

EXAMPLE - IRC "Statement" for UNRESOLVED NEGOTIATIONS. This is an example of the form that the IRC requires the parties to sign at the beginning of the actual hearing of the Submission. It summarizes the conditions under which the Council will proceed to hear the matter, and appoints Council Members to the Negotiation Board.

Case No. xx-xxx

NEGOTIATION MATTER

Industrial Relations Council for the Plumbing and Pipe Fitting Industry

Messrs. Kevin Morrissey, James Killeen, William Taylor and Michael Knisley are Union designated members of the IRC and are acting as the negotiating representatives of United Association Local Union XXX ("Union".) They are not impartial. They represent the Union and are appointed by the Union as the Union's negotiating representatives.

Messrs. James Murphy, Tom Gent, Robert Bolton and William Boyle and are Employer Association designated members of the IRC and are acting as negotiating representatives of the Mechanical Contractors Association of XXX("Employer".) They are not impartial. They represent the Employer and are appointed by the Employer as the Employer's negotiating representatives.

This is a continuation of unresolved negotiations between Employer and Union, each of said parties being represented in these continued negotiations by said negotiating representatives. The negotiations will be conducted by some or all of said negotiating representatives in executive negotiation session. Unanimity of agreement by all negotiation representatives participating in the executive negotiating session is required.

It is with these understandings that the IRC members, acting as negotiating representatives for the respective parties, will now proceed to receive the submissions and hear the presentations of the parties. This stage is a fact-finding procedure by the IRC members to enable them to have adequate information and fully appreciate the needs and positions of the parties and thereby be in a position to apply appropriate negotiation standards. The parties may at any time and from time to time caucus privately with their respective negotiating representatives. Upon completion of this informational stage the IRC members will then proceed in executive session to continue negotiations on behalf of the respective parties which they represent, in an attempt to resolve open matters and preserve harmony for the mutual benefit of both the employees and the employers who are represented. To that end the negotiating representatives are authorized to consider and deal with all portions of the collective bargaining agreement that in their judgment and in the negotiating process will aid in resolving the submitted issues.

The parties hereby agree to accept the negotiation agreement that is reached by the IRC members and the jurisdiction of the IRC in respect thereto and agree to be bound by to comply with such negotiation agreement which shall have the same force and effect as though they themselves had reached that agreement in their prior negotiations. The parties further agree that such negotiation agreement may be enforced by any court of competent jurisdiction by injunction or otherwise and that failure to comply with such negotiation agreement, in addition to being a contract violation, shall be deemed to be an unfair labor practice under the National Labor Relations Act as a failure to bargain in good faith.

ACCEPTED AND AGREED TO:

_____ DATE _____
Chief Representative for Union

_____ DATE _____
Chief Representative for Employer

EXAMPLE - IRC "Statement" for an ARBITRATION/GRIEVANCE DISPUTE. This is an example of the form that the IRC requires the parties to sign at the beginning of the actual hearing of the Submission. It summarizes the conditions under which the Council will proceed to hear the matter, and appoints Council Members to the Arbitration Board.

ARBITRATION/GRIEVANCE DISPUTE
Industrial Relations Council for the Plumbing and Pipe Fitting Industry

IRC STATEMENT TO Graves Mechanical Corporation and Plumbers and Pipe Fitters, LU XXX.

Messrs. Kevin Morrissey, James Killeen, William Taylor, Michael Knisley, James Murphy, Tom Gent, Robert Bolton and William Boyle are all members of the Industrial Relations Council. they are acting as an impartial Arbitration Board to resolve disputed matters presented to them by the above submitters.

To preserve the impartiality and fairness of the Industrial Relations Council members acting as an Arbitration Board, no communications, written or oral, will be had between any party and the Arbitration Board that is not made fully known to all parties, and no meeting will be held between any party and a member or members of the Arbitration Board without the presence of all parties at such a meeting.

We hereby appoint the above named members of the Council as an impartial Arbitration Board to hear and determine the matters presented to it in accordance with such procedures as it chooses to follow. This appointment is made in accordance with the Collective Bargaining Agreement between the parties, and, to the extent there is any variance from that Agreement, that variance is waived and this shall control. The award shall be made by a majority vote of the Arbitration Board and so made shall be final and conclusive on all parties. The Arbitration Board is authorized to determine all questions of jurisdiction, arbitrability and admissibility of evidence and to define the issues in the event of any differences between the presentations thereof by the parties. Each party shall pay its own expenses incurred in connection with arbitration.

We agree that such arbitration award may be enforced by any court of competent jurisdiction by injunction or otherwise and that failure to comply with such arbitration award shall be deemed to be an unfair labor practice under the National Labor Relations Act.

It is with these understandings that the Arbitration Board will now proceed to receive the submissions, hear the parties and after due consideration, issue its award.

Chief Representative for Union

Date

Chief Representative for Employer

Date