

MEMORANDUM OF UNDERSTANDING REGARDING DESCRIPTION OF WORK THAT SHALL BE CONSIDERED REFRIGERATION SERVICE WORK UNDER SCHEDULE A, ARTICLE XXV, PARAGRAPH 99 OF THE NATIONAL SERVICE AND MAINTENANCE AGREEMENT

ARTICLE XXV

New Construction, Installation and Remodel of Refrigeration

Paragraph 99 – Modified to include:

Service Employees, as defined in Article IX, shall be allowed to perform all installation work in any supermarket, specialty store, food preservation warehouse and restaurant with areas up to 50,000 square feet. On projects greater than 50,000 square feet where there is open shop competition, a contractor may request a site specific variance from the Union to perform refrigeration installation work with their service employees. If the project is a 100% Building Trades job, the above shall not apply and the work shall be done by the Construction Trades Division.

Paragraph 99 does not apply to installation of systems in buildings that are under new construction (under a building trades agreement) or have never been occupied or chain food stores that are being completely renovated, unless open shop competition is present, in which case the contractor may request a site specific variance from the union. Complete renovation is defined as the relocation of coolers, prep rooms, and fixtures requiring the abandoning of existing refrigeration lines and the installation of new lines. Direct case replacement is considered service work.

THIS MEMORANDUM SHALL BE EFFECTIVE IMMEDIATELY ON ALL SUCH PROJECTS AS DESCRIBED HEREIN.

AGREED TO ON June 22, 2016 BY:



Robert Bartels, Jr.
Business Agent at Large
Enterprise Association – Local 638



Anthony Saporito
Executive Vice President
Mechanical Service Contractors Association
of New York, Inc.