

GROUND BREAKING AGREEMENT SETS TONE FOR NEW YORK'S ELECTRICAL INDUSTRY

David Pinter, President, Zwicker Electric Co., Inc., served as NECA New York's Chief Negotiator for the recent 2007 contract between NECA New York and the International Brotherhood of Electrical Workers, Local 3. Here Mr. Pinter comments on the contract process, its results and its industry implications.



David B. Pinter
President, Zwicker Electric Co., Inc.
NECA New York Chief Contract Negotiator

We recently concluded our collective bargaining session with Local Union 3 and have entered into a new three-year agreement. There was a lot 'new' about the complexion of these negotiations. For the first time since the 1960s, we were negotiating with a new business manager; our own organization had new leadership, Edwin Lopez, NECA New York's Chapter Manager; we had one of the youngest negotiating committees in my memory; and we had one of the largest representations of our contractor community participating in this negotiation. With all of these 'first time' factors, the negotiation proceeded well and culminated in an agreement that I would describe as a win-win for both sides.

An Unprecedented Negotiation. What was unprecedented about these negotiations was the awareness by both sides, labor in particular, that even though we are adversarial by the nature of whom we are representing, our goals were similar. We were both negotiating for the health of our industry and tried as best we could to leave our collective egos at the door.

Local 3's Business Manager, Chris Erikson, stated early on in the process that this was not going to be a zero cost contract. He also stated that he does not intend to make the cost of doing electrical work any higher than it already is. This is a difficult path to navigate, and I believe he did an excellent job of trying to obtain both.

Evidence of this is the reduction in the cost of the hourly rate of new apprentices as well as a reduction in the cost of the benefit package of existing apprentices. In addition, the period of time for the apprenticeship program was extended by six months, thereby further driving down the effective rate for bid work.

Reclaiming Lost Market Share. Obviously non-union work was a focus of this agreement. We came to several areas of mutual agreement upon practices to reclaim lost market share. One of these areas was revisions to materials and installation practices in order to make us more competitive in the marketplace. Also, an agreement was reached on affordable housing, competitive work, market rate housing, hotels and commercial projects.

Temporary Light – An Issue to Reclaim Our Jurisdiction. Temporary light, another issue that some may view as a give back, should be looked at in the manner in which it was negotiated. This issue arose from our 2004 negotiation where the union relinquished temporary light standby unless at the owners' request. Unfortunately there was much abuse and encroachment upon our jurisdiction, which labor made a point to stop. However, the Business Manager reiterated time and again this is not an issue of standing around watching light bulbs burn, but rather to claim our jurisdiction where other trades were abusing the work, which we had installed and for which we had filed. In order not to make this punitive, we negotiated a compromise to forgive certain benefits on the overtime portion of temporary light with up to two men. Also, the new contract provided that these temporary light electricians would work on contract work and remain productive. This is just one of several examples of where labor realized that we can retain our jurisdiction without raising the cost of the work performed.

Retirement Incentives. There was much discussion spent on retirees. We also made for the first time in several years a significant increase in the pension package. This should have a positive impact. Those mechanics that were considering retirement will now be able to do so sooner and as a result reduce Local 3's high unemployment.

Work Sharing Modifications. Modifications were also made to the work-sharing plan. More flexibility was given to the employers and their clients to encourage more continuity in the management of their job.

Conclusion. Overall, I would like to say it was a fair contract for both parties with each side receiving needed relief. We kept our focus on the premise that although we have different needs, the health of our industry needs a workable agreement for both parties. We have achieved this goal. Now the challenge begins: Take what we as contractors negotiated and go out and bid on new work in alternative and new markets using the new tools we have negotiated.