

FOLLOWING IS AN EXCERPT REGARDING NON-MENTOR CERTIFIED MWBE SUBCONTRACTORS EMPLOYING THEIR "CORE WORKFORCE" ON PLA PROJECTS (ALSO APPLIES TO MENTOR & GRADUATE MENTORS' BIDDING AS SUBCONTRACTORS ON SCA CAPITAL IMPROVEMENT PROGRAM [CIP] WORK [CIP WORK IS PLA WORK THAT IS NOT BID THROUGH THE MENTOR OR GRADUATE MENTOR PROGRAM])

FROM THE SCA PROJECT LABOR AGREEMENT COVERING DESIGNATED RENOVATION & REHABILITATION WORK FOR FISCAL YEARS 2021-2025.

The Contractors agree to employ BCTC union journeypersons and apprentices for Program Work covered by this Agreement and agree that, as additional workers are needed for Program Work covered by this Agreement, they will request and hire craft employees for the appropriate trades through the job referral systems and hiring halls established in the Local Unions' area CBA's (attached as Schedule A to this Agreement). Notwithstanding this, Contractors shall have sole right to determine the competency of all referrals; to determine the number of employees required; select employees for layoff (subject to Article 5, Section 3); and the sole right to reject any applicant referred by a Local Union for cause, subject to the show-up payments...The Contractor shall notify the Local Union of craft employees hired for Program Work within its jurisdiction from any source other than referral by the Union. **ARTICLE 4, SECTION 2. A p. 11**

Non-mentor certified MWBE Contractors for whom participation goals are established, that are not signatory with a BCTC union, with subcontracts valued at or under three million dollars (\$3,000,000), shall sign a Letter of Assent agreeing to perform work pursuant to the PLA, may utilize its Core Workforce employees (as defined below) as the second (2nd), fourth (4th), sixth (6th), and eighth (8th) and any additional employees shall be hired in accordance with Section 2(A) [*The contractors agree to employ BCTC union journeypersons and apprentices through the job referral system and hiring halls established by the appropriate union*]. **ARTICLE 4, SECTION 2. E p. 13**

Core employees are defined as follows:

- (1) Workers who possess any license or certification required by New York City or State to perform their trade (when applicable); and
- (2) Workers who have worked a total of at least 1,000 hours on the construction field during the prior three (3) years; and
- (3) Workers who were on the Contractor's active payroll for at least 60 out of the 365 calendar days prior to the contract award.

Where a non-Mentor MWBE Contractor unaffiliated with a BCTC union voluntarily enters into a full CBA with a BCTC Union, the employees of such Contractor at the time the CBA is executed shall be allowed to join the Union for the applicable trade subject to satisfying the Local Union's basic standards of proficiency for admission. **ARTICLE 4, SECTION 2. F, p. 13-14**

ADDITIONAL INFORMATION

The Labor Law Compliance Division's approval of your Application to utilize your core workers is job specific. An additional request and supporting documentation is required for each job.

Documents suggested to meet the requirements of Article 4 section 2B sub 3 may include Company Payroll Reports or NYS45 (Quarterly Combined Withholding, Wage Reporting, and Unemployment Insurance Return [4 Quarters]).

You must notify the respective union for the trade you will employ on the job that you have approved core workers. All supplemental benefits earned must be remitted to the union's benefit office and may NOT be paid directly to the core worker.

This form must be kept on job site in case questions arise regarding the employment of approved non-union core workers.