



Office of  
James A. Williams  
General President  
Director of Organizing

410.564-5910  
1-800-437-7347  
Fax 1-866-856-4124

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## ONE AGENDA

7234 Parkway Drive  
Hanover, MD  
21076

Organizing Since 1887



# INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES, AFL-CIO

## MEMORANDUM

To: All District Council Business Manager/Secretary-Treasurers  
All Unaffiliated Local Union Business Managers

From: James A. Williams  
General President

Date: November 17, 2011

Subject: Interpretation of the 50/50 Clause  
Section 245 of the IUPAT Constitution

Please be advised that on numerous occasions my office has been contacted by many of our contractors and local affiliates wherein they continue to inquire regarding the interpretation and implementation of the 50/50 Clause (Section 245 of our Constitution).

As a result of the many inquiries recently received and the high number of new Business Manager/Secretary-Treasurers, the purpose of the memorandum is to reiterate earlier communications regarding this issue. Therefore, my office is hereby issuing the following directive:

1. The first person on a job can be from among the employer's regular employees regardless of where in the IUPAT he/she is a member.
2. The second person must come from the area where the work is being performed.
3. The third person can be from the employer's regular employees.
4. The fourth person must be from the area where the work is being performed.
5. This one to one ratio shall continue until the job is fully staffed.

If the job is fully staffed on an odd number, the District Council or Local Union where the work is being performed may not force an additional employee on the job for the sole purpose to reach the 50% of the manpower.

All District Council BM/ST  
All Unaffiliated Local Union BM  
November 17, 2011  
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This directive shall be followed by all IUPAT affiliates regardless of local practice or agreements. It may be superseded only by National Agreements, National Maintenance Agreements, General Presidents' Project Maintenance Agreements, Project Labor Agreements or any other agreements to which the IUPAT is a party.

I trust this directive clears any misunderstanding relative to the proper implementation of the 50/50 clause.

cc: All GEB Members  
EAGP Courtien  
EAGP Stricker  
GPRs  
Unaffiliated Local Union Recording Secretaries

gc/iupat #1937  
f/Mass-Mail/LU-DC Agreements - General Correspondence



INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES  
**PAINTERS' DISTRICT COUNCIL #14**

TERRENCE P. FITZMAURICE, BUSINESS MANAGER/SECRETARY-TREASURER  
1456 WEST ADAMS STREET • CHICAGO, ILLINOIS 60607-2897  
PHONE: 312-421-0046 • FAX: 312-421-7884 • www.pdc14.com



AFFILIATED WITH THE CHICAGO FEDERATION OF LABOR AND CHICAGO BUILDING TRADES COUNCIL OF THE AMERICAN FEDERATION OF LABOR

January 12, 2012

Re: Staff Out of Area Jobs  
General Presidents Application of the 50/50 Clause (enclosed)

Dear Signatory Contractor:

As discussed in the FCA – Painters District Council No. 14 collective bargaining agreement at Article 3, Section 6(d), Page 10 states:

- (d) When doing work in the Painters District Council No. 14 jurisdiction, the first man on site shall be from Painters District Council No. 14 and shall continually be manned by a member from Painters District Council No. 14.

**Section 10 (a) – (c) Work Outside DC 14 area** defining same as all of Cook, Lake, Will and Grundy Counties, Illinois. Work performed in that geographic jurisdiction is not out of area if the employing contractor is domiciled in any of those counties, and therefore such work is to be performed entirely by Painters District Council No. 14 members, or persons who have cleared through the hall.

In those instances where the Employing contractor performs work elsewhere beyond the above four county area:

1. The first person on the job can be from among the Employer's regular employees regardless where in the IUPAT he is a member.
2. The second person must come from the area where the work is being performed.
3. The third person can be from the employer's regular employees
4. The fourth person must be from the area where the work is being performed.
5. This one to one ratio should continue until the job is fully staffed.

If the job is fully staffed on an odd number, the District Council, or Local Union where the work is being performed may not force an additional employee on the job for the sole purpose to reach 50% of the manpower per the General President's Directive.

Should you have any questions, do not hesitate to call.

Fraternally yours,

Terrence Fitzmaurice

