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June 25, 2020

Via Email

Mr. Robert W. Walsh, Business Manager  
and Financial Secretary-Treasurer  
Structural Iron Workers Local Union No. 40  
451 Park Avenue South, 1st Floor  
New York, New York 10016

Dear Mr. Walsh:

As you know, Allied Building Metal Industries, Inc. ("Allied") currently has a collective bargaining agreement with Local 40 that is scheduled to expire on June 30, 2026.

We understand that a majority of the Executive Committee of the Building and Construction Trades Council of Greater New York ("BCTC") recently agreed to recommend to BCTC affiliates that they approve of certain proposed changes in work schedules, and overtime and premium pay provisions in their collective bargaining agreements. These terms and conditions apply to non-essential private construction sites that were demobilized for any period of time pursuant to Executive Order 202.13, as well as interior projects that were demobilized or delayed as a result of Executive Order 202.13. These changes are available commencing on the date that a project is authorized to remobilize either as a result of a project specific authorization or a blanket reauthorization issued by the Governor, and will be reviewed in 30 and 60 days thereafter.

We understand that the recommended changes include:

- Start times may be staggered between 6 a.m. and 10 a.m.
- Five eight-hour shifts worked Monday through Friday. Alternatively, four ten-hour (day) shifts may be worked at straight time rates Monday through Thursday or Tuesday through Friday.
- Second and third shifts may be worked Monday through Friday and paid at a 5% premium on wages and benefits unless the NYC Comptroller's Prevailing Wage Schedule provides for no shift premium on benefits.
- All weekend work shall be paid in accordance with the applicable collective bargaining agreements

These adjustments are offered contingent upon compliance with the Remobilization Plan with the Building and Construction Trades Council of Greater New York and Vicinity, and the COVID-19 Mitigation Protocols that are Exhibit A to that Plan.

Allied members would like to take advantage of these changes in scheduling current work on remobilizing projects pursuant to the NYC BCTC Remobilizing Plan. We understand that these adjustments are temporary and intended for Remobilizing projects only and shall not apply to new projects or projects that are not subject to the NYC BCTC Remobilizing Plan. It is also understood that these adjustments do not constitute a contract reopener for any purpose.

If Local 40 agrees to these changes as permitted modifications of our current CBA, please indicate its agreement by signing in the space reserved for your signature below, and by returning an executed copy of this letter to me.

Very truly yours,

**ALLIED BUILDING METAL INDUSTRIES, INC.**

By: /s/ Steven N. Davi

Steven N. Davi,  
Executive Director

Agreed to and Accepted  
on Behalf of Local 40

By: Robert W. Walsh 6-29-2020

Robert W. Walsh, Business Manager,  
and Financial Secretary-Treasurer