



**BUILDING &  
CONSTRUCTION  
TRADES COUNCIL  
OF GREATER NEW YORK**

**EDWARD J. MALLOY**  
PRESIDENT

AFFILIATED WITH THE  
BUILDING CONSTRUCTION TRADES DEPARTMENT  
OF WASHINGTON D.C.

BUILDING AND CONSTRUCTION TRADES COUNCIL  
OF NEW YORK STATE

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AMERICAN FEDERATION OF LABOR OF CONGRESS  
OF INDUSTRIAL ORGANIZATION

February 10, 2006

TO: ALL AFFILIATES

FROM: EDWARD J. MALLOY, PRESIDENT

RE: JURISDICTIONAL DISPUTE BETWEEN ELEVATOR CONSTRUCTORS UNION  
LOCAL #1 AND OPERATING ENGINEERS LOCAL UNION #14

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The Building and Contractors Association (BCA) and Contractors Association of Greater New York (CAGNY) have declared an impasse in their negotiations for a new Collective Bargaining Agreement (CBA) with Elevator Constructors Local Union #1. The impasse was caused by the failure to resolve the issue of operating personnel/ material external hoist cars.

As a result of this action, the aforementioned Contractor Associations have taken the position and directed that all joint venture cars transporting material and personnel will be the jurisdiction of the Engineers Local Union #14. The exception would be if there was a car designated solely for personnel . . . that car will be operated by Elevator Constructors Local Union #1.

Most of us are aware of the problem "double-manning" and the effect it has had on organizing and being competitive with non-union developers. As a step to address this problem, both local unions have agreed to use the New York Plan . . . a mediation was held on February 9, 2006 and a date for arbitration is being scheduled.

The position taken by the contractors associations is contrary to existing Green Book decisions which states that "Elevator Constructors shall operate all cars used for carrying passengers, house furniture or both and no passenger shall ride in a car used for material when the passenger car is in working order." Representatives of

Jurisdictional Dispute  
IUEC #1/IUOE #14  
Page 2

Engineers Union Local #14 respectful of the Elevator Constructors jurisdiction state they are being forced by the contractors to operate these machines regardless of use . . . which would include personnel.

Until this impasse is resolved, it is requested that all Affiliates adhere to the jurisdictional decisions as declared in the New York Plan for Jurisdiction. Vertical transportation of personnel shall only be on cars operated by members of Elevator Constructors Union Local #1. If there are any questions, kindly contact my office.