

**INTERNATIONAL LONGSHOREMEN'S ASSOCIATION,
LOCAL 269 OF THE INTERNATIONAL LONGSHOREMEN'S
ASSOCIATION**

**RULES FOR REFERRAL BY THE ILA, LOCAL 269
TO THE HALIFAX EMPLOYERS ASSOCIATION**

Please Note:

- **The following Rules apply to all applications made to the ILA, Local 269 for referral to the Halifax Employers Association. Please read them carefully and in their entirety.**
- **These Rules shall be effective upon posting in the Hiring Hall of the ILA.**
- **These Rules must be strictly complied with by all applicants.**
- **These Rules are made pursuant to the ILA's obligations under Section 69 of the *Canada Labour Code*.**
- **An application form for referral by the ILA, Local 269 to the Halifax Employers Association is attached to these Rules. It should be completed in as much detail as possible and submitted to the ILA by all those who wish to apply.**
- **If the ILA selects you for referral to the Halifax Employers Association, you will be subject to the Halifax Employers Association Hiring Rules for Longshorepersons, which are included in this application package.**

1. General Principles

The International Longshoremen's Association, Local 269 (the "ILA") and the Halifax Employers' Association (the "HEA") have agreed to recruit up to **30** additional semi-skilled, manual workers to work in the longshoring industry in the Port of Halifax.

The ILA and HEA are seeking persons who will provide long-term, dedicated service to the long-shoring industry in the Port of Halifax. They are particularly looking for persons who have special skills applicable to the longshoring industry.

Please note that the ILA is not an employer. The HEA is the employer. In accordance with the Collective Agreement between the ILA and the HEA, the ILA refers persons to work for employers in the longshoring industry through its Hiring Hall. The attached application is only for referral to the HEA for the possibility of employment.

As set out more fully below, the ILA will select from all the applications up to **30** persons who will be referred to the HEA.

Those applicants who are referred by the ILA and approved by the HEA will become “Applicants.” Applicants will be subject to the HEA Hiring Rules. A copy of these Hiring Rules is included with this application. Applicants will be subject to a three-stage hiring process by the HEA. Applicants will not be employees of the HEA until they successfully pass all three stages of the HEA Hiring Rules, which are: (1) Applicant Status, (2) Trainee Status, and (3) Trainee on the Dispatch List. Trainees on the Dispatch List will be dispatched for work from the ILA Hiring Hall. Persons who successfully complete all three stages of the HEA Hiring Rules and obtained a Marine Transportation Security Clearance (MTSC) will be placed on the “Cardboard”.

The three stages of the HEA Hiring Rules include the following requirements: fingerprinting and criminal record check, complete background check, testing, training, an interview, and other requirements set out in the HEA Hiring Rule. For full details, see the HEA Hiring Rules.

The “Cardboard” is a list of persons who are trained to work in the longshoring industry and who are given priority referral to work in the longshoring industry in the Port of Halifax over trainees and casual labourers. Members of the ILA and Cardboard are given first priority for referral to work.

The HEA is the employer, and it has the right to make the final decision as to who will become a Trainee, and who will be placed on the Cardboard.

Neither referral to the HEA nor inclusion on the Dispatch List or Cardboard entitles a person to membership in the ILA. Working on the waterfront may eventually lead to membership in the ILA, but no guarantees will or can be made that this will happen.

A person who is selected by the ILA for referral to the HEA, and who becomes an “Applicant” in accordance with the HEA’s Hiring Rules, will be required to sign a Waiver. The Collective Agreement requires this Waiver to be signed by any person who is to be dispatched from Local 269’s Hiring Hall, and who is neither a Union Member nor a Cardboard Person. The Waiver will be included in your application package and should be signed and returned with your application. A copy of the Waiver is attached to these Rules for the information of applicants for referral.

An application form for referral to the HEA is attached to these Rules and should be completed in as much detail as possible and submitted to the ILA by all those who wish to apply.

2. The Committee of the ILA

These Rules for the selection of persons to be referred to the HEA will be administered and governed by a Committee of the ILA (the “Committee”). The decisions of the Committee

with respect to the application, interpretation and administration of these Rules are final and binding.

The HEA has no role to play in, or responsibility for, the initial selection of persons who will be referred to the HEA. That initial selection is the sole responsibility of the Committee.

All applications will be reviewed.

Please note that, prior to the applications being reviewed; all applications will have the name of the applicant and any other identifying information masked. Scoring of the applications will be done without knowledge of the identity of the applicants.

The decision to hold any hearings or meetings with respect to any issue that may come before the Committee is within the sole discretion of the Committee.

The Committee is not required to meet with any applicant, or to hear any oral appeals, or to follow the rules of natural justice.

The Committee is entitled to do its own investigations and to come to its own conclusions on the basis of facts that arise from any application filed and from its own investigations. The investigation of one candidate does not necessarily require the investigation of any or all of the other candidates.

3. Employment Equity

The HEA and the ILA are bound by the *Employment Equity Act* of Canada. Decisions made by the ILA for referral to the HEA as a trainee will be made taking into account the requirements of this legislation and done in accordance with the HEA's joint Employment Equity Plan and subject to the application pool.

Applications are encouraged from women, aboriginal peoples, persons with disabilities, and members of visible minorities.

Self-disclosure on the application form of membership in one of these groups is voluntary and confidential. However, if the applicant wishes to take the benefit of the *Employment Equity Act*, it is vitally important for the applicant to self-identify.

4. Application Forms – Availability and Submission Deadline

Applications will only be available at the Job Fair held on January 24 and 25, 2024. Only those in attendance will be given an application form.

All applications must be returned to the Union office at 5220 Morris Street, either in person or by registered mail **by 12 Noon on Friday February 16, 2024**. Applications can be submitted **Tuesday to Friday, starting on Tuesday February 13th – Friday February 16th between the hours of 9:00 a.m. – 12:00 Noon.**

All applications will be distributed in an envelope, and all applications must be returned to the Union sealed in this same envelope (or in some other brown or opaque sealed envelope). Applications, once submitted will not be reopened, amended or returned for any reason.

All applications, whether delivered in person or by registered mail, must be received by the Union no later than **12 Noon on Friday February 16, 2024.**

Any application received after this time will be rejected.

5. What Does A Longshoreperson Do?

Longshorepersons are primarily responsible for the movement of cargo on and off ships.

In order to accomplish this work, longshorepersons operate the following equipment:

- forklifts of all sizes on the ship and on the dock;
- container handling equipment such as front-end loaders /toplifts;
- yard gantry cranes and gantry cranes;
- yard tractors and trailers on the dock, ships' tractors and trailers on board roll-on/roll-off ships;
- ships' pedestal cranes; and
- swinging derricks and winches.

Longshorepersons also perform the following job duties:

- manually handle cargo and ships' lines;
- connect hoses to transfer liquid and dry bulk cargo to/from ships;
- perform the securing and unsecuring of containers and other cargo including trailers and other motorized and non-motorized equipment; and
- drive motor vehicles on and off ships.

Longshorepersons must have the physical strength to work with heavy cargo, ships' lashing gear and other items.

Work is performed in all weather conditions, twenty-four hours a day, 7 days a week. Additionally, work is performed at considerable heights above the deck of the ship, in ships' holds at considerable depth below the deck, in constricted spaces, and in refrigerated spaces on board ships and in containers.

6. Rules for Filling Out and Returning the Application Forms

General Rules

- (A) All applicants must sign the Declaration included with the Application Form to acknowledge that they agree to be bound by these Rules. The signed Declaration must be included with your application. In addition, applicants must sign the consent

to the Collection, Use and Disclosure of Personal Information by the International Longshoremen's Association, Local 269, which is also included with your application.

- (B) Any application that is untruthful or in any way misleading will be rejected at the time of processing or at any subsequent time when the untruthful or misleading information is discovered.
- (C) **Applicants need to ensure that their applications are as complete and detailed as possible.** Remember that you are trying to persuade the Committee to select you as the best candidate.

Please note that, before the applications are reviewed and scored, all names and other identifying information will be removed from the applications and scoring will be done without knowledge of the identity of the applicants. Therefore, make no assumption that your name or application will be recognized, or that those scoring it will be familiar with your work and qualifications. Only the information you supply in your application will be reviewed.

- (D) Applications must be returned in a sealed brown (or otherwise opaque) envelope. (An envelope has been provided with these Rules and the application form.) All information and documentation required for the application must be complete and placed in the envelope. Applications with documents missing from the envelope will be disqualified.
- (E) **Applicants are solely responsible for ensuring their applications are complete in accordance with the hiring rules provided. The Union will not provide any assistance to applicants in filling out the application, answering questions about the Rules, or, prior to submission, reviewing applications for completeness or compliance with the Rules.**

Application Fee

- (F) All applications must be accompanied by a certified cheque or money order in the amount of \$75.00 made payable to the International Longshoremen's Association, Local 269.

This fee of \$75.00 will be charged for the processing of all applications, and it is non-refundable.

Minimum Qualifications

- (G) All applicants must include with their applications **satisfactory proof** of the following minimum qualifications:
 - (i) **Education** – minimum of successful completion of grade 12 or equivalent (GED)

- A High School Diploma or official transcript showing proof of a minimum education level of grade 12 (or equivalent GED) must be included with your application.
 - If you have successfully completed a higher level of education (including additional high school grades, technical or vocational school, college or university courses or degrees) please submit proof of the additional levels attained.
- (ii) **Driver's License** – minimum class 5
- Please enclose proof of the highest class of license you hold.
 - Please ensure that your picture is covered up when you are photocopying your driver's license.
- (iii) **Driver's Abstract** - an **original** copy of your driver's abstract obtained no earlier than two weeks prior to January 24, 2024 (start of the Job Fair). If you recently moved to Nova Scotia from another province within the last six months then you must provide an abstract from that Province in addition to any abstract from Nova Scotia
- (iv) **Age** – minimum of 18 years of age

All applications will be screened on the basis of the foregoing minimum qualifications and requirements. Any applicant who does not meet the foregoing minimum criteria will be disqualified from further consideration by the Committee.

Please note that in the event of a tie in the scores for two or more applicants (per the scoring system set out below), the highest level of education attained by the tied applicants will be used to break the tie. If there is still a tie, the highest class of driver's license will be used to break it. Any further tie will be broken by lottery.

Criteria for Assessment of Applications and Selection of those to be Referred to the HEA

- (H) The ILA is seeking applicants with demonstrated experience in working or performing in the longshoring industry or in an environment similar to the longshoring industry. Applications will be evaluated and scored on the basis of such experience. Only experience gained by an applicant in the ten years preceding the deadline for filing applications will be considered.

The application form contains a section titled "Experience." This section is broken down into two parts, which are as follows:

- (1) **Work History** – In this section, applicants must list all of the jobs that they have held, or currently hold, over the past ten years, including but not limited

to longshoring or similar jobs. For each job, applicants must provide the following information:

- the employer's name,
 - the name of the applicant's direct supervisor and the supervisor's telephone number,
 - the year(s) during which the job was held,
 - the actual number of months worked in each of these years,
 - a description of the job duties and work performed,
 - if applicable, a description of how the job duties and work performed is similar to the work or the environment of the longshoring industry, and
 - the applicant's reason for leaving the job.
- (2) **Non-Work Related Experience** – Applicants must describe any non-work activities that are similar to the work or the environment of the longshoring industry, which they have performed over the past ten years.
- (3) **Related Training Certificates** – Applicants should include proof of any related practical training from recognized and/or accredited training organizations. On-line or correspondence courses are not considered practical training and will not be accepted.

Committee's Decisions are Final and Binding

- (I) After **February 16, 2024**, the applications will be screened and reviewed in accordance with the criteria set out above.

The Committee, in its absolute discretion, will make a final list of the successful applicants who will be referred to the HEA. The decision of the Committee is final and binding and is not subject to any appeal or review by the ILA or the HEA.

The ILA will select up to **30** persons who will be referred to the HEA.

A Dispatch List will be established. In the event any of the selected persons referred to the HEA do not successfully complete the requirements of the HEA, the next highest ranked individuals will be referred to keep the number of referrals at **30**. The minimum Employment Equity numbers will be maintained at all times, as permitted by the applicant pool.

ILA, Local 269 RULES FOR TRAINEES ON THE DISPATCH LIST AND PERSONS ON THE CARDBOARD

The following Rules form part of the ILA, Local 269's Hiring Hall Rules and must be read, understood, and agreed to by all applicants for referral to the HEA. All applicants for referral to the HEA are bound by these rules.

Attendance requirements are subject to change at the discretion of the ILA Local 269 and the Halifax Employers Association Joint Manpower Committee.

Rules For Trainees on the Dispatch List

1. Trainees will initially be placed on the Dispatch List in alphabetical order.
2. The position of a Trainee on the Dispatch List shall be determined by the number of hours worked by the Trainee.
3. Each Trainee on the Dispatch List will be credited for the hours he or she works.
4. Trainees on the Dispatch List must, at a minimum, attend at the Hiring Hall of the ILA, and must maintain hours of work equal to a minimum of 75% of the average hours worked by the Dispatch List/Cardboard. The attendance of Trainees will be reviewed at least every three months, or more often as determined by the Joint Manpower Committee. ATTENDANCE IS CURRENTLY MONITORED ON A MONTHLY BASIS. Once a member on the dispatch list is fully trained, they shall be placed on the same dispatch list as the Cardboard for attendance purposes commencing the start of the first full month following the completion of training.
5. Failure to meet the attendance standard of 75% of the average hours worked by the Dispatch List/Cardboard will result in immediate termination as a Trainee and disqualification from proceeding any further in the process towards placement on the Cardboard.
6. Trainees on the Dispatch List are cautioned that missing opportunities for work may negatively impact on their opportunity for a position on the Cardboard. If a Trainee misses too many opportunities to be referred to work, his or her status as a Trainee will be jeopardized.
7. Despite being dispatched with the Cardboard, Trainees will not be eligible to formally move to the Cardboard until all Trainees have completed all training and have been on the Dispatch List for at least 6 months.

Rules for the Cardboard

8. All Trainees who gain a position on the Cardboard must maintain hours of work equal to a minimum of 75% of the average hours worked by the Cardboard in order to retain their position on the Cardboard.

9. Failure to maintain the 75% of the average hours worked by the Cardboard without valid excuse acceptable to the Union Manpower Committee will result in removal of the person from the Cardboard.
10. The Union Manpower Committee will take into account absences due to illness, injury or other legitimate reason, as set out more fully in paragraphs 16 through 20 below.
11. The decision of the Union Manpower Committee with respect to this matter shall be final and binding and not subject to appeal.
12. Persons on the Cardboard must comply with all lawful directions of the ILA. Failure to follow directions or in any way failing to provide productive services for the ILA and HEA will result in removal from the Cardboard.
13. Appeals may be made to the Union Manpower Committee within 7 days of the removal from the Cardboard. The Union Manpower Committee may consider any submission of the Cardboard person and shall, in their absolute discretion, decide if the person will remain on the Cardboard.
14. There shall be no appeals from the decision of the Union Manpower Committee. The decision of the Union Manpower Committee is final and binding.
15. Persons on the Cardboard must remember the importance of regular attendance and providing good service to the ILA and the HEA. Failure to meet the recognized standards expected of longshorepersons, both now and in the future, will result in removal from the Cardboard.
16. Notwithstanding the requirements in paragraph 8, if a person is unable to work because of injury or illness to such an extent that the requirement to work 75% of the average hours worked by the Cardboard, which is set out in paragraph 8, cannot be met, he or she must provide medical proof, satisfactory to the ILA, of the injury or illness preventing the person from working.
17. If the Union Manpower Committee is dissatisfied with any medical opinion provided, the Committee may require the person to be examined by a doctor of the Union Manpower Committee's choice. The cost of the report of this doctor is to be borne by the person and paid for in advance. Failure to comply with the foregoing will result in the removal of the person from the Cardboard. The decision of the Committee with respect to the medical determination is final and not subject to review or appeal to any other body.
18. If a person on the Cardboard is legitimately ill or injured as determined by the Union Manpower Committee, he or she will not lose their position on the Cardboard so long as they continue to satisfy the Union Manpower Committee of their continued incapacity due to illness or injury.
19. When the person ceases to be incapacitated due to the illness or injury, the person is expected to return to work and fully participate in the Cardboard.

20. The activities of the person will be reviewed, and the Union Manpower Committee may assign a revised position on the Cardboard to a person who is unable to work because of illness or injury.
21. The ILA will assess at least quarterly the attendance of persons on the Cardboard to determine if they are meeting the minimum standard of 75% of the average hours worked by the Cardboard.
22. Failure to meet the minimum standard of 75% of the average hours worked by the Cardboard will result in automatic dismissal and removal from the Cardboard.

Compliance with Union Rules and the Collective Agreement

23. Trainees and persons on the Cardboard agree to be bound by the rules and regulations of the ILA with respect to discipline, dispatch, and other Hiring Hall rules, and they agree to be subject to the internal procedures of the ILA for failing to comply with the Union's rules.
24. Failure to comply with the regulations, rules, and by-laws of the Union may, in the absolute discretion of the Union, result in removal from the Dispatch List or the Cardboard.
25. Persons on the Dispatch List or the Cardboard are required to comply with and be bound by all provisions of the Collective Agreement between the ILA and the HEA.
26. Persons on the Dispatch List or the Cardboard are required to comply with any authority of the HEA as set out in the Collective Agreement, and they are subject to being disciplined and discharged by the HEA for failure to so comply.
27. If a person on the Cardboard is disciplined by the HEA, the person may, in the discretion of the Union, be removed from the Cardboard. Suspension or dismissal by the ILA or the HEA from the Cardboard prohibits that person from doing any work for any employer on the waterfront, either during the period of the suspension or after the dismissal, respectively.
28. Trainees on the Dispatch List have no right to grieve or in any way appeal the termination of their probationary employment.

Union Membership

29. A position on either the Dispatch List or the Cardboard does not in any way guarantee admission to membership in the Union at any time in the future.
30. At some time in the future, the Union may decide to take in new members. The decision as to when to take in new members and how many is in the absolute Discretion of the Union. The Union will decide how, when, and in what manner persons will be admitted into the Union.