

**International
Union of Bricklayers
and Allied Craftworkers**

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**EXECUTIVE BOARD
OF THE
INTERNATIONAL UNION OF BRICKLAYERS
AND ALLIED CRAFTWORKERS**

WASHINGTON, DC

January 31, 2017

**TO: OFFICERS AND MEMBERS
BAC LOCAL UNIONS 1 and 5 NEW YORK**

Dear Brothers and Sisters:

As part of its ongoing efforts to support our local unions and provide for the most effective representation of our members, the IU Executive Board has reviewed recent reports from Jake McIntyre, BAC Assistant to the Secretary-Treasurer, along with extensive data and information on the condition of BAC Local 5 New York (Local 5) and BAC Local 1 New York (Local 1). It is the conclusion of the IU Executive Board that a change in structure is necessary to improve the efficiency of our organization in the region. As set forth in more detail below, it has become increasingly clear that Local 5 should be merged into Local 1.

According to IU membership rolls as of January 2017, membership in the Locals affected by this Order is as follows:

	<u>Local 5</u>	<u>Local 1</u>
Disabled, Retired and Inactive Members	252	712
Journeyperson and Support Members	271	4024
Total	523	4736

Like a number of Locals across the country, Local 5 was severely and adversely impacted by the recession that began in 2008. This is evidenced by both the number of members and the number of hours worked since then. As of January 2017, of the 523 members of Local 5, only 271 were active, non-retired members. The number of actives has remained around half the total membership for a decade; before, during and after the Great Recession. Moreover, while hours across the country declined during the recession, they fell by nearly 50% in Local 5 to a low of 175,000. By the end of 2016, hours had recovered some of that lost ground, but remained near rock bottom among U.S. affiliates both in absolute hours and hours worked per member. This in a geographic area encompassing over 2 million people. These trends are unsustainable and must be reversed for the benefit of all past, current, and future members in the region.

Local 5 employs 3 representatives; the President, Secretary-Treasurer and one full-time field representative dedicated exclusively to working in the field. The official and administrative tasks of running a local union consume much of the officers' time, and without a change in structure, that would continue to be the case. Plus, declining resources will make it increasingly difficult to employ even a single representative with a true field focus for much longer. Without resources in the field, it is difficult to organize and grow as all affiliates must do to successfully represent our members. Merger with Local 1 will free considerable resources which can then be devoted to the field work necessary to grow and thrive in this geographic area.

Local 1 is a large, effective and well-run Local Union. The additional administrative burden of absorbing this geography and membership should be relatively small. This infusion of new members and contractors will provide new opportunities for growth, and Local 1 has ample resources, both human and capital, to take advantage of the opportunity. We would expect the level of service to the Local 5 members to increase while the Local 1 members will continue to enjoy the excellent representation they have to date.

There are other compelling logistical reasons to put into effect this particular merger. First and foremost, the geographic proximity between the territories should ensure as smooth a transition process as possible. Many of our members in the region are familiar with the larger area and already travel across the local border for work. Likewise, there is substantial overlap of contractors: A large number of the Local 5 signatory contractors are also Local 1 signatories, and already work throughout the region.

Given these circumstances, the IU Executive Board has determined that the objectives of organizing, trade jurisdiction, collective bargaining, and service to our members would be best served by merging Local 5 into 1. Accordingly, effective February 1, 2017, the IU Executive Board exercises its authority under Article XVI, Section N of the IU Constitution to merge Local 5 into Local 1. By

this action, the existing charter of Local 5 is revoked and the charter for Local 1 is expanded to include Local 5's geographic and craft jurisdiction.¹

Local 1 will perform all collective bargaining functions on behalf of all of its members, including the members of former Local 5, in accordance with Article VIII, Section N of the IU Constitution. The Collective Bargaining Agreements currently in place in the former Local 5 will remain in effect and will be serviced by Local 1.

The International Union will transfer the membership of the former Local 5 to Local 1 in the next Monthly Report. Members of the former Local 5 will begin to pay the established monthly dues in effect in Local 1 beginning with March, the rate is the same at \$28 per month. The former Local 5 members shall also begin to pay checkoff dues at the lower Local 1 rate as soon as administratively feasible.

Pursuant to Article VIII, Section I of the IU Constitution, when the Executive Board exercises its authority to consolidate local unions, the funds and assets of the consolidated areas "shall become the property of the consolidated Local." Accordingly, effective February 1, 2017, all of the funds and other assets of the former Local 5 shall become the property of Local 1. IU Regional Director Al Catalano will establish a timetable for transferring to Local 1 the assets and pertinent books and records of former Local 5, and will arrange with the officers of the former Local for final audits of the Local's records by a certified public accountant and for the filing of the appropriate reports with the U.S. Department of Labor and the Internal Revenue Service, as well as any other necessary steps in implementing this consolidation.


Mike Clifford, the current President, David Williams, currently the Secretary-Treasurer, and Peter Clifford, currently a Vice Chair of Local 5, shall initially be appointed as Field Representatives for Local 1. As with all Field Representatives, they shall serve at the pleasure of the Local 1 President, Jeremiah Sullivan. Local 1 should consider whether to establish a Chapter encompassing the geography of the former Local 5; and if so, Mike Clifford shall serve as Chapter Chair by appointment until the next regularly scheduled election of officers in Local 1.

¹ The jurisdiction of BAC Local 7 New York/ New Jersey, which overlaps with the former Local 5 geographically, is not affected by this Order.

The Management Committee should meet to revise the Local 1 Constitution to include the new jurisdiction and possible new Chapter and to make any other changes necessary and appropriate to implement this Order. Until such time as a new Constitution is adopted by the membership, the Local 1 Constitution shall remain in place, as supplemented by this Order.

BY ORDER OF THE IU EXECUTIVE BOARD

Fraternally yours,

BY: 
Timothy J. Driscoll
Secretary-Treasurer

cc: Al Catalano, IU Regional Director, Northeast
Jeremiah Sullivan, President, BAC Local 1 New York
Michael Clifford, President, BAC Local 5 New York