LOCAL UNION 6
International Brotherhood of Electrical Workers
55 FILLMORE STREET • SAN FRANCISCO, CA. 94117 • (415) 861-5752 • FAX (415) 861-0734

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To All Inside Wiremen and Sound & Communications Installers/Technicians,

In November of 2018 and May of 2019, Local 6 attended sessions of CIR, the Council on Industrial Relations. We arbitrated grievances in front of CIR related to the installation of Cable Tray systems (November session) and Microduct (May session) by Sound & Communications workers in San Francisco under the terms and conditions of the Sound & Communications Agreement (NorCal Addendum). Local 6 argued that this work was outside the Scope of Work for the NorCal Addendum.

The CIR panels we presented to were unable to reach a unanimous decision. From CIR's policy, "[p]*ursuant to Rules X and XVI of Council Structure and Basic Rules of the Council on Industrial Relations,* […] *whenever the Council deadlocks or is unable to reach a unanimous decision after full deliberation and all means of reaching a decision have been exhausted on an issue or dispute brought before the Council, the Secretary of the Council shall refer the issue or dispute to the Executive Committee for resolution."*

The language being disputed came from the National VDV Agreement (VDVNA) and was inserted verbatim into the NorCal Addendum in 2003. The local parties, NECA Chapters and Local Unions, did not bargain the language and did not memorialize any specific interpretation of the language for the NorCal Addendum. Naturally, this led to divergent opinions on application of the contract language.

In an effort to resolve the disputes, and with the issues tied up in the CIR Executive Committee, Local 6 filed grievances under the Inside Agreement. All the while, we pressed on our International Union to see if a decision was forthcoming. Our International Reps assigned to CIR repeatedly scheduled meetings and drafted decisions, only to have either the meetings cancelled, or draft decisions rejected.

We knew that it was problematic for the dispute to go unresolved, and the Local Union filed for arbitration under the Inside Agreement. Local 6 was in preparation for arbitration. To avoid any potential conflicts that could come from the Inside arbitration proceedings, as we were not part of the negotiations for the contract language of the national parties, Local 6 contacted the Secretary of the CIR to inform the Council that we were about to go to arbitration on the language from the VDVNA.

IBEW Local 6 and the SFECA were subsequently summoned to a meeting by IBEW International President Stephenson and NECA CEO, Mr. David Long. At this meeting we presented our cases anew to these members of the Executive Committee. After a two- and half-hour session, in which neither side relented on their position, we were dismissed.

The long and the short of it is, after two years of waiting, the CIR Executive Committee has issued rulings for the disputed installations. The rulings are based upon the information and bargaining history presented to CIR, the practice prevailing in Local 6, the practice prevailing across the region under the NorCal Addendum, and the national parties understanding of their language in the VDVNA.

It should go without saying that neither party was one hundred percent happy with the outcome, but it is final and binding. A summary of the rulings is provided below, so please retain for your records.

Microduct/Innerduct

In San Francisco, the installation of Microduct/Innerduct or similar type communication raceways may be performed by Installers and Technicians under the NorCal Addendum Scope Sections A through D when the installation is meant to support systems which utilize the transmission and/or transference of voice, sound, vision or digital for commercial, education, security and entertainment purposes for TV monitoring and surveillance, background-foreground music, intercom and telephone interconnect, inventory control systems, microwave transmission, multi-media, multiplex, nurse call system, radio page, school intercom and sound, burglar alarms and low voltage master clock systems may be performed by Installers and Technicians.

In San Francisco, the installation of Microduct/Innerduct or similar type communication raceways for systems other than those covered by the Scope of Work contained in the NorCal Addendum shall be performed by Inside Wiremen under the Inside Agreement.

Cable /Basket/Center Spine Trays

Cable/Basket/Center Spine Trays and similar type systems may be installed by Installers and Technicians under the scope of work in the NorCal Addendum when the installation is located within MPOE/IDF/MDF/Telecommunications closets or similar rooms AND *solely* for the systems covered by the NorCal Addendum.

Cable/Basket/Center Spine Trays and similar type systems shall be installed by Inside Wiremen under the Inside Wiremen's Agreement for all 'Dual Purpose' installations. 'Dual Purpose' installations, regardless of their location, are installations where the Cable/Basket/Center Spine Trays carry both Inside Wiremen and NorCal Addendum systems.

Cable/Basket/Center Spine Trays and similar type Raceway Systems shall be installed by Inside Wiremen under the Inside Wiremen's Agreement on all New Construction or Major Renovation Projects.

When the installation ***is not part of a New Construction or Major Renovation Project,*** Cable/Basket/Center Spine Trays and similar type Raceway Systems may be installed by an Installer/Technician outside of MPOE/IDF/MDF/Telecommunications closets or similar rooms if exclusively installed to support the systems noted in the scope of the NorCal Addendum. For example, when a Sound and Communications contractor is the sole contractor on a project installing ***only*** Sound & Communications covered systems (i.e. no lighting controls, no building automation, ERRCS, etc.).

The two decisions have highlighted a need for all members to understand what work is covered, or not covered, by the NorCal Addendum. Attached to this letter is a sample listing of low voltage systems, some of which are only covered by the Inside Wiremen's Agreement. Also attached are some useful definitions for terms referenced herein; please take some time to review when you get a chance.

A more formal interpretation should be forthcoming from the Local Electrical Industry to provide clarity moving forward.

Fraternally,

John J. Doherty
Business Manager – Financial Secretary

Wiring Methods (for general reference purposes only)

Low Voltage wiring, often referred to as Communication Cabling, can be installed for a broad part of the Electrical Industry. It is important to remember that the type of wiring method used DOES NOT DETERMINE whose work it is. Just because the installation is made using fiber optic cable, Cat5 or Cat6 copper cable, wireless connectivity, or PLCs (Programmable Logic Controllers) does not make it Sound & Communications work. The NorCal Addendum is a limited systems agreement and ***does not*** cover all Low Voltage wiring. Inside Wiremen and Installer/Technicians may install the systems listed in B.

ONLY Inside Wiremen shall install the systems listed in A.

A. Inside Wiremen power-limited & low-voltage wiring systems (not an exhaustive list)

- AC power
- DC power
- Digital power
- Life Safety System
- Building Automation Systems
- Lighting controls
- Light Harvesting
- Shade Controls
- Motor controls
- Fan controls
- HVAC controls
- Non-integrated Energy Management Systems
- Computer-controlled manufacturing systems,
- Computer systems in industrial applications such as
  1. Process controls,
  2. Assembly lines
  3. Robotics, and
- ***any other electrical or data system not previously agreed to and listed below***

Inside Wiremen and Installer/Technician may install the systems listed in B.

B. Voice - Data - Video, and Security

1. Voice

- Background-foreground music
- Intercom and telephone interconnect systems,
- Telephone systems,
- Nurse call systems,
- Radio page systems,
- School intercom and sound systems,
- Burglar alarm systems,
- Low-voltage master clock systems,
- Multi-media/multiplex systems,
- Sound and musical entertainment systems,
- RF (radio-frequency) Systems,
- Antennas and Wave Guide

2. Data

- SCADA (Supervisory Control and Data Acquisition)**
- PCM (Pulse Code Modulation)
- Inventory Control Systems
- Digital Data Systems
- Broadband and Baseband and Carriers
- Point of Sale Systems
- VSAT Data Systems
- Data Communication Systems
- RF and Remote-Control Systems
- Fiber Optic Data Systems

3. Video

- Television monitoring and surveillance systems
- Video security systems
- Video entertainment systems
- Video educational systems
- Microwave transmission systems
- CATV and CCTV

4. Security

- Perimeter security systems
- Vibration sensor systems
- Card access systems
- Access control systems
- Sonar/Infrared monitoring equipment

** Not all SCADA Systems are allowed under the NorCal Addendum. Please call the Hall to verify if allowed.

Useful Definitions (for general reference purposes only)

IDF Room -- Short for ***I**ntermediate **D**istribution **F**rame Room*, a room or closet that contains cable racks that interconnect and manage the telecommunications wiring between an MDF and workstation devices. Telecommunication Service enters a building at the MPOE and run through a centralized MDF, then to each individual IDF, and then on to specific workstations. For example, a commercial enterprise that encompasses a building with several floors may have one MDF on the first floor and one IDF on each of the floors that is connected to the MDF.

MDF Room -- Short for ***M**ain **D**istribution **F**rame Room*, a room that contains cable racks that interconnect and manage the telecommunications wiring between itself and any number of IDFs. Unlike an IDF, which connects internal lines to the MDF, the MDF connects private or public lines coming into a building through the MPOE with the internal network. For example, a commercial enterprise that encompasses a building with several floors may have one centralized MDF on the first floor and one IDF on each of the floors that is connected to the MDF.

MPOE -- Short for ***M**inimum **P**oint **O**f **E**ntry*, the MPOE is the closest practical point to where the cables of a telecommunications service carrier (i.e., a phone or cable company) cross a property line or where its wiring enters a multi-unit building. The MPOE is where the responsibility of the carrier ends and the customer's responsibility begins.

Optical Fiber Raceway(Microduct). An enclosed channel of nonmetallic materials designed for holding optical fiber cables in plenum, riser and general-purpose applications.

Communications Raceway(Innerduct). An enclosed channel of nonmetallic materials designed for holding communications wires and cables in plenum, riser, and general-purpose applications.

VDV Supports – Non-continuous supports such as J-Hooks, J-Hangers, teardrops, and trapezes (CEILING WIRE WITH HORIZONTAL SUPPORT – I.E. EMT)

Raceway Systems -- Raceway Systems on new construction or major renovation projects when an electrical contractor is on site are not covered under the terms of this Agreement except as provided for in this settlement. Chases, sleeves and/or nipples (not to exceed 10 ft.) may be installed on open wiring systems. Raceway Systems, include but are not limited to, cable tray, EMT, IMC, rigid conduit, pvc, and wiremold.

Ladder Rack -- A pre-fabricated structure consisting of longitudinal rails connected at the side by transverse members (rungs) for supporting and routing cables or conductors on top of the structure. As opposed to Cable Tray which has cable fill restrictions, Ladder Rack has no volume and is subject to weight restrictions only.

Fire Alarm Systems – A Fire Alarm system utilizes devices working together to detect and warn people through visual and audio appliances when smoke, fire, carbon monoxide or other emergencies are present. These alarms may be activated automatically from smoke detectors, heat detectors, or fire sprinkler system water flow detectors. Fire Alarm systems may also be activated via manual fire alarm activation devices such as manual call points or pull stations. Alarms can be either motorized bells or wall mountable sounders or horns. They can also be speaker strobes which sound an alarm, followed by a voice evacuation message, such as warning occupants inside a building not to use the elevators.

Life Safety Systems – Life Safety systems are comprehensive multi-systems that detect, monitor, warn and/or control threatening hazards to personnel in building. Life Safety Systems will include fire detection and notification systems as a component of an overall Life Safety design for a building. A Life Safety System design will typically include, but is not limited to, one or more of the listed systems below. This list is not exhaustive, and the systems listed are descriptive of the systems as they exist at this time. It is understood that descriptions are subject to change in the Electrical Industry, but that the function of the systems is determative.

- Control Panels
- Motor Control Panels/Systems
- Temperature Control Panels/Systems
- Building Automation Panels/Systems
- Energy Management Systems
- Central Control Station
- Fire/Smoke Control Apparatus
- Smoke Control Panels
- Miscellaneous Mechanical Systems
- Emergency Elevator Operations
- Elevator Monitoring Panels
- Generators/Standby Power Systems
- Emergency Electrical Systems
- Emergency Lighting Systems
- Miscellaneous Electrical Systems
- VESDA Systems
- Emergency Responder Radio Communications Systems (ERRCS)
- Fail Safe Security Systems (Not Access Control)