

SCOPE OF WORK PROVISIONS

CRAFT/CLASSIFICATION

Painter, Industrial Painter, Bridge Painter

ID

200-X-1

LOCALITY

Alameda, Contra Costa, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano and Sonoma Counties

Laborers' Scope of Work for Lead Removal

(Letter dated January 26, 2006 from Northern California District Council of Laborers)

The scope of work "Lead Removal" as described in the Laborers' Asbestos and Lead Agreement is completely different from the Painters lead description.

The Laborers' "Lead Removal" scope of work covers: "the removal and abatement of any construction materials which contain lead as prescribed in state regulations," prior to demolition or reconstruction. Removal and abatement are not an incidental function for the Painter.

The Painter's limitation on lead contaminated surfaces is work described as the sealing and preparation of surfaces for painting.

Laborers' Scope of Work Agreement

(Letter dated February 8, 2006 from District Council 16, International Union of Painters and Allied Trades Northern California)

The content of the Worker Lead Abatement curriculum approved by the Department of Health Services of the State of California is deliberately one dimensional across the Trades. It addresses the Policies, Guidelines and Procedures for the safe removal and handling of Lead-based paint and the surfaces it occupies.

Individual Trades then take those Policies, Guidelines and Procedures and employ them within the context of the work that specific trade performs.

The Painter is a Finish Artisan not a Demolitionist.

To compare the functional work description of a Laborer and a Journey Level Painter is disingenuous.

The Laborer performs tasks, as described in their own Lead Removal description as: "Removal and Abatement of construction materials" as in demolition and clean up; not remodeling or rehabilitation of existing surfaces which remain in place.

A Painter's task is not to "abate" demolished cabinets, doors, windows and walls by putting them into the appropriate plastic bag; any more than it is the job of a Laborer to remove lead-based paint from any surface. "Paint" is the venue of the Painter; and "Labor" is the venue of the Laborer.

The Painter prepares those same surfaces, preserving them in place, to receive new Color and materials having mechanically or chemically removed the offending Lead-based paint, replacing it with compliant materials.

It is correct to say that removal and abatement, within the context of demolition as performed by a Laborer, are not an incidental function of the Painter.

To be precise, the removal of lead-based paint, preserving the surface material, and applying a new coat of environmentally compliant material without destroying that surface is an elementary function of the painter.

Painter Clarification

(Emails dated February 17, 2021 from District Council 16, International Union of Painters and Allied Trades Northern California)

The Bridge Painter classification was to exclude most premiums related to the painting work on the Sub-Structure, Super-Structure, concrete structure or Sound Walls on the bridge, over pass or Roadway Tunnel, this classification has nothing to do with the delineations or sealing or striping of the roadway.

Industrial Painter paints industrial projects and has nothing to do with the delineations or sealing or striping of the roadway.

SCOPE OF WORK

ARTICLE 4. SCOPE OF WORK COVERED BY THIS AGREEMENT

Section 1. The terms and conditions of this Agreement shall apply to all "covered work". Covered work shall be and mean the following materials and application methods: paints, pigments, oils, turpentine, japan dryers, thinners, varnishes, lacquers, shellac, stains, fillers, waxes, cement, joint cement, water and other vehicles; mediums that may be mixed and applied to the surfaces of materials and buildings, edifices, structures, monuments and the appurtenances thereto, of every type and description in their natural state of condition, or constructed or fabricated of any material or materials whatsoever and provided; work or services pertaining to: the application of texture, acoustic, plaster and stucco materials of all types and thickness on all surfaces.

(a) Work or services pertaining to the painting, of all drywall and thin wall type surfaces, flushing or concrete surfaces, caulking and sealants between sheet rock walls and/or ceilings and floors of other materials.

(b) Work or services pertaining to the application of wallpapers, wall fabrics, wallcovering graphics, [REDACTED] and all types of wall and/or ceiling coverings, [REDACTED] or coatings whether decorative or protective and all preparations necessary before said application.

(c) Work or services pertaining to the application of protective coatings or products of similar nature whether they are plastic, vinyl, acrylics, epoxies, esters, urethanes, etc., or any new products of this nature including the application to floor surfaces.

(d) Work or services pertaining to the applications of bond breaker, water repellent, damp proofing and/or waterproofing materials of all types.

(e) Work or services pertaining to the finishing and surface preparation on all hardwood or softwood floors and furniture at jobsites.

(f) Work or services pertaining to the priming and finish coats on fabricated metal or steel products.

(g) Work or services pertaining to the application of all fire retardant, fire proofing and/or insulation materials used on structural items or as architectural finishes.

(h) Work or services pertaining to the cleaning, polishing and refinishing of metal and masonry surfaces.

(i) Work or services pertaining to "steeplejack work".

(j) Work or services pertaining to surface preparation and decoration of all types; including [REDACTED] abrasive blasting, steam cleaning, building washing, hydro blasting, water blasting and all the methods used in the removal of previously painted surfaces; [REDACTED]

[REDACTED]

(l) Work or services pertaining to lead removal and encapsulation.

[REDACTED]

(n) All products and methods of application which have or may be awarded to the Painters International through jurisdictional procedures.

Section 2. The operation of all tools and equipment used by painting contractors and journeyman painters, including paperhangers, abrasive blasters and all other facets as outlined in the utilizers as listed above, the above includes the control of all compressors, boom trucks, aerial lifts, forklifts and other specialty equipment, it is the clear intent that all equipment and tools of the trade are under the custody and control of the contractor and/or the Employer.

ARTICLE 10. WAGES & PAYMENT OF THE SAME

[REDACTED]

Section 2. INDUSTRIAL PAINTER – Employees performing painting work on industrial projects [REDACTED]. Industrial projects shall mean new construction or maintenance work performed in the energy, power, water, wastewater, chemical, manufacturing, industrial buildings, heavy highway or any other industry requiring the use of protective coatings.

Section 3. BRIDGE PAINTER – Employees performing painting work on bridge, overpass, or roadway tunnel projects [REDACTED]. Bridge Painter projects shall mean new construction or maintenance work performed on bridge, overpass, or roadway tunnel projects. [REDACTED]

Section 9. COMMERCIAL PAINTING PREMIUMS

[REDACTED]

(b) **WALLCOVERING** – Employees applying wall covering [REDACTED]

(c) **EXOTIC MATERIALS** – Employees applying any materials or coatings where the application must be certified by the manufacturer, [REDACTED]

(d) **LEAD ABATEMENT/REMOVAL** – Employees performing lead abatement/removal and maintains a current 24 hour lead certification [REDACTED]

Section 10. INDUSTRIAL PAINTING PREMIUMS

Industrial Painting Premiums only apply to employees working under the Industrial Painting Wage Schedule A as referenced in Article 10, Section 2.

(a) **METALIZING & THERMAL SPRAY APPLICATION** – All employees working on a crew that is applying industrial coatings with a heat source (flame or other) and a coating material in a powder or wire form, such as Thermal Spray, Plasma Spray, HVOF, Arc Spray, Flame Spray, or metalizing on an industrial project [REDACTED]