Memo

To: All Employer Associations/Individual Signatory Employers

From: Jay Bradshaw, Chairman, Carpenters Work Preservation Committee

Date: March 25, 2020

RE: COVID 19 Pandemic Economic Relief for Union Members

The Carpenters Work Preservation Committee (CWPC) will approve individual requests (each a CWPC decision) from an individual employer to pay Carpenters Union members working in the geographic jurisdiction of the Northern California Carpenters Regional Council (Union employees) their current hourly wage while laid off or furloughed due to various COVID 19 governmental shelter in place/stay at home (SIP) Orders subject to the following conditions:

Each individual employer must submit a request to the CWPC for approval of such request.

Each individual employer must attach a full list of Union employees that it intends to be covered by the CWPC decision. This list must include each employee’s full name and Union membership number (U#). The individual employer, at its sole discretion, may choose from one of the following two options:

1. Employer agrees to compensate furloughed or laid off Union employees at 40 hours per week, wages only; or

2. Employer agrees to compensate furloughed or laid off Union employees at a minimum of 32 hours wages per week and contribute to the Carpenters Health and Welfare Trust Fund for California (Health and Welfare) on the basis of 145 hours per month in any month in which the individual employer is subject to the Work Preservation decision.

The individual employer will be given a new Carpenter Trust Fund (CTF) Work Preservation sub-account number. For option 1, the employer shall not be required to submit a CTF monthly employer contribution form to the Carpenter Funds Administrative Office (CFAO); however, the Work Preservation sub-account shall be included in any subsequent payroll audit performed by the CFAO. For option 2, the employer shall submit a CTF monthly employer contribution form to the CFAO for Health and Welfare contributions under the CTF Work Preservation sub-account number for Union employees covered by the CWPC decision. Wages will be considered compensation for payroll tax purposes.

Whichever option the individual employer chooses shall apply to all individuals covered by the employer’s CWPC decision and cannot be applied on an ad hoc basis.
The individual employer shall remit weekly payroll records in an acceptable electronic format to the Carpenters Work Preservation Committee, the Carpenters 46 Northern California Counties Conference Board and the Carpenter Funds Administrative Office, including the furloughed or laid off Union employee’s name, U# and hours paid.

Other than set forth in the CWPC decision, nothing set forth in said CWPC decision shall otherwise be considered a change, modification, amendment or supplement to any Collective Bargaining Agreement (CBA) between the Union and any Employer Association or individual employer. The individual employer remains responsible for compliance with all other terms and conditions of the applicable CBA and all applicable State and Federal laws.

The CWPC decision shall continue on a month to month basis until the SIP Order has been lifted but not to exceed the month following the month in which the SIP Order is lifted. In the event the individual employer reports hours under the CWPC decision past this deadline, then all Fringe Benefit Contributions of the applicable Collective Bargaining Agreement shall apply and be due and owing on the excess hours. An individual employer shall pay all wages and remit all fringe benefit contribution under the applicable CBA if an employee covered by the CWPC decision performs covered work while the CWPC decision is in effect.

Notwithstanding the prior paragraph, upon two weeks’ notice to the CWPC, an individual employer exercising option 1, may withdraw from participation in the CWPC decision. Upon thirty days’ notice to the CWPC, an individual employer exercising option 2, may withdraw from the CWPC decision. Under either scenario, the withdrawal is effective at the end of the applicable notice period. Please Note: If an individual employer withdraws from the CWPC decision it may not reapply to the CWPC for another decision as outlined in this memo.

If you have any questions, please contact the Carpenters 46 Northern California Counties Conference Board at (510) 430-9706.