be informed.

4. How do I check on my List position and make sure my phone number, skills and certifications are listed properly and up to date?

- **To learn your list position by phone**, call 646-798-1164 and use the Interactive Voice Response (IVR) system. If you need help, press 0 and you will be connected to a staff member.
- **To learn your List position and manage your profile online**, log into UnionFusion which you can do from Local 28's website. <http://www.smart28.org> Follow the instructions on the website.

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- **Listing Skills and Certifications:** Talk to an Operator or manage your profile online. **Inform the RH of new skills or certifications** and update your advertised skills and certifications. The RH needs to know if a certification expires, or if you no longer want to do a particular type of work. Adding new skills and certifications increases your chances of being called for work. You will be subject to penalties for misrepresentation.
 - **Keep your phone number(s) and other personal information up to date** by talking to an Operator or managing your profile online.
5. **What do I do if I find my own job or a non-signatory or out of town contractor offers me a job?**
- **If you find a job and go back to work**, you must call the RH and remove yourself from the List. If you expect the job to be 12 days or fewer, please advise the RH that it is expected to be a short-term job and call again on your last day of work to maintain your spot on the Standard List. You can be penalized for working while on the List even if you just forgot to call.
 - All **non-signatory and out-of-town contractors** must hire only from the RH. If you discover a non-signatory or out-of-town contractor job, inform the BA responsible for that area so that you have the right of first refusal. The BA will contact the RH and submit a form with your name. This will allow you to work for that contractor regardless of your position on the List.
6. **What are Do Not Send and Do Not Call designations?**
- **Do Not Call:** If you have had previous conflicts with a contractor, you may ask that you not be called for future jobs with that contractor.
 - **Do Not Send:** Contractors may ask the RH not to refer specific members. This list is only used by the RH. The Union is notified of Do Not Send requests and may help resolve conflicts.
7. **Why did I get a penalty and how did that affect my subplan benefits?**
- Penalties where you remain on the List but are moved down or not called for a period of time will not affect your ability to collect your subplan benefits. Penalties where you are removed from the List will affect your ability to collect your subplan benefits. It is **your responsibility** to contact the RH to add your name to the List at the conclusion of the penalty period. The Funds office **may** allow you to continue to collect subplan benefits while you are on penalty suspension. This is a **one-time** only possibility, and you must call them to apply.
 - **No Response:** Referral calls are made between 1:00 and 5:30 PM on weekdays. If you do not answer **four** placement calls within **30 days**, you will be penalized. For a first offense penalty, you will not be called for 30 days but will maintain your position on the List. For a second offense penalty, you will be dropped to the bottom of the List. For all subsequent offenses, you will be taken off the List for 30, 60 or 90 days, which will stop your subplan benefits.
 - **No Show:** The harshest penalties in the system are for not showing up to jobs once you have been referred or Job Abandonment (see below). If you have an emergency and are

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unable to go to the jobsite, contact the contractor, the RH and the Business Agent to let them know your situation. If you do not, you will be removed from the List. Each subsequent violation of either the No Show or Job Abandonment rule will increase the time you are barred from the RH List.

- **Job Abandonment:** If you accept a job from the RH and abandon it by not showing up to the job after the first day, or leave before the end of the first day, you will be subject to the same penalties as a No Show infraction. The first time, you will be removed from the List. You can add yourself back to the bottom of the list. Each subsequent violation of this rule and/or the No Show rule will increase the time you are barred from the List.
- **Working While on the List:** If you find work while on the RH list, you must remove yourself from the RH List. You can be penalized for working while on the List even if you just forgot to call. The penalties for this violation include not being called for 30 or 60 days when you add yourself back to the list or being barred from the list for 30, 60 or 90 days.
 - If you expect the job to be 12 days or fewer, please advise the RH that it is expected to be a short-term job and call again on your last day of work.
 - This rule only applies to journeyperson sheet metal work only and does not apply to working outside the trade or Duct Cleaning, light commercial or residential contract work.
- **Specialty Misrepresentation:** For a first offense penalty, you will not be called for 30 days. For a second offense penalty, you will be removed from the list, and must add yourself back to the list when the penalty period is over. Additional offenses will result in your removal from the List for 30, 60, or 90 days.
- **Abusive Treatment of the RH Operators:** You must treat operators with courtesy and respect. For first and second violations, you will not be called by the RH for one week. Additional offenses can result in your removal from the List for 30, 60, or 90 days.

8. What do I do if I believe that the RH has applied a penalty in error?

- You can appeal a penalty within 10 days of receiving notification of the penalty. To appeal, call the Office of Court Compliance (OCC) at **646-893-4132** or send a written appeal to the OCC at 500 Greenwich Street, New York, NY 10013-1396. The OCC will investigate and make a decision within 10 business days.
- You may appeal the OCC's decision to the **Business Manager** within 10 days of the OCC's decision.
- You may appeal the Business Manager's decision to the **Special Master** within 10 days of the Business Manager's decision.