

BUILDING AND SITE CONSTRUCTION AGREEMENT

between

MASSACHUSETTS & NORTHERN NEW ENGLAND
LABORERS' DISTRICT COUNCIL

of the

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA
AFL-CIO

and

THE LABOR RELATIONS DIVISION OF THE
ASSOCIATED GENERAL CONTRACTORS OF MASSACHUSETTS, INC.

and

BUILDING TRADES EMPLOYERS' ASSOCIATION OF
BOSTON AND EASTERN MASSACHUSETTS, INC.



EFFECTIVE:
JUNE 1, 2020 - MAY 31, 2024

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AGREEMENT

This Agreement made and entered into this 1st day of June, 2020 by and between the Labor Relations Division of the Associated General Contractors of Massachusetts, Inc., The Building Trades Employers' Association of Boston and Eastern Massachusetts, Inc., corporations organized and existing under the laws of the Commonwealth of Massachusetts, referred to hereinafter as the "ASSOCIATIONS", acting for and on behalf of and under the authority of their members whose names appear on Schedules "I" & "II" attached hereto and any other member joining said Associations during the term of this Agreement it is authorized and has agreed to represent and such other Building Contractors who execute an Acceptance of the terms and provisions of this Agreement hereinafter referred to as the "EMPLOYER", and the Massachusetts & NORTHERN NEW ENGLAND Laborers' District Council, hereinafter referred to as the "UNION", acting for and on behalf of Massachusetts Local Unions Nos. 22 Boston, 39 Fitchburg, 88 Boston, 133 Quincy, 138 Norwood, 151 Cambridge, 175 Lawrence, 223 Boston, 243 Worcester, 385 New Bedford, 429 Lowell, 473 Pittsfield, 560 Waltham, 596 Holyoke, 609 Framingham, 610 Fall River, 721 Brockton, 999 Springfield, 876 Taunton and 1285 Boston, Massachusetts; of the Laborers' International Union of North America, each hereinafter referred to as the "Local Union".

PREAMBLE

This Agreement is entered into to facilitate the adjustment of grievances and disputes between the Employers and employees; to provide, insofar as possible, for the continuous employment of labor and to bring about stable conditions in the industry, and to establish necessary procedure for the amicable adjustment of all disputes which may arise between Employers and employees.

DECLARATION OF PRINCIPLES

There shall be no discrimination against any Laborer by reason of race, creed, color, sex, age or national origin. The Employer shall abide by the Federal Williams-Steiger Occupational Safety and Health Act, the Environmental Protection Act and the laws and regulations administered by the Massachusetts Department of Environmental Quality Engineering pertaining to Asbestos Removal.

ARTICLE I TERRITORIAL JURISDICTION

This Agreement shall apply to and be effective for all local unions located in the Commonwealth of Massachusetts.

The Associations, on behalf of their members who have authorized them to bargain on their behalf with the Union, further agree to abide by the so-called Building and Site Agreements entered into by and between the General Contractor's Association of Pittsfield, Massachusetts and Local 473 (Pittsfield, Mass.), and by and between the Labor Relations Division of the Associated General Contractors of Massachusetts, Inc. and Local 596 (Holyoke, Mass.) and Local 999 (Springfield, Mass.) whenever such employer performs or oversees work performed within the territorial jurisdiction covered by the above-referenced Agreements and/or Local Unions.

Local Union		Business Manager	Jurisdiction
Boston	22	<i>Lou Mandarin, Jr.</i> 35 Highland Ave Malden, 02148 (781) 321-6616	1/2 Allston, 1/2 Brighton, 1/2 Boston Arlington, Belmont, Brookline, Burlington, Chelsea, Everett, Malden, Medford, Melrose, Reading, Revere, Somerville, Stoneham, Wakefield, Winchester, Winthrop, Woburn (Zone 1) Beverly, Danvers, Essex, Gloucester, Hamilton, Ipswich, Lynn, Lynnfield, Marblehead, Manchester, Middleton, Nahant, Peabody, Rockport, Salem, Saugus, Swampscott, Topsfield, Wenham (Zone 2)

Fitchburg	39	Kevin Melanson 434 Water Street Fitchburg, 01420 (978) 342-9067	Ashburham, Ashby, Athol, Ayer, Fitchburg, Gardner Groton, Harvard, Hubbardston, Lancaster, Leominster, Lunenburg, Orange, Pepperell, Petersham, Phillipston, Princeton, Royalston Shirley, Templeton, Townsend, Warwick, Westminster, Winchendon
Quincy	133	Mark Burns 265 Washington St. Quincy, 02269 (617) 479-4275	Braintree, Quincy, Weymouth (Zone 1) Cohasset, Hingham, Hull, Scituate (Zone 2)
Norwood	138	David Sargo 11 Walpole Street Norwood, 02062 (781) 762-4099	Canton, Foxboro, Franklin, Norfolk, No. Attleboro, Norwood, Plainville, Sharon, Walpole, Westwood, Wrentham
Cambridge	151	Allen Boyer 238 Main Street Cambridge, 02142 (617) 876-8081	Cambridge, 1/2 Allston, 1/2 Brighton
Lawrence	175	Michael Gagliardi 55 Union Street Methuen, 01844 (978) 687-7200	Amesbury, Andover, Boxford, Georgetown, Groveland, Haverhill, Lawrence, Merrimac, Methuen, Newbury, No. Andover, No. Reading, Rowley, Salisbury, W. Newbury, Salem, NH
Boston	223	Martin Walsh 12A Everdean St Dorchester, 02122 (617) 282-0180	1/2 Boston, Islands of Boston Harbor, Dedham, Milton

Worcester	243	<i>Kevin Duffy</i> 882 Southbridge St. Auburn, 01501 (508) 832-4649	Auburn, Baldwinville, Barre, Berlin, Bolton, Boylston, Brookfield, Charlton, Clinton, Douglas, Dudley, E. Brookfield, Grafton, Hardwick, Holden, Leicester, Millbury, New Braintree, No. Brookfield, Northbridge, Oakdale, Oakham, Oxford, Paxton, Rutland, Shrewsbury, Southbridge, Spencer, Sterling, Sturbridge, Sutton, Warren, Webster, W. Boylston, W. Brookfield, Westboro, Whitinsville, Worcester
New Bedford	385	<i>Victor Pereira</i> 115 Alden Street Fairhaven, 02719 (508) 992-1089	Acushnet, Barnstable, Bourne, Brewster, Chatham, Chilmark, Cotuit, Dartmouth, Dennis, Eastham, Edgartown, Fairhaven, Falmouth, Gay Head, Gosnold, Hawthorn, Harwich, Hyannis, Marion, Mashpee, Mattapoisett, Nantucket, New Bedford, Oak Bluffs, Orleans, Provincetown, Rochester, Sandwich, Teaticket, Tisbury, Truro
Lowell	429	<i>Tom Erickson</i> 364 West Sixth St. Lowell, 01850 (978) 452-7261	Acton, Bedford, Billerica, Boxboro, Carlisle, Chelmsford, Dracut, Dunstable, Lowell, Littleton, Tewksbury, Tyngsboro, Wilmington, Westford
Pittsfield	473	<i>Ronald Holmes</i> 264 Housatonic St. Pittsfield, 01201 (413) 442-1970	Adams, Alford, Ashfield, Becket, Buckland, Charlemont, Cheshire, Chesterfield, Clarksburg, Cummington, Dalton, Egremont, Florida,

			Goshen, Great Barrington, Hancock, Hawley, Heath, Hinsdale, Lanesboro, Lee, Lanesborough, Lenox, Middlefield, Monroe, Monterey, Mt. Washington, New Ashford, New Marlboro, North Adams, Otis, Peru, Pittsfield, Plainfield, Richmond, Rowe, Sandisfield, Savoy, Sheffield, Stockbridge, Tryingham, Washington, West Stockbridge, Williamstown Windsor, Worthington
Waltham	560	<i>Paul Pavone</i> 681 Main Street Waltham, 02154 (781) 894-2750	Newton, Waltham, Watertown <i>(Zone 1)</i> Concord, Lexington, Lincoln, Maynard, Stow, Weston <i>(Zone 2)</i>
Holyoke	596	<i>Colton Andrews</i> P. O. Box 563 Holyoke, 01040 (413) 534-3140	Amherst, Bernardston, Colrain, Conway, Deerfield, Easthampton, Erving, Florence, Gill, Greenfield, Hadley, Hatfield, Holyoke, Leeds, Leverett, Leyden, Miller Falls, Montague, New Salem, Northampton, Northfield, Pelham, Shelburne, Shutesbury, South Hadley, Southampton, Sunderland, Turners Falls, Wendell, Westhampton, Whately, Williamsburg
Fall River	610	<i>Joe Constancia</i> P.O. Box 655 Fall River, 02722 (508) 673-0080	Fall River, Freetown, Seekonk, Somerset, Swansea, Westport

Framingham	609	Chris Murphy 3 Pierce Street Framingham, 01702 (508) 875-5282	Ashland, Blackstone, Bellingham, Dover, Framingham, Holliston, Hopedale, Hudson, Hopkinton, Marlboro, Medfield, Medway, Mendon, Milford, Millis, Millville, Natick, Needham, Northboro, Sherborn, Southboro, Sudbury, Upton, Uxbridge, Wayland, Wellesley
Brockton	721	Andrew Marshall P.O. Box 669 E. Bridgewater, . 02333 (508) 378-0122	Abington, Avon, Bridgewater, Brockton, Carver, Duxbury, E. Bridgewater, Easton, Halifax, Hanover, Hanson, Holbrook, Kingston, Marshfield, Norwell, Pembroke, Plymouth, Plympton, Randolph, Rockland, Stoughton, W. Bridgewater, Whitman
Taunton	876	David Araujo 5 Hill Street Taunton, 02780 (508) 824-4670	Attleboro, Berkley, Dighton, Lakeville, Mansfield, Middleboro, Raynham, Rehoboth, Taunton, Norton
Springfield	999	DJ Traghese 659 North Main St E. Longmeadow, 01028 (413) 736-7677	Agawam, Belchertown, Blandford, Brimfield, Chester, Chicopee, East Longmeadow, Granby, Granville, Hampden, Holland, Huntington, Indian Orchard, Longmeadow, Ludlow, Monson, Montgomery, Palmer, Russell, Southwick, Springfield, Tolland, Wales, Ware, West Springfield, Westfield, Wilbraham

ARTICLE III

WAGES-HOURS-CLASSIFICATIONS-SHIFTS

Section 1. The actual negotiated "Wage and Benefit Schedule" is included as "Appendix A" to this Agreement and incorporated herein by reference. The parties agree that the Council maintains the right to allocate the negotiated Wage and Benefit increases reflected in Appendix A, in its sole discretion, among wages, fringe benefits and dues deduction.

Section 2. The rate to be paid for intermediate classifications shall be as follows: The amounts indicated shall be the amounts to be paid per hour over and above the basic wage rate referred to above.

Asphalt Rakers, Carbide Core Driller Operators, Chain Saw Operators, Pipelayers, Jackhammer and Paving Breaker Operators, Barco-type Jumping Tampers, Laser Beam Operators, Concrete Pump Operators, Mason Tenders, Mortar Mixers, Ride-on Motorized Buggy Operators and Fence Beam Rail Erectors \$.25

Pre-cast Floor and Roof Plank Erectors \$.75

Air Track Operators, Hydraulic and similar self-powered Drills, Block Pavers, Rammers and Curb Setters \$.75

Powdermen and Blasters \$1.00

Section 3. The following will prevail and must be applied by all Employers engaged in the removal of asbestos:

1. Masks and all other equipment used in the removal of asbestos must meet the regulations governing the industry.
2. Employees will be required to observe the regulations when leaving encapsulated area for any reason.
3. Employer must provide shower facilities with hot water.
4. When necessary, lunch periods will be staggered to allow

employees time for clean up.

5. All employees laid off after 5:00 PM, must be paid by noon of the next day.
6. If a shift ends between 12 Midnight and 5:00 AM, consideration must be given to availability of transportation for the employees.
7. Employer will furnish lockers or other means to safeguard the personal belongings of employees.

Section 4. The employment of Watchmen shall be at the discretion of the Employer. However, should the Employer employ Watchmen, other than guards furnished by a protective service, it is agreed that such Watchmen shall come under the provisions of this Agreement and that they shall be paid on a straight hourly basis unless job or government regulations make it mandatory to pay them overtime rates after forty (40) hours. It is understood and agreed that Watchmen shall perform no duties that would make them guards as defined by the National Labor Relations Act.

Wages and Fringe Benefit Fund contributions for Laborers employed as Watchmen shall be paid as outlined in Appendix A.

Section 5. The employment of a fire watch shall be at the discretion of the Employer. Should the Employer employ a fire watch, other than a fireman as may be required by the local city or town, it is agreed that such fire watch shall come within the provisions of this Agreement and be assigned to the Laborer and shall be paid at the regular Laborers rate.

Definition of abbreviations used in Section 1 and 4

H & W	=	Massachusetts Laborers' Health and Welfare Fund Article XI
Pension	=	Massachusetts Laborers' Pension Fund Article XIII
Annuity	=	Massachusetts Laborers' Annuity Fund Article XVI
Nell-MCT	=	New England Laborers' Labor Management

Cooperation Trust Article XVII

Unified Trust	=	Massachusetts Laborers' Unified Trust Article XIX
Training	=	New England Laborers' Training Trust Fund Article XIV
Legal	=	Massachusetts Laborers' Legal Services Fund Article XV
H & S	=	New England Laborers' Health and Safety Fund Article XII
MCAP	=	Massachusetts Construction Advancement Program Article XVIII
Dues & LPL	=	Dues per hour and Laborers' Political League (LPL) per hour, deducted from net wages after taxes - Article VIII

ARTICLE XXII

TRADE AUTONOMY

The Employer acknowledges the Union's claim of jurisdiction and trade autonomy over the following divisions and subdivisions of the trade:

Section 1. ATOMIC POWER PLANTS AND NUCLEAR FACILITIES:

All laborers work on atomic power plants or in the atomic laboratory sections of nuclear facilities, i.e. shielding, deconning, hydrolasing, wrapping of ladders, planks, etc., scaffolding under fourteen feet (14 ft.) in height distribution of ladders, air hoses, installation of temporary fresh air lines, removal of temporary piping, sweeping, cleaning and removal of all debris, bagging and removal of all materials, rewinding of fire hoses, fire watchers of all crafts, distribution of all clothing, washing face masks, and all laborers work in areas such as dressing areas and laundry areas.

Section 2. CURB, DUCTBANK AND SIDEWALK FORMS, GRADING, LANDSCAPING, TRADITIONAL STONE AND BRICK WORK: All indoor and outdoor landscaping work traditionally performed by the laborer shall be the work of the laborer. The erection and setting of curb and sidewalk forms, including the unloading, placement and installation of plastic curbing and wheel stops, grading and landscaping, as well as the traditional laborers work involved in the setting of stone and brick in connection with paving work shall be the work of the laborer; the construction and/or reconstruction of manholes; the installation of dry laid masonry units including but not limited to block, brick and/or stone; and the erection of all forms (including but not limited to any material) in duct banks.

Section 3. SCAFFOLDS: The building, erecting, dismantling and maintenance thereof all exterior scaffolds for all trades. Building, planking or installation and removal of all staging, swinging and hanging scaffolds shall be the work of the laborers; When a masonry subcontractor or general contractor performs the erection and/or dismantling of scaffolding in the furtherance of any masonry work, the erection and/or dismantling of scaffolding, along with all of the masonry work, shall be the exclusive jurisdiction of the laborer. Erection, operation and dismantling of all tubular, hydraulic, mechanical, self-climbing scaffolds, lifts and platforms.

Section 4. CHIPPING AND CUTTING: The cutting, chipping, coring and / or grinding of existing structures whether they be concrete, steel, masonry or wood shall be the work of the laborer.

Section 5. CLEANUP: The cleaning of all debris for all trades to designated areas or stockpiles on each floor shall be the exclusive work of the laborers. This work shall include wire brushing of windows, scraping of floors, the traditional work associated with cutting and burning of all safety stanchions and disposal of same shall be the work of the laborer, removal of surplus material from all fixtures within the confines of the structure and cleaning of all debris for all trades in the building and construction area. The general clean-up for all trades including sweeping, cleaning, washdown and wiping of construction facility, equipment and furnishings and removal of loading or burning of all debris including crates, boxes, packaging waste material shall be the work of the laborers. Washing or cleaning of walls, partitions, ceilings, windows, bathrooms, kitchens, laboratory, and all fixtures and facilities therein shall be the work of the laborers. Clean-up, mopping, washing, waxing and polishing and dusting of all floor areas shall be the work of the laborers. Snow shoveling, cleaning of office trailers and the unloading, handling and distribution of furniture for office trailers shall be the work of the laborer. Prior to turnover to the Owner, the onsite cleaning and disinfecting work related to the mitigation and control of all infectious disease, including but not limited to COVID-19 in accordance with Municipal, State, and Federal mandates, and the maintenance and disinfecting of all related PPE (facemasks, safety glasses, protective suits, respirators, dust masks, rubber gloves and rubber boots shall be the work of the laborer who shall receive specialized LIUNA training. Prior to turnover to the Owner, the onsite operation and maintenance of all fogger related micronized spray machines and the preparation and mixing of cleaning and/or disinfecting solutions used with these products shall be the work of the laborer who shall receive specialized LIUNA training.

Section 6. AIRPORTS: All work performed in connection with airport operations including escort, radio, flagging and driving functions shall be the work of the laborer. Any construction gate will be manned by a laborer if required to be manned by the General Contractor and where not manned by police or other airport security.

Section 7. WINTER PROTECTION: The installation, fastening (including, but not limited to cleating), dismantling and adjusting by any means, method or mode of windbreaks, temporary enclosures, insulating blankets or other winter protection devices whether they be canvas, synthetic or other material of any configuration shall be the work of the laborer, with the exception of pre-manufactured buildings.

Tarps and Weather Protection

The hanging and securing of all tarps and other weather protection, including but not limited to, tarps made of canvas, plastic and polyethylene, shall be assigned to the laborers.

The removal of all tarps and other weather protection, including but not limited to, tarps made of canvas, plastic and polyethylene, shall be assigned to the laborers.

Lumber to be cut into rafters, studs, joists, etc. will be carried to the jobsite mill by laborers. The laborers shall make distribution from the mill area to stockpile(s) in the approximate area of installation as designated by the contractor.

Section 8. HEATER OPERATION: The installation and operation of all temporary heat and ventilation systems, regardless of fuel source, including radiant heat motorized or not. The installing, relocating and repairing of the temporary pipe or duct system shall be the work of the Laborer. The installation of individual units of non-bulk systems such as "salamander" and "LP" gas heaters shall be the work of the laborers; any non-electrical radiant heat systems used for the placing and curing of concrete shall also be the exclusive work of the laborer.

Section 9. HIGHWAY LANE AND PARKING LOT STRIPING AND PAVEMENT ARROWS AND MARKINGS: Highway lane and parking lot striping and pavement arrows and markings and the unloading, placement and installation of plastic curbing and wheel stops, shall be the work of the laborers.

Section 10. STRIPPING AND DISMANTLING OF CONCRETE FORMS: The stripping and dismantling of all forms, including but not limited to, forms related to flat arch, final strip, bulkheads, footings and bridge brackets shall be the work of the laborers. This involves the release of forms by any means, method, or mode, including cutting and burning from the concrete structure and the dismantling of the shoring, staging and other related material supporting the forms including, but not limited to, spanalls, joists, over hanging brackets, and mechanical travelers. All loading, unloading, stockpiling, oiling, cleaning and moving of any forms to their next point of installation is the work of the laborer. Final strip shall be the work of the laborer defined as the breakdown of any form system by any means, method or mode to its integral components for stockpile, storage or removal from the jobsite or to be discarded. Gang forms will be moved, by any means, method or mode to the next point of installation by the laborers. Another trade will then accept the form and set it. Stripping of all duct banks forms including those that involve panels forms or any other material.

Section 11. TENDERS: Tending masons, plasterers, carpenters and other building and construction crafts.

Tending shall consist of preparation of materials and the handling and conveying of materials to be used by mechanics of other crafts, whether such preparation is by hand or any other process. After the material has been prepared, tending shall include the supplying and conveying of said material and other materials to such mechanic, whether by bucket, hod, wheelbarrow, buggy, or other motorized unit used for such purpose, including forklifts, lulls, bobcats, or skid-steer type equipment and other similarly related equipment involved in traditional laborers' work, and the tending by any means, method or mode of the erection of concrete form related support systems, form travelers, spandalls, Joists, bridge brackets, vertical and sloped form work,

Unloading, handling and distributing of ALL materials, fixtures, furnishings and appliances from point of delivery to stockpiles and from stockpiles to approximate point of installation.

Drying of plaster, concrete, mortar or other aggregate, when done by salamander heat or any other drying process.

The aging and curing of concrete (including but not limited to the spraying of water), mortar and other materials applied to walls, floors, ceilings and foundations of buildings and structures, highways, airports, overpasses and underpasses, tunnels, bridges, approaches, viaducts, ramps or other similar surfaces by any mode or method.

Section 12. EXCAVATIONS AND FOUNDATIONS-SITE PREPARATION AND CLEARANCE-TRANSPORTATION AND TRANSMISSION LINES: Excavation for building and all other construction, digging of trenches, piers, foundations and holes; digging, lagging, sheeting, cribbing, bracing and propping of foundations, holes, caissons, cofferdams, dams, dikes and irrigation trenches, canals, and all handling, filling and placing of sand bags connected therewith. All drilling, blasting and scaling on the site or along the right-of-way, as well as access roads, reservoirs, including areas adjacent or pertinent to construction site; installation of temporary lines; installation of electrical conduit.

Preparation and compacting of roadbeds for railroad track laying, highway construction and the preparation of trenches, footings, etc. for cross-country transmission by pipelines or electric transmission or underground lines or cables. Cathodic protection and mobile lighting plants.

On site preparation and right-of-way for clearance for construction of any structures or the installation of traffic and transportation facilities such as highways, pipelines, electrical transmission lines, dam sites and reservoir areas, access roads, etc. Clearing, cutting, trimming and slashing of brush or trees by hand or with mechanical cutting methods. Blasting for all purposes, such as stumps, rocks, general demolition. Falling, bucking, yarding, loading or burning of all trees or timber on construction areas. Choker setters, off bearers, lumber handlers and all laborers connected with on-site portable sawmill operations connected with clearing. Erection, dismantling and/or reinstallation of all fences and sound barrier systems of whatever kind. The installation of all temporary and permanent fencing regardless of material as well as temporary safety netting. Clean up of right-of-way, including tying on, signaling, stacking of brush, trees, or other debris, and burning where required. All soil test operations of semi and unskilled labor, such as filling of sand bags, handling of timber and loading and unloading of same. All laborers' work in connection with excavation grading, preparation, concreting, asphalt and mastic paving, paving ramming, curbing and flagging of other stone materials.

All traditional laborers' work involving the assembly and erection of wind turbines whether on land or sea including but not limited to foundations, towers, site work, slurry, grouting, drilling, blasting, mucking, tending, pouring, pumping and the placing concrete and concrete slabs shall be the work of the laborer who shall receive specialized LIUNA training.

Section 13. CONCRETE BITUMINOUS CONCRETE AND AGGREGATES: Concrete, bituminous concrete, or aggregate for walls, footings, foundations, floors or for any other construction. Mixing, handling, conveying, pouring, vibrating, gunniting and otherwise placing concrete or aggregate whether done by hand or any other process. Wrecking, cutting, stripping, dismantling, and handling concrete forms and false work. Building of centers for fire-proofing purposes. Operation of motorized wheelbarrows or buggies or machines of similar character, whether run by gas, diesel or electric power. When concrete or aggregates are conveyed by crane or derrick, or similar methods, the hooking on, signaling, dumping and unhooking the bucket. Placing of concrete or aggregates, whether poured, pumped, gunnited, or placed by any other process. The assembly,

uncoupling of all connections and parts of or to equipment used in mixing or conveying concrete, aggregates or mortar, and the cleaning of such equipment, parts and/or connections. All vibrating, grinding, spreading, flowing, puddling, leveling and a strike-off of concrete or aggregates by floating, rodding or screening, by hand or mechanical means prior to finishing, the handling and installation of rails and nests for bidwell type operations. Where pre-stressed or pre-cast concrete slabs, walls or sections are used, all loading, unloading, stockpiling, hooking on, signaling, unhooking, setting and barring into place of such slabs, walls or sections. The placement of vapor barriers and/or under-slab insulation incidental to traditional laborers' work.

All mixing, handling, conveying, placing and spreading of grout for any purpose. Green cutting of concrete or aggregate in any form, by hand, mechanical means, grindstones or air or water; The filling and patching of voids, crevices, etc. to correct defects in concrete caused by leakage, bulging, sagging, etc.

The loading, unloading, carrying, distributing and handling of all rods, mesh and material for use in reinforcing concrete construction. The hoisting of rods, mesh and other materials except when a derrick or outrigger operated by other than hand power is used.

All work on interior concrete columns, foundations for engine and machinery beds.

The cutting, grooving or coring of all types of concrete, including bituminous concrete, shall be the work of the laborers; the coring of concrete for multiple use openings or openings which require structural modification shall be the work of the laborer.

Concrete Specialist work including but not limited to all types of maintenance and utility concrete work, as well as dry packing and prefabricated and pre-stressed concrete construction on the job site and the shop, such as sidewalks, all walls not limited to concrete, columns, steps, floors, floor slab beams, joists, also screeding, finishing and rubbing, grouting, pointing and patching of the same will fall under the jurisdiction of this agreement. Laborers' concrete specialist work shall include machine grinding and the preparation of sub floor surfaces. The specified jurisdiction shall also include rubbing or grinding if done by machine or carborundum stone, patching, brushing, chipping and brush hammering, cutting of nails, wires, wall tiles, etc., of all concrete construction. The specific jurisdiction shall further include the cutting of all steel rods, plates, beams etc. to accommodate

concrete work. The Laborers' Concrete Specialist shall have jurisdiction over all specialist activity not limited to the above-mentioned examples.

The snapping of wall ties and removal of tie rods. Handling, placing and operation of the nozzle, hoses and pots or hoppers on sandblasting or other abrasive cleaning. The jacking of slip forms, on all semi and unskilled work connected therewith.

The placing, leveling and grouting of base plates.

Section 14. STREETS, WAYS AND BRIDGES: Work in the excavation, preparation, concreting, asphalt bituminous concrete and mastic paving, paving, ramming, curbing, flagging and surfacing of streets, ways, courts, underpasses, overpasses, bridges, approaches and slope walls and the grading and landscaping thereof and all other labor connected therewith. Cleaning, grading, fence or guard rail installation and/or removal for streets, highways, roadways, aprons, runways, sidewalks, parking area, airports, approaches and other similar installations. Preparation, construction, and maintenance of roadbeds and sub-grade material, ramming or otherwise compacting. Setting, leveling and securing or bracing of metal or other road forms and expansion joints, including placing of reinforcing mats or wire mesh, for the above work. Loading, unloading, placing, handling and spreading of concrete aggregate or paving material, including leveling of the surface. Strike-off of concrete, when used as paving material by hand and floating or mechanical screening for strike-off. Cutting of concrete for expansion joints and other purposes. Setting of curb forms and the mixing, pouring, cutting, flowing and strike-off of concrete used therefor. The setting, leveling and grouting of all pre-cast concrete or stone curb sections. Installation of all joints, removal of forms and cleaning, stacking, loading, oiling and handling. Grading and landscaping in connection with paving work. All work in connection with loading, unloading, handling, signaling, slinging and setting of all paving blocks, rip-rap or retaining walls such as stone, brick, wood, metal, concrete or other material and the preparation of surfaces to receive same.

Section 15. TRENCHES, MANHOLES, HANDLING, LAYING AND DISTRIBUTION OF PIPE, ETC.: Cutting of streets and ways for laying and connecting of pipes, cables or conduits for all purposes; digging of trenches, manholes, etc.; handling and conveying all materials, concreting, backfilling, grading, and resurfacing and all other labor connected therewith. Clearing and site preparation as described herein. Cutting or jackhammering of streets, roads, sidewalks or aprons by hand or the use of air or other tools. Digging of trenches, ditches and manholes and the leveling, grading and other preparation prior to

laying and connecting of pipes or conduit for any purpose. Laying and connecting, loading, unloading, sorting, stockpiling, wrapping, coating, treating, handling and distribution of water mains, non dedicated fire protection pipelines and connections, gas mains and all pipe, including placing, setting and removal of skids. Cribbing, driving of sheet piling, lagging and shoring of all ditches, trenches and manholes. Handling, mixing or pouring of concrete and the handling and placing of other materials for saddles, beds or foundations for the protection of pipes, wires, conduits, etc. Back filling and compacting of all ditches, resurfacing of roads, streets, etc., and/or restoration of lawns and landscaping, the erection and dismantling of duct bank regardless of materials, means or methods shall be the work of the laborer.

Section 16. SHAFTS AND TUNNELS. SUBWAYS AND SEWERS:

Construction of sewers, nonmetallic drains and sewers, metallic drains and sewers, any type of conduit, shafts, tunnels, subways, caissons, cofferdams, dikes, dams, levees, aqueducts, culverts, flood control projects and airports. All underground work involved in mines, underground chambers for storage or other purposes, tunnels, or shafts for any purpose, whether in free or compressed air. Drilling and blasting, mucking and removal of material from the tunnels and shafts. The cutting, drilling and installation of material used for timbering or retimbering, lagging, bracing, propping, or shoring the tunnel or shaft. Assembly, welding and installation of multiplate, liner plate, rings, mesh, mats or forms for any tunnel or shaft, including the setting of rods for same. Pouring, pump-creting or gunniting of concrete in any tunnel or shaft. Operation, manual or hydraulic jacking of shields and the use of such other mechanical equipment as may be necessary. Excavation or digging and grading of footage and foundations for bridges, overpasses, underpasses, aqueducts, etc. and their approaches. All concrete work as described above and addition, hooking on, signaling and dumping of concrete for treme work over water on caissons, pilings, abutements, etc. Excavation grading, grade preparation and landscaping of approaches. Installation of pipe, gratings and grill work for drains or other purposes. Installation of well points or any other dewatering system.

Section 17. COMPRESSED AIR: In compressed air all work underground or in compression chambers, including tending of the outer aid lock. All work in compressed air construction, including, but not limited to, groutmen, trackmen, welders, blasters, shield drivers, miners, brakemen, miner's helpers, lock tenders, mucking machine operators, motor men, gauge tenders, rodmen, compressed air electricians, setting of liner plate and ring sets, drill runners, powdermen or blasters, air hoist operators, form men, concrete blower operators, cement

operators, power knife operators, erector operators, keyboard operators, pebble placer operators, car pushers, grout machine operators, steel setters, cage tenders, skidders track layers, dumpmen, diamond drillers, timbermen and retimbermen, cherry pickmen, nippers, chucktenders and cable tenders, vibratormen, jetgunmen, gunnite nozzlelemen, gunmen, reboundmen and all other work connected therewith.

Section 18. SEWERS, DRAINS, CULVERTS AND MULTIPLATE: Laying and connecting, unloading, sorting, stockpiling, wrapping, coating, treating, handling, distribution and lowering or raising of all pipe or multiplate. All digging, driving of sheet piling, lagging, bracing, shoring, and cribbing; breaking of concrete backfilling, tampling, resurfacing and paving of all ditches in preparation for the laying of all pipe. Pipe laying, leveling and making of the joint of any pipe used for main or wide sewers and storm sewers. All of the laying of clay, terra cotta, ironstone, vitrified concrete or other pipe and the making of joints for main or side sewers and storm sewers and all pipe for drainage. Laying and connecting, unloading, handling, distribution, assembly in place, bolting and lining up and welding of sectional metal or other pipe, including corrugated pipe. Laying and connecting of lateral sewer pipe from main sewer or side sewer work. Laying and connecting, leveling and making of the joint of all multi-purpose pipe or multi-cell conduit. Cutting of holes in walls, footings, piers or other obstructions for the passage of pipe or conduit for any purpose and the pouring of concrete to secure said holes. Digging under streets, roadways, aprons or other paved surfaces for the passage of pipe, by hand, earth auger or any other method, and manual and hydraulic jacking of pipe under said surfaces. Installation of septic tanks, cesspools and drain fields.

Section 19. UNDERPINNING, LAGGING, BRACING PROPPING AND SHORING: Underpinning, lagging, bracing, propping and shoring, razing and moving of all structures; raising of structures by manual or hydraulic jacks or other methods. All work on house moving, shoring and underpinning of structures, loading, signaling, right-of-way clearance along the route of movement. Resetting of structure in new location to include all site clearing, excavation for foundation and concrete work. Cleanup and backfilling and landscaping old and new site.

Section 20. DRILLING AND BLASTING: All work of drilling, jackhammering and blasting. Operation of all rock and concrete drills, including handling, carrying, laying out of hoses, steel handling, installation of all temporary lines and handling and laying of all blasting mats. All work in connection with blasting, handling and storage of explosives, carrying to point of blasting, loading holes, setting fuses, making primers and exploding charges. All securing of

surfaces with wire mesh and any other material and setting of necessary bolts and rods to anchor or weld the same. All high scaling and other rock breaking and removal after blast. Handling and laying of nets and other safety devices and signaling, flagging, and road guarding.

Section 21. SIGNAL MEN: Signal men on all construction work defined herein or by federal, state, local or local laws regulations or ordinances, including traffic control signal men at construction sites.

Section 22. GENERAL EXCAVATION AND GRADING: The clearing, excavating, filling, insulation of exterior foundations, (unless waterproofed or adhered), backfilling, grading and landscaping of all sites for all purposes and all labor connected therewith, including chainmen, rodmen, grade markers, etc.

Section 23. FACTORIES: All work in factories, mills and industrial plants performed now or as may be acquired hereafter, including packers, cutters, loaders, raw materials unloaders, checkers, stuffers, production line personnel and stenciling of materials. Handling of raw pigment; vessel cleaners and/or dryers; washing or cleaning laboratory glassware, stocking of materials in laboratories; the cleaning and/or scrubbing, washing, polishing of all floors, glasses, windows, walls, restrooms and furniture.

Section 24. GENERAL: Material yards, junk yards, asphalt plants, concrete products plants, cemeteries, landscape nurseries and the cleaning or reconditioning of streets, ways, sewers, and water lines and all maintenance work and work of an unskilled and semi-skilled nature, including laborers in shipyards, tank cleaners, ship scalers, shipwright helpers, watchmen, flagmen, and safety men, toolroom men, park, sports arena and all recreational center employees, utilities employees, horticultural and agricultural workers, garbage and debris handlers and cleaners.

Section 25. PITS, YARDS QUARRIES. ETC.: All drillers, blasters and/or powdermen, nippers, signal men, laborers in quarries, crushed stone yards and gravel and sand pits and other similar plants, including temporary and portable batching and/or crushing plants; incidental to traditional laborers' work.

Section 26. WRECKING / INTERIOR DEMOLITION / HYDRO DEMOLITION: The razing, wrecking, all selective demolition or dismantling of buildings and all structures. Breaking away roof materials, beams of all kinds, with use of cutting or other wrecking tools as necessary. Burning or otherwise cutting all steel structural beams. The burning, cutting and/or dropping of all utility

and other supply lines that have been cut capped or deemed safe for removal. All cleaning and/or demolition accomplished through the use of high pressure water or other comparable Hydro-Technologies. Breaking away, cleaning and removal of all masonry and wood or metal fixtures for salvage or scrap. All hooking on and unhooking and signaling when materials for salvage or scrap are removed by crane or derrick. All loading and unloading of materials carried away from the site of wrecking. All work in salvage or junk yards in connection with cutting, cleaning, storing, stockpiling or handling of materials. All cleanup, removal of debris, burning, backfilling, and landscaping of the site of wrecked structure. All laborers' work in connection with the removal and disposal of asbestos or toxic waste; all demolition and selective demolition work in connection with Clean Rooms and/or Green Construction/LEED projects shall be the work of the laborer.

Section 27. RAILROAD TRACK WORK: Right-of-way clearance as described above, excavation, grading, sub-grading, blasting and compacting of right-of-way. Loading, unloading, stockpiling, handling and distribution of track and ties and placing of or jacking track and ties at point of installation.

All burning or otherwise cutting of track. Setting of tie plates, bolting, leveling and gauging of rails and all spiking, whether by hand or mechanical means. Placing and tamping of ballast by hand or mechanical means. Construction and/or relocation of mainlines, show flies, sidings, gradings, crossings, relocating of pipes and drainage and culverts connected with same and removal and replacing of all fences. Stripping of all concrete forms shall be assigned in accordance with Section 10 of this Article.

Section 28. STUDIO UTILITY EMPLOYEES: All such work as herein described as may be pertinent to and part of the operation of Motion Pictures and other related types of studios.

Section 29. USE OF TOOLS AND EQUIPMENT OPERATIONS: Operation of all hand, pneumatic, electric motor; combustion or air-driven tools or equipment necessary for the performance of work described herein including, but not limited to, the traditional laborers work involved in the operation and maintenance of such tools of the trade as forklifts, lulls, bobcats, winches, jacks, scissors lifts, man lifts, aerial lifts, whether operated manually or mechanically by portable operating devices, parking lot striping machines, line application vehicle, pick-up and service trucks including, but not limited to, stake-body trucks, rock-body trucks, dump trucks, job-site moving of the water wagon, attenuater-crash trucks and all traffic control vehicles of any nature and all comparable motorized equipment for the

transportation and/or repositioning of jobsite materials pumps and other similarly related equipment. The tagging and signaling incidental to traditional laborers work. Installation of outdoor playground swing sets and jungle gyms regardless of the material used for their construction. The operation of concrete cleaning machines, the operation of manually controlled robotic equipment and devices utilizing new and/or enhanced technology (such as rock and earth compacting machines), and the onsite operation of ultra-high pressure water jet cutting tools, shall be the work of the laborer. The operation of hydraulic skid steers and power buggies with the appropriate training, certification and/or licensure required by the State or Municipality, shall be the work of the laborer.

Section 30. FIRE WATCH: In the event a fire watch is required, it shall be assigned according to the procedure set forth in Article III, Section 5.

Section 31. MISCELLANEOUS: All such work and jurisdiction as may have been acquired by reason of amalgamation or merger with former national or international unions and as may be hereafter acquired, including all such work and jurisdiction as declared by actions of the Executive Council or conventions of the American Federation of Labor.

Section 32. UNLOADING OF OFFICE PARTITIONS AND OTHER MATERIALS: All laborers' work in connection with the unloading of office partitions, the unloading of materials that are wrapped or protected by means of paper, corrugated paper, cardboard, wood, polyethylene, or any like materials.

Section 33. PRECASTING AND PREFABRICATION: All laborers' work on precasting or prefabrication at the construction project site or at the precast or prefabrication yard specifically established and operated for that one particular construction job.

Section 34. ENVIROMENTAL / HAZARDS WORK: All such work in connection with the clean up of materials such as paint, lead, asbestos, microbial infestation including but not limited to fungi, bacteria, mold spores, bird and other animal feces and materials contaminated with these substances. Such work shall include but not be limited to delineating the area to be remediated with warning signs, identifying areas of infestation that must be remediated, shutting of power to the affected area, performing work area sampling and/or collection of materials for analysis, containment of the work area with plastic sheeting or other means, containment of fixed objects, salvage of materials for preservation, cleaning and

removal of movable objects such as furniture, etc., set up of portable negative pressure air filtration units, set up of decontamination units, remediation of contaminants on hard surfaces, removal of contaminants and affected surfaces that are not salvageable, and disposal of contaminated materials.

All Laborers' work involving environmental/toxic waste removal asbestos, lead and mold/microbial remediation. Also including the prepping or protection of work areas; the demolition of any building materials and/or structures related to the remediation work; the removal and repair of pipe coverings and the removal and restoration of ventilation ducts; the use of any and all equipment, tools and filtering devices and the installation of all soil vapor barriers/membrane (such as a liquid boot).

Section 35. FIELD TURF APPLICATIONS: Grading, framing, site preparation, scarifying, edging, cleaning, placement and installation of artificial turf and turf-like materials along with the cleanup, drainage and related work at athletic fields, airports and other heavy and highway and building and site projects.

Section 36. CUTTING, BURNING AND WELDING: All cutting, burning and welding including the use of torches, plasma cutters, carbon arc gauges and welders incidental to traditional laborers work. Laborers shall be properly trained and certified as required to perform this work.

Section 37. AGC AFFILIATED AGREEMENT: The Employer further acknowledges the Union's jurisdiction and trade autonomy over the divisions and subdivisions of the trade as fully outlined in Article XXII of the parties' Western Massachusetts Building & Site Agreement between the Labor Relations Division of the Associated General Contractors of Massachusetts and the District Council, as amended from time to time, and incorporated herein by reference.

ARTICLE XXIII

APPLICABILITY OF AGREEMENT

All applicable work within the territorial jurisdiction covered by this Agreement shall be performed under the terms and conditions of this Agreement. When an Employer engages in work traditionally covered by the CIM Massachusetts Heavy & Highway Agreement with the Union, he or she shall pay the wages and fringe contributions and also abide by the hours and working conditions specified in the CIM Agreement which maintains reciprocal language, for the AGC Contractors herein, in Article VIII, Section 4.

ARTICLE XXIV

APPRENTICESHIP PROGRAM

The parties hereby incorporate by reference, as part of this agreement, the "Apprenticeship Standards For Construction Craft Laborer" adopted by the parties on January 26, 1998.

Employers employing one or more apprentice(s) shall participate in the 4000 hour Massachusetts & Northern New England Laborers District Council Apprentice Program under the above-referenced standards for construction craft laborer.

A. New applicants for membership who cannot provide reasonable proof of 4,000 or more hours of employment as a Construction Craft Laborer (or, alternatively, cannot demonstrate equivalent skills in a placement examination administered by the Joint Apprenticeship and Training Committee (JATC) shall, whenever, possible, enter the Apprenticeship program. Any person entering but failing to maintain and complete his or her Apprenticeship shall not be employed by the Employer as a Journey Worker under this Agreement. The failure of any Apprentice to maintain his or her Apprenticeship status shall obligate the Employer to discharge such person upon notice from the Union.

B. The Apprenticeship and Training Standards approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training, and the Massachusetts Department of Labor and Training are hereby incorporated by reference as a part of this Agreement. The Apprentice wage rates:

<i>Hours of Credit</i>	<i>Wage Rate</i>
0 – 999	60% of Journey Worker
1,000 – 1,999	70% of Journey Worker
2,000 – 2,999	80% of Journey Worker
3,000 – 3,999	90% of Journey Worker
4,000 – over	Journey Worker

The Employer may pay a higher rate at its option. However, the Apprentice must meet his or her commitments to the Joint Apprenticeship Committee regardless of the level being paid.

E. The Employer shall pay an Apprentice the full fringe benefit package as described in this contract.

F. Entry into the Apprenticeship Program shall be controlled by the JATC, which shall employ appropriate testing and screening procedures. An Apprentice advances from one hours-of-credit and wage-rate category to another only upon determination of satisfactory performance by the JATC, which shall have the authority to grant accelerated credit where warranted by the performance of an individual apprentice.

G. The Employer shall participate in the Apprenticeship Program by accepting apprentices for employment upon referral by the Union. The employer is not obligated to accept more than one (1) Apprentice for every five (5) Journey Workers commencing with the sixth laborer employed.

H. The Employer may not employ an Apprentice until at least one Journey Worker is employed and thereafter may not employ more than one (1) Apprentice for every additional three (3) Journey Workers.

I. An Apprentice should, whenever possible, be rotated by the Employer through different types of work so as to become trained in a variety of operations and work skills. Where the Employer is unable to provide an Apprentice with experience in the full range of craft skills, the JATC may request the Local Union to reassign the Apprentice to other employment in order to provide that experience. For so long as the Employer is able to provide the necessary range of employment experience, the Employer may choose to retain the apprentice from job to job but shall notify the Local Union and JATC of all reassignments.

J. An Apprentice shall not work on the jobsite unless supervised by a Journey Worker.

K. An Apprentice shall not be penalized for taking off from work to attend offsite training (though time off for training is unpaid).

L. It is the intent of the parties that this provision will not result in the displacement of Journey Workers.

M. These provisions calling for the hiring of apprentices are not applicable to instances where the employer is recalling to employment employees who have

worked for that company in the past year and these provisions apply only when the employer is hiring new employees.

N. The Employer, whenever possible, may contact the apprentice program well in advance of hiring apprentices and arrange with the apprentice program for the training of apprentices to meet that employer's specific contemplated needs.

O. All disputes arising under this provision shall for the duration of this contract be referred to a special designated grievance committee consisting of one designee from the Massachusetts Laborers' District Council and one designee from the Employer's Association.

ARTICLE XXX
TERMINATION OF AGREEMENT

This Agreement will expire on *May 31, 2024* for the parties to this Agreement and for the independent non-Association employers who have accepted and agreed to abide to this Agreement except that if neither of the parties identified on page *1* of this Agreement gives notice in writing to the other party between

February 29, 2024 and March 31, 2024 that it desires a change after May 31, 2024, then this Agreement shall continue in effect until May 31, 2025 and so on each year thereafter unless on or before March 31st of each year thereafter, a notice is given by either party. This evergreen clause does not apply to any independent non-Association employers. If neither the Union nor the independent non-Association employer gives notice of termination between February 29, 2024 and March 31, 2024, they are bound to the successor of this Agreement for its full term.

LABOR RELATIONS DIVISION OF THE ASSOCIATED GENERAL
CONTRACTORS OF MASSACHUSETTS

Donna Scally
Donna Scally, Director of Labor
Relations & Employment Policy

9-18-2020
Date:

MASSACHUSETTS & NORTHERN NEW ENGLAND LABORERS' DISTRICT
COUNCIL of the Laborers' International Union of North America on behalf of its
affiliates

Joseph C. Bonfiglio
Joseph C. Bonfiglio, Business Manager

9/18/2020
Date:

Louis Mandarinini, Jr.
Louis Mandarinini, Jr., President

9/28/2020
Date:

The Building Trades Employers' Assoc.
of Boston & E. Mass., Inc.

Thomas S. Gunning
Thomas S. Gunning, Executive Director

9/29/2020
Date:

[illegible]

of the Laborers' International Union of North America, AFL-CIO

7 Laborers' Way

(508) 435-4164

Hopkinton, Massachusetts 01748

Fax (508) 4

BUILDING & SITE CONSTRUCTION

ZONES 1 & 2

INCREASES AND ALLOCATIONS ARE IN BOLD PRINT

* *Dues and LPL are Deducted from wages*

****Information will be posted at www.Masslaborers.org when allocated**

ZONE 1 SUFFOLK COUNTY (Boston, Chelsea, Revere, Winthrop, Deer & Nut Islands
MIDDLESEX COUNTY (Arlington, Belmont, Burlington, Cambridge, Everett, Malden, Medford,
Melrose, Newton, Reading, Somerville, Stoneham, Wakefield, Waltham, Watertown,
Winchester, Winthrop, and Woburn only)
NORFOLK COUNTY (Braintree, Brookline, Dedham, Milton, Quincy and Weymouth only)

[illegible]

ZONE 2 The Counties of BARNSTABLE, BRISTOL, DUKES, ESSEX, NANTUCKET,
PLYMOUTH, and WORCESTER
MIDDLESEX COUNTY (with the exception of Arlington, Belmont, Burlington, Cambridge, Everett,
Malden, Medford, Melrose, Newton, Reading, Somerville, Stoneham, Wakefield, Waltham,
Watertown, Winchester, Winthrop, Woburn)

NORFOLK COUNTY (with the exception of Braintree, Brookline, Dedham, Milton, Quincy and Weymouth)

FRANKLIN COUNTY (Warwick, and Orange only), ROCKINGHAM COUNTY (Salem, N.H. Only)

[illegible]