

Council promptly notify the employer of the decision and request that he comply with the same. All fees and expenses of a referee selected in accordance with the provisions of Paragraph 4 of this policy shall be paid by the International Unions, parties to such controversy, on a share and-share-alike basis.

5 It is distinctly understood and agreed that any decision rendered by the methods provided in Paragraphs 3 and 4 above shall not act as a in the settlement other controversy nor shall such decisions have the effect the established jurisdiction of any of the which be that such decisions are only a stop-gap arrangement to prevent work stoppages and depend solely for their enforcement upon the good faith of the parties involved and no decision rendered as provided in Sections 3 and 4 above will prevent the International Unions involved from continuing negotiations for the purpose of effectuating a permanent settlement of the work which may be involved in dispute; nor will any of the decisions above referred to be used by any International Union to justify its permanent claim to the work involved.

6 Upon the acceptance by the International Unions of this plan, the President of the Metal Trades Department shall stand instructed to notify all employers requesting each employer in turn to refrain from transferring any work from one craft to another without the full and complete agreement of the crafts directly involved. In other words, the success of this plan depends not alone upon the organizations of labor in providing machinery for the adjustment of jurisdictional disputes, but it likewise depends upon the cooperation of employers in not creating jurisdictional

disputes by arbitrarily changing work done from one craft to another whether by their own action or by the request of some particular craft.

7 It is distinctly understood and agreed that no decision resulting from this procedure will in any way be in conflict with or abridge, interpret or change craft jurisdictions as established by the American Federation of Labor and Congress of Industrial Organizations, nor will any such decisions result in the interpreting or changing of bona fide agreements entered into between two or more International Unions relative to jurisdiction.

8 AT ANY POINT IN THE PROCESS FAILURE OF THE MOVING PARTY TO MEET THE TIME LIMITS HEREIN IMPOSED SHALL RESULT IN DISMISSAL OF THE CHARGE WITHOUT PREJUDICE. FAILURE OF THE CHARGED PARTY TO MEET OR AGREE TO MEET SHALL PERMIT THE CHARGING PARTY TO MOVE THE DISPUTE TO THE NEXT STEP.

9 ANY DISPUTE THAT REMAINS UNRESOLVED AND HAS NOT BEEN SCHEDULED FOR ARBITRATION NINETY (90) DAYS AFTER THE NOTIFICATION OF THE PRESIDENTS OF THE METAL TRADES COUNCIL AND THE METAL TRADES DEPARTMENT AS REQUIRED IN STEP 2 SHALL BE DISMISSED UNLESS A TIME EXTENSION HAS BEEN MUTUALLY AGREED TO BY THE PARTIES AND APPROVED BY THE PRESIDENT OF THE METAL TRADES DEPARTMENT.

Jurisdictional Policy of the Metal Trades Department, AFL-CIO

- Adopted – Metal Trades Department Convention, 1944
- Amended by International Presidents, 1946
- Adopted as Amended - Metal Trades Department Convention, 1947
- Reaffirmed - Metal Trades Department Convention, St. Louis, Mo., September 14 and 15, 1953
- Amended by Executive Council of Metal Trades Department, May 10, 1968, as authorized by Metal Trades Department Convention, Miami Beach, Florida, November 27 and 28, 1967
- Amended by Metal Trades Department Convention, Las Vegas, Nevada, September 19 and 20, 1995



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Jurisdictional Policy of the Metal Trades Department, AFL-CIO

1 When a jurisdictional controversy arises in any locality in any establishment where a Metal Trades Council holds exclusive recognition, and such controversy involves two or more affiliates of such Council who are a part of such exclusive recognition, it shall be the duty of the local representatives of the trades involved within **3 DAYS** to confer with each other for the purpose of sincerely trying to adjust the dispute. However, no stoppage of work shall take place. If the local representatives of the trades involved reach a mutually satisfactory adjustment of the dispute, this decision shall be conveyed in writing to the President of the Metal Trades Council who in turn shall immediately notify the employer of the decision and request that he comply with same.

2 Failing to adjust the dispute, the local representative or representatives shall, within **3 DAYS**, advise the President of the local Metal Trades Council involved in writing with a copy to the President of the Metal Trades Department. **SUCH NOTIFICATION SHALL BE THE RESPONSIBILITY OF THE MOVING PARTY IN THE DISPUTE.** The President of the Council shall immediately notify the President of the Metal Trades Department and request that he ask the International Presidents involved to each assign an International Representative within five days for the purpose of endeavoring to reach an adjustment of the dispute. If the International Representatives of the trades involved reach a mutually satisfactory adjustment of the dispute, this

decision shall be conveyed in writing to the President of the Metal Trades Council, who in turn shall immediately notify the employer of the decision and request that he comply with same. A copy of this decision and of the notification to the employer shall be immediately sent by the Council President to the President of the Metal Trades Department.

3 If the International Representatives assigned to this dispute fail to adjust the controversy within 10 calendar days from the time that their International Presidents are notified of the dispute, they shall report back to their respective International Presidents and advise the President of the Metal Trades Department of their failure to adjust the controversy. The President of the Metal Trades Department shall then confer with the respective International Presidents involved in an effort to assist them to reach an amicable settlement of the If a settlement is thus reached, the President of the Metal Trades Department shall immediately convey the same to the appropriate officers of the local Metal Trades Council involved with instructions that the Council promptly notify the employer of the decision and request that he comply with same. **THE PARTIES MAY BY MUTUAL AGREEMENT AND WITH THE CONSENT OF THE DEPARTMENT AND THE INTERNATIONAL UNION PRESIDENTS WAIVE STEP 3 AND PROCEED DIRECTLY TO STEP 4.**

4 If no satisfactory settlement can be arrived at in the third step within ten days, then the respective International Presidents shall promptly undertake to agree upon a referee to whom they will submit all the facts in connection with the dispute, agreeing in advance to accept a decision and abide by it, unless

and until other disposition has been made as provided for in the subsequent paragraphs. Any decision by such a referee will also be immediately transmitted to the President of the Metal Trades Department who shall immediately convey the same to the appropriate officers of the local Metal Trades Council involved, with instructions that the Council promptly notify the employer of the decision and request that he comply with same.

If the International Presidents of the organizations involved in the dispute fail to agree upon a referee within 10 calendar days from the date they are notified of the failure of their International Representatives to adjust the controversy, then they shall endeavor to agree upon three names of arbitrators who are not members of any trade union organization or have any direct or indirect interest in the dispute. These names shall be placed in a covered container. The first name removed shall be the referee. If all or any of the International Presidents involved fail to agree upon three names as herein provided, then the President of the Metal Trades Department shall be advised immediately and within 48 hours thereafter shall select three names of arbitrators meeting the requirements set forth herein and place the same in a covered container and the first name removed shall be the referee. Regardless of method of selection, the referee's decision shall be binding upon all parties concerned unless or until a change is made as hereinafter provided. The referee's written decision shall be conveyed to each of the International Presidents involved and to the President of the Metal Trades Department who shall convey the decision immediately to the President of the Metal Trades Council involved with instruction that the