



Founded 1889

United Association of Journeymen and Apprentices of the
Plumbing and Pipe Fitting Industry of the United States and Canada

Three Park Place • Annapolis, Maryland 21401
(410) 269-2000 • Fax (410) 267-0262 • <http://www.ua.org>

Mark McManus
General President

Patrick H. Kellett
General Secretary-Treasurer

Michael A. Pleasant
Assistant General President

General Office File Reference: GP

March 23, 2020

TO ALL LOCAL UNION BUSINESS MANAGERS

Dear Brothers and Sisters:

I am writing in regards to Local Unions that are scheduled to conduct their regular elections of officers in June 2020. In view of the ever-evolving public health crisis created by COVID-19, the guidance provided by public health officials, and the interests of our members and their families, I am exercising my authority under the UA Constitution, including Section 46(f), to make exceptions to certain election provisions in Sections 122 and 123 of the UA Constitution.

The overarching purpose of these exceptions, which are discussed below, is to enable those of you with June 2020 elections to adjust your current election plans as necessary to avoid undue exposure of yourselves, your staff, and your members to the risks presented by COVID-19. Because, as noted, the situation is ever-evolving, and because a mail ballot election can be conducted with minimal or no in-person contact, I want those of you who are currently planning a manual ballot election to strongly consider conducting a mail ballot election instead. I realize, however, that a mail ballot election may not be feasible for every Local Union based on financial considerations, the availability of election companies or accountants with mail ballot election experience, and/or other reasons. For these reasons, rather than requiring all upcoming elections to be conducted by mail ballot, I am leaving the ultimate decision in your hands.

The specific exceptions to the election provisions of the UA Constitution I am authorizing for the upcoming election cycle are as follows:

1. If your Local Union is planning to conduct a mail ballot election, the election may proceed as scheduled. However, I am authorizing and encouraging you to cancel your in-person nominations meetings and conduct nominations according to the Alternative Procedure for Nominations attached to this letter. To the extent you have already sent out a nominations/election notice, a new notice reflecting the Alternative Procedure will need to be sent out.





2. If your Local Union is planning to conduct a manual ballot (i.e., in-person) election, I am authorizing and encouraging you to postpone the election to August 2020, with nominations to occur in July 2020. To the extent feasible, you should use the extra time between now and then to plan a mail ballot election, with ballots mailed out in July 2020 and returned in August 2020. You do not need to request my permission to use a mail ballot under Section 123 of the UA Constitution. The attached Alternative Procedure may be utilized in lieu of a traditional nominations meeting. To the extent you have already sent out a nominations/election notice, you will need to send out a new nominations/election notice reflecting the Alternative Procedure.
3. Local Unions that, pursuant to this special authorization, conduct their elections in August 2020, or July 2020/August 2020 in the case of a mail ballot, remain obligated to hold their next elections in June 2023. A practical—and, given the circumstances, acceptable—consequence of this is that candidates who prevail in the August 2020 election will serve a term in office that is reduced by three months.
4. All provisions of the UA Constitution not implicated by the foregoing exceptions, including, for example, the provisions on election protests and eligibility to vote and run for office, remain in full force and effect. Likewise, the foregoing exceptions are not intended to supersede or vitiate election-related By-Laws, rules or procedures of your Local Union that do not present a conflict with such exceptions. Local Union Election Committees, and others charged with administering the election, should be mindful of the need to apply the rules and procedures pertaining to the election with the flexibility and common sense that the current climate demands.
5. I will continue to evaluate the impact of COVID-19 on Local Union elections and reserve the right to modify these exceptions, or make further exceptions, as appropriate.

Thank you for your attention to this matter. If you have any questions, please contact Administrative Assistant to the General President Brad Karbowsky at bradk@uanet.org.

Fraternally,

Mark McManus
General President

MM:ail

cc: General Secretary-Treasurer Patrick H. Kellett
Administrative Assistant to the General President Bradley Karbowsky



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TO: ALL LOCAL UNION BUSINESS MANAGERS

Dear Brothers and Sisters:

Given the risks presented by COVID-19 in your areas, and the guidance and/or directives on group gatherings being issued by government and health authorities, a large number of you have wisely exercised your authority as Business Manager to cancel membership meetings. I understand, however, that many of you who have cancelled meetings have upcoming, collectively-bargained total package increases that, according to the By-Laws or other rules of your Local Union, must be allocated with the approval of the Local Union membership. With your memberships unable to meet to consider the allocations, many of you have requested guidance on whether, and on what terms, a Business Manager could make the allocations.

In response to these requests, I am exercising my authority under Section 46(f) of the UA Constitution to issue the following interpretation of the Business Manager's authority under Section 103 of the Constitution. Section 103 charges the Business Manager with exercising control and supervision over the daily affairs and business operations of the Local Union and with administering the Local Union's collective bargaining agreements. See pages 23-24 of the UA Ritual. In view of this authority, the Business Manager may, under the circumstances described above, allocate a collectively-bargained increase on a tentative basis without membership approval, notwithstanding any contrary By-Law or other rule of the Local Union.

When membership meetings resume, the tentative allocation made by the Business Manager must be presented to the membership for approval or revision. In making the tentative allocation, the Business Manager should put the employer association on notice that the allocation is tentative and must be approved by the Local Union membership when meetings resume.

Fraternally yours,

Mark McManus
General President

cc: General Secretary-Treasurer Patrick H. Kellett
Assistant General President Michael A. Pleasant
International Vice Presidents
International and Special Representatives

