

**Theatrical Teamsters  
Local Union No. 817**



**Referral Rules and Code of Conduct**

**2024**

**Theatrical Teamsters Local Union No. 817**

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## INTRODUCTION

Theatrical Teamsters Local 817 (hereinafter, "Local 817" or "Union") provides a referral service to qualified individuals for employment in the Film, Television, Commercial and Live Event, also known as "truck loading/unloading" industries (hereinafter, "The Industry") within its jurisdiction. This referral service is offered to all who meet the minimum criteria for referral and who have completed the Union's application process, without regard to race, gender, religion, age, national origin, sexual orientation, disability or membership within Local 817. These procedures are intended to provide the motion picture and television production industry employers with a readily available and qualified labor source. It is understood that this referral service applies only to the Union's Transportation (Driving) craft and not to any other crafts within the Union. The following Referral Rules and Code of Conduct (hereinafter "Referral Rules") formalize the procedures followed by Local 817 for referrals and replace all previously published Referral Rules.

All individuals referred for employment opportunities pursuant to these procedures, including Transportation Captains, will be subject to the terms and conditions of any existing collective bargaining agreement(s) in effect with the Employer in question. The collective bargaining agreement(s) shall be negotiated and executed by an officer or business agent of Local 817. These rules shall always be interpreted and applied consistent with the IBT Constitution, the Union's Constitution and By-Laws, and applicable federal, state, and municipal laws.

## ARTICLE I – REGISTRATION / APPLICATION PROCESS

Local 817 opens and closes its applications for new drivers from time to time throughout the year based on the supply and demand of qualified drivers in the motion picture and television production industry within the Union's jurisdiction. Anyone interested in applying to join the referral list is directed to Local 817's website, where the union posts whether applications are open or closed. When open, interested applicants are directed to call the Union Hall for instructions on the application process. All applicants must complete the application for referral in its entirety, signing all required documents. All applicants must pay the current fee for the background check, as well as the current fee for the drug screening. If approved for referral, the applicant will be added to the referral list and be considered "registered" and on the roster.

Any individual whose application for referral is denied will be notified in writing of the denial and given the reason for the denial. An unsuccessful referral applicant may appeal the denial to the Local 817 Executive Board in writing, within ten (10) days of the denial notice. The Local 817 Executive Board will review the appeal and render a decision. If the denial is upheld, the application will stand as denied.

"Registered" individuals are responsible for making sure that their personal information is current and correct with the Union. Individuals must notify Local 817 as soon as possible of any

changes of address, telephone/cellular numbers or any changes in qualifications, including any new skills, endorsements, suspension or revocation of driver's licenses or medical (DOT) cards. These changes must be made by the registrant on the Local 817 shaping website.

All registrants referred for work through the Local 817 referral system agree to pay a uniform assessment of three percent (3%) of their gross wages to Local 817. In general, the purpose of the assessment is to fund the Union's referral hall, as well as the Union's administrative salaries, overhead, and the Union's collective bargaining duties.

## ARTICLE II – ELIGIBILITY

All individuals who wish to apply for referral through Local 817 must meet the following eligibility requirements:

1. Possess a valid Class A Commercial Driver's License ("CDL") with no restrictions;
2. Complete the Local 817 Application for Referral in its entirety, including passing the background check and drug screening;
3. Complete and sign all referral forms;
4. Agree, in writing, to abide by Local 817's Referral Rules as they may be amended from time to time; and
5. Agree, in writing, to be available for referral "full time." To make Local 817 your primary source of a livelihood and not hold another job.



## ARTICLE III – REFERRAL PROCEDURES

All referrals will be made by the Local 817 Dispatch Office. Several factors will be considered when making a referral. Criteria for referral is as follows:

1. Referral by years of “Industry” experience. Every registrant seeking referral will be credited with one (1) year of experience for those calendar years in which they have worked a minimum of one hundred (100) days of employment referred through Local 817, and be grouped as follows:

Group I	15 or more years experience
Group II	10-14 years experience
Group III	5-9 years experience
Group IV	0-4 years experience

The requisite skills and qualifications for each job to be filled will be identified (e.g., Class A tractor-trailer license) and Group I availability will be exhausted before moving to Group II, III, & IV.

2. Consideration of the “time on the bench” (or out of work) when referring within a specific seniority group.
3. Referral by specialized job qualifications.  
Jobs such as Honeywagons, Hair/Make-up and Ward robe combination vehicles, buses, camera cars of any kind, water trucks, car carriers and fork lifts require precise matches.
4. Referral by employer request, specifically to drive above the line talent.

Whenever there are two (2) consecutive calendar years with zero (0) days of employment, all previous years credited will be nullified, unless that individual was on disability.

The Employer may refuse any referral made by the Union without reason.

### Additional Referral Considerations

The Union may refer out of group order in situations where:

1. Expediency of referral is of paramount importance (Job location and referral registrant proximity to that location is considered);
2. Job arises after hours or late night and limited registrants are available;
3. Such strict referrals may adversely affect the job (e.g., a truck loader is needed to unload a trailer of steel and the group I registrant is not physically strong enough to safely and properly do the job.)

## ARTICLE IV – REPORTING AND NOTIFICATION

Any registrant who receives a job referral from Local 817's dispatch office is expected to reply and accept the job referral in a timely manner. If more than one (1) hour has passed from the time the referral was made and the registrant has not yet replied to the job offer, the Union will consider failure to respond in a timely manner as a refusal of the job assignment (see code of conduct regarding job refusals). Referred individuals are expected to contact the Captain, Co-Captain, Gang Boss or Lead Teamster on the job in which they have been referred immediately, when requested to do so, once they accept the job assignment from Local 817's dispatch office.

Referred individuals must adhere to the personal appearance guidelines established by Teamsters Local 817. Referred individuals will adhere to the following:

1. Collared shirts are **STRONGLY** recommended. Tank tops and cut off (sleeveless) shirts are not permitted.
2. Suitable jeans or shorts may be worn. Sweat pants of any kind, gym shorts or cut off pants are not permitted.
3. Proper footwear is required at all times. Flip flops or any kind of open top footwear are not permitted.
4. Soiled clothing of any kind is not permitted.
5. Personal grooming and hygiene are required in order to have a presentable appearance, regardless of what equipment you drive or position you hold.

### **ARTICLE V – LEAVE OF ABSENCE**

Individuals may take leaves of absences from the referral system for family, medical or personal reasons for up to one (1) year by informing Local 817 in writing of the reason and need for the leave of absence. Any leave of absence is subject to the approval of the Local 817 Executive Board. If approved, the leave will not affect an individual's status in the referral system. Unapproved leaves of absences will be subject to discipline by the Local 817 Executive Board.

Any Individual who retires and wishes to return to work (unretire) will be permitted to do so but will lose all seniority within the referral system. They will return as Group four (4) with zero (0) years of industry experience.



## ARTICLE VI – VIOLATION OF REFERRAL RULES

Any individual who obtains employment in the Jurisdiction of Local 817 without referral by the Local 817 Dispatch Office in accordance with these referral procedures or who solicits, requests, or demands payment for services, goods or products outside of the standard job duties and responsibilities of Teamsters in the motion picture and television production industry may be suspended or removed from the referral system after being provided a hearing before the Local 817 Executive Board. The removal, subject to Local 817 Executive Board approval, may be permanent.

### Drug / Alcohol Testing:

As discussed above, failure of the pre-referral drug screening taken as part of an individual's application process will result in denial of the application.

No applicant may re-apply to be added to the referral list after pre-referral drug screening failure unless (1) the Union is accepting applications and (2) a period of five (5) years from the date of denial has expired.

The Union's policy regarding employer given drug/alcohol screening failures will be a "three strikes and you're out" policy and enforced accordingly:

1. 1st strike – 30 Day suspension from the referral system.
2. 2nd strike – 90 Day suspension from the referral system.
3. 3rd strike - Expulsion from the referral system (Permanent).

All suspensions for employer given drug/alcohol screening failures will begin once the individual has completed a Substance Abuse Program (SAP) and is eligible for "return to duty" testing.

Any person scheduled for pre-employment, random, post-accident or any other required drug test and fails to report for such testing, will be suspended according to the union's three-strike policy.

Any consumption of a controlled substance or alcohol at work will be considered a strike and the individual will be suspended according to the Union's three-strike policy.

**Accidents:**

Any person involved in any type of accident with a company vehicle, regardless of how minor, must report the accident immediately to the Captain or Co-Captain. Failure to report an accident with a company vehicle may be disciplined up to removal from the referral list.

Any person who is involved in any accident for which he/she has been determined to be "at fault" shall be subject to discipline to be determined by Local 817 after a hearing before the Local 817 Executive Board.

Any person involved in three (3) accidents for which the person is determined to be "at fault" in any twelve (12) month period, will be suspended from the referral system for a period of six (6) months. Professional driver training will be required at the individual's expense to assist in attaining safe control and operation of the equipment you are assigned to. This helps protect individuals from employer "no hire" lists.

“At fault” for the purpose of these referral rules is to be any accident where the driver hits a fixed object (e.g., – a parked vehicle, telephone pole, tree, bridge overpass, etc.), an official accident report by responding authorities place sole responsibility on the driver or video footage shows the driver acting in an unsafe or reckless manner, causing the accident to occur.

Any person who fails to file an accident report, falsifies an accident report, or tries to solicit alternative settlements with the parties involved in the accident, while operating a company vehicle, shall be subject to discipline to be determined by Local 817 after a hearing before the Local 817 Executive Board.

**Illegal Activity:**

Any person that engages and/or is alleged to have engaged in any illegal activity both at work and outside of work will be immediately suspended from the referral system pending a hearing before the Local 817 Executive Board. Illegal activity for the purpose of this section is defined as any violation of municipal, state, or federal law that constitutes a felony.

**Code of Conduct:**

Any person may also be immediately suspended from the referral system for any offense listed below, pending a hearing before the Local 817 Executive Board.

1. Refusal to execute an assignment unless the safety of that person is compromised.
2. Lateness for a job assignment without good cause.
3. Leaving the job site prior to release by the Captain or Gang Boss.
4. Theft at work.

5. Fighting at work.
6. Abusive and/or insulting language or conduct at work.
7. Displaying a bad attitude, creating a hostile work environment.
8. Knowingly contributing to an unsafe work environment.
9. Violation of the Teamsters Local 817 Harassment Policy.
10. Accepting employment from anyone without dispatch approval.
11. Repeatedly refusing referrals by the dispatch office.
12. Quitting a job will result in only referral of daily job assignments until the job you quit is complete. Personal hardship may be considered by the dispatch office.
13. Getting discharged (fired) by an employer that cannot be appealed by the union will result in daily assignments until the job you were removed from is complete.

Refusal of a job assignment by the dispatch office will result in no other assignment that day and a 24-hour suspension from the referral system. Personal hardship may be considered by the Local 817 dispatch office before disciplinary action is taken.

Once an individual accepts a referral to a production, they must work that production. Seniority does not give them the right to move from production to production in the event a subsequent production begins in the jurisdiction covered by these rules. Seniority does not give an individual the right to "bump" a less senior individual from an assigned position or vehicle.

It is the responsibility of every individual in the referral system to maintain their commercial driver's license and medical card. Any person who loses their CDL for any reason may be suspended from the referral system until their CDL has been fully restored. Personal hardship may be considered by the Local 817 Executive Board.

No person shall lease or rent equipment, trucks, trailers, vans, real estate or any other equipment of any kind to the production employer from any business entity in which they have a personal, family or indirect financial interest. Singularly owned or leased cars are exempted from this section.

No person shall make any agreement with any employer outside of the terms and conditions of the applicable collective bargaining agreement.

### **ARTICLE VII - DISCIPLINARY PROCESS**

Following a hearing before the Executive Board, Local 817 will notify the individual in writing of any disciplinary action taken. Within ten (10) days of notification, the affected individual may appeal to Local 817's Executive Board for reconsideration of the decision. Such requests must be in writing and set forth in detail the reasons the individual believes Local 817's action was improper or unjustified.

The Executive Board of Local 817 will hear and decide the request for consideration as soon as possible. Following the hearing for reconsideration, the Executive Board may, in its sole and exclusive discretion, reduce the penalty and reinstate

such an individual in the referral system under any limitations and restrictions it may determine to be appropriate. The Executive Board decision is final and binding and shall not be subject to review by any state or federal agency or in any judicial proceeding. During the appeal procedure before the Executive Board, individuals will not be subject to referral.

Any disputes or complaints concerning the application or interpretation of these Referral Rules shall be submitted to and resolved by the Executive Board, in its sole and exclusive discretion, in accordance with the above procedure.