August 8, 2022

**Know Your Agreement**

Subletting Clause

This is a friendly reminder that every Agreement between the IBEW and NECA has a section concerning the subletting or sub-contracting to non-union employers. Subletting is Category One language, meaning that the language must be inserted into each Inside Agreement between the IBEW and NECA, verbatim. A key point of these sections is that it is a violation of the Agreement to sublet to non-signatory contractors, which can lead to the Unions right to cancel the Agreement between said contractor and the IBEW. Below is a list of relevant sections in NorCal NECA Agreements:

* *IBEW Local 180 – Section 2.19 (Annulment/Subcontracting)*
* *IBEW Local 595E – Section 2.24 (Union Cancellation of Agreement)*
* *IBEW Local 595W – Section 2.18 (Union Cancellation of Agreement)*
* *IBEW Local 684 – Section 2.22 (Annulment and Subcontracting)*
* *9th District Sound & Communication – Section 2.13*
* *Bay to Borders Residential Agreement – Section 2.17 – Annulment/Subcontracting*

The section reads in part: The subletting, assigning, or transfer by an individual Employer of any work in connection with electrical work to any person, firm or corporation not recognizing the IBEW or one of its Local Unions as the collective bargaining representative of his employees on any electrical work in the jurisdiction of this or any other Local Union to be performed at the site of the construction, alteration, painting or repair of a building, structure or other work, will be deemed a material breach of this Agreement.

All charges of violations of this Section shall be considered as a dispute and shall be processed in accordance with the provisions of this Agreement covering the procedure for the handling of grievances and the final and binding resolution of disputes.

Please reach out to Greg Armstrong if you have any questions or concerns.